

## **IC 21-34-3**

### **Chapter 3. Building Facilities, Equipment, Land**

#### **IC 21-34-3-1**

##### **Board; authority to acquire, construct, improve, and operate building facilities**

Sec. 1. The board of trustees of a state educational institution may, as the board of trustees finds necessary, acquire, erect, construct, reconstruct, improve, rehabilitate, remodel, repair, complete, extend, enlarge, equip, furnish, and operate building facilities for:

- (1) carrying on the educational research, the public service programs, or the statutory responsibilities of the state educational institution and the various divisions of the state educational institution under the jurisdiction of the board of trustees; or
- (2) managing, operating, or servicing the state educational institution.

*As added by P.L.2-2007, SEC.275.*

#### **IC 21-34-3-2**

##### **Location of buildings**

Sec. 2. A building facility may be located at any place within Indiana at which the board of trustees of a state educational institution determines the need exists for the building facilities.

*As added by P.L.2-2007, SEC.275.*

#### **IC 21-34-3-3**

##### **Authority to acquire, erect, construct, rehabilitate, and operate equipment**

Sec. 3. The board of trustees of a state educational institution may acquire, erect, construct, reconstruct, improve, rehabilitate, remodel, repair, complete, extend, enlarge, furnish, and operate any equipment that the board of trustees of a state educational institution considers necessary for:

- (1) carrying on the educational research or public service programs or discharging the statutory responsibilities of the state educational institution and the various divisions of the state educational institution; or
- (2) managing, operating, or servicing the state educational institution.

*As added by P.L.2-2007, SEC.275.*

#### **IC 21-34-3-4**

##### **Authority to acquire or improve real and personal property**

Sec. 4. (a) The board of trustees of a state educational institution may:

- (1) acquire, under this article or any other applicable law, by:
  - (A) purchase (for cash or on contract);
  - (B) lease or sublease for a period not exceeding forty (40)

years that the board of trustees approves;

(C) condemnation;

(D) trade or exchange;

(E) gift, devise, or bequest; or

(F) other means; and

(2) improve;

real property (improved or unimproved) and personal property that the board of trustees determines necessary for the purposes set forth in subsection (b) on the terms and conditions and subject to the liens and encumbrances that the board of trustees approves.

(b) Any action may be taken under subsection (a) that the board of trustees of the state educational institution considers necessary for:

(1) carrying on the educational research, the public service programs, or the statutory responsibilities of the state educational institution and the various divisions of the state educational institution under the jurisdiction of the board of trustees; or

(2) managing, operating, or servicing the state educational institution.

*As added by P.L.2-2007, SEC.275.*

#### **IC 21-34-3-5**

##### **Title to real and personal property**

Sec. 5. Except as otherwise provided in IC 21-34-4, title to all property acquired, including improvements on acquired property, must be taken and held by and in the name of the board of trustees in its corporate capacity for the purposes of this article. The board of trustees of a state educational institution may use for these purposes real or personal property:

(1) acquired before or after March 10, 1965; or

(2) available on or after March 10, 1965, to the state educational institution, including real estate (improved or unimproved), the title to which on or after March 10, 1965, may be in the name of the state of Indiana for the use and benefit of the board of trustees of the state educational institution or the state educational institution under its control.

*As added by P.L.2-2007, SEC.275.*

#### **IC 21-34-3-6**

##### **Approval of plans and specifications; bids; contracts**

Sec. 6. (a) A lessor leasing fifty percent (50%) or more of a building facility or building facilities:

(1) to a state educational institution or to more than one (1) state educational institution jointly pursuant to sections 4 and 5 of this chapter for a term of five (5) years or more; and

(2) that are to be acquired or constructed and erected by the lessor;

shall, before commencing the acquisition or construction and erection, obtain approval of the plans and specifications for the

building facility or building facilities by the lessee or lessees and also by any other public agencies that are required to approve plans and specifications for similar building facilities acquired or constructed and erected by the lessee or lessees.

(b) The lessor shall take bids and enter into a contract or contracts for the construction and erection of the building facility or building facilities in accordance with the same procedures required by law to be followed by the lessee or lessees in the acquisition or construction and erection of similar building facilities.

*As added by P.L.2-2007, SEC.275.*

### **IC 21-34-3-7**

#### **Approval of governor; conveyance of deed**

Sec. 7. (a) If the board of trustees of a state educational institution determines to locate a building facility upon real estate, the title to which is in the name of the state of Indiana for the use and benefit of:

- (1) the board of trustees of the state educational institution; or
- (2) the state educational institution under its control;

the parcel of real estate reasonably required for the building facility may, upon request in writing by the board of trustees of the state educational institution to the governor and with the approval of the governor, be conveyed by deed from the state of Indiana to the board of trustees of the state educational institution.

(b) The governor may execute and deliver a deed:

- (1) in the name of the state of Indiana;
- (2) signed on behalf of the state by the governor;
- (3) attested by the auditor of state; and
- (4) with the seal of the state affixed to the deed.

*As added by P.L.2-2007, SEC.275.*