

## ARTICLE 4. HISTORIC PROPERTIES

### Rule 1. Evaluation of Proposals to Sell, Exchange, Accept Gifts, or Otherwise Acquire Historic Property

#### 313 IAC 4-1-1 Purpose and objective; exception for artifacts

Authority: IC 4-37-4-3

Affected: IC 4-37-4-4

Sec. 1. (a) This rule establishes a procedure for evaluating the merits of proposals to sell, exchange, or accept gifts of historic properties under IC 4-37-4-4.

(b) The corporation seeks, by implementation of this procedure, to also establish standards and criteria for the acquisition of historic properties under subsection (a).

(c) Where historic property is an artifact, this rule is controlled by 313 IAC 3-1. (*Indiana State Museum and Historic Sites Corporation; 313 IAC 4-1-1; filed Sep 11, 2012, 2:31 p.m.: 20121010-IR-313110726FRA*)

#### 313 IAC 4-1-2 Petition for acquisition of a historic site or a historic structure

Authority: IC 4-37-4-3

Affected: IC 4-37-4-4

Sec. 2. (a) A person seeking to have Indiana acquire a historic site or a historic structure that would be administered by the corporation shall file a petition with the corporation chief executive officer signed by at least ten (10) residents of Indiana.

(b) The petition must be accompanied by an application completed on a corporation form. (*Indiana State Museum and Historic Sites Corporation; 313 IAC 4-1-2; filed Sep 11, 2012, 2:31 p.m.: 20121010-IR-313110726FRA*)

#### 313 IAC 4-1-3 Procedure for evaluating a petition; recommendation by board; final action by corporation

Authority: IC 4-37-4-3

Affected: IC 4-37-4-4

Sec. 3. (a) Upon the receipt of a petition and completed application as provided under section 2 of this rule, the corporation will:

(1) perform historical or archeological research; and

(2) gather data on structural needs, costs, and other information pertinent to a complete evaluation.

(b) The corporation will present to the board the results of the research and data collection described in subsection (a). Based upon that presentation, and upon other documentation that may be submitted to the board by an interested person, the board shall determine whether the property should be acquired.

(c) The recommendation of the board, under this section, may contain restrictions, terms, or conditions not included in the petition and application filed under section 2 of this rule. (*Indiana State Museum and Historic Sites Corporation; 313 IAC 4-1-3; filed Sep 11, 2012, 2:31 p.m.: 20121010-IR-313110726FRA*)

#### 313 IAC 4-1-4 Factors for evaluating a petition

Authority: IC 4-37-4-3

Affected: IC 4-37-4-4

Sec. 4. In evaluating a petition and application filed under section 2 of this rule, the corporation shall consider each of the following factors:

(1) Whether the property:

(A) illustrates, interprets, or is identified with an important aspect of Indiana history or prehistory;

(B) duplicates a state historic site already administered by the corporation;

(C) retains its original appearance, setting, and materials;

(D) has sufficient historical significance to justify the costs of acquisition, continued rehabilitation, and maintenance;

(E) is readily accessible to the public;

- (F) has ready access to utilities; or
- (G) could generate future revenues.

(2) Other factors that promote the purposes of IC 4-37 and this article.

*(Indiana State Museum and Historic Sites Corporation; 313 IAC 4-1-4; filed Sep 11, 2012, 2:31 p.m.: 20121010-IR-313110726FRA)*

**313 IAC 4-1-5 Procedure for authorization by the corporation for deaccession and disposition of historic property**

Authority: IC 4-37-4-3

Affected: IC 4-37-4-4

Sec. 5. (a) Before historic property is deaccessioned, the board shall consider and evaluate the property according to the factors contained in section 6 of this rule. The board shall not determine final action on a property deaccession except during a public meeting of the board. An opportunity shall be provided to any interested person to comment in writing or during the public meeting concerning whether the property should be deaccessioned. No employee of the corporation may be disciplined or otherwise sanctioned by the corporation because the employee exercises the opportunity to comment provided under this subsection.

(b) The board may direct that a public hearing be conducted for final action that is taken under subsection (a). *(Indiana State Museum and Historic Sites Corporation; 313 IAC 4-1-5; filed Sep 11, 2012, 2:31 p.m.: 20121010-IR-313110726FRA)*

**313 IAC 4-1-6 Factors for evaluating historic property**

Authority: IC 4-37-4-3

Affected: IC 4-37-4-4

Sec. 6. In evaluating whether historic property administered by the corporation should be deaccessioned, the corporation shall consider the following factors:

(1) Whether the property:

- (A) illustrates, interprets, or is identified with an important aspect of Indiana history or prehistory;
- (B) duplicates another state historic site administered by the corporation;
- (C) has sufficient historical significance to justify the costs of continued rehabilitation and maintenance;
- (D) is readily accessible to the public;
- (E) has ready access to utilities; or
- (F) currently generates or could generate future revenues.

(2) Other factors that promote the purposes of IC 4-37 and this article.

*(Indiana State Museum and Historic Sites Corporation; 313 IAC 4-1-6; filed Sep 11, 2012, 2:31 p.m.: 20121010-IR-313110726FRA)*

\*