

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 2008 be amended to read as follows:

- 1 Page 50, between lines 16 and 17, begin a new paragraph and insert:
2 "SECTION 28. IC 6-3.1-13-15.5, AS ADDED BY P.L.178-2002,
3 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2003]: Sec. 15.5. This section applies to an application
5 proposing to retain existing jobs in Indiana. After receipt of an
6 application, the board may enter into an agreement with the applicant
7 for a credit under this chapter if the board determines that all the
8 following conditions exist:
9 (1) The applicant's project will retain existing jobs performed by
10 the employees of the applicant in Indiana.
11 (2) The applicant provides evidence that there is at least one (1)
12 other competing site outside Indiana that is being considered for
13 the project or for the relocation of jobs.
14 (3) A disparity is identified, using the best available data, in the
15 projected costs for the applicant's project in Indiana compared
16 with the costs for the project in the competing site.
17 (4) The applicant is engaged in research and development,
18 manufacturing, or business services (as defined in the Standard
19 Industrial Classification Manual of the United States Office of
20 Management and Budget).
21 (5) The average compensation (including benefits) provided to the
22 applicant's employees during the applicant's previous fiscal year
23 exceeds the ~~average compensation paid during that same period~~
24 ~~to all employees in the county in which the applicant's business is~~

1 located by at least five percent (~~5%~~); lesser of:

2 (A) the average county wage in the county where the
3 project for which the credit under this chapter is granted
4 will be located; or

5 (B) the average wage in the state;

6 during the same period, as determined by the department of
7 commerce.

8 (6) The applicant employs at least ~~two hundred (200)~~
9 **seventy-five (75)** employees in Indiana.

10 (7) The applicant has prepared a plan for the use of the credits
11 under this chapter for:

12 (A) investment in facility improvements or equipment and
13 machinery upgrades, repairs, or retrofits; or

14 (B) other direct business related investments, including but not
15 limited to training.

16 (8) Receiving the tax credit is a major factor in the applicant's
17 decision to go forward with the project, and not receiving the tax
18 credit will increase the likelihood of the applicant reducing jobs
19 in Indiana.

20 (9) Awarding the tax credit will result in an overall positive fiscal
21 impact to the state, as certified by the budget agency using the
22 best available data.

23 (10) The applicant's business and project are economically sound
24 and will benefit the people of Indiana by increasing or
25 maintaining opportunities for employment and strengthening the
26 economy of Indiana.

27 (11) The communities affected by the potential reduction in jobs
28 or relocation of jobs to another site outside Indiana have
29 committed at least one dollar ~~and fifty cents (\$1.50)~~ (**\$1**) of local
30 incentives with respect to the retention of jobs for every ~~three two~~
31 **dollars (~~\$3~~) (\$2)** in credits provided under this chapter. For
32 purposes of this subdivision, local incentives include, but are not
33 limited to, cash grants, tax abatements, infrastructure
34 improvements, investment in facility rehabilitation, construction,
35 and training investments.

36 (12) The credit is not prohibited by section 16 of this chapter.

37 SECTION 29. IC 6-3.1-13-17, AS AMENDED BY P.L.178-2002,
38 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2003]: Sec. 17. In determining the credit amount that should
40 be awarded to an applicant under section 15 of this chapter that
41 proposes a project to create jobs in Indiana, the board shall take into
42 consideration the following factors:

43 (1) The economy of the county where the projected investment is
44 to occur.

45 (2) The potential impact on the economy of Indiana.

46 (3) The incremental payroll attributable to the project.

- 1 (4) The capital investment attributable to the project.
- 2 (5) The ~~amount the~~ average wage paid by the applicant. ~~exceeds~~
- 3 ~~the average wage paid within the county in which the project will~~
- 4 ~~be located.~~
- 5 (6) The costs to Indiana and the affected political subdivisions
- 6 with respect to the project.
- 7 (7) The financial assistance that is otherwise provided by Indiana
- 8 and the affected political subdivisions.
- 9 As appropriate, the board shall consider the factors in this section to
- 10 determine the credit amount awarded to an applicant for a project to
- 11 retain existing jobs in Indiana under section 15.5 of this chapter. In the
- 12 case of an applicant under section 15.5 of this chapter, the board shall
- 13 consider the magnitude of the cost differential between the projected
- 14 costs for the applicant's project in the competing site outside Indiana
- 15 and the projected costs for the applicant's project in Indiana."
- 16 Renumber all SECTIONS consecutively.
(Reference is to HB 2008 as printed February 26, 2003.)

Representative Espich