

**CONFERENCE COMMITTEE REPORT
DIGEST FOR EHB 1005**

Citations Affected: IC 6-3.1-11-15.

Synopsis: Industrial recovery tax credit. Makes certain changes to the industrial recovery tax credit (credit). Reduces, for purposes of qualifying for the credit: (1) the number of years, from 20 to 15, in which a vacant industrial facility must have been in service; and (2) from two years to one year the time that a facility must be vacant. Reduces the minimum amount of floor space that a vacant industrial facility may have to qualify for the credit from 250,000 square feet to: (1) 50,000 square feet, for taxable years beginning after December 31, 2010, and beginning before January 1, 2015; or (2) 100,000 square feet, for taxable years beginning after December 31, 2014. **(This conference committee report is based on EHB 1005 (as printed April 15, 2011), except this conference committee report: (1) deletes the change to the definition of "vacant", restoring the unused percentage of 75% in current law; and (2) changes the definition of "vacant industrial facility" to require a plant to have: (1) at least 50,000 square feet, for taxable years beginning after December 31, 2010, and beginning before January 1, 2015; or (2) 100,000 square feet, for taxable years beginning after December 31, 2014; to qualify for the credit.)**

Effective: January 1, 2011 (retroactive).

CONFERENCE COMMITTEE REPORT

MADAM PRESIDENT:

Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill No. 1005 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

- 1 Page 2, delete lines 2 through 20, begin a new paragraph and insert:
2 "SECTION 2. IC 6-3.1-11-15 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JANUARY 1, 2011 (RETROACTIVE)]:
4 Sec. 15. As used in this chapter, "vacant industrial facility" means a
5 tract of land on which there is located a plant that:
6 (1) has:
7 **(A) for taxable years beginning after December 31, 2010,**
8 **and beginning before January 1, 2015, at least fifty**
9 **thousand (50,000) square feet of floor space; or**
10 **(B) for taxable years beginning after December 31, 2014,**
11 at least ~~two hundred fifty thousand (250,000)~~ **one hundred**
12 **thousand (100,000) square feet of floor space;**
13 (2) was placed in service at least ~~twenty (20)~~ **fifteen (15)** years
14 ago; and
15 (3) has been vacant for ~~two (2) or more years,~~ **at least one (1)**
16 **year, unless the tract and the plant are owned by a municipality**
17 **or a county, in which case the ~~two (2)~~ one (1) year requirement**
18 **does not apply."**
19 Renumber all SECTIONS consecutively
 (Reference is to EHB 1005 as printed April 15, 2011.)

Conference Committee Report
on
Engrossed House Bill 1005

Signed by:

Representative Clere
Chairperson

Senator Charbonneau

Representative Cheatham

Senator Arnold

House Conferees

Senate Conferees