HOUSE BILL No. 1291

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DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-7-14-47.

Synopsis: TIF districts for housing programs. Increases from 150 acres to 300 acres the total area that may be included in a tax increment financing (TIF) allocation area established for a housing program by a municipal or county redevelopment commission.

Effective: July 1, 2012.

GiaQuinta

January 11, 2012, read first time and referred to Committee on Ways and Means.

HOUSE BILL No. 1291

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A BILL FOR AN ACT to amend the Indiana Code concerning redevelopment commissions.

Be it enacted by the General Assembly of the State of Indiana:

1   SECTION 1. IC 36-7-14-47, AS ADDED BY P.L.154-2006,
2 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2012]: Sec. 47. The commission must make the following
4 findings in the resolution adopting a housing program under section 45
5 of this chapter:
6   (1) Not more than twenty-five (25) acres of the area included in
7   the allocation area has been annexed during the preceding five (5)
8   years.
9   (2) No area within the allocation area has been annexed within the
10   preceding five (5) years over a remonstrance of a majority of the
11   owners of land within the annexed area.
12   (3) The program cannot be accomplished by regulatory processes
13   or by the ordinary operation of private enterprise because of:
14   (A) the lack of public improvements;
15   (B) the existence of improvements or conditions that lower the
16   value of the land below that of nearby land; or
17   (C) other similar conditions.

1　(4) The public health and welfare will be benefited by
2　accomplishment of the program.
3　(5) The accomplishment of the program will be of public utility
4　and benefit as measured by:
5　　(A) the provision of adequate housing for low and moderate
6　　income persons;
7　　(B) an increase in the property tax base; or
8　　(C) other similar public benefits.
9　(6) At least one-third (1/3) of the parcels in the allocation area
10　established by the program are vacant.
11　(7) At least seventy-five percent (75%) of the allocation area is
12　used for residential purposes or is planned to be used for
13　residential purposes.
14　(8) At least one-third (1/3) of the residential units in the allocation
15　area were constructed before 1941.
16　(9) At least one-third (1/3) of the parcels in the allocation area
17　have at least one (1) of the following characteristics:
18　　(A) The dwelling unit on the parcel is not permanently
19　　occupied.
20　　(B) The parcel is the subject of a governmental order, issued
21　　under a statute or an ordinance, requiring the correction of a
22　　housing code violation or unsafe building condition.
23　　(C) Two (2) or more property tax payments on the parcel are
24　　delinquent.
25　　(D) The parcel is owned by local, state, or federal government.
26　(10) The total area within the county or municipality that is
27　included in any allocation area established for a housing program
28　under section 45 of this chapter does not exceed one **three**
29　hundred fifty (150) **(300)** acres.