



Reprinted
February 26, 2013

SENATE BILL No. 535

DIGEST OF SB 535 (Updated February 25, 2013 4:43 pm - DI 73)

Citations Affected: IC 8-22; IC 36-7.

Synopsis: Airport authorities and economic development. Provides that if Clark County establishes an airport authority, the board of the airport authority consists of certain specified members. Provides that if such an airport authority is established: (1) it shall be named the South Central Regional Airport Authority; and (2) the authority's budget, tax levies, and bonds or leases payable from property taxes must be approved by the Clark County fiscal body. Requires the board of the airport authority to maintain liability insurance coverage in an amount determined sufficient by the board. Requires the board of the airport authority to issue for each year an annual report that contains certain elements. Provides that a redevelopment commission or military base reuse authority established by a unit located in Clark County may provide revenue to an airport authority if the redevelopment commission or reuse authority makes a determination that providing the revenue will enhance economic development opportunities.

Effective: Upon passage.

Grooms, Broden

January 14, 2013, read first time and referred to Committee on Commerce, Economic Development & Technology.
February 18, 2013, reported favorably — Do Pass.
February 25, 2013, read second time, amended, ordered engrossed.

SB 535—LS 6560/DI 73+



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First Regular Session 118th General Assembly (2013)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

SENATE BILL No. 535

A BILL FOR AN ACT to amend the Indiana Code concerning economic development.

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

- 1 SECTION 1. IC 8-22-3-4, AS AMENDED BY P.L.119-2012,
2 SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 4. (a) Except as provided in subsections (b),
4 (c), (d), (e), (f), and (g) and ~~section sections 4.3 and 4.5~~ of this chapter,
5 the board consists of four (4) members, whenever the fiscal body of an
6 eligible entity, acting individually, establishes an authority. The
7 members of the board shall be appointed by the executive of the entity,
8 and not more than two (2) members of the board may be of the same
9 political party.
10 (b) In the event that two (2) cities or one (1) city and one (1) town
11 act jointly to establish an authority under this chapter, the board
12 consists of five (5) members. The executive of each city or town shall
13 each appoint two (2) members to the board. The county executive shall
14 appoint one (1) member to the board. Each member appointed by an
15 executive must be of a different political party than the other appointed
16 member.
17 (c) In the event that an authority is established by a city or town and

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1 a county, acting jointly, the board consists of six (6) members. The
 2 executive of each entity shall appoint three (3) members. Not more
 3 than two (2) members appointed by each executive may be of the same
 4 political party.

5 (d) In the event that an authority was established under IC 19-6-3
 6 (before its repeal on April 1, 1980) the board consists of five (5)
 7 members. Three (3) members of the board shall be appointed by the
 8 mayor of the city, and two (2) members of the board shall be appointed
 9 by the board of commissioners of the county. Not more than two (2)
 10 members representing the city may be members of the same political
 11 party, and not more than one (1) member representing the county may
 12 be a member of the same political party.

13 (e) Except as provided in section 4.1(b)(3) of this chapter, the
 14 county executive of each Indiana county that is adjacent to a county
 15 establishing an authority under this chapter and in which the authority
 16 owns real property may appoint one (1) advisory member to the board.
 17 An advisory member who is appointed under this subsection:

- 18 (1) must be a resident of the adjacent county;
- 19 (2) may not vote on any matter before the board;
- 20 (3) serves at the pleasure of the appointing authority; and
- 21 (4) serves without compensation or payment for expenses.

22 (f) The board of an authority established in a city having a
 23 population of more than sixteen thousand four hundred (16,400) but
 24 less than seventeen thousand (17,000) consists of five (5) members.
 25 The members of the board shall be appointed by the executive of the
 26 eligible entity, and not more than three (3) members of the board may
 27 be of the same political party.

28 (g) This subsection does not apply to a board subject to subsection
 29 (b), (c), (d), or (f). Notwithstanding subsection (a), the fiscal body of
 30 an eligible entity may adopt an ordinance or a resolution providing that
 31 the board consists of five (5) members. If the board consists of five (5)
 32 members, not more than three (3) members may be of the same
 33 political party.

34 SECTION 2. IC 8-22-3-4.5 IS ADDED TO THE INDIANA CODE
 35 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**
 36 **UPON PASSAGE]: Sec. 4.5. (a) If an airport authority is**
 37 **established under this chapter by the fiscal body of Clark County,**
 38 **the board of the authority consists of eleven (11) members**
 39 **appointed as follows:**

- 40 (1) **Three (3) members appointed by the fiscal body of Clark**
 41 **County. Not more than two (2) members appointed under this**
 42 **subdivision may be affiliated with the same political party.**



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- 1 **(2) Two (2) members appointed by the executive of Clark**
- 2 **County. The members appointed under this subdivision may**
- 3 **not be affiliated with the same political party.**
- 4 **(3) One (1) member appointed by the executive of the city of**
- 5 **Jeffersonville.**
- 6 **(4) One (1) member appointed by the executive of the city of**
- 7 **Charlestown.**
- 8 **(5) One (1) member appointed by the legislative body of the**
- 9 **town of Borden.**
- 10 **(6) One (1) member appointed by the legislative body of the**
- 11 **town of Sellersburg.**
- 12 **(7) One (1) member appointed by the legislative body of the**
- 13 **town of Utica.**
- 14 **(8) One (1) member appointed by the legislative body of the**
- 15 **town of Clarksville.**
- 16 **(b) To be eligible to be a member of the board, an individual**
- 17 **must have the qualifications required by section 5(a) of this**
- 18 **chapter.**
- 19 **(c) Except as provided in subsection (d) for the initial terms of**
- 20 **board members, an individual appointed to the board shall hold**
- 21 **office for a term of four (4) years and until the member's successor**
- 22 **is appointed and qualified.**
- 23 **(d) The initial terms of the initial members appointed to the**
- 24 **board are as follows:**
- 25 **(1) One (1) of the members appointed under subsection (a)(1)**
- 26 **shall serve an initial term of two (2) years, one (1) of the**
- 27 **members appointed under subsection (a)(1) shall serve an**
- 28 **initial term of three (3) years, and the other member**
- 29 **appointed under subsection (a)(1) shall serve an initial term**
- 30 **of four (4) years.**
- 31 **(2) One (1) of the members appointed under subsection (a)(2)**
- 32 **shall serve an initial term of one (1) year, and the other**
- 33 **member appointed under subsection (a)(2) shall serve an**
- 34 **initial term of three (3) years.**
- 35 **(3) The member appointed under subsection (a)(3) shall serve**
- 36 **an initial term of one (1) year.**
- 37 **(4) The member appointed under subsection (a)(4) shall serve**
- 38 **an initial term of two (2) years.**
- 39 **(5) The member appointed under subsection (a)(5) shall serve**
- 40 **an initial term of three (3) years.**
- 41 **(6) The member appointed under subsection (a)(6) shall serve**
- 42 **an initial term of four (4) years.**

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- 1 **(7) The member appointed under subsection (a)(7) shall serve**
- 2 **an initial term of two (2) years.**
- 3 **(8) The member appointed under subsection (a)(8) shall serve**
- 4 **an initial term of three (3) years.**
- 5 **(e) A board member is eligible for reappointment to successive**
- 6 **terms.**
- 7 **(f) If a vacancy occurs in the board by resignation or otherwise,**
- 8 **the appointing authority that appointed the member that vacated**
- 9 **the board shall appoint an individual to serve for the remainder of**
- 10 **the unexpired term.**
- 11 **(g) A board member may be impeached under the procedure**
- 12 **provided for the impeachment of county officers.**
- 13 **(h) The following apply if an authority described in subsection**
- 14 **(a) is established under this chapter:**
- 15 **(1) The authority shall be named the South Central Regional**
- 16 **Airport Authority.**
- 17 **(2) The budget and tax levies of the authority must be**
- 18 **approved by the fiscal body of Clark County as provided in**
- 19 **IC 6-1.1-17-20.**
- 20 **(3) The authority may not issue bonds or enter into a lease**
- 21 **payable in whole or in part from property taxes unless the**
- 22 **authority obtains the approval of the fiscal body of Clark**
- 23 **County as provided in IC 6-1.1-17-20.5.**
- 24 **(i) The board must at all times maintain liability insurance**
- 25 **coverage for the authority that provides general liability coverage**
- 26 **in an amount determined sufficient by the board.**
- 27 **(j) The board must issue for each year an annual report that**
- 28 **includes at least the following:**
- 29 **(1) The reports submitted to the board under section 21 of this**
- 30 **chapter by the treasurer of the authority for the year.**
- 31 **(2) An audited balance sheet, an audited cash flow statement,**
- 32 **and an audited income statement for the year.**
- 33 **(3) Minutes of each meeting of the board held during the year.**
- 34 **(4) A report of any pending or potential litigation involving**
- 35 **the authority or the board, including a discussion of potential**
- 36 **loss resulting from the pending or potential litigation.**
- 37 **(k) The general assembly finds that by authorizing a unique**
- 38 **board membership of an airport authority under this section,**
- 39 **Clark County will have the opportunity to advance the economic**
- 40 **development potential of the county through the airport authority,**
- 41 **the military base reuse authority, and the ports of Indiana.**
- 42 **SECTION 3. IC 36-7-14-12.2, AS AMENDED BY P.L.221-2007,**

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1 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 UPON PASSAGE]: Sec. 12.2. (a) The redevelopment commission may
 3 do the following:

4 (1) Acquire by purchase, exchange, gift, grant, condemnation, or
 5 lease, or any combination of methods, any personal property or
 6 interest in real property needed for the redevelopment of areas
 7 needing redevelopment that are located within the corporate
 8 boundaries of the unit.

9 (2) Hold, use, sell (by conveyance by deed, land sale contract, or
 10 other instrument), exchange, lease, rent, or otherwise dispose of
 11 property acquired for use in the redevelopment of areas needing
 12 redevelopment on the terms and conditions that the commission
 13 considers best for the unit and its inhabitants.

14 (3) Sell, lease, or grant interests in all or part of the real property
 15 acquired for redevelopment purposes to any other department of
 16 the unit or to any other governmental agency for public ways,
 17 levees, sewerage, parks, playgrounds, schools, and other public
 18 purposes on any terms that may be agreed on.

19 (4) Clear real property acquired for redevelopment purposes.

20 (5) Enter on or into, inspect, investigate, and assess real property
 21 and structures acquired or to be acquired for redevelopment
 22 purposes to determine the existence, source, nature, and extent of
 23 any environmental contamination, including the following:

24 (A) Hazardous substances.
 25 (B) Petroleum.
 26 (C) Other pollutants.

27 (6) Remediate environmental contamination, including the
 28 following, found on any real property or structures acquired for
 29 redevelopment purposes:

30 (A) Hazardous substances.
 31 (B) Petroleum.
 32 (C) Other pollutants.

33 (7) Repair and maintain structures acquired for redevelopment
 34 purposes.

35 (8) Remodel, rebuild, enlarge, or make major structural
 36 improvements on structures acquired for redevelopment purposes.

37 (9) Survey or examine any land to determine whether it should be
 38 included within an area needing redevelopment to be acquired for
 39 redevelopment purposes and to determine the value of that land.

40 (10) Appear before any other department or agency of the unit, or
 41 before any other governmental agency in respect to any matter
 42 affecting:

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- 1 (A) real property acquired or being acquired for
 2 redevelopment purposes; or
 3 (B) any area needing redevelopment within the jurisdiction of
 4 the commissioners.
- 5 (11) Institute or defend in the name of the unit any civil action.
 6 (12) Use any legal or equitable remedy that is necessary or
 7 considered proper to protect and enforce the rights of and perform
 8 the duties of the department of redevelopment.
 9 (13) Exercise the power of eminent domain in the name of and
 10 within the corporate boundaries of the unit in the manner
 11 prescribed by section 20 of this chapter.
 12 (14) Appoint an executive director, appraisers, real estate experts,
 13 engineers, architects, surveyors, and attorneys.
 14 (15) Appoint clerks, guards, laborers, and other employees the
 15 commission considers advisable, except that those appointments
 16 must be made in accordance with the merit system of the unit if
 17 such a system exists.
 18 (16) Prescribe the duties and regulate the compensation of
 19 employees of the department of redevelopment.
 20 (17) Provide a pension and retirement system for employees of
 21 the department of redevelopment by using the Indiana public
 22 employees' retirement fund or a retirement plan approved by the
 23 United States Department of Housing and Urban Development.
 24 (18) Discharge and appoint successors to employees of the
 25 department of redevelopment subject to subdivision (15).
 26 (19) Rent offices for use of the department of redevelopment, or
 27 accept the use of offices furnished by the unit.
 28 (20) Equip the offices of the department of redevelopment with
 29 the necessary furniture, furnishings, equipment, records, and
 30 supplies.
 31 (21) Expend, on behalf of the special taxing district, all or any
 32 part of the money of the special taxing district.
 33 (22) Contract for the construction of:
 34 (A) local public improvements (as defined in IC 36-7-14.5-6)
 35 or structures that are necessary for redevelopment of areas
 36 needing redevelopment or economic development within the
 37 corporate boundaries of the unit; or
 38 (B) any structure that enhances development or economic
 39 development.
 40 (23) Contract for the construction, extension, or improvement of
 41 pedestrian skyways.
 42 (24) Accept loans, grants, and other forms of financial assistance

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1 from the federal government, the state government, a municipal
 2 corporation, a special taxing district, a foundation, or any other
 3 source.

4 (25) Provide financial assistance (including grants and loans) to
 5 enable individuals and families to purchase or lease residential
 6 units within the district. However, financial assistance may be
 7 provided only to individuals and families whose income is at or
 8 below the unit's median income for individuals and families,
 9 respectively.

10 (26) Provide financial assistance (including grants and loans) to
 11 neighborhood development corporations to permit them to:

12 (A) provide financial assistance for the purposes described in
 13 subdivision (25); or

14 (B) construct, rehabilitate, or repair commercial property
 15 within the district.

16 (27) Require as a condition of financial assistance to the owner of
 17 a multiple unit residential structure that any of the units leased by
 18 the owner must be leased:

19 (A) for a period to be determined by the commission, which
 20 may not be less than five (5) years;

21 (B) to families whose income does not exceed eighty percent
 22 (80%) of the unit's median income for families; and

23 (C) at an affordable rate.

24 **(28) This subdivision applies only to a redevelopment**
 25 **commission established by a unit located in a county having**
 26 **a population of more than one hundred ten thousand**
 27 **(110,000) but less than one hundred eleven thousand**
 28 **(111,000). Provide revenue, including property tax proceeds**
 29 **allocated under section 39 of this chapter, to an airport**
 30 **authority if the commission by resolution makes a**
 31 **determination that providing the revenue will enhance**
 32 **economic development opportunities.**

33 (b) Conditions imposed by the commission under subsection (a)(27)
 34 remain in force throughout the period determined under subsection
 35 (a)(27)(A), even if the owner sells, leases, or conveys the property. The
 36 subsequent owner or lessee is bound by the conditions for the
 37 remainder of the period.

38 (c) As used in this section, "pedestrian skyway" means a pedestrian
 39 walkway within or outside of the public right-of-way and through and
 40 above public or private property and buildings, including all structural
 41 supports required to connect skyways to buildings or buildings under
 42 construction. Pedestrian skyways constructed, extended, or improved



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1 over or through public or private property constitute public property
2 and public improvements, constitute a public use and purpose, and do
3 not require vacation of any public way or other property.

4 (d) All powers that may be exercised under this chapter by the
5 redevelopment commission may also be exercised by the
6 redevelopment commission in carrying out its duties and purposes
7 under IC 36-7-14.5.

8 SECTION 4. IC 36-7-14-39, AS AMENDED BY P.L.112-2012,
9 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 UPON PASSAGE]: Sec. 39. (a) As used in this section:

11 "Allocation area" means that part of a redevelopment project area
12 to which an allocation provision of a declaratory resolution adopted
13 under section 15 of this chapter refers for purposes of distribution and
14 allocation of property taxes.

15 "Base assessed value" means the following:

16 (1) If an allocation provision is adopted after June 30, 1995, in a
17 declaratory resolution or an amendment to a declaratory
18 resolution establishing an economic development area:

19 (A) the net assessed value of all the property as finally
20 determined for the assessment date immediately preceding the
21 effective date of the allocation provision of the declaratory
22 resolution, as adjusted under subsection (h); plus

23 (B) to the extent that it is not included in clause (A), the net
24 assessed value of property that is assessed as residential
25 property under the rules of the department of local government
26 finance, as finally determined for any assessment date after the
27 effective date of the allocation provision.

28 (2) If an allocation provision is adopted after June 30, 1997, in a
29 declaratory resolution or an amendment to a declaratory
30 resolution establishing a redevelopment project area:

31 (A) the net assessed value of all the property as finally
32 determined for the assessment date immediately preceding the
33 effective date of the allocation provision of the declaratory
34 resolution, as adjusted under subsection (h); plus

35 (B) to the extent that it is not included in clause (A), the net
36 assessed value of property that is assessed as residential
37 property under the rules of the department of local government
38 finance, as finally determined for any assessment date after the
39 effective date of the allocation provision.

40 (3) If:

41 (A) an allocation provision adopted before June 30, 1995, in
42 a declaratory resolution or an amendment to a declaratory

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1 resolution establishing a redevelopment project area expires
 2 after June 30, 1997; and
 3 (B) after June 30, 1997, a new allocation provision is included
 4 in an amendment to the declaratory resolution;
 5 the net assessed value of all the property as finally determined for
 6 the assessment date immediately preceding the effective date of
 7 the allocation provision adopted after June 30, 1997, as adjusted
 8 under subsection (h).
 9 (4) Except as provided in subdivision (5), for all other allocation
 10 areas, the net assessed value of all the property as finally
 11 determined for the assessment date immediately preceding the
 12 effective date of the allocation provision of the declaratory
 13 resolution, as adjusted under subsection (h).
 14 (5) If an allocation area established in an economic development
 15 area before July 1, 1995, is expanded after June 30, 1995, the
 16 definition in subdivision (1) applies to the expanded part of the
 17 area added after June 30, 1995.
 18 (6) If an allocation area established in a redevelopment project
 19 area before July 1, 1997, is expanded after June 30, 1997, the
 20 definition in subdivision (2) applies to the expanded part of the
 21 area added after June 30, 1997.
 22 Except as provided in section 39.3 of this chapter, "property taxes"
 23 means taxes imposed under IC 6-1.1 on real property. However, upon
 24 approval by a resolution of the redevelopment commission adopted
 25 before June 1, 1987, "property taxes" also includes taxes imposed
 26 under IC 6-1.1 on depreciable personal property. If a redevelopment
 27 commission adopted before June 1, 1987, a resolution to include within
 28 the definition of property taxes taxes imposed under IC 6-1.1 on
 29 depreciable personal property that has a useful life in excess of eight
 30 (8) years, the commission may by resolution determine the percentage
 31 of taxes imposed under IC 6-1.1 on all depreciable personal property
 32 that will be included within the definition of property taxes. However,
 33 the percentage included must not exceed twenty-five percent (25%) of
 34 the taxes imposed under IC 6-1.1 on all depreciable personal property.
 35 (b) A declaratory resolution adopted under section 15 of this chapter
 36 on or before the allocation deadline determined under subsection (i)
 37 may include a provision with respect to the allocation and distribution
 38 of property taxes for the purposes and in the manner provided in this
 39 section. A declaratory resolution previously adopted may include an
 40 allocation provision by the amendment of that declaratory resolution on
 41 or before the allocation deadline determined under subsection (i) in
 42 accordance with the procedures required for its original adoption. A

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1 declaratory resolution or an amendment that establishes an allocation
 2 provision after June 30, 1995, must specify an expiration date for the
 3 allocation provision. For an allocation area established before July 1,
 4 2008, the expiration date may not be more than thirty (30) years after
 5 the date on which the allocation provision is established. For an
 6 allocation area established after June 30, 2008, the expiration date may
 7 not be more than twenty-five (25) years after the date on which the first
 8 obligation was incurred to pay principal and interest on bonds or lease
 9 rentals on leases payable from tax increment revenues. However, with
 10 respect to bonds or other obligations that were issued before July 1,
 11 2008, if any of the bonds or other obligations that were scheduled when
 12 issued to mature before the specified expiration date and that are
 13 payable only from allocated tax proceeds with respect to the allocation
 14 area remain outstanding as of the expiration date, the allocation
 15 provision does not expire until all of the bonds or other obligations are
 16 no longer outstanding. The allocation provision may apply to all or part
 17 of the redevelopment project area. The allocation provision must
 18 require that any property taxes subsequently levied by or for the benefit
 19 of any public body entitled to a distribution of property taxes on taxable
 20 property in the allocation area be allocated and distributed as follows:

21 (1) Except as otherwise provided in this section, the proceeds of
 22 the taxes attributable to the lesser of:

23 (A) the assessed value of the property for the assessment date
 24 with respect to which the allocation and distribution is made;
 25 or

26 (B) the base assessed value;

27 shall be allocated to and, when collected, paid into the funds of
 28 the respective taxing units.

29 (2) The excess of the proceeds of the property taxes imposed for
 30 the assessment date with respect to which the allocation and
 31 distribution is made that are attributable to taxes imposed after
 32 being approved by the voters in a referendum or local public
 33 question conducted after April 30, 2010, not otherwise included
 34 in subdivision (1) shall be allocated to and, when collected, paid
 35 into the funds of the taxing unit for which the referendum or local
 36 public question was conducted.

37 (3) Except as otherwise provided in this section, property tax
 38 proceeds in excess of those described in subdivisions (1) and (2)
 39 shall be allocated to the redevelopment district and, when
 40 collected, paid into an allocation fund for that allocation area that
 41 may be used by the redevelopment district only to do one (1) or
 42 more of the following:

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- 1 (A) Pay the principal of and interest on any obligations
- 2 payable solely from allocated tax proceeds which are incurred
- 3 by the redevelopment district for the purpose of financing or
- 4 refinancing the redevelopment of that allocation area.
- 5 (B) Establish, augment, or restore the debt service reserve for
- 6 bonds payable solely or in part from allocated tax proceeds in
- 7 that allocation area.
- 8 (C) Pay the principal of and interest on bonds payable from
- 9 allocated tax proceeds in that allocation area and from the
- 10 special tax levied under section 27 of this chapter.
- 11 (D) Pay the principal of and interest on bonds issued by the
- 12 unit to pay for local public improvements that are physically
- 13 located in or physically connected to that allocation area.
- 14 (E) Pay premiums on the redemption before maturity of bonds
- 15 payable solely or in part from allocated tax proceeds in that
- 16 allocation area.
- 17 (F) Make payments on leases payable from allocated tax
- 18 proceeds in that allocation area under section 25.2 of this
- 19 chapter.
- 20 (G) Reimburse the unit for expenditures made by it for local
- 21 public improvements (which include buildings, parking
- 22 facilities, and other items described in section 25.1(a) of this
- 23 chapter) that are physically located in or physically connected
- 24 to that allocation area.
- 25 (H) Reimburse the unit for rentals paid by it for a building or
- 26 parking facility that is physically located in or physically
- 27 connected to that allocation area under any lease entered into
- 28 under IC 36-1-10.
- 29 (I) For property taxes first due and payable before January 1,
- 30 2009, pay all or a part of a property tax replacement credit to
- 31 taxpayers in an allocation area as determined by the
- 32 redevelopment commission. This credit equals the amount
- 33 determined under the following STEPS for each taxpayer in a
- 34 taxing district (as defined in IC 6-1.1-1-20) that contains all or
- 35 part of the allocation area:
- 36 STEP ONE: Determine that part of the sum of the amounts
- 37 under IC 6-1.1-21-2(g)(1)(A), IC 6-1.1-21-2(g)(2),
- 38 IC 6-1.1-21-2(g)(3), IC 6-1.1-21-2(g)(4), and
- 39 IC 6-1.1-21-2(g)(5) (before their repeal) that is attributable to
- 40 the taxing district.
- 41 STEP TWO: Divide:
- 42 (i) that part of each county's eligible property tax

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1 replacement amount (as defined in IC 6-1.1-21-2 (before its
 2 repeal)) for that year as determined under IC 6-1.1-21-4
 3 (before its repeal) that is attributable to the taxing district;
 4 by
 5 (ii) the STEP ONE sum.
 6 STEP THREE: Multiply:
 7 (i) the STEP TWO quotient; times
 8 (ii) the total amount of the taxpayer's taxes (as defined in
 9 IC 6-1.1-21-2 (before its repeal)) levied in the taxing district
 10 that have been allocated during that year to an allocation
 11 fund under this section.
 12 If not all the taxpayers in an allocation area receive the credit
 13 in full, each taxpayer in the allocation area is entitled to
 14 receive the same proportion of the credit. A taxpayer may not
 15 receive a credit under this section and a credit under section
 16 39.5 of this chapter (before its repeal) in the same year.
 17 (J) Pay expenses incurred by the redevelopment commission
 18 for local public improvements that are in the allocation area or
 19 serving the allocation area. Public improvements include
 20 buildings, parking facilities, and other items described in
 21 section 25.1(a) of this chapter.
 22 (K) Reimburse public and private entities for expenses
 23 incurred in training employees of industrial facilities that are
 24 located:
 25 (i) in the allocation area; and
 26 (ii) on a parcel of real property that has been classified as
 27 industrial property under the rules of the department of local
 28 government finance.
 29 However, the total amount of money spent for this purpose in
 30 any year may not exceed the total amount of money in the
 31 allocation fund that is attributable to property taxes paid by the
 32 industrial facilities described in this clause. The
 33 reimbursements under this clause must be made within three
 34 (3) years after the date on which the investments that are the
 35 basis for the increment financing are made.
 36 (L) Pay the costs of carrying out an eligible efficiency project
 37 (as defined in IC 36-9-41-1.5) within the unit that established
 38 the redevelopment commission. However, property tax
 39 proceeds may be used under this clause to pay the costs of
 40 carrying out an eligible efficiency project only if those
 41 property tax proceeds exceed the amount necessary to do the
 42 following:

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- 1 (i) Make, when due, any payments required under clauses
- 2 (A) through (K), including any payments of principal and
- 3 interest on bonds and other obligations payable under this
- 4 subdivision, any payments of premiums under this
- 5 subdivision on the redemption before maturity of bonds, and
- 6 any payments on leases payable under this subdivision.
- 7 (ii) Make any reimbursements required under this
- 8 subdivision.
- 9 (iii) Pay any expenses required under this subdivision.
- 10 (iv) Establish, augment, or restore any debt service reserve
- 11 under this subdivision.

12 **(M) This clause applies only to a redevelopment**
 13 **commission established by a unit located in a county**
 14 **having a population of more than one hundred ten**
 15 **thousand (110,000) but less than one hundred eleven**
 16 **thousand (111,000). Provide revenue to an airport**
 17 **authority, if the commission has adopted a resolution**
 18 **under section 12.2(a)(28) of this chapter determining that**
 19 **providing the revenue will enhance economic development**
 20 **opportunities.**

21 The allocation fund may not be used for operating expenses of the
 22 commission.

23 (4) Except as provided in subsection (g), before July 15 of each
 24 year, the commission shall do the following:

25 (A) Determine the amount, if any, by which the assessed value
 26 of the taxable property in the allocation area for the most
 27 recent assessment date minus the base assessed value, when
 28 multiplied by the estimated tax rate of the allocation area, will
 29 exceed the amount of assessed value needed to produce the
 30 property taxes necessary to make, when due, principal and
 31 interest payments on bonds described in subdivision (3), plus
 32 the amount necessary for other purposes described in
 33 subdivision (3).

34 (B) Provide a written notice to the county auditor, the fiscal
 35 body of the county or municipality that established the
 36 department of redevelopment, and the officers who are
 37 authorized to fix budgets, tax rates, and tax levies under
 38 IC 6-1.1-17-5 for each of the other taxing units that is wholly
 39 or partly located within the allocation area. The notice must:

- 40 (i) state the amount, if any, of excess assessed value that the
- 41 commission has determined may be allocated to the
- 42 respective taxing units in the manner prescribed in

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1 subdivision (1); or
 2 (ii) state that the commission has determined that there is no
 3 excess assessed value that may be allocated to the respective
 4 taxing units in the manner prescribed in subdivision (1).
 5 The county auditor shall allocate to the respective taxing units
 6 the amount, if any, of excess assessed value determined by the
 7 commission. The commission may not authorize an allocation
 8 of assessed value to the respective taxing units under this
 9 subdivision if to do so would endanger the interests of the
 10 holders of bonds described in subdivision (3) or lessors under
 11 section 25.3 of this chapter.
 12 (c) For the purpose of allocating taxes levied by or for any taxing
 13 unit or units, the assessed value of taxable property in a territory in the
 14 allocation area that is annexed by any taxing unit after the effective
 15 date of the allocation provision of the declaratory resolution is the
 16 lesser of:
 17 (1) the assessed value of the property for the assessment date with
 18 respect to which the allocation and distribution is made; or
 19 (2) the base assessed value.
 20 (d) Property tax proceeds allocable to the redevelopment district
 21 under subsection (b)(3) may, subject to subsection (b)(4), be
 22 irrevocably pledged by the redevelopment district for payment as set
 23 forth in subsection (b)(3).
 24 (e) Notwithstanding any other law, each assessor shall, upon
 25 petition of the redevelopment commission, reassess the taxable
 26 property situated upon or in, or added to, the allocation area, effective
 27 on the next assessment date after the petition.
 28 (f) Notwithstanding any other law, the assessed value of all taxable
 29 property in the allocation area, for purposes of tax limitation, property
 30 tax replacement, and formulation of the budget, tax rate, and tax levy
 31 for each political subdivision in which the property is located is the
 32 lesser of:
 33 (1) the assessed value of the property as valued without regard to
 34 this section; or
 35 (2) the base assessed value.
 36 (g) If any part of the allocation area is located in an enterprise zone
 37 created under IC 5-28-15, the unit that designated the allocation area
 38 shall create funds as specified in this subsection. A unit that has
 39 obligations, bonds, or leases payable from allocated tax proceeds under
 40 subsection (b)(3) shall establish an allocation fund for the purposes
 41 specified in subsection (b)(3) and a special zone fund. Such a unit
 42 shall, until the end of the enterprise zone phase out period, deposit each

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1 year in the special zone fund any amount in the allocation fund derived
 2 from property tax proceeds in excess of those described in subsection
 3 (b)(1) and (b)(2) from property located in the enterprise zone that
 4 exceeds the amount sufficient for the purposes specified in subsection
 5 (b)(3) for the year. The amount sufficient for purposes specified in
 6 subsection (b)(3) for the year shall be determined based on the pro rata
 7 portion of such current property tax proceeds from the part of the
 8 enterprise zone that is within the allocation area as compared to all
 9 such current property tax proceeds derived from the allocation area. A
 10 unit that has no obligations, bonds, or leases payable from allocated tax
 11 proceeds under subsection (b)(3) shall establish a special zone fund
 12 and deposit all the property tax proceeds in excess of those described
 13 in subsection (b)(1) and (b)(2) in the fund derived from property tax
 14 proceeds in excess of those described in subsection (b)(1) and (b)(2)
 15 from property located in the enterprise zone. The unit that creates the
 16 special zone fund shall use the fund (based on the recommendations of
 17 the urban enterprise association) for programs in job training, job
 18 enrichment, and basic skill development that are designed to benefit
 19 residents and employers in the enterprise zone or other purposes
 20 specified in subsection (b)(3), except that where reference is made in
 21 subsection (b)(3) to allocation area it shall refer for purposes of
 22 payments from the special zone fund only to that part of the allocation
 23 area that is also located in the enterprise zone. Those programs shall
 24 reserve at least one-half (1/2) of their enrollment in any session for
 25 residents of the enterprise zone.

26 (h) The state board of accounts and department of local government
 27 finance shall make the rules and prescribe the forms and procedures
 28 that they consider expedient for the implementation of this chapter.
 29 After each general reassessment of real property in an area under
 30 IC 6-1.1-4-4 and after each reassessment in an area under a
 31 reassessment plan prepared under IC 6-1.1-4-4.2, the department of
 32 local government finance shall adjust the base assessed value one (1)
 33 time to neutralize any effect of the reassessment of the real property in
 34 the area on the property tax proceeds allocated to the redevelopment
 35 district under this section. After each annual adjustment under
 36 IC 6-1.1-4-4.5, the department of local government finance shall adjust
 37 the base assessed value one (1) time to neutralize any effect of the
 38 annual adjustment on the property tax proceeds allocated to the
 39 redevelopment district under this section. However, the adjustments
 40 under this subsection may not include the effect of property tax
 41 abatements under IC 6-1.1-12.1, and these adjustments may not
 42 produce less property tax proceeds allocable to the redevelopment



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1 district under subsection (b)(3) than would otherwise have been
2 received if the general reassessment, the reassessment under the
3 reassessment plan, or the annual adjustment had not occurred. The
4 department of local government finance may prescribe procedures for
5 county and township officials to follow to assist the department in
6 making the adjustments.

7 (i) The allocation deadline referred to in subsection (b) is
8 determined in the following manner:

9 (1) The initial allocation deadline is December 31, 2011.

10 (2) Subject to subdivision (3), the initial allocation deadline and
11 subsequent allocation deadlines are automatically extended in
12 increments of five (5) years, so that allocation deadlines
13 subsequent to the initial allocation deadline fall on December 31,
14 2016, and December 31 of each fifth year thereafter.

15 (3) At least one (1) year before the date of an allocation deadline
16 determined under subdivision (2), the general assembly may enact
17 a law that:

18 (A) terminates the automatic extension of allocation deadlines
19 under subdivision (2); and

20 (B) specifically designates a particular date as the final
21 allocation deadline.

22 SECTION 5. IC 36-7-30-9 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) The military
24 base reuse authority may do the following:

25 (1) Acquire by purchase, exchange, gift, grant, condemnation, or
26 lease, or any combination of methods, any personal military base
27 property or interest in real military base property or other real or
28 personal property located within the corporate boundaries of the
29 unit.

30 (2) Hold, use, sell (by conveyance by deed, land sale contract, or
31 other instrument), exchange, lease, rent, or otherwise dispose of
32 real or personal military base property or other real and personal
33 property to private enterprise or state or local government, on the
34 terms and conditions that the reuse authority considers best for the
35 unit and its inhabitants.

36 (3) Sell, lease, or grant interests in all or part of the real property
37 acquired from a military base to any other department of the unit
38 or to any other governmental agency for public ways, levees,
39 sewerage, parks, playgrounds, schools, and other public purposes
40 on any terms that may be agreed on.

41 (4) Clear real property acquired for the purposes of this chapter.

42 (5) Repair and maintain structures acquired for the purposes of

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- 1 this chapter.
- 2 (6) Remodel, rebuild, enlarge, or make major structural
- 3 improvements on structures acquired from a military base.
- 4 (7) Survey or examine any land to determine whether it should be
- 5 acquired for the purpose of this chapter and to determine the
- 6 value of the land.
- 7 (8) Appear before any other department or agency of the unit or
- 8 any other governmental agency in respect to any matter affecting:
- 9 (A) real property acquired or being acquired for the purposes
- 10 of this chapter; or
- 11 (B) any reuse area within the jurisdiction of the reuse
- 12 authority.
- 13 (9) Institute or defend in the name of the unit any civil action.
- 14 (10) Use any legal or equitable remedy that is necessary or
- 15 considered proper to protect and enforce the rights of and perform
- 16 the duties of the reuse authority.
- 17 (11) Exercise the power of eminent domain in the name of and
- 18 within the corporate boundaries of the unit in the manner
- 19 prescribed by section 16 of this chapter.
- 20 (12) Appoint an executive director, appraisers, real estate experts,
- 21 engineers, architects, surveyors, attorneys, accountants, and other
- 22 consultants that are necessary or desired by the authority in
- 23 exercising its powers or carrying out its responsibilities under this
- 24 chapter.
- 25 (13) Appoint clerks, guards, laborers, and other employees the
- 26 reuse authority considers advisable. However, the appointments
- 27 must be made in accordance with the merit system of the unit if
- 28 the unit has a merit system.
- 29 (14) Prescribe the duties and regulate the compensation of
- 30 employees of the military base reuse authority.
- 31 (15) Provide a pension and retirement system for employees of
- 32 the military base reuse authority, or use the public employees'
- 33 retirement fund or a retirement plan approved by the United
- 34 States Department of Housing and Urban Development.
- 35 (16) Discharge and appoint successors to employees of the
- 36 military base reuse authority subject to subdivision (13).
- 37 (17) Rent offices for use of the reuse authority or accept the use
- 38 of offices furnished by the unit.
- 39 (18) Equip the offices of the reuse authority with the necessary
- 40 furniture, furnishings, equipment, records, and supplies.
- 41 (19) Expend on behalf of the special taxing district all or any part
- 42 of the money of the special taxing district.

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- 1 (20) Design, order, contract for, and construct, reconstruct,
- 2 improve, or renovate the following:
- 3 (A) Local public improvements or structures that are necessary
- 4 for the reuse of military base property within the corporate
- 5 boundaries of the unit.
- 6 (B) Any structure that enhances the development, economic
- 7 development, or reuse of military base property.
- 8 (21) Accept loans, grants, and other forms of financial assistance
- 9 from the federal government, the state government, a municipal
- 10 corporation, a special taxing district, a foundation, or any other
- 11 source.
- 12 (22) Provide financial assistance, in the manner that best serves
- 13 the purposes of this chapter, including grants and loans, to enable
- 14 private enterprise to develop, redevelop, and reuse military base
- 15 property or otherwise enable private enterprise to provide social
- 16 and economic benefits to the citizens of the unit.
- 17 (23) Enter into contracts for providing police, fire protection, and
- 18 utility services to the military base reuse area.
- 19 (24) Make and enter into all contracts and agreements necessary
- 20 or incidental to the performance of the duties of the reuse
- 21 authority and the execution of the power of the reuse authority
- 22 under this chapter.
- 23 (25) Take any action necessary to implement the purposes of the
- 24 reuse authority.
- 25 **(26) This subdivision applies only to a reuse authority**
- 26 **established by a unit located in a county having a population**
- 27 **of more than one hundred ten thousand (110,000) but less**
- 28 **than one hundred eleven thousand (111,000). Provide revenue,**
- 29 **including property tax proceeds allocated under section 25 of**
- 30 **this chapter, to an airport authority if the authority by**
- 31 **resolution makes a determination that providing the revenue**
- 32 **will enhance economic development opportunities.**
- 33 (b) All powers that may be exercised under this chapter by the reuse
- 34 authority may also be exercised by the reuse authority in carrying out
- 35 its duties and purposes under IC 36-7-14.5 or IC 36-7-15.3.
- 36 SECTION 6. IC 36-7-30-25, AS AMENDED BY P.L.112-2012,
- 37 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 38 UPON PASSAGE]: Sec. 25. (a) The following definitions apply
- 39 throughout this section:
- 40 (1) "Allocation area" means that part of a military base reuse area
- 41 to which an allocation provision of a declaratory resolution
- 42 adopted under section 10 of this chapter refers for purposes of

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distribution and allocation of property taxes.

(2) "Base assessed value" means:

- (A) the net assessed value of all the property as finally determined for the assessment date immediately preceding the adoption date of the allocation provision of the declaratory resolution, as adjusted under subsection (h); plus
- (B) to the extent that it is not included in clause (A) or (C), the net assessed value of any and all parcels or classes of parcels identified as part of the base assessed value in the declaratory resolution or an amendment thereto, as finally determined for any subsequent assessment date; plus
- (C) to the extent that it is not included in clause (A) or (B), the net assessed value of property that is assessed as residential property under the rules of the department of local government finance, as finally determined for any assessment date after the effective date of the allocation provision.

Clause (C) applies only to allocation areas established in a military reuse area after June 30, 1997, and to the part of an allocation area that was established before June 30, 1997, and that is added to an existing allocation area after June 30, 1997.

(3) "Property taxes" means taxes imposed under IC 6-1.1 on real property.

(b) A declaratory resolution adopted under section 10 of this chapter before the date set forth in IC 36-7-14-39(b) pertaining to declaratory resolutions adopted under IC 36-7-14-15 may include a provision with respect to the allocation and distribution of property taxes for the purposes and in the manner provided in this section. A declaratory resolution previously adopted may include an allocation provision by the amendment of that declaratory resolution in accordance with the procedures set forth in section 13 of this chapter. The allocation provision may apply to all or part of the military base reuse area. The allocation provision must require that any property taxes subsequently levied by or for the benefit of any public body entitled to a distribution of property taxes on taxable property in the allocation area be allocated and distributed as follows:

- (1) Except as otherwise provided in this section, the proceeds of the taxes attributable to the lesser of:
 - (A) the assessed value of the property for the assessment date with respect to which the allocation and distribution is made;
 - or
 - (B) the base assessed value;

shall be allocated to and, when collected, paid into the funds of

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1 the respective taxing units.
 2 (2) The excess of the proceeds of the property taxes imposed for
 3 the assessment date with respect to which the allocation and
 4 distribution are made that are attributable to taxes imposed after
 5 being approved by the voters in a referendum or local public
 6 question conducted after April 30, 2010, not otherwise included
 7 in subdivision (1) shall be allocated to and, when collected, paid
 8 into the funds of the taxing unit for which the referendum or local
 9 public question was conducted.
 10 (3) Except as otherwise provided in this section, property tax
 11 proceeds in excess of those described in subdivisions (1) and (2)
 12 shall be allocated to the military base reuse district and, when
 13 collected, paid into an allocation fund for that allocation area that
 14 may be used by the military base reuse district and only to do one
 15 (1) or more of the following:
 16 (A) Pay the principal of and interest and redemption premium
 17 on any obligations incurred by the military base reuse district
 18 or any other entity for the purpose of financing or refinancing
 19 military base reuse activities in or directly serving or
 20 benefiting that allocation area.
 21 (B) Establish, augment, or restore the debt service reserve for
 22 bonds payable solely or in part from allocated tax proceeds in
 23 that allocation area or from other revenues of the reuse
 24 authority, including lease rental revenues.
 25 (C) Make payments on leases payable solely or in part from
 26 allocated tax proceeds in that allocation area.
 27 (D) Reimburse any other governmental body for expenditures
 28 made for local public improvements (or structures) in or
 29 directly serving or benefiting that allocation area.
 30 (E) Pay expenses incurred by the reuse authority, any other
 31 department of the unit, or a department of another
 32 governmental entity for local public improvements or
 33 structures that are in the allocation area or directly serving or
 34 benefiting the allocation area, including expenses for the
 35 operation and maintenance of these local public improvements
 36 or structures if the reuse authority determines those operation
 37 and maintenance expenses are necessary or desirable to carry
 38 out the purposes of this chapter.
 39 (F) Reimburse public and private entities for expenses
 40 incurred in training employees of industrial facilities that are
 41 located:
 42 (i) in the allocation area; and

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(ii) on a parcel of real property that has been classified as industrial property under the rules of the department of local government finance.

However, the total amount of money spent for this purpose in any year may not exceed the total amount of money in the allocation fund that is attributable to property taxes paid by the industrial facilities described in this clause. The reimbursements under this clause must be made not more than three (3) years after the date on which the investments that are the basis for the increment financing are made.

(G) This clause applies only to a reuse authority established by a unit located in a county having a population of more than one hundred ten thousand (110,000) but less than one hundred eleven thousand (111,000). Provide revenue to an airport authority, if the authority has adopted a resolution under section 9(a)(26) of this chapter determining that providing the revenue will enhance economic development opportunities.

Except as provided in clause (E), the allocation fund may not be used for operating expenses of the reuse authority.

(4) Except as provided in subsection (g), before July 15 of each year the reuse authority shall do the following:

(A) Determine the amount, if any, by which property taxes payable to the allocation fund in the following year will exceed the amount of property taxes necessary to make, when due, principal and interest payments on bonds described in subdivision (3) plus the amount necessary for other purposes described in subdivision (3).

(B) Provide a written notice to the county auditor, the fiscal body of the unit that established the reuse authority, and the officers who are authorized to fix budgets, tax rates, and tax levies under IC 6-1.1-17-5 for each of the other taxing units that is wholly or partly located within the allocation area. The notice must:

- (i) state the amount, if any, of excess property taxes that the reuse authority has determined may be paid to the respective taxing units in the manner prescribed in subdivision (1); or
- (ii) state that the reuse authority has determined that there are no excess property tax proceeds that may be allocated to the respective taxing units in the manner prescribed in subdivision (1).

The county auditor shall allocate to the respective taxing units

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1 the amount, if any, of excess property tax proceeds determined
 2 by the reuse authority. The reuse authority may not authorize
 3 a payment to the respective taxing units under this subdivision
 4 if to do so would endanger the interest of the holders of bonds
 5 described in subdivision (3) or lessors under section 19 of this
 6 chapter.

7 (c) For the purpose of allocating taxes levied by or for any taxing
 8 unit or units, the assessed value of taxable property in a territory in the
 9 allocation area that is annexed by a taxing unit after the effective date
 10 of the allocation provision of the declaratory resolution is the lesser of:

- 11 (1) the assessed value of the property for the assessment date with
 12 respect to which the allocation and distribution is made; or
 13 (2) the base assessed value.

14 (d) Property tax proceeds allocable to the military base reuse district
 15 under subsection (b)(3) may, subject to subsection (b)(4), be
 16 irrevocably pledged by the military base reuse district for payment as
 17 set forth in subsection (b)(3).

18 (e) Notwithstanding any other law, each assessor shall, upon
 19 petition of the reuse authority, reassess the taxable property situated
 20 upon or in or added to the allocation area, effective on the next
 21 assessment date after the petition.

22 (f) Notwithstanding any other law, the assessed value of all taxable
 23 property in the allocation area, for purposes of tax limitation, property
 24 tax replacement, and the making of the budget, tax rate, and tax levy
 25 for each political subdivision in which the property is located is the
 26 lesser of:

- 27 (1) the assessed value of the property as valued without regard to
 28 this section; or
 29 (2) the base assessed value.

30 (g) If any part of the allocation area is located in an enterprise zone
 31 created under IC 5-28-15, the unit that designated the allocation area
 32 shall create funds as specified in this subsection. A unit that has
 33 obligations, bonds, or leases payable from allocated tax proceeds under
 34 subsection (b)(3) shall establish an allocation fund for the purposes
 35 specified in subsection (b)(3) and a special zone fund. Such a unit
 36 shall, until the end of the enterprise zone phase out period, deposit each
 37 year in the special zone fund any amount in the allocation fund derived
 38 from property tax proceeds in excess of those described in subsection
 39 (b)(1) and (b)(2) from property located in the enterprise zone that
 40 exceeds the amount sufficient for the purposes specified in subsection
 41 (b)(3) for the year. The amount sufficient for purposes specified in
 42 subsection (b)(3) for the year shall be determined based on the pro rata

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1 part of such current property tax proceeds from the part of the
 2 enterprise zone that is within the allocation area as compared to all
 3 such current property tax proceeds derived from the allocation area. A
 4 unit that does not have obligations, bonds, or leases payable from
 5 allocated tax proceeds under subsection (b)(3) shall establish a special
 6 zone fund and deposit all the property tax proceeds in excess of those
 7 described in subsection (b)(1) and (b)(2) that are derived from property
 8 in the enterprise zone in the fund. The unit that creates the special zone
 9 fund shall use the fund (based on the recommendations of the urban
 10 enterprise association) for programs in job training, job enrichment,
 11 and basic skill development that are designed to benefit residents and
 12 employers in the enterprise zone or other purposes specified in
 13 subsection (b)(3), except that where reference is made in subsection
 14 (b)(3) to allocation area it shall refer for purposes of payments from the
 15 special zone fund only to that part of the allocation area that is also
 16 located in the enterprise zone. The programs shall reserve at least
 17 one-half (1/2) of their enrollment in any session for residents of the
 18 enterprise zone.

19 (h) After each general reassessment of real property in an area under
 20 IC 6-1.1-4-4 or reassessment under the county's reassessment plan
 21 under IC 6-1.1-4-4.2, the department of local government finance shall
 22 adjust the base assessed value one (1) time to neutralize any effect of
 23 the reassessment of the real property in the area on the property tax
 24 proceeds allocated to the military base reuse district under this section.
 25 After each annual adjustment under IC 6-1.1-4-4.5, the department of
 26 local government finance shall adjust the base assessed value to
 27 neutralize any effect of the annual adjustment on the property tax
 28 proceeds allocated to the military base reuse district under this section.
 29 However, the adjustments under this subsection may not include the
 30 effect of property tax abatements under IC 6-1.1-12.1, and these
 31 adjustments may not produce less property tax proceeds allocable to
 32 the military base reuse district under subsection (b)(3) than would
 33 otherwise have been received if the general reassessment, reassessment
 34 under the county's reassessment plan, or annual adjustment had not
 35 occurred. The department of local government finance may prescribe
 36 procedures for county and township officials to follow to assist the
 37 department in making the adjustments.

38 **SECTION 7. An emergency is declared for this act.**



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COMMITTEE REPORT

Madam President: The Senate Committee on Commerce, Economic Development and Technology, to which was referred Senate Bill No. 535, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 535 as introduced.)

BUCK, Chairperson

Committee Vote: Yeas 5, Nays 3.

 SENATE MOTION

Madam President: I move that Senate Bill 535 be amended to read as follows:

Page 2, line 40, delete "Three (3)" and insert "**Two (2)**".

Page 2, line 41, delete "Not more than two (2) of the" and insert "**The**".

Page 2, line 42, after "may" insert "**not**".

Page 3, line 5, delete "executive" and insert "**legislative body**".

Page 3, delete lines 7 through 8, begin a new line block indented and insert:

"(4) One (1) member appointed by the legislative body of the town of Clarksville.

(5) One (1) member appointed by the legislative body of the town of Sellersburg."

Page 3, line 18, delete "Two (2)" and insert "**One (1)**".

Page 3, between lines 29 and 30, begin a new line block indented and insert:

"(5) The member appointed under subsection (a)(5) shall serve an initial term of three (3) years."

Page 6, line 36, after "(28)" insert "**This subdivision applies only to a redevelopment commission established by a unit located in a county having a population of more than one hundred ten thousand (110,000) but less than one hundred eleven thousand (111,000).**".

Page 12, line 20, after "(M)" insert "**This clause applies only to a redevelopment commission established by a unit located in a county having a population of more than one hundred ten thousand (110,000) but less than one hundred eleven thousand (111,000).**".

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Page 15, delete lines 25 through 42.

Delete pages 16 through 25.

Page 26, delete lines 1 through 34.

Page 28, line 38, after "(26)" insert "**This subdivision applies only to a reuse authority established by a unit located in a county having a population of more than one hundred ten thousand (110,000) but less than one hundred eleven thousand (111,000).**".

Page 31, line 21, after "(G)" insert "**This clause applies only to a reuse authority established by a unit located in a county having a population of more than one hundred ten thousand (110,000) but less than one hundred eleven thousand (111,000).**".

Re-number all SECTIONS consecutively.

(Reference is to SB 535 as printed February 19, 2013.)

GROOMS

SENATE MOTION

Madam President: I move that Senate Bill 535 be amended to read as follows:

Page 4, between lines 6 and 7, begin a new paragraph and insert:

"(i) The board must at all times maintain liability insurance coverage for the authority that provides general liability coverage in an amount determined sufficient by the board.

(j) The board must issue for each year an annual report that includes at least the following:

- (1) The reports submitted to the board under section 21 of this chapter by the treasurer of the authority for the year.**
- (2) An audited balance sheet, an audited cash flow statement, and an audited income statement for the year.**
- (3) Minutes of each meeting of the board held during the year.**
- (4) A report of any pending or potential litigation involving the authority or the board, including a discussion of potential loss resulting from the pending or potential litigation."**

Page 4, line 7, delete "(i)" and insert "(k)".

(Reference is to SB 535 as printed February 19, 2013.)

SMITH J



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SENATE MOTION

Madam President: I move that Senate Bill 535 be amended to read as follows:

Page 2, line 38, delete "seven (7) members appointed" and insert **"eleven (11) members appointed as follows:**

- (1) Three (3) members appointed by the fiscal body of Clark County. Not more than two (2) members appointed under this subdivision may be affiliated with the same political party.**
- (2) Two (2) members appointed by the executive of Clark County. The members appointed under this subdivision may not be affiliated with the same political party.**
- (3) One (1) member appointed by the executive of the city of Jeffersonville.**
- (4) One (1) member appointed by the executive of the city of Charlestown.**
- (5) One (1) member appointed by the legislative body of the town of Borden.**
- (6) One (1) member appointed by the legislative body of the town of Sellersburg.**
- (7) One (1) member appointed by the legislative body of the town of Utica.**
- (8) One (1) member appointed by the legislative body of the town of Clarksville."**

Page 2, delete lines 39 through 42.

Page 3, delete lines 1 through 8.

Page 3, delete lines 16 through 29, begin a new paragraph and insert:

"(d) The initial terms of the initial members appointed to the board are as follows:

- (1) One (1) of the members appointed under subsection (a)(1) shall serve an initial term of two (2) years, one (1) of the members appointed under subsection (a)(1) shall serve an initial term of three (3) years, and the other member appointed under subsection (a)(1) shall serve an initial term of four (4) years.**
- (2) One (1) of the members appointed under subsection (a)(2) shall serve an initial term of one (1) year, and the other member appointed under subsection (a)(2) shall serve an initial term of three (3) years.**
- (3) The member appointed under subsection (a)(3) shall serve an initial term of one (1) year.**
- (4) The member appointed under subsection (a)(4) shall serve**

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an initial term of two (2) years.

(5) The member appointed under subsection (a)(5) shall serve an initial term of three (3) years.

(6) The member appointed under subsection (a)(6) shall serve an initial term of four (4) years.

(7) The member appointed under subsection (a)(7) shall serve an initial term of two (2) years.

(8) The member appointed under subsection (a)(8) shall serve an initial term of three (3) years."

(Reference is to SB 535 as printed February 19, 2013.)

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