



COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Local Government, to which was referred Senate Bill No. 164, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 2, line 40, delete "If" and insert "**The jurisdiction of the**
- 2 **designating body includes**".
- 3 Page 2, line 41, after "chapter" insert "**that**".
- 4 Page 2, line 42, delete "IC 36-3-1-7," and insert "**IC 36-3-1-7**".
- 5 Page 3, delete lines 1 through 2.
- 6 Page 5, after line 33, begin a new paragraph and insert:
- 7 "SECTION 2. IC 6-1.1-12.1-2.6 IS ADDED TO THE INDIANA
- 8 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
- 9 **[EFFECTIVE JULY 1, 2022]: Sec. 2.6. (a) This section applies only**
- 10 **to a county having a consolidated city.**
- 11 **(b) As used in this section "excluded city" has the meaning set**
- 12 **forth in IC 36-3-1-7.**
- 13 **(c) A designating body or a contracted entity working on the**
- 14 **designating body's behalf that receives a formal tax abatement or**
- 15 **incentive request for a project located in an excluded city, shall**
- 16 **exercise due diligence by providing written notice to the excluded**
- 17 **city of the request and details of the investment and jobs before**
- 18 **any formal incentive negotiation proceeding. The notice shall be**
- 19 **delivered by certified mail that includes return receipt or any other**
- 20 **means of delivery that provides for verification or acknowledgment**

1 of receipt.

2 (d) Not more than five (5) business days after the date of receipt
3 of the notice under subsection (c), an excluded city may deliver a
4 written response to the designating body or contracted entity
5 working on the designating body's behalf that states the excluded
6 city's position regarding the abatement or incentive request. If a
7 written response is not received from the excluded city within the
8 time specified, the designating body or contracted entity shall
9 assume that the excluded city is in favor of the request and the
10 designating body may proceed with formal incentive negotiations.

11 (e) When an offer letter is extended to an applicant for a tax
12 abatement or incentive request, the designating body shall notify
13 the legislative body of the excluded city in writing by certified mail
14 that includes return receipt or any other means of delivery that
15 provides for verification or acknowledgment of receipt. The
16 legislative body of the excluded city may adopt a resolution stating
17 the legislative body's position on the recommendation not later
18 than thirty (30) business days after receipt of the notice. The
19 resolution shall serve as official communication of the legislative
20 body of the excluded city to the designating body."

21 Renumber all SECTIONS consecutively.

(Reference is to SB 164 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 9, Nays 0.

Senator Buck, Chairperson