



March 31, 2021

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# ENGROSSED HOUSE BILL No. 1025

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DIGEST OF HB 1025 (Updated March 30, 2021 10:24 am - DI 140)

**Citations Affected:** IC 5-28.

**Synopsis:** Enterprise zone renewals. Provides that an enterprise zone may be renewed for an additional five year period if the fiscal body of the municipality in which the enterprise zone is located adopts a resolution to renew the enterprise zone. Provides that a zone business located in the renewed enterprise zone may only access the property tax deduction incentive.

**Effective:** July 1, 2021.

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## Pressel, Karickhoff, Andrade

(SENATE SPONSORS — BOHACEK, NIEZGODSKI)

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January 4, 2021, read first time and referred to Committee on Commerce, Small Business and Economic Development.

February 2, 2021, reported — Do Pass.

February 4, 2021, read second time, ordered engrossed. Engrossed.

February 8, 2021, read third time, passed. Yeas 94, nays 2.

SENATE ACTION

February 23, 2021, read first time and referred to Committee on Commerce and Technology.

March 18, 2021, reported favorably — Do Pass; reassigned to Committee on Tax and Fiscal Policy.

March 30, 2021, reported favorably — Do Pass.

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EH 1025—LS 6081/DI 125





March 31, 2021

First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1025

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A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

1 SECTION 1. IC 5-28-15-10, AS AMENDED BY P.L.146-2018,  
2 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2021]: Sec. 10. (a) ~~Subject to subsection (b)~~; **Except as**  
4 **provided in this section**, an enterprise zone expires ten (10) years after  
5 the day on which it is designated by the board.

6 (b) In the period beginning December 1, 2008, and ending  
7 December 31, 2014, an enterprise zone does not expire under this  
8 section if the fiscal body of the municipality in which the enterprise  
9 zone is located adopts a resolution renewing the enterprise zone for an  
10 additional five (5) years. An enterprise zone may be renewed under this  
11 subsection regardless of the number of times the enterprise zone has  
12 been renewed under subsections (d) and (e). A municipal fiscal body  
13 may adopt a renewal resolution and submit a copy of the resolution to  
14 the corporation:

15 (1) before August 1, 2009, in the case of an enterprise zone that  
16 expired after November 30, 2008, or is scheduled to expire before  
17 September 1, 2009; or

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1 (2) at least thirty (30) days before the expiration date of the  
 2 enterprise zone, in the case of an enterprise zone scheduled to  
 3 expire after August 31, 2009.

4 If an enterprise zone is renewed under this subsection after having been  
 5 renewed under subsection (e), the enterprise zone may not be renewed  
 6 after the expiration of this final five (5) year period, except under  
 7 ~~subsection (e):~~ **subsections (c) and (g).**

8 (c) An enterprise zone does not expire under this section if the fiscal  
 9 body of the municipality in which the enterprise zone is located:

10 (1) has adopted a resolution renewing the enterprise zone under  
 11 subsection (b); and

12 (2) adopts a resolution renewing the enterprise zone for an  
 13 additional one (1) year period beginning on the date on which the  
 14 enterprise zone would otherwise expire under the resolution  
 15 adopted under subdivision (1).

16 An enterprise zone may be renewed for an additional one (1) year  
 17 period under this subsection regardless of the number of times the  
 18 enterprise zone has been renewed under subsections (d), ~~and (e), and~~  
 19 **(g)**. A municipal fiscal body may adopt a renewal resolution and submit  
 20 a copy of the resolution to the corporation at least thirty (30) days  
 21 before the expiration date of the enterprise zone. **Except as provided**  
 22 **in subsection (g)**, if an enterprise zone is renewed for an additional one  
 23 (1) year period under this subsection after having been renewed under  
 24 subsection (e), the enterprise zone may not be renewed after the  
 25 expiration of this final one (1) year period.

26 (d) Before July 1, 2018, the board may review the success of the  
 27 enterprise zone based on the following criteria and may, after review  
 28 by the budget committee, renew the enterprise zone, including all  
 29 provisions of this chapter, for five (5) years:

30 (1) Increases in capital investment in the zone.

31 (2) Retention of jobs and creation of jobs in the zone.

32 (3) Increases in employment opportunities for residents of the  
 33 zone.

34 (e) If an enterprise zone is renewed under subsection (d) before July  
 35 1, 2018, the board may review the success of the enterprise zone based  
 36 on the criteria set forth in subsection (d) and, after review by the budget  
 37 committee, may again renew the enterprise zone, including all  
 38 provisions of this chapter, for a final period of five (5) years. **Except as**  
 39 **provided in subsection (g)**, the zone may not be renewed after the  
 40 expiration of this final five (5) year period.

41 (f) Notwithstanding subsection (c), an enterprise zone that was not  
 42 renewed under subsection (d) or (e) between January 1, 2017, and June



1 30, 2018, may be renewed for an additional five (5) year period if the  
2 fiscal body of the municipality in which the enterprise zone is located  
3 adopts a resolution to renew the enterprise zone for an additional five  
4 (5) year period. **Except as provided in subsection (g)**, the enterprise  
5 zone may not be renewed after the expiration of this final five (5) year  
6 period.

7 **(g) Before the expiration date of an enterprise zone, the fiscal**  
8 **body of the municipality in which the enterprise zone is located**  
9 **may adopt a resolution to renew the enterprise zone for an**  
10 **additional five (5) year period. A zone business in an enterprise**  
11 **zone renewed under this subsection may only access incentives**  
12 **available under IC 6-1.1-45. An enterprise zone may be renewed**  
13 **under this subsection regardless of the number of times the**  
14 **enterprise zone has been previously renewed under this section.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Small Business and Economic Development, to which was referred House Bill 1025, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1025 as introduced.)

MORRIS

Committee Vote: Yeas 10, Nays 1

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COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred House Bill No. 1025, 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 and be reassigned to the Senate Committee on Tax and Fiscal Policy.

(Reference is to HB 1025 as printed February 2, 2021.)

PERFECT, Chairperson

Committee Vote: Yeas 10, Nays 0

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COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Engrossed House Bill No. 1025, 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 to EHB 1025 as printed March 19, 2021.)

HOLDMAN, Chairperson

Committee Vote: Yeas 13, Nays 0

