

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.

HOUSE ENROLLED ACT No. 1025

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

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

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

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

- (1) before August 1, 2009, in the case of an enterprise zone that expired after November 30, 2008, or is scheduled to expire before September 1, 2009; or
- (2) at least thirty (30) days before the expiration date of the enterprise zone, in the case of an enterprise zone scheduled to expire after August 31, 2009.

If an enterprise zone is renewed under this subsection after having been

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renewed under subsection (e), the enterprise zone may not be renewed after the expiration of this final five (5) year period, except under ~~subsection (e)~~: **subsections (c) and (g)**.

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

- (1) has adopted a resolution renewing the enterprise zone under subsection (b); and
- (2) adopts a resolution renewing the enterprise zone for an additional one (1) year period beginning on the date on which the enterprise zone would otherwise expire under the resolution adopted under subdivision (1).

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

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

- (1) Increases in capital investment in the zone.
- (2) Retention of jobs and creation of jobs in the zone.
- (3) Increases in employment opportunities for residents of the zone.

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

(f) Notwithstanding subsection (c), an enterprise zone that was not renewed under subsection (d) or (e) between January 1, 2017, and June 30, 2018, may be renewed for an additional five (5) year period if the fiscal body of the municipality in which the enterprise zone is located adopts a resolution to renew the enterprise zone for an additional five (5) year period. **Except as provided in subsection (g)**, the enterprise

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zone may not be renewed after the expiration of this final five (5) year period.

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



Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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