



January 25, 2019

---

---

## HOUSE BILL No. 1115

---

DIGEST OF HB 1115 (Updated January 23, 2019 5:26 pm - DI 87)

**Citations Affected:** IC 4-21.5; IC 5-14; IC 5-29; IC 5-33 ; IC 6-1.1; IC 8-3; IC 8-4.5; IC 8-21; IC 9-21; IC 14-10; IC 14-13; IC 14-18; IC 14-20; noncode.

**Synopsis:** Tourism development. Expires the office of tourism development (office) on July 1, 2020. Modifies the office's duties and administrative structure and transfers the duties to the Indiana destination development corporation (corporation) after June 30, 2020. Establishes the corporation as a public body corporate and politic and an instrumentality of the state. Provides that the corporation is governed by a board composed of the following individuals: (1) The governor or governor's designee. (2) The president of the Indiana economic development corporation or president's designee. (3) Five members of the private sector tourism industry, appointed by the governor. Sets forth the corporation's powers and duties. Makes corresponding changes.

**Effective:** July 1, 2019.

---

---

### Karickhoff, Clere, Bartels, Moed

---

---

January 7, 2019, read first time and referred to Committee on Government and Regulatory Reform.

January 24, 2019, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

---

---

HB 1115—LS 7292/DI 129





January 25, 2019

First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

## HOUSE BILL No. 1115

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

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

- 1 SECTION 1. IC 4-21.5-2-5, AS AMENDED BY P.L.198-2016,  
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2019]: Sec. 5. This article does not apply to the following  
4 agency actions:  
5 (1) The issuance of a warrant or jeopardy warrant for the  
6 collection of taxes.  
7 (2) A determination of probable cause or no probable cause by the  
8 civil rights commission.  
9 (3) A determination in a factfinding conference of the civil rights  
10 commission.  
11 (4) A personnel action, except review of:  
12 (A) a personnel action by the state employees appeals  
13 commission under IC 4-15-2.2-42; or  
14 (B) a personnel action that is not covered by IC 4-15-2.2 but  
15 may be taken only for cause.  
16 (5) A resolution, directive, or other action of any agency that  
17 relates solely to the internal policy, organization, or procedure of

HB 1115—LS 7292/DI 129



- 1 that agency or another agency and is not a licensing or  
2 enforcement action. Actions to which this exemption applies  
3 include the statutory obligations of an agency to approve or ratify  
4 an action of another agency.
- 5 (6) An agency action related to an offender within the jurisdiction  
6 of the department of correction.
- 7 (7) A decision of the Indiana economic development corporation,  
8 the office of tourism development (**before July 1, 2020**) or the  
9 **Indiana destination development corporation (after June 30,**  
10 **2020)**, the department of environmental management, the tourist  
11 information and grant fund review committee (before the repeal  
12 of the statute that created the tourist information and grant fund  
13 review committee), the Indiana finance authority, the corporation  
14 for innovation development, or the lieutenant governor that  
15 concerns a grant, loan, bond, tax incentive, or financial guarantee.
- 16 (8) A decision to issue or not issue a complaint, summons, or  
17 similar accusation.
- 18 (9) A decision to initiate or not initiate an inspection,  
19 investigation, or other similar inquiry that will be conducted by  
20 the agency, another agency, a political subdivision, including a  
21 prosecuting attorney, a court, or another person.
- 22 (10) A decision concerning the conduct of an inspection,  
23 investigation, or other similar inquiry by an agency.
- 24 (11) The acquisition, leasing, or disposition of property or  
25 procurement of goods or services by contract.
- 26 (12) Determinations of the department of workforce development  
27 under IC 22-4.1-4-1.5(c)(1).
- 28 (13) A decision under IC 9-30-12 of the bureau of motor vehicles  
29 to suspend or revoke a driver's license, a driver's permit, a vehicle  
30 title, or a vehicle registration of an individual who presents a  
31 dishonored check.
- 32 (14) An action of the department of financial institutions under  
33 IC 28-1-3.1 or a decision of the department of financial  
34 institutions to act under IC 28-1-3.1.
- 35 (15) A determination by the NVRA official under IC 3-7-11  
36 concerning an alleged violation of the National Voter Registration  
37 Act of 1993 (42 U.S.C. 1973gg) or IC 3-7.
- 38 (16) Imposition of a civil penalty under IC 4-20.5-6-8 if the rules  
39 of the Indiana department of administration provide an  
40 administrative appeals process.
- 41 (17) A determination of status as a member of or participant in an  
42 environmental performance based program developed and



1 implemented under IC 13-27-8.

2 (18) An action of the bureau of motor vehicles subject to review  
3 under IC 9-33.

4 SECTION 2. IC 5-14-1.5-6.1, AS AMENDED BY P.L.197-2017,  
5 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2019]: Sec. 6.1. (a) As used in this section, "public official"  
7 means a person:

8 (1) who is a member of a governing body of a public agency; or  
9 (2) whose tenure and compensation are fixed by law and who  
10 executes an oath.

11 (b) Executive sessions may be held only in the following instances:

12 (1) Where authorized by federal or state statute.

13 (2) For discussion of strategy with respect to any of the following:

14 (A) Collective bargaining.

15 (B) Initiation of litigation or litigation that is either pending or  
16 has been threatened specifically in writing. As used in this  
17 clause, "litigation" includes any judicial action or  
18 administrative law proceeding under federal or state law.

19 (C) The implementation of security systems.

20 (D) The purchase or lease of real property by the governing  
21 body up to the time a contract or option to purchase or lease is  
22 executed by the parties.

23 (E) School consolidation.

24 However, all such strategy discussions must be necessary for  
25 competitive or bargaining reasons and may not include  
26 competitive or bargaining adversaries.

27 (3) For discussion of the assessment, design, and implementation  
28 of school safety and security measures, plans, and systems.

29 (4) Interviews and negotiations with industrial or commercial  
30 prospects or agents of industrial or commercial prospects by:

31 (A) the Indiana economic development corporation;

32 (B) the office of tourism development **(before July 1, 2020)**  
33 **or the Indiana destination development corporation (after**  
34 **June 30, 2020);**

35 (C) the Indiana finance authority;

36 (D) the ports of Indiana;

37 (E) an economic development commission;

38 (F) the Indiana state department of agriculture;

39 (G) a local economic development organization that is a  
40 nonprofit corporation established under state law whose  
41 primary purpose is the promotion of industrial or business  
42 development in Indiana, the retention or expansion of Indiana



- 1 businesses, or the development of entrepreneurial activities in  
 2 Indiana; or  
 3 (H) a governing body of a political subdivision.  
 4 However, this subdivision does not apply to any discussions  
 5 regarding research that is prohibited under IC 16-34.5-1-2 or  
 6 under any other law.  
 7 (5) To receive information about and interview prospective  
 8 employees.  
 9 (6) With respect to any individual over whom the governing body  
 10 has jurisdiction:  
 11 (A) to receive information concerning the individual's alleged  
 12 misconduct; and  
 13 (B) to discuss, before a determination, the individual's status  
 14 as an employee, a student, or an independent contractor who  
 15 is:  
 16 (i) a physician; or  
 17 (ii) a school bus driver.  
 18 (7) For discussion of records classified as confidential by state or  
 19 federal statute.  
 20 (8) To discuss before a placement decision an individual student's  
 21 abilities, past performance, behavior, and needs.  
 22 (9) To discuss a job performance evaluation of individual  
 23 employees. This subdivision does not apply to a discussion of the  
 24 salary, compensation, or benefits of employees during a budget  
 25 process.  
 26 (10) When considering the appointment of a public official, to do  
 27 the following:  
 28 (A) Develop a list of prospective appointees.  
 29 (B) Consider applications.  
 30 (C) Make one (1) initial exclusion of prospective appointees  
 31 from further consideration.  
 32 Notwithstanding IC 5-14-3-4(b)(12), a governing body may  
 33 release and shall make available for inspection and copying in  
 34 accordance with IC 5-14-3-3 identifying information concerning  
 35 prospective appointees not initially excluded from further  
 36 consideration. An initial exclusion of prospective appointees from  
 37 further consideration may not reduce the number of prospective  
 38 appointees to fewer than three (3) unless there are fewer than  
 39 three (3) prospective appointees. Interviews of prospective  
 40 appointees must be conducted at a meeting that is open to the  
 41 public.  
 42 (11) To train school board members with an outside consultant



- 1 about the performance of the role of the members as public  
 2 officials.
- 3 (12) To prepare or score examinations used in issuing licenses,  
 4 certificates, permits, or registrations under IC 25.
- 5 (13) To discuss information and intelligence intended to prevent,  
 6 mitigate, or respond to the threat of terrorism.
- 7 (14) To train members of a board of aviation commissioners  
 8 appointed under IC 8-22-2 or members of an airport authority  
 9 board appointed under IC 8-22-3 with an outside consultant about  
 10 the performance of the role of the members as public officials. A  
 11 board may hold not more than one (1) executive session per  
 12 calendar year under this subdivision.
- 13 (15) For discussion by the governing body of a state educational  
 14 institution of:
- 15 (A) the assessment of; or
- 16 (B) negotiation with another entity concerning;  
 17 the establishment of a collaborative relationship or venture to  
 18 advance the research, engagement, or education mission of the  
 19 state educational institution. However, this subdivision does not  
 20 apply to any discussions regarding research that is prohibited  
 21 under IC 16-34.5-1-2 or under any other law.
- 22 (c) A final action must be taken at a meeting open to the public.
- 23 (d) Public notice of executive sessions must state the subject matter  
 24 by specific reference to the enumerated instance or instances for which  
 25 executive sessions may be held under subsection (b). The requirements  
 26 stated in section 4 of this chapter for memoranda and minutes being  
 27 made available to the public is modified as to executive sessions in that  
 28 the memoranda and minutes must identify the subject matter  
 29 considered by specific reference to the enumerated instance or  
 30 instances for which public notice was given. The governing body shall  
 31 certify by a statement in the memoranda and minutes of the governing  
 32 body that no subject matter was discussed in the executive session  
 33 other than the subject matter specified in the public notice.
- 34 (e) A governing body may not conduct an executive session during  
 35 a meeting, except as otherwise permitted by applicable statute. A  
 36 meeting may not be recessed and reconvened with the intent of  
 37 circumventing this subsection.
- 38 SECTION 3. IC 5-14-3-4.8, AS ADDED BY P.L.229-2005,  
 39 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2019]: Sec. 4.8. (a) Records relating to negotiations between  
 41 the office of tourism development **(before July 1, 2020) or the**  
 42 **Indiana destination development corporation (after June 30, 2020)**



1 and industrial, research, or commercial prospects are excepted from  
 2 section 3 of this chapter at the discretion of the office of tourism  
 3 development **(before July 1, 2020) or the Indiana destination**  
 4 **development corporation (after June 30, 2020)** if the records are  
 5 created while negotiations are in progress.

6 (b) Notwithstanding subsection (a), the terms of the final offer of  
 7 public financial resources communicated by the office of tourism  
 8 development **(before July 1, 2020) or the Indiana destination**  
 9 **development corporation (after June 30, 2020)** to an industrial, a  
 10 research, or a commercial prospect shall be available for inspection and  
 11 copying under section 3 of this chapter after negotiations with that  
 12 prospect have terminated.

13 (c) When disclosing a final offer under subsection (b), the office of  
 14 tourism development **(before July 1, 2020) or the Indiana**  
 15 **destination development corporation (after June 30, 2020)** shall  
 16 certify that the information being disclosed accurately and completely  
 17 represents the terms of the final offer.

18 SECTION 4. IC 5-29-4-8 IS ADDED TO THE INDIANA CODE  
 19 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 20 1, 2019]: **Sec. 8. This article expires July 1, 2020.**

21 SECTION 5. IC 5-33 IS ADDED TO THE INDIANA CODE AS A  
 22 NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
 23 2019]:

24 **ARTICLE 33. INDIANA DESTINATION DEVELOPMENT**  
 25 **CORPORATION**

26 **Chapter 1. Applicability**

27 **Sec. 1. This article applies after June 30, 2020.**

28 **Chapter 2. Definitions**

29 **Sec. 1. The definitions in this chapter apply throughout this**  
 30 **article.**

31 **Sec. 2. "Board" refers to the board of the corporation**  
 32 **established under IC 5-33-4.**

33 **Sec. 3. "Corporation" refers to the Indiana destination**  
 34 **development corporation established by IC 5-33-3-1.**

35 **Sec. 4. "Director" refers to the director of the corporation**  
 36 **appointed under IC 5-33-4-6.**

37 **Chapter 3. Indiana Destination Development Corporation**

38 **Sec. 1. The Indiana destination development corporation is**  
 39 **established.**

40 **Sec. 2. (a) The corporation is:**

41 **(1) a public body corporate and politic; and**

42 **(2) an instrumentality of the state.**





1           **(b) The corporation is separate from the state. However, the**  
 2 **exercise by the corporation of its powers is an essential**  
 3 **governmental function.**

4           **Sec. 3. (a) The corporation may do the following:**

5           **(1) Cooperate with federal, state, and local governments and**  
 6 **agencies in the coordination of programs to promote tourism.**

7           **(2) Receive and expend funds, grants, gifts, and contributions**  
 8 **of money, property, labor, and other things of value from**  
 9 **public and private sources, including grants from agencies**  
 10 **and instrumentalities of the state and the federal government.**

11           **The corporation:**

12           **(A) may accept federal grants for providing planning**  
 13 **assistance, making grants, or providing other services or**  
 14 **functions necessary to political subdivisions, planning**  
 15 **commissions, or other public or private organizations;**

16           **(B) shall administer these grants in accordance with the**  
 17 **terms of the grants; and**

18           **(C) may contract with political subdivisions, planning**  
 19 **commissions, or other public or private organizations to**  
 20 **carry out the purposes for which the grants were made.**

21           **(3) Request assistance, information, and advice regarding the**  
 22 **duties and functions of the corporation from an officer, agent,**  
 23 **or employee of the state. The head of any other state**  
 24 **department or agency may assign any of the department's or**  
 25 **agency's employees to the corporation on a temporary basis,**  
 26 **or may direct a division or agency under the department's or**  
 27 **agency's supervision and control to make a special study or**  
 28 **survey requested by the director.**

29           **(4) Disseminate information concerning and advertise or**  
 30 **contract to advertise the cultural, recreational, quality of life,**  
 31 **and tourism advantages of Indiana.**

32           **(5) Plan, direct, and conduct research activities.**

33           **(6) The corporation is authorized to accept and expend such**  
 34 **moneys as may be received from any source, including income**  
 35 **from the corporation's operations, for effectuating its**  
 36 **corporate purposes including, without limitation, the payment**  
 37 **of the initial expenses of administration and operation.**

38           **(b) The corporation shall assist in the development and**  
 39 **promotion of Indiana's tourist resources, facilities, attractions, and**  
 40 **activities.**

41           **Chapter 4. Indiana Destination Development Corporation**  
 42 **Board**



1           **Sec. 1. The Indiana destination development corporation board**  
 2 **shall govern the corporation.**

3           **Sec. 2. The board is composed of the following seven (7)**  
 4 **members, none of whom may be members of the general assembly:**

5           **(1) The governor or a designee of the governor.**

6           **(2) The president of the Indiana economic development**  
 7 **corporation or a designee of the president who is a full-time**  
 8 **employee of the Indiana economic development corporation.**

9           **(3) Five (5) members of the private sector tourism industry,**  
 10 **appointed by the governor. The governor may consider**  
 11 **individuals with experience in any of the following areas or**  
 12 **occupations in making appointments under this subdivision:**

13           **(A) Food and beverage service.**

14           **(B) Lodging.**

15           **(C) Attractions.**

16           **(D) Destination marketing.**

17           **(E) Hospitality and tourism management educator.**

18           **(F) Tourism industry professional.**

19           **Sec. 3. (a) A member who is an elected or appointed officer**  
 20 **under section 2(1) or 2(2) of this chapter serves as an ex officio**  
 21 **member of the board.**

22           **(b) All members of the board are voting members.**

23           **(c) Except as provided in subsection (d), the term of a member**  
 24 **appointed under section 2(3) of this chapter is four (4) years.**

25           **(d) The initial terms of members appointed under section 2(3)**  
 26 **of this chapter are as follows:**

27           **(1) Three (3) members serve terms of four (4) years.**

28           **(2) Two (2) members serve terms of three (3) years.**

29 **Upon expiration of a member's initial term, the governor shall**  
 30 **appoint a member to serve a four (4) year term.**

31           **Sec. 4. The governor or the designee of the governor is the board**  
 32 **chair.**

33           **Sec. 5. (a) A majority of the members serving on the board**  
 34 **constitutes a quorum.**

35           **(b) The affirmative vote of a majority of the members serving**  
 36 **on the board is required for the board to take official action.**

37           **Sec. 6. The governor shall appoint the director of the**  
 38 **corporation.**

39           **Sec. 7. (a) The director of the corporation serves at the pleasure**  
 40 **of the governor.**

41           **(b) The director is the executive and chief administrative officer**  
 42 **of the corporation.**



1           **Sec. 8. (a)** Each member of the board who is not a state  
 2 employee is entitled to the minimum salary per diem provided by  
 3 **IC 4-10-11-2.1(b)**. The member is also entitled to reimbursement  
 4 for traveling expenses as provided under **IC 4-13-1-4** and for other  
 5 expenses actually incurred in connection with the member's duties  
 6 as provided in the state policies and procedures established by the  
 7 Indiana department of administration and approved by the budget  
 8 agency.

9           **(b)** Each member of the board who is a state employee is entitled  
 10 to reimbursement for traveling expenses as provided under  
 11 **IC 4-13-1-4** and for other expenses actually incurred in connection  
 12 with the member's duties as provided in the state policies and  
 13 procedures established by the Indiana department of  
 14 administration and approved by the budget agency.

15           **Chapter 5. General Powers**

16           **Sec. 1.** The corporation shall carry out the destination  
 17 development functions of the state in conformity with the laws  
 18 enacted by the general assembly.

19           **Sec. 2.** The corporation is granted all powers necessary or  
 20 appropriate to carry out the corporation's public and corporate  
 21 purposes under this chapter.

22           **Sec. 3. (a)** Subject to approval by the budget agency, the  
 23 corporation may, without the approval of the attorney general,  
 24 employ legal counsel, technical experts, and other officers, agents,  
 25 and employees, permanent or temporary, the corporation  
 26 considers necessary to carry out the efficient operation of the  
 27 corporation.

28           **(b)** Subject to approval by the budget agency, the corporation  
 29 may enter into contracts without the approval of the attorney  
 30 general.

31           **Sec. 4. (a)** The corporation shall determine qualifications, duties,  
 32 compensation, and terms of service for persons employed by the  
 33 corporation as employees or as independent contractors.

34           **(b)** The board may adopt a resolution providing that the  
 35 corporation's employees who are eligible to participate in the  
 36 public employees' retirement fund under the eligibility  
 37 requirements set forth in **IC 5-10.2** and **IC 5-10.3** shall participate  
 38 in the fund.

39           **(c)** The board may adopt a resolution to allow the corporation's  
 40 employees to participate in group insurance and other benefit  
 41 plans, including the state employees' deferred compensation plan,  
 42 that are available to state employees.



1           **Sec. 5. The board and the employees of the corporation are:**

2           (1) under the jurisdiction of and rules adopted by the state  
3           ethics commission; and

4           (2) subject to ethics rules and requirements that apply to the  
5           executive branch of state government.

6           **However, the board may adopt additional ethics rules and**  
7           **requirements that are more stringent than those adopted by the**  
8           **state ethics commission.**

9           **Sec. 6. The director may establish advisory committees to advise**  
10          **the board and the corporation on issues determined by the**  
11          **director. If the director establishes an advisory committee under**  
12          **this section, the advisory committee must:**

13          (1) have members that represent diverse geographic areas and  
14          economic sectors of Indiana; and

15          (2) include members or representatives of tourism  
16          organizations.

17          **An advisory committee member is not entitled to salary or per**  
18          **diem.**

19          **Sec. 7. For purposes of IC 34-13-2, IC 34-13-3, and IC 34-13-4,**  
20          **the board and the employees of the corporation are public**  
21          **employees (as defined in IC 34-6-2-38).**

22          **Sec. 8. (a) The corporation shall adopt rules under IC 4-22-2 to**  
23          **carry out its duties under this article. The board may also adopt**  
24          **emergency rules in the manner provided under IC 4-22-2-37.1 to**  
25          **carry out its duties under this article.**

26          (b) An emergency rule adopted under subsection (a) expires on  
27          the expiration date stated in the rule.

28          (c) An emergency rule adopted under subsection (a) may be  
29          extended as provided in IC 4-22-2-37.1(g), but the extension period  
30          may not exceed the period for which the original rule was in effect.

31          **Sec. 9. Except as specifically provided by law, the corporation**  
32          **and the board are subject to the following:**

33          (1) IC 5-14-1.5 (public meetings).

34          (2) IC 5-14-3 (access to public records).

35          **Sec. 10. The corporation is subject to compliance audits by the**  
36          **state board of accounts.**

37          **Sec. 11. (a) The corporation shall, promptly following the close**  
38          **of each fiscal year, submit an annual report of its activities for the**  
39          **preceding year to the public finance director appointed under**  
40          **IC 5-1.2-3-6, the budget committee, and the general assembly.**

41          (b) An annual report submitted under this section to the general  
42          assembly must be in an electronic format under IC 5-14-6. The



1 report shall set forth a complete operating and financial statement  
 2 of the corporation during such year, and a copy of such report  
 3 shall be available to inspection by the public at the Indianapolis  
 4 office of the corporation.

5 Sec. 12. An employee of the corporation is entitled to  
 6 reimbursement for traveling expenses as provided under  
 7 IC 4-13-1-4 and other expenses actually incurred in connection  
 8 with the employee's duties as approved by the budget agency.

9 Sec. 13. The corporation may request appropriations from the  
 10 general assembly to:

- 11 (1) carry out the corporation's duties under this article; and
- 12 (2) fund economic development and job creation programs.

13 **Chapter 6. Tourism Information and Promotion Fund**

14 Sec. 1. As used in this chapter, "fund" refers to the tourism  
 15 information and promotion fund established by section 5 of this  
 16 chapter.

17 Sec. 2. As used in this chapter, "heritage barn" has the meaning  
 18 set forth in IC 6-1.1-12-26.2.

19 Sec. 3. As used in this chapter, "promotion" includes the  
 20 planning and conducting of information and advertising  
 21 campaigns.

22 Sec. 4. As used in this chapter, "tourism group" means a private  
 23 nonprofit corporation established under Indiana law whose  
 24 purposes include the promotion of tourist resources and facilities  
 25 in Indiana.

26 Sec. 5. (a) The tourism information and promotion fund is  
 27 established within the state treasury. The fund shall be used for the  
 28 purposes of this chapter.

29 (b) The fund consists of appropriations from the general  
 30 assembly and gifts, donations, bequests, devises, and contributions  
 31 received by the corporation.

32 (c) The corporation shall administer the fund. The following  
 33 may be paid from money in the fund:

- 34 (1) Grants.
- 35 (2) Expenses of administering the fund.
- 36 (3) Nonrecurring administrative expenses incurred to carry  
 37 out the purposes of this chapter.
- 38 (4) Expenses incurred to promote heritage barns under  
 39 section 11 of this chapter.

40 (d) The money in the fund at the end of a state fiscal year does  
 41 not revert to the state general fund but remains in the fund.

42 (e) The treasurer of state shall invest the money in the fund not



1 currently needed to meet the obligations of the fund in the same  
 2 manner as other public funds may be invested. Interest that  
 3 accrues from these investments shall be deposited in the state  
 4 general fund.

5 Sec. 6. A reference in any law or other document to the tourism  
 6 information and promotion fund established by IC 4-4-3.5-2  
 7 (before its repeal by P.L.229-2005) shall be treated after June 30,  
 8 2005, as a reference to the tourism information and promotion  
 9 fund established by section 5 of this chapter.

10 Sec. 7. The corporation may make grants from the fund to  
 11 tourism groups for the promotion of tourist resources and facilities  
 12 in Indiana. However, each grant must be matched by funds  
 13 provided by the applicant, and the corporation may not provide  
 14 more than one-half (1/2) of the funds for a project. The matching  
 15 funds required from the applicant may be provided by any source  
 16 except other state funds.

17 Sec. 8. (a) The corporation shall establish guidelines for the  
 18 application and approval of grants.

19 (b) The corporation may seek the recommendations from the  
 20 board when making a determination to approve or reject a grant  
 21 application.

22 Sec. 9. Promotional materials produced with the assistance of  
 23 funds provided under this chapter must include the following  
 24 statement: "Produced in cooperation with the Indiana Destination  
 25 Development Corporation." Promotional materials must also  
 26 include a statement provided by the corporation.

27 Sec. 10. The corporation may adopt rules under IC 4-22-2 to  
 28 carry out this chapter.

29 Sec. 11. The corporation shall develop under this chapter print  
 30 and electronic media promoting tourism, visitation, and other  
 31 hospitality opportunities that feature heritage barns located in  
 32 Indiana. The department of agriculture and the office of  
 33 community and rural affairs shall provide the corporation  
 34 assistance in developing a heritage barn tourism program in  
 35 Indiana.

36 SECTION 6. IC 6-1.1-43-1, AS AMENDED BY P.L.288-2013,  
 37 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2019]: Sec. 1. This chapter applies to the following economic  
 39 development incentive programs:

- 40 (1) Grants and loans provided by the Indiana economic  
 41 development corporation under IC 5-28, ~~or~~ the office of tourism  
 42 development under IC 5-29 (before July 1, 2020), or the



1           **Indiana destination development corporation under IC 5-33**  
 2           **(after June 30, 2020).**

3           (2) Incentives provided in an economic revitalization area under  
 4           IC 6-1.1-12.1.

5           (3) Incentives provided under IC 6-3.1-13.

6           SECTION 7. IC 8-3-1-21.1, AS AMENDED BY P.L.3-2008,  
 7           SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8           JULY 1, 2019]: Sec. 21.1. (a) Upon receiving notice of intent to  
 9           abandon railroad rights-of-way from any railroad company, the  
 10          department shall, upon receipt, notify:

11          (1) the county executives, county surveyors, and cities and towns  
 12          of the counties affected;

13          (2) the Indiana economic development corporation;

14          (3) the office of tourism development **(before July 1, 2020) or**  
 15          **the Indiana destination development corporation (after June**  
 16          **30, 2020); and**

17          (4) the department of natural resources;

18          of the notice.

19          (b) Within one (1) year of a final decision of the Interstate  
 20          Commerce Commission permitting an abandonment of a railroad  
 21          right-of-way, the railroad shall remove any crossing control device,  
 22          railroad insignia, and rails on that part of the right-of-way that serves  
 23          as a public highway and reconstruct that part of the highway so that it  
 24          conforms to the standards of the contiguous roadway. The Indiana  
 25          department of transportation or the county, city, or town department of  
 26          highways having jurisdiction over the highway may restore the crossing  
 27          if the unit:

28          (1) adopts construction specifications for the project; and

29          (2) enters into an agreement with the railroad concerning the  
 30          project.

31          The cost of removing any crossing control device, railroad insignia,  
 32          rails, or ties under this subsection must be paid by the railroad. The  
 33          cost of reconstructing the highway surface on the right-of-way must be  
 34          paid by the Indiana department of transportation or the county, city, or  
 35          town department of highways having jurisdiction over the crossing.

36          (c) If a railroad fails to comply with subsection (b), the Indiana  
 37          department of transportation or the county, city, or town department of  
 38          highways having jurisdiction over the crossing may proceed with the  
 39          removal and reconstruction work. The cost of the removal and  
 40          reconstruction shall be documented by the agency performing the work  
 41          and charged to the railroad. Work by the agency may not proceed until  
 42          at least sixty (60) days after the railroad is notified in writing of the



- 1 agency's intention to undertake the work.
- 2 (d) This section does not apply to an abandoned railroad  
3 right-of-way on which service is to be reinstated or continued.
- 4 (e) As used in this section, "crossing control device" means any  
5 traffic control device installed by the railroad and described in the  
6 National Railroad Association's manual, Train Operations, Control and  
7 Signals Committee, Railroad-Highway Grade-Crossing Protection,  
8 Bulletin No. 7, as an appropriate traffic control device.
- 9 (f) Costs not paid by a railroad under subsection (b) may be added  
10 to the railroad's property tax statement of current and delinquent taxes  
11 and special assessments under IC 6-1.1-22-8.1.
- 12 (g) Whenever the Indiana department of transportation notifies the  
13 department of natural resources that a railroad intends to abandon a  
14 railroad right-of-way under this section, the department of natural  
15 resources shall make a study of the feasibility of converting the  
16 right-of-way for recreational purposes. The study must be completed  
17 within ninety (90) days after receiving the notice from the Indiana  
18 department of transportation. If the department of natural resources  
19 finds that recreational use is feasible, the department of natural  
20 resources shall urge the appropriate state and local authorities to  
21 acquire the right-of-way for recreational purposes.
- 22 SECTION 8. IC 8-4.5-7-3, AS ADDED BY P.L.83-2017, SECTION  
23 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
24 2019]: Sec. 3. (a) The Indiana bicycle trails task force is established.
- 25 (b) The governor shall appoint members to serve on the task force.
- 26 (c) A member appointed under subsection (b) serves at the pleasure  
27 of the governor.
- 28 (d) Voting members of the task force consist of the following:
- 29 (1) Members appointed under subsection (b).
- 30 (2) The director of the office of tourism development or the  
31 director's designee (**before its expiration**).
- 32 (3) The director of the department of natural resources or the  
33 director's designee.
- 34 SECTION 9. IC 8-4.5-7-4, AS ADDED BY P.L.83-2017, SECTION  
35 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
36 2019]: Sec. 4. (a) Before August 15, 2017, the director of the office of  
37 tourism development (**before its expiration**) shall call the first meeting  
38 of the task force for the purpose of electing a chairperson and vice  
39 chairperson of the task force. The members shall elect a chairperson  
40 and vice chairperson from among the task force's members.
- 41 (b) The task force shall meet at least one (1) time quarterly.
- 42 (c) The task force shall meet at the call of the chairperson.





1 SECTION 10. IC 8-4.5-7-6, AS ADDED BY P.L.83-2017,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2019]: Sec. 6. The department of natural resources and the  
4 office of tourism development (**before its expiration**) shall jointly  
5 provide administrative resources and staff support for the task force.

6 SECTION 11. IC 8-21-9-12, AS AMENDED BY P.L.229-2005,  
7 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2019]: Sec. 12. (a) The department has jurisdiction only over  
9 two (2) major new continental or intercontinental airport facilities  
10 designed and constructed to serve a part of Indiana or adjacent states.

11 (b) The department may designate the location and character of all  
12 airport facilities which the department may hold, own, or over which  
13 it is authorized to act and to regulate all matters related to the location  
14 and character of the airport facilities.

15 (c) The department may designate the location and establish, limit,  
16 and control points of ingress to and egress from any airport property.

17 (d) The department may lease to others for development or  
18 operation the parts of any airport or airport facility on terms and  
19 conditions as the department considers necessary.

20 (e) The department may make directly, or through hiring of expert  
21 consultants, investigations, and surveys of whatever nature, including,  
22 but not limited to, studies of business conditions, freight rates, airport  
23 services, physical surveys of the conditions of structures, and the  
24 necessity for additional airports or for additional airport facilities for  
25 the development and improvement of commerce and for the more  
26 expeditious handling of commerce, and to make studies, surveys, and  
27 estimates as are necessary for the execution of its powers under this  
28 chapter.

29 (f) The department may make and enter into all contracts,  
30 undertakings, and agreements necessary or incidental to the  
31 performance of its duties and the execution of its powers under this  
32 chapter. When the cost of any such contract for construction, or for the  
33 purchase of equipment, materials or supplies, involves an expenditure  
34 of more than five thousand dollars (\$5,000), the department shall make  
35 a written contract with the lowest and best bidder after advertisement  
36 for not less than two (2) consecutive weeks in a newspaper of general  
37 circulation in Marion County, Indiana, and in such other publications  
38 as the department shall determine. Such notice shall state the general  
39 character of the materials to be furnished, the place where plans and  
40 specifications therefor may be examined, and the time and place of  
41 receiving bids. Each bid shall contain the full name of every person or  
42 company interested in it and shall be accompanied by a sufficient bond



1 or certified check on a solvent bank that if the bid is accepted a  
2 contract will be entered into and the performance of its proposal  
3 secured. The department may reject any and all bids. A bond with good  
4 and sufficient surety, as shall be approved by the department, shall be  
5 required of all contractors in an amount equal to at least fifty percent  
6 (50%) of the contract price conditioned upon the faithful performance  
7 of the contract.

8 (g) The department may fix and revise periodically and charge and  
9 collect equitable rates, fees, rentals, or other charges for the use of any  
10 airport facility or airport facilities under its control, which rates, fees,  
11 rentals, or other charges shall be in amounts reasonably related to the  
12 cost of providing and maintaining the particular airport facility or  
13 airport facilities for which these rates, fees, rentals, and other charges  
14 are established.

15 (h) The department may make application for, receive, and accept  
16 from any federal agency, grants for or in aid of the planning,  
17 construction, operating, or financing of any airport facility, and to  
18 receive and accept contributions from any source of either money,  
19 property, labor, or other things of value, to be held, used and applied  
20 for the purposes for which made, in each case on such terms and  
21 conditions as the department considers necessary or desirable. The  
22 department may enter into and carry out contracts and agreements in  
23 connection with this subsection.

24 (i) The department may appear in its own behalf before boards,  
25 commissions, departments, or other agencies of the federal government  
26 or of any state or international conference and before committees of the  
27 Congress of the United States and the general assembly of Indiana in  
28 all matters relating to the designs, establishment, construction,  
29 extension, operations, improvements, repair, or maintenance of any  
30 airport or airport facility operated and maintained by the department  
31 under this chapter, and to appear before any federal or state agencies  
32 in matters relating to air rates, airport services and charges,  
33 differentials, discriminations, labor relations, trade practices, and all  
34 other matters affecting the physical development of and the business  
35 interest of the department and those it serves.

36 (j) The department may contract for the services of consulting  
37 engineers, architects, attorneys, accountants, construction and financial  
38 experts, and such other individuals as are necessary in its judgment.  
39 However, the employment of an attorney shall be subject to such  
40 approval of the attorney general as may be required by law.

41 (k) The department may do all things necessary and proper to  
42 promote and increase commerce within its territorial jurisdiction,



1 including cooperation with civic, technical, professional, and business  
 2 organizations and associations, the office of tourism development  
 3 **(before July 1, 2020), the Indiana destination development**  
 4 **corporation (after June 30, 2020),** and the Indiana economic  
 5 development corporation.

6 (l) The department may establish and maintain a traffic bureau for  
 7 the purpose of advising the department as to the airport's competitive  
 8 economic position with other airports.

9 (m) The department may contract for the use of any license, process,  
 10 or device, whether patented or not, which the department finds is  
 11 necessary for the operation of any airport facility, and may permit the  
 12 use thereof by any lessee on such terms and conditions as the  
 13 department may determine. The cost of such license, process, or device  
 14 may be included as part of the cost of the airport facility.

15 (n) The department may issue airport revenue bonds and airport  
 16 revenue funding bonds.

17 (o) The department may do all acts and things necessary or proper  
 18 to carry out the powers expressly granted in this chapter.

19 SECTION 12. IC 9-21-4-5, AS AMENDED BY P.L.79-2015,  
 20 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2019]: Sec. 5. (a) Except as provided in subsection (b), a  
 22 person may not place or maintain upon a highway a traffic sign or  
 23 signal bearing commercial advertising. A public authority may not  
 24 permit the placement of a traffic sign or signal that bears a commercial  
 25 message.

26 (b) Under criteria to be jointly established by the Indiana  
 27 department of transportation and the office of tourism development  
 28 **(before July 1, 2020) or the Indiana destination development**  
 29 **corporation (after June 30, 2020),** the Indiana department of  
 30 transportation may authorize the posting of any of the following:

31 (1) Limited tourist attraction signage.

32 (2) Business signs on specific information panels on the interstate  
 33 system of highways and other freeways.

34 All costs of manufacturing, installation, and maintenance to the Indiana  
 35 department of transportation for a business sign posted under this  
 36 subsection shall be paid by the business.

37 (c) Criteria established under subsection (b) for tourist attraction  
 38 signage must include a category for a tourist attraction that:

39 (1) is a trademarked destination brand; and

40 (2) encompasses buildings, structures, sites, or other facilities that  
 41 are:

42 (A) listed on the National Register of Historic Places



- 1 established under 16 U.S.C. 470 et seq.; or  
 2 (B) listed on the register of Indiana historic sites and historic  
 3 structures established under IC 14-21-1;  
 4 regardless of the distance of the tourist attraction from the highway on  
 5 which the tourist attraction signage is placed.
- 6 (d) Criteria established under subsection (b) for tourist attraction  
 7 signage must include a category for a tourist attraction that is an  
 8 establishment issued a brewer's permit under IC 7.1-3-2-2(b).
- 9 (e) A person may not place, maintain, or display a flashing, a  
 10 rotating, or an alternating light, beacon, or other lighted device that:  
 11 (1) is visible from a highway; and  
 12 (2) may be mistaken for or confused with a traffic control device  
 13 or for an authorized warning device on an emergency vehicle.
- 14 (f) This section does not prohibit the erection, upon private property  
 15 adjacent to highways, of signs giving useful directional information and  
 16 of a type that cannot be mistaken for official signs.
- 17 SECTION 13. IC 14-10-1-1, AS AMENDED BY P.L.95-2006,  
 18 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2019]: Sec. 1. The natural resources commission is  
 20 established. The commission consists of twelve (12) members as  
 21 follows:
- 22 (1) The commissioner of the Indiana department of transportation  
 23 or the commissioner's designee.  
 24 (2) The commissioner of the department of environmental  
 25 management or the commissioner's designated deputy.  
 26 (3) The director of the office of tourism development or the  
 27 director's designee **(before July 1, 2020) or the director of the**  
 28 **Indiana destination development corporation or the director's**  
 29 **designee (after June 30, 2020).**  
 30 (4) The director of the department.  
 31 (5) The chairperson of the advisory council established by  
 32 IC 14-9-6-1.  
 33 (6) The president of the Indiana academy of science or the  
 34 president's designee.  
 35 (7) Six (6) citizen members appointed by the governor, at least  
 36 two (2) of whom must have knowledge, experience, or education  
 37 in the environment or in natural resource conservation. Not more  
 38 than three (3) citizen members may be of the same political party.
- 39 SECTION 14. IC 14-13-4-4, AS AMENDED BY P.L.229-2005,  
 40 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2019]: Sec. 4. The commission consists of the following  
 42 members:



- 1 (1) One (1) resident of Vincennes appointed by the executive of  
 2 Vincennes.  
 3 (2) One (1) resident of Mount Vernon appointed by the executive  
 4 of Mount Vernon.  
 5 (3) One (1) resident of Tell City appointed by the executive of  
 6 Tell City.  
 7 (4) One (1) resident of Clarksville appointed by the legislative  
 8 body of Clarksville.  
 9 (5) One (1) resident of Lawrenceburg appointed by the executive  
 10 of Lawrenceburg.  
 11 (6) One (1) resident of Aurora appointed by the executive of  
 12 Aurora.  
 13 (7) One (1) resident of Rising Sun appointed by the executive of  
 14 Rising Sun.  
 15 (8) One (1) resident of Jeffersonville appointed by the executive  
 16 of Jeffersonville.  
 17 (9) One (1) resident of New Albany appointed by the executive of  
 18 New Albany.  
 19 (10) One (1) resident of Evansville appointed by the executive of  
 20 Evansville.  
 21 (11) One (1) resident of Madison appointed by the executive of  
 22 Madison.  
 23 (12) One (1) resident of Terre Haute appointed by the executive  
 24 of Terre Haute.  
 25 (13) One (1) resident of Vevay appointed by the legislative body  
 26 of Vevay.  
 27 (14) The president of the Indiana economic development  
 28 corporation or the president's designee, who is a nonvoting  
 29 member.  
 30 (15) The director of the department or the director's designee, who  
 31 is a nonvoting member.  
 32 (16) The director of the office of tourism development or the  
 33 director's designee **(before July 1, 2020) or the director of the**  
 34 **Indiana destination development corporation or the director's**  
 35 **designee (after June 30, 2020),** who is a nonvoting member.  
 36 SECTION 15. IC 14-13-5-4, AS AMENDED BY P.L.229-2005,  
 37 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2019]: Sec. 4. The commission consists of the following  
 39 fifteen (15) members:  
 40 (1) Eight (8) members who serve four (4) year terms as follows:  
 41 (A) Two (2) residents of Jeffersonville appointed by the  
 42 executive of Jeffersonville.



- 1 (B) Two (2) residents of Clarksville appointed by the
- 2 executive of Clarksville.
- 3 (C) Two (2) residents of New Albany appointed by the
- 4 executive of New Albany.
- 5 (D) One (1) resident of Clark County appointed by the
- 6 governor.
- 7 (E) One (1) resident of Floyd County appointed by the
- 8 governor.
- 9 (2) The executive of Jeffersonville.
- 10 (3) The executive of New Albany.
- 11 (4) The president of the legislative body of Clarksville.
- 12 (5) The director of the office of tourism development or the
- 13 director's designee (**before July 1, 2020**) or the **director of the**
- 14 **Indiana destination development corporation or the director's**
- 15 **designee (after June 30, 2020)**, who serves as a nonvoting
- 16 member.
- 17 (6) The director of the department or the director's designee, who
- 18 serves as a nonvoting member.
- 19 (7) The commissioner of the Indiana department of transportation
- 20 or the commissioner's designee, who serves as a nonvoting
- 21 member.
- 22 (8) The president of the Indiana economic development
- 23 corporation or the president's designee, who serves as a nonvoting
- 24 member.
- 25 SECTION 16. IC 14-13-6-7, AS AMENDED BY P.L.229-2005,
- 26 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 27 JULY 1, 2019]: Sec. 7. The members of the commission are the
- 28 following:
- 29 (1) The director or the director's designee.
- 30 (2) One (1) individual appointed by the county executive of each
- 31 county that:
- 32 (A) contains a part of the corridor; and
- 33 (B) chooses to support the activities of the commission by
- 34 resolution adopted by the county executive.
- 35 (3) The director of the Indiana department of transportation, or the
- 36 director's designee, who shall serve as a nonvoting member.
- 37 (4) The director of the division of historic preservation and
- 38 archaeology of the department of natural resources, or the
- 39 director's designee, who shall serve as a nonvoting member.
- 40 (5) The director of the department of environmental management,
- 41 or the director's designee, who shall serve as a nonvoting member.
- 42 (6) The director of the office of tourism development or the



1 director's designee (**before July 1, 2020**) or the director of the  
 2 **Indiana destination development corporation or the director's**  
 3 **designee (after June 30, 2020)**, who shall serve as a nonvoting  
 4 member.

5 (7) The president of the Indiana economic development  
 6 corporation or the president's designee, who shall serve as a  
 7 nonvoting member.

8 SECTION 17. IC 14-18-3-4, AS AMENDED BY P.L.229-2005,  
 9 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 10 JULY 1, 2019]: Sec. 4. (a) The department shall do the following:

11 (1) Draft and distribute copies of the following to the hotel and  
 12 motel industry:

13 (A) A proposed lease and contract.

14 (B) A notice of the time and place that the department will  
 15 hold a public hearing to consider the terms and conditions of  
 16 the proposed lease and contract.

17 (2) Submit a copy of the proposed lease to the office of tourism  
 18 development (**before July 1, 2020**) or the **Indiana destination**  
 19 **development corporation (after June 30, 2020)**.

20 (b) The office of tourism development (**before July 1, 2020**) or the  
 21 **Indiana destination development corporation (after June 30, 2020)**  
 22 shall submit an evaluation and recommendations for amendments for  
 23 consideration before the public hearing.

24 SECTION 18. IC 14-18-4-3, AS AMENDED BY P.L.229-2005,  
 25 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2019]: Sec. 3. (a) The department shall do the following:

27 (1) Draft and distribute copies of the following to the hotel and  
 28 motel industry:

29 (A) A proposed lease and contract.

30 (B) A notice of the time and place that the department will  
 31 hold a public hearing to consider the terms and conditions of  
 32 the proposed lease and contract.

33 (2) Submit a copy of the proposed lease to the office of tourism  
 34 development (**before July 1, 2020**) or the **Indiana destination**  
 35 **development corporation (after June 30, 2020)**.

36 (b) The office of tourism development (**before July 1, 2020**) or the  
 37 **Indiana destination development corporation (after June 30, 2020)**  
 38 shall submit an evaluation and recommendations for amendments for  
 39 consideration before the public hearing.

40 SECTION 19. IC 14-20-12-3, AS AMENDED BY P.L.167-2011,  
 41 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2019]: Sec. 3. Thousands of Hoosiers all over the nation have



1 contributed toward the moving and restoration of this historic house  
 2 and because the house has already proven to be an outstanding tourist  
 3 attraction and in keeping with our great American heritage, it is the  
 4 intent of this chapter that the office of tourism development (**before**  
 5 **July 1, 2020) or the Indiana destination development corporation**  
 6 **(after June 30, 2020)**, the Indiana state museum and historic sites  
 7 corporation (IC 4-37-2-1), and other appropriate state boards and  
 8 agencies give widespread publicity to this memorial by brochure,  
 9 pamphlet, or other means.

10 SECTION 20. IC 14-20-15-4, AS AMENDED BY P.L.203-2014,  
 11 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2019]: Sec. 4. The commission consists of the following  
 13 members:

14 (1) Two (2) members of the house of representatives, to be  
 15 appointed by the speaker of the house of representatives. The  
 16 members appointed under this subdivision may not be members  
 17 of the same political party.

18 (2) Two (2) members of the senate, to be appointed by the  
 19 president pro tempore of the senate. The members appointed  
 20 under this subdivision may not be members of the same political  
 21 party.

22 (3) The governor or the governor's designee.

23 (4) The director of the department of natural resources or the  
 24 director's designee.

25 (5) One (1) employee of the office of tourism development with  
 26 expertise in the tourism or film industry, to be designated by the  
 27 director of the office of tourism development (**before July 1,**  
 28 **2020). After June 30, 2020, one (1) employee of the Indiana**  
 29 **destination development corporation with expertise in the**  
 30 **tourism or film industry, to be designated by the director of**  
 31 **the corporation.**

32 (6) One (1) member of the Indiana historical society, to be  
 33 appointed by the governor.

34 (7) Three (3) Indiana citizens, to be appointed by the governor.  
 35 Not more than two (2) members appointed under this subdivision  
 36 may be members of the same political party.

37 SECTION 21. [EFFECTIVE JULY 1, 2019] (a) **As used in this**  
 38 **SECTION, "corporation" means the Indiana destination**  
 39 **development corporation established under IC 5-33, as added by**  
 40 **this act.**

41 (b) **As used in this SECTION, "office" means the office of**  
 42 **tourism development established by IC 5-29-2-1.**





- 1       (c) On July 1, 2020, all powers, duties, agreements, and
- 2 liabilities of the office are transferred to the corporation.
- 3       (d) On July 1, 2020, all records and property, including
- 4 appropriations and other funds, under the control of the office are
- 5 transferred to the corporation.
- 6       (e) Employees of the office on June 30, 2020, become employees
- 7 of the corporation on July 1, 2020, without change in
- 8 compensation, seniority, or benefits and are entitled to have their
- 9 service under the office included for purposes of computing any
- 10 applicable employment and retirement benefits.
- 11       (f) After June 30, 2020, a reference to the office in any statute,
- 12 rule, or other document is considered a reference to the
- 13 corporation.
- 14       (g) The terms of any board members appointed under IC 5-29-4
- 15 expire on July 1, 2020.
- 16       (h) This SECTION expires July 1, 2021.



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1115, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 6, line 36, delete "IC 5-33-4-5." and insert "IC 5-33-4-6."

Page 8, delete lines 3 through 27, begin a new paragraph and insert:

**"Sec. 2. The board is composed of the following seven (7) members, none of whom may be members of the general assembly:**

- (1) The governor or a designee of the governor.**
- (2) The president of the Indiana economic development corporation or a designee of the president who is a full-time employee of the Indiana economic development corporation.**
- (3) Five (5) members of the private sector tourism industry, appointed by the governor. The governor may consider individuals with experience in any of the following areas or occupations in making appointments under this subdivision:**
  - (A) Food and beverage service.**
  - (B) Lodging.**
  - (C) Attractions.**
  - (D) Destination marketing.**
  - (E) Hospitality and tourism management educator.**
  - (F) Tourism industry professional.**

**Sec. 3. (a) A member who is an elected or appointed officer under section 2(1) or 2(2) of this chapter serves as an ex officio member of the board.**

**(b) All members of the board are voting members.**

**(c) Except as provided in subsection (d), the term of a member appointed under section 2(3) of this chapter is four (4) years.**

**(d) The initial terms of members appointed under section 2(3) of this chapter are as follows:**

- (1) Three (3) members serve terms of four (4) years.**
- (2) Two (2) members serve terms of three (3) years.**

**Upon expiration of a member's initial term, the governor shall appoint a member to serve a four (4) year term.**

**Sec. 4. The governor or the designee of the governor is the board chair.**

**Sec. 5. (a) A majority of the members serving on the board constitutes a quorum.**

**(b) The affirmative vote of a majority of the members serving on the board is required for the board to take official action.**

**Sec. 6. The governor shall appoint the director of the**



**corporation.**

**Sec. 7. (a) The director of the corporation serves at the pleasure of the governor.**

**(b) The director is the executive and chief administrative officer of the corporation."**

and when so amended that said bill do pass.

(Reference is to HB 1115 as introduced.)

MAHAN

Committee Vote: yeas 12, nays 0.

