



Reprinted
March 1, 2016

ENGROSSED HOUSE BILL No. 1290

DIGEST OF HB 1290 (Updated February 29, 2016 5:05 pm - DI 73)

Citations Affected: IC 4-22; IC 4-33; IC 5-13; IC 5-28; IC 6-1.1; IC 6-2.5; IC 6-3.1; IC 6-6; IC 36-7; IC 36-7.5; noncode.

Synopsis: State and local finance. Reorganizes the statutes concerning riverboat admissions tax distributions by: (1) moving distribution provisions for the Lake County riverboats into a new section organized by riverboat; and (2) moving into a new section provisions concerning the use of admissions tax revenue and the supplemental distribution. Allocates the admissions tax revenue that is paid to the northwest Indiana redevelopment authority (RDA) in satisfaction of Lake County's obligations to the authority equally among the four riverboats operating in Lake County. Changes the deadline for paying the supplemental distribution from September 15 to July 15. Provides for quarterly payments of admission taxes used to reimburse the state for certain income tax credits provided in Lake County and to provide additional funding to the authority. Eliminates the requirement that
(Continued next page)

Effective: Upon passage; January 1, 2016 (retroactive); July 1, 2016; January 1, 2017.

Brown T, Porter, Koch, Burton

(SENATE SPONSORS — HERSHMAN, RANDOLPH LONNIE M, ROGERS)

January 12, 2016, read first time and referred to Committee on Ways and Means.
January 25, 2016, reported — Do Pass.
February 2, 2016, read second time, amended, ordered engrossed.
February 3, 2016, engrossed. Read third time, passed. Yeas 98, nays 0.

SENATE ACTION

February 8, 2016, read first time and referred to Committee on Tax & Fiscal Policy.
February 25, 2016, amended, reported favorably — Do Pass.
February 29, 2016, read second time, amended, ordered engrossed.

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admissions taxes paid to the Lake County convention and visitor bureau be deposited in a county convention and visitor promotion fund. Provides that the economic development projects that may be carried out by the RDA include destination based economic development projects that meet certain conditions. Provides that the RDA may make loans, loan guarantees, and grants or provide other financial assistance to or on behalf of a member municipality that is eligible to make an appointment to the development board and is compliant with the revenue transfer requirements. Repeals provisions enacted in 2015 concerning the assessment of: (1) certain limited market or special purpose property; and (2) commercial nonincome producing real property. Provides that in addition to the factors under current law, the department of local government finance (DLGF) shall also provide for the classification of improvements on the basis of market segmentation. Specifies that with respect to the assessment of an improved property, a valuation does not reflect the true tax value of the improved property if the purportedly comparable sale properties supporting the valuation have a different market or submarket than the current use of the improved property, based on a market segmentation analysis. Specifies that a market segmentation analysis must be conducted in conformity with generally accepted appraisal principles and is not limited to the categories of markets and submarkets enumerated in the rules or guidance materials adopted by the DLGF. Provides that true tax value shall be determined under the rules of the DLGF (subject to the provisions of the property tax article), and that the DLGF's rules may include examples to illustrate true tax value. Specifies that true tax value does not mean the value of the property to the user. Provides that in the case of a limited market or special purpose property that: (1) is commonly regarded as a big box retail building under standard appraisal practices and is at least 50,000 square feet; and (2) is occupied by the original owner or by a tenant for which the improvement was built; if a taxpayer files an assessment appeal after March 31, 2016, and the effective age of the improvements is 10 years or less, the taxpayer must provide to the assessor information concerning the actual construction costs for the real property. Provides that a holder of a tax sale certificate may not bring a property tax appeal. Specifies that for purposes of the industrial recovery tax credit, "industrial recovery site" means land on which a vacant plant having at least 100,000 square feet of total floor space: (1) exists as of the date an application is filed with the Indiana economic development corporation (IEDC) and was placed in service at least 15 years before the date on which an application is filed with the IEDC; or (2) existed five years before the date an application is filed with the IEDC and was placed in service at least 15 years before the date on which the vacant plant was demolished. Deletes from current law the process involving an application to the IEDC for designation of a location as an industrial recovery site. Provides that if the IEDC approves a taxpayer's application for an industrial recovery tax credit, the IEDC shall require the applicant to enter into an agreement as a condition of receiving an tax credit. Provides that the treasurer of state shall discharge any remaining unpaid interest on the obligation issued by the capital improvement board to the treasurer of state in 2009, if the capital board submits payment of the principal amount to the treasurer of state before the stated final maturity of that obligation. Provides that the gasoline tax does not apply to a fuel blend nominally consisting of more than 87% ethanol and less than 13% gasoline. Specifies that the gasoline tax exemption for gasoline exported from Indiana to another state, territory, or foreign country includes gasoline sold to another person for export from Indiana. Provides that if a retail merchant obtains the information and the signed affirmation that must be submitted by a person who purchases tangible personal property under the tax exemption for use or consumption in providing public transportation: (1) the retail

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Digest Continued

merchant is entitled to assume that the person purchasing the tangible personal property either will use the property for an exempt purpose or will pay any tax that is due; and (2) the retail merchant is not liable for a failure to collect any use tax that may be due. Specifies that this provision does not apply to a retail merchant if the retail merchant's reliance on the information and signed affirmation was unreasonable. Authorizes the department of local government finance (DLGF) to incorporate by reference in an administrative rule certain formatting, coding, and transmission requirements for data that must be submitted by counties. Specifies additional information that must be reported by each redevelopment commission to the unit's executive and fiscal body and to the DLGF. Specifies that the following apply to funds of redevelopment commissions: (1) The funds must be maintained and accounted for separately and may not be commingled with any assets or funds of any other unit or political subdivision. (2) The funds may not be transferred to any accounts or funds established by or for another unit or political subdivision, and the funds may not be used to pay for expenses of another unit or political subdivision (but specifies certain exceptions). Urges the legislative council to assign the following topics to a study committee: (1) Whether a heavy equipment vehicle excise tax, instead of the property tax, should be imposed on certain heavy equipment vehicles. (2) The appropriate amount of the fee that should be charged for the registration of certain vehicles used in connection with logging.



Reprinted
March 1, 2016

Second Regular Session of the 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1290

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

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

- 1 SECTION 1. IC 4-22-2-21, AS AMENDED BY THE TECHNICAL
2 CORRECTIONS BILL OF THE 2016 GENERAL ASSEMBLY, IS
3 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]:
4 Sec. 21. (a) If incorporation of the text in full would be cumbersome,
5 expensive, or otherwise inexpedient, an agency may incorporate by
6 reference into a rule part or all of any of the following matters:
7 (1) A federal or state statute, rule, or regulation.
8 (2) A code, manual, or other standard adopted by an agent of the
9 United States, a state, or a nationally recognized organization or
10 association.
11 (3) A manual of the department of local government finance
12 adopted in a rule described in IC 6-1.1-31-9.
13 (4) **The following requirements:**
14 (A) **The schedule, electronic formatting, and standard**
15 **data, field, and record coding requirements for:**
16 (i) **the electronic data file under IC 6-1.1-4-25 concerning**
17 **the parcel characteristics and parcel assessments of all**

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1 parcels and personal property return characteristics and
2 assessments; and

3 (ii) the electronic data file under IC 36-2-9-20 concerning
4 the tax duplicate.

5 (B) The schedule, electronic formatting, and standard data,
6 field, and record coding requirements for data required to
7 be submitted under IC 6-1.1-5.5-3 or IC 6-1.1-11-8.

8 (C) Data export and transmission format requirements for
9 information described in clauses (A) and (B).

10 (b) Each matter incorporated by reference under subsection (a) must
11 be fully and exactly described.

12 (c) An agency may refer to a matter that is directly or indirectly
13 referred to in a primary matter by fully and exactly describing the
14 primary matter.

15 (d) Whenever an agency submits a rule to the attorney general, the
16 governor, or the publisher under this chapter, the agency shall also
17 submit a copy of the full text of each matter incorporated by reference
18 under subsection (a) into the rule, other than the following:

19 (1) An Indiana statute or rule.

20 (2) A form or instructions for a form numbered by the
21 commission on public records **Indiana archives and record**
22 **administration** under IC 5-15-5.1-6.

23 (3) The source of a statement that is quoted or paraphrased in full
24 in the rule.

25 (4) Any matter that has been previously filed with the:

26 (A) secretary of state before July 1, 2006; or

27 (B) publisher after June 30, 2006.

28 (5) Any matter referred to in subsection (c) as a matter that is
29 directly or indirectly referred to in a primary matter.

30 (e) An agency may comply with subsection (d) by submitting a
31 paper or an electronic copy of the full text of the matter incorporated
32 by reference.

33 SECTION 2. IC 4-33-12-6, AS AMENDED BY THE TECHNICAL
34 CORRECTIONS BILL OF THE 2016 GENERAL ASSEMBLY, IS
35 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]:
36 Sec. 6. (a) The department shall place in the state general fund the tax
37 revenue collected under this chapter.

38 (b) Except as provided by ~~subsections subsection (c) and (d), and~~
39 ~~IC 6-3.1-20-7~~, **section 8 of this chapter**, the treasurer of state shall
40 quarterly pay the following amounts:

41 (1) Except as provided in ~~subsection (k), (j)~~, **section 9(g) of this**
42 **chapter**, one dollar (\$1) of the admissions tax collected by the



1 licensed owner for each person embarking on a gambling
 2 excursion during the quarter or admitted to a riverboat that has
 3 implemented flexible scheduling under IC 4-33-6-21 during the
 4 quarter shall be paid to:

5 (A) the city in which the riverboat is docked, if the city:

6 (i) is located in a county having a population of more than
 7 one hundred eleven thousand (111,000) but less than one
 8 hundred fifteen thousand (115,000); or

9 (ii) is contiguous to the Ohio River and is the largest city in
 10 the county; and

11 (B) the county in which the riverboat is docked, if the
 12 riverboat is not docked in a city described in clause (A).

13 (2) Except as provided in ~~subsection (k), (j)~~, **section 9(g) of this**
 14 **chapter**, one dollar (\$1) of the admissions tax collected by the
 15 licensed owner for each person:

16 (A) embarking on a gambling excursion during the quarter; or

17 (B) admitted to a riverboat during the quarter that has
 18 implemented flexible scheduling under IC 4-33-6-21;

19 shall be paid to the county in which the riverboat is docked. In the
 20 case of a county described in subdivision (1)(B), this one dollar
 21 (\$1) is in addition to the one dollar (\$1) received under
 22 subdivision (1)(B).

23 (3) Except as provided in ~~subsection (k), (j)~~, **section 9(g) of this**
 24 **chapter**, ten cents (\$0.10) of the admissions tax collected by the
 25 licensed owner for each person:

26 (A) embarking on a gambling excursion during the quarter; or

27 (B) admitted to a riverboat during the quarter that has
 28 implemented flexible scheduling under IC 4-33-6-21;

29 shall be paid to the county convention and visitors bureau or
 30 promotion fund for the county in which the riverboat is docked.

31 (4) Except as provided in ~~subsection (k), (j)~~, **section 9(g) of this**
 32 **chapter**, fifteen cents (\$0.15) of the admissions tax collected by
 33 the licensed owner for each person:

34 (A) embarking on a gambling excursion during the quarter; or

35 (B) admitted to a riverboat during a quarter that has
 36 implemented flexible scheduling under IC 4-33-6-21;

37 shall be paid to the state fair commission, for use in any activity
 38 that the commission is authorized to carry out under IC 15-13-3.

39 (5) Except as provided in ~~subsection (k), (j)~~, **section 9(g) of this**
 40 **chapter**, ten cents (\$0.10) of the admissions tax collected by the
 41 licensed owner for each person:

42 (A) embarking on a gambling excursion during the quarter; or



1 (B) admitted to a riverboat during the quarter that has
 2 implemented flexible scheduling under IC 4-33-6-21;
 3 shall be paid to the division of mental health and addiction. The
 4 division shall allocate at least twenty-five percent (25%) of the
 5 funds derived from the admissions tax to the prevention and
 6 treatment of compulsive gambling.

7 (6) Except as provided in subsection ~~(k)~~, ~~(j)~~; Sixty-five cents
 8 (\$0.65) of the admissions tax collected by the licensed owner for
 9 each person embarking on a gambling excursion during the
 10 quarter or admitted to a riverboat during the quarter that has
 11 implemented flexible scheduling under IC 4-33-6-21 shall be paid
 12 to the state general fund.

13 *(c) With respect to tax revenue collected from a riverboat located*
 14 *in a historic hotel district, the treasurer of state shall quarterly pay the*
 15 *following:*

16 *(1) With respect to admissions taxes collected for a person*
 17 *admitted to the riverboat before July 1, 2010, the following*
 18 *amounts:*

19 *(A) Twenty-two percent (22%) of the admissions tax collected*
 20 *during the quarter shall be paid to the county treasurer of the*
 21 *county in which the riverboat is located. The county treasurer*
 22 *shall distribute the money received under this clause as*
 23 *follows:*

24 *(i) Twenty-two and seventy-five hundredths percent*
 25 *(22.75%) shall be quarterly distributed to the county*
 26 *treasurer of a county having a population of more than forty*
 27 *thousand (40,000) but less than forty-two thousand (42,000)*
 28 *for appropriation by the county fiscal body after receiving*
 29 *a recommendation from the county executive. The county*
 30 *fiscal body for the receiving county shall provide for the*
 31 *distribution of the money received under this item to one (1)*
 32 *or more taxing units (as defined in IC 6-1.1-1-21) in the*
 33 *county under a formula established by the county fiscal*
 34 *body after receiving a recommendation from the county*
 35 *executive.*

36 *(ii) Twenty-two and seventy-five hundredths percent*
 37 *(22.75%) shall be quarterly distributed to the county*
 38 *treasurer of a county having a population of more than ten*
 39 *thousand seven hundred (10,700) but less than twelve*
 40 *thousand (12,000) for appropriation by the county fiscal*
 41 *body. The county fiscal body for the receiving county shall*
 42 *provide for the distribution of the money received under this*



1 item to one (1) or more taxing units (as defined in
2 IC 6-1.1-1-21) in the county under a formula established by
3 the county fiscal body after receiving a recommendation
4 from the county executive.

5 (iii) Fifty-four and five-tenths percent (54.5%) shall be
6 retained by the county where the riverboat is located for
7 appropriation by the county fiscal body after receiving a
8 recommendation from the county executive.

9 (B) Five percent (5%) of the admissions tax collected during
10 the quarter shall be paid to a town having a population of
11 more than two thousand (2,000) but less than three thousand
12 five hundred (3,500) located in a county having a population
13 of more than nineteen thousand five hundred (19,500) but less
14 than twenty thousand (20,000). At least twenty percent (20%)
15 of the taxes received by a town under this clause must be
16 transferred to the school corporation in which the town is
17 located.

18 (C) Five percent (5%) of the admissions tax collected during
19 the quarter shall be paid to a town having a population of
20 more than three thousand five hundred (3,500) located in a
21 county having a population of more than nineteen thousand
22 five hundred (19,500) but less than twenty thousand (20,000).
23 At least twenty percent (20%) of the taxes received by a town
24 under this clause must be transferred to the school
25 corporation in which the town is located.

26 (D) Twenty percent (20%) of the admissions tax collected
27 during the quarter shall be paid in equal amounts to each
28 town that:

- 29 (i) is located in the county in which the riverboat is located;
- 30 and
- 31 (ii) contains a historic hotel.

32 At least twenty percent (20%) of the taxes received by a town
33 under this clause must be transferred to the school
34 corporation in which the town is located.

35 (E) Ten percent (10%) of the admissions tax collected during
36 the quarter shall be paid to the Orange County development
37 commission established under IC 36-7-11.5. At least one-third
38 ($\frac{1}{3}$) of the taxes paid to the Orange County development
39 commission under this clause must be transferred to the
40 Orange County convention and visitors bureau.

41 (F) Thirteen percent (13%) of the admissions tax collected
42 during the quarter shall be paid to the West Baden Springs



1 *historic hotel preservation and maintenance fund established*
 2 *by IC 36-7-11.5-11(b).*

3 *(G) Twenty-five percent (25%) of the admissions tax collected*
 4 *during the quarter shall be paid to the Indiana economic*
 5 *development corporation to be used by the corporation for the*
 6 *development and implementation of a regional economic*
 7 *development strategy to assist the residents of the county in*
 8 *which the riverboat is located and residents of contiguous*
 9 *counties in improving their quality of life and to help promote*
 10 *successful and sustainable communities. The regional*
 11 *economic development strategy must include goals concerning*
 12 *the following issues:*

13 *(i) Job creation and retention.*

14 *(ii) Infrastructure, including water, wastewater, and storm*
 15 *water infrastructure needs.*

16 *(iii) Housing.*

17 *(iv) Workforce training.*

18 *(v) Health care.*

19 *(vi) Local planning.*

20 *(vii) Land use.*

21 *(viii) Assistance to regional economic development groups.*

22 *(ix) Other regional development issues as determined by the*
 23 *Indiana economic development corporation.*

24 *(2) With respect to admissions taxes collected for a person*
 25 *admitted to the riverboat after June 30, 2010, the following*
 26 *amounts:*

27 *(A) Twenty-nine and thirty-three hundredths percent (29.33%)*
 28 *to the county treasurer of Orange County. The county*
 29 *treasurer shall distribute the money received under this clause*
 30 *as follows:*

31 *(i) Twenty-two and seventy-five hundredths percent*
 32 *(22.75%) to the county treasurer of Dubois County for*
 33 *distribution in the manner described in subdivision (1)(A)(i).*

34 *(ii) Twenty-two and seventy-five hundredths percent*
 35 *(22.75%) to the county treasurer of Crawford County for*
 36 *distribution in the manner described in subdivision*
 37 *(1)(A)(ii).*

38 *(iii) Fifty-four and five-tenths percent (54.5%) to be retained*
 39 *by the county treasurer of Orange County for appropriation*
 40 *by the county fiscal body after receiving a recommendation*
 41 *from the county executive.*

42 *(B) Six and sixty-seven hundredths percent (6.67%) to the*



1 *fiscal officer of the town of Orleans. At least twenty percent*
 2 *(20%) of the taxes received by the town under this clause must*
 3 *be transferred to Orleans Community Schools.*

4 *(C) Six and sixty-seven hundredths percent (6.67%) to the*
 5 *fiscal officer of the town of Paoli. At least twenty percent*
 6 *(20%) of the taxes received by the town under this clause must*
 7 *be transferred to the Paoli Community School Corporation.*

8 *(D) Twenty-six and sixty-seven hundredths percent (26.67%)*
 9 *to be paid in equal amounts to the fiscal officers of the towns*
 10 *of French Lick and West Baden Springs. At least twenty*
 11 *percent (20%) of the taxes received by a town under this*
 12 *clause must be transferred to the Springs Valley Community*
 13 *School Corporation.*

14 *(E) Thirty and sixty-six hundredths percent (30.66%) to the*
 15 *Indiana economic development corporation to be used the*
 16 *manner described in subdivision (1)(G).*

17 *(d) (e) With respect This subsection applies to tax revenue collected*
 18 *from a riverboat that operates from a county having a population of*
 19 *more than four hundred thousand (400,000) but less than seven*
 20 *hundred thousand (700,000); Lake County. Except as provided by*
 21 *IC 6-3.1-20-7, the treasurer of state shall quarterly pay the following*
 22 *amounts:*

23 *(1) The lesser of:*

24 *(A) eight hundred seventy-five thousand dollars (\$875,000);*
 25 *or*

26 *(B) one dollar (\$1) of the admissions tax collected by the*
 27 *licensed owner for each person admitted to a riverboat*
 28 *operating from East Chicago during the preceding calendar*
 29 *quarter;*

30 *to the fiscal officer of the northwest Indiana regional*
 31 *development authority to satisfy, in whole or in part, East*
 32 *Chicago's funding obligation to the authority under*
 33 *IC 36-7.5-4-2.*

34 *(2) The lesser of:*

35 *(A) eight hundred seventy-five thousand dollars (\$875,000);*
 36 *or*

37 *(B) one dollar (\$1) of the admissions tax collected by the*
 38 *licensed owner for each person admitted to a riverboat*
 39 *operating from Gary during the preceding calendar quarter;*

40 *to the fiscal officer of the northwest Indiana regional*
 41 *development authority to satisfy, in whole or in part, Gary's*
 42 *funding obligation to the authority under IC 36-7.5-4-2.*



1 (3) *The lesser of:*

2 (A) *eight hundred seventy-five thousand dollars (\$875,000);*

3 *or*

4 (B) *one dollar (\$1) of the admissions tax collected by the*
5 *licensed owner for each person admitted to a riverboat*
6 *operating from Hammond during the preceding calendar*
7 *quarter;*

8 *to the fiscal officer of the northwest Indiana regional*
9 *development authority to satisfy, in whole or in part, Hammond's*
10 *funding obligation to the authority under IC 36-7.5-4-2.*

11 (4) *The lesser of:*

12 (A) *eight hundred seventy-five thousand dollars (\$875,000);*

13 *or*

14 (B) *one dollar (\$1) of the admissions tax collected by the*
15 *licensed owner for each person admitted to a riverboat*
16 *operating from Lake County during the preceding calendar*
17 *quarter;*

18 *to the fiscal officer of the northwest Indiana regional*
19 *development authority to satisfy, in whole or in part, Lake*
20 *County's funding obligation to the authority under IC 36-7.5-4-2.*

21 (1) (5) *Except as provided in subsection (k), (j), the remainder, if*
22 *any, of:*

23 (A) *one dollar (\$1) of the admissions tax collected by the*
24 *licensed owner for each person*

25 (A) *embarking on a gambling excursion during the quarter; or*

26 (B) *admitted to a riverboat during the preceding calendar*
27 *quarter; that has implemented flexible scheduling under*
28 *IC 4-33-6-21; minus*

29 (B) *the amount distributed to the northwest Indiana regional*
30 *development authority under subdivision (1), (2), or (3);*
31 *whichever is applicable, for that the calendar quarter;*

32 *shall be paid to the city in which the riverboat is docked.*

33 (2) (6) *Except as provided in subsection (k), (j), the remainder, if*
34 *any, of:*

35 (A) *one dollar (\$1) of the admissions tax collected by the*
36 *licensed owner for each person*

37 (A) *embarking on a gambling excursion during the quarter; or*

38 (B) *admitted to a riverboat during the preceding calendar*
39 *quarter; that has implemented flexible scheduling under*
40 *IC 4-33-6-21; minus*

41 (B) *the amount distributed to the northwest Indiana regional*
42 *development authority under subdivision (4) for that the*



1 *calendar quarter;*
2 shall be paid to the county in which the riverboat is docked:
3 ~~(3) (7)~~ Except as provided in subsection ~~(k), (j)~~, nine cents (\$0.09)
4 of the admissions tax collected by the licensed owner for each
5 person
6 ~~(A) embarking on a gambling excursion during the quarter; or~~
7 ~~(B) admitted to a riverboat during the preceding calendar~~
8 ~~quarter that has implemented flexible scheduling under~~
9 ~~IC 4-33-6-21;~~
10 shall be paid to the county convention and visitors bureau or
11 promotion fund for the county in which the riverboat is docked:
12 ~~(4) (8)~~ Except as provided in subsection ~~(k), (j)~~, one cent (\$0.01)
13 of the admissions tax collected by the licensed owner for each
14 person
15 ~~(A) embarking on a gambling excursion during the quarter; or~~
16 ~~(B) admitted to a riverboat during the preceding calendar~~
17 ~~quarter that has implemented flexible scheduling under~~
18 ~~IC 4-33-6-21;~~
19 shall be paid to the northwest Indiana law enforcement training
20 center:
21 ~~(5) (9)~~ Except as provided in subsection ~~(k), (j)~~, fifteen cents
22 ~~(\$0.15)~~ of the admissions tax collected by the licensed owner for
23 each person
24 ~~(A) embarking on a gambling excursion during the quarter; or~~
25 ~~(B) admitted to a riverboat during a the preceding calendar~~
26 ~~quarter that has implemented flexible scheduling under~~
27 ~~IC 4-33-6-21;~~
28 shall be paid to the state fair commission for use in any activity
29 that the commission is authorized to carry out under IC 15-13-3:
30 ~~(6) (10)~~ Except as provided in subsection ~~(k), (j)~~, ten cents (\$0.10)
31 of the admissions tax collected by the licensed owner for each
32 person
33 ~~(A) embarking on a gambling excursion during the quarter; or~~
34 ~~(B) admitted to a riverboat during the preceding calendar~~
35 ~~quarter that has implemented flexible scheduling under~~
36 ~~IC 4-33-6-21;~~
37 shall be paid to the division of mental health and addiction. The
38 division shall allocate at least twenty-five percent (25%) of the
39 funds derived from the admissions tax to the prevention and
40 treatment of compulsive gambling.
41 ~~(7) (11)~~ Except as provided in subsection ~~(k)~~, Sixty-five cents
42 ~~(\$0.65)~~ of the admissions tax collected by the licensed owner for



1 each person *embarking on a gambling excursion during the*
 2 *quarter or* admitted to a riverboat during the *preceding calendar*
 3 *quarter that has implemented flexible scheduling under*
 4 *IC 4-33-6-21* shall be paid to the state general fund.

5 ~~(e) (d)~~ Money paid to a unit of local government under subsection
 6 ~~(b) or (c): or (d):~~

7 (1) must be paid to the fiscal officer of the unit and may be
 8 deposited in the unit's general fund or riverboat fund established
 9 under IC 36-1-8-9, or both;

10 (2) may not be used to reduce the unit's maximum levy under
 11 IC 6-1.1-18.5 but may be used at the discretion of the unit to
 12 reduce the property tax levy of the unit for a particular year;

13 (3) may be used for any legal or corporate purpose of the unit,
 14 including the pledge of money to bonds, leases, or other
 15 obligations under IC 5-1-14-4; and

16 (4) is considered miscellaneous revenue.

17 ~~(f) (e)~~ Money paid by the treasurer of state under subsection ~~(b)(3)~~
 18 ~~or (d)(3) (d)(7) (e)(7)~~ shall be:

19 (1) deposited in:

20 (A) the county convention and visitor promotion fund; or

21 (B) the county's general fund if the county does not have a
 22 convention and visitor promotion fund; and

23 (2) used only for the tourism promotion, advertising, and
 24 economic development activities of the county and community.

25 ~~(g) (f)~~ Money received by the division of mental health and
 26 addiction under subsections ~~(b)(5) and (d)(6): (d)(10): (e)(10):~~

27 (1) is annually appropriated to the division of mental health and
 28 addiction;

29 (2) shall be distributed to the division of mental health and
 30 addiction at times during each state fiscal year determined by the
 31 budget agency; and

32 (3) shall be used by the division of mental health and addiction
 33 for programs and facilities for the prevention and treatment of
 34 addictions to drugs, alcohol, and compulsive gambling; including
 35 the creation and maintenance of a toll free telephone line to
 36 provide the public with information about these addictions. The
 37 division shall allocate at least twenty-five percent (25%) of the
 38 money received to the prevention and treatment of compulsive
 39 gambling.

40 ~~(h) (g)~~ This subsection applies to the following:

41 (1) Each entity receiving money under subsection ~~(b)(1) through~~
 42 ~~(b)(5):~~



1 (2) Each entity receiving money under subsection ~~(d)(1)~~ ~~(d)(5)~~
2 ~~(c)(5)~~ through ~~(d)(2)~~. ~~(d)(6)~~. ~~(e)(6)~~.

3 (3) Each entity receiving money under subsection ~~(d)(5)~~ ~~(d)(9)~~
4 ~~(c)(9)~~ through ~~(d)(6)~~. ~~(d)(10)~~. ~~(e)(10)~~.

5 The treasurer of state shall determine the total amount of money paid
6 by the treasurer of state to an entity subject to this subsection during
7 the state fiscal year 2002. The amount determined under this subsection
8 is the base year revenue for each entity subject to this subsection. The
9 treasurer of state shall certify the base year revenue determined under
10 this subsection to each entity subject to this subsection.

11 *(i) (h)* This subsection applies to an entity receiving money under
12 subsection ~~(d)(3)~~ ~~(d)(7)~~ ~~(c)(7)~~ or ~~(d)(4)~~. ~~(d)(8)~~. ~~(c)(8)~~. The treasurer of
13 state shall determine the total amount of money paid by the treasurer
14 of state to the entity described in subsection ~~(d)(3)~~ ~~(d)(7)~~ ~~(c)(7)~~ during
15 state fiscal year 2002. The amount determined under this subsection
16 multiplied by nine-tenths (0.9) is the base year revenue for the entity
17 described in subsection ~~(d)(3)~~. ~~(d)(7)~~. ~~(c)(7)~~. The amount determined
18 under this subsection multiplied by one-tenth (0.1) is the base year
19 revenue for the entity described in subsection ~~(d)(4)~~. ~~(d)(8)~~. ~~(c)(8)~~. The
20 treasurer of state shall certify the base year revenue determined under
21 this subsection to each entity subject to this subsection.

22 *(j) (i)* This subsection does not apply to an entity receiving money
23 under subsection ~~(e)~~. The total amount of money distributed to an
24 entity under this section during a state fiscal year may not exceed the
25 entity's base year revenue as determined under subsection ~~(h)~~ ~~(g)~~ or ~~(i)~~.
26 ~~(h)~~. For purposes of this section, the treasurer of state shall treat any
27 amounts distributed under subsection ~~(d)~~ ~~(c)~~ to the northwest Indiana
28 regional development authority as amounts constructively received by
29 East Chicago, Gary, Hammond, and Lake County, as appropriate. If
30 the treasurer of state determines that the total amount of money:

31 ~~(1)~~ distributed to an entity; and

32 ~~(2)~~ constructively received by an entity;

33 under this section during a state fiscal year is less than the entity's base
34 year revenue, the treasurer of state shall make a supplemental
35 distribution to the entity under IC 4-33-13-5.

36 *(k) (j)* This subsection does not apply to an entity receiving money
37 under subsection ~~(e)~~. The treasurer of state shall pay that part of the
38 riverboat admissions taxes that:

39 (1) exceeds a particular entity's base year revenue; and

40 (2) would otherwise be due to the entity under this section;

41 to the state general fund instead of to the entity.

42 SECTION 3. IC 4-33-12-8 IS ADDED TO THE INDIANA CODE



1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
2 1, 2016]: **Sec. 8. (a) This section applies to tax revenue collected
3 from a riverboat operating from Lake County.**

4 **(b) Except as provided by IC 6-3.1-20-7, the treasurer of state
5 shall quarterly pay the following amounts from the taxes collected
6 during the preceding calendar quarter from the riverboat
7 operating from East Chicago:**

8 **(1) The lesser of:**

9 **(A) eight hundred seventy-five thousand dollars
10 (\$875,000); or**

11 **(B) one dollar (\$1) of the admissions tax collected by the
12 licensed owner for each person admitted to the riverboat
13 during the preceding calendar quarter;**

14 **to the fiscal officer of the northwest Indiana regional
15 development authority to partially satisfy East Chicago's
16 funding obligation to the authority under IC 36-7.5-4-2.**

17 **(2) The lesser of:**

18 **(A) two hundred eighteen thousand seven hundred fifty
19 dollars (\$218,750); or**

20 **(B) one dollar (\$1) of the admissions tax collected by the
21 licensed owner for each person admitted to the riverboat
22 during the preceding calendar quarter;**

23 **to the fiscal officer of the northwest Indiana regional
24 development authority to partially satisfy Lake County's
25 funding obligation to the authority under IC 36-7.5-4-2.**

26 **(3) Except as provided in section 9(g) of this chapter, the
27 remainder, if any, of:**

28 **(A) one dollar (\$1) of the admissions tax collected by the
29 licensed owner for each person admitted to the riverboat
30 during the preceding calendar quarter; minus**

31 **(B) the amount distributed to the northwest Indiana
32 regional development authority under subdivision (1) for
33 the calendar quarter;**

34 **must be paid to the city of East Chicago.**

35 **(4) Except as provided in section 9(g) of this chapter, the
36 remainder, if any, of:**

37 **(A) one dollar (\$1) of the admissions tax collected by the
38 licensed owner for each person admitted to the riverboat
39 during the preceding calendar quarter; minus**

40 **(B) the amount distributed to the northwest Indiana
41 regional development authority under subdivision (2) for
42 the calendar quarter;**



- 1 must be paid to Lake County.
- 2 (5) Except as provided in section 9(g) of this chapter, nine
3 cents (\$0.09) of the admissions tax collected by the licensed
4 owner for each person admitted to the riverboat during the
5 preceding calendar quarter must be paid to the county
6 convention and visitors bureau for Lake County.
- 7 (6) Except as provided in section 9(g) of this chapter, one cent
8 (\$0.01) of the admissions tax collected by the licensed owner
9 for each person admitted to the riverboat during the
10 preceding calendar quarter must be paid to the northwest
11 Indiana law enforcement training center.
- 12 (7) Except as provided in section 9(g) of this chapter, fifteen
13 cents (\$0.15) of the admissions tax collected by the licensed
14 owner for each person admitted to the riverboat during the
15 preceding calendar quarter must be paid to the state fair
16 commission for use in any activity that the commission is
17 authorized to carry out under IC 15-13-3.
- 18 (8) Except as provided in section 9(g) of this chapter, ten cents
19 (\$0.10) of the admissions tax collected by the licensed owner
20 for each person admitted to the riverboat during the
21 preceding calendar quarter must be paid to the division of
22 mental health and addiction.
- 23 (9) Sixty-five cents (\$0.65) of the admissions tax collected by
24 the licensed owner for each person admitted to the riverboat
25 during the preceding calendar quarter must be paid to the
26 state general fund.
- 27 (c) Except as provided by IC 6-3.1-20-7, the treasurer of state
28 shall quarterly pay the following amounts from the taxes collected
29 during the preceding calendar quarter from each riverboat
30 operating from Gary:
- 31 (1) The lesser of:
- 32 (A) four hundred thirty-seven thousand five hundred
33 dollars (\$437,500); or
- 34 (B) one dollar (\$1) of the admissions tax collected by the
35 licensed owner for each person admitted to the riverboat
36 during the preceding calendar quarter;
- 37 to the fiscal officer of the northwest Indiana regional
38 development authority to partially satisfy Gary's funding
39 obligation to the authority under IC 36-7.5-4-2.
- 40 (2) The lesser of:
- 41 (A) two hundred eighteen thousand seven hundred fifty
42 dollars (\$218,750); or



- 1 **(B) one dollar (\$1) of the admissions tax collected by the**
 2 **licensed owner for each person admitted to the riverboat**
 3 **during the preceding calendar quarter;**
 4 **to the fiscal officer of the northwest Indiana regional**
 5 **development authority to partially satisfy Lake County's**
 6 **funding obligation to the authority under IC 36-7.5-4-2.**
 7 **(3) Except as provided in section 9(g) of this chapter, the**
 8 **remainder, if any, of:**
 9 **(A) one dollar (\$1) of the admissions tax collected by the**
 10 **licensed owner for each person admitted to a riverboat**
 11 **operating from Gary during the preceding calendar**
 12 **quarter; minus**
 13 **(B) the amount distributed to the northwest Indiana**
 14 **regional development authority under subdivision (1) for**
 15 **the calendar quarter;**
 16 **must be paid to the city of Gary.**
 17 **(4) Except as provided in section 9(g) of this chapter, the**
 18 **remainder, if any, of:**
 19 **(A) one dollar (\$1) of the admissions tax collected by the**
 20 **licensed owner for each person admitted to a riverboat**
 21 **operating from Gary during the preceding calendar**
 22 **quarter; minus**
 23 **(B) the amount distributed to the northwest Indiana**
 24 **regional development authority under subdivision (2) for**
 25 **the calendar quarter;**
 26 **must be paid to Lake County.**
 27 **(5) Except as provided in section 9(g) of this chapter, nine**
 28 **cents (\$0.09) of the admissions tax collected by the licensed**
 29 **owner for each person admitted to a riverboat operating from**
 30 **Gary during the preceding calendar quarter must be paid to**
 31 **the county convention and visitors bureau for Lake County.**
 32 **(6) Except as provided in section 9(g) of this chapter, one cent**
 33 **(\$0.01) of the admissions tax collected by the licensed owner**
 34 **for each person admitted to a riverboat operating from Gary**
 35 **during the preceding calendar quarter must be paid to the**
 36 **northwest Indiana law enforcement training center.**
 37 **(7) Except as provided in section 9(g) of this chapter, fifteen**
 38 **cents (\$0.15) of the admissions tax collected by the licensed**
 39 **owner for each person admitted to a riverboat operating from**
 40 **Gary during the preceding calendar quarter must be paid to**
 41 **the state fair commission for use in any activity that the**
 42 **commission is authorized to carry out under IC 15-13-3.**



1 (8) Except as provided in section 9(g) of this chapter, ten cents
 2 (\$0.10) of the admissions tax collected by the licensed owner
 3 for each person admitted to a riverboat operating from Gary
 4 during the preceding calendar quarter must be paid to the
 5 division of mental health and addiction.

6 (9) Sixty-five cents (\$0.65) of the admissions tax collected by
 7 the licensed owner for each person admitted to a riverboat
 8 operating from Gary during the preceding calendar quarter
 9 must be paid to the state general fund.

10 (d) Except as provided by IC 6-3.1-20-7, the treasurer of state
 11 shall quarterly pay the following amounts from the taxes collected
 12 during the preceding calendar quarter from the riverboat
 13 operating from Hammond:

14 (1) The lesser of:

15 (A) eight hundred seventy-five thousand dollars
 16 (\$875,000); or

17 (B) one dollar (\$1) of the admissions tax collected by the
 18 licensed owner for each person admitted to a riverboat
 19 operating from Hammond during the preceding calendar
 20 quarter;

21 to the fiscal officer of the northwest Indiana regional
 22 development authority to partially satisfy Hammond's
 23 funding obligation to the authority under IC 36-7.5-4-2.

24 (2) The lesser of:

25 (A) two hundred eighteen thousand seven hundred fifty
 26 dollars (\$218,750); or

27 (B) one dollar (\$1) of the admissions tax collected by the
 28 licensed owner for each person admitted to the riverboat
 29 during the preceding calendar quarter;

30 to the fiscal officer of the northwest Indiana regional
 31 development authority to partially satisfy Lake County's
 32 funding obligation to the authority under IC 36-7.5-4-2.

33 (3) Except as provided in section 9(g) of this chapter, the
 34 remainder, if any, of:

35 (A) one dollar (\$1) of the admissions tax collected by the
 36 licensed owner for each person admitted to the riverboat
 37 during the preceding calendar quarter; minus

38 (B) the amount distributed to the northwest Indiana
 39 regional development authority under subdivision (1) for
 40 the calendar quarter;

41 must be paid to the city of Hammond.

42 (4) Except as provided in section 9(g) of this chapter, the



- 1 remainder, if any, of:
- 2 (A) one dollar (\$1) of the admissions tax collected by the
- 3 licensed owner for each person admitted to the riverboat
- 4 during the preceding calendar quarter; minus
- 5 (B) the amount distributed to the northwest Indiana
- 6 regional development authority under subdivision (2) for
- 7 the calendar quarter;
- 8 must be paid to Lake County.
- 9 (5) Except as provided in section 9(g) of this chapter, nine
- 10 cents (\$0.09) of the admissions tax collected by the licensed
- 11 owner for each person admitted to the riverboat during the
- 12 preceding calendar quarter must be paid to the county
- 13 convention and visitors bureau for Lake County.
- 14 (6) Except as provided in section 9(g) of this chapter, one cent
- 15 (\$0.01) of the admissions tax collected by the licensed owner
- 16 for each person admitted to a riverboat during the preceding
- 17 calendar quarter must be paid to the northwest Indiana law
- 18 enforcement training center.
- 19 (7) Except as provided in section 9(g) of this chapter, fifteen
- 20 cents (\$0.15) of the admissions tax collected by the licensed
- 21 owner for each person admitted to the riverboat during the
- 22 preceding calendar quarter must be paid to the state fair
- 23 commission for use in any activity that the commission is
- 24 authorized to carry out under IC 15-13-3.
- 25 (8) Except as provided in section 9(g) of this chapter, ten cents
- 26 (\$0.10) of the admissions tax collected by the licensed owner
- 27 for each person admitted to the riverboat during the
- 28 preceding calendar quarter must be paid to the division of
- 29 mental health and addiction.
- 30 (9) Sixty-five cents (\$0.65) of the admissions tax collected by
- 31 the licensed owner for each person admitted to the riverboat
- 32 during the preceding calendar quarter must be paid to the
- 33 state general fund.
- 34 SECTION 4. IC 4-33-12-9 IS ADDED TO THE INDIANA CODE
- 35 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 36 1, 2016]: Sec. 9. (a) Money paid to a unit of local government under
- 37 section 6 or 8 of this chapter:
- 38 (1) must be paid to the fiscal officer of the unit and may be
- 39 deposited in the unit's general fund or riverboat fund
- 40 established under IC 36-1-8-9, or both;
- 41 (2) may not be used to reduce the unit's maximum levy under
- 42 IC 6-1.1-18.5 but may be used at the discretion of the unit to



1 reduce the property tax levy of the unit for a particular year;
 2 (3) may be used for any legal or corporate purpose of the unit,
 3 including the pledge of money to bonds, leases, or other
 4 obligations under IC 5-1-14-4; and
 5 (4) is considered miscellaneous revenue.

6 (b) Money paid by the treasurer of state to a county convention
 7 and visitors bureau or promotion fund under section 6 of this
 8 chapter must be:

9 (1) deposited in:

10 (A) the county convention and visitor promotion fund; or

11 (B) the county's general fund if the county does not have a
 12 convention and visitor promotion fund; and

13 (2) used only for the tourism promotion, advertising, and
 14 economic development activities of the county and
 15 community.

16 (c) Money received by the division of mental health and
 17 addiction under section 6 or 8 of this chapter:

18 (1) is annually appropriated to the division of mental health
 19 and addiction;

20 (2) shall be distributed to the division of mental health and
 21 addiction at times during each state fiscal year determined by
 22 the budget agency; and

23 (3) shall be used by the division of mental health and addiction
 24 for programs and facilities for the prevention and treatment
 25 of addictions to drugs, alcohol, and compulsive gambling,
 26 including the creation and maintenance of a toll free
 27 telephone line to provide the public with information about
 28 these addictions.

29 The division shall allocate at least twenty-five percent (25%) of the
 30 money received to the prevention and treatment of compulsive
 31 gambling.

32 (d) This subsection applies to the following entities receiving
 33 money under section 6 or 8 of this chapter:

34 (1) A city or county.

35 (2) A county convention and visitors bureau or promotion
 36 fund for a county other than Lake County.

37 (3) The state fair commission.

38 (4) The division of mental health and addiction.

39 The treasurer of state shall determine the total amount of money
 40 paid by the treasurer of state to an entity subject to this subsection
 41 during the state fiscal year 2002. The amount determined under
 42 this subsection is the base year revenue for each entity subject to



1 this subsection. The treasurer of state shall certify the base year
2 revenue determined under this subsection to each entity subject to
3 this subsection.

4 (e) This subsection applies to the following entities receiving
5 money under section 8 of this chapter:

6 (1) A county convention and visitors bureau for Lake County.

7 (2) The northwest Indiana law enforcement training center.

8 The treasurer of state shall determine the total amount of money
9 paid by the treasurer of state to the entity described in subdivision
10 (1) during state fiscal year 2002. The amount determined under
11 this subsection multiplied by nine-tenths (0.9) is the base year
12 revenue for the entity described in subdivision (1). The amount
13 determined under this subsection multiplied by one-tenth (0.1) is
14 the base year revenue for the entity described in subdivision (2).
15 The treasurer of state shall certify the base year revenue
16 determined under this subsection to each entity subject to this
17 subsection.

18 (f) The total amount of money distributed to an entity under
19 section 6 or 8 of this chapter during a state fiscal year may not
20 exceed the entity's base year revenue as determined under
21 subsection (d) or (e). For purposes of this section, the treasurer of
22 state shall treat any amounts distributed under section 8 of this
23 chapter to the northwest Indiana regional development authority
24 as amounts constructively received by East Chicago, Gary,
25 Hammond, and Lake County, as appropriate. If the treasurer of
26 state determines that the total amount of money:

27 (1) distributed to an entity; and

28 (2) constructively received by an entity;

29 under section 6 or 8 of this chapter during a state fiscal year is less
30 than the entity's base year revenue, the treasurer of state shall
31 make a supplemental distribution to the entity under IC 4-33-13-5.

32 (g) The treasurer of state shall pay that part of the riverboat
33 admissions taxes that:

34 (1) exceeds a particular entity's base year revenue; and

35 (2) would otherwise be due to the entity under this section;

36 to the state general fund instead of to the entity.

37 SECTION 5. IC 4-33-12.5-6, AS AMENDED BY P.L.255-2015,
38 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2016]: Sec. 6. (a) The county described in ~~IC 4-33-12-6(c)~~
40 Lake County shall distribute twenty-five percent (25%) of the:

41 (1) admissions tax revenue received by the county under
42 ~~IC 4-33-12-6(c)(6)~~; IC 4-33-12-8; and



- 1 (2) supplemental distributions received under IC 4-33-13-5;
- 2 to the eligible municipalities.
- 3 (b) The amount that shall be distributed by the county to each
- 4 eligible municipality under subsection (a) is based on the eligible
- 5 municipality's proportionate share of the total population of all eligible
- 6 municipalities. The most current certified census information available
- 7 shall be used to determine an eligible municipality's proportionate
- 8 share under this subsection. The determination of proportionate shares
- 9 under this subsection shall be modified under the following conditions:
- 10 (1) The certification from any decennial census completed by the
- 11 United States Bureau of the Census.
- 12 (2) Submission by one (1) or more eligible municipalities of a
- 13 certified special census commissioned by an eligible municipality
- 14 and performed by the United States Bureau of the Census.
- 15 (c) If proportionate shares are modified under subsection (b),
- 16 distribution to eligible municipalities shall change with the:
- 17 (1) payments beginning April 1 of the year following the
- 18 certification of a special census under subsection (b)(2); and
- 19 (2) the next quarterly payment following the certification of a
- 20 decennial census under subsection (b)(1).
- 21 SECTION 6. IC 4-33-12.5-7, AS AMENDED BY P.L.205-2013,
- 22 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 23 JULY 1, 2016]: Sec. 7. The county shall make payments under this
- 24 chapter directly to each eligible municipality. The county shall make
- 25 payments to the eligible municipalities not more than thirty (30) days
- 26 after the county receives the quarterly distribution of admission tax
- 27 revenue under ~~IC 4-33-12-6~~ **IC 4-33-12-8** or the supplemental
- 28 distributions received under IC 4-33-13-5 from the state.
- 29 SECTION 7. IC 4-33-13-5, AS AMENDED BY P.L.255-2015,
- 30 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 31 JULY 1, 2016]: Sec. 5. (a) This subsection does not apply to tax
- 32 revenue remitted by an operating agent operating a riverboat in a
- 33 historic hotel district. After funds are appropriated under section 4 of
- 34 this chapter, each month the treasurer of state shall distribute the tax
- 35 revenue deposited in the state gaming fund under this chapter to the
- 36 following:
- 37 (1) The first thirty-three million dollars (\$33,000,000) of tax
- 38 revenues collected under this chapter shall be set aside for
- 39 revenue sharing under subsection (e).
- 40 (2) Subject to subsection (c), twenty-five percent (25%) of the
- 41 remaining tax revenue remitted by each licensed owner shall be
- 42 paid:



- 1 (A) to the city that is designated as the home dock of the
 2 riverboat from which the tax revenue was collected, in the case
 3 of:
 4 (i) a city described in IC 4-33-12-6(b)(1)(A); or
 5 (ii) a city located in a county having a population of more
 6 than four hundred thousand (400,000) but less than seven
 7 hundred thousand (700,000); or
 8 (B) to the county that is designated as the home dock of the
 9 riverboat from which the tax revenue was collected, in the case
 10 of a riverboat whose home dock is not in a city described in
 11 clause (A).
 12 (3) Subject to subsection (d), the remainder of the tax revenue
 13 remitted by each licensed owner shall be paid to the state general
 14 fund. In each state fiscal year, the treasurer of state shall make the
 15 transfer required by this subdivision not later than the last
 16 business day of the month in which the tax revenue is remitted to
 17 the state for deposit in the state gaming fund. However, if tax
 18 revenue is received by the state on the last business day in a
 19 month, the treasurer of state may transfer the tax revenue to the
 20 state general fund in the immediately following month.
 21 (b) This subsection applies only to tax revenue remitted by an
 22 operating agent operating a riverboat in a historic hotel district after
 23 June 30, 2015. After funds are appropriated under section 4 of this
 24 chapter, each month the treasurer of state shall distribute the tax
 25 revenue remitted by the operating agent under this chapter as follows:
 26 (1) Fifty-six and five-tenths percent (56.5%) shall be paid to the
 27 state general fund.
 28 (2) Forty-three and five-tenths percent (43.5%) shall be paid as
 29 follows:
 30 (A) Twenty-two and four-tenths percent (22.4%) shall be paid
 31 as follows:
 32 (i) Fifty percent (50%) to the fiscal officer of the town of
 33 French Lick.
 34 (ii) Fifty percent (50%) to the fiscal officer of the town of
 35 West Baden Springs.
 36 (B) Fourteen and eight-tenths percent (14.8%) shall be paid to
 37 the county treasurer of Orange County for distribution among
 38 the school corporations in the county. The governing bodies
 39 for the school corporations in the county shall provide a
 40 formula for the distribution of the money received under this
 41 clause among the school corporations by joint resolution
 42 adopted by the governing body of each of the school



1 corporations in the county. Money received by a school
2 corporation under this clause must be used to improve the
3 educational attainment of students enrolled in the school
4 corporation receiving the money. Not later than the first
5 regular meeting in the school year of a governing body of a
6 school corporation receiving a distribution under this clause,
7 the superintendent of the school corporation shall submit to
8 the governing body a report describing the purposes for which
9 the receipts under this clause were used and the improvements
10 in educational attainment realized through the use of the
11 money. The report is a public record.
12 (C) Thirteen and one-tenth percent (13.1%) shall be paid to the
13 county treasurer of Orange County.
14 (D) Five and three-tenths percent (5.3%) shall be distributed
15 quarterly to the county treasurer of Dubois County for
16 appropriation by the county fiscal body after receiving a
17 recommendation from the county executive. The county fiscal
18 body for the receiving county shall provide for the distribution
19 of the money received under this clause to one (1) or more
20 taxing units (as defined in IC 6-1.1-1-21) in the county under
21 a formula established by the county fiscal body after receiving
22 a recommendation from the county executive.
23 (E) Five and three-tenths percent (5.3%) shall be distributed
24 quarterly to the county treasurer of Crawford County for
25 appropriation by the county fiscal body after receiving a
26 recommendation from the county executive. The county fiscal
27 body for the receiving county shall provide for the distribution
28 of the money received under this clause to one (1) or more
29 taxing units (as defined in IC 6-1.1-1-21) in the county under
30 a formula established by the county fiscal body after receiving
31 a recommendation from the county executive.
32 (F) Six and thirty-five hundredths percent (6.35%) shall be
33 paid to the fiscal officer of the town of Paoli.
34 (G) Six and thirty-five hundredths percent (6.35%) shall be
35 paid to the fiscal officer of the town of Orleans.
36 (H) Twenty-six and four-tenths percent (26.4%) shall be paid
37 to the Indiana economic development corporation established
38 by IC 5-28-3-1 for transfer to Radius Indiana or a successor
39 regional entity or partnership for the development and
40 implementation of a regional economic development strategy
41 to assist the residents of Orange County and the counties
42 contiguous to Orange County in improving their quality of life



1 and to help promote successful and sustainable communities.
 2 However, an amount sufficient to meet current obligations to
 3 retire or refinance indebtedness or leases for which tax
 4 revenues under this section were pledged before January 1,
 5 2015, by the Orange County development commission shall be
 6 paid to the Orange County development commission before
 7 making a distribution to Radius Indiana or a successor regional
 8 entity or partnership. The amount paid to the Orange County
 9 development commission reduces the amount payable to
 10 Radius Indiana or its successor entity or partnership.

11 (c) For each city and county receiving money under subsection
 12 (a)(2), the treasurer of state shall determine the total amount of money
 13 paid by the treasurer of state to the city or county during the state fiscal
 14 year 2002. The amount determined is the base year revenue for the city
 15 or county. The treasurer of state shall certify the base year revenue
 16 determined under this subsection to the city or county. The total
 17 amount of money distributed to a city or county under this section
 18 during a state fiscal year may not exceed the entity's base year revenue.
 19 For each state fiscal year, the treasurer of state shall pay that part of the
 20 riverboat wagering taxes that:

- 21 (1) exceeds a particular city's or county's base year revenue; and
- 22 (2) would otherwise be due to the city or county under this
- 23 section;

24 to the state general fund instead of to the city or county.

25 (d) Each state fiscal year the treasurer of state shall transfer from the
 26 tax revenue remitted to the state general fund under subsection (a)(3)
 27 to the build Indiana fund an amount that when added to the following
 28 may not exceed two hundred fifty million dollars (\$250,000,000):

- 29 (1) Surplus lottery revenues under IC 4-30-17-3.
- 30 (2) Surplus revenue from the charity gaming enforcement fund
- 31 under IC 4-32.2-7-7.
- 32 (3) Tax revenue from pari-mutuel wagering under IC 4-31-9-3.

33 The treasurer of state shall make transfers on a monthly basis as needed
 34 to meet the obligations of the build Indiana fund. If in any state fiscal
 35 year insufficient money is transferred to the state general fund under
 36 subsection (a)(3) to comply with this subsection, the treasurer of state
 37 shall reduce the amount transferred to the build Indiana fund to the
 38 amount available in the state general fund from the transfers under
 39 subsection (a)(3) for the state fiscal year.

40 (e) Before August 15 of each year, the treasurer of state shall
 41 distribute the wagering taxes set aside for revenue sharing under
 42 subsection (a)(1) to the county treasurer of each county that does not



1 have a riverboat according to the ratio that the county's population
 2 bears to the total population of the counties that do not have a
 3 riverboat. Except as provided in subsection (h), the county auditor shall
 4 distribute the money received by the county under this subsection as
 5 follows:

6 (1) To each city located in the county according to the ratio the
 7 city's population bears to the total population of the county.

8 (2) To each town located in the county according to the ratio the
 9 town's population bears to the total population of the county.

10 (3) After the distributions required in subdivisions (1) and (2) are
 11 made, the remainder shall be retained by the county.

12 (f) Money received by a city, town, or county under subsection (e)
 13 or (h) may be used for any of the following purposes:

14 (1) To reduce the property tax levy of the city, town, or county for
 15 a particular year (a property tax reduction under this subdivision
 16 does not reduce the maximum levy of the city, town, or county
 17 under IC 6-1.1-18.5).

18 (2) For deposit in a special fund or allocation fund created under
 19 IC 8-22-3.5, IC 36-7-14, IC 36-7-14.5, IC 36-7-15.1, and
 20 IC 36-7-30 to provide funding for debt repayment.

21 (3) To fund sewer and water projects, including storm water
 22 management projects.

23 (4) For police and fire pensions.

24 (5) To carry out any governmental purpose for which the money
 25 is appropriated by the fiscal body of the city, town, or county.

26 Money used under this subdivision does not reduce the property
 27 tax levy of the city, town, or county for a particular year or reduce
 28 the maximum levy of the city, town, or county under
 29 IC 6-1.1-18.5.

30 (g) Before ~~September~~ **July** 15 of each year, the treasurer of state
 31 shall determine the total amount of money distributed to an entity under
 32 IC 4-33-12-6 **or IC 4-33-12-8** during the preceding state fiscal year. If
 33 the treasurer of state determines that the total amount of money
 34 distributed to an entity under IC 4-33-12-6 **or IC 4-33-12-8** during the
 35 preceding state fiscal year was less than the entity's base year revenue
 36 (as determined under ~~IC 4-33-12-6~~, **IC 4-33-12-9**), the treasurer of
 37 state shall make a supplemental distribution to the entity from taxes
 38 collected under this chapter and deposited into the state general fund.
 39 Except as provided in subsection (i), the amount of an entity's
 40 supplemental distribution is equal to:

41 (1) the entity's base year revenue (as determined under
 42 ~~IC 4-33-12-6~~; **IC 4-33-12-9**); minus



- 1 (2) the sum of:
- 2 (A) the total amount of money distributed to the entity and
- 3 constructively received by the entity during the preceding state
- 4 fiscal year under IC 4-33-12-6 **or IC 4-33-12-8**; plus
- 5 (B) the amount of any admissions taxes deducted under
- 6 IC 6-3.1-20-7.
- 7 (h) This subsection applies only to a county containing a
- 8 consolidated city. The county auditor shall distribute the money
- 9 received by the county under subsection (e) as follows:
- 10 (1) To each city, other than a consolidated city, located in the
- 11 county according to the ratio that the city's population bears to the
- 12 total population of the county.
- 13 (2) To each town located in the county according to the ratio that
- 14 the town's population bears to the total population of the county.
- 15 (3) After the distributions required in subdivisions (1) and (2) are
- 16 made, the remainder shall be paid in equal amounts to the
- 17 consolidated city and the county.
- 18 (i) This subsection applies to a supplemental distribution made after
- 19 June 30, 2013. The maximum amount of money that may be distributed
- 20 under subsection (g) in a state fiscal year is forty-eight million dollars
- 21 (\$48,000,000). If the total amount determined under subsection (g)
- 22 exceeds forty-eight million dollars (\$48,000,000), the amount
- 23 distributed to an entity under subsection (g) must be reduced according
- 24 to the ratio that the amount distributed to the entity under IC 4-33-12-6
- 25 **or IC 4-33-12-8** bears to the total amount distributed under
- 26 IC 4-33-12-6 **and IC 4-33-12-8** to all entities receiving a supplemental
- 27 distribution.
- 28 (j) This subsection applies to a supplemental distribution, if any,
- 29 payable to Lake County, Hammond, Gary, or East Chicago under
- 30 subsections (g) and (i). Beginning in ~~September~~ **July** 2016, the
- 31 treasurer of state shall, after making any deductions from the
- 32 supplemental distribution required by IC 6-3.1-20-7, deduct from the
- 33 remainder of the supplemental distribution otherwise payable to the
- 34 unit under this section the lesser of:
- 35 (1) the remaining amount of the supplemental distribution; or
- 36 (2) the difference, if any, between:
- 37 (A) three million five hundred thousand dollars (\$3,500,000);
- 38 minus
- 39 (B) the amount of admissions taxes constructively received by
- 40 the unit in the previous state fiscal year.
- 41 The treasurer of state shall distribute the amounts deducted under this
- 42 subsection to the northwest Indiana redevelopment authority



1 established under IC 36-7.5-2-1 for deposit in the development
2 authority fund established under IC 36-7.5-4-1.

3 (k) Money distributed to a political subdivision under subsection
4 (b):

5 (1) must be paid to the fiscal officer of the political subdivision
6 and may be deposited in the political subdivision's general fund
7 or riverboat fund established under IC 36-1-8-9, or both;

8 (2) may not be used to reduce the maximum levy under
9 IC 6-1.1-18.5 of a county, city, or town or the maximum tax rate
10 of a school corporation, but, except as provided in subsection
11 (b)(2)(B), may be used at the discretion of the political
12 subdivision to reduce the property tax levy of the county, city, or
13 town for a particular year;

14 (3) except as provided in subsection (b)(2)(B), may be used for
15 any legal or corporate purpose of the political subdivision,
16 including the pledge of money to bonds, leases, or other
17 obligations under IC 5-1-14-4; and

18 (4) is considered miscellaneous revenue.

19 Money distributed under subsection (b)(2)(B) must be used for the
20 purposes specified in subsection (b)(2)(B).

21 SECTION 8. IC 5-13-10.5-18, AS AMENDED BY P.L.213-2015,
22 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 UPON PASSAGE]: Sec. 18. (a) As used in this section, "capital
24 improvement board" refers to a capital improvement board established
25 under IC 36-10-9.

26 (b) To qualify for an investment under this section, the capital
27 improvement board must apply to the treasurer of state in the form and
28 manner required by the treasurer. As part of the application, the capital
29 improvement board shall submit a plan for its use of the investment
30 proceeds and for the repayment of the capital improvement board's
31 obligation to the treasurer. Within sixty (60) days after receipt of each
32 application, the treasurer shall consider the application and review its
33 accuracy and completeness.

34 (c) If the capital improvement board makes an application under
35 subsection (b) and the treasurer approves the accuracy and
36 completeness of the application and determines that there is an
37 adequate method of payment for the capital improvement board's
38 obligations, the treasurer of state shall invest or reinvest funds that are
39 held by the treasurer and that are available for investment in
40 obligations issued by the capital improvement board for the purposes
41 of the capital improvement board in calendar years 2009, 2010, and
42 2011. The investment may not exceed nine million dollars (\$9,000,000)



1 per calendar year for 2009, 2010, and 2011.

2 (d) The treasurer of state shall determine the terms of each
3 investment and the capital improvement board's obligation, which must
4 include the following:

5 (1) Subject to subsections (f) and (g), the duration of the capital
6 improvement board's obligation, which must be for a term of ten
7 (10) years with an option for the capital improvement board to
8 pay its obligation to the treasurer early without penalty.

9 (2) Subject to subsections (f) and (g), the repayment schedule of
10 the capital improvement board's obligation, which must provide
11 that no payments are due before January 1, 2013.

12 (3) A rate of interest to be determined by the treasurer.

13 (4) The amount of each investment, which may not exceed the
14 maximum amounts established for the capital improvement board
15 by this section.

16 (5) Any other conditions specified by the treasurer.

17 (e) The capital improvement board may issue obligations under this
18 section by adoption of a resolution and, as set forth in IC 5-1-14, may
19 use any source of revenue to satisfy the obligation to the treasurer of
20 state under this section. This section constitutes complete authority for
21 the capital improvement board to issue obligations to the treasurer. If
22 the capital improvement board fails to make any payments on the
23 capital improvement board's obligation to the treasurer, the amount
24 payable shall be withheld by the auditor of state from any other money
25 payable to the capital improvement board. The amount withheld shall
26 be transferred to the treasurer to the credit of the capital improvement
27 board.

28 (f) Subject to subsection (g), if all principal and interest on the
29 obligations issued by the capital improvement board under this section
30 in calendar year 2009, are paid before July 1, 2015, the term of the
31 obligations issued by the capital improvement board to the treasurer of
32 state in calendar year 2010 is extended until 2025. **The treasurer of
33 state shall discharge any remaining unpaid interest on the
34 obligation issued by the capital improvement board to the
35 treasurer of state in 2009, if the capital improvement board
36 submits payment of the principal amount to the treasurer of state
37 before the stated final maturity of that obligation.**

38 (g) This subsection applies if the capital improvement board before
39 July 1, 2015, adopts a resolution:

40 (1) to establish a bid fund to be used to assist the capital
41 improvement board, the Indianapolis Convention and Visitors
42 Association (VisitIndy), or the Indiana Sports Corporation in



1 securing conventions, sporting events, and other special events;
 2 and
 3 (2) to designate that principal and interest payments that would
 4 otherwise be made on the obligation issued by the capital
 5 improvement board under this section in calendar year 2010 shall
 6 instead be deposited in the bid fund.

7 If the requirements of subdivisions (1) and (2) are satisfied and the
 8 capital improvement board deposits in the bid fund amounts equal to
 9 the principal and interests payments that would otherwise be made
 10 under the repayment schedule on the obligations issued by the capital
 11 improvement board under this section in calendar year 2010, the capital
 12 improvement board is not required to make those principal and
 13 interests payments to the treasurer of state at the time required under
 14 the repayment schedule. The amounts must be deposited in the bid
 15 fund not later than the time the principal and interest payments would
 16 otherwise be due to the treasurer of state under the repayment schedule.
 17 The state board of accounts shall annually examine the bid fund to
 18 determine the amount of deposits made to the bid fund under this
 19 subsection and to ensure that the money deposited in the bid fund is
 20 used only for purposes authorized by this subsection. To the extent that
 21 the capital improvement board does not deposit in the bid fund an
 22 amount equal to a payment of principal and interest that would
 23 otherwise be due under the repayment schedule on the obligations
 24 issued by the capital improvement board under this section in calendar
 25 year 2010, the capital improvement board must make that payment of
 26 principal and interest to the treasurer of state as provided in this
 27 section. If the capital improvement board deposits in the bid fund
 28 amounts equal to the payments of principal and interest that would
 29 otherwise be due under the repayment schedule on the obligations
 30 issued by the capital improvement board under this section in calendar
 31 year 2010, the capital improvement board is only required to repay to
 32 the treasurer of state the principal amount of the obligation.

33 SECTION 9. IC 5-28-15-5, AS AMENDED BY P.L.288-2013,
 34 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JANUARY 1, 2017]: Sec. 5. (a) The board has the following powers,
 36 in addition to other powers that are contained in this chapter:

37 (1) To review and approve or reject all applicants for enterprise
 38 zone designation, according to the criteria for designation that this
 39 chapter provides.
 40 (2) To waive or modify rules as provided in this chapter.
 41 (3) To provide a procedure by which enterprise zones may be
 42 monitored and evaluated on an annual basis.



1 (4) To adopt rules for the disqualification of a zone business from
 2 eligibility for any or all incentives available to zone businesses,
 3 if that zone business does not do one (1) of the following:

4 (A) If all its incentives, as contained in the summary required
 5 under section 7 of this chapter, exceed one thousand dollars
 6 (\$1,000) in any year, pay a registration fee to the board in an
 7 amount equal to one percent (1%) of all its incentives.

8 (B) Use all its incentives, except for the amount of the
 9 registration fee, for its property or employees in the zone.

10 (C) Remain open and operating as a zone business for twelve
 11 (12) months of the assessment year for which the incentive is
 12 claimed.

13 (5) To disqualify a zone business from eligibility for any or all
 14 incentives available to zone businesses in accordance with the
 15 procedures set forth in the board's rules.

16 (6) After a recommendation from a U.E.A., to modify an
 17 enterprise zone boundary if the board determines that the
 18 modification:

19 (A) is in the best interests of the zone; and

20 (B) meets the threshold criteria and factors set forth in section
 21 9 of this chapter.

22 (7) To employ staff and contract for services.

23 (8) To receive funds from any source and expend the funds for the
 24 administration and promotion of the enterprise zone program.

25 (9) To ~~make determinations~~ **enter into agreements** under
 26 IC 6-3.1-11 ~~concerning the designation of locations as industrial~~
 27 ~~recovery sites.~~ **with an applicant for a tax credit under that**
 28 **chapter.**

29 (10) To make determinations under IC 6-3.1-11 concerning the
 30 disqualification of persons from claiming credits provided by that
 31 chapter in appropriate cases.

32 (b) In addition to a registration fee paid under subsection (a)(4)(A),
 33 each zone business that receives an incentive described in section 3 of
 34 this chapter shall assist the zone U.E.A. in an amount determined by
 35 the legislative body of the municipality in which the zone is located. If
 36 a zone business does not assist a U.E.A., the legislative body of the
 37 municipality in which the zone is located may pass an ordinance
 38 disqualifying a zone business from eligibility for all credits or
 39 incentives available to zone businesses. If a legislative body
 40 disqualifies a zone business under this subsection, the legislative body
 41 shall notify the board, the department of local government finance, and
 42 the department of state revenue in writing not more than thirty (30)



1 days after the passage of the ordinance disqualifying the zone business.
 2 Disqualification of a zone business under this section is effective
 3 beginning with the taxable year in which the ordinance disqualifying
 4 the zone business is adopted.

5 SECTION 10. IC 6-1.1-4-43 IS REPEALED [EFFECTIVE
 6 JANUARY 1, 2016 (RETROACTIVE)]. Sec. 43: (a) This section
 7 applies to a real property assessment for:

8 (1) the 2014 assessment date and assessment dates thereafter; and

9 (2) real property that is:

10 (A) a limited market or special purpose property that would
 11 commonly be regarded as a big box retail building under
 12 standard appraisal practices and is at least fifty thousand
 13 (50,000) square feet; and

14 (B) occupied by the original owner or by a tenant for which the
 15 improvement was built.

16 (b) This section does not to apply to the assessment of multi-tenant
 17 income producing shopping centers (as defined by the Appraisal
 18 Institute Dictionary of Real Estate Appraisal (5th Edition)).

19 (c) In determining the true tax value of real property under this
 20 section which has improvements with an effective age is ten (10) years
 21 or less under the rules of the department, assessing officials shall apply
 22 the cost approach, less depreciation and obsolescence under the rules
 23 and guidelines of the department. For purposes of this subsection, the
 24 land value shall be assessed separately. The assessed value of the land
 25 underlying the improvements assessed under this section may be
 26 assessed or challenged based on the market value of comparable land.

27 (d) This subsection applies to a taxpayer that files a notice under
 28 IC 6-1.1-15 after April 30, 2015, requesting a review of the assessment
 29 of the taxpayer's real property that is subject to this section. If the
 30 effective age of the improvements is ten (10) years or less under the
 31 rules of the department, a taxpayer must provide to the appropriate
 32 county or township assessing official information concerning the actual
 33 construction costs for the real property. Notwithstanding IC 6-1.1-15,
 34 if a taxpayer does not provide all relevant and reasonably available
 35 information concerning the actual construction costs for the real
 36 property before the hearing scheduled by the county property tax
 37 assessment board of appeals regarding the assessment of the real
 38 property, the appeal may not be reviewed until all the information is
 39 provided. If a taxpayer does provide the information concerning the
 40 actual construction costs for the real property and the construction costs
 41 for the real property are greater than the cost values determined by
 42 using the cost tables under the rules and guidelines of the department



1 of local government finance, then the for purposes of applying the cost
 2 approach under subsection (b) or (c) the depreciation and obsolescence
 3 shall be deducted from the construction costs rather than the than the
 4 cost values determined by using the cost tables under the rules and
 5 guidelines of the department of local government finance.

6 SECTION 11. IC 6-1.1-4-43.5 IS ADDED TO THE INDIANA
 7 CODE AS A NEW SECTION TO READ AS FOLLOWS
 8 [EFFECTIVE UPON PASSAGE]: **Sec. 43.5. (a) This section applies**
 9 **to a real property assessment for:**

10 (1) the 2016 assessment date and assessment dates thereafter;
 11 and

12 (2) real property that is:

13 (A) a limited market or special purpose property that
 14 would commonly be regarded as a big box retail building
 15 under standard appraisal practices and is at least fifty
 16 thousand (50,000) square feet; and

17 (B) occupied by the original owner or by a tenant for
 18 which the improvement was built.

19 (b) If a taxpayer files a notice under IC 6-1.1-15 after March 31,
 20 2016, requesting a review of the assessment of the taxpayer's real
 21 property that is subject to this section, and the effective age of the
 22 improvements is ten (10) years or less under the rules of the
 23 department, a taxpayer must provide to the appropriate county or
 24 township assessing official information concerning the actual
 25 construction costs for the real property. Notwithstanding
 26 IC 6-1.1-15, if a taxpayer does not provide all relevant and
 27 reasonably available information concerning the actual
 28 construction costs for the real property before the hearing
 29 scheduled by the county property tax assessment board of appeals
 30 regarding the assessment of the real property, the appeal may not
 31 be reviewed until all the information is provided. If a taxpayer does
 32 provide the information concerning the actual construction costs
 33 for the real property, and the construction costs for the real
 34 property are greater than the cost values determined by using the
 35 cost tables under the rules and guidelines of the department of
 36 local government finance, then for purposes of applying the cost
 37 approach the depreciation and obsolescence shall be deducted from
 38 the construction costs rather than the cost values determined by
 39 using the cost tables under the rules and guidelines of the
 40 department of local government finance.

41 SECTION 12. IC 6-1.1-4-44 IS REPEALED [EFFECTIVE
 42 JANUARY 1, 2016 (RETROACTIVE)]. **Sec. 44. (a) This section**



1 applies to a real property assessment of commercial nonincome
2 producing real property, including a sale-leaseback property, for:

- 3 (1) the 2014 assessment date and assessment dates thereafter; or
4 (2) any assessment date, if an assessment appeal is pending before
5 the county property tax assessment board of appeals or the board
6 of tax review.

7 (b) This section does not to apply to the assessment of multi-tenant
8 income producing shopping centers (as defined by the Appraisal
9 Institute Dictionary of Real Estate Appraisal (5th Edition)).

10 (c) As used in this section, "sale-leaseback" means a transaction in
11 which one (1) party sells a property to a buyer, and the buyer leases the
12 property back to the seller.

13 (d) In determining the true tax value of real property under this
14 section which has improvements with an effective age of ten (10) years
15 or less under the rules of the department, a comparable real property
16 sale may not be used if the comparable real property:

- 17 (1) has been vacant for more than one (1) year as of the
18 assessment date or in the case of industrial property vacant for
19 more than five (5) years;
20 (2) has significant restrictions placed on the use of the real
21 property by a recorded covenant, restriction, easement, or other
22 encumbrance on the use of the real property;
23 (3) was sold and is no longer used for the purpose, or a similar
24 purpose, for which the property was used by the original occupant
25 or tenant; or
26 (4) was not sold in an arm's length transaction.

27 SECTION 13. IC 6-1.1-15-0.7 IS ADDED TO THE INDIANA
28 CODE AS A NEW SECTION TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2016]: **Sec. 0.7. A holder of a tax sale
30 certificate under IC 6-1.1-24 does not have an interest in tangible
31 property for purposes of obtaining a review or bringing an appeal
32 of an assessment of property under this chapter.**

33 SECTION 14. IC 6-1.1-31-6, AS AMENDED BY P.L.154-2006,
34 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JANUARY 1, 2016 (RETROACTIVE)]: Sec. 6. (a) With respect to the
36 assessment of real property, the rules of the department of local
37 government finance shall provide for:

- 38 (1) the classification of land on the basis of:
39 (i) (A) acreage;
40 (ii) (B) lots;
41 (iii) (C) size;
42 (iv) (D) location;



- 1 ~~(v)~~ **(E)** use;
- 2 ~~(vi)~~ **(F)** productivity or earning capacity;
- 3 ~~(vii)~~ **(G)** applicable zoning provisions;
- 4 ~~(viii)~~ **(H)** accessibility to highways, sewers, and other public
- 5 services or facilities; and
- 6 ~~(ix)~~ **(I)** any other factor that the department determines by rule
- 7 is just and proper; and
- 8 (2) the classification of improvements on the basis of:
- 9 ~~(i)~~ **(A)** size;
- 10 ~~(ii)~~ **(B)** location;
- 11 ~~(iii)~~ **(C)** use;
- 12 ~~(iv)~~ **(D)** type and character of construction;
- 13 ~~(v)~~ **(E)** age;
- 14 ~~(vi)~~ **(F)** condition;
- 15 ~~(vii)~~ **(G)** cost of reproduction; **and**
- 16 **(H) market segmentation; and**
- 17 ~~(viii)~~ **(I)** any other factor that the department determines by
- 18 rule is just and proper.
- 19 (b) With respect to the assessment of real property, the rules of the
- 20 department of local government finance shall include instructions for
- 21 determining:
- 22 (1) the proper classification of real property;
- 23 (2) the size of real property;
- 24 (3) the effects that location and use have on the value of real
- 25 property;
- 26 (4) the productivity or earning capacity of:
- 27 (A) agricultural land; and
- 28 (B) real property regularly used to rent or otherwise furnish
- 29 residential accommodations for periods of thirty (30) days or
- 30 more;
- 31 (5) sales data for generally comparable properties; and
- 32 (6) the true tax value of real property based on the factors listed
- 33 in this subsection and any other factor that the department
- 34 determines by rule is just and proper.
- 35 (c) With respect to the assessment of real property, true tax value
- 36 does not mean fair market value. ~~Subject to this article, true tax value~~
- 37 ~~is the value determined under the rules of the department of local~~
- 38 ~~government finance.~~
- 39 **(d) With respect to the assessment of an improved property, a**
- 40 **valuation does not reflect the true tax value of the improved**
- 41 **property if the purportedly comparable sale properties supporting**
- 42 **the valuation have a different market or submarket than the**



1 current use of the improved property, based on a market
 2 segmentation analysis. Any market segmentation analysis must be
 3 conducted in conformity with generally accepted appraisal
 4 principles and is not limited to the categories of markets and
 5 submarkets enumerated in the rules or guidance materials adopted
 6 by the department of local government finance.

7 (e) True tax value does not mean the value of the property to the
 8 user.

9 (f) Subject to this article, true tax value shall be determined
 10 under the rules of the department of local government finance. The
 11 department's rules may include examples to illustrate true tax
 12 value.

13 SECTION 15. IC 6-2.5-3-7.5 IS ADDED TO THE INDIANA
 14 CODE AS A NEW SECTION TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2016]: **Sec. 7.5. (a) This section applies to a**
 16 **retail merchant if:**

- 17 (1) the retail merchant obtains the information described in
 18 section 7(c)(1) through 7(c)(3) of this chapter from a person
 19 purchasing tangible personal property for use or consumption
 20 in providing public transportation under IC 6-2.5-5-27; and
 21 (2) the person purchasing the tangible personal property
 22 provides to the retail merchant the signed affirmation
 23 required under section 7(c) of this chapter.

24 (b) Except as provided in subsection (c), the following apply to
 25 a retail merchant that meets the requirements of subsection (a):

- 26 (1) Based on the information described in section 7(c)(1)
 27 through 7(c)(3) of this chapter and the signed affirmation
 28 required under section 7(c) of this chapter, the retail
 29 merchant is entitled to assume that the person purchasing the
 30 tangible personal property:

31 (A) will use the tangible personal property for an exempt
 32 purpose; or

33 (B) will make the determination regarding whether use tax
 34 is due on the storage, use, or consumption of the tangible
 35 personal property, and will pay any use tax that is due on
 36 the storage, use, or consumption of the tangible personal
 37 property.

- 38 (2) The retail merchant is not liable for a failure to collect any
 39 use tax that may be due on the storage, use, or consumption
 40 of the tangible personal property.

41 (c) Subsection (b) does not apply to a retail merchant if the
 42 retail merchant's reliance on the information described in section



1 **7(c)(1) through 7(c)(3) of this chapter and the signed affirmation**
 2 **required under section 7(c) of this chapter was unreasonable. The**
 3 **department has the burden of proving that the retail merchant's**
 4 **reliance on the information described in section 7(c)(1) through**
 5 **7(c)(3) of this chapter and the signed affirmation required under**
 6 **section 7(c) of this chapter was unreasonable.**

7 SECTION 16. IC 6-3.1-11-1, AS AMENDED BY P.L.288-2013,
 8 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JANUARY 1, 2017]: Sec. 1. As used in this chapter, "applicable
 10 percentage" means the percentage determined as follows:

11 (1) If a plant ~~that is located on an industrial recovery site~~ was
 12 placed in service at least fifteen (15) years ago but less than thirty
 13 (30) years ago, the applicable percentage is fifteen percent (15%).

14 (2) If a plant ~~that is located on an industrial recovery site~~ was
 15 placed in service at least thirty (30) years ago but less than forty
 16 (40) years ago, the applicable percentage is twenty percent (20%).

17 (3) If a plant ~~that is located on an industrial recovery site~~ was
 18 placed in service at least forty (40) years ago, the applicable
 19 percentage is twenty-five percent (25%).

20 The time that has expired since a plant was placed in service shall be
 21 determined as of the date that an application is filed with the
 22 corporation. ~~for designation of the location as an industrial recovery~~
 23 ~~site under this chapter. However, in the case of an industrial~~
 24 **recovery site described in section 5(2) of this chapter, the time that**
 25 **has expired since a plant was placed in service shall be determined**
 26 **as of the date on which the demolition of the vacant plant was**
 27 **completed.**

28 SECTION 17. IC 6-3.1-11-3 IS REPEALED [EFFECTIVE
 29 JANUARY 1, 2017]. Sec. 3: ~~As used in this chapter, "executive" has~~
 30 ~~the meaning set forth in IC 36-1-2-5.~~

31 SECTION 18. IC 6-3.1-11-5 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 5. As used in this
 33 chapter, "industrial recovery site" means ~~an industrial recovery site~~
 34 ~~designated under this chapter. land on which a vacant plant having~~
 35 **at least one hundred thousand (100,000) square feet of total floor**
 36 **space:**

37 (1) **exists as of the date an application is filed with the**
 38 **corporation under this chapter and was placed in service at**
 39 **least fifteen (15) years before the date on which an application**
 40 **is filed with the corporation under this chapter; or**

41 (2) **existed within five (5) years before the date an application**
 42 **is filed with the corporation under this chapter and was**



- 1 **placed in service at least fifteen (15) years before the date on**
 2 **which the demolition of the vacant plant was completed.**
- 3 SECTION 19. IC 6-3.1-11-6 IS REPEALED [EFFECTIVE
 4 JANUARY 1, 2017]. ~~Sec. 6: As used in this chapter, "legislative body"~~
 5 ~~has the meaning set forth in IC 36-1-2-9.~~
- 6 SECTION 20. IC 6-3.1-11-7 IS REPEALED [EFFECTIVE
 7 JANUARY 1, 2017]. ~~Sec. 7: As used in this chapter, "municipality" has~~
 8 ~~the meaning set forth in IC 36-1-2-11.~~
- 9 SECTION 21. IC 6-3.1-11-15 IS REPEALED [EFFECTIVE
 10 JANUARY 1, 2017]. ~~Sec. 15: As used in this chapter, "vacant~~
 11 ~~industrial facility" means a tract of land on which there is located a~~
 12 ~~plant that:~~
- 13 (1) has:
- 14 (A) for taxable years beginning after December 31, 2010; and
 15 beginning before January 1, 2015; at least fifty thousand
 16 (50,000) square feet of floor space; or
- 17 (B) for taxable years beginning after December 31, 2014; at
 18 least one hundred thousand (100,000) square feet of floor
 19 space; and
- 20 (2) was placed in service at least fifteen (15) years ago.
- 21 SECTION 22. IC 6-3.1-11-16 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 16. (a) **Subject**
 23 **to entering into an agreement with the corporation under section**
 24 **19.5 of this chapter and** subject to section 21 of this chapter, a
 25 taxpayer is entitled to a credit against the taxpayer's state tax liability
 26 for a taxable year if the taxpayer makes a qualified investment in that
 27 year.
- 28 (b) The amount of the credit to which a taxpayer is entitled is the
 29 qualified investment made by the taxpayer during the taxable year
 30 multiplied by the applicable percentage.
- 31 (c) A taxpayer may assign any part of the credit to which the
 32 taxpayer is entitled under this chapter to a lessee of the industrial
 33 recovery site. A credit that is assigned under this subsection remains
 34 subject to this chapter.
- 35 (d) An assignment under subsection (c) must be in writing and both
 36 the taxpayer and the lessee must report the assignment on their state tax
 37 return for the year in which the assignment is made, in the manner
 38 prescribed by the department of **state** revenue. The taxpayer shall not
 39 receive value in connection with the assignment under subsection (c)
 40 that exceeds the value of the part of the credit assigned.
- 41 SECTION 23. IC 6-3.1-11-18.5 IS ADDED TO THE INDIANA
 42 CODE AS A NEW SECTION TO READ AS FOLLOWS



1 [EFFECTIVE JANUARY 1, 2017]: **Sec. 18.5. (a) A taxpayer that**
 2 **proposes to make qualified investments on an industrial recovery**
 3 **site as provided under this chapter may apply to the corporation**
 4 **to enter into an agreement for a tax credit under this chapter.**

5 **(b) The corporation shall prescribe the form of the application.**

6 SECTION 24. IC 6-3.1-11-19, AS AMENDED BY P.L.288-2013,
 7 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JANUARY 1, 2017]: **Sec. 19. (a) The corporation shall consider the**
 9 **following factors in evaluating applications filed under this chapter:**

10 (1) The level of distress in the surrounding community caused by
 11 the loss of jobs at the ~~vacant industrial facility.~~ **recovery site.**

12 (2) Evidence of support for the designation by residents,
 13 businesses, and private organizations in the surrounding
 14 community.

15 (3) Evidence of a commitment by private or governmental entities
 16 to assist in the financing of improvements or redevelopment
 17 activities benefiting the ~~vacant industrial facility.~~ **recovery site.**

18 (4) Whether the industrial recovery site is within an economic
 19 revitalization area designated under IC 6-1.1-12.1.

20 **(b) The corporation may not approve an application to receive**
 21 **tax credits under this chapter for qualified investments made on an**
 22 **industrial recovery site described in section 5(2) of this chapter**
 23 **unless the applicant can demonstrate that the plant was not**
 24 **maintained and was removed from the site in an effort to protect**
 25 **the health, safety, and welfare of the community.**

26 SECTION 25. IC 6-3.1-11-19.5 IS ADDED TO THE INDIANA
 27 CODE AS A NEW SECTION TO READ AS FOLLOWS
 28 [EFFECTIVE JANUARY 1, 2017]: **Sec. 19.5. If the corporation**
 29 **approves an application under this chapter, the corporation shall**
 30 **require the applicant to enter into an agreement with the**
 31 **corporation as a condition of receiving a tax credit under this**
 32 **chapter.**

33 SECTION 26. IC 6-3.1-20-7, AS AMENDED BY P.L.255-2015,
 34 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2016]: **Sec. 7. (a) The department shall before July 1 of each**
 36 **year determine the following:**

37 **(1) The greater of:**

38 **(1) (A) eight million five hundred thousand dollars**
 39 **(\$8,500,000); or**

40 **(2) (B) the amount of credits allowed under this chapter for**
 41 **taxable years ending before January 1 of the year.**

42 **(2) The quotient of:**



1 **(A) the amount determined under subdivision (1); divided**
 2 **by**
 3 **(B) four (4).**

4 (b) Except as provided in subsection (d), one-half (1/2) of the
 5 amount determined by the department under subsection ~~(a)~~ **(a)(2)** shall
 6 be:

7 (1) deducted ~~during the year~~ **each quarter** from the riverboat
 8 admissions tax revenue otherwise payable to the county under
 9 ~~IC 4-33-12-6(c)(6)~~ **IC 4-33-12-8** and the supplemental
 10 distribution otherwise payable to the county under
 11 IC 4-33-13-5(g); and

12 (2) paid instead to the state general fund.

13 (c) Except as provided in subsection (d), one-sixth (1/6) of the
 14 amount determined by the department under subsection ~~(a)~~ **(a)(2)** shall
 15 be:

16 (1) deducted ~~during the year~~ **each quarter** from the riverboat
 17 admissions tax revenue otherwise payable under
 18 ~~IC 4-33-12-6(c)(5)~~ **IC 4-33-12-8** and the supplemental
 19 distribution otherwise payable under IC 4-33-13-5(g) to each of
 20 the following:

21 (A) The largest city by population located in the county.

22 (B) The second largest city by population located in the
 23 county.

24 (C) The third largest city by population located in the county;
 25 and

26 (2) paid instead to the state general fund.

27 (d) If the amount determined by the department under subsection
 28 ~~(a)(2)~~ **(a)(1)(B)** is less than eight million five hundred thousand dollars
 29 (\$8,500,000), the difference of:

30 (1) eight million five hundred thousand dollars (\$8,500,000);
 31 minus

32 (2) the amount determined by the department under subsection
 33 ~~(a)(2); (a)(1)(B);~~

34 shall be paid **in four (4) equal quarterly payments** to the northwest
 35 Indiana regional development authority established by IC 36-7.5-2-1
 36 instead of the state general fund. Any amounts paid under this
 37 subsection shall be used by the northwest Indiana regional
 38 development authority only to establish or improve public mass rail
 39 transportation systems in Lake County.

40 SECTION 27. IC 6-6-1.1-103, AS AMENDED BY P.L.122-2006,
 41 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2016]: Sec. 103. As used in this chapter:

EH 1290—LS 6505/DI 73



- 1 (a) "Administrator" means the administrative head of the
 2 department of state revenue or the administrator's designee.
 3 (b) "Dealer" means a person, except a distributor, engaged in the
 4 business of selling gasoline in Indiana.
 5 (c) "Department" means the department of state revenue.
 6 (d) "Distributor" means a person who first receives gasoline in
 7 Indiana. However, "distributor" does not include the United States
 8 or any of its agencies unless their inclusion is permitted under the
 9 Constitution and laws of the United States.
 10 (e) "Licensed distributor" means a person holding a valid
 11 distributor's license issued by the administrator.
 12 (f) "Marine facility" means a marina or boat livery.
 13 (g) "Gasoline" means:
 14 (1) all products commonly or commercially known or sold as
 15 gasoline, including casinghead and absorption or natural
 16 gasoline, regardless of their classifications or uses; and
 17 (2) any liquid, which when subjected to distillation of
 18 gasoline, naphtha, kerosene, and similar petroleum products
 19 with American Society for Testing Materials Designation
 20 D-86, shows not less than ten percent (10%) distilled
 21 (recovered) below three hundred forty-seven degrees
 22 Fahrenheit (347 degrees F) or one hundred seventy-five
 23 degrees Centigrade (175 degrees C), and not less than
 24 ninety-five percent (95%) distilled (recovered) below four
 25 hundred sixty-four degrees Fahrenheit (464 degrees F) or two
 26 hundred forty degrees Centigrade (240 degrees C).
 27 However, the term "gasoline" does not include liquefied gases
 28 which would not exist as liquids at a temperature of sixty degrees
 29 Fahrenheit (60 degrees F) or sixteen degrees Centigrade (16
 30 degrees C), and a pressure of fourteen and seven-tenths (14.7)
 31 pounds per square inch absolute, or denatured, wood, or ethyl
 32 alcohol, ether, turpentine, or acetates, unless such product is used
 33 as an additive in the manufacture, compounding, or blending of
 34 a liquid within subdivision (2) or is otherwise blended with a
 35 liquid described in subdivision (2) (including ethanol used in
 36 E85), in which event only the quantity so used is considered
 37 gasoline. In addition, "gasoline" does not include those liquids
 38 which meet the specifications of subdivision (2) but which are
 39 especially designated for use other than as a fuel for internal
 40 combustion engines. **The term "gasoline" does not include a
 41 fuel blend nominally consisting of more than eighty-seven
 42 percent (87%) ethanol and less than thirteen percent (13%)**



- 1 **gasoline.**
- 2 (h) "Motor vehicle" means a vehicle, except a vehicle operated on
- 3 rails, which is propelled by an internal combustion engine or
- 4 motor and is designed to permit its mobile use on public
- 5 highways.
- 6 (i) "Person" means a natural person, partnership, firm,
- 7 association, corporation, limited liability company, representative
- 8 appointed by a court, or the state or its political subdivisions.
- 9 (j) "Public highway" means the entire width between boundary
- 10 lines of every publicly maintained way in Indiana including
- 11 streets and alleys in cities and towns when any part of the way is
- 12 open to public use for vehicle travel.
- 13 (k) "Taxable marine facility" means a marine facility located on
- 14 an Indiana lake.
- 15 (l) "Taxicab" means a motor vehicle which is:
- 16 (1) designed to carry not more than seven (7) individuals,
- 17 including the driver;
- 18 (2) held out to the public for hire at a fare regulated by
- 19 municipal ordinance and based upon length of trips or time
- 20 consumed;
- 21 (3) not operated over a definite route; and
- 22 (4) a part of a commercial enterprise in the business of
- 23 providing taxicab service.
- 24 (m) "Terminal" means a marine or pipeline gasoline facility.
- 25 (n) "Metered pump" means a stationary pump having a meter that
- 26 is capable of measuring the amount of gasoline dispensed through
- 27 it.
- 28 (o) "Billed gallons" means the gallons indicated on an invoice for
- 29 payment to a supplier.
- 30 (p) "Export" for gasoline and fuels taxed in the same manner as
- 31 gasoline under the origin state's statutes means the sale for export
- 32 and delivery out of a state by or for the seller that is:
- 33 (1) an export by the seller in the origin state; and
- 34 (2) an import by the seller in the destination state.
- 35 (q) "Import" for gasoline and fuels taxed in the same manner as
- 36 gasoline under the origin state's statutes means the purchase for
- 37 export and transportation out of a state by or for the purchaser that
- 38 is:
- 39 (1) an export by the purchaser in the origin state; and
- 40 (2) an import by the purchaser in the destination state.
- 41 (r) "Rack" means a dock, platform, or open bay:
- 42 (1) located at a refinery or terminal; and



- 1 (2) having a system of metered pipes and hoses to load fuel
 2 into a tank wagon or tank transport.
- 3 (s) "E85" means a fuel blend nominally consisting of eighty-five
 4 percent (85%) ethanol and fifteen percent (15%) gasoline (as
 5 described in subsection (g)(2)) that meets American Society for
 6 Testing and Materials standard specification 5798-99 for fuel
 7 ethanol for automotive spark-ignition engines (Ed75Ed85).
- 8 SECTION 28. IC 6-6-1.1-301 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 301. The following
 10 transactions are exempt from the gasoline tax:
- 11 (1) Gasoline exported from Indiana to another state, territory, or
 12 foreign country, **including gasoline sold to another person for**
 13 **export from Indiana to another state, territory, or foreign**
 14 **country.**
- 15 (2) Gasoline sold to the United States or an agency or
 16 instrumentality thereof.
- 17 (3) Gasoline sold to a post exchange or other concessionaire on a
 18 federal reservation within Indiana; however, the post exchange or
 19 concessionaire shall collect, report, and pay to the administrator
 20 any tax permitted by federal law on gasoline sold.
- 21 (4) Gasoline used by a licensed distributor for any purpose other
 22 than the generation of power for the propulsion of motor vehicles
 23 upon the public highways.
- 24 (5) Gasoline received by a licensed distributor and thereafter lost
 25 or destroyed, except by evaporation, shrinkage, or unknown
 26 cause, while the distributor is still the owner.
- 27 SECTION 29. IC 36-7-14-8, AS AMENDED BY P.L.87-2015,
 28 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2016]: Sec. 8. (a) The redevelopment commissioners shall
 30 hold a meeting for the purpose of organization not later than thirty (30)
 31 days after they are appointed and, after that, each year on a day that is
 32 not a Saturday, a Sunday, or a legal holiday and that is their first
 33 meeting day of the year. They shall choose one (1) of their members as
 34 president, another as vice president, and another as secretary. These
 35 officers shall perform the duties usually pertaining to their offices and
 36 shall serve from the date of their election until their successors are
 37 elected and qualified.
- 38 (b) The fiscal officer of the unit establishing a redevelopment
 39 commission is the treasurer of the redevelopment commission.
 40 Notwithstanding any other provision of this chapter, but subject to
 41 subsection (c), the treasurer has charge over and is responsible for the
 42 administration, investment, and disbursement of all funds and accounts



1 of the redevelopment commission in accordance with the requirements
 2 of state laws that apply to other funds and accounts administered by the
 3 fiscal officer. The treasurer shall report annually to the redevelopment
 4 commission before April 1.

5 (c) The treasurer of the redevelopment commission may disburse
 6 funds of the redevelopment commission only after the redevelopment
 7 commission allows and approves the disbursement. However, the
 8 redevelopment commission may, by rule or resolution, authorize the
 9 treasurer to make certain types of disbursements before the
 10 redevelopment commission's allowance and approval at its next regular
 11 meeting.

12 **(d) The following apply to funds of the redevelopment**
 13 **commission:**

14 **(1) The funds must be maintained and accounted for**
 15 **separately and may not be commingled with any assets or**
 16 **funds of the unit that established the redevelopment**
 17 **commission or of any other political subdivision.**

18 **(2) The funds:**

19 **(A) may not be transferred to any accounts or funds**
 20 **established by or for the unit that established the**
 21 **redevelopment commission or any other political**
 22 **subdivision; and**

23 **(B) except in the case of reimbursements or uses**
 24 **authorized by IC 36-7-14-3.7(d), IC 36-7-14-24,**
 25 **IC 36-7-14-39(b)(3), IC 36-7-14-48(e)(2), and**
 26 **IC 36-7-14-52(b)(4) and reimbursements or uses**
 27 **specifically authorized by any other law, may not be used**
 28 **to pay for expenses of the unit that established the**
 29 **redevelopment commission or for expenses of any other**
 30 **political subdivision.**

31 **This subdivision does not restrict transfers or uses by a**
 32 **redevelopment commission made to meet commitments under**
 33 **a written agreement of the redevelopment commission that**
 34 **was entered into before January 1, 2016, if the written**
 35 **agreement complied with the requirements existing under the**
 36 **law at the time the redevelopment commission entered into**
 37 **the written agreement.**

38 ~~(d)~~ **(e)** The redevelopment commissioners may adopt the rules and
 39 bylaws they consider necessary for the proper conduct of their
 40 proceedings, the carrying out of their duties, and the safeguarding of
 41 the money and property placed in their custody by this chapter. In
 42 addition to the annual meeting, the commissioners may, by resolution



1 or in accordance with their rules and bylaws, prescribe the date and
2 manner of notice of other regular or special meetings.

3 (e) (f) This subsection does not apply to a county redevelopment
4 commission that consists of seven (7) members. Three (3) of the
5 redevelopment commissioners constitute a quorum, and the
6 concurrence of three (3) commissioners is necessary to authorize any
7 action.

8 (f) (g) This subsection applies only to a county redevelopment
9 commission that consists of seven (7) members. Four (4) of the
10 redevelopment commissioners constitute a quorum, and the
11 concurrence of four (4) commissioners is necessary to authorize any
12 action.

13 SECTION 30. IC 36-7-14-13, AS AMENDED BY P.L.87-2015,
14 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2016]: Sec. 13. (a) Not later than April 15 of each year, the
16 redevelopment commissioners or their designees shall file with the
17 unit's executive and fiscal body a report setting out their activities
18 during the preceding calendar year.

19 (b) The report of the commissioners of a municipal redevelopment
20 commission must show the names of the then qualified and acting
21 commissioners, the names of the officers of that body, the number of
22 regular employees and their fixed salaries or compensation, the amount
23 of the expenditures made during the preceding year and their general
24 purpose, an accounting of the tax increment revenues expended by any
25 entity receiving the tax increment revenues as a grant or loan from the
26 commission, the amount of funds on hand at the close of the calendar
27 year, and other information necessary to disclose the activities of the
28 commissioners and the results obtained.

29 (c) The report of the commissioners of a county redevelopment
30 commission must show all the information required by subsection (b),
31 plus the names of any commissioners appointed to or removed from
32 office during the preceding calendar year.

33 (d) A copy of each report filed under this section must be submitted
34 to the department of local government finance in an electronic format.

35 (e) The report required under subsection (a) must also include the
36 following information set forth for each tax increment financing district
37 regarding the previous year:

- 38 (1) Revenues received.
39 (2) Expenses paid.
40 (3) Fund balances.
41 (4) The amount and maturity date for all outstanding obligations.
42 (5) The amount paid on outstanding obligations.



- 1 (6) A list of all the parcels included in each tax increment
- 2 financing district allocation area and the base assessed value and
- 3 incremental assessed value for each parcel in the list.
- 4 **(7) To the extent that the following information has not**
- 5 **previously been provided to the department of local**
- 6 **government finance:**
 - 7 **(A) The year in which the tax increment financing district**
 - 8 **was established.**
 - 9 **(B) The section of the Indiana Code under which the tax**
 - 10 **increment financing district was established.**
 - 11 **(C) Whether the tax increment financing district is part of**
 - 12 **an area needing redevelopment, an economic development**
 - 13 **area, a redevelopment project area, or an urban renewal**
 - 14 **project area.**
 - 15 **(D) If applicable, the year in which the boundaries of the**
 - 16 **tax increment financing district were changed and a**
 - 17 **description of those changes.**
 - 18 **(E) The date on which the tax increment financing district**
 - 19 **will expire.**
 - 20 **(F) A copy of each resolution adopted by the**
 - 21 **redevelopment commission that establishes or alters the**
 - 22 **tax increment financing district.**
- 23 (f) A redevelopment commission and a department of
- 24 redevelopment are subject to the same laws, rules, and ordinances of
- 25 a general nature that apply to all other commissions or departments of
- 26 the unit.
- 27 SECTION 31. IC 36-7-15.1-3.5, AS AMENDED BY P.L.87-2015,
- 28 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 29 JULY 1, 2016]: Sec. 3.5. (a) The controller of the consolidated city is
- 30 the fiscal officer of a commission subject to this chapter.
- 31 (b) The controller may obtain financial services on a contractual
- 32 basis for purposes of carrying out the powers and duties of the
- 33 commission and protecting the public interests related to the operations
- 34 and funding of the commission. Subject to subsection (c), the controller
- 35 has charge over and is responsible for the administration, investment,
- 36 and disbursement of all funds and accounts of the commission in
- 37 accordance with the requirements of state law that apply to other funds
- 38 and accounts administered by the controller.
- 39 (c) The controller may disburse funds of the commission only after
- 40 the commission allows and approves the disbursement. However, the
- 41 commission may, by rule or resolution, authorize the controller to make
- 42 certain types of disbursements before the commission's allowance and



1 approval at its next regular meeting.

2 **(d) The following apply to funds of the redevelopment**
3 **commission:**

4 **(1) The funds must be maintained and accounted for**
5 **separately and may not be commingled with any assets or**
6 **funds of the unit that established the redevelopment**
7 **commission or of any other political subdivision.**

8 **(2) The funds:**

9 **(A) may not be transferred to any accounts or funds**
10 **established by or for the unit that established the**
11 **redevelopment commission or any other political**
12 **subdivision; and**

13 **(B) except in the case of reimbursements or uses**
14 **authorized by IC 36-7-15.1-26(b)(3), IC 36-7-15.1-35(e)(2),**
15 **and IC 36-7-15.1-53(b)(3) and reimbursements or uses**
16 **specifically authorized by any other law, may not be used**
17 **to pay for expenses of the unit that established the**
18 **redevelopment commission or of any other political**
19 **subdivision.**

20 **This subdivision does not restrict transfers or uses by a**
21 **redevelopment commission made to meet commitments under**
22 **a written agreement of the redevelopment commission that**
23 **was entered into before January 1, 2016, if the written**
24 **agreement complied with the requirements existing under the**
25 **law at the time the redevelopment commission entered into**
26 **the written agreement.**

27 SECTION 32. IC 36-7-15.1-36.3, AS AMENDED BY P.L.87-2015,
28 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2016]: Sec. 36.3. (a) Not later than April 15 of each year, the
30 commission or its designee shall file with the mayor and the fiscal body
31 a report setting out the commission's activities during the preceding
32 calendar year.

33 (b) The report required by subsection (a) must show the names of
34 the then qualified and acting commissioners, the names of the officers
35 of that body, the number of regular employees and their fixed salaries
36 or compensation, the amount of the expenditures made during the
37 preceding year and their general purpose, an accounting of the tax
38 increment revenues expended by any entity receiving the tax increment
39 revenues as a grant or loan from the commission, the amount of funds
40 on hand at the close of the calendar year, and other information
41 necessary to disclose the activities of the commission and the results
42 obtained.



1 (c) A copy of each report filed under this section must be submitted
2 to the department of local government finance in an electronic format.

3 (d) The report required under subsection (a) must also include the
4 following information set forth for each tax increment financing district
5 regarding the previous year:

6 (1) Revenues received.

7 (2) Expenses paid.

8 (3) Fund balances.

9 (4) The amount and maturity date for all outstanding obligations.

10 (5) The amount paid on outstanding obligations.

11 (6) A list of all the parcels included in each tax increment
12 financing district allocation area and the base assessed value and
13 incremental assessed value for each parcel in the list.

14 **(7) To the extent that the following information has not**
15 **previously been provided to the department of local**
16 **government finance:**

17 **(A) The year in which the tax increment financing district**
18 **was established.**

19 **(B) The section of the Indiana Code under which the tax**
20 **increment financing district was established.**

21 **(C) Whether the tax increment financing district is part of**
22 **an area needing redevelopment, an economic development**
23 **area, a redevelopment project area, or an urban renewal**
24 **project area.**

25 **(D) If applicable, the year in which the boundaries of the**
26 **tax increment financing district were changed and a**
27 **description of those changes.**

28 **(E) The date on which the tax increment financing district**
29 **will expire.**

30 **(F) A copy of each resolution adopted by the**
31 **redevelopment commission that establishes or alters the**
32 **tax increment financing district.**

33 SECTION 33. IC 36-7.5-1-10, AS AMENDED BY P.L.192-2015,
34 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2016]: Sec. 10. "Economic development project" means the
36 following:

37 (1) An economic development project described in any of the
38 following:

39 (A) IC 36-7.5-2-1(2), or IC 36-7.5-2-1(3), or IC 36-7.5-2-1(4).

40 (B) IC 36-7.5-3-1(2) or IC 36-7.5-3-1(4).

41 (C) The Marquette Plan.

42 (2) A dredging, sediment removal, or channel improvement



- 1 project.
- 2 SECTION 34. IC 36-7.5-2-1, AS AMENDED BY P.L.192-2015,
 3 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2016]: Sec. 1. The northwest Indiana regional development
 5 authority is established as a separate body corporate and politic to carry
 6 out the purposes of this article by:
- 7 (1) acquiring, constructing, equipping, owning, leasing, and
 8 financing projects and facilities for lease to or for the benefit of
 9 eligible political subdivisions under this article in accordance
 10 with IC 36-7.5-3-1.5;
- 11 (2) funding and developing the Gary/Chicago International
 12 Airport expansion and other airport authority projects, commuter
 13 transportation district and other rail projects and services,
 14 regional bus authority projects and services, regional
 15 transportation authority projects and services, Lake Michigan
 16 marina and shoreline development projects and activities, and
 17 economic development projects in northwestern Indiana; ~~and~~
- 18 (3) assisting with the funding of infrastructure needed to sustain
 19 development of an intermodal facility in northwestern Indiana;
 20 **and**
- 21 **(4) funding and carrying out destination based economic**
 22 **development projects that:**
- 23 **(A) fill a market opportunity in the greater Chicago area,**
 24 **as determined by a credible market study approved by the**
 25 **Indiana finance authority;**
- 26 **(B) derive significant capital investment from**
 27 **nongovernmental sources;**
- 28 **(C) derive significant investment or incentives from a host**
 29 **municipality, if the project is in a municipality;**
- 30 **(D) have a significant and quantifiable impact on the**
 31 **regional economy; and**
- 32 **(E) generate:**
- 33 **(i) substantial job creation in the region;**
 34 **(ii) substantial new investment in the region; or**
 35 **(iii) both substantial job creation in the region and**
 36 **substantial new investment in the region.**
- 37 SECTION 35. IC 36-7.5-3-2, AS AMENDED BY P.L.197-2011,
 38 SECTION 152, IS AMENDED TO READ AS FOLLOWS
 39 [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The development
 40 authority may do any of the following:
- 41 (1) Finance, improve, construct, reconstruct, renovate, purchase,
 42 lease, acquire, and equip land and projects located in an eligible



- 1 county or eligible municipality.
- 2 (2) Lease land or a project to an eligible political subdivision.
- 3 (3) Finance and construct additional improvements to projects or
4 other capital improvements owned by the development authority
5 and lease them to or for the benefit of an eligible political
6 subdivision.
- 7 (4) Acquire land or all or a portion of one (1) or more projects
8 from an eligible political subdivision by purchase or lease and
9 lease the land or projects back to the eligible political subdivision,
10 with any additional improvements that may be made to the land
11 or projects.
- 12 (5) Acquire all or a portion of one (1) or more projects from an
13 eligible political subdivision by purchase or lease to fund or
14 refund indebtedness incurred on account of the projects to enable
15 the eligible political subdivision to make a savings in debt service
16 obligations or lease rental obligations or to obtain relief from
17 covenants that the eligible political subdivision considers to be
18 unduly burdensome.
- 19 (6) Make loans, loan guarantees, and grants or provide other
20 financial assistance to or on behalf of the following:
- 21 (A) A commuter transportation district.
- 22 (B) An airport authority or airport development authority.
- 23 (C) The Lake Michigan marina and shoreline development
24 commission.
- 25 (D) A regional bus authority. A loan, loan guarantee, grant, or
26 other financial assistance under this clause may be used by a
27 regional bus authority for acquiring, improving, operating,
28 maintaining, financing, and supporting the following:
- 29 (i) Bus services (including fixed route services and flexible
30 or demand-responsive services) that are a component of a
31 public transportation system.
- 32 (ii) Bus terminals, stations, or facilities or other regional bus
33 authority projects.
- 34 (E) A regional transportation authority.
- 35 **(F) A member municipality that is eligible to make an**
36 **appointment to the development board under**
37 **IC 36-7.5-2-3(b)(2) and is compliant with the revenue**
38 **transfer requirements specified in IC 36-7.5-4-2. However,**
39 **a loan made to such a member municipality before June**
40 **30, 2016, under this clause must have a term of not more**
41 **than ten (10) years and must have a market based interest**
42 **rate.**



- 1 (7) Provide funding to assist a railroad that is providing commuter
2 transportation services in an eligible county or eligible
3 municipality.
- 4 (8) Provide funding to assist an airport authority located in an
5 eligible county or eligible municipality in the construction,
6 reconstruction, renovation, purchase, lease, acquisition, and
7 equipping of an airport facility or airport project.
- 8 (9) Provide funding to assist in the development of an intermodal
9 facility to facilitate the interchange and movement of freight.
- 10 (10) Provide funding to assist the Lake Michigan marina and
11 shoreline development commission in carrying out the purposes
12 of IC 36-7-13.5.
- 13 (11) Provide funding for economic development projects in an
14 eligible county or eligible municipality.
- 15 (12) Hold, use, lease, rent, purchase, acquire, and dispose of by
16 purchase, exchange, gift, bequest, grant, condemnation, lease, or
17 sublease, on the terms and conditions determined by the
18 development authority, any real or personal property located in an
19 eligible county or eligible municipality.
- 20 (13) After giving notice, enter upon any lots or lands for the
21 purpose of surveying or examining them to determine the location
22 of a project.
- 23 (14) Make or enter into all contracts and agreements necessary or
24 incidental to the performance of its duties and the execution of its
25 powers under this article.
- 26 (15) Sue, be sued, plead, and be impleaded.
- 27 (16) Design, order, contract for, and construct, reconstruct, and
28 renovate a project or improvements to a project.
- 29 (17) Appoint an executive director and employ appraisers, real
30 estate experts, engineers, architects, surveyors, attorneys,
31 accountants, auditors, clerks, construction managers, and any
32 consultants or employees that are necessary or desired by the
33 development authority in exercising its powers or carrying out its
34 duties under this article.
- 35 (18) Accept loans, grants, and other forms of financial assistance
36 from the federal government, the state government, a political
37 subdivision, or any other public or private source.
- 38 (19) Use the development authority's funds to match federal
39 grants or make loans, loan guarantees, or grants to carry out the
40 development authority's powers and duties under this article.
- 41 (20) Except as prohibited by law, take any action necessary to
42 carry out this article.



1 (b) If the development authority is unable to agree with the owners,
 2 lessees, or occupants of any real property selected for the purposes of
 3 this article, the development authority may proceed under IC 32-24-1
 4 to procure the condemnation of the property. The development
 5 authority may not institute a proceeding until it has adopted a
 6 resolution that:

7 (1) describes the real property sought to be acquired and the
 8 purpose for which the real property is to be used;

9 (2) declares that the public interest and necessity require the
 10 acquisition by the development authority of the property involved;
 11 and

12 (3) sets out any other facts that the development authority
 13 considers necessary or pertinent.

14 The resolution is conclusive evidence of the public necessity of the
 15 proposed acquisition.

16 SECTION 36. IC 36-7.5-3-1.5, AS ADDED BY P.L.192-2015,
 17 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2016]: Sec. 1.5. (a) This section applies to revenue received
 19 by the authority to the extent that the revenue has not been pledged or
 20 otherwise obligated to pay bonds or leases entered into before July 1,
 21 2015.

22 (b) The authority may expend money received under this article to
 23 fund economic development projects only to the extent that:

24 (1) the development board finds that the economic development
 25 project is **a destination based economic development project**
 26 **described in IC 36-7.5-2-1(4) or is** consistent with:

27 (A) a duty imposed upon the development authority under
 28 section 1(2) or 1(4) of this chapter; or

29 (B) the Marquette Plan; and

30 (2) funding the project is reviewed by the state budget committee
 31 under subsection (c).

32 (c) The development board shall submit to the state budget
 33 committee for review and comment any proposal to fund an economic
 34 development project **(including any destination based economic**
 35 **development project)** under this article. The state budget committee
 36 shall review any proposal received under this subsection and may
 37 request that the authority appear at a public meeting of the state budget
 38 committee concerning the funding proposal.

39 SECTION 37. [EFFECTIVE UPON PASSAGE] **(a) As used in this**
 40 **SECTION, "legislative council" refers to the legislative council**
 41 **created by IC 2-5-1.1-1.**

42 **(b) As used in this SECTION, "study committee" means either**



- 1 of the following:
- 2 (1) A statutory committee established under IC 2-5.
- 3 (2) An interim study committee.
- 4 (c) The legislative council is urged to assign the following topics
- 5 to the appropriate study committee:
- 6 (1) Whether a heavy equipment vehicle excise tax, instead of
- 7 the property tax, should be imposed on certain heavy
- 8 equipment vehicles.
- 9 (2) The appropriate amount of the fee that should be charged
- 10 for the registration of a logging vehicle that:
- 11 (A) is used to harvest logs or timber;
- 12 (B) is used to process or load harvested logs or timber; or
- 13 (C) is transported to a logging site specifically for the
- 14 purpose of building or maintaining a road at the logging
- 15 site.
- 16 (d) If a topic described in subsection (c) is assigned to a study
- 17 committee, the study committee shall issue a final report on the
- 18 topic to the legislative council in an electronic format under
- 19 IC 5-14-6 not later than November 1, 2016.
- 20 (e) This SECTION expires December 31, 2016.
- 21 SECTION 38. An emergency is declared for this act.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1290, 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 1290 as introduced.)

BROWN T

Committee Vote: Yeas 21, Nays 1

 HOUSE MOTION

Mr. Speaker: I move that House Bill 1290 be amended to read as follows:

Page 3, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 3. IC 6-1.1-15-0.7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 0.7. A holder of a tax sale certificate under IC 6-1.1-24 does not have an interest in tangible property for purposes of obtaining a review or bringing an appeal of an assessment of property under this chapter.**"

Re-number all SECTIONS consecutively.

(Reference is to HB 1290 as printed January 26, 2016.)

PRYOR

 COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred House Bill No. 1290, 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:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-22-2-21, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2016 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 21. (a) If incorporation of the text in full would be cumbersome, expensive, or otherwise inexpedient, an agency may

EH 1290—LS 6505/DI 73



incorporate by reference into a rule part or all of any of the following matters:

- (1) A federal or state statute, rule, or regulation.
- (2) A code, manual, or other standard adopted by an agent of the United States, a state, or a nationally recognized organization or association.
- (3) A manual of the department of local government finance adopted in a rule described in IC 6-1.1-31-9.

(4) The following requirements:

(A) The schedule, electronic formatting, and standard data, field, and record coding requirements for:

- (i) the electronic data file under IC 6-1.1-4-25 concerning the parcel characteristics and parcel assessments of all parcels and personal property return characteristics and assessments; and**
- (ii) the electronic data file under IC 36-2-9-20 concerning the tax duplicate.**

(B) The schedule, electronic formatting, and standard data, field, and record coding requirements for data required to be submitted under IC 6-1.1-5.5-3 or IC 6-1.1-11-8.

(C) Data export and transmission format requirements for information described in clauses (A) and (B).

(b) Each matter incorporated by reference under subsection (a) must be fully and exactly described.

(c) An agency may refer to a matter that is directly or indirectly referred to in a primary matter by fully and exactly describing the primary matter.

(d) Whenever an agency submits a rule to the attorney general, the governor, or the publisher under this chapter, the agency shall also submit a copy of the full text of each matter incorporated by reference under subsection (a) into the rule, other than the following:

- (1) An Indiana statute or rule.
- (2) A form or instructions for a form numbered by the ~~commission on public records~~ **Indiana archives and record administration** under IC 5-15-5.1-6.
- (3) The source of a statement that is quoted or paraphrased in full in the rule.
- (4) Any matter that has been previously filed with the:
 - (A) secretary of state before July 1, 2006; or
 - (B) publisher after June 30, 2006.
- (5) Any matter referred to in subsection (c) as a matter that is directly or indirectly referred to in a primary matter.



(e) An agency may comply with subsection (d) by submitting a paper or an electronic copy of the full text of the matter incorporated by reference.

SECTION 2. IC 4-33-12-6, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2016 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]:
Sec. 6. (a) The department shall place in the state general fund the tax revenue collected under this chapter.

(b) Except as provided by ~~subsections subsection (c) and (d), and IC 6-3-1-20-7,~~ **section 8 of this chapter**, the treasurer of state shall quarterly pay the following amounts:

(1) Except as provided in ~~subsection (k), (j),~~ **section 9(g) of this chapter**, one dollar (\$1) of the admissions tax collected by the licensed owner for each person embarking on a gambling excursion during the quarter or admitted to a riverboat that has implemented flexible scheduling under IC 4-33-6-21 during the quarter shall be paid to:

(A) the city in which the riverboat is docked, if the city:

- (i) is located in a county having a population of more than one hundred eleven thousand (111,000) but less than one hundred fifteen thousand (115,000); or
- (ii) is contiguous to the Ohio River and is the largest city in the county; and

(B) the county in which the riverboat is docked, if the riverboat is not docked in a city described in clause (A).

(2) Except as provided in ~~subsection (k), (j),~~ **section 9(g) of this chapter**, one dollar (\$1) of the admissions tax collected by the licensed owner for each person:

- (A) embarking on a gambling excursion during the quarter; or
- (B) admitted to a riverboat during the quarter that has implemented flexible scheduling under IC 4-33-6-21;

shall be paid to the county in which the riverboat is docked. In the case of a county described in subdivision (1)(B), this one dollar (\$1) is in addition to the one dollar (\$1) received under subdivision (1)(B).

(3) Except as provided in ~~subsection (k), (j),~~ **section 9(g) of this chapter**, ten cents (\$0.10) of the admissions tax collected by the licensed owner for each person:

- (A) embarking on a gambling excursion during the quarter; or
- (B) admitted to a riverboat during the quarter that has implemented flexible scheduling under IC 4-33-6-21;

shall be paid to the county convention and visitors bureau or



promotion fund for the county in which the riverboat is docked.
 (4) Except as provided in ~~subsection (k); (j)~~, **section 9(g) of this chapter**, fifteen cents (\$0.15) of the admissions tax collected by the licensed owner for each person:

- (A) embarking on a gambling excursion during the quarter; or
- (B) admitted to a riverboat during a quarter that has implemented flexible scheduling under IC 4-33-6-21;

shall be paid to the state fair commission, for use in any activity that the commission is authorized to carry out under IC 15-13-3.

(5) Except as provided in ~~subsection (k); (j)~~, **section 9(g) of this chapter**, ten cents (\$0.10) of the admissions tax collected by the licensed owner for each person:

- (A) embarking on a gambling excursion during the quarter; or
- (B) admitted to a riverboat during the quarter that has implemented flexible scheduling under IC 4-33-6-21;

shall be paid to the division of mental health and addiction. The division shall allocate at least twenty-five percent (25%) of the funds derived from the admissions tax to the prevention and treatment of compulsive gambling.

(6) Except as provided in ~~subsection (k); (j)~~, Sixty-five cents (\$0.65) of the admissions tax collected by the licensed owner for each person embarking on a gambling excursion during the quarter or admitted to a riverboat during the quarter that has implemented flexible scheduling under IC 4-33-6-21 shall be paid to the state general fund.

(c) With respect to tax revenue collected from a riverboat located in a historic hotel district, the treasurer of state shall quarterly pay the following:

(1) With respect to admissions taxes collected for a person admitted to the riverboat before July 1, 2010, the following amounts:

(A) Twenty-two percent (22%) of the admissions tax collected during the quarter shall be paid to the county treasurer of the county in which the riverboat is located. The county treasurer shall distribute the money received under this clause as follows:

(i) Twenty-two and seventy-five hundredths percent (22.75%) shall be quarterly distributed to the county treasurer of a county having a population of more than forty thousand (40,000) but less than forty-two thousand (42,000) for appropriation by the county fiscal body after receiving a recommendation from the county executive. The county



fiscal body for the receiving county shall provide for the distribution of the money received under this item to one (1) or more taxing units (as defined in IC 6-1.1-1-21) in the county under a formula established by the county fiscal body after receiving a recommendation from the county executive.

(ii) Twenty-two and seventy-five hundredths percent (22.75%) shall be quarterly distributed to the county treasurer of a county having a population of more than ten thousand seven hundred (10,700) but less than twelve thousand (12,000) for appropriation by the county fiscal body. The county fiscal body for the receiving county shall provide for the distribution of the money received under this item to one (1) or more taxing units (as defined in IC 6-1.1-1-21) in the county under a formula established by the county fiscal body after receiving a recommendation from the county executive.

(iii) Fifty-four and five-tenths percent (54.5%) shall be retained by the county where the riverboat is located for appropriation by the county fiscal body after receiving a recommendation from the county executive.

(B) Five percent (5%) of the admissions tax collected during the quarter shall be paid to a town having a population of more than two thousand (2,000) but less than three thousand five hundred (3,500) located in a county having a population of more than nineteen thousand five hundred (19,500) but less than twenty thousand (20,000). At least twenty percent (20%) of the taxes received by a town under this clause must be transferred to the school corporation in which the town is located.

(C) Five percent (5%) of the admissions tax collected during the quarter shall be paid to a town having a population of more than three thousand five hundred (3,500) located in a county having a population of more than nineteen thousand five hundred (19,500) but less than twenty thousand (20,000). At least twenty percent (20%) of the taxes received by a town under this clause must be transferred to the school corporation in which the town is located.

(D) Twenty percent (20%) of the admissions tax collected during the quarter shall be paid in equal amounts to each town that:

(i) is located in the county in which the riverboat is located;



and

(ii) contains a historic hotel.

At least twenty percent (20%) of the taxes received by a town under this clause must be transferred to the school corporation in which the town is located:

(E) Ten percent (10%) of the admissions tax collected during the quarter shall be paid to the Orange County development commission established under IC 36-7-11.5. At least one-third (1/3) of the taxes paid to the Orange County development commission under this clause must be transferred to the Orange County convention and visitors bureau.

(F) Thirteen percent (13%) of the admissions tax collected during the quarter shall be paid to the West Baden Springs historic hotel preservation and maintenance fund established by IC 36-7-11.5-11(b).

(G) Twenty-five percent (25%) of the admissions tax collected during the quarter shall be paid to the Indiana economic development corporation to be used by the corporation for the development and implementation of a regional economic development strategy to assist the residents of the county in which the riverboat is located and residents of contiguous counties in improving their quality of life and to help promote successful and sustainable communities. The regional economic development strategy must include goals concerning the following issues:

(i) Job creation and retention.

(ii) Infrastructure, including water, wastewater, and storm water infrastructure needs.

(iii) Housing.

(iv) Workforce training.

(v) Health care.

(vi) Local planning.

(vii) Land use.

(viii) Assistance to regional economic development groups.

(ix) Other regional development issues as determined by the Indiana economic development corporation.

(2) With respect to admissions taxes collected for a person admitted to the riverboat after June 30, 2010, the following amounts:

(A) Twenty-nine and thirty-three hundredths percent (29.33%) to the county treasurer of Orange County. The county treasurer shall distribute the money received under this clause



as follows:

(i) *Twenty-two and seventy-five hundredths percent (22.75%) to the county treasurer of Dubois County for distribution in the manner described in subdivision (1)(A)(i).*

(ii) *Twenty-two and seventy-five hundredths percent (22.75%) to the county treasurer of Crawford County for distribution in the manner described in subdivision (1)(A)(ii).*

(iii) *Fifty-four and five-tenths percent (54.5%) to be retained by the county treasurer of Orange County for appropriation by the county fiscal body after receiving a recommendation from the county executive.*

(B) *Six and sixty-seven hundredths percent (6.67%) to the fiscal officer of the town of Orleans. At least twenty percent (20%) of the taxes received by the town under this clause must be transferred to Orleans Community Schools.*

(C) *Six and sixty-seven hundredths percent (6.67%) to the fiscal officer of the town of Paoli. At least twenty percent (20%) of the taxes received by the town under this clause must be transferred to the Paoli Community School Corporation.*

(D) *Twenty-six and sixty-seven hundredths percent (26.67%) to be paid in equal amounts to the fiscal officers of the towns of French Lick and West Baden Springs. At least twenty percent (20%) of the taxes received by a town under this clause must be transferred to the Springs Valley Community School Corporation.*

(E) *Thirty and sixty-six hundredths percent (30.66%) to the Indiana economic development corporation to be used the manner described in subdivision (1)(G).*

(d) (e) *With respect This subsection applies to tax revenue collected from a riverboat that operates from a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000); Lake County. Except as provided by IC 6-3.1-20-7, the treasurer of state shall quarterly pay the following amounts:*

(1) *The lesser of:*

(A) *eight hundred seventy-five thousand dollars (\$875,000);*
or

(B) *one dollar (\$1) of the admissions tax collected by the licensed owner for each person admitted to a riverboat operating from East Chicago during the preceding calendar quarter;*



to the fiscal officer of the northwest Indiana regional development authority to satisfy, in whole or in part, East Chicago's funding obligation to the authority under IC 36-7.5-4-2.

(2) The lesser of:

(A) eight hundred seventy-five thousand dollars (\$875,000);

or

(B) one dollar (\$1) of the admissions tax collected by the licensed owner for each person admitted to a riverboat operating from Gary during the preceding calendar quarter; to the fiscal officer of the northwest Indiana regional development authority to satisfy, in whole or in part, Gary's funding obligation to the authority under IC 36-7.5-4-2.

(3) The lesser of:

(A) eight hundred seventy-five thousand dollars (\$875,000);

or

(B) one dollar (\$1) of the admissions tax collected by the licensed owner for each person admitted to a riverboat operating from Hammond during the preceding calendar quarter;

to the fiscal officer of the northwest Indiana regional development authority to satisfy, in whole or in part, Hammond's funding obligation to the authority under IC 36-7.5-4-2.

(4) The lesser of:

(A) eight hundred seventy-five thousand dollars (\$875,000);

or

(B) one dollar (\$1) of the admissions tax collected by the licensed owner for each person admitted to a riverboat operating from Lake County during the preceding calendar quarter;

to the fiscal officer of the northwest Indiana regional development authority to satisfy, in whole or in part, Lake County's funding obligation to the authority under IC 36-7.5-4-2.

(1) (5) Except as provided in subsection (k), (j), the remainder, if any, of:

(A) one dollar (\$1) of the admissions tax collected by the licensed owner for each person

(A) embarking on a gambling excursion during the quarter; or

(B) admitted to a riverboat during the preceding calendar quarter; that has implemented flexible scheduling under IC 4-33-6-21; minus

(B) the amount distributed to the northwest Indiana regional



development authority under subdivision (1), (2), or (3); whichever is applicable; for that the calendar quarter;

shall be paid to the city in which the riverboat is docked:

~~(2) (6) Except as provided in subsection (k), (j), the remainder; if any, of:~~

~~(A) one dollar (\$1) of the admissions tax collected by the licensed owner for each person~~

~~(A) embarking on a gambling excursion during the quarter; or~~

~~(B) admitted to a riverboat during the preceding calendar quarter; that has implemented flexible scheduling under IC 4-33-6-21; minus~~

~~(B) the amount distributed to the northwest Indiana regional development authority under subdivision (4) for that the calendar quarter;~~

shall be paid to the county in which the riverboat is docked:

~~(3) (7) Except as provided in subsection (k), (j), nine cents (\$0.09) of the admissions tax collected by the licensed owner for each person~~

~~(A) embarking on a gambling excursion during the quarter; or~~

~~(B) admitted to a riverboat during the preceding calendar quarter that has implemented flexible scheduling under IC 4-33-6-21;~~

shall be paid to the county convention and visitors bureau or promotion fund for the county in which the riverboat is docked:

~~(4) (8) Except as provided in subsection (k), (j), one cent (\$0.01) of the admissions tax collected by the licensed owner for each person~~

~~(A) embarking on a gambling excursion during the quarter; or~~

~~(B) admitted to a riverboat during the preceding calendar quarter that has implemented flexible scheduling under IC 4-33-6-21;~~

shall be paid to the northwest Indiana law enforcement training center:

~~(5) (9) Except as provided in subsection (k), (j), fifteen cents (\$0.15) of the admissions tax collected by the licensed owner for each person~~

~~(A) embarking on a gambling excursion during the quarter; or~~

~~(B) admitted to a riverboat during a the preceding calendar quarter that has implemented flexible scheduling under IC 4-33-6-21;~~

shall be paid to the state fair commission for use in any activity that the commission is authorized to carry out under IC 15-13-3:



~~(6) (10)~~ Except as provided in subsection ~~(k)~~, ~~(j)~~; ten cents (\$0.10) of the admissions tax collected by the licensed owner for each person

~~(A) embarking on a gambling excursion during the quarter; or~~
~~(B) admitted to a riverboat during the preceding calendar quarter that has implemented flexible scheduling under IC 4-33-6-21;~~

shall be paid to the division of mental health and addiction. The division shall allocate at least twenty-five percent (25%) of the funds derived from the admissions tax to the prevention and treatment of compulsive gambling.

~~(7) (11)~~ Except as provided in subsection ~~(k)~~; Sixty-five cents (\$0.65) of the admissions tax collected by the licensed owner for each person *embarking on a gambling excursion during the quarter or* admitted to a riverboat during the preceding calendar quarter that has implemented flexible scheduling under IC 4-33-6-21 shall be paid to the state general fund.

~~(e) (d)~~ Money paid to a unit of local government under subsection ~~(b) or (c)~~: *or (d)*:

(1) must be paid to the fiscal officer of the unit and may be deposited in the unit's general fund or riverboat fund established under IC 36-1-8-9, or both;

(2) may not be used to reduce the unit's maximum levy under IC 6-1.1-18.5 but may be used at the discretion of the unit to reduce the property tax levy of the unit for a particular year;

(3) may be used for any legal or corporate purpose of the unit, including the pledge of money to bonds, leases, or other obligations under IC 5-1-14-4; and

(4) is considered miscellaneous revenue.

~~(f) (e)~~ Money paid by the treasurer of state under subsection ~~(b)(3)~~ or ~~(d)(3)~~ ~~(d)(7)~~ ~~(c)(7)~~ shall be:

(1) deposited in:

(A) the county convention and visitor promotion fund; or

(B) the county's general fund if the county does not have a convention and visitor promotion fund; and

(2) used only for the tourism promotion, advertising, and economic development activities of the county and community.

~~(g) (f)~~ Money received by the division of mental health and addiction under subsections ~~(b)(5)~~ and ~~(d)(6)~~: ~~(d)(10)~~: ~~(e)(10)~~:

(1) is annually appropriated to the division of mental health and addiction;

(2) shall be distributed to the division of mental health and



addiction at times during each state fiscal year determined by the budget agency; and

(3) shall be used by the division of mental health and addiction for programs and facilities for the prevention and treatment of addictions to drugs; alcohol; and compulsive gambling; including the creation and maintenance of a toll free telephone line to provide the public with information about these addictions. The division shall allocate at least twenty-five percent (25%) of the money received to the prevention and treatment of compulsive gambling.

(h) (g) This subsection applies to the following:

(1) Each entity receiving money under subsection (b)(1) through (b)(5).

(2) Each entity receiving money under subsection *(d)(1) (d)(5) (c)(5) through (d)(2). (d)(6). (e)(6).*

(3) Each entity receiving money under subsection *(d)(5) (d)(9) (c)(9) through (d)(6). (d)(10). (e)(10).*

The treasurer of state shall determine the total amount of money paid by the treasurer of state to an entity subject to this subsection during the state fiscal year 2002. The amount determined under this subsection is the base year revenue for each entity subject to this subsection. The treasurer of state shall certify the base year revenue determined under this subsection to each entity subject to this subsection.

(i) (h) This subsection applies to an entity receiving money under subsection *(d)(3) (d)(7) (c)(7) or (d)(4). (d)(8). (e)(8).* The treasurer of state shall determine the total amount of money paid by the treasurer of state to the entity described in subsection *(d)(3) (d)(7) (c)(7)* during state fiscal year 2002. The amount determined under this subsection multiplied by nine-tenths (0.9) is the base year revenue for the entity described in subsection *(d)(3). (d)(7). (c)(7).* The amount determined under this subsection multiplied by one-tenth (0.1) is the base year revenue for the entity described in subsection *(d)(4). (d)(8). (c)(8).* The treasurer of state shall certify the base year revenue determined under this subsection to each entity subject to this subsection.

(j) (i) *This subsection does not apply to an entity receiving money under subsection (e).* The total amount of money distributed to an entity under this section during a state fiscal year may not exceed the entity's base year revenue as determined under subsection *(h) (g) or (i). (h).* For purposes of this section, the treasurer of state shall treat any amounts distributed under subsection *(d) (c)* to the northwest Indiana regional development authority as amounts constructively received by East Chicago, Gary, Hammond, and Lake County, as appropriate. If



the treasurer of state determines that the total amount of money:

- (1) distributed to an entity; *and*
- (2) *constructively received by an entity;*

under this section during a state fiscal year is less than the entity's base year revenue; the treasurer of state shall make a supplemental distribution to the entity under IC 4-33-13-5.

~~(k) (j)~~ *This subsection does not apply to an entity receiving money under subsection (e).* The treasurer of state shall pay that part of the riverboat admissions taxes that:

- (1) exceeds a particular entity's base year revenue; and
- (2) would otherwise be due to the entity under this section;

to the state general fund instead of to the entity.

SECTION 3. IC 4-33-12-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 8. (a) This section applies to tax revenue collected from a riverboat operating from Lake County.**

(b) Except as provided by IC 6-3.1-20-7, the treasurer of state shall quarterly pay the following amounts from the taxes collected during the preceding calendar quarter from the riverboat operating from East Chicago:

(1) The lesser of:

- (A) eight hundred seventy-five thousand dollars (\$875,000); or**
- (B) one dollar (\$1) of the admissions tax collected by the licensed owner for each person admitted to the riverboat during the preceding calendar quarter;**

to the fiscal officer of the northwest Indiana regional development authority to partially satisfy East Chicago's funding obligation to the authority under IC 36-7.5-4-2.

(2) The lesser of:

- (A) two hundred eighteen thousand seven hundred fifty dollars (\$218,750); or**
- (B) one dollar (\$1) of the admissions tax collected by the licensed owner for each person admitted to the riverboat during the preceding calendar quarter;**

to the fiscal officer of the northwest Indiana regional development authority to partially satisfy Lake County's funding obligation to the authority under IC 36-7.5-4-2.

(3) Except as provided in section 9(g) of this chapter, the remainder, if any, of:

- (A) one dollar (\$1) of the admissions tax collected by the licensed owner for each person admitted to the riverboat**



during the preceding calendar quarter; minus

(B) the amount distributed to the northwest Indiana regional development authority under subdivision (1) for the calendar quarter;

must be paid to the city of East Chicago.

(4) Except as provided in section 9(g) of this chapter, the remainder, if any, of:

(A) one dollar (\$1) of the admissions tax collected by the licensed owner for each person admitted to the riverboat during the preceding calendar quarter; minus

(B) the amount distributed to the northwest Indiana regional development authority under subdivision (2) for the calendar quarter;

must be paid to Lake County.

(5) Except as provided in section 9(g) of this chapter, nine cents (\$0.09) of the admissions tax collected by the licensed owner for each person admitted to the riverboat during the preceding calendar quarter must be paid to the county convention and visitors bureau or promotion fund for Lake County.

(6) Except as provided in section 9(g) of this chapter, one cent (\$0.01) of the admissions tax collected by the licensed owner for each person admitted to the riverboat during the preceding calendar quarter must be paid to the northwest Indiana law enforcement training center.

(7) Except as provided in section 9(g) of this chapter, fifteen cents (\$0.15) of the admissions tax collected by the licensed owner for each person admitted to the riverboat during the preceding calendar quarter must be paid to the state fair commission for use in any activity that the commission is authorized to carry out under IC 15-13-3.

(8) Except as provided in section 9(g) of this chapter, ten cents (\$0.10) of the admissions tax collected by the licensed owner for each person admitted to the riverboat during the preceding calendar quarter must be paid to the division of mental health and addiction.

(9) Sixty-five cents (\$0.65) of the admissions tax collected by the licensed owner for each person admitted to the riverboat during the preceding calendar quarter must be paid to the state general fund.

(c) Except as provided by IC 6-3.1-20-7, the treasurer of state shall quarterly pay the following amounts from the taxes collected



during the preceding calendar quarter from each riverboat operating from Gary:

(1) The lesser of:

(A) four hundred thirty-seven thousand five hundred dollars (\$437,500); or

(B) one dollar (\$1) of the admissions tax collected by the licensed owner for each person admitted to the riverboat during the preceding calendar quarter;

to the fiscal officer of the northwest Indiana regional development authority to partially satisfy Gary's funding obligation to the authority under IC 36-7.5-4-2.

(2) The lesser of:

(A) two hundred eighteen thousand seven hundred fifty dollars (\$218,750); or

(B) one dollar (\$1) of the admissions tax collected by the licensed owner for each person admitted to the riverboat during the preceding calendar quarter;

to the fiscal officer of the northwest Indiana regional development authority to partially satisfy Lake County's funding obligation to the authority under IC 36-7.5-4-2.

(3) Except as provided in section 9(g) of this chapter, the remainder, if any, of:

(A) one dollar (\$1) of the admissions tax collected by the licensed owner for each person admitted to a riverboat operating from Gary during the preceding calendar quarter; minus

(B) the amount distributed to the northwest Indiana regional development authority under subdivision (1) for the calendar quarter;

must be paid to the city of Gary.

(4) Except as provided in section 9(g) of this chapter, the remainder, if any, of:

(A) one dollar (\$1) of the admissions tax collected by the licensed owner for each person admitted to a riverboat operating from Gary during the preceding calendar quarter; minus

(B) the amount distributed to the northwest Indiana regional development authority under subdivision (2) for the calendar quarter;

must be paid to Lake County.

(5) Except as provided in section 9(g) of this chapter, nine cents (\$0.09) of the admissions tax collected by the licensed



owner for each person admitted to a riverboat operating from Gary during the preceding calendar quarter must be paid to the county convention and visitors bureau or promotion fund for Lake County.

(6) Except as provided in section 9(g) of this chapter, one cent (\$0.01) of the admissions tax collected by the licensed owner for each person admitted to a riverboat operating from Gary during the preceding calendar quarter must be paid to the northwest Indiana law enforcement training center.

(7) Except as provided in section 9(g) of this chapter, fifteen cents (\$0.15) of the admissions tax collected by the licensed owner for each person admitted to a riverboat operating from Gary during the preceding calendar quarter must be paid to the state fair commission for use in any activity that the commission is authorized to carry out under IC 15-13-3.

(8) Except as provided in section 9(g) of this chapter, ten cents (\$0.10) of the admissions tax collected by the licensed owner for each person admitted to a riverboat operating from Gary during the preceding calendar quarter must be paid to the division of mental health and addiction.

(9) Sixty-five cents (\$0.65) of the admissions tax collected by the licensed owner for each person admitted to a riverboat operating from Gary during the preceding calendar quarter must be paid to the state general fund.

(d) Except as provided by IC 6-3.1-20-7, the treasurer of state shall quarterly pay the following amounts from the taxes collected during the preceding calendar quarter from the riverboat operating from Hammond:

(1) The lesser of:

(A) eight hundred seventy-five thousand dollars (\$875,000); or

(B) one dollar (\$1) of the admissions tax collected by the licensed owner for each person admitted to a riverboat operating from Hammond during the preceding calendar quarter;

to the fiscal officer of the northwest Indiana regional development authority to partially satisfy Hammond's funding obligation to the authority under IC 36-7.5-4-2.

(2) The lesser of:

(A) two hundred eighteen thousand seven hundred fifty dollars (\$218,750); or

(B) one dollar (\$1) of the admissions tax collected by the



licensed owner for each person admitted to the riverboat during the preceding calendar quarter; to the fiscal officer of the northwest Indiana regional development authority to partially satisfy Lake County's funding obligation to the authority under IC 36-7.5-4-2.

(3) Except as provided in section 9(g) of this chapter, the remainder, if any, of:

(A) one dollar (\$1) of the admissions tax collected by the licensed owner for each person admitted to the riverboat during the preceding calendar quarter; minus

(B) the amount distributed to the northwest Indiana regional development authority under subdivision (1) for the calendar quarter;

must be paid to the city of Hammond.

(4) Except as provided in section 9(g) of this chapter, the remainder, if any, of:

(A) one dollar (\$1) of the admissions tax collected by the licensed owner for each person admitted to the riverboat during the preceding calendar quarter; minus

(B) the amount distributed to the northwest Indiana regional development authority under subdivision (2) for the calendar quarter;

must be paid to Lake County.

(5) Except as provided in section 9(g) of this chapter, nine cents (\$0.09) of the admissions tax collected by the licensed owner for each person admitted to the riverboat during the preceding calendar quarter must be paid to the county convention and visitors bureau or promotion fund for Lake County.

(6) Except as provided in section 9(g) of this chapter, one cent (\$0.01) of the admissions tax collected by the licensed owner for each person admitted to a riverboat during the preceding calendar quarter must be paid to the northwest Indiana law enforcement training center.

(7) Except as provided in section 9(g) of this chapter, fifteen cents (\$0.15) of the admissions tax collected by the licensed owner for each person admitted to the riverboat during the preceding calendar quarter must be paid to the state fair commission for use in any activity that the commission is authorized to carry out under IC 15-13-3.

(8) Except as provided in section 9(g) of this chapter, ten cents (\$0.10) of the admissions tax collected by the licensed owner



for each person admitted to the riverboat during the preceding calendar quarter must be paid to the division of mental health and addiction.

(9) Sixty-five cents (\$0.65) of the admissions tax collected by the licensed owner for each person admitted to the riverboat during the preceding calendar quarter must be paid to the state general fund.

SECTION 4. IC 4-33-12-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 9. (a) Money paid to a unit of local government under section 6 or 8 of this chapter:

(1) must be paid to the fiscal officer of the unit and may be deposited in the unit's general fund or riverboat fund established under IC 36-1-8-9, or both;

(2) may not be used to reduce the unit's maximum levy under IC 6-1.1-18.5 but may be used at the discretion of the unit to reduce the property tax levy of the unit for a particular year;

(3) may be used for any legal or corporate purpose of the unit, including the pledge of money to bonds, leases, or other obligations under IC 5-1-14-4; and

(4) is considered miscellaneous revenue.

(b) Money paid by the treasurer of state to a county convention and visitors bureau or promotion fund under section 6 or 8 of this chapter must be:

(1) deposited in:

(A) the county convention and visitor promotion fund; or

(B) the county's general fund if the county does not have a convention and visitor promotion fund; and

(2) used only for the tourism promotion, advertising, and economic development activities of the county and community.

(c) Money received by the division of mental health and addiction under section 6 or 8 of this chapter:

(1) is annually appropriated to the division of mental health and addiction;

(2) shall be distributed to the division of mental health and addiction at times during each state fiscal year determined by the budget agency; and

(3) shall be used by the division of mental health and addiction for programs and facilities for the prevention and treatment of addictions to drugs, alcohol, and compulsive gambling, including the creation and maintenance of a toll free



telephone line to provide the public with information about these addictions.

The division shall allocate at least twenty-five percent (25%) of the money received to the prevention and treatment of compulsive gambling.

(d) This subsection applies to the following entities receiving money under section 6 or 8 of this chapter:

- (1) A city or county.
- (2) A county convention and visitors bureau or promotion fund for a county other than Lake County.
- (3) The state fair commission.
- (4) The division of mental health and addiction.

The treasurer of state shall determine the total amount of money paid by the treasurer of state to an entity subject to this subsection during the state fiscal year 2002. The amount determined under this subsection is the base year revenue for each entity subject to this subsection. The treasurer of state shall certify the base year revenue determined under this subsection to each entity subject to this subsection.

(e) This subsection applies to the following entities receiving money under section 8 of this chapter:

- (1) A county convention and visitors bureau or promotion fund for Lake County.
- (2) The northwest Indiana law enforcement training center.

The treasurer of state shall determine the total amount of money paid by the treasurer of state to the entity described in subdivision (1) during state fiscal year 2002. The amount determined under this subsection multiplied by nine-tenths (0.9) is the base year revenue for the entity described in subdivision (1). The amount determined under this subsection multiplied by one-tenth (0.1) is the base year revenue for the entity described in subdivision (2). The treasurer of state shall certify the base year revenue determined under this subsection to each entity subject to this subsection.

(f) The total amount of money distributed to an entity under section 6 or 8 of this chapter during a state fiscal year may not exceed the entity's base year revenue as determined under subsection (d) or (e). For purposes of this section, the treasurer of state shall treat any amounts distributed under section 8 of this chapter to the northwest Indiana regional development authority as amounts constructively received by East Chicago, Gary, Hammond, and Lake County, as appropriate. If the treasurer of



state determines that the total amount of money:

- (1) distributed to an entity; and
- (2) constructively received by an entity;

under section 6 or 8 of this chapter during a state fiscal year is less than the entity's base year revenue, the treasurer of state shall make a supplemental distribution to the entity under IC 4-33-13-5.

(g) The treasurer of state shall pay that part of the riverboat admissions taxes that:

- (1) exceeds a particular entity's base year revenue; and
- (2) would otherwise be due to the entity under this section;

to the state general fund instead of to the entity.

SECTION 5. IC 4-33-12.5-6, AS AMENDED BY P.L.255-2015, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 6. (a) ~~The county described in IC 4-33-12-6(c)~~ **Lake County** shall distribute twenty-five percent (25%) of the:

- (1) admissions tax revenue received by the county under ~~IC 4-33-12-6(c)(6); IC 4-33-12-8;~~ and
- (2) supplemental distributions received under IC 4-33-13-5;

to the eligible municipalities.

(b) The amount that shall be distributed by the county to each eligible municipality under subsection (a) is based on the eligible municipality's proportionate share of the total population of all eligible municipalities. The most current certified census information available shall be used to determine an eligible municipality's proportionate share under this subsection. The determination of proportionate shares under this subsection shall be modified under the following conditions:

- (1) The certification from any decennial census completed by the United States Bureau of the Census.
- (2) Submission by one (1) or more eligible municipalities of a certified special census commissioned by an eligible municipality and performed by the United States Bureau of the Census.

(c) If proportionate shares are modified under subsection (b), distribution to eligible municipalities shall change with the:

- (1) payments beginning April 1 of the year following the certification of a special census under subsection (b)(2); and
- (2) the next quarterly payment following the certification of a decennial census under subsection (b)(1).

SECTION 6. IC 4-33-12.5-7, AS AMENDED BY P.L.205-2013, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7. The county shall make payments under this chapter directly to each eligible municipality. The county shall make payments to the eligible municipalities not more than thirty (30) days



after the county receives the quarterly distribution of admission tax revenue under ~~IC 4-33-12-6~~ **IC 4-33-12-8** or the supplemental distributions received under IC 4-33-13-5 from the state.

SECTION 7. IC 4-33-13-5, AS AMENDED BY P.L.255-2015, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 5. (a) This subsection does not apply to tax revenue remitted by an operating agent operating a riverboat in a historic hotel district. After funds are appropriated under section 4 of this chapter, each month the treasurer of state shall distribute the tax revenue deposited in the state gaming fund under this chapter to the following:

(1) The first thirty-three million dollars (\$33,000,000) of tax revenues collected under this chapter shall be set aside for revenue sharing under subsection (e).

(2) Subject to subsection (c), twenty-five percent (25%) of the remaining tax revenue remitted by each licensed owner shall be paid:

(A) to the city that is designated as the home dock of the riverboat from which the tax revenue was collected, in the case of:

(i) a city described in IC 4-33-12-6(b)(1)(A); or

(ii) a city located in a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000); or

(B) to the county that is designated as the home dock of the riverboat from which the tax revenue was collected, in the case of a riverboat whose home dock is not in a city described in clause (A).

(3) Subject to subsection (d), the remainder of the tax revenue remitted by each licensed owner shall be paid to the state general fund. In each state fiscal year, the treasurer of state shall make the transfer required by this subdivision not later than the last business day of the month in which the tax revenue is remitted to the state for deposit in the state gaming fund. However, if tax revenue is received by the state on the last business day in a month, the treasurer of state may transfer the tax revenue to the state general fund in the immediately following month.

(b) This subsection applies only to tax revenue remitted by an operating agent operating a riverboat in a historic hotel district after June 30, 2015. After funds are appropriated under section 4 of this chapter, each month the treasurer of state shall distribute the tax revenue remitted by the operating agent under this chapter as follows:



- (1) Fifty-six and five-tenths percent (56.5%) shall be paid to the state general fund.
- (2) Forty-three and five-tenths percent (43.5%) shall be paid as follows:
 - (A) Twenty-two and four-tenths percent (22.4%) shall be paid as follows:
 - (i) Fifty percent (50%) to the fiscal officer of the town of French Lick.
 - (ii) Fifty percent (50%) to the fiscal officer of the town of West Baden Springs.
 - (B) Fourteen and eight-tenths percent (14.8%) shall be paid to the county treasurer of Orange County for distribution among the school corporations in the county. The governing bodies for the school corporations in the county shall provide a formula for the distribution of the money received under this clause among the school corporations by joint resolution adopted by the governing body of each of the school corporations in the county. Money received by a school corporation under this clause must be used to improve the educational attainment of students enrolled in the school corporation receiving the money. Not later than the first regular meeting in the school year of a governing body of a school corporation receiving a distribution under this clause, the superintendent of the school corporation shall submit to the governing body a report describing the purposes for which the receipts under this clause were used and the improvements in educational attainment realized through the use of the money. The report is a public record.
 - (C) Thirteen and one-tenth percent (13.1%) shall be paid to the county treasurer of Orange County.
 - (D) Five and three-tenths percent (5.3%) shall be distributed quarterly to the county treasurer of Dubois County for appropriation by the county fiscal body after receiving a recommendation from the county executive. The county fiscal body for the receiving county shall provide for the distribution of the money received under this clause to one (1) or more taxing units (as defined in IC 6-1.1-1-21) in the county under a formula established by the county fiscal body after receiving a recommendation from the county executive.
 - (E) Five and three-tenths percent (5.3%) shall be distributed quarterly to the county treasurer of Crawford County for appropriation by the county fiscal body after receiving a



recommendation from the county executive. The county fiscal body for the receiving county shall provide for the distribution of the money received under this clause to one (1) or more taxing units (as defined in IC 6-1.1-1-21) in the county under a formula established by the county fiscal body after receiving a recommendation from the county executive.

(F) Six and thirty-five hundredths percent (6.35%) shall be paid to the fiscal officer of the town of Paoli.

(G) Six and thirty-five hundredths percent (6.35%) shall be paid to the fiscal officer of the town of Orleans.

(H) Twenty-six and four-tenths percent (26.4%) shall be paid to the Indiana economic development corporation established by IC 5-28-3-1 for transfer to Radius Indiana or a successor regional entity or partnership for the development and implementation of a regional economic development strategy to assist the residents of Orange County and the counties contiguous to Orange County in improving their quality of life and to help promote successful and sustainable communities. However, an amount sufficient to meet current obligations to retire or refinance indebtedness or leases for which tax revenues under this section were pledged before January 1, 2015, by the Orange County development commission shall be paid to the Orange County development commission before making a distribution to Radius Indiana or a successor regional entity or partnership. The amount paid to the Orange County development commission reduces the amount payable to Radius Indiana or its successor entity or partnership.

(c) For each city and county receiving money under subsection (a)(2), the treasurer of state shall determine the total amount of money paid by the treasurer of state to the city or county during the state fiscal year 2002. The amount determined is the base year revenue for the city or county. The treasurer of state shall certify the base year revenue determined under this subsection to the city or county. The total amount of money distributed to a city or county under this section during a state fiscal year may not exceed the entity's base year revenue. For each state fiscal year, the treasurer of state shall pay that part of the riverboat wagering taxes that:

- (1) exceeds a particular city's or county's base year revenue; and
- (2) would otherwise be due to the city or county under this section;

to the state general fund instead of to the city or county.

(d) Each state fiscal year the treasurer of state shall transfer from the



tax revenue remitted to the state general fund under subsection (a)(3) to the build Indiana fund an amount that when added to the following may not exceed two hundred fifty million dollars (\$250,000,000):

- (1) Surplus lottery revenues under IC 4-30-17-3.
- (2) Surplus revenue from the charity gaming enforcement fund under IC 4-32.2-7-7.
- (3) Tax revenue from pari-mutuel wagering under IC 4-31-9-3.

The treasurer of state shall make transfers on a monthly basis as needed to meet the obligations of the build Indiana fund. If in any state fiscal year insufficient money is transferred to the state general fund under subsection (a)(3) to comply with this subsection, the treasurer of state shall reduce the amount transferred to the build Indiana fund to the amount available in the state general fund from the transfers under subsection (a)(3) for the state fiscal year.

(e) Before August 15 of each year, the treasurer of state shall distribute the wagering taxes set aside for revenue sharing under subsection (a)(1) to the county treasurer of each county that does not have a riverboat according to the ratio that the county's population bears to the total population of the counties that do not have a riverboat. Except as provided in subsection (h), the county auditor shall distribute the money received by the county under this subsection as follows:

- (1) To each city located in the county according to the ratio the city's population bears to the total population of the county.
- (2) To each town located in the county according to the ratio the town's population bears to the total population of the county.
- (3) After the distributions required in subdivisions (1) and (2) are made, the remainder shall be retained by the county.

(f) Money received by a city, town, or county under subsection (e) or (h) may be used for any of the following purposes:

- (1) To reduce the property tax levy of the city, town, or county for a particular year (a property tax reduction under this subdivision does not reduce the maximum levy of the city, town, or county under IC 6-1.1-18.5).
- (2) For deposit in a special fund or allocation fund created under IC 8-22-3.5, IC 36-7-14, IC 36-7-14.5, IC 36-7-15.1, and IC 36-7-30 to provide funding for debt repayment.
- (3) To fund sewer and water projects, including storm water management projects.
- (4) For police and fire pensions.
- (5) To carry out any governmental purpose for which the money is appropriated by the fiscal body of the city, town, or county.



Money used under this subdivision does not reduce the property tax levy of the city, town, or county for a particular year or reduce the maximum levy of the city, town, or county under IC 6-1.1-18.5.

(g) Before ~~September~~ **July** 15 of each year, the treasurer of state shall determine the total amount of money distributed to an entity under IC 4-33-12-6 **or IC 4-33-12-8** during the preceding state fiscal year. If the treasurer of state determines that the total amount of money distributed to an entity under IC 4-33-12-6 **or IC 4-33-12-8** during the preceding state fiscal year was less than the entity's base year revenue (as determined under ~~IC 4-33-12-6~~; **IC 4-33-12-9**), the treasurer of state shall make a supplemental distribution to the entity from taxes collected under this chapter and deposited into the state general fund. Except as provided in subsection (i), the amount of an entity's supplemental distribution is equal to:

- (1) the entity's base year revenue (as determined under ~~IC 4-33-12-6~~; **IC 4-33-12-9**); minus
- (2) the sum of:
 - (A) the total amount of money distributed to the entity and constructively received by the entity during the preceding state fiscal year under IC 4-33-12-6 **or IC 4-33-12-8**; plus
 - (B) the amount of any admissions taxes deducted under IC 6-3.1-20-7.

(h) This subsection applies only to a county containing a consolidated city. The county auditor shall distribute the money received by the county under subsection (e) as follows:

- (1) To each city, other than a consolidated city, located in the county according to the ratio that the city's population bears to the total population of the county.
- (2) To each town located in the county according to the ratio that the town's population bears to the total population of the county.
- (3) After the distributions required in subdivisions (1) and (2) are made, the remainder shall be paid in equal amounts to the consolidated city and the county.

(i) This subsection applies to a supplemental distribution made after June 30, 2013. The maximum amount of money that may be distributed under subsection (g) in a state fiscal year is forty-eight million dollars (\$48,000,000). If the total amount determined under subsection (g) exceeds forty-eight million dollars (\$48,000,000), the amount distributed to an entity under subsection (g) must be reduced according to the ratio that the amount distributed to the entity under IC 4-33-12-6 **or IC 4-33-12-8** bears to the total amount distributed under



IC 4-33-12-6 and IC 4-33-12-8 to all entities receiving a supplemental distribution.

(j) This subsection applies to a supplemental distribution, if any, payable to Lake County, Hammond, Gary, or East Chicago under subsections (g) and (i). Beginning in **September July** 2016, the treasurer of state shall, after making any deductions from the supplemental distribution required by IC 6-3.1-20-7, deduct from the remainder of the supplemental distribution otherwise payable to the unit under this section the lesser of:

- (1) the remaining amount of the supplemental distribution; or
- (2) the difference, if any, between:
 - (A) three million five hundred thousand dollars (\$3,500,000); minus
 - (B) the amount of admissions taxes constructively received by the unit in the previous state fiscal year.

The treasurer of state shall distribute the amounts deducted under this subsection to the northwest Indiana redevelopment authority established under IC 36-7.5-2-1 for deposit in the development authority fund established under IC 36-7.5-4-1.

(k) Money distributed to a political subdivision under subsection (b):

- (1) must be paid to the fiscal officer of the political subdivision and may be deposited in the political subdivision's general fund or riverboat fund established under IC 36-1-8-9, or both;
- (2) may not be used to reduce the maximum levy under IC 6-1.1-18.5 of a county, city, or town or the maximum tax rate of a school corporation, but, except as provided in subsection (b)(2)(B), may be used at the discretion of the political subdivision to reduce the property tax levy of the county, city, or town for a particular year;
- (3) except as provided in subsection (b)(2)(B), may be used for any legal or corporate purpose of the political subdivision, including the pledge of money to bonds, leases, or other obligations under IC 5-1-14-4; and
- (4) is considered miscellaneous revenue.

Money distributed under subsection (b)(2)(B) must be used for the purposes specified in subsection (b)(2)(B).

SECTION 8. IC 5-13-10.5-18, AS AMENDED BY P.L.213-2015, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. (a) As used in this section, "capital improvement board" refers to a capital improvement board established under IC 36-10-9.

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(b) To qualify for an investment under this section, the capital improvement board must apply to the treasurer of state in the form and manner required by the treasurer. As part of the application, the capital improvement board shall submit a plan for its use of the investment proceeds and for the repayment of the capital improvement board's obligation to the treasurer. Within sixty (60) days after receipt of each application, the treasurer shall consider the application and review its accuracy and completeness.

(c) If the capital improvement board makes an application under subsection (b) and the treasurer approves the accuracy and completeness of the application and determines that there is an adequate method of payment for the capital improvement board's obligations, the treasurer of state shall invest or reinvest funds that are held by the treasurer and that are available for investment in obligations issued by the capital improvement board for the purposes of the capital improvement board in calendar years 2009, 2010, and 2011. The investment may not exceed nine million dollars (\$9,000,000) per calendar year for 2009, 2010, and 2011.

(d) The treasurer of state shall determine the terms of each investment and the capital improvement board's obligation, which must include the following:

- (1) Subject to subsections (f) and (g), the duration of the capital improvement board's obligation, which must be for a term of ten (10) years with an option for the capital improvement board to pay its obligation to the treasurer early without penalty.
- (2) Subject to subsections (f) and (g), the repayment schedule of the capital improvement board's obligation, which must provide that no payments are due before January 1, 2013.
- (3) A rate of interest to be determined by the treasurer.
- (4) The amount of each investment, which may not exceed the maximum amounts established for the capital improvement board by this section.
- (5) Any other conditions specified by the treasurer.

(e) The capital improvement board may issue obligations under this section by adoption of a resolution and, as set forth in IC 5-1-14, may use any source of revenue to satisfy the obligation to the treasurer of state under this section. This section constitutes complete authority for the capital improvement board to issue obligations to the treasurer. If the capital improvement board fails to make any payments on the capital improvement board's obligation to the treasurer, the amount payable shall be withheld by the auditor of state from any other money payable to the capital improvement board. The amount withheld shall



be transferred to the treasurer to the credit of the capital improvement board.

(f) Subject to subsection (g), if all principal and interest on the obligations issued by the capital improvement board under this section in calendar year 2009, are paid before July 1, 2015, the term of the obligations issued by the capital improvement board to the treasurer of state in calendar year 2010 is extended until 2025. **The treasurer of state shall discharge any remaining unpaid interest on the obligation issued by the capital improvement board to the treasurer of state in 2009, if the capital improvement board submits payment of the principal amount to the treasurer of state before the stated final maturity of that obligation.**

(g) This subsection applies if the capital improvement board before July 1, 2015, adopts a resolution:

(1) to establish a bid fund to be used to assist the capital improvement board, the Indianapolis Convention and Visitors Association (VisitIndy), or the Indiana Sports Corporation in securing conventions, sporting events, and other special events; and

(2) to designate that principal and interest payments that would otherwise be made on the obligation issued by the capital improvement board under this section in calendar year 2010 shall instead be deposited in the bid fund.

If the requirements of subdivisions (1) and (2) are satisfied and the capital improvement board deposits in the bid fund amounts equal to the principal and interests payments that would otherwise be made under the repayment schedule on the obligations issued by the capital improvement board under this section in calendar year 2010, the capital improvement board is not required to make those principal and interests payments to the treasurer of state at the time required under the repayment schedule. The amounts must be deposited in the bid fund not later than the time the principal and interest payments would otherwise be due to the treasurer of state under the repayment schedule. The state board of accounts shall annually examine the bid fund to determine the amount of deposits made to the bid fund under this subsection and to ensure that the money deposited in the bid fund is used only for purposes authorized by this subsection. To the extent that the capital improvement board does not deposit in the bid fund an amount equal to a payment of principal and interest that would otherwise be due under the repayment schedule on the obligations issued by the capital improvement board under this section in calendar year 2010, the capital improvement board must make that payment of



principal and interest to the treasurer of state as provided in this section. If the capital improvement board deposits in the bid fund amounts equal to the payments of principal and interest that would otherwise be due under the repayment schedule on the obligations issued by the capital improvement board under this section in calendar year 2010, the capital improvement board is only required to repay to the treasurer of state the principal amount of the obligation.

SECTION 9. IC 5-28-15-5, AS AMENDED BY P.L.288-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 5. (a) The board has the following powers, in addition to other powers that are contained in this chapter:

- (1) To review and approve or reject all applicants for enterprise zone designation, according to the criteria for designation that this chapter provides.
- (2) To waive or modify rules as provided in this chapter.
- (3) To provide a procedure by which enterprise zones may be monitored and evaluated on an annual basis.
- (4) To adopt rules for the disqualification of a zone business from eligibility for any or all incentives available to zone businesses, if that zone business does not do one (1) of the following:
 - (A) If all its incentives, as contained in the summary required under section 7 of this chapter, exceed one thousand dollars (\$1,000) in any year, pay a registration fee to the board in an amount equal to one percent (1%) of all its incentives.
 - (B) Use all its incentives, except for the amount of the registration fee, for its property or employees in the zone.
 - (C) Remain open and operating as a zone business for twelve (12) months of the assessment year for which the incentive is claimed.
- (5) To disqualify a zone business from eligibility for any or all incentives available to zone businesses in accordance with the procedures set forth in the board's rules.
- (6) After a recommendation from a U.E.A., to modify an enterprise zone boundary if the board determines that the modification:
 - (A) is in the best interests of the zone; and
 - (B) meets the threshold criteria and factors set forth in section 9 of this chapter.
- (7) To employ staff and contract for services.
- (8) To receive funds from any source and expend the funds for the administration and promotion of the enterprise zone program.
- (9) To ~~make determinations~~ **enter into agreements** under



IC 6-3.1-11 concerning the designation of locations as industrial recovery sites. **with an applicant for a tax credit under that chapter.**

(10) To make determinations under IC 6-3.1-11 concerning the disqualification of persons from claiming credits provided by that chapter in appropriate cases.

(b) In addition to a registration fee paid under subsection (a)(4)(A), each zone business that receives an incentive described in section 3 of this chapter shall assist the zone U.E.A. in an amount determined by the legislative body of the municipality in which the zone is located. If a zone business does not assist a U.E.A., the legislative body of the municipality in which the zone is located may pass an ordinance disqualifying a zone business from eligibility for all credits or incentives available to zone businesses. If a legislative body disqualifies a zone business under this subsection, the legislative body shall notify the board, the department of local government finance, and the department of state revenue in writing not more than thirty (30) days after the passage of the ordinance disqualifying the zone business. Disqualification of a zone business under this section is effective beginning with the taxable year in which the ordinance disqualifying the zone business is adopted."

Page 2, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 11. IC 6-1.1-4-43.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 43.5. (a) This section applies to a real property assessment for:**

(1) the 2016 assessment date and assessment dates thereafter;
and

(2) real property that is:

(A) a limited market or special purpose property that would commonly be regarded as a big box retail building under standard appraisal practices and is at least fifty thousand (50,000) square feet; and

(B) occupied by the original owner or by a tenant for which the improvement was built.

(b) If a taxpayer files a notice under IC 6-1.1-15 after March 31, 2016, requesting a review of the assessment of the taxpayer's real property that is subject to this section, and the effective age of the improvements is ten (10) years or less under the rules of the department, a taxpayer must provide to the appropriate county or township assessing official information concerning the actual construction costs for the real property. Notwithstanding



IC 6-1.1-15, if a taxpayer does not provide all relevant and reasonably available information concerning the actual construction costs for the real property before the hearing scheduled by the county property tax assessment board of appeals regarding the assessment of the real property, the appeal may not be reviewed until all the information is provided. If a taxpayer does provide the information concerning the actual construction costs for the real property, and the construction costs for the real property are greater than the cost values determined by using the cost tables under the rules and guidelines of the department of local government finance, then for purposes of applying the cost approach the depreciation and obsolescence shall be deducted from the construction costs rather than the cost values determined by using the cost tables under the rules and guidelines of the department of local government finance."

Page 4, line 25, delete "The value in exchange of an improved property does not" and insert "**With respect to the assessment of an improved property, a valuation does not reflect the true tax value of the improved property if the purportedly comparable sale properties supporting the valuation have a different market or submarket than the current use of the improved property, based on a market segmentation analysis.**"

Page 4, delete lines 26 through 28.

Page 4, line 29, delete "use of the improved property."

Page 4, between lines 39 and 40, begin a new paragraph and insert:
 "SECTION 15. IC 6-3.1-11-1, AS AMENDED BY P.L.288-2013, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 1. As used in this chapter, "applicable percentage" means the percentage determined as follows:

- (1) If a plant ~~that is located on an industrial recovery site~~ was placed in service at least fifteen (15) years ago but less than thirty (30) years ago, the applicable percentage is fifteen percent (15%).
- (2) If a plant ~~that is located on an industrial recovery site~~ was placed in service at least thirty (30) years ago but less than forty (40) years ago, the applicable percentage is twenty percent (20%).
- (3) If a plant ~~that is located on an industrial recovery site~~ was placed in service at least forty (40) years ago, the applicable percentage is twenty-five percent (25%).

The time that has expired since a plant was placed in service shall be determined as of the date that an application is filed with the corporation. ~~for designation of the location as an industrial recovery site under this chapter.~~



SECTION 16. IC 6-3.1-11-3 IS REPEALED [EFFECTIVE JANUARY 1, 2017]. Sec. 3: As used in this chapter, "executive" has the meaning set forth in IC 36-1-2-5.

SECTION 17. IC 6-3.1-11-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 5. As used in this chapter, "industrial recovery site" means an industrial recovery site designated under this chapter: **land on which a vacant plant having at least one hundred thousand (100,000) square feet of total floor space:**

- (1) exists as of the date an application is filed with the corporation under this chapter; or
- (2) existed within five (5) years before the date an application is filed with the corporation under this chapter.

SECTION 18. IC 6-3.1-11-6 IS REPEALED [EFFECTIVE JANUARY 1, 2017]. Sec. 6: As used in this chapter, "legislative body" has the meaning set forth in IC 36-1-2-9.

SECTION 19. IC 6-3.1-11-7 IS REPEALED [EFFECTIVE JANUARY 1, 2017]. Sec. 7: As used in this chapter, "municipality" has the meaning set forth in IC 36-1-2-11.

SECTION 20. IC 6-3.1-11-15 IS REPEALED [EFFECTIVE JANUARY 1, 2017]. Sec. 15: As used in this chapter, "vacant industrial facility" means a tract of land on which there is located a plant that:

- (1) has:
 - (A) for taxable years beginning after December 31, 2010; and beginning before January 1, 2015; at least fifty thousand (50,000) square feet of floor space; or
 - (B) for taxable years beginning after December 31, 2014; at least one hundred thousand (100,000) square feet of floor space; and
- (2) was placed in service at least fifteen (15) years ago.

SECTION 21. IC 6-3.1-11-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 16. (a) **Subject to entering into an agreement with the corporation under section 19.5 of this chapter and** subject to section 21 of this chapter, a taxpayer is entitled to a credit against the taxpayer's state tax liability for a taxable year if the taxpayer makes a qualified investment in that year.

(b) The amount of the credit to which a taxpayer is entitled is the qualified investment made by the taxpayer during the taxable year multiplied by the applicable percentage.

(c) A taxpayer may assign any part of the credit to which the



taxpayer is entitled under this chapter to a lessee of the industrial recovery site. A credit that is assigned under this subsection remains subject to this chapter.

(d) An assignment under subsection (c) must be in writing and both the taxpayer and the lessee must report the assignment on their state tax return for the year in which the assignment is made, in the manner prescribed by the department of **state** revenue. The taxpayer shall not receive value in connection with the assignment under subsection (c) that exceeds the value of the part of the credit assigned.

SECTION 22. IC 6-3.1-11-18.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JANUARY 1, 2017]: **Sec. 18.5. (a) A taxpayer that proposes to make qualified investments on an industrial recovery site as provided under this chapter may apply to the corporation to enter into an agreement for a tax credit under this chapter.**

(b) The corporation shall prescribe the form of the application.

SECTION 23. IC 6-3.1-11-19, AS AMENDED BY P.L.288-2013, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017]: **Sec. 19. (a)** The corporation shall consider the following factors in evaluating applications filed under this chapter:

- (1) The level of distress in the surrounding community caused by the loss of jobs at the ~~vacant industrial facility~~. **recovery site.**
- (2) Evidence of support for the designation by residents, businesses, and private organizations in the surrounding community.
- (3) Evidence of a commitment by private or governmental entities to assist in the financing of improvements or redevelopment activities benefiting the ~~vacant industrial facility~~. **recovery site.**
- (4) Whether the industrial recovery site is within an economic revitalization area designated under IC 6-1.1-12.1.

(b) The corporation may not approve an application to receive tax credits under this chapter for qualified investments made on an industrial recovery site described in section 5(2) of this chapter unless the applicant can demonstrate that the plant was not maintained and was removed from the site in an effort to protect the health, safety, and welfare of the community.

SECTION 24. IC 6-3.1-11-19.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JANUARY 1, 2017]: **Sec. 19.5. If the corporation approves an application under this chapter, the corporation shall require the applicant to enter into an agreement with the corporation as a condition of receiving a tax credit under this**



chapter.

SECTION 25. IC 6-3.1-20-7, AS AMENDED BY P.L.255-2015, SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 7. (a) The department shall before July 1 of each year determine **the following**:

(1) The greater of:

~~(1)~~ (A) eight million five hundred thousand dollars (\$8,500,000); or

~~(2)~~ (B) the amount of credits allowed under this chapter for taxable years ending before January 1 of the year.

(2) **The quotient of:**

(A) **the amount determined under subdivision (1); divided by**

(B) **four (4).**

(b) Except as provided in subsection (d), one-half (1/2) of the amount determined by the department under subsection ~~(a)~~ **(a)(2)** shall be:

(1) deducted ~~during the year~~ **each quarter** from the riverboat admissions tax revenue otherwise payable to the county under ~~IC 4-33-12-6(c)(6)~~ **IC 4-33-12-8** and the supplemental distribution otherwise payable to the county under IC 4-33-13-5(g); and

(2) paid instead to the state general fund.

(c) Except as provided in subsection (d), one-sixth (1/6) of the amount determined by the department under subsection ~~(a)~~ **(a)(2)** shall be:

(1) deducted ~~during the year~~ **each quarter** from the riverboat admissions tax revenue otherwise payable under ~~IC 4-33-12-6(c)(5)~~ **IC 4-33-12-8** and the supplemental distribution otherwise payable under IC 4-33-13-5(g) to each of the following:

(A) The largest city by population located in the county.

(B) The second largest city by population located in the county.

(C) The third largest city by population located in the county; and

(2) paid instead to the state general fund.

(d) If the amount determined by the department under subsection ~~(a)(2)~~ **(a)(1)(B)** is less than eight million five hundred thousand dollars (\$8,500,000), the difference of:

(1) eight million five hundred thousand dollars (\$8,500,000); minus



(2) the amount determined by the department under subsection ~~(a)(2)~~; **(a)(1)(B)**;
 shall be paid **in four (4) equal quarterly payments** to the northwest Indiana regional development authority established by IC 36-7.5-2-1 instead of the state general fund. Any amounts paid under this subsection shall be used by the northwest Indiana regional development authority only to establish or improve public mass rail transportation systems in Lake County.

SECTION 26. IC 6-6-1.1-103, AS AMENDED BY P.L.122-2006, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 103. As used in this chapter:

- (a) "Administrator" means the administrative head of the department of state revenue or the administrator's designee.
- (b) "Dealer" means a person, except a distributor, engaged in the business of selling gasoline in Indiana.
- (c) "Department" means the department of state revenue.
- (d) "Distributor" means a person who first receives gasoline in Indiana. However, "distributor" does not include the United States or any of its agencies unless their inclusion is permitted under the Constitution and laws of the United States.
- (e) "Licensed distributor" means a person holding a valid distributor's license issued by the administrator.
- (f) "Marine facility" means a marina or boat livery.
- (g) "Gasoline" means:
 - (1) all products commonly or commercially known or sold as gasoline, including casinghead and absorption or natural gasoline, regardless of their classifications or uses; and
 - (2) any liquid, which when subjected to distillation of gasoline, naphtha, kerosene, and similar petroleum products with American Society for Testing Materials Designation D-86, shows not less than ten percent (10%) distilled (recovered) below three hundred forty-seven degrees Fahrenheit (347 degrees F) or one hundred seventy-five degrees Centigrade (175 degrees C), and not less than ninety-five percent (95%) distilled (recovered) below four hundred sixty-four degrees Fahrenheit (464 degrees F) or two hundred forty degrees Centigrade (240 degrees C).

However, the term "gasoline" does not include liquefied gases which would not exist as liquids at a temperature of sixty degrees Fahrenheit (60 degrees F) or sixteen degrees Centigrade (16 degrees C), and a pressure of fourteen and seven-tenths (14.7) pounds per square inch absolute, or denatured, wood, or ethyl



alcohol, ether, turpentine, or acetates, unless such product is used as an additive in the manufacture, compounding, or blending of a liquid within subdivision (2) or is otherwise blended with a liquid described in subdivision (2) (including ethanol used in E85), in which event only the quantity so used is considered gasoline. In addition, "gasoline" does not include those liquids which meet the specifications of subdivision (2) but which are especially designated for use other than as a fuel for internal combustion engines. **The term "gasoline" does not include a fuel blend nominally consisting of more than eighty-seven percent (87%) ethanol and less than thirteen percent (13%) gasoline.**

(h) "Motor vehicle" means a vehicle, except a vehicle operated on rails, which is propelled by an internal combustion engine or motor and is designed to permit its mobile use on public highways.

(i) "Person" means a natural person, partnership, firm, association, corporation, limited liability company, representative appointed by a court, or the state or its political subdivisions.

(j) "Public highway" means the entire width between boundary lines of every publicly maintained way in Indiana including streets and alleys in cities and towns when any part of the way is open to public use for vehicle travel.

(k) "Taxable marine facility" means a marine facility located on an Indiana lake.

(l) "Taxicab" means a motor vehicle which is:

- (1) designed to carry not more than seven (7) individuals, including the driver;
- (2) held out to the public for hire at a fare regulated by municipal ordinance and based upon length of trips or time consumed;
- (3) not operated over a definite route; and
- (4) a part of a commercial enterprise in the business of providing taxicab service.

(m) "Terminal" means a marine or pipeline gasoline facility.

(n) "Metered pump" means a stationary pump having a meter that is capable of measuring the amount of gasoline dispensed through it.

(o) "Billed gallons" means the gallons indicated on an invoice for payment to a supplier.

(p) "Export" for gasoline and fuels taxed in the same manner as gasoline under the origin state's statutes means the sale for export



and delivery out of a state by or for the seller that is:

- (1) an export by the seller in the origin state; and
- (2) an import by the seller in the destination state.

(q) "Import" for gasoline and fuels taxed in the same manner as gasoline under the origin state's statutes means the purchase for export and transportation out of a state by or for the purchaser that is:

- (1) an export by the purchaser in the origin state; and
- (2) an import by the purchaser in the destination state.

(r) "Rack" means a dock, platform, or open bay:

- (1) located at a refinery or terminal; and
- (2) having a system of metered pipes and hoses to load fuel into a tank wagon or tank transport.

(s) "E85" means a fuel blend nominally consisting of eighty-five percent (85%) ethanol and fifteen percent (15%) gasoline (as described in subsection (g)(2)) that meets American Society for Testing and Materials standard specification 5798-99 for fuel ethanol for automotive spark-ignition engines (Ed75Ed85).

SECTION 27. IC 6-6-1.1-301 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 301. The following transactions are exempt from the gasoline tax:

- (1) Gasoline exported from Indiana to another state, territory, or foreign country, **including gasoline sold to another person for export from Indiana to another state, territory, or foreign country.**
- (2) Gasoline sold to the United States or an agency or instrumentality thereof.
- (3) Gasoline sold to a post exchange or other concessionaire on a federal reservation within Indiana; however, the post exchange or concessionaire shall collect, report, and pay to the administrator any tax permitted by federal law on gasoline sold.
- (4) Gasoline used by a licensed distributor for any purpose other than the generation of power for the propulsion of motor vehicles upon the public highways.
- (5) Gasoline received by a licensed distributor and thereafter lost or destroyed, except by evaporation, shrinkage, or unknown cause, while the distributor is still the owner.

SECTION 28. IC 36-7-14-8, AS AMENDED BY P.L.87-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 8. (a) The redevelopment commissioners shall hold a meeting for the purpose of organization not later than thirty (30) days after they are appointed and, after that, each year on a day that is



not a Saturday, a Sunday, or a legal holiday and that is their first meeting day of the year. They shall choose one (1) of their members as president, another as vice president, and another as secretary. These officers shall perform the duties usually pertaining to their offices and shall serve from the date of their election until their successors are elected and qualified.

(b) The fiscal officer of the unit establishing a redevelopment commission is the treasurer of the redevelopment commission. Notwithstanding any other provision of this chapter, but subject to subsection (c), the treasurer has charge over and is responsible for the administration, investment, and disbursement of all funds and accounts of the redevelopment commission in accordance with the requirements of state laws that apply to other funds and accounts administered by the fiscal officer. The treasurer shall report annually to the redevelopment commission before April 1.

(c) The treasurer of the redevelopment commission may disburse funds of the redevelopment commission only after the redevelopment commission allows and approves the disbursement. However, the redevelopment commission may, by rule or resolution, authorize the treasurer to make certain types of disbursements before the redevelopment commission's allowance and approval at its next regular meeting.

(d) The following apply to funds of the redevelopment commission:

(1) The funds must be maintained and accounted for separately and may not be commingled with any assets or funds of the unit that established the redevelopment commission or of any other political subdivision.

(2) The funds:

(A) may not be transferred to any accounts or funds established by or for the unit that established the redevelopment commission or any other political subdivision; and

(B) except in the case of reimbursements specifically authorized by law, may not be used to pay for expenses of the unit that established the redevelopment commission or for expenses of any other political subdivision.

~~(d)~~ (e) The redevelopment commissioners may adopt the rules and bylaws they consider necessary for the proper conduct of their proceedings, the carrying out of their duties, and the safeguarding of the money and property placed in their custody by this chapter. In addition to the annual meeting, the commissioners may, by resolution



or in accordance with their rules and bylaws, prescribe the date and manner of notice of other regular or special meetings.

(e) (f) This subsection does not apply to a county redevelopment commission that consists of seven (7) members. Three (3) of the redevelopment commissioners constitute a quorum, and the concurrence of three (3) commissioners is necessary to authorize any action.

(f) (g) This subsection applies only to a county redevelopment commission that consists of seven (7) members. Four (4) of the redevelopment commissioners constitute a quorum, and the concurrence of four (4) commissioners is necessary to authorize any action.

SECTION 29. IC 36-7-14-13, AS AMENDED BY P.L.87-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 13. (a) Not later than April 15 of each year, the redevelopment commissioners or their designees shall file with the unit's executive and fiscal body a report setting out their activities during the preceding calendar year.

(b) The report of the commissioners of a municipal redevelopment commission must show the names of the then qualified and acting commissioners, the names of the officers of that body, the number of regular employees and their fixed salaries or compensation, the amount of the expenditures made during the preceding year and their general purpose, an accounting of the tax increment revenues expended by any entity receiving the tax increment revenues as a grant or loan from the commission, the amount of funds on hand at the close of the calendar year, and other information necessary to disclose the activities of the commissioners and the results obtained.

(c) The report of the commissioners of a county redevelopment commission must show all the information required by subsection (b), plus the names of any commissioners appointed to or removed from office during the preceding calendar year.

(d) A copy of each report filed under this section must be submitted to the department of local government finance in an electronic format.

(e) The report required under subsection (a) must also include the following information set forth for each tax increment financing district regarding the previous year:

- (1) Revenues received.
- (2) Expenses paid.
- (3) Fund balances.
- (4) The amount and maturity date for all outstanding obligations.
- (5) The amount paid on outstanding obligations.



(6) A list of all the parcels included in each tax increment financing district allocation area and the base assessed value and incremental assessed value for each parcel in the list.

(7) To the extent that the following information has not previously been provided to the department of local government finance:

(A) The year in which the tax increment financing district was established.

(B) The section of the Indiana Code under which the tax increment financing district was established.

(C) Whether the tax increment financing district is part of an area needing redevelopment, an economic development area, a redevelopment project area, or an urban renewal project area.

(D) If applicable, the year in which the boundaries of the tax increment financing district were changed and a description of those changes.

(E) The date on which the tax increment financing district will expire.

(F) A copy of each resolution adopted by the redevelopment commission that establishes or alters the tax increment financing district.

(f) A redevelopment commission and a department of redevelopment are subject to the same laws, rules, and ordinances of a general nature that apply to all other commissions or departments of the unit.

SECTION 30. IC 36-7-15.1-3.5, AS AMENDED BY P.L.87-2015, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 3.5. (a) The controller of the consolidated city is the fiscal officer of a commission subject to this chapter.

(b) The controller may obtain financial services on a contractual basis for purposes of carrying out the powers and duties of the commission and protecting the public interests related to the operations and funding of the commission. Subject to subsection (c), the controller has charge over and is responsible for the administration, investment, and disbursement of all funds and accounts of the commission in accordance with the requirements of state law that apply to other funds and accounts administered by the controller.

(c) The controller may disburse funds of the commission only after the commission allows and approves the disbursement. However, the commission may, by rule or resolution, authorize the controller to make certain types of disbursements before the commission's allowance and



approval at its next regular meeting.

(d) The following apply to funds of the redevelopment commission:

(1) The funds must be maintained and accounted for separately and may not be commingled with any assets or funds of the unit that established the redevelopment commission or of any other political subdivision.

(2) The funds:

(A) may not be transferred to any accounts or funds established by or for the unit that established the redevelopment commission or any other political subdivision; and

(B) except in the case of reimbursements specifically authorized by law, may not be used to pay for expenses of the unit that established the redevelopment commission or of any other political subdivision.

SECTION 31. IC 36-7-15.1-36.3, AS AMENDED BY P.L.87-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 36.3. (a) Not later than April 15 of each year, the commission or its designee shall file with the mayor and the fiscal body a report setting out the commission's activities during the preceding calendar year.

(b) The report required by subsection (a) must show the names of the then qualified and acting commissioners, the names of the officers of that body, the number of regular employees and their fixed salaries or compensation, the amount of the expenditures made during the preceding year and their general purpose, an accounting of the tax increment revenues expended by any entity receiving the tax increment revenues as a grant or loan from the commission, the amount of funds on hand at the close of the calendar year, and other information necessary to disclose the activities of the commission and the results obtained.

(c) A copy of each report filed under this section must be submitted to the department of local government finance in an electronic format.

(d) The report required under subsection (a) must also include the following information set forth for each tax increment financing district regarding the previous year:

- (1) Revenues received.
- (2) Expenses paid.
- (3) Fund balances.
- (4) The amount and maturity date for all outstanding obligations.
- (5) The amount paid on outstanding obligations.

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(6) A list of all the parcels included in each tax increment financing district allocation area and the base assessed value and incremental assessed value for each parcel in the list.

(7) To the extent that the following information has not previously been provided to the department of local government finance:

(A) The year in which the tax increment financing district was established.

(B) The section of the Indiana Code under which the tax increment financing district was established.

(C) Whether the tax increment financing district is part of an area needing redevelopment, an economic development area, a redevelopment project area, or an urban renewal project area.

(D) If applicable, the year in which the boundaries of the tax increment financing district were changed and a description of those changes.

(E) The date on which the tax increment financing district will expire.

(F) A copy of each resolution adopted by the redevelopment commission that establishes or alters the tax increment financing district.

SECTION 32. IC 36-7.5-1-10, AS AMENDED BY P.L.192-2015, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 10. "Economic development project" means the following:

(1) An economic development project described in any of the following:

(A) IC 36-7.5-2-1(2), ~~or~~ IC 36-7.5-2-1(3), **or IC 36-7.5-2-1(4).**

(B) IC 36-7.5-3-1(2) or IC 36-7.5-3-1(4).

(C) The Marquette Plan.

(2) A dredging, sediment removal, or channel improvement project.

SECTION 33. IC 36-7.5-2-1, AS AMENDED BY P.L.192-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. The northwest Indiana regional development authority is established as a separate body corporate and politic to carry out the purposes of this article by:

(1) acquiring, constructing, equipping, owning, leasing, and financing projects and facilities for lease to or for the benefit of eligible political subdivisions under this article in accordance with IC 36-7.5-3-1.5;



(2) funding and developing the Gary/Chicago International Airport expansion and other airport authority projects, commuter transportation district and other rail projects and services, regional bus authority projects and services, regional transportation authority projects and services, Lake Michigan marina and shoreline development projects and activities, and economic development projects in northwestern Indiana; ~~and~~

(3) assisting with the funding of infrastructure needed to sustain development of an intermodal facility in northwestern Indiana; **and**

(4) funding and carrying out destination based economic development projects that:

(A) fill a market opportunity in the greater Chicago area, as determined by a credible market study approved by the Indiana finance authority;

(B) derive significant capital investment from nongovernmental sources;

(C) derive significant investment or incentives from a host municipality, if the project is in a municipality;

(D) have a significant and quantifiable impact on the regional economy; and

(E) generate:

(i) substantial job creation in the region;

(ii) substantial new investment in the region; or

(iii) both substantial job creation in the region and substantial new investment in the region.

SECTION 34. IC 36-7.5-3-2, AS AMENDED BY P.L.197-2011, SECTION 152, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 2. (a) The development authority may do any of the following:

(1) Finance, improve, construct, reconstruct, renovate, purchase, lease, acquire, and equip land and projects located in an eligible county or eligible municipality.

(2) Lease land or a project to an eligible political subdivision.

(3) Finance and construct additional improvements to projects or other capital improvements owned by the development authority and lease them to or for the benefit of an eligible political subdivision.

(4) Acquire land or all or a portion of one (1) or more projects from an eligible political subdivision by purchase or lease and lease the land or projects back to the eligible political subdivision, with any additional improvements that may be made to the land



or projects.

(5) Acquire all or a portion of one (1) or more projects from an eligible political subdivision by purchase or lease to fund or refund indebtedness incurred on account of the projects to enable the eligible political subdivision to make a savings in debt service obligations or lease rental obligations or to obtain relief from covenants that the eligible political subdivision considers to be unduly burdensome.

(6) Make loans, loan guarantees, and grants or provide other financial assistance to or on behalf of the following:

(A) A commuter transportation district.

(B) An airport authority or airport development authority.

(C) The Lake Michigan marina and shoreline development commission.

(D) A regional bus authority. A loan, loan guarantee, grant, or other financial assistance under this clause may be used by a regional bus authority for acquiring, improving, operating, maintaining, financing, and supporting the following:

(i) Bus services (including fixed route services and flexible or demand-responsive services) that are a component of a public transportation system.

(ii) Bus terminals, stations, or facilities or other regional bus authority projects.

(E) A regional transportation authority.

(F) A member municipality that is eligible to make an appointment to the development board under IC 36-7.5-2-3(b)(2) and is compliant with the revenue transfer requirements specified in IC 36-7.5-4-2. However, a loan made to such a member municipality before June 30, 2016, under this clause must have a term of not more than ten (10) years and must have a market based interest rate.

(7) Provide funding to assist a railroad that is providing commuter transportation services in an eligible county or eligible municipality.

(8) Provide funding to assist an airport authority located in an eligible county or eligible municipality in the construction, reconstruction, renovation, purchase, lease, acquisition, and equipping of an airport facility or airport project.

(9) Provide funding to assist in the development of an intermodal facility to facilitate the interchange and movement of freight.

(10) Provide funding to assist the Lake Michigan marina and



shoreline development commission in carrying out the purposes of IC 36-7-13.5.

(11) Provide funding for economic development projects in an eligible county or eligible municipality.

(12) Hold, use, lease, rent, purchase, acquire, and dispose of by purchase, exchange, gift, bequest, grant, condemnation, lease, or sublease, on the terms and conditions determined by the development authority, any real or personal property located in an eligible county or eligible municipality.

(13) After giving notice, enter upon any lots or lands for the purpose of surveying or examining them to determine the location of a project.

(14) Make or enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this article.

(15) Sue, be sued, plead, and be impleaded.

(16) Design, order, contract for, and construct, reconstruct, and renovate a project or improvements to a project.

(17) Appoint an executive director and employ appraisers, real estate experts, engineers, architects, surveyors, attorneys, accountants, auditors, clerks, construction managers, and any consultants or employees that are necessary or desired by the development authority in exercising its powers or carrying out its duties under this article.

(18) Accept loans, grants, and other forms of financial assistance from the federal government, the state government, a political subdivision, or any other public or private source.

(19) Use the development authority's funds to match federal grants or make loans, loan guarantees, or grants to carry out the development authority's powers and duties under this article.

(20) Except as prohibited by law, take any action necessary to carry out this article.

(b) If the development authority is unable to agree with the owners, lessees, or occupants of any real property selected for the purposes of this article, the development authority may proceed under IC 32-24-1 to procure the condemnation of the property. The development authority may not institute a proceeding until it has adopted a resolution that:

(1) describes the real property sought to be acquired and the purpose for which the real property is to be used;

(2) declares that the public interest and necessity require the acquisition by the development authority of the property involved;



and

(3) sets out any other facts that the development authority considers necessary or pertinent.

The resolution is conclusive evidence of the public necessity of the proposed acquisition.

SECTION 35. IC 36-7.5-3-1.5, AS ADDED BY P.L.192-2015, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1.5. (a) This section applies to revenue received by the authority to the extent that the revenue has not been pledged or otherwise obligated to pay bonds or leases entered into before July 1, 2015.

(b) The authority may expend money received under this article to fund economic development projects only to the extent that:

(1) the development board finds that the economic development project is **a destination based economic development project described in IC 36-7.5-2-1(4) or is** consistent with:

(A) a duty imposed upon the development authority under section 1(2) or 1(4) of this chapter; or

(B) the Marquette Plan; and

(2) funding the project is reviewed by the state budget committee under subsection (c).

(c) The development board shall submit to the state budget committee for review and comment any proposal to fund an economic development project (**including any destination based economic development project**) under this article. The state budget committee shall review any proposal received under this subsection and may request that the authority appear at a public meeting of the state budget committee concerning the funding proposal.

SECTION 36. [EFFECTIVE UPON PASSAGE] (a) **As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.**

(b) **As used in this SECTION, "study committee" means either of the following:**

(1) **A statutory committee established under IC 2-5.**

(2) **An interim study committee.**

(c) **The legislative council is urged to assign the following topics to the appropriate study committee:**

(1) **Whether a heavy equipment vehicle excise tax, instead of the property tax, should be imposed on certain heavy equipment vehicles.**

(2) **The appropriate amount of the fee that should be charged for the registration of a logging vehicle that:**



- (A) is used to harvest logs or timber;
- (B) is used to process or load harvested logs or timber; or
- (C) is transported to a logging site specifically for the purpose of building or maintaining a road at the logging site.

(d) If a topic described in subsection (c) is assigned to a study committee, the study committee shall issue a final report on the topic to the legislative council in an electronic format under IC 5-14-6 not later than November 1, 2016.

(e) This SECTION expires December 31, 2016."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1290 as reprinted February 3, 2016.)

HERSHMAN, Chairperson

Committee Vote: Yeas 11, Nays 0.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1290 be amended to read as follows:

Replace the effective date in SECTION 34 with "[EFFECTIVE UPON PASSAGE]".

Page 33, line 33, after "chapter." insert "**However, in the case of an industrial recovery site described in section 5(2) of this chapter, the time that has expired since a plant was placed in service shall be determined as of the date on which the demolition of the vacant plant was completed.**".

Page 34, line 2, after "chapter" delete ";" and insert "**and was placed in service at least fifteen (15) years before the date on which an application is filed with the corporation under this chapter;**".

Page 34, line 4, after "chapter" delete "." and insert "**and was placed in service at least fifteen (15) years before the date on which the demolition of the vacant plant was completed.**".

(Reference is to EHB 1290 as printed February 26, 2016.)

HERSHMAN



SENATE MOTION

Madam President: I move that Engrossed House Bill 1290 be amended to read as follows:

- Page 13, line 6, delete "or promotion fund".
- Page 14, line 32, delete "or promotion fund".
- Page 16, line 15, delete "or promotion fund".
- Page 17, line 10, delete "or 8".
- Page 18, line 9, delete "or promotion".
- Page 18, line 10, delete "fund".

(Reference is to EHB 1290 as printed February 26, 2016.)

NIEMEYER

 SENATE MOTION

Madam President: I move that Engrossed House Bill 1290 be amended to read as follows:

Page 33, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 15. IC 6-2.5-3-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: **Sec. 7.5. (a) This section applies to a retail merchant if:**

- (1) the retail merchant obtains the information described in section 7(c)(1) through 7(c)(3) of this chapter from a person purchasing tangible personal property for use or consumption in providing public transportation under IC 6-2.5-5-27; and**
- (2) the person purchasing the tangible personal property provides to the retail merchant the signed affirmation required under section 7(c) of this chapter.**

(b) Except as provided in subsection (c), the following apply to a retail merchant that meets the requirements of subsection (a):

- (1) Based on the information described in section 7(c)(1) through 7(c)(3) of this chapter and the signed affirmation required under section 7(c) of this chapter, the retail merchant is entitled to assume that the person purchasing the tangible personal property:**
 - (A) will use the tangible personal property for an exempt purpose; or**
 - (B) will make the determination regarding whether use tax is due on the storage, use, or consumption of the tangible**



personal property, and will pay any use tax that is due on the storage, use, or consumption of the tangible personal property.

(2) The retail merchant is not liable for a failure to collect any use tax that may be due on the storage, use, or consumption of the tangible personal property.

(c) Subsection (b) does not apply to a retail merchant if the retail merchant's reliance on the information described in section 7(c)(1) through 7(c)(3) of this chapter and the signed affirmation required under section 7(c) of this chapter was unreasonable. The department has the burden of proving that the retail merchant's reliance on the information described in section 7(c)(1) through 7(c)(3) of this chapter and the signed affirmation required under section 7(c) of this chapter was unreasonable."

Renumber all SECTIONS consecutively.

(Reference is to EHB 1290 as printed February 26, 2016.)

WALKER

SENATE MOTION

Madam President: I move that Engrossed House Bill 1290 be amended to read as follows:

Page 40, line 25, delete "specifically" and insert "**or uses authorized by IC 36-7-14-3.7(d), IC 36-7-14-24, IC 36-7-14-39(b)(3), IC 36-7-14-48(e)(2), and IC 36-7-14-52(b)(4) and reimbursements or uses specifically authorized by any other law,**".

Page 40, line 26, delete "authorized by law,".

Page 40, between lines 28 and 29, begin a new line block indented and insert:

"This subdivision does not restrict transfers or uses by a redevelopment commission made to meet commitments under a written agreement of the redevelopment commission that was entered into before January 1, 2016, if the written agreement complied with the requirements existing under the law at the time the redevelopment commission entered into the written agreement."

Page 43, line 4, delete "specifically" and insert "**or uses authorized by IC 36-7-15.1-26(b)(3), IC 36-7-15.1-35(e)(2), and IC 36-7-15.1-53(b)(3) and reimbursements or uses specifically**

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authorized by any other law,".

Page 43, line 5, delete "authorized by law,".

Page 43, between lines 7 and 8, begin a new line block indented and insert:

"This subdivision does not restrict transfers or uses by a redevelopment commission made to meet commitments under a written agreement of the redevelopment commission that was entered into before January 1, 2016, if the written agreement complied with the requirements existing under the law at the time the redevelopment commission entered into the written agreement.".

(Reference is to EHB 1290 as printed February 26, 2016.)

MILLER PETE

