

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

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2018 Regular and Special Session of the General Assembly.

SENATE ENROLLED ACT No. 191

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

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

SECTION 1. IC 4-4-37-3, AS ADDED BY P.L.213-2015, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 3. As used in this chapter, "person" means any of **the following:**

- (1) An individual.
- (2) A partnership.
- (3) A firm.
- (4) An association.
- (5) A joint venture.
- (6) A limited liability company. ~~or~~
- (7) A corporation.
- (8) **A nonprofit organization or nonprofit corporation.**

SECTION 2. IC 4-4-37-7, AS AMENDED BY P.L.202-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 7. (a) The office may award a grant to a person who submits plans for the preservation or rehabilitation of historic property and obtains the certifications required under section 8 of this chapter.

(b) The maximum amount of a grant awarded under this section is equal to ~~thirty-five~~ **fifty** percent (~~35%~~) (**50%**) of the qualified expenditures, not to exceed one hundred thousand dollars (\$100,000),

SEA 191 — Concur



that:

- (1) the person makes for the preservation or rehabilitation of historic property; and
- (2) are approved by the office.

(c) Each grant shall be made under a grant agreement by and between the office and the person receiving the grant. The grant agreement must include all of the following:

- (1) A timeline for completing the project, including milestones that the person commits to achieving by the time specified.
- (2) The approved plans for the preservation or rehabilitation of the historic property.
- (3) The estimated cost of the preservation or rehabilitation of the historic property and all sources of money for the project.
- (4) The financing plan by the person proposing the project.
- (5) The remedies available to the office if the grant is made and the project does not substantially comply with the proposed plan approved under this chapter.
- (6) Any other terms or conditions the office considers appropriate.

SECTION 3. IC 4-4-37-8, AS AMENDED BY P.L.202-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019]: Sec. 8. The office may award a grant to a person if all the following conditions are met:

- (1) The historic property is:
 - (A) located in Indiana;
 - (B) at least fifty (50) years old; and
 - (C) owned by the person. This requirement does not apply to a nonprofit organization facilitating a qualified affordable housing project.
- (2) The office certifies that the historic property is listed in or eligible to be listed in:
 - (A) the register of Indiana historic sites and historic structures; or
 - (B) the National Register of Historic Places, either individually or as a contributing resource in a National Register District.
- (3) The office certifies that the person submitted a proposed preservation or rehabilitation plan to the division that complies with the standards of the division.
- (4) The submitted plan referenced in section 7 of this chapter complies with the program guidelines established by the office.
- (5) **Any of the following apply to the historic property: is to be:**
 - (A) **The historic property will be** actively used in a trade or

SEA 191 — Concur



business.

(B) **The historic property will be** held for the production of income. ~~or~~

(C) **The historic property will be** held for the rental or other use in the ordinary course of the person's trade or business.

(D) **If the person is a nonprofit organization or nonprofit corporation, the historic property will be used by the nonprofit organization or nonprofit corporation for the organization's or corporation's purposes and functions.**

(6) The qualified expenditures for preservation or rehabilitation of the historic property exceed ~~ten thousand dollars (\$10,000)~~; **five thousand dollars (\$5,000).**



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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