



March 18, 2021

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**ENGROSSED**  
**SENATE BILL No. 214**

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DIGEST OF SB 214 (Updated March 17, 2021 4:49 pm - DI 134)

**Citations Affected:** IC 5-20; IC 6-1.1; IC 36-1; IC 36-2; IC 36-3; IC 36-7.

**Synopsis:** Low income housing. Reinstates provisions that were repealed in the 2016 session in Senate Bill 309 regarding eligibility for the property tax exemption for improvements on real property that are constructed, rehabilitated, or acquired for the purpose of providing low income housing. Provides that payments in lieu of taxes (PILOTS) may be required from a property owner claiming such an exemption.

**Effective:** January 1, 2022.

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**Holdman, Buchanan, Raatz,**  
**Qaddoura**

(HOUSE SPONSOR — LEONARD)

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January 11, 2021, read first time and referred to Committee on Tax and Fiscal Policy.  
February 9, 2021, amended, reported favorably — Do Pass.  
February 11, 2021, reassigned to Committee on Rules and Legislative Procedure pursuant to Rule 68(b). Committee report adopted pursuant to Rule 66(b).  
February 15, 2021, read second time, amended, ordered engrossed.  
February 16, 2021, engrossed.  
February 18, 2021, read third time, passed. Yeas 49, nays 0.  
HOUSE ACTION  
March 4, 2021, read first time and referred to Committee on Ways and Means.  
March 18, 2021, amended, reported — Do Pass.

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ES 214—LS 6670/DI 138





March 18, 2021

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

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

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

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2020 Regular Session of the General Assembly.

## ENGROSSED SENATE BILL No. 214

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 5-20-5-15.5, AS AMENDED BY P.L.17-2020,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JANUARY 1, 2022]: Sec. 15.5. (a) The governing body of an eligible  
4 entity that receives a grant under this chapter shall, by resolution,  
5 establish an affordable housing fund to be administered, subject to the  
6 terms of the resolution, by a department, a division, or an agency  
7 designated by the governing body.  
8 (b) The affordable housing fund consists of:  
9 (1) payments in lieu of taxes deposited in the fund under  
10 ~~IC 36-1-8-14.2 (before its expiration); IC 36-1-8-14.3;~~  
11 (2) gifts and grants to the fund;  
12 (3) investment income earned on the fund's assets;  
13 (4) money deposited in the fund under IC 36-2-7-10; and  
14 (5) other funds from sources approved by the commission.  
15 (c) The governing body shall, by resolution, establish uses for the  
16 affordable housing fund. However, the uses must be limited to:  
17 (1) providing financial assistance to those individuals and

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1 families whose income is at or below eighty percent (80%) of the  
 2 county's median income for individuals and families, respectively,  
 3 to enable those individuals and families to purchase or lease  
 4 residential units within the county;

5 (2) paying expenses of administering the fund;

6 (3) making grants, loans, and loan guarantees for the  
 7 development, rehabilitation, or financing of affordable housing  
 8 for individuals and families whose income is at or below eighty  
 9 percent (80%) of the county's median income for individuals and  
 10 families, respectively, including the elderly, persons with  
 11 disabilities, and homeless individuals and families; and

12 (4) providing technical assistance to nonprofit developers of  
 13 affordable housing.

14 (d) The county treasurer shall invest the money in the fund not  
 15 currently needed to meet the obligations of the fund in the same  
 16 manner as other public funds may be invested.

17 (e) The governing body of an eligible entity shall notify the  
 18 authority of the creation of an affordable housing fund.

19 SECTION 2. IC 6-1.1-10-16.7, AS AMENDED BY P.L.181-2016,  
 20 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JANUARY 1, 2022]: Sec. 16.7. (a) Except as otherwise provided in  
 22 this section, **for assessment dates after December 31, 2021**, all or  
 23 part of real property is exempt from property taxation if:

24 (1) the improvements on the real property were constructed,  
 25 rehabilitated, or acquired for the purpose of providing housing to  
 26 income eligible persons under the federal low income housing tax  
 27 credit program under 26 U.S.C. 42;

28 (2) the real property is subject to an extended use agreement  
 29 under 26 U.S.C. 42 as administered by the Indiana housing and  
 30 community development authority; and

31 (3) the owner of the property has entered into an agreement to  
 32 make payments in lieu of taxes under IC 36-1-8-14.2 (before its  
 33 expiration), IC 36-2-6-22 (before its expiration), or IC 36-3-2-11  
 34 (before its expiration), **IC 36-1-8-14.3, IC 36-2-6-23, or**  
 35 **IC 36-3-2-12.**

36 (b) For assessment dates after December 31, 2017, all or part of real  
 37 property is exempt from property taxation if:

38 (1) the conditions specified in subsection (a)(1) through (a)(3) are  
 39 met; and

40 (2) before January 1, 2018:

41 (A) the real property was exempt from property taxation under  
 42 this section for one (1) or more assessment dates;



- 1           (B) a person filed an application seeking bond financing with
- 2           a political subdivision with respect to the real property;
- 3           (C) a person filed an application with the Indiana housing and
- 4           community development authority seeking tax credits under 26
- 5           U.S.C. 42 with respect to the real property; or
- 6           (D) the real property was the subject of a resolution for
- 7           affordable housing adopted by a political subdivision.

- 8           (e) (b) This section may not be construed in such a way as to:
- 9           (1) alter the terms of an agreement with the holders of any
- 10           outstanding notes, bonds, or other obligations of an issuing body;
- 11           (2) authorize the issuing body to alter the terms of an agreement
- 12           described in subdivision (1); or
- 13           (3) impair, or authorize the issuing body to impair, the rights and
- 14           remedies of any creditor of the issuing body.

15           SECTION 3. IC 36-1-8-14.3 IS ADDED TO THE INDIANA CODE  
 16 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE  
 17 JANUARY 1, 2022]: **Sec. 14.3. (a) PILOTS may be imposed under**  
 18 **this section for an assessment date occurring after December 31,**  
 19 **2021.**

20           (b) As used in this section, the following terms have the  
 21 meanings set forth in IC 6-1.1-1:

- 22           (1) Assessed value.
- 23           (2) Exemption.
- 24           (3) Owner.
- 25           (4) Person.
- 26           (5) Property taxation.
- 27           (6) Real property.
- 28           (7) Township assessor.

29           (c) As used in this section, "PILOTS" means payments in lieu of  
 30 taxes.

31           (d) As used in this section, "property owner" means the owner  
 32 of real property described in IC 6-1.1-10-16.7.

33           (e) Subject to the approval of a property owner, the governing  
 34 body of a political subdivision may adopt an ordinance to require  
 35 the property owner to pay PILOTS at times set forth in the  
 36 ordinance with respect to real property that is subject to an  
 37 exemption under IC 6-1.1-10-16.7. The ordinance remains in full  
 38 force and effect until repealed or modified by the governing body,  
 39 subject to the approval of the property owner.

40           (f) The PILOTS must be calculated so that the PILOTS are in  
 41 an amount that is:

- 42           (1) agreed upon by the property owner and the governing



1           body of the political subdivision;

2           (2) a percentage of the property taxes that would have been  
3           levied by the governing body for the political subdivision upon  
4           the real property described in subsection (e) if the property

5           were not subject to an exemption from property taxation; and  
6           (3) not more than the amount of property taxes that would  
7           have been levied by the governing body for the political  
8           subdivision upon the real property described in subsection (e)  
9           if the property were not subject to an exemption from  
10          property taxation.

11          (g) PILOTS shall be imposed as are property taxes and shall be  
12          based on the assessed value of the real property described in  
13          subsection (e). Except as provided in subsection (k), the township  
14          assessor, or the county assessor if there is no township assessor for  
15          the township, shall assess the real property described in subsection  
16          (e) as though the property were not subject to an exemption.

17          (h) PILOTS collected under this section shall be deposited in the  
18          unit's affordable housing fund established under IC 5-20-5-15.5  
19          and used for any purpose for which the affordable housing fund  
20          may be used.

21          (i) PILOTS shall be due as set forth in the ordinance and bear  
22          interest, if unpaid, as in the case of other taxes on property.  
23          PILOTS shall be treated in the same manner as taxes for purposes  
24          of all procedural and substantive provisions of law.

25          (j) This section does not apply to a county that contains a  
26          consolidated city or to a political subdivision of the county.

27          (k) If the duties of the township assessor have been transferred  
28          to the county assessor as described in IC 6-1.1-1-24, a reference to  
29          the township assessor in this section is considered to be a reference  
30          to the county assessor.

31          SECTION 4. IC 36-2-6-23 IS ADDED TO THE INDIANA CODE  
32          AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE  
33          JANUARY 1, 2022]: **Sec. 23. (a) PILOTS may be imposed under  
34          this section for an assessment date occurring after December 31,  
35          2021.**

36          (b) As used in this section, the following terms have the  
37          meanings set forth in IC 6-1.1-1:

38               (1) Assessed value.

39               (2) Exemption.

40               (3) Owner.

41               (4) Person.

42               (5) Property taxation.



- 1           **(6) Real property.**  
 2           **(7) Township assessor.**  
 3           **(c) As used in this section, "PILOTS" means payments in lieu of**  
 4 **taxes.**  
 5           **(d) As used in this section, "property owner" means the owner**  
 6 **of real property described in IC 6-1.1-10-16.7 that is not located in**  
 7 **a county containing a consolidated city.**  
 8           **(e) Subject to the approval of a property owner, the fiscal body**  
 9 **of a county may adopt an ordinance to require the property owner**  
 10 **to pay PILOTS at times set forth in the ordinance with respect to**  
 11 **real property that is subject to an exemption under**  
 12 **IC 6-1.1-10-16.7. The ordinance remains in full force and effect**  
 13 **until repealed or modified by the legislative body, subject to the**  
 14 **approval of the property owner.**  
 15           **(f) The PILOTS must be calculated so that the PILOTS are in**  
 16 **an amount that is:**  
 17           **(1) agreed upon by the property owner and the legislative**  
 18 **body of the county;**  
 19           **(2) a percentage of the property taxes that would have been**  
 20 **levied by the legislative body of the county upon the real**  
 21 **property described in subsection (e) if the property were not**  
 22 **subject to an exemption from property taxation; and**  
 23           **(3) not more than the amount of property taxes that would**  
 24 **have been levied by the legislative body of the county upon the**  
 25 **real property described in subsection (e) if the property were**  
 26 **not subject to an exemption from property taxation.**  
 27           **(g) PILOTS shall be imposed in the same manner as property**  
 28 **taxes and shall be based on the assessed value of the real property**  
 29 **described in subsection (e). Except as provided in subsection (j), the**  
 30 **township assessor, or the county assessor if there is no township**  
 31 **assessor for the township, shall assess the real property described**  
 32 **in subsection (e) as though the property were not subject to an**  
 33 **exemption.**  
 34           **(h) PILOTS collected under this section shall be distributed in**  
 35 **the same manner as if they were property taxes being distributed**  
 36 **to taxing units in the county.**  
 37           **(i) PILOTS shall be due as set forth in the ordinance and bear**  
 38 **interest, if unpaid, as in the case of other taxes on property.**  
 39 **PILOTS shall be treated in the same manner as taxes for purposes**  
 40 **of all procedural and substantive provisions of law.**  
 41           **(j) If the duties of the township assessor have been transferred**  
 42 **to the county assessor as described in IC 6-1.1-1-24, a reference to**



1 the township assessor in this section is considered to be a reference  
2 to the county assessor.

3 SECTION 5. IC 36-3-2-12 IS ADDED TO THE INDIANA CODE  
4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE  
5 JANUARY 1, 2022]: **Sec. 12. (a) PILOTS may be imposed under  
6 this section for an assessment date occurring after December 31,  
7 2021.**

8 (b) As used in this section, the following terms have the  
9 meanings set forth in IC 6-1.1-1:

10 (1) Assessed value.

11 (2) Exemption.

12 (3) Owner.

13 (4) Person.

14 (5) Property taxation.

15 (6) Real property.

16 (7) Township assessor.

17 (c) As used in this section, "PILOTS" means payments in lieu of  
18 taxes.

19 (d) As used in this section, "property owner" means the owner  
20 of real property described in IC 6-1.1-10-16.7 that is located in a  
21 county with a consolidated city.

22 (e) Subject to the approval of a property owner, the legislative  
23 body of the consolidated city may adopt an ordinance to require  
24 the property owner to pay PILOTS at times set forth in the  
25 ordinance with respect to real property that is subject to an  
26 exemption under IC 6-1.1-10-16.7. The ordinance remains in full  
27 force and effect until repealed or modified by the legislative body,  
28 subject to the approval of the property owner.

29 (f) The PILOTS must be calculated so that the PILOTS are in  
30 an amount that is:

31 (1) agreed upon by the property owner and the legislative  
32 body of the consolidated city;

33 (2) a percentage of the property taxes that would have been  
34 levied by the legislative body for the consolidated city and the  
35 county upon the real property described in subsection (e) if  
36 the property were not subject to an exemption from property  
37 taxation; and

38 (3) not more than the amount of property taxes that would  
39 have been levied by the legislative body for the consolidated  
40 city and county upon the real property described in  
41 subsection (e) if the property were not subject to an  
42 exemption from property taxation.





1           **(g) PILOTS shall be imposed as are property taxes and shall be**  
 2 **based on the assessed value of the real property described in**  
 3 **subsection (e). Except as provided in subsection (j), the township**  
 4 **assessor, or the county assessor if there is no township assessor for**  
 5 **the township, shall assess the real property described in subsection**  
 6 **(e) as though the property were not subject to an exemption.**

7           **(h) PILOTS collected under this section shall be deposited in the**  
 8 **housing trust fund established under IC 36-7-15.1-35.5 and used**  
 9 **for any purpose for which the housing trust fund may be used.**

10           **(i) PILOTS shall be due as set forth in the ordinance and bear**  
 11 **interest, if unpaid, as in the case of other taxes on property.**  
 12 **PILOTS shall be treated in the same manner as taxes for purposes**  
 13 **of all procedural and substantive provisions of law.**

14           **(j) If the duties of the township assessor have been transferred**  
 15 **to the county assessor as described in IC 6-1.1-1-24, a reference to**  
 16 **the township assessor in this section is considered to be a reference**  
 17 **to the county assessor.**

18           SECTION 6. IC 36-7-15.1-35.5, AS AMENDED BY P.L.17-2020,  
 19 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JANUARY 1, 2022]: Sec. 35.5. (a) The general assembly finds the  
 21 following:

22           (1) Federal law permits the sale of a multiple family housing  
 23 project that is or has been covered, in whole or in part, by a  
 24 contract for project based assistance from the United States  
 25 Department of Housing and Urban Development without  
 26 requiring the continuation of that project based assistance.

27           (2) Such a sale displaces the former residents of a multiple family  
 28 housing project described in subdivision (1) and increases the  
 29 shortage of safe and affordable housing for persons of low and  
 30 moderate income within the county.

31           (3) The displacement of families and individuals from affordable  
 32 housing requires increased expenditures of public funds for crime  
 33 prevention, public health and safety, fire and accident prevention,  
 34 and other public services and facilities.

35           (4) The establishment of a supplemental housing program under  
 36 this section will do the following:

37           (A) Benefit the health, safety, morals, and welfare of the  
 38 county and the state.

39           (B) Serve to protect and increase property values in the county  
 40 and the state.

41           (C) Benefit persons of low and moderate income by making  
 42 affordable housing available to them.



- 1 (5) The establishment of a supplemental housing program under  
 2 this section and sections 32 through 35 of this chapter is:  
 3 (A) necessary in the public interest; and  
 4 (B) a public use and purpose for which public money may be  
 5 spent and private property may be acquired.
- 6 (b) In addition to its other powers with respect to a housing program  
 7 under sections 32 through 35 of this chapter, the commission may  
 8 establish a supplemental housing program. Except as provided by this  
 9 section, the commission has the same powers and duties with respect  
 10 to the supplemental housing program that the commission has under  
 11 sections 32 through 35 of this chapter with respect to the housing  
 12 program.
- 13 (c) One (1) allocation area may be established for the supplemental  
 14 housing program. The commission is not required to make the findings  
 15 required under section 34(5) through 34(8) of this chapter with respect  
 16 to the allocation area. However, the commission must find that the  
 17 property contained within the boundaries of the allocation area consists  
 18 solely of one (1) or more multiple family housing projects that are or  
 19 have been covered, in whole or in part, by a contract for project based  
 20 assistance from the United States Department of Housing and Urban  
 21 Development or have been owned at one time by a public housing  
 22 agency. The allocation area need not be contiguous. The definition of  
 23 "base assessed value" set forth in section 35(a) of this chapter applies  
 24 to the special fund established under section 26(b) of this chapter for  
 25 the allocation area.
- 26 (d) The special fund established under section 26(b) of this chapter  
 27 for the allocation area established under this section may be used only  
 28 for the following purposes:  
 29 (1) Subject to subdivision (2), on January 1 and July 1 of each  
 30 year the balance of the special fund shall be transferred to the  
 31 housing trust fund established under subsection (e).  
 32 (2) The commission may provide each taxpayer in the allocation  
 33 area a credit for property tax replacement in the manner provided  
 34 by section 35(b)(7) of this chapter. Transfers made under  
 35 subdivision (1) shall be reduced by the amount necessary to  
 36 provide the credit.
- 37 (e) The commission shall, by resolution, establish a housing trust  
 38 fund to be administered, subject to the terms of the resolution, by:  
 39 (1) the housing division of the consolidated city; or  
 40 (2) the department, division, or agency that has been designated  
 41 to perform the public housing function by an ordinance adopted  
 42 under IC 36-7-18-1.



- 1 (f) The housing trust fund consists of:  
 2 (1) amounts transferred to the fund under subsection (d);  
 3 (2) payments in lieu of taxes deposited in the fund under  
 4 ~~IC 36-3-2-11 (before its expiration); IC 36-3-2-12;~~  
 5 (3) gifts and grants to the fund;  
 6 (4) investment income earned on the fund's assets;  
 7 (5) money deposited in the fund under IC 36-2-7-10(k) or  
 8 IC 36-2-7-10.7; and  
 9 (6) other funds from sources approved by the commission.
- 10 (g) The commission shall, by resolution, establish uses for the  
 11 housing trust fund. However, the uses must be limited to:  
 12 (1) providing financial assistance to those individuals and  
 13 families whose income is at or below eighty percent (80%) of the  
 14 county's median income for individuals and families, respectively,  
 15 to enable those individuals and families to purchase or lease  
 16 residential units within the county;  
 17 (2) paying expenses of administering the fund;  
 18 (3) making grants, loans, and loan guarantees for the  
 19 development, rehabilitation, or financing of affordable housing  
 20 for individuals and families whose income is at or below eighty  
 21 percent (80%) of the county's median income for individuals and  
 22 families, respectively, including the elderly, persons with  
 23 disabilities, and homeless individuals and families;  
 24 (4) providing technical assistance to nonprofit developers of  
 25 affordable housing; and  
 26 (5) funding other programs considered appropriate to meet the  
 27 affordable housing and community development needs of lower  
 28 income families (as defined in IC 5-20-4-5) and very low income  
 29 families (as defined in IC 5-20-4-6), including lower income  
 30 elderly individuals, individuals with disabilities, and homeless  
 31 individuals.
- 32 (h) After June 30, 2017, at least forty percent (40%) of the money  
 33 deposited in the housing trust fund shall be used for the following  
 34 purposes:  
 35 (1) To assist existing owner occupants with the repair,  
 36 rehabilitation, or reconstruction of their homes.  
 37 (2) To finance the acquisition, rehabilitation, or new construction  
 38 of homes for home buyers.  
 39 (3) To acquire, rehabilitate, or construct rental housing.
- 40 (i) At least fifty percent (50%) of the dollars allocated for  
 41 production, rehabilitation, or purchase of housing must be used for  
 42 units to be occupied by individuals and families whose income is at or



1 below fifty percent (50%) of the county's area median income for  
2 individuals and families, respectively.

3 (j) The low income housing trust fund advisory committee is  
4 established. The low-income housing trust fund advisory committee  
5 consists of eleven (11) members. The membership of the low income  
6 housing trust fund advisory committee is comprised of:

7 (1) one (1) member appointed by the mayor, to represent the  
8 interests of low income families;

9 (2) one (1) member appointed by the mayor, to represent the  
10 interests of owners of subsidized, multifamily housing  
11 communities;

12 (3) one (1) member appointed by the mayor, to represent the  
13 interests of banks and other financial institutions;

14 (4) one (1) member appointed by the mayor, of the department of  
15 metropolitan development;

16 (5) three (3) members representing the community at large  
17 appointed by the commission, from nominations submitted to the  
18 commission as a result of a general call for nominations from  
19 neighborhood associations, community based organizations, and  
20 other social services agencies;

21 (6) one (1) member appointed by and representing the Coalition  
22 for Homeless Intervention and Prevention of Greater Indianapolis;

23 (7) one (1) member appointed by and representing the Local  
24 Initiatives Support Corporation;

25 (8) one (1) member appointed by and representing the Indiana  
26 housing and community development authority; and

27 (9) one (1) member appointed by and representing the  
28 Indianapolis Neighborhood Housing Partnership.

29 Members of the low income housing trust fund advisory committee  
30 serve for a term of four (4) years, and are eligible for reappointment. If  
31 a vacancy exists on the committee, the appointing authority who  
32 appointed the former member whose position has become vacant shall  
33 appoint an individual to fill the vacancy. A committee member may be  
34 removed at any time by the appointing authority who appointed the  
35 committee member.

36 (k) The low income housing trust fund advisory committee shall  
37 make recommendations to the commission regarding:

38 (1) the development of policies and procedures for the uses of the  
39 low income housing trust fund; and

40 (2) long term sources of capital for the low income housing trust  
41 fund, including:

42 (A) revenue from:



- 1 (i) development ordinances;
- 2 (ii) fees; or
- 3 (iii) taxes;
- 4 (B) financial market based income;
- 5 (C) revenue derived from private sources; and
- 6 (D) revenue generated from grants, gifts, donations, or income
- 7 in any other form, from a:
- 8 (i) government program;
- 9 (ii) foundation; or
- 10 (iii) corporation.
- 11 (l) The county treasurer shall invest the money in the fund not
- 12 currently needed to meet the obligations of the fund in the same
- 13 manner as other public funds may be invested.



COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill No. 214, 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:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to SB 214 as introduced.)

HOLDMAN, Chairperson

Committee Vote: Yeas 11, Nays 0.

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REPORT OF THE PRESIDENT  
PRO TEMPORE

Madam President: Pursuant to Senate Rule 68(b), I hereby report that, subsequent to the adoption of the Committee Report on February 9, 2021, Senate Bill 214 was reassigned to the Committee on Rules and Legislative Procedure.

BRAY

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COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 214 pursuant to Senate Rule 66(b), has had the same under consideration and begs leave to report back to the Senate that Senate Bill 214 is approved as amended by the Committee on Tax and Fiscal Policy.

BRAY



## SENATE MOTION

Madam President: I move that Senate Bill 214 be amended to read as follows:

Page 3, delete lines 40 through 42, begin a new paragraph and insert:

**"(f) The PILOTS must be calculated so that the PILOTS are in an amount that is:**

- (1) agreed upon by the property owner and the governing body of the political subdivision;**
- (2) a percentage of the property taxes that would have been levied by the governing body for the political subdivision upon the real property described in subsection (e) if the property were not subject to an exemption from property taxation; and**
- (3) not more than the amount of property taxes that would have been levied by the governing body for the political subdivision upon the real property described in subsection (e) if the property were not subject to an exemption from property taxation."**

Page 4, delete lines 1 through 2.

Page 5, delete lines 7 through 10, begin a new paragraph and insert:

**"(f) The PILOTS must be calculated so that the PILOTS are in an amount that is:**

- (1) agreed upon by the property owner and the legislative body of the county;**
- (2) a percentage of the property taxes that would have been levied by the legislative body of the county upon the real property described in subsection (e) if the property were not subject to an exemption from property taxation; and**
- (3) not more than the amount of property taxes that would have been levied by the legislative body of the county upon the real property described in subsection (e) if the property were not subject to an exemption from property taxation."**

(Reference is to SB 214 as printed February 10, 2021.)

HOLDMAN

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 COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 214, has had the same under consideration and

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begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 32, reset in roman "IC 36-1-8-14.2 (before its".

Page 2, line 33, reset in roman "expiration), IC 36-2-6-22 (before its expiration),".

Page 2, line 33, reset in roman "IC 36-3-2-11".

Page 2, line 34, reset in roman "(before its expiration).".

Page 2, line 34, after "expiration)" delete "." and insert ",".

and when so amended that said bill do pass.

(Reference is to SB 214 as reprinted February 16, 2021.)

BROWN T

Committee Vote: yeas 21, nays 0.

