



Reprinted
February 1, 2019

SENATE BILL No. 255

DIGEST OF SB 255 (Updated January 31, 2019 2:09 pm - DI 120)

Citations Affected: IC 4-23.

Synopsis: Cultural district development. Provides that an arts and cultural district certified by the Indiana arts commission is subject to annual review by the commission and must be recertified every four years. Specifies certain requirements for certification (or recertification) of a district.

Effective: Upon passage.

**Ford Jon, Grooms, Buck, Stoops,
Taylor G**

January 3, 2019, read first time and referred to Committee on Tax and Fiscal Policy.
January 22, 2019, amended, reported favorably — Do Pass.
January 31, 2019, read second time, amended, ordered engrossed.

SB 255—LS 6286/DI 120



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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 BILL No. 255

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

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

- 1 SECTION 1. IC 4-23-2-7, AS ADDED BY P.L.10-2008, SECTION
2 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
3 PASSAGE]: Sec. 7. (a) As used in this section, "district" means an area
4 certified as an arts and cultural district under this section.
5 (b) As used in this section, "unit" means a city, town, or county.
6 (c) The commission shall establish an arts and cultural district
7 certification program.
8 (d) To have an area certified as a district, a unit must:
9 (1) apply to the commission on a form prescribed by the
10 commission; and
11 (2) provide any proof the commission determines is necessary to
12 certify a district.
13 Two (2) or more units may apply jointly for certification of a district
14 that extends across a common boundary.
15 (e) The commission, after reviewing an application filed by a unit
16 under subsection (d)(1), may certify an area as a district.
17 (f) The commission shall adopt rules under IC 4-22-2:

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- 1 (1) to establish criteria for a unit wishing to have an area certified
- 2 **or recertified** as a district; and
- 3 (2) that are necessary to carry out this section.
- 4 **(g) A district certified under this section is subject to annual**
- 5 **review by the commission and must be recertified every four (4)**
- 6 **years.**
- 7 **(h) The criteria established by the commission under subsection**
- 8 **(f) for certification and recertification of a district must include at**
- 9 **least the following requirements:**
- 10 (1) **Submission of a viable and current arts and economic**
- 11 **development plan that establishes a clear strategy for long**
- 12 **term growth.**
- 13 (2) **Demonstration that the designation of the district creates**
- 14 **an opportunity to attract both additional arts and cultural**
- 15 **activity and economic investment.**
- 16 (3) **Execution of an agreement between the commission and**
- 17 **the unit that requires that grants awarded from the Indiana**
- 18 **arts commission trust fund established by IC 4-23-2.5-4 shall**
- 19 **be expended in the manner set forth in the district's**
- 20 **agreement and guidelines for the grant.**
- 21 (4) **In the case of a recertification of a district, evidence of the**
- 22 **unit's ongoing:**
- 23 (A) **participation in the district; and**
- 24 (B) **compliance with the district's community, economic,**
- 25 **and cultural goals;**
- 26 **as demonstrated by annual reviews under subsection (g) or**
- 27 **other similar documentation.**
- 28 **SECTION 2. An emergency is declared for this act.**



COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill No. 255, 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, line 2, delete "JULY 1," and insert "UPON PASSAGE]:".

Page 1, line 3, delete "2019]:".

Page 2, line 4, delete "After June 30, 2019, a" and insert "A".

Page 2, line 7, delete "After June 30, 2019, the" and insert "The".

Page 2, line 8, after "certification" insert "**and recertification**".

Page 4, line 28, after "Sec. 11." insert "(a)".

Page 4, line 28, after "department" insert "**and the Indiana arts commission**".

Page 4, line 29, after "chapter" insert ".".

Page 4, line 29, delete "and" and insert "**In the case of the department, the unit**".

Page 4, between lines 32 and 33, begin a new paragraph and insert:

"(b) Upon adoption of an ordinance establishing a tax area under section 10 of this chapter and notice by the unit to the department under subsection (a), the Indiana arts commission shall submit the ordinance adopted by the unit to the budget committee for review. The budget committee must review the ordinance before any amounts from the income tax incremental amounts and the gross retail incremental amounts may be allocated and collected in the tax area."

Page 4, line 33, after "Subject to" insert "**section 11 of this chapter and**".

Page 5, line 1, delete "five".

Page 5, line 2, delete "hundred thousand dollars (\$500,000)." and insert "**two hundred fifty thousand dollars (\$250,000)**".



Page 5, after line 32, begin a new paragraph and insert:
"SECTION 4. **An emergency is declared for this act.**".

and when so amended that said bill do pass.

(Reference is to SB 255 as introduced.)

HOLDMAN, Chairperson

Committee Vote: Yeas 11, Nays 2.

SENATE MOTION

Madam President: I move that Senate Bill 255 be amended to read as follows:

Delete the title and insert the following:

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

Page 2, line 17 delete "that:" and insert "**that**".

Page 2, line 18, delete "(A)".

Page 2, run in lines 17 through 18.

Page 2, line 21, delete "grant; and" and insert "**grant.**".

Page 2, delete lines 22 through 28.

Page 2, delete lines 36 through 42.

Delete pages 3 through 4.

Page 5, delete lines 1 through 41.

Re-number all SECTIONS consecutively.

(Reference is to SB 255 as printed January 23, 2019.)

FORD JON

