



Reprinted  
February 10, 2015

---

---

## SENATE BILL No. 316

---

DIGEST OF SB 316 (Updated February 9, 2015 2:49 pm - DI 120)

**Citations Affected:** Noncode.

**Synopsis:** Clark County study commission. Establishes the Clark County tax leadership commission (commission). Requires the commission to: (1) study the structure and operation of each existing tax increment financing district in Clark County; (2) study the impact of tax increment financing districts on county government, municipal government, schools, libraries, public safety, and fire protection districts in Clark County; (3) study the overall tax structure of Clark County in order to make recommendations to stabilize the future fiscal circumstances for all Clark County local governmental units; (4) study the public services and infrastructure needs for potential population growth in Clark County as a result of economic development; (5) study whether tax increment financing strategies and policies in Clark County need to be changed or modified to support the potential population growth; (6) study any other fiscal challenge that the commission believes is affecting the greater Clark County area; (7) make recommendations for best practices concerning tax increment financing methods that ensure that all units of local government that are affected by the establishment of a tax increment financing district have meaningful input in the approval process; (8) prepare a recommended plan for the management of tax increment financing districts in Clark County; and (9) make recommendations for the development of a  
(Continued next page)

**Effective:** Upon passage.

---

---

### Smith J, Kenley

---

---

January 8, 2015, read first time and referred to Committee on Appropriations.  
January 26, 2015, amended, reported favorably — Do Pass.  
February 9, 2015, read second time, amended, ordered engrossed.

---

---

SB 316—LS 7173/DI 120



## Digest Continued

comprehensive land use and thoroughfare plan for Clark County that is transparent and practical. Provides that the commission consists of the following members: (1) One representative from the fiscal body of Clark County and from the fiscal body of each incorporated city and town in the county. (2) One representative from each school corporation in Clark County. (3) A representative of the River Ridge Commerce Center governing board. (4) A representative of One Southern Indiana. (5) The Clark County sheriff, or the sheriff's designee. (6) One representative from the Clark County Fire Chiefs Association. Provides that the president of the commission shall be appointed by the governor. Provides that the vice-chair of the commission shall be appointed by the speaker of the house of representatives. Provides that a legal counsel and a facilitator for the commission shall be appointed by the president pro tempore of the Indiana Senate. Provides that the commission is entitled to reimbursement of expenses from each redevelopment commission or other entity that has established existing tax increment financing districts in proportion to the incremental property tax revenue in the preceding year that is attributable to existing tax increment financing districts authorized by the redevelopment commission or other entity. Authorizes the commission to contract for professional services to complete its duties. Provides that the chair of the commission may request the legislative council to authorize the legislative services agency to provide assistance to the commission. Requires the commission to submit a written report of the study and recommendations of the commission to the legislative council before December 1, 2015, and to present the report at a public meeting. Provides that the commission expires May 1, 2016.

**SB 316—LS 7173/DI 120**



Reprinted  
February 10, 2015

First Regular Session 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## SENATE BILL No. 316

---

A BILL FOR AN ACT concerning local government.

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

- 1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **The Indiana**  
2 **general assembly recognizes the importance of Clark County in the**  
3 **southern Indiana region and to the state. Further, the Indiana**  
4 **general assembly finds that the creation of a local commission**  
5 **under which local leaders can enter into a dialogue and plan Clark**  
6 **County's future and to provide the general assembly with a report**  
7 **of its findings is in the best interest of the state of Indiana.**  
8 (b) **As used in this SECTION, "commission" refers to the Clark**  
9 **County leadership commission established by subsection (c).**  
10 (c) **The Clark County leadership commission is established.**  
11 (d) **The commission consists of the following members:**  
12 (1) **One (1) representative from the fiscal body of Clark**  
13 **County and from the fiscal body of each incorporated city and**  
14 **town in the county, from the membership of the fiscal body or**  
15 **as designated by official action of its membership.**  
16 (2) **One (1) representative from each school corporation in**  
17 **Clark County, from its governing board or as designated by**

SB 316—LS 7173/DI 120



- 1 its governing body.
- 2 (3) A representative of the River Ridge Commerce Center
- 3 governing board, from its membership or as designated by the
- 4 governing board.
- 5 (4) A representative of One Southern Indiana as designated
- 6 by its governing board. The representative of One Southern
- 7 Indiana shall act as secretary of the commission.
- 8 (5) The sheriff of Clark County, or the sheriff's designee, who
- 9 shall provide public safety, jail, and other law enforcement
- 10 information and recommendations to the commission.
- 11 (6) A representative from the Clark County Fire Chiefs
- 12 Association.
- 13 The governor shall appoint the president of the commission. The
- 14 appointment of the president of the commission shall be made from
- 15 the membership of the commission or by appointment of an
- 16 additional member to the commission as otherwise determined by
- 17 the governor. The speaker of the house of representatives shall
- 18 appoint the vice-chair of the commission from the membership of
- 19 the commission or by appointment of an additional member to the
- 20 commission as otherwise determined by the speaker. The president
- 21 pro tempore of the senate shall appoint a legal counsel and a
- 22 non-voting facilitator for the commission. The commission's
- 23 business must be conducted during a public meeting held in
- 24 compliance with IC 5-14-1.5.
- 25 (e) The commission shall:
- 26 (1) study the structure and operation of each existing tax
- 27 increment financing district in Clark County.
- 28 (2) study the impact of tax increment financing districts on
- 29 county government, municipal government, schools, libraries,
- 30 public safety, and fire protection districts in Clark County;
- 31 (3) study the overall tax structure of Clark County, including
- 32 local ordinances, in order to make recommendations to
- 33 stabilize the future fiscal circumstances for all Clark County
- 34 local governmental units;
- 35 (4) study the public services and infrastructure needs for
- 36 potential population growth in Clark County as a result of
- 37 economic development in Clark County;
- 38 (5) study whether tax increment financing strategies and
- 39 policies in Clark County need to be changed or modified to
- 40 support the potential population growth in Clark County;
- 41 (6) study any other fiscal challenge that the commission
- 42 believes is affecting the greater Clark County area;



1 (7) make recommendations for best practices concerning tax  
2 increment financing methods that ensure:

3 (A) transparency and practicality; and

4 (B) that all units of local government that are affected by  
5 the establishment of a tax increment financing district have  
6 meaningful input in the approval process;

7 (8) prepare a recommended plan for the management of tax  
8 increment financing districts in Clark County; and

9 (9) make recommendations for the development of a  
10 comprehensive land use and thoroughfare plan for Clark  
11 County that is transparent and practical.

12 The commission shall complete the commission's duties under this  
13 subsection within a reasonable time.

14 (f) The commission is entitled to reimbursement for expenses of  
15 the commission from each redevelopment commission or other  
16 entity that has established at least one (1) existing tax increment  
17 financing district in Clark County. The reimbursement amount to  
18 which the commission is entitled from a redevelopment commission  
19 or other entity under this subsection must be proportionate to:

20 (1) the incremental property tax revenue in the preceding  
21 year that is attributable to all existing tax increment financing  
22 districts established by the redevelopment commission or  
23 other entity; divided by

24 (2) the total incremental property tax revenue in the  
25 preceding year that is attributable to all existing tax  
26 increment financing districts established by all redevelopment  
27 commissions or other entities in Clark County.

28 (g) The commission may contract for professional services for  
29 purposes of completing the duties of the commission.

30 (h) The chair of the commission may request the legislative  
31 council to authorize the legislative services agency to provide  
32 assistance to the commission that relates to the duties of the  
33 commission. If the legislative council authorizes assistance under  
34 this subsection, the legislative council may enter into an agreement  
35 with the commission that specifies the services that the legislative  
36 services agency will provide to the commission.

37 (i) The commission shall prepare and submit a written report of  
38 the study and recommendations of the commission under  
39 subsection (e), including a description of work conducted by the  
40 commission, a listing of recommended local actions, and requested  
41 changes to state statutes (if any), to the legislative council before  
42 December 1, 2015. The report submitted to the legislative council



1       **must be in an electronic format under IC 5-14-6. In addition, the**  
2       **commission shall present the commission's report at a public**  
3       **meeting that must be scheduled within thirty (30) days following**  
4       **submission of the report to the legislative council.**

5       **(j) This SECTION expires May 1, 2016.**

6       **SECTION 2. An emergency is declared for this act.**



## COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 316, 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 13, delete "authorizing body that has" and insert **"redevelopment commission or other entity that has established"**.

Page 1, line 14, delete "authorized".

Page 1, run in lines 13 through 14.

Page 1, line 15, delete "authorizing body" and insert **"redevelopment commission or other entity that has established"**.

Page 1, line 16, delete "for".

Page 1, run in lines 15 through 16.

Page 2, between lines 2 and 3, begin a new line block indented and insert:

**"(4) One (1) member selected jointly by the superintendents of the Clarksville Community School Corporation, Greater Clark County Schools, and West Clark Community Schools."**

Page 2, line 3, delete "(4)" and insert "(5)".

Page 2, between lines 20 and 21, begin a new line block indented and insert:

**"(2) study the impact of tax increment financing districts on county government, municipal government, schools, libraries, and fire protection districts in Clark County;**

**(3) study any other fiscal challenge that the commission believes is affecting the greater Clark County area;"**

Page 2, line 21, delete "(2)" and insert "(4)".

Page 2, line 26, delete "and".

Page 2, between lines 26 and 27, begin a new line block indented and insert:

**"(5) prepare a recommended plan for the management of tax increment financing districts in Clark County; and"**

Page 2, line 27, delete "(3)" and insert "(6)".

Page 2, between lines 31 and 32, begin a new paragraph and insert:

**"(f) The commission is entitled to reimbursement for expenses of the commission from each redevelopment commission or other entity that has established at least one (1) existing tax increment financing district in Clark County. The reimbursement amount to which the commission is entitled from a redevelopment commission or other entity under this subsection must be proportionate to:**

**(1) the incremental property tax revenue in the preceding**



year that is attributable to all existing tax increment financing districts established by the redevelopment commission or other entity; divided by

(2) the total incremental property tax revenue in the preceding year that is attributable to all existing tax increment financing districts established by all redevelopment commissions or other entities in Clark County.

(g) The commission may contract for professional services for purposes of completing the duties of the commission.

(h) The chair of the commission may request the legislative council to authorize the legislative services agency to provide assistance to the commission that relates to the duties of the commission. If the legislative council authorizes assistance under this subsection, the legislative council may enter into an agreement with the commission that specifies the services that the legislative services agency will provide to the commission."

Page 2, delete lines 32 through 34, begin a new paragraph and insert:

"(i) The commission shall prepare and submit a report of the study and recommendations of the commission under subsection (e) to the legislative council before November 1, 2015. The report submitted to the legislative council must be in an electronic format under IC 5-14-6. In addition, the commission shall present the commission's report at a public meeting that must be scheduled within thirty (30) days following submission of the report to the legislative council."

Page 2, line 35, delete "(g)" and insert "(j)".

and when so amended that said bill do pass.

(Reference is to SB 316 as introduced.)

KENLEY, Chairperson

Committee Vote: Yeas 10, Nays 2.





## SENATE MOTION

Madam President: I move that Senate Bill 316 be amended to read as follows:

Page 1, line 1, delete "The general" and insert "**The Indiana general assembly recognizes the importance of Clark County in the southern Indiana region and to the state. Further, the Indiana general assembly finds that the creation of a local commission under which local leaders can enter into a dialogue and plan Clark County's future and to provide the general assembly with a report of its findings is in the best interest of the state of Indiana.**".

Page 1, delete lines 2 through 6.

Page 1, line 8, delete "tax increment financing study commission" and insert "**leadership commission**".

Page 1, line 10, delete "tax increment financing study commission" and insert "**leadership commission**".

Page 1, delete lines 13 through 17, begin a new line block indented and insert:

**"(1) One (1) representative from the fiscal body of Clark County and from the fiscal body of each incorporated city and town in the county, from the membership of the fiscal body or as designated by official action of its membership.**

**(2) One (1) representative from each school corporation in Clark County, from its governing board or as designated by its governing body.**

**(3) A representative of the River Ridge Commerce Center governing board, from its membership or as designated by the governing board.**

**(4) A representative of One Southern Indiana as designated by its governing board. The representative of One Southern Indiana shall act as secretary of the commission.**

**(5) The sheriff of Clark County, or the sheriff's designee, who shall provide public safety, jail, and other law enforcement information and recommendations to the commission.**

**(6) A representative from the Clark County Fire Chiefs Association.**

**The governor shall appoint the president of the commission. The appointment of the president of the commission shall be made from the membership of the commission or by appointment of an additional member to the commission as otherwise determined by the governor. The speaker of the house of representatives shall appoint the vice-chair of the commission from the membership of the commission or by appointment of an additional member to the**



**commission as otherwise determined by the speaker. The president pro tempore of the senate shall appoint a legal counsel and a non-voting facilitator for the commission."**

Page 2, delete lines 1 through 10.

Page 2, line 15, delete "," and insert ".".

Page 2, line 15, delete "including a:".

Page 2, delete lines 16 through 24.

Page 2, line 26, after "libraries," insert "**public safety**,".

Page 2, between lines 27 and 28, begin a new line block indented and insert:

**"(3) study the overall tax structure of Clark County, including local ordinances, in order to make recommendations to stabilize the future fiscal circumstances for all Clark County local governmental units;**

**(4) study the public services and infrastructure needs for potential population growth in Clark County as a result of economic development in Clark County;**

**(5) study whether tax increment financing strategies and policies in Clark County need to be changed or modified to support the potential population growth in Clark County;"**

Page 2, line 28, delete "(3)" and insert "**(6)**".

Page 2, line 30, delete "(4)" and insert "**(7)**".

Page 2, line 36, delete "(5)" and insert "**(8)**".

Page 2, line 38, delete "(6)" and insert "**(9)**".

Page 3, line 24, after "a" insert "**written**".

Page 3, line 26 after "(e)" insert ", **including a description of work conducted by the commission, a listing of recommended local actions, and requested changes to state statutes (if any)**,".

Page 3, line 26, delete "November" and insert "**December**".

Page 3, line 32, delete "January 1, 2017." and insert "**May 1, 2016**."

(Reference is to SB 316 as printed January 27, 2015.)

SMITH J

