



January 29, 2020

SENATE BILL No. 350

DIGEST OF SB 350 (Updated January 28, 2020 11:43 am - DI 125)

Citations Affected: IC 6-3.6; IC 36-7; IC 36-7.7.

Synopsis: Central Indiana regional development authority. Authorize counties and municipalities within the Indianapolis metropolitan area to establish a central Indiana regional development authority pilot that will sunset on July 1, 2025. Requires counties and municipalities that wish to establish the development authority to adopt substantially similar resolutions to adopt a preliminary strategic economic development plan (preliminary development plan). Provides that the development authority shall be governed by a strategy committee composed of members selected according to the terms of the preliminary development plan adopted to establish the development authority. Specifies the duties of the development authority. Requires the development authority to prepare a comprehensive strategic economic development plan. Amends the definition of "economic development projects" under the local income tax statute. Codifies the establishment and governing provisions of the Indianapolis metropolitan planning organization. Makes conforming changes.

Effective: Upon passage.

Holdman, Houchin, Ford J.D.

January 13, 2020, read first time and referred to Committee on Tax and Fiscal Policy.
January 28, 2020, amended, reported favorably — Do Pass.

SB 350—LS 6915/DI 134



January 29, 2020

Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

SENATE BILL No. 350

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

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

- 1 SECTION 1. IC 6-3.6-2-8, AS ADDED BY P.L.243-2015,
2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 8. "Economic development project" means
4 any project that:
5 (1) the county, city, or town determines will:
6 (A) promote significant opportunities for the gainful
7 employment of its citizens;
8 (B) attract a major new business enterprise to the county, city,
9 or town; ~~or~~
10 **(C) attract people to the county, city, or town; or**
11 ~~(D)~~ **(D)** retain or expand a significant business enterprise
12 within the county, city, or town; and
13 (2) involves an expenditure for:
14 (A) the acquisition of land;
15 (B) interests in land;

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- 1 (C) site improvements;
 2 (D) infrastructure improvements;
 3 (E) buildings;
 4 (F) structures;
 5 (G) rehabilitation, renovation, and enlargement of buildings
 6 and structures;
 7 (H) machinery;
 8 (I) equipment;
 9 (J) furnishings;
 10 (K) facilities;
 11 (L) administrative expenses associated with a project
 12 described in this section, including contract payments to a
 13 nonprofit corporation whose primary corporate purpose is to
 14 assist government in planning and implementing economic
 15 development projects;
 16 (M) operating expenses of a governmental entity that plans or
 17 implements economic development projects; ~~or~~
 18 **(N) workforce or other programs to improve residents'**
 19 **quality of life;**
 20 **(O) costs associated with the development, drafting,**
 21 **planning, or implementation of a preliminary strategic**
 22 **economic development plan described in IC 36-7.7-3-3; or**
 23 ~~(P)~~ **(P) substance removal or remedial action in a designated**
 24 **county, city, or town;**
 25 or any combination of these.

26 SECTION 2. IC 36-7-7.7 IS ADDED TO THE INDIANA CODE
 27 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 28 UPON PASSAGE]:

29 **Chapter 7.7. Indianapolis Metropolitan Planning Organization**

30 **Sec. 1. The following definitions apply throughout this chapter:**

31 **(1) "Eligible political subdivision" means any of the following:**

- 32 **(A) A county.**
 33 **(B) A municipality.**
 34 **(C) An airport authority.**
 35 **(D) A commuter transportation district.**
 36 **(E) A regional transportation authority.**
 37 **(F) A port authority.**

38 **(2) "MPO" means the Indianapolis metropolitan planning**
 39 **organization established by section 3 of this chapter.**

40 **Sec. 2. This chapter applies to the area consisting of the**
 41 **following political subdivisions:**

42 **(1) A county having a population of more than seven hundred**



1 thousand (700,000).

2 (2) All eligible political subdivisions in a county having a
3 population of more than seven hundred thousand (700,000).

4 (3) All counties immediately adjacent to a county having a
5 population of more than seven hundred thousand (700,000).

6 (4) All eligible political subdivisions in a county immediately
7 adjacent to a county having a population of more than seven
8 hundred thousand (700,000).

9 Sec. 3. The Indianapolis metropolitan planning organization is
10 established.

11 Sec. 4. (a) An eligible political subdivision that:

12 (1) is not a member of the MPO; and

13 (2) is in a county adjacent to a county that:

14 (A) is a member of the MPO; or

15 (B) contains a member of the MPO;

16 may join the MPO under this chapter.

17 (b) An eligible political subdivision described in subsection (a)
18 may join the MPO under this chapter only if:

19 (1) the governing body of the eligible political subdivision
20 adopts a resolution authorizing the eligible political
21 subdivision to become a member of the MPO; and

22 (2) the MPO adopts a resolution authorizing the eligible
23 political subdivision to become a member of the MPO.

24 (c) An eligible political subdivision becomes a member of the
25 MPO upon the passage of a resolution under subsection (b)(2)
26 authorizing the eligible political subdivision to become a member
27 of the MPO.

28 (d) The MPO shall notify the governor's office promptly in
29 writing when a new member joins the MPO.

30 Sec. 5. The purpose of the MPO is to institute and maintain a
31 comprehensive planning and programing process for:

32 (1) transportation;

33 (2) economic development;

34 (3) housing;

35 (4) land use; and

36 (5) environmental;

37 policy and to provide a coordinative management process for the
38 counties described in section 2 of this chapter. The MPO shall
39 coordinate its activities with all member units in the counties and
40 shall coordinate and assist the planning programs of member units
41 and the state that relate to its purposes.

42 Sec. 6. (a) This section applies to any eligible political



1 subdivision authorized to join the MPO under this chapter, except
 2 for counties having a population of more than seven hundred
 3 thousand (700,000).

4 (b) An eligible political subdivision described in subsection (a)
 5 that joins the MPO shall be a member of the MPO for at least eight
 6 (8) years after the date the eligible political subdivision becomes a
 7 member of the MPO.

8 (c) At least twelve (12) months and not later than (18) months
 9 before the end of an eligible political subdivision's membership
 10 period under subsection (b), the eligible political subdivision
 11 described in subsection (a) must adopt an ordinance that:

12 (1) commits the eligible political subdivision to an additional
 13 eight (8) years as a member of the MPO, beginning at the end
 14 of the current membership period; or

15 (2) withdraws the eligible political subdivision from
 16 membership in the MPO not earlier than the end of the
 17 current membership period.

18 (d) An eligible political subdivision described in subsection (a)
 19 may withdraw from the MPO as provided in this section without
 20 the approval of the MPO. However, the withdrawal of a county
 21 does not affect the membership of eligible political subdivisions
 22 within that county that are already a member of the MPO.

23 (e) The MPO shall notify the governor's office promptly in
 24 writing when a member withdraws from the MPO.

25 Sec. 7. (a) Each eligible political subdivision described in section
 26 2 of this chapter and each eligible political subdivision that joins
 27 the MPO under section 4 of this chapter is considered a member of
 28 the MPO.

29 (b) The highest ranking elected official, executive director, or
 30 board president of each MPO member shall serve on the MPO
 31 policy board.

32 (c) A member of the MPO policy board described in subsection
 33 (b) may appoint an proxy of record to serve in the member's place
 34 as a member of the MPO policy board. The proxy of record has the
 35 same authority to act and vote on all matters as does the member.

36 Sec. 8. (a) The MPO may adopt bylaws and rules for the
 37 transaction of business and shall keep a record of its resolutions,
 38 transactions, findings, and determinations. The MPO's record is a
 39 public record.

40 (b) The MPO may adopt bylaws by resolutions that include the
 41 following:

42 (1) A process for electing a chair and vice chair from the



- 1 **MPO membership.**
- 2 **(2) Offices.**
- 3 **(3) Executive board.**
- 4 **(4) Meetings and notice procedures.**
- 5 **(5) Proxy members.**
- 6 **(6) Quorum**
- 7 **(7) Voting policies.**
- 8 **Sec. 9. The MPO may do any of the following in support of its**
- 9 **purpose:**
- 10 **(1) Transact business and enter into contracts.**
- 11 **(2) Receive grants or appropriations from federal, state, or**
- 12 **local government entities or from individuals or foundations**
- 13 **and enter into agreements or contracts regarding the**
- 14 **acceptance or use of those grants and appropriations to carry**
- 15 **out any of the activities of the MPO.**
- 16 **(3) Apply for, receive, and disburse gifts, contributions, and**
- 17 **grants of funds or in-kind services.**
- 18 **(4) Acquire by grant, purchase, gift, devise, lease, or otherwise**
- 19 **and hold, use, sell, improve, maintain, operate, own, manage,**
- 20 **lease, or dispose of:**
- 21 **(A) real and personal property of every kind and nature;**
- 22 **and**
- 23 **(B) any right and interest;**
- 24 **as necessary for the exercise of, or convenient or useful for the**
- 25 **carrying out of, the MPO's purposes under this chapter.**
- 26 **(5) Make and enter into all contracts, undertakings, and**
- 27 **agreements necessary or incidental to the performance of the**
- 28 **MPO's purposes.**
- 29 **(6) Employ and fix the reasonable compensation of any**
- 30 **employees and agent the MPO considers necessary.**
- 31 **(7) Contract for special and temporary services and for**
- 32 **professional assistance.**
- 33 **(8) Hold, use, administer, and expend money that is**
- 34 **appropriated or transferred to the MPO.**
- 35 **(9) Make contracts and leases for facilities and services.**
- 36 **(10) Act as a coordinating agency for programs and activities**
- 37 **of other public and private agencies that are related to the**
- 38 **MPO's objectives.**
- 39 **(11) Enter into agreements or partnerships to do the**
- 40 **following:**
- 41 **(A) Assist in coordinating activities involving state and**
- 42 **local government, business organizations, and nonprofit**



- 1 organizations.
- 2 (B) Assist in the development and implementation of
- 3 programs by other regional agencies and entities.
- 4 (12) Enter into coordinative agreements with:
- 5 (A) any unit of government in Indiana or adjoining state;
- 6 (B) any overlapping multicounty or interstate planning or
- 7 development agency;
- 8 (C) a state agency;
- 9 (D) a federal agency;
- 10 (E) a private entity; or
- 11 (F) a minority business enterprise (as defined in
- 12 IC 4-13-16.5);
- 13 that are appropriate to the achievement of the MPO's
- 14 objectives or to address a common issue.
- 15 (13) Provide any administrative, management, or technical
- 16 services to a unit of local government that requests the
- 17 services. The local unit and the MPO may enter into a
- 18 contract concerning the MPO's provision of administrative,
- 19 management, or technical services and the costs of the local
- 20 unit for the services.
- 21 (14) Conduct all necessary studies for the accomplishment of
- 22 the MPO's purposes.
- 23 (15) Publicize the MPO's purposes, objectives, and findings,
- 24 and distribute reports on those purposes, objectives, and
- 25 findings.
- 26 (16) Provide recommendations to units of local government
- 27 and to other public and private agencies.
- 28 (17) Make loans and issue notes.
- 29 (18) Adopt by resolution any regional comprehensive or
- 30 functional plan, program, or policy as the MPO's official
- 31 recommendation for the development of the region.
- 32 **Sec. 10. (a)** After review and recommendation by the executive
- 33 board, the MPO shall appoint an executive director, who serves at
- 34 the pleasure of the MPO.
- 35 (b) The executive director is the chief administrative officer and
- 36 regular technical advisor of the MPO. Subject to supervision by the
- 37 MPO and in furtherance of the purposes of the MPO, the executive
- 38 director:
- 39 (1) shall execute the MPO functions;
- 40 (2) shall appoint and remove staff of the MPO;
- 41 (3) shall submit to the MPO annually, or more often if
- 42 required, a status report on the operation of the MPO;



- 1 (4) may, with approval of the executive board, execute
2 contracts, leases, or agreements with other persons on behalf
3 of the MPO;
4 (5) shall be given access by all governmental agencies, upon
5 the executive director's written request, to all studies, reports,
6 surveys, records, and other information and material in their
7 possession that are required by the executive director for the
8 accomplishment of the activities and objectives of the MPO;
9 (6) shall propose annually a budget for the operation of the
10 MPO and administer the budget as approved by the MPO;
11 (7) shall keep the records and care for and preserve all papers
12 and documents of the MPO; and
13 (8) shall perform other duties and may exercise other powers
14 that the MPO or the executive board delegates to the
15 executive director.

16 SECTION 3. IC 36-7.7 IS ADDED TO THE INDIANA CODE AS
17 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE UPON
18 PASSAGE]:

19 **ARTICLE 7.7 CENTRAL INDIANA REGIONAL**
20 **DEVELOPMENT AUTHORITY**

21 **Chapter 1. Applicability**

22 **Sec. 1.** This article applies only to eligible political subdivisions
23 described in IC 36-7.7-2-7 that are located in the
24 Indianapolis-Carmel-Anderson Metropolitan Statistical Area as
25 defined by the United States Census Bureau.

26 **Sec. 2.** This article expires July 1, 2025.

27 **Chapter 2. Definitions**

28 **Sec. 1.** Except as otherwise provided, the definitions in this
29 chapter apply throughout this article.

30 **Sec. 2.** "Airport authority" refers to an airport authority
31 established under IC 8-22-3.

32 **Sec. 3.** "Commuter transportation district" refers to a
33 commuter transportation district established under IC 8-5-15.

34 **Sec. 4.** "Comprehensive development plan" refers to a
35 comprehensive strategic economic development plan prepared
36 under IC 36-7.7-3-4.

37 **Sec. 5.** "Development authority" refers to the central Indiana
38 regional development authority established under IC 36-7.7-3-1.

39 **Sec. 6.** "Economic development project" means an economic
40 development project described in IC 6-3.6-2-8.

41 **Sec. 7.** "Eligible political subdivision" means any of the
42 following:



- 1 (1) A county.
- 2 (2) A municipality.
- 3 (3) An airport authority.
- 4 (4) A commuter transportation district.
- 5 (5) A regional transportation authority.
- 6 (6) A public transportation corporation under IC 36-9-4.
- 7 Sec. 8. "Strategy committee" refers to the strategy committee
- 8 composed of members selected according to the terms of the
- 9 preliminary development plan.
- 10 Sec. 9. "Preliminary development plan" means a preliminary
- 11 strategic economic development plan prepared under
- 12 IC 36-7.7-3-3.
- 13 Sec. 10. "Regional transportation authority" means a regional
- 14 transportation authority established under IC 36-9-3.
- 15 Chapter 3. Development Authority and Board
- 16 Sec. 1. (a) In order to establish a development authority under
- 17 this article, the fiscal bodies of a combination of any two (2) or
- 18 more counties or municipalities described in subsection (b) must
- 19 adopt substantially similar resolutions to adopt a preliminary
- 20 development plan prepared under section 3 of this chapter for the
- 21 development authority.
- 22 (b) A development authority may be established by any of the
- 23 following:
- 24 (1) One (1) or more counties and one (1) or more adjacent
- 25 counties.
- 26 (2) One (1) or more counties and one (1) or more
- 27 municipalities in adjacent counties.
- 28 (3) One (1) or more municipalities and one (1) or more
- 29 municipalities in adjacent counties.
- 30 (c) If a development authority is established under subsection
- 31 (a), the development authority shall promptly notify the Indiana
- 32 economic development corporation of the establishment of the
- 33 development authority by submitting a copy the preliminary
- 34 development plan to the Indiana economic development
- 35 corporation.
- 36 (d) When a county establishes a development authority under
- 37 subsection (a) with another unit, any municipality in the county
- 38 does not also become a member of the development authority,
- 39 unless the fiscal body of the municipality also adopts the
- 40 preliminary development plan prepared under section 3 of this
- 41 chapter for the development authority.
- 42 (e) A county or municipality may become a member of the



1 development authority under this section only if the county or
 2 municipality is not a member of a development authority under
 3 IC 36-7.6. If a county or municipality is a member of another
 4 development authority established under IC 36-7.6, the county or
 5 municipality must withdraw its membership in that development
 6 authority before the county's or municipality's adoption of a
 7 preliminary development plan under subsection (a). A county or
 8 municipality may be a member of only one (1) development
 9 authority.

10 **Sec. 2.** A development authority established under this chapter
 11 is a separate body corporate and politic that shall carry out the
 12 purposes of this article by:

13 (1) acquiring, constructing, equipping, owning, and financing
 14 projects and facilities to or for the benefit of eligible political
 15 subdivisions under this article; and

16 (2) funding and developing:

17 (A) airport authority projects;

18 (B) commuter transportation district and other rail
 19 projects and services;

20 (C) regional transportation authority projects and
 21 services;

22 (D) economic development projects;

23 (E) intermodal transportation projects;

24 (F) regional trail or greenway projects;

25 (G) regional transportation infrastructure projects under
 26 IC 36-9-43; and

27 (H) any project that enhances the region with the goal of
 28 attracting people or business;

29 that are of regional importance.

30 **Sec. 3.** Units that wish to establish a development authority
 31 under this chapter must prepare and adopt a preliminary strategic
 32 economic development plan that includes provisions and general
 33 information concerning the following:

34 (1) The participating members of the development authority.

35 (2) The membership of the strategy committee under section
 36 5 of this chapter.

37 (3) Potential projects to be undertaken or financed by the
 38 development authority.

39 (4) A timeline for submitting the comprehensive development
 40 plan under section 4 of this chapter.

41 (5) A strategy for attracting (or any projected) investments,
 42 grants, matching funds, or local tax revenue.



1 **Sec. 4. (a) A development authority established under this**
 2 **chapter shall prepare a comprehensive strategic economic**
 3 **development plan to serve as a roadmap to diversify and**
 4 **strengthen the regional economy, establish regional goals and**
 5 **objectives, develop and implement a regional action plan of action,**
 6 **and identify investment priorities and funding sources.**

7 **(b) The comprehensive development plan must incorporate and**
 8 **comply with the requirements and content for comprehensive**
 9 **economic development strategies under 13 C.F.R. 303.7, be**
 10 **developed with broad based and diverse community participation,**
 11 **and contain the following:**

12 **(1) An analysis of economic and community development**
 13 **problems and opportunities including incorporation of any**
 14 **relevant material or suggestions from other government**
 15 **sponsored or supported plans.**

16 **(2) A background and history of the economic development**
 17 **situation of the region, with a discussion of the economy,**
 18 **including as appropriate, geography, population, labor force,**
 19 **resources, and the environment.**

20 **(3) A discussion of community participation in the planning**
 21 **efforts.**

22 **(4) Identification of particular strengths or assets that can be**
 23 **leveraged for economic benefit and goals and objectives for**
 24 **taking advantage of those strengths and assets to solve the**
 25 **economic development problems of the region.**

26 **(5) A plan of action, including suggested projects, to achieve**
 27 **the goals and objectives.**

28 **(6) Performance measures to be used to evaluate whether and**
 29 **to what extent goals and objective have been or are being met.**

30 **(7) Strategies for:**

31 **(A) ensuring access to affordable healthcare;**

32 **(B) ensuring access to affordable childcare;**

33 **(C) establishing workforce pipelines for those exiting**
 34 **recovery and reentry programs;**

35 **(D) recreation and entertainment;**

36 **(E) coordinating with local businesses to ensure the supply**
 37 **of high technology or high demand job apprenticeships;**

38 **(F) leveraging technology to improve delivery of**
 39 **government services;**

40 **(G) eliminating duplicative government services within the**
 41 **region;**

42 **(H) increasing the supply of affordable homes and other**



- 1 housing;
- 2 (I) building connectivity between the business community
- 3 and local schools;
- 4 (J) incentivizing or attracting out-of-state residents and
- 5 businesses to relocate to the region; and
- 6 (K) branding and marketing the region as a means to
- 7 recruit and retain businesses and people.
- 8 (8) Date analyses of other workforce and quality of place
- 9 measures including, without limitation, detailed information
- 10 for the most recent three (3) year period for which data is
- 11 available for the following:
- 12 (A) Workforce availability compared to job postings.
- 13 (B) Commercial and industrial electricity prices.
- 14 (C) Local road and infrastructure spending.
- 15 (D) Access to fixed broadband and mobile connectivity
- 16 meeting Federal Communications Commission standards
- 17 for businesses and residents.
- 18 (E) Total employment in firms that are zero (0) to five (5)
- 19 years old.
- 20 (F) Net job creation in firms that are zero (0) to five (5)
- 21 years old.
- 22 (G) Net job creation in firms that are more than five (5)
- 23 years old.
- 24 (H) Venture capital invested.
- 25 (I) Summary of the region's health related metrics
- 26 including the following:
- 27 (i) Adult smoking rate.
- 28 (ii) Adult obesity rate.
- 29 (iii) Drug related deaths.
- 30 (9) The proposed projects to be undertaken or financed by the
- 31 development authority.
- 32 (10) The following information for each project included
- 33 under subdivision (9):
- 34 (A) Timeline and budget.
- 35 (B) The return on investment.
- 36 (C) The projected or expected need for an ongoing subsidy.
- 37 (D) Any projected or expected federal matching funds.
- 38 **Sec. 5. (a) A development authority established under this**
- 39 **chapter is governed by a strategy committee.**
- 40 (b) A strategy committee is composed of members according to
- 41 the terms of the preliminary development plan adopted by the
- 42 fiscal bodies of development authority members under section 1 of



- 1 this chapter.
- 2 (c) The removal of a member and the filling of a vacancy on the
3 strategy committee shall be made according to the terms of the
4 development authority preliminary development plan.
- 5 (d) Each member of a strategy committee, before entering upon
6 the duties of office, must take and subscribe an oath of office under
7 IC 5-4-1, which shall be endorsed upon the certificate of
8 appointment and filed with the records of the investment board.
- 9 (e) A member of a strategy committee is not entitled to receive
10 any compensation for performance of the member's duties.
11 However, a member is entitled to a per diem from the development
12 authority for the member's participation in development board
13 meetings. The amount of the per diem is equal to the amount of the
14 per diem provided under IC 4-10-11-2.1(b).
- 15 Sec. 6. (a) In January of each year, a strategy committee shall
16 hold an organizational meeting at which the strategy committee
17 shall elect the following officers from the members of the strategy
18 committee:
- 19 (1) A chair.
 - 20 (2) A vice chair.
 - 21 (3) A secretary-treasurer.
- 22 (b) The affirmative vote of at least a majority of the members of
23 the strategy committee is necessary to elect an officer under
24 subsection (a).
- 25 (c) An officer elected under subsection (a) serves from the date
26 of the officer's election until the officer's successor is elected and
27 qualified.
- 28 Sec. 7. (a) A strategy committee shall meet at least quarterly.
- 29 (b) The chair of a strategy committee or any two (2) members
30 of a strategy committee may call a special meeting of the strategy
31 committee.
- 32 (c) A majority of the appointed members of a strategy
33 committee constitutes a quorum.
- 34 (d) The affirmative votes of at least a majority of the appointed
35 members of a strategy committee are necessary to authorize any
36 action of the strategy committee.
- 37 Sec. 8. A strategy committee shall adopt the bylaws and rules
38 that the strategy committee considers necessary for the proper
39 conduct of the strategy committee's duties and the safeguarding of
40 the development authority's funds and property.
- 41 Sec. 9. (a) Only one (1) development authority may be
42 established under this article. However, a county or municipality



1 described in subsection (b) may join a development authority
 2 established under section 1 of this chapter if the fiscal body of the
 3 county or municipality:

4 (1) adopts an ordinance authorizing the county or
 5 municipality to become a member of the development
 6 authority; and

7 (2) adopts a substantially similar resolution to adopt the
 8 preliminary development plan of the development authority
 9 as set forth under section 1 of this chapter.

10 A development authority shall notify the Indiana economic
 11 development corporation promptly in writing when a new member
 12 joins the development authority.

13 (b) The following counties or municipalities may join a
 14 development authority established under section 1 of this chapter:

15 (1) In the case of a county, a county that is adjacent to a
 16 county that:

- 17 (A) is a member of the development authority; or
- 18 (B) contains a member of the development authority.

19 (2) In the case of a municipality, a municipality that is located
 20 in a county that:

- 21 (A) is a member of the development authority;
- 22 (B) is adjacent to a county that is a member of the
 23 development authority; or
- 24 (C) is adjacent to a county containing a member of the
 25 development authority.

26 Sec. 10. (a) Subsection to subsection (b), a county or
 27 municipality that establishes or joins a development authority
 28 under this chapter shall be a member of the development authority
 29 for not less than five (5) years or the expiration of this article.

30 (b) Notwithstanding subsection (a), a county or municipality
 31 may withdraw from a development authority:

- 32 (1) after the adoption of a preliminary development plan
 33 under section 3 of this chapter; but
- 34 (2) before the adoption a comprehensive development plan
 35 under section 4 of this chapter.

36 **Chapter 4. Compliance and Audit Requirements**

37 Sec. 1. (a) A development authority shall comply with IC 5-22
 38 (public purchasing), IC 36-1-12 (public work projects), and any
 39 applicable federal bidding statutes and regulations. An eligible
 40 political subdivision that receives a loan, a grant, or other financial
 41 assistance from a development authority or enters into a lease with
 42 a development authority must comply with applicable federal,



1 state, and local public purchasing and bidding laws and
 2 regulations. However, a purchasing agency (as defined in
 3 IC 5-22-2-25) of an eligible political subdivision may:

- 4 (1) assign or sell a lease for property to a development
 5 authority; or
 6 (2) enter into a lease for property with a development
 7 authority;

8 at any price and under any other terms and conditions as may be
 9 determined by the eligible political subdivision and the
 10 development authority. However, before making an assignment or
 11 a sale of a lease or entering into a lease under this section that
 12 would otherwise be subject to IC 5-22, the eligible political
 13 subdivision or its purchasing agent must obtain or cause to be
 14 obtained a purchase price for the property to be subject to the
 15 lease from the lowest responsible and responsive bidder in
 16 accordance with the requirements for the purchase of supplies
 17 under IC 5-22.

18 (b) In addition to the provisions of subsection (a), with respect
 19 to projects undertaken by a development authority, the
 20 development authority shall set a goal for participation by
 21 minority business enterprises and women's business enterprises.
 22 The goals must be consistent with:

- 23 (1) the participation goals established by the counties and
 24 municipalities that are members of the development
 25 authority; and
 26 (2) the goals of delivering the project on time and within the
 27 budgeted amount and, insofar as possible, using Indiana
 28 businesses for employees, goods, and services.

29 Sec. 2. (a) The state board of accounts shall, pursuant to
 30 IC 5-11-1-7 and IC 5-11-1-24, allow each development authority to
 31 contract with a certified public accountant for an annual financial
 32 audit of the development authority. The certified public accountant
 33 may not have a significant financial interest in a project, facility,
 34 or service funded by or leased by or to any development authority.
 35 The certified public accountant selected by a development
 36 authority must be approved by the state examiner and is subject to
 37 the direction of the state examiner while performing an annual
 38 financial audit under this article.

39 (b) The certified public accountant shall present an audit report
 40 not later than four (4) months after the end of each calendar year
 41 and shall make recommendations to improve the efficiency of
 42 development authority operations. The certified public accountant



- 1 shall also perform a study and evaluation of internal accounting
- 2 controls and shall express an opinion on the controls that were in
- 3 effect during the audit period.
- 4 (c) A development authority shall pay the cost of the annual
- 5 financial audit under subsection (a). In addition, the state board of
- 6 accounts may at any time conduct an audit of any phase of the
- 7 operations of a development authority.
- 8 (d) The state board of accounts may waive the requirement that
- 9 a certified public accountant perform an annual financial audit of
- 10 a development authority for a particular year if the development
- 11 authority certifies to the state board of accounts that the
- 12 development authority had no financial activity during that year.
- 13 **Chapter 5. Development Authority Powers and Duties**
- 14 **Sec. 1. A development authority shall do the following:**
- 15 (1) Assist in the coordination of local efforts concerning
- 16 projects that are of regional importance.
- 17 (2) Assist a county, a municipality, a commuter transportation
- 18 district, an airport authority, and a regional transportation
- 19 authority in coordinating regional transportation and
- 20 economic development efforts.
- 21 (3) Fund projects that are of regional importance, as provided
- 22 in this article.
- 23 **Sec. 2. (a) A development authority may do any of the following:**
- 24 (1) Finance, improve, construct, reconstruct, renovate,
- 25 purchase, acquire, and equip land and projects that are of
- 26 regional importance.
- 27 (2) Finance and construct additional improvements to
- 28 projects or other capital improvements owned by the
- 29 development authority.
- 30 (3) Construct or reconstruct highways, roads, and bridges.
- 31 (4) Acquire land or all or a part of one (1) or more projects
- 32 from an eligible political subdivision by purchase.
- 33 (5) Acquire all or a part of one (1) or more projects from an
- 34 eligible political subdivision by purchase to fund or refund
- 35 indebtedness incurred on account of the projects to enable the
- 36 eligible political subdivision to make a savings in debt service
- 37 obligations or lease rental obligations or to obtain relief from
- 38 covenants that the eligible political subdivision considers to be
- 39 unduly burdensome.
- 40 (6) Make grants or provide other financial assistance to or on
- 41 behalf of the following:
- 42 (A) A commuter transportation district.



- 1 **(B) An airport authority.**
- 2 **(C) A regional transportation authority. A loan, a loan**
- 3 **guarantee, a grant, or other financial assistance under this**
- 4 **clause may be used by a regional transportation authority**
- 5 **for acquiring, improving, operating, maintaining,**
- 6 **financing, and supporting the following:**
- 7 **(i) Bus services (including fixed route services and**
- 8 **flexible or demand-responsive services) that are a**
- 9 **component of a public transportation system.**
- 10 **(ii) Bus terminals, stations, or facilities or other regional**
- 11 **bus authority projects.**
- 12 **(D) A county.**
- 13 **(E) A municipality.**
- 14 **(7) Provide funding to assist a railroad that is providing**
- 15 **commuter transportation services in a county containing**
- 16 **territory included in the development authority.**
- 17 **(8) Provide funding to assist an airport authority located in a**
- 18 **county containing territory included in the development**
- 19 **authority in the construction, reconstruction, renovation,**
- 20 **purchase, lease, acquisition, and equipping of an airport**
- 21 **facility or airport project.**
- 22 **(9) Provide funding for intermodal transportation projects**
- 23 **and facilities.**
- 24 **(10) Provide funding for regional trails and greenways.**
- 25 **(11) Provide funding for economic development projects.**
- 26 **(12) Provide funding for regional transportation**
- 27 **infrastructure projects under IC 36-9-43.**
- 28 **(13) Hold, use, lease, rent, purchase, acquire, and dispose of**
- 29 **by purchase, exchange, gift, bequest, grant, condemnation**
- 30 **(subject to subsection (d)), lease, or sublease, on the terms and**
- 31 **conditions determined by the development authority, any real**
- 32 **or personal property.**
- 33 **(14) After giving notice, enter upon any lots or lands for the**
- 34 **purpose of surveying or examining them to determine the**
- 35 **location of a project.**
- 36 **(15) Make or enter into all contracts and agreements**
- 37 **necessary or incidental to the performance of the development**
- 38 **authority's duties and the execution of the development**
- 39 **authority's powers under this article.**
- 40 **(16) Sue, be sued, plead, and be impleaded.**
- 41 **(17) Design, order, contract for, construct, reconstruct, and**
- 42 **renovate a project or improvements to a project.**



1 **(18) Appoint an executive director and employ appraisers,**
 2 **real estate experts, engineers, architects, surveyors, attorneys,**
 3 **accountants, auditors, clerks, construction managers, and any**
 4 **consultants or employees who are necessary or desired by the**
 5 **development authority in exercising its powers or carrying**
 6 **out its duties under this article.**

7 **(19) Accept loans, grants, and other forms of financial**
 8 **assistance from the federal government, the state government,**
 9 **a political subdivision, or any other public or private source.**

10 **(20) Use the development authority's funds to match federal**
 11 **grants or make loans, loan guarantees, or grants to carry out**
 12 **the development authority's powers and duties under this**
 13 **article.**

14 **(21) Except as prohibited by law, take any action necessary to**
 15 **carry out this article.**

16 **(b) Projects funded by a development authority must be of**
 17 **regional importance.**

18 **Sec. 3. A development authority may enter into an agreement**
 19 **with another development authority or any other entity to:**

20 **(1) jointly equip, own, lease, and finance projects and**
 21 **facilities; or**

22 **(2) otherwise carry out the purposes of the development**
 23 **authority;**

24 **in any location.**

25 **Sec. 4. A development authority shall before April 1 of each**
 26 **year issue a report to the legislative council, the budget committee,**
 27 **the Indiana economic development corporation, and the executive**
 28 **of each member of the development authority concerning the**
 29 **operations and activities of the development authority during the**
 30 **preceding calendar year. The report to the legislative council must**
 31 **be in an electronic format under IC 5-14-6.**

32 **Chapter 6. Regional Strategy Fund**

33 **Sec. 1. (a) A strategy committee shall establish and administer**
 34 **a regional strategy fund.**

35 **(b) A regional strategy fund consists of the following:**

36 **(1) Any payments required under an interlocal agreement for**
 37 **a project that specifically states:**

38 **(A) the amount for which each member is responsible; and**

39 **(B) the term of the agreement.**

40 **The transfers allowed by this subdivision may be made from**
 41 **any local revenue of the county or municipality, including**
 42 **property tax revenue, distributions, incentive payments,**



1 money deposited in the county's or municipality's local major
 2 moves construction fund under IC 8-14-16, money received by
 3 the county or municipality under a development agreement
 4 (as defined by IC 36-1-8-9.5), or any other local revenue that
 5 is not otherwise restricted by law or committed for the
 6 payment of other obligations.
 7 (2) Money received from the federal government.
 8 (3) Gifts, contributions, donations, and private grants made
 9 to the fund.
 10 (4) Money transferred to the development authority under an
 11 interlocal agreement entered into under section 6(b)(3) of this
 12 chapter.
 13 **Sec. 3. A development authority and an eligible political**
 14 **subdivision may enter into common wall (party wall) agreements**
 15 **or other agreements concerning easements or licenses. These**
 16 **agreements shall be recorded with the recorder of the county in**
 17 **which the project is located.**
 18 **Sec. 4. (a) All:**
 19 **(1) property owned by a development authority; and**
 20 **(2) revenue of a development authority;**
 21 **are exempt from taxation in Indiana for all purposes except the**
 22 **financial institutions tax imposed under IC 6-5.5.**
 23 **(b) All securities issued under this chapter are exempt from the**
 24 **registration requirements of IC 23-19 and other securities**
 25 **registration statutes.**
 26 **SECTION 4. 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. 350, 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, delete lines 1 through 15.

Delete pages 2 through 33.

Page 34, delete lines 1 through 19, begin a new paragraph and insert:

"SECTION 1. IC 6-3.6-2-8, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. "Economic development project" means any project that:

- (1) the county, city, or town determines will:
 - (A) promote significant opportunities for the gainful employment of its citizens;
 - (B) attract a major new business enterprise to the county, city, or town; ~~or~~
 - (C) attract people to the county, city, or town; or**
 - ~~(C)~~ **(D)** retain or expand a significant business enterprise within the county, city, or town; and
- (2) involves an expenditure for:
 - (A) the acquisition of land;
 - (B) interests in land;
 - (C) site improvements;
 - (D) infrastructure improvements;
 - (E) buildings;
 - (F) structures;
 - (G) rehabilitation, renovation, and enlargement of buildings and structures;
 - (H) machinery;
 - (I) equipment;
 - (J) furnishings;
 - (K) facilities;
 - (L) administrative expenses associated with a project described in this section, including contract payments to a nonprofit corporation whose primary corporate purpose is to assist government in planning and implementing economic development projects;
 - (M) operating expenses of a governmental entity that plans or implements economic development projects; ~~or~~



(N) workforce or other programs to improve residents' quality of life;

(O) costs associated with the development, drafting, planning, or implementation of a preliminary strategic economic development plan described in IC 36-7.7-3-3; or

~~(N)~~ (P) substance removal or remedial action in a designated county, city, or town;

or any combination of these.

SECTION 2. IC 36-7-7.7 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 7.7. Indianapolis Metropolitan Planning Organization

Sec. 1. The following definitions apply throughout this chapter:

(1) "Eligible political subdivision" means any of the following:

(A) A county.

(B) A municipality.

(C) An airport authority.

(D) A commuter transportation district.

(E) A regional transportation authority.

(F) A port authority.

(2) "MPO" means the Indianapolis metropolitan planning organization established by section 3 of this chapter.

Sec. 2. This chapter applies to the area consisting of the following political subdivisions:

(1) A county having a population of more than seven hundred thousand (700,000).

(2) All eligible political subdivisions in a county having a population of more than seven hundred thousand (700,000).

(3) All counties immediately adjacent to a county having a population of more than seven hundred thousand (700,000).

(4) All eligible political subdivisions in a county immediately adjacent to a county having a population of more than seven hundred thousand (700,000).

Sec. 3. The Indianapolis metropolitan planning organization is established.

Sec. 4. (a) An eligible political subdivision that:

(1) is not a member of the MPO; and

(2) is in a county adjacent to a county that:

(A) is a member of the MPO; or

(B) contains a member of the MPO;

may join the MPO under this chapter.

(b) An eligible political subdivision described in subsection (a)



may join the MPO under this chapter only if:

- (1) the governing body of the eligible political subdivision adopts a resolution authorizing the eligible political subdivision to become a member of the MPO; and
- (2) the MPO adopts a resolution authorizing the eligible political subdivision to become a member of the MPO.

(c) An eligible political subdivision becomes a member of the MPO upon the passage of a resolution under subsection (b)(2) authorizing the eligible political subdivision to become a member of the MPO.

(d) The MPO shall notify the governor's office promptly in writing when a new member joins the MPO.

Sec. 5. The purpose of the MPO is to institute and maintain a comprehensive planning and programming process for:

- (1) transportation;
- (2) economic development;
- (3) housing;
- (4) land use; and
- (5) environmental;

policy and to provide a coordinative management process for the counties described in section 2 of this chapter. The MPO shall coordinate its activities with all member units in the counties and shall coordinate and assist the planning programs of member units and the state that relate to its purposes.

Sec. 6. (a) This section applies to any eligible political subdivision authorized to join the MPO under this chapter, except for counties having a population of more than seven hundred thousand (700,000).

(b) An eligible political subdivision described in subsection (a) that joins the MPO shall be a member of the MPO for at least eight (8) years after the date the eligible political subdivision becomes a member of the MPO.

(c) At least twelve (12) months and not later than (18) months before the end of an eligible political subdivision's membership period under subsection (b), the eligible political subdivision described in subsection (a) must adopt an ordinance that:

- (1) commits the eligible political subdivision to an additional eight (8) years as a member of the MPO, beginning at the end of the current membership period; or
- (2) withdraws the eligible political subdivision from membership in the MPO not earlier than the end of the current membership period.



(d) An eligible political subdivision described in subsection (a) may withdraw from the MPO as provided in this section without the approval of the MPO. However, the withdrawal of a county does not affect the membership of eligible political subdivisions within that county that are already a member of the MPO.

(e) The MPO shall notify the governor's office promptly in writing when a member withdraws from the MPO.

Sec. 7. (a) Each eligible political subdivision described in section 2 of this chapter and each eligible political subdivision that joins the MPO under section 4 of this chapter is considered a member of the MPO.

(b) The highest ranking elected official, executive director, or board president of each MPO member shall serve on the MPO policy board.

(c) A member of the MPO policy board described in subsection (b) may appoint an proxy of record to serve in the member's place as a member of the MPO policy board. The proxy of record has the same authority to act and vote on all matters as does the member.

Sec. 8. (a) The MPO may adopt bylaws and rules for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations. The MPO's record is a public record.

(b) The MPO may adopt bylaws by resolutions that include the following:

- (1) A process for electing a chair and vice chair from the MPO membership.
- (2) Offices.
- (3) Executive board.
- (4) Meetings and notice procedures.
- (5) Proxy members.
- (6) Quorum
- (7) Voting policies.

Sec. 9. The MPO may do any of the following in support of its purpose:

- (1) Transact business and enter into contracts.
- (2) Receive grants or appropriations from federal, state, or local government entities or from individuals or foundations and enter into agreements or contracts regarding the acceptance or use of those grants and appropriations to carry out any of the activities of the MPO.
- (3) Apply for, receive, and disburse gifts, contributions, and grants of funds or in-kind services.



(4) Acquire by grant, purchase, gift, devise, lease, or otherwise and hold, use, sell, improve, maintain, operate, own, manage, lease, or dispose of:

(A) real and personal property of every kind and nature; and

(B) any right and interest;

as necessary for the exercise of, or convenient or useful for the carrying out of, the MPO's purposes under this chapter.

(5) Make and enter into all contracts, undertakings, and agreements necessary or incidental to the performance of the MPO's purposes.

(6) Employ and fix the reasonable compensation of any employees and agent the MPO considers necessary.

(7) Contract for special and temporary services and for professional assistance.

(8) Hold, use, administer, and expend money that is appropriated or transferred to the MPO.

(9) Make contracts and leases for facilities and services.

(10) Act as a coordinating agency for programs and activities of other public and private agencies that are related to the MPO's objectives.

(11) Enter into agreements or partnerships to do the following:

(A) Assist in coordinating activities involving state and local government, business organizations, and nonprofit organizations.

(B) Assist in the development and implementation of programs by other regional agencies and entities.

(12) Enter into coordinative agreements with:

(A) any unit of government in Indiana or adjoining state;

(B) any overlapping multicounty or interstate planning or development agency;

(C) a state agency;

(D) a federal agency;

(E) a private entity; or

(F) a minority business enterprise (as defined in IC 4-13-16.5);

that are appropriate to the achievement of the MPO's objectives or to address a common issue.

(13) Provide any administrative, management, or technical services to a unit of local government that requests the services. The local unit and the MPO may enter into a



contract concerning the MPO's provision of administrative, management, or technical services and the costs of the local unit for the services.

(14) Conduct all necessary studies for the accomplishment of the MPO's purposes.

(15) Publicize the MPO's purposes, objectives, and findings, and distribute reports on those purposes, objectives, and findings.

(16) Provide recommendations to units of local government and to other public and private agencies.

(17) Make loans and issue notes.

(18) Adopt by resolution any regional comprehensive or functional plan, program, or policy as the MPO's official recommendation for the development of the region.

Sec. 10. (a) After review and recommendation by the executive board, the MPO shall appoint an executive director, who serves at the pleasure of the MPO.

(b) The executive director is the chief administrative officer and regular technical advisor of the MPO. Subject to supervision by the MPO and in furtherance of the purposes of the MPO, the executive director:

(1) shall execute the MPO functions;

(2) shall appoint and remove staff of the MPO;

(3) shall submit to the MPO annually, or more often if required, a status report on the operation of the MPO;

(4) may, with approval of the executive board, execute contracts, leases, or agreements with other persons on behalf of the MPO;

(5) shall be given access by all governmental agencies, upon the executive director's written request, to all studies, reports, surveys, records, and other information and material in their possession that are required by the executive director for the accomplishment of the activities and objectives of the MPO;

(6) shall propose annually a budget for the operation of the MPO and administer the budget as approved by the MPO;

(7) shall keep the records and care for and preserve all papers and documents of the MPO; and

(8) shall perform other duties and may exercise other powers that the MPO or the executive board delegates to the executive director."

Page 34, delete "JANUARY 1, 2020 (RETROACTIVE)]:" and insert "UPON PASSAGE]:"



Page 34, delete lines 23 through 24, begin a new paragraph and insert:

"ARTICLE 7.7 CENTRAL INDIANA REGIONAL DEVELOPMENT AUTHORITY

Chapter 1. Applicability

Sec. 1. This article applies only to eligible political subdivisions described in IC 36-7.7-2-7 that are located in the Indianapolis-Carmel-Anderson Metropolitan Statistical Area as defined by the United States Census Bureau.

Sec. 2. This article expires July 1, 2025."

Page 34, line 25, delete "Chapter 1." and insert "**Chapter 2.**"

Page 34, delete lines 30 through 35.

Page 34, line 36, delete "5." and insert "**3.**"

Page 34, delete lines 38 through 40, begin a new paragraph and insert:

"Sec. 4. "Comprehensive development plan" refers to a comprehensive strategic economic development plan prepared under IC 36-7.7-3-4."

Page 34, line 41, delete "7." and insert "**5.**"

Page 34, line 41, delete "a" and insert "**the central Indiana**".

Page 34, line 42, delete "IC 36-7.7-2-3." and insert "**IC 36-7.7-3-1.**"

Page 35, delete lines 1 through 3.

Page 35, line 4, delete "8." and insert "**6.**"

Page 35, line 6, delete "9." and insert "**7.**"

Page 35, delete lines 14 through 31, begin a new paragraph and insert:

"Sec. 8. "Strategy committee" refers to the strategy committee composed of members selected according to the terms of the preliminary development plan."

Sec. 9. "Preliminary development plan" means a preliminary strategic economic development plan prepared under IC 36-7.7-3-3."

Page 35, line 32, delete "12." and insert "**10.**"

Page 35, delete lines 34 through 42, begin a new paragraph and insert:

"Chapter 3. Development Authority and Board

Sec. 1. (a) In order to establish a development authority under this article, the fiscal bodies of a combination of any two (2) or more counties or municipalities described in subsection (b) must adopt substantially similar resolutions to adopt a preliminary development plan prepared under section 3 of this chapter for the development authority.



(b) A development authority may be established by any of the following:

- (1) One (1) or more counties and one (1) or more adjacent counties.**
- (2) One (1) or more counties and one (1) or more municipalities in adjacent counties.**
- (3) One (1) or more municipalities and one (1) or more municipalities in adjacent counties.**

(c) If a development authority is established under subsection (a), the development authority shall promptly notify the Indiana economic development corporation of the establishment of the development authority by submitting a copy the preliminary development plan to the Indiana economic development corporation.

(d) When a county establishes a development authority under subsection (a) with another unit, any municipality in the county does not also become a member of the development authority, unless the fiscal body of the municipality also adopts the preliminary development plan prepared under section 3 of this chapter for the development authority.

(e) A county or municipality may become a member of the development authority under this section only if the county or municipality is not a member of a development authority under IC 36-7.6. If a county or municipality is a member of another development authority established under IC 36-7.6, the county or municipality must withdraw its membership in that development authority before the county's or municipality's adoption of a preliminary development plan under subsection (a). A county or municipality may be a member of only one (1) development authority.

Sec. 2. A development authority established under this chapter is a separate body corporate and politic that shall carry out the purposes of this article by:

- (1) acquiring, constructing, equipping, owning, and financing projects and facilities to or for the benefit of eligible political subdivisions under this article; and**
- (2) funding and developing:**
 - (A) airport authority projects;**
 - (B) commuter transportation district and other rail projects and services;**
 - (C) regional transportation authority projects and services;**



- (D) economic development projects;
- (E) intermodal transportation projects;
- (F) regional trail or greenway projects;
- (G) regional transportation infrastructure projects under IC 36-9-43; and
- (H) any project that enhances the region with the goal of attracting people or business;

that are of regional importance.

Sec. 3. Units that wish to establish a development authority under this chapter must prepare and adopt a preliminary strategic economic development plan that includes provisions and general information concerning the following:

- (1) The participating members of the development authority.
- (2) The membership of the strategy committee under section 5 of this chapter.
- (3) Potential projects to be undertaken or financed by the development authority.
- (4) A timeline for submitting the comprehensive development plan under section 4 of this chapter.
- (5) A strategy for attracting (or any projected) investments, grants, matching funds, or local tax revenue.

Sec. 4. (a) A development authority established under this chapter shall prepare a comprehensive strategic economic development plan to serve as a roadmap to diversify and strengthen the regional economy, establish regional goals and objectives, develop and implement a regional action plan of action, and identify investment priorities and funding sources.

(b) The comprehensive development plan must incorporate and comply with the requirements and content for comprehensive economic development strategies under 13 C.F.R. 303.7, be developed with broad based and diverse community participation, and contain the following:

- (1) An analysis of economic and community development problems and opportunities including incorporation of any relevant material or suggestions from other government sponsored or supported plans.
- (2) A background and history of the economic development situation of the region, with a discussion of the economy, including as appropriate, geography, population, labor force, resources, and the environment.
- (3) A discussion of community participation in the planning efforts.



- (4) Identification of particular strengths or assets that can be leveraged for economic benefit and goals and objectives for taking advantage of those strengths and assets to solve the economic development problems of the region.
- (5) A plan of action, including suggested projects, to achieve the goals and objectives.
- (6) Performance measures to be used to evaluate whether and to what extent goals and objective have been or are being met.
- (7) Strategies for:
- (A) ensuring access to affordable healthcare;
 - (B) ensuring access to affordable childcare;
 - (C) establishing workforce pipelines for those exiting recovery and reentry programs;
 - (D) recreation and entertainment;
 - (E) coordinating with local businesses to ensure the supply of high technology or high demand job apprenticeships;
 - (F) leveraging technology to improve delivery of government services;
 - (G) eliminating duplicative government services within the region;
 - (H) increasing the supply of affordable homes and other housing;
 - (I) building connectivity between the business community and local schools;
 - (J) incentivizing or attracting out-of-state residents and businesses to relocate to the region; and
 - (K) branding and marketing the region as a means to recruit and retain businesses and people.
- (8) Data analyses of other workforce and quality of place measures including, without limitation, detailed information for the most recent three (3) year period for which data is available for the following:
- (A) Workforce availability compared to job postings.
 - (B) Commercial and industrial electricity prices.
 - (C) Local road and infrastructure spending.
 - (D) Access to fixed broadband and mobile connectivity meeting Federal Communications Commission standards for businesses and residents.
 - (E) Total employment in firms that are zero (0) to five (5) years old.
 - (F) Net job creation in firms that are zero (0) to five (5) years old.



- (G) Net job creation in firms that are more than five (5) years old.
- (H) Venture capital invested.
- (I) Summary of the region's health related metrics including the following:
 - (i) Adult smoking rate.
 - (ii) Adult obesity rate.
 - (iii) Drug related deaths.
- (9) The proposed projects to be undertaken or financed by the development authority.
- (10) The following information for each project included under subdivision (9):
 - (A) Timeline and budget.
 - (B) The return on investment.
 - (C) The projected or expected need for an ongoing subsidy.
 - (D) Any projected or expected federal matching funds.

Sec. 5. (a) A development authority established under this chapter is governed by a strategy committee.

(b) A strategy committee is composed of members according to the terms of the preliminary development plan adopted by the fiscal bodies of development authority members under section 1 of this chapter.

(c) The removal of a member and the filling of a vacancy on the strategy committee shall be made according to the terms of the development authority preliminary development plan.

(d) Each member of a strategy committee, before entering upon the duties of office, must take and subscribe an oath of office under IC 5-4-1, which shall be endorsed upon the certificate of appointment and filed with the records of the investment board.

(e) A member of a strategy committee is not entitled to receive any compensation for performance of the member's duties. However, a member is entitled to a per diem from the development authority for the member's participation in development board meetings. The amount of the per diem is equal to the amount of the per diem provided under IC 4-10-11-2.1(b).

Sec. 6. (a) In January of each year, a strategy committee shall hold an organizational meeting at which the strategy committee shall elect the following officers from the members of the strategy committee:

- (1) A chair.
- (2) A vice chair.
- (3) A secretary-treasurer.



(b) The affirmative vote of at least a majority of the members of the strategy committee is necessary to elect an officer under subsection (a).

(c) An officer elected under subsection (a) serves from the date of the officer's election until the officer's successor is elected and qualified.

Sec. 7. (a) A strategy committee shall meet at least quarterly.

(b) The chair of a strategy committee or any two (2) members of a strategy committee may call a special meeting of the strategy committee.

(c) A majority of the appointed members of a strategy committee constitutes a quorum.

(d) The affirmative votes of at least a majority of the appointed members of a strategy committee are necessary to authorize any action of the strategy committee.

Sec. 8. A strategy committee shall adopt the bylaws and rules that the strategy committee considers necessary for the proper conduct of the strategy committee's duties and the safeguarding of the development authority's funds and property.

Sec. 9. (a) Only one (1) development authority may be established under this article. However, a county or municipality described in subsection (b) may join a development authority established under section 1 of this chapter if the fiscal body of the county or municipality:

(1) adopts an ordinance authorizing the county or municipality to become a member of the development authority; and

(2) adopts a substantially similar resolution to adopt the preliminary development plan of the development authority as set forth under section 1 of this chapter.

A development authority shall notify the Indiana economic development corporation promptly in writing when a new member joins the development authority.

(b) The following counties or municipalities may join a development authority established under section 1 of this chapter:

(1) In the case of a county, a county that is adjacent to a county that:

(A) is a member of the development authority; or

(B) contains a member of the development authority.

(2) In the case of a municipality, a municipality that is located in a county that:

(A) is a member of the development authority;



(B) is adjacent to a county that is a member of the development authority; or

(C) is adjacent to a county containing a member of the development authority.

Sec. 10. (a) Subsection to subsection (b), a county or municipality that establishes or joins a development authority under this chapter shall be a member of the development authority for not less than five (5) years or the expiration of this article.

(b) Notwithstanding subsection (a), a county or municipality may withdraw from a development authority:

(1) after the adoption of a preliminary development plan under section 3 of this chapter; but

(2) before the adoption a comprehensive development plan under section 4 of this chapter."

Delete pages 36 through 40.

Page 41, delete lines 1 through 24, begin a new paragraph and insert:

"Chapter 4. Compliance and Audit Requirements".

Page 41, line 25, delete "12." and insert "1."

Page 42, line 17, delete "13." and insert "2."

Page 43, delete lines 1 through 4.

Page 43, line 5, delete "Chapter 3." and insert **"Chapter 5."**

Page 43, line 17, delete "lease,".

Page 43, delete line 19.

Page 43, line 20, delete "(3)" and insert **"(2)"**.

Page 43, line 22, delete "and lease them to or for the benefit of" and insert ".".

Page 43, delete line 23.

Page 43, line 24, delete "(4)" and insert **"(3)"**.

Page 43, line 25, delete "(5)" and insert **"(4)"**.

Page 43, line 26, delete "or lease and" and insert ".".

Page 43, delete lines 27 through 29.

Page 43, line 30, delete "(6)" and insert **"(5)"**.

Page 43, line 31, delete "or lease".

Page 43, line 37, delete "(7)" and insert **"(6)"**.

Page 43, line 37, delete "loans, loan guarantees, and".

Page 44, line 11, delete "(8)" and insert **"(7)"**.

Page 44, line 14, delete "(9)" and insert **"(8)"**.

Page 44, line 19, delete "(10)" and insert **"(9)"**.

Page 44, line 21, delete "(11)" and insert **"(10)"**.

Page 44, line 22, delete "(12)" and insert **"(11)"**.

Page 44, line 23, delete "(13)" and insert **"(12)"**.



Page 44, line 25, delete "(14)" and insert "**(13)**".
 Page 44, line 30, delete "(15)" and insert "**(14)**".
 Page 44, line 33, delete "(16)" and insert "**(15)**".
 Page 44, line 37, delete "(17)" and insert "**(16)**".
 Page 44, line 38, delete "(18)" and insert "**(17)**".
 Page 44, line 40, delete "(19)" and insert "**(18)**".
 Page 45, line 4, delete "(20)" and insert "**(19)**".
 Page 45, line 7, delete "(21)" and insert "**(20)**".
 Page 45, delete line 11.
 Page 45, line 12, delete "(23)" and insert "**(21)**".
 Page 45, delete lines 16 through 38.
 Page 46, delete lines 11 through 25.
 Page 46, line 26, delete "Chapter 4. Financing; Issuance of Bonds; Leases" and insert "**Chapter 6. Regional Strategy Fund**".
 Page 46, line 27, delete "An investment board" and insert "**A strategy committee**".
 Page 46, line 28, delete "investment fund." and insert "**strategy fund.**".
 Page 46, line 29, delete "An investment" and insert "**A regional strategy**".
 Page 46, delete lines 30 through 32.
 Page 46, line 33, delete "(2)" and insert "**(1)**".
 Page 47, delete lines 4 through 5.
 Page 47, line 6, delete "(4)" and insert "**(2)**".
 Page 47, line 7, delete "(5)" and insert "**(3)**".
 Page 47, line 9, delete "(6)" and insert "**(4)**".
 Page 47, delete lines 12 through 42.
 Delete page 48 through 52.
 Page 53, delete line 1.
 Page 53, line 2, delete "10." and insert "**3.**".
 Page 53, delete lines 7 through 22.
 Page 53, line 23, delete "13." and insert "**4.**".
 Page 53, line 24, after "authority;" insert "**and**".
 Page 53, line 25, delete "and".
 Page 53, delete lines 26 through 30.
 Page 53, delete lines 36 through 42.
 Delete page 54.
 Page 55, delete line 1.
 Renumber all SECTIONS consecutively.
 and when so amended that said bill do pass.



(Reference is to SB 350 as introduced.)

HOLDMAN, Chairperson

Committee Vote: Yeas 11, Nays 0.

