

SENATE BILL No. 535

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-3.1-19-2; IC 36-7-13-3.

Synopsis: Marion County CRED district. Provides that a community revitalization enhancement district (district) that is established in Marion County before May 1, 2017, may use captured tax revenue and funds from its industrial revenue fund to improve the value of real property in the district to be more suitable for residential development. Amends the definition of "qualified investment" for purposes of the community revitalization enhancement district tax credit to include a taxpayer's expenditures made on residential property in a district in Marion County established before May 1, 2017.

Effective: May 1, 2017.

Delph

January 17, 2017, read first time and referred to Committee on Tax and Fiscal Policy.



First Regular Session 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

SENATE BILL No. 535

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

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

1 SECTION 1. IC 6-3.1-19-2, AS AMENDED BY P.L.250-2015,
2 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 MAY 1, 2017]: Sec. 2. As used in this chapter, "qualified investment"
4 means the amount of a taxpayer's expenditures that is:
5 (1) for redevelopment or rehabilitation of property located within
6 a community revitalization enhancement district designated under
7 IC 36-7-13;
8 (2) made under a plan adopted by an advisory commission on
9 industrial development under IC 36-7-13; and
10 (3) approved by the Indiana economic development corporation
11 before the expenditure is made.
12 Beginning after December 31, 2015, the term does not include a
13 taxpayer's expenditures made on property that is classified as
14 residential for property tax purposes, except for **expenditures of a**
15 **taxpayer in a district in Marion County designated before May 1,**
16 **2017, or** expenditures that were approved by the Indiana economic
17 development corporation before January 1, 2016.



SECTION 2. IC 36-7-13-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE MAY 1, 2017]: Sec. 3. (a) For purposes of this chapter, "improve" means to construct, reconstruct, or repair public ways, sidewalks, sewers, drains, fences, or buildings, and to do all other things that would enhance the value of real property and make it more suitable to:

(1) industrial use; or

(2) in the case of Marion County, residential use.

(b) A unit may acquire by purchase, gift, or devise, and own, improve, maintain, sell, lease, convey, contract for, or otherwise deal in, real property for the development of:

(1) industrial parks or industrial sites; or

(2) in the case of Marion County, residential housing sites.

(c) A municipality may exercise powers granted by subsection (b) in areas within five (5) miles outside its corporate boundaries.

(d) When a district is designated under section 12(e) of this chapter, a unit may expend funds for the purposes set forth in subsections (a) and (b) for the development of or to enhance the value of real property used for retail purposes.

(e) When a district is designated under section 12.1 of this chapter, a unit may expend funds for the purposes set forth in section 12.1(b) of this chapter for the development of or to enhance the value of real property used for retail purposes and to make it more suitable to industrial or retail use.

(f) This subsection applies to a district in Marion County designated under this chapter before May 1, 2017. A unit may expend funds from:

(1) income tax incremental amounts and the gross retail incremental amounts allocated to the district; or

(2) the industrial development fund created under section 4 of this chapter;

for the development of or to enhance the value of real property used for residential housing sites. However, the unit may not expend any funds for purposes of this subsection that have been pledged or otherwise obligated to pay bonds or leases entered into before May 1, 2017.

SECTION 3. An emergency is declared for this act.

