



PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 381 be amended to read as follows:

- 1           Page 4, after line 35, begin a new paragraph and insert:
- 2           "SECTION 3. IC 6-9-18-6 IS AMENDED TO READ AS
- 3           FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) The
- 4           commission may:
- 5           (1) accept and use gifts, grants, and contributions from any public
- 6           or private source, under terms and conditions that the commission
- 7           considers necessary and desirable;
- 8           (2) sue and be sued;
- 9           (3) enter into contracts and agreements;
- 10          (4) make rules necessary for the conduct of its business and the
- 11          accomplishment of its purposes;
- 12          (5) receive and approve, alter, or reject requests and proposals for
- 13          funding by corporations qualified under subdivision (6);
- 14          (6) after its approval of a proposal, transfer money, quarterly or
- 15          less frequently, from the fund established under section 4(a) of
- 16          this chapter, or from money transferred from that fund to the
- 17          commission's treasurer under section 4(b) of this chapter, to any
- 18          Indiana not-for-profit corporation to promote and encourage
- 19          conventions, visitors, or tourism in the county; and
- 20          (7) require financial or other reports from any corporation that
- 21          receives funds under this chapter.

1           **(b) This subsection applies only to Boone County. In addition to**  
 2 **the powers of the commission under subsection (a), and subject to**  
 3 **adoption of a resolution by the county fiscal body under section 6.5**  
 4 **of this chapter, the commission may enter into an agreement under**  
 5 **which amounts deposited in, or to be deposited in, the fund**  
 6 **established under section 4(a) of this chapter are pledged toward**  
 7 **the payment of obligations (including bonds and leases) issued or**  
 8 **entered into by any political subdivision located in the county to**  
 9 **finance the construction, acquisition, enlargement, and equipping**  
 10 **of a sports and recreation facility to promote and encourage**  
 11 **conventions, trade shows, tourism, visitors, or special events within**  
 12 **the county.**

13           ~~(b)~~ **(c) All expenses of the commission shall be paid from the fund**  
 14 **established under section 4(a) of this chapter or from money transferred**  
 15 **from that fund to the commission's treasurer under section 4(b) of this**  
 16 **chapter. The commission shall annually prepare a budget, taking into**  
 17 **consideration the recommendations made by a corporation qualified**  
 18 **under subsection (a)(6) and submit it to the county fiscal body for its**  
 19 **review and approval. Except for payments made under an**  
 20 **agreement that is authorized in a resolution adopted by the county**  
 21 **fiscal body under section 6.5 of this chapter, an expenditure may not**  
 22 **be made under this chapter unless it is in accordance with an**  
 23 **appropriation made by the county fiscal body in the manner provided**  
 24 **by law.**

25           SECTION 4. IC 6-9-18-6.5 IS ADDED TO THE INDIANA CODE  
 26 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 27 1, 2021]: **Sec. 6.5. (a) This section applies only to Boone County.**

28           **(b) The county fiscal body may adopt a resolution authorizing**  
 29 **an agreement described in section (6)(b) of this chapter that**  
 30 **pledges all or part of the amounts received from the tax imposed**  
 31 **under section 3 of this chapter toward the payment of obligations**  
 32 **of a political subdivision located in the county only after a public**  
 33 **hearing:**

34           **(1) for which notice has been given in accordance with**  
 35 **IC 5-3-1; and**

36           **(2) at which all interested parties are provided the**  
 37 **opportunity to be heard.**

38           **Upon adoption of a resolution under this subsection, the county**  
 39 **fiscal body shall publish notice of the adoption of the resolution in**  
 40 **accordance with IC 5-3-1. An action to contest the validity of the**  
 41 **resolution or agreement described in section (6)(b) of this chapter**  
 42 **must be brought not later than thirty (30) days after notice of the**  
 43 **adoption of the resolution.**

44           **(c) With respect to obligations to which amounts received from**  
 45 **a tax imposed under section 3 of this chapter have been pledged in**  
 46 **an agreement described in section (6)(b) of this chapter, the general**

1 **assembly covenants with the commission and the purchasers or**  
2 **owners of the obligations that this chapter will not be repealed or**  
3 **amended in any manner that will adversely affect the collection of**  
4 **the tax imposed under section 3 of this chapter, or the money**  
5 **deposited in the fund established under section 4(a) of this chapter,**  
6 **as long as the obligations are unpaid.**

7 **SECTION 5. An emergency is declared for this act."**

(Reference is to ESB 381 as printed March 11, 2021.)

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Representative Thompson