

HOUSE BILL No. 1075

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-5-1.3-13; IC 4-3-19; IC 4-10-18-10; IC 4-23-24.2; IC 8-10-9-3; IC 10-11-2-13; IC 36-1-12-3; IC 36-7; IC 36-7.5; IC 36-8-16.7-48.

Synopsis: Commissions and committees. Repeals the following: (1) Indiana advisory commission on intergovernmental relations. (2) Public highway private enterprise review board. (3) Lake Michigan marina and shoreline development commission. (4) Orange County development advisory board. Makes conforming changes. Assigns to the interim study committee on government the task of studying activity of various groups and interstate compacts each even-numbered year. Requires the budget agency to review the salary matrix biennially. Moves a definition from a statute being repealed.

Effective: Upon passage; July 1, 2022.

Pressel, Bartels

January 4, 2022, read first time and referred to Committee on Government and Regulatory Reform.



Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

HOUSE BILL No. 1075

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

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

1 SECTION 1. IC 2-5-1.3-13, AS AMENDED BY P.L.148-2021,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 13. (a) A study committee shall study the
4 issues assigned by the legislative council that are within the subject
5 matter for the study committee, as described in section 4 of this
6 chapter.

7 (b) In addition to the issues assigned under subsection (a), the
8 interim study committee on roads and transportation shall advise the
9 bureau of motor vehicles regarding the suitability of a special group (as
10 defined in IC 9-13-2-170) to receive a special group recognition license
11 plate for the special group (as defined in IC 9-13-2-170) for the first
12 time under IC 9-18.5-12-4 and the suitability of a special group (as
13 defined in IC 9-13-2-170) to continue participating in the special group
14 recognition license plate program under IC 9-18.5-12-5.

15 (c) In addition to the issues assigned under subsection (a), the
16 interim study committee on corrections and criminal code shall review
17 current trends with respect to criminal behavior, sentencing,



1 incarceration, and treatment and may:

- 2 (1) identify particular needs of the criminal justice system that can
3 be addressed by legislation; and
4 (2) prepare legislation to address the particular needs found by the
5 committee.

6 (d) In each even-numbered year, in addition to the issues assigned
7 under subsection (a), the interim study committee on courts and the
8 judiciary shall review, consider, and make recommendations
9 concerning all requests for new courts, new judicial officers, and
10 changes in jurisdiction of existing courts. A request under this
11 subsection must include at least the following information to receive
12 full consideration by the committee:

13 (1) The level of community support for the change, including
14 support from the local fiscal body.

15 (2) The results of a survey that shall be conducted by the county
16 requesting the change, sampling members of the bar, members of
17 the judiciary, and local officials to determine needs and concerns
18 of existing courts.

19 (3) Whether the county is already using a judge or magistrate
20 from an overserved area of the judicial district.

21 (4) The relative severity of need based on the most recent
22 weighted caseload measurement system report published by the
23 office of judicial administration.

24 (5) Whether the county is using any problem solving court as
25 described in IC 33-23-16-11, and, if so, the list of problem solving
26 courts established in the county, and any evaluation of the impact
27 of the problem solving courts on the overall judicial caseload.

28 (6) A description of the:

29 (A) county's population growth in the ten (10) years before the
30 date of the request; and

31 (B) projected population growth in the county for the ten (10)
32 years after the date of the request, to the extent available;

33 and any documentation to support the information provided under
34 this subdivision.

35 (7) A description of the county's use of pre-incarceration
36 diversion services and post-incarceration reentry services in an
37 effort to decrease recidivism.

38 (8) If the request is a request for a new court or new courts, an
39 acknowledgment from the county fiscal body (as defined in
40 IC 36-1-2-6) with the funding sources and estimated costs the
41 county intends to pay toward the county's part of the operating
42 costs associated with the new court or new courts.



1 The office of judicial administration shall post the list of required
2 information provided under this subsection on its Internet web site.

3 (e) In each even-numbered year, in addition to the issues assigned
4 under subsection (a), the interim study committee on courts and the
5 judiciary shall review the most recent weighted caseload measurement
6 system report published by the office of judicial administration and do
7 the following:

8 (1) Identify each county in which the number of courts or judicial
9 officers exceeds the number used by the county in that report
10 year.

11 (2) Determine the number of previous report years in which the
12 number of courts or judicial officers in a county identified in
13 subdivision (1) exceeded the number used by the county in that
14 particular report year.

15 (3) Make a recommendation on whether the number of courts or
16 judicial officers in the county should be decreased.

17 The office of judicial administration shall post a list of the number of
18 courts or judicial officers used in each county for each report year, and
19 the number of years in which the number of courts or judicial officers
20 in the county has exceeded the number used by the county, on its
21 Internet web site.

22 (f) In addition to studying the issues assigned under subsection (a),
23 the interim study committee on child services shall:

24 (1) review the annual reports submitted by:

25 (A) each local child fatality review team under IC 16-49-3-7;

26 (B) the statewide child fatality review committee under
27 IC 16-49-4-11; and

28 (C) the department of child services under IC 31-25-2-24;

29 during the immediately preceding twelve (12) month period, and
30 may make recommendations regarding changes in policies or
31 statutes to improve child safety; and

32 (2) report to the legislative council before November 1 of each
33 interim, in an electronic format under IC 5-14-6, the results of:

34 (A) the committee's review under subdivision (1); and

35 (B) the committee's study of any issue assigned to the
36 committee under subsection (a).

37 **(g) In each even-numbered year, in addition to the issues**
38 **assigned under subsection (a), the interim study committee on**
39 **government shall do the following:**

40 **(1) Determine whether a group has met in the immediately**
41 **preceding two (2) years.**

42 **(2) Identify all interstate compacts to which the state is a**



1 party.

2 **(3) Consider whether to:**

3 **(A) remain a party to; or**

4 **(B) withdraw from;**

5 **each interstate compact.**

6 **(4) If the committee determines that the state should**
 7 **withdraw from an interstate compact, identify the steps**
 8 **needed to withdraw.**

9 **(5) Report before November 1 to the legislative council, in an**
 10 **electronic format under IC 5-14-6 the committee's:**

11 **(A) recommendations for proposed legislation to repeal**
 12 **groups that have not met during the immediately**
 13 **preceding two (2) years; and**

14 **(B) findings and recommendations regarding the interstate**
 15 **compacts.**

16 **As used in this subsection, "group" refers to an authority, a board,**
 17 **a commission, a committee, a council, a delegate, a foundation, a**
 18 **panel, or a task force that is established by statute, has at least one**
 19 **(1) legislator assigned to it, and is not staffed by the legislative**
 20 **services agency.**

21 SECTION 2. IC 4-3-19 IS REPEALED [EFFECTIVE JULY 1,
 22 2022]. (Public Highway Private Enterprise Review Board).

23 SECTION 3. IC 4-10-18-10, AS AMENDED BY P.L.119-2012,
 24 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2022]: Sec. 10. (a) The state board of finance may lend money
 26 from the fund to entities listed in subsections (e) through (k) for the
 27 purposes specified in those subsections.

28 (b) An entity must apply for the loan before May 1, 1989, in a form
 29 approved by the state board of finance. As part of the application, the
 30 entity shall submit a plan for its use of the loan proceeds and for the
 31 repayment of the loan. Within sixty (60) days after receipt of each
 32 application, the board shall meet to consider the application and to
 33 review its accuracy and completeness and to determine the need for the
 34 loan. The board shall authorize a loan to an entity that makes an
 35 application if the board approves its accuracy and completeness and
 36 determines that there is a need for the loan and an adequate method of
 37 repayment.

38 (c) The state board of finance shall determine the terms of each
 39 loan, which must include the following:

40 (1) The duration of the loan, which must not exceed twelve (12)
 41 years.

42 (2) The repayment schedule of the loan, which must provide that



1 no payments are due during the first two (2) years of the loan.

2 (3) A variable rate of interest to be determined by the board and
3 adjusted annually. The interest rate must be the greater of:

4 (A) five percent (5%); or

5 (B) two-thirds (2/3) of the interest rate for fifty-two (52) week
6 United States Treasury bills on the anniversary date of the
7 loan, but not to exceed ten percent (10%).

8 (4) The amount of the loan or loans, which may not exceed the
9 maximum amounts established for the entity by this section.

10 (5) Any other conditions specified by the board.

11 (d) An entity may borrow money under this section by adoption of
12 an ordinance or a resolution and, as set forth in IC 5-1-14, may use any
13 source of revenue to repay a loan under this section. This section
14 constitutes complete authority for the entity to borrow from the fund.
15 If an entity described in subsection (i) fails to make any repayments of
16 a loan, the amount payable shall be withheld by the auditor of state
17 from any other money payable to the consolidated city. If any other
18 entity described in this section fails to make any repayments of a loan,
19 the amount payable shall be withheld by the auditor of state from any
20 other money payable to the entity. The amount withheld shall be
21 transferred to the fund to the credit of the entity.

22 (e) A loan under this section may be made to a city located in a
23 county having a population of more than twenty-five thousand (25,000)
24 but less than twenty-five thousand eight hundred (25,800) for the city's
25 waterworks facility. The amount of the loan may not exceed one
26 million six hundred thousand dollars (\$1,600,000).

27 (f) A loan under this section may be made to a city the territory of
28 which is included in part within the Lake Michigan corridor (as defined
29 in IC 14-13-3-2, before its repeal) for a marina development project. ~~As~~
30 ~~a part of its application under subsection (b), the city must include the~~
31 ~~following:~~

32 ~~(1) Written approval by the Lake Michigan marina development~~
33 ~~commission of the project to be funded by the loan proceeds:~~

34 ~~(2) A written determination by the commission of the amount~~
35 ~~needed by the city, for the project and of the amount of the~~
36 ~~maximum loan amount under this subsection that should be lent~~
37 ~~to the city.~~

38 The maximum amount of loans available for all cities that are eligible
39 for a loan under this subsection is eight million six hundred thousand
40 dollars (\$8,600,000).

41 (g) A loan under this section may be made to a county having a
42 population of more than one hundred seventy-five thousand (175,000)



1 but less than one hundred eighty-five thousand (185,000) for use by the
 2 airport authority in the county for the construction of runways. The
 3 amount of the loan may not exceed seven million dollars (\$7,000,000).
 4 The county may lend the proceeds of its loan to an airport authority for
 5 the public purpose of fostering economic growth in the county.

6 (h) A loan under this section may be made to a city having a
 7 population of more than sixty thousand (60,000) but less than sixty-five
 8 thousand (65,000) for the construction of parking facilities. The
 9 amount of the loan may not exceed three million dollars (\$3,000,000).

10 (i) A loan or loans under this section may be made to a consolidated
 11 city, a local public improvement bond bank, or any board, authority, or
 12 commission of the consolidated city to fund economic development
 13 projects under IC 36-7-15.2-5 or to refund obligations issued to fund
 14 economic development projects. The amount of the loan may not
 15 exceed thirty million dollars (\$30,000,000).

16 (j) A loan under this section may be made to a county having a
 17 population of more than thirteen thousand (13,000) but less than
 18 fourteen thousand (14,000) for extension of airport runways. The
 19 amount of the loan may not exceed three hundred thousand dollars
 20 (\$300,000).

21 (k) A loan under this section may be made to Covington Community
 22 School Corporation to refund the amount due on a tax anticipation
 23 warrant loan. The amount of the loan may not exceed two million seven
 24 hundred thousand dollars (\$2,700,000), to be paid back from any
 25 source of money that is legally available to the school corporation.
 26 Notwithstanding subsection (b), the school corporation must apply for
 27 the loan before June 30, 2010. Notwithstanding subsection (c),
 28 repayment of the loan shall be made in equal installments over five (5)
 29 years with the first installment due not more than six (6) months after
 30 the date loan proceeds are received by the school corporation.

31 (l) IC 6-1.1-20 does not apply to a loan made by an entity under this
 32 section.

33 (m) As used in this section, "entity" means a governmental entity
 34 authorized to obtain a loan under subsections (e) through (k).

35 SECTION 4. IC 4-23-24.2 IS REPEALED [EFFECTIVE JULY 1,
 36 2022]. (Indiana Advisory Commission on Intergovernmental
 37 Relations).

38 SECTION 5. IC 8-10-9-3, AS AMENDED BY P.L.197-2011,
 39 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2022]: Sec. 3. (a) There is established in each city to which
 41 this chapter applies a waterway management district.

42 (b) The district includes all territory, including both dry land and



1 water, within a distance of one-half (1/2) mile on either side of the
 2 center line of any waterway within the city in which the district is
 3 established, excluding the land and water occupied by any marina
 4 owned by a unit of government located in the ~~corridor (as defined in~~
 5 ~~IC 36-7-13.5-1)~~; **strip of land in Indiana abutting Lake Michigan**
 6 **and the tributaries of Lake Michigan.**

7 (c) The district boundary is formed by an imaginary line one-half
 8 (1/2) mile distant from the center line of a waterway in all directions.
 9 However, the boundary of the district does not extend beyond the
 10 boundaries of the city in which the district is located in those areas
 11 where the city boundary is located less than one-half (1/2) mile from
 12 the center line of a waterway.

13 SECTION 6. IC 10-11-2-13, AS AMENDED BY P.L.234-2007,
 14 SECTION 306, IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2022]: Sec. 13. (a) The board shall categorize
 16 salaries of police employees within each rank based upon the rank held
 17 and the number of years of service in the department through the
 18 twentieth year. The salary ranges the board assigns to each rank shall
 19 be divided into a base salary and twenty (20) increments above the base
 20 salary, with:

- 21 (1) the base salary in the rank paid to a person with less than one
 22 (1) year of service in the department; and
 23 (2) the highest salary in the rank paid to a person with at least
 24 twenty (20) years of service in the department.

25 (b) The salary matrix prescribed by this section shall be reviewed
 26 **biennially** and approved by the budget agency before implementation.

27 SECTION 7. IC 36-1-12-3, AS AMENDED BY P.L.43-2019,
 28 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2022]: Sec. 3. (a) The board may purchase or lease materials
 30 in the manner provided in IC 5-22 and perform any public work, by
 31 means of its own workforce, without awarding a contract whenever the
 32 cost of that public work project is estimated to be less than two hundred
 33 fifty thousand dollars (\$250,000). Before a board may perform any
 34 work under this section by means of its own workforce, the political
 35 subdivision or agency must have a group of employees on its staff who
 36 are capable of performing the construction, maintenance, and repair
 37 applicable to that work. For purposes of this subsection, the cost of a
 38 public work project includes:

- 39 (1) the actual cost of materials, labor, equipment, and rental;
 40 (2) a reasonable rate for use of trucks and heavy equipment
 41 owned; and
 42 (3) all other expenses incidental to the performance of the project.



1 (b) This subsection applies only to a municipality or a county. The
 2 workforce of a municipality or county may perform a public work
 3 described in subsection (a) only if:

4 (1) the workforce, through demonstrated skills, training, or
 5 expertise, is capable of performing the public work; and

6 (2) for a public work project under subsection (a) whose cost is
 7 estimated to be more than one hundred thousand dollars
 8 (\$100,000), the board:

9 (A) publishes a notice under IC 5-3-1 that:

10 (i) describes the public work that the board intends to
 11 perform with its own workforce; and

12 (ii) sets forth the projected cost of each component of the
 13 public work as described in subsection (a); and

14 (B) determines at a public meeting that it is in the public
 15 interest to perform the public work with the board's own
 16 workforce.

17 A public work project performed by a board's own workforce must be
 18 inspected and accepted as complete in the same manner as a public
 19 work project performed under a contract awarded after receiving bids.

20 (c) When the project involves the rental of equipment with an
 21 operator furnished by the owner, or the installation or application of
 22 materials by the supplier of the materials, the project is considered to
 23 be a public work project and subject to this chapter. However, an
 24 annual contract may be awarded for equipment rental and materials to
 25 be installed or applied during a calendar or fiscal year if the proposed
 26 project or projects are described in the bid specifications.

27 (d) A board of aviation commissioners or an airport authority board
 28 may purchase or lease materials in the manner provided in IC 5-22 and
 29 perform any public work by means of its own workforce and owned or
 30 leased equipment, in the construction, maintenance, and repair of any
 31 airport roadway, runway, taxiway, or aircraft parking apron whenever
 32 the cost of that public work project is estimated to be less than one
 33 hundred fifty thousand dollars (\$150,000).

34 (e) Municipal and county hospitals must comply with this chapter
 35 for all contracts for public work that are financed in whole or in part
 36 with cumulative building fund revenue, as provided in section 1(c) of
 37 this chapter. However, if the cost of the public work is estimated to be
 38 less than fifty thousand dollars (\$50,000), as reflected in the board
 39 minutes, the hospital board may have the public work done without
 40 receiving bids, by purchasing the materials and performing the work by
 41 means of its own workforce and owned or leased equipment.

42 (f) If a public works project involves a structure, an improvement,



1 or a facility under the control of a department (as defined in
 2 IC ~~4-3-19-2(2)~~); **public highway department that is under the**
 3 **political control of a unit (as defined in IC 36-1-2-23) and involved**
 4 **in the construction, maintenance, or repair of a public highway (as**
 5 **defined in IC 9-25-2-4),** the department may not artificially divide the
 6 project to bring any part of the project under this section.

7 SECTION 8. IC 36-7-11.5-1, AS AMENDED BY P.L.234-2007,
 8 SECTION 282, IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2022]: Sec. 1. ~~(a)~~ As used in this chapter,
 10 "advisory board" refers to the Orange County development advisory
 11 board established by section ~~12~~ of this chapter.

12 ~~(b)~~ **(a)** As used in this chapter, "development commission" refers to
 13 the Orange County development commission established by section 3.5
 14 of this chapter.

15 ~~(c)~~ **(b)** As used in this chapter, "historic hotel" has the meaning set
 16 forth in IC 4-33-2-11.1.

17 ~~(d)~~ **(c)** As used in this chapter, "hotel riverboat resort" refers to the
 18 historic hotels, the riverboat operated under IC 4-33-6.5, and other
 19 properties operated in conjunction with the riverboat enterprise located
 20 in Orange County.

21 ~~(e)~~ **(d)** As used in this chapter, "qualified historic hotel" refers to a
 22 historic hotel that has an atrium that includes a dome that is at least two
 23 hundred (200) feet in diameter.

24 SECTION 9. IC 36-7-11.5-12 IS REPEALED [EFFECTIVE JULY
 25 1, 2022]. Sec. ~~12~~: ~~(a)~~ The Orange County development advisory board
 26 is established for the purpose of advising the development commission
 27 established under section 3.5 of this chapter.

28 ~~(b)~~ The advisory board consists of five (5) members appointed as
 29 follows:

30 ~~(1)~~ **(1)** One (1) individual appointed by the speaker of the house of
 31 representatives.

32 ~~(2)~~ **(1)** One (1) individual appointed by the president pro tempore of
 33 the senate.

34 ~~(3)~~ **(1)** One (1) individual appointed by the Orange County
 35 convention and visitors bureau.

36 ~~(4)~~ **(2)** Two (2) individuals appointed by the chief operating officer
 37 of the hotel riverboat resort.

38 ~~(c)~~ Except as provided in subsection ~~(d)~~; the members of the
 39 advisory board shall each serve for a term of four (4) years. A vacancy
 40 shall be filled for the duration of the term by the original appointing
 41 authority.

42 ~~(d)~~ The member appointed under subsection ~~(b)~~(3) shall serve an



1 initial term of one (1) year. As determined by the appointing authority;
 2 the two (2) members appointed under subsection (b)(4) shall serve
 3 initial terms of two (2) and three (3) years respectively.

4 (e) A member of the advisory board is not entitled to a salary per
 5 diem. However, a member is entitled to reimbursement for travel
 6 expenses incurred in connection with the member's duties, as provided
 7 in the state travel policies and procedures established by the
 8 department of administration and approved by the budget agency.

9 SECTION 10. IC 36-7-13.5 IS REPEALED [EFFECTIVE JULY 1,
 10 2022]. (Shoreline Development).

11 SECTION 11. IC 36-7.5-1-12, AS AMENDED BY P.L.197-2011,
 12 SECTION 146, IS AMENDED TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2022]: Sec. 12. "Eligible political subdivision"
 14 means the following:

15 (1) An airport authority.

16 (2) A commuter transportation district.

17 (3) A regional bus authority under IC 36-9-3-2(c).

18 (4) A regional transportation authority established under
 19 IC 36-9-3-2.

20 (5) ~~The Lake Michigan marina and shoreline development
 21 commission under IC 36-7-13.5.~~

22 SECTION 12. IC 36-7.5-1-12.4 IS REPEALED [EFFECTIVE JULY
 23 1, 2022]. ~~Sec. 12.4. "Lake Michigan marina and shoreline development
 24 commission" means the commission established by IC 36-7-13.5-2.~~

25 SECTION 13. IC 36-7.5-1-12.5 IS REPEALED [EFFECTIVE JULY
 26 1, 2022]. ~~Sec. 12.5. "Lake Michigan marina and shoreline development
 27 commission project" means a project that can be financed with the
 28 proceeds of bonds issued by the Lake Michigan marina and shoreline
 29 development commission.~~

30 SECTION 14. IC 36-7.5-1-13, AS AMENDED BY P.L.197-2011,
 31 SECTION 149, IS AMENDED TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2022]: Sec. 13. "Project" means an airport
 33 authority project, a commuter transportation district project, an
 34 economic development project, a regional bus authority project, ~~or a
 35 regional transportation authority project. or a Lake Michigan marina
 36 and shoreline development commission project.~~

37 SECTION 15. IC 36-7.5-2-1, AS AMENDED BY P.L.229-2017,
 38 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2022]: Sec. 1. The northwest Indiana regional development
 40 authority is established as a separate body corporate and politic to carry
 41 out the purposes of this article by:

42 (1) acquiring, constructing, equipping, owning, leasing, and



- 1 financing projects and facilities for lease to or for the benefit of
- 2 eligible political subdivisions under this article in accordance
- 3 with IC 36-7.5-3-1.5;
- 4 (2) funding and developing the Gary/Chicago International
- 5 Airport expansion and other airport authority projects, commuter
- 6 transportation district and other rail projects and services,
- 7 regional bus authority projects and services, regional
- 8 transportation authority projects and services, ~~Lake Michigan~~
- 9 ~~marina and shoreline development projects and activities,~~ and
- 10 economic development projects in northwestern Indiana;
- 11 (3) assisting with the funding of infrastructure needed to sustain
- 12 development of an intermodal facility in northwestern Indiana;
- 13 (4) funding and developing regional transportation infrastructure
- 14 projects under IC 36-9-43; and
- 15 (5) studying and evaluating destination based economic
- 16 development projects that have:
 - 17 (A) an identified market;
 - 18 (B) identified funding sources and these funding sources
 - 19 include at least fifty percent (50%) from nongovernmental
 - 20 sources; and
 - 21 (C) a demonstrable short and long term local and regional
 - 22 economic impact, as verified by an independent economic
 - 23 analysis.

24 An economic analysis conducted under clause (C) must be
 25 submitted to the budget committee at least thirty (30) days before
 26 review is sought for the project under IC 36-7.5-3-1.5.

27 SECTION 16. IC 36-7.5-3-1, AS AMENDED BY P.L.189-2018,
 28 SECTION 168, IS AMENDED TO READ AS FOLLOWS
 29 [EFFECTIVE JULY 1, 2022]: Sec. 1. The development authority shall
 30 do the following:

- 31 (1) Subject to sections 1.5 and 1.7 of this chapter, assist in the
- 32 coordination of local efforts concerning projects.
- 33 (2) Assist a commuter transportation district, an airport authority,
- 34 ~~the Lake Michigan marina and shoreline development~~
- 35 ~~commission,~~ a regional transportation authority, and a regional
- 36 bus authority in coordinating regional transportation and
- 37 economic development efforts.
- 38 (3) Subject to sections 1.5 and 1.7 of this chapter, fund projects
- 39 as provided in this article.
- 40 (4) Fund bus services (including fixed route services and flexible
- 41 or demand-responsive services) and projects related to bus
- 42 services and bus terminals, stations, or facilities.



1 SECTION 17. IC 36-7.5-3-2, AS AMENDED BY P.L.229-2017,
 2 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2022]: Sec. 2. (a) The development authority may do any of
 4 the following:

5 (1) Finance, improve, construct, reconstruct, renovate, purchase,
 6 lease, acquire, and equip land and projects located in an eligible
 7 county or eligible municipality.

8 (2) Lease land or a project to an eligible political subdivision.

9 (3) Finance and construct additional improvements to projects or
 10 other capital improvements owned by the development authority
 11 and lease them to or for the benefit of an eligible political
 12 subdivision.

13 (4) Acquire land or all or a portion of one (1) or more projects
 14 from an eligible political subdivision by purchase or lease and
 15 lease the land or projects back to the eligible political subdivision,
 16 with any additional improvements that may be made to the land
 17 or projects.

18 (5) Acquire all or a portion of one (1) or more projects from an
 19 eligible political subdivision by purchase or lease to fund or
 20 refund indebtedness incurred on account of the projects to enable
 21 the eligible political subdivision to make a savings in debt service
 22 obligations or lease rental obligations or to obtain relief from
 23 covenants that the eligible political subdivision considers to be
 24 unduly burdensome.

25 (6) Make loans, loan guarantees, and grants or provide other
 26 financial assistance to or on behalf of the following:

27 (A) A commuter transportation district.

28 (B) An airport authority or airport development authority.

29 ~~(C) The Lake Michigan marina and shoreline development~~
 30 ~~commission.~~

31 ~~(D)~~ (C) A regional bus authority. A loan, loan guarantee,
 32 grant, or other financial assistance under this clause may be
 33 used by a regional bus authority for acquiring, improving,
 34 operating, maintaining, financing, and supporting the
 35 following:

36 (i) Bus services (including fixed route services and flexible
 37 or demand-responsive services) that are a component of a
 38 public transportation system.

39 (ii) Bus terminals, stations, or facilities or other regional bus
 40 authority projects.

41 ~~(E)~~ (D) A regional transportation authority.

42 ~~(F)~~ (E) A member municipality that is eligible to make an



1 appointment to the development board under
 2 IC 36-7.5-2-3(b)(2) and that has pledged admissions tax
 3 revenue for a bond anticipation note after March 31, 2014, and
 4 before June 30, 2015. However, a loan made to such a member
 5 municipality before June 30, 2016, under this clause must
 6 have a term of not more than ten (10) years, must require
 7 annual level debt service payments, and must have a market
 8 based interest rate. If a member municipality defaults on the
 9 repayment of a loan made under this clause, the development
 10 authority shall notify the treasurer of state of the default and
 11 the treasurer of state shall:

12 (i) withhold from any funds held for distribution to the
 13 municipality under IC 4-33-12, or IC 4-33-13 an amount
 14 sufficient to cure the default; and

15 (ii) pay that amount to the development authority.

16 (7) Provide funding to assist a railroad that is providing commuter
 17 transportation services in an eligible county or eligible
 18 municipality.

19 (8) Provide funding to assist an airport authority located in an
 20 eligible county or eligible municipality in the construction,
 21 reconstruction, renovation, purchase, lease, acquisition, and
 22 equipping of an airport facility or airport project.

23 (9) Provide funding to assist in the development of an intermodal
 24 facility to facilitate the interchange and movement of freight.

25 ~~(10) Provide funding to assist the Lake Michigan marina and~~
 26 ~~shoreline development commission in carrying out the purposes~~
 27 ~~of IC 36-7-13.5.~~

28 ~~(11)~~ (10) Provide funding for economic development projects in
 29 an eligible county or eligible municipality.

30 ~~(12)~~ (11) Hold, use, lease, rent, purchase, acquire, and dispose of
 31 by purchase, exchange, gift, bequest, grant, condemnation, lease,
 32 or sublease, on the terms and conditions determined by the
 33 development authority, any real or personal property located in an
 34 eligible county or eligible municipality.

35 ~~(13)~~ (12) After giving notice, enter upon any lots or lands for the
 36 purpose of surveying or examining them to determine the location
 37 of a project.

38 ~~(14)~~ (13) Make or enter into all contracts and agreements
 39 necessary or incidental to the performance of its duties and the
 40 execution of its powers under this article.

41 ~~(15)~~ (14) Sue, be sued, plead, and be impleaded.

42 ~~(16)~~ (15) Design, order, contract for, and construct, reconstruct,



- 1 and renovate a project or improvements to a project.
- 2 ~~(17)~~ **(16)** Appoint an executive director and employ appraisers,
- 3 real estate experts, engineers, architects, surveyors, attorneys,
- 4 accountants, auditors, clerks, construction managers, and any
- 5 consultants or employees that are necessary or desired by the
- 6 development authority in exercising its powers or carrying out its
- 7 duties under this article.
- 8 ~~(18)~~ **(17)** Accept loans, grants, and other forms of financial
- 9 assistance from the federal government, the state government, a
- 10 political subdivision, or any other public or private source.
- 11 ~~(19)~~ **(18)** Use the development authority's funds to match federal
- 12 grants or make loans, loan guarantees, or grants to carry out the
- 13 development authority's powers and duties under this article.
- 14 ~~(20)~~ **(19)** Provide funding for regional transportation
- 15 infrastructure projects under IC 36-9-43.
- 16 ~~(21)~~ **(20)** Except as prohibited by law, take any action necessary
- 17 to carry out this article.

18 (b) If the development authority is unable to agree with the owners,
 19 lessees, or occupants of any real property selected for the purposes of
 20 this article, the development authority may proceed under IC 32-24-1
 21 to procure the condemnation of the property. The development
 22 authority may not institute a proceeding until it has adopted a
 23 resolution that:

- 24 (1) describes the real property sought to be acquired and the
- 25 purpose for which the real property is to be used;
- 26 (2) declares that the public interest and necessity require the
- 27 acquisition by the development authority of the property involved;
- 28 and
- 29 (3) sets out any other facts that the development authority
- 30 considers necessary or pertinent.

31 The resolution is conclusive evidence of the public necessity of the
 32 proposed acquisition.

33 SECTION 18. IC 36-7.5-4-6, AS ADDED BY P.L.214-2005,
 34 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2022]: Sec. 6. (a) Bonds issued under IC 8-5-15, IC 8-22-3,
 36 ~~IC 36-7-13.5~~, or IC 36-9-3 or prior law may be refunded as provided in
 37 this section.

- 38 (b) An eligible political subdivision may:
- 39 (1) lease all or a portion of land or a project or projects to the
- 40 development authority, which may be at a nominal lease rental
- 41 with a lease back to the eligible political subdivision, conditioned
- 42 upon the development authority assuming bonds issued under



1 IC 8-5-15, IC 8-22-3, ~~IC 36-7-13.5~~, or IC 36-9-3 or prior law and
 2 issuing its bonds to refund those bonds; and

3 (2) sell all or a portion of land or a project or projects to the
 4 development authority for a price sufficient to provide for the
 5 refunding of those bonds and lease back the land or project or
 6 projects from the development authority.

7 SECTION 19. IC 36-8-16.7-48, AS AMENDED BY P.L.121-2016,
 8 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2022]: Sec. 48. (a) The budget committee shall review the
 10 statewide 911 system governed by this chapter for the two (2) calendar
 11 years ending:

12 (1) December 31, 2013; and

13 (2) December 31, 2014.

14 (b) In conducting the review required by this section, the budget
 15 committee may examine the following:

16 (1) Whether the fund is being administered by the board in
 17 accordance with this chapter.

18 (2) The collection, disbursement, and use of the statewide 911 fee
 19 assessed under section 32 of this chapter. In performing a review
 20 under this subdivision, the budget committee may examine
 21 whether the statewide 911 fee:

22 (A) is being assessed in an amount that is reasonably
 23 necessary to provide adequate and efficient 911 service; and

24 (B) is being used only for the purposes set forth in this chapter.

25 ~~(3) The report submitted to the budget committee by the Indiana~~
 26 ~~advisory commission on intergovernmental relations under~~
 27 ~~IC 4-23-24.2-5(b) (before its expiration on July 1, 2016).~~

28 ~~(4)~~ (3) Any other data, reports, or information the budget
 29 committee determines is necessary to review the statewide 911
 30 system governed by this chapter.

31 (c) Subject to section 42 of this chapter, the board, the state board
 32 of accounts, political subdivisions, providers, and PSAPs shall provide
 33 to the budget committee all relevant data, reports, and information
 34 requested by the budget committee to assist the budget committee in
 35 carrying out its duties under this section.

36 (d) After conducting the review required by this section, the budget
 37 committee shall, not later than June 1, 2015, report its findings to the
 38 legislative council. The budget committee's findings under this
 39 subsection:

40 (1) must include a recommendation as to whether the statewide
 41 911 fee assessed under section 32 of this chapter should continue
 42 to be assessed and collected under this chapter after June 30,



1 2015; and
2 (2) if the budget committee recommends under subdivision (1)
3 that the statewide 911 fee assessed under section 32 of this
4 chapter should continue to be assessed and collected under this
5 chapter after June 30, 2015, may include recommendations for the
6 introduction in the general assembly of any legislation that the
7 budget committee determines is necessary to ensure that the
8 statewide 911 system governed by this chapter is managed in a
9 fair and fiscally prudent manner.
10 A report to the legislative council under this subsection must be in an
11 electronic format under IC 5-14-6.
12 (e) If the budget committee does not recommend in its report under
13 subsection (d) that the statewide 911 fee assessed under section 32 of
14 this chapter should continue to be assessed and collected under this
15 chapter after June 30, 2015, the statewide 911 fee assessed under
16 section 32 of this chapter expires July 1, 2015, and may not be assessed
17 or collected after June 30, 2015.
18 **SECTION 20. An emergency is declared for this act.**

