

HOUSE BILL No. 1148

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-7-39.

Synopsis: Professional sports development commission. Establishes the northwest Indiana professional sports development commission. Authorizes the commission to study various plans and recommendations that are proposed with respect to attracting a professional sports franchise to northwest Indiana. Authorizes the commission to prepare a comprehensive master plan for building the facilities and other infrastructure necessary for attracting and developing one or more professional sports franchises in northwest Indiana. Creates the professional sports development fund.

Effective: July 1, 2018.

Harris

January 8, 2018, read first time and referred to Committee on Ways and Means.



Second Regular Session of the 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

HOUSE BILL No. 1148

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 36-7-39 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2018]:

4 **Chapter 39. Professional Sports Development in Northwest**
5 **Indiana**

6 **Sec. 1. (a) As used in this chapter, "commission" refers to the**
7 **northwest Indiana professional sports development commission**
8 **established by section 2 of this chapter.**

9 **(b) As used in this chapter, "fund" refers to the professional**
10 **sports development fund created by section 14 of this chapter.**

11 **(c) As used in this chapter, "professional sports franchise"**
12 **refers to a club, corporation, sole proprietorship, partnership,**
13 **limited liability company, association, or other legal entity**
14 **operating a professional sports team that belongs to one (1) of the**
15 **following:**

- 16 **(1) A professional football league established before 1930.**
- 17 **(2) A professional baseball league established before 1910.**



- 1 **(3) An association of professional basketball teams established**
 2 **before 1960.**
- 3 **(4) A North American hockey league that has had at least one**
 4 **(1) franchise in the United States since 1924.**
- 5 **(5) A professional soccer league established in 1993.**
- 6 **Sec. 2. The northwest Indiana professional sports development**
 7 **commission is established.**
- 8 **Sec. 3. (a) The commission consists of the following nineteen (19)**
 9 **members:**
- 10 **(1) The mayor of East Chicago.**
- 11 **(2) The mayor of Gary.**
- 12 **(3) The mayor of Hammond.**
- 13 **(4) The mayor of Michigan City.**
- 14 **(5) The mayor of LaPorte.**
- 15 **(6) The mayor of Portage.**
- 16 **(7) The mayor of South Bend.**
- 17 **(8) Four (4) members appointed under subsection (b).**
- 18 **(9) Four (4) members appointed under subsection (c).**
- 19 **(10) One (1) member appointed by the executive director of**
 20 **the northwest Indiana redevelopment authority.**
- 21 **(11) One (1) member appointed by the governor to represent**
 22 **the Indiana department of transportation.**
- 23 **(12) One (1) member appointed by the governor to represent**
 24 **the Indiana economic development corporation.**
- 25 **(13) One (1) member appointed by the governor to represent**
 26 **the governor.**
- 27 **(b) The board of county commissioners for each of the following**
 28 **counties shall appoint to the commission one (1) member from**
 29 **among the board's membership:**
- 30 **(1) Lake County.**
- 31 **(2) Porter County.**
- 32 **(3) LaPorte County.**
- 33 **(4) St. Joseph County.**
- 34 **(c) The county council for each of the following counties shall**
 35 **appoint to the commission one (1) member from among the**
 36 **council's membership:**
- 37 **(1) Lake County.**
- 38 **(2) Porter County.**
- 39 **(3) LaPorte County.**
- 40 **(4) St. Joseph County.**
- 41 **Sec. 4. A member of the commission may designate an**
 42 **individual to serve on the commission in the member's place.**



- 1 **Sec. 5. The term of each member is two (2) years.**
- 2 **Sec. 6. A vacancy occurring in the membership of the**
3 **commission shall be filled by the appointing authority.**
- 4 **Sec. 7. (a) Each member of the commission who is a state**
5 **employee is entitled to reimbursement for traveling expenses as**
6 **provided in the rules adopted under IC 4-13-1-4 and other**
7 **expenses actually incurred in connection with the member's duties**
8 **as provided in the state policies and procedures established by the**
9 **Indiana department of administration and approved by the budget**
10 **agency.**
- 11 **(b) Each member of the commission who is not a state employee**
12 **is entitled to the minimum salary per diem provided by**
13 **IC 4-10-11-2.1(b). The member is also entitled to reimbursement**
14 **for traveling expenses as provided in the rules adopted under**
15 **IC 4-13-1-4 and other expenses actually incurred in connection**
16 **with the member's duties as provided in the state policies and**
17 **procedures established by the Indiana department of**
18 **administration and approved by the budget agency.**
- 19 **Sec. 8. (a) A quorum of the commission must be present to**
20 **conduct the commission's business. A quorum consists of ten (10)**
21 **members of the commission.**
- 22 **(b) The affirmative votes of ten (10) members of the commission**
23 **are required for the commission to take action on any measure.**
- 24 **Sec. 9. (a) The commission shall hold its initial meeting before**
25 **September 1, 2018, at the call of the member appointed under**
26 **section 3(a)(10) of this chapter.**
- 27 **(b) The commission shall elect the following officers from**
28 **among the members of the commission:**
- 29 **(1) A chairperson.**
- 30 **(2) A vice chairperson.**
- 31 **(3) A treasurer.**
- 32 **(c) The term of each officer elected under subsection (b):**
- 33 **(1) is one (1) year; and**
- 34 **(2) begins on September 1.**
- 35 **Sec. 10. (a) The commission:**
- 36 **(1) shall fix the time for regular meetings; and**
- 37 **(2) may hold special meetings at the call of the chairperson**
38 **with seven (7) days written notice.**
- 39 **(b) A member may waive written notice of a specific meeting by**
40 **a written notice filed with the commission.**
- 41 **Sec. 11. The commission may do the following:**
- 42 **(1) Study various plans and recommendations that are**



1 proposed with respect to attracting one (1) or more
2 professional sports franchises to northwest Indiana.

3 (2) Prepare a comprehensive master plan for building the
4 facilities and other infrastructure necessary for attracting and
5 developing professional sports franchises in northwest
6 Indiana.

7 (3) Coordinate the implementation of the comprehensive
8 master plan.

9 (4) Monitor the progress of implementation of the
10 comprehensive master plan.

11 (5) Report to the governor, the lieutenant governor, the
12 Indiana economic development corporation, the legislative
13 council, and the budget committee on:

14 (A) the activities of the commission; and

15 (B) the progress of implementation of the comprehensive
16 master plan.

17 A report provided under this subdivision to the legislative
18 council must be in an electronic format under IC 5-14-6.

19 **Sec. 12. When necessary to accomplish the purposes of the**
20 **commission, the commission may do the following:**

21 (1) Conduct studies necessary for the performance of the
22 commission's duties.

23 (2) Publicize, advertise, and distribute reports on the
24 commission's purposes, objectives, and findings.

25 (3) Provide recommendations in matters related to the
26 commission's functions and objectives to the following:

27 (A) The governor and, in an electronic format under
28 IC 5-14-6, the general assembly.

29 (B) Political subdivisions that have territory within
30 northwest Indiana.

31 (C) Other public and private agencies.

32 (4) When requested, act as a coordinating agency for
33 programs and activities of other public and private agencies
34 that are related to the commission's objectives.

35 (5) Receive grants and appropriations from the following:

36 (A) Federal, state, and local governments.

37 (B) Individuals.

38 (C) Foundations.

39 (D) Other organizations.

40 (6) Enter into agreements or contracts regarding the
41 acceptance or use of these grants and appropriations for the
42 purpose of carrying out the commission's activities under this



- 1 chapter.
- 2 (7) Acquire and dispose of real or personal property by grant,
- 3 gift, purchase, lease, devise, or otherwise.
- 4 (8) Hold, use, improve, maintain, operate, own, manage, or
- 5 lease as lessor or lessee:
- 6 (A) real or personal property; or
- 7 (B) any interest in real or personal property.
- 8 (9) Employ an executive director and other individuals who
- 9 are necessary to carry out the commission's duties.
- 10 (10) Contract for staff services with qualified agencies or
- 11 individuals.
- 12 Sec. 13. (a) After approval of the budget by the commission,
- 13 money may be expended only as budgeted, unless a majority vote
- 14 of the commission authorizes other expenditures.
- 15 (b) The treasurer of the commission is responsible for the
- 16 safekeeping and deposit of money the commission receives under
- 17 this chapter. The state board of accounts shall:
- 18 (1) prescribe the methods and forms for keeping; and
- 19 (2) periodically audit;
- 20 the accounts, records, and books of the commission.
- 21 (c) The treasurer of the commission may receive, disburse, and
- 22 handle money belonging to the commission, subject to the
- 23 following:
- 24 (1) Applicable statutes.
- 25 (2) Procedures established by the commission.
- 26 Sec. 14. (a) The professional sports development fund is created.
- 27 The commission may make expenditures from the fund only to
- 28 accomplish the purposes of this chapter.
- 29 (b) The fund consists of the following:
- 30 (1) Appropriations made to the fund by the general assembly.
- 31 (2) Grants, gifts, and donations intended for deposit in the
- 32 fund.
- 33 (3) Interest that accrues from money in the fund.
- 34 (4) Money from any other source deposited in the fund.
- 35 (c) The commission shall do the following:
- 36 (1) Hold the fund in the name of the commission.
- 37 (2) Administer the fund.
- 38 (3) Make all expenditures from the fund.
- 39 (d) The money in the fund at the end of a state fiscal year
- 40 remains in the fund and does not revert to any other fund.

