

HOUSE BILL No. 1278

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-28-5-17.

Synopsis: Nondisclosure agreements in economic development. Prohibits the Indiana economic development corporation, the state (or any instrumentality of the state), or any other public authority, or any party negotiating on behalf of any of those entities, from entering into an economic development agreement or contract that contains any provision, clause, or language that provides that the agreement or contract, or any of its terms, is confidential, or that the parties to the agreement or contract are prohibited from disclosing, discussing, describing, or commenting upon the terms of the agreement or contract.

Effective: July 1, 2023.

Greene

January 11, 2023, read first time and referred to Committee on Government and Regulatory Reform.



First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

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

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

1 SECTION 1. IC 5-28-5-17 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2023]: **Sec. 17. (a) This section applies to agreements or contracts
4 for economic development that contain economic development
5 provisions including:**
6 (1) **tax incentives;**
7 (2) **payments in lieu of taxes;**
8 (3) **tax abatements;**
9 (4) **bonds;**
10 (5) **notes;**
11 (6) **loans;**
12 (7) **grants;**
13 (8) **rebates; or**
14 (9) **any other economic development incentive.**
15 (b) **Notwithstanding any other law, the corporation, the state,
16 any instrumentality of the state, or any other public authority, or
17 any party negotiating on behalf of the corporation, the state, any**



1 **instrumentality of the state, or any public authority, shall not enter**
2 **into an agreement or contract for economic development described**
3 **in subsection (a) that contains any provision, clause, or language**
4 **that provides that the agreement or contract, or any of its terms,**
5 **is confidential, or that the parties to the agreement or contract are**
6 **prohibited from disclosing, discussing, describing, or commenting**
7 **upon the terms of the agreement or contract.**

