

# SENATE BILL No. 210

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 6-1.1-48.5.

**Synopsis:** Alternative energy property tax deductions. Allows the fiscal body of a county, city, or town to adopt an ordinance designating a geographic territory as an alternative energy zone (zone) to provide for property tax deductions: (1) at an annual percentage amount; and (2) for a duration of not more than 15 years; for alternative energy projects located in the zone. Specifies that the ordinance must also include provisions concerning: (1) annual service payments to the county treasurer based on nameplate capacity; (2) maintenance of a specified ratio of Indiana full-time equivalent employees to total employees employed in the construction or installation of the alternative energy project; and (3) relationships with organizations that educate and train individuals for careers in the alternative energy industry.

**Effective:** July 1, 2023.

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## Breaux

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January 10, 2023, read first time and referred to Committee on Utilities.

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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.

## SENATE BILL No. 210

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 6-1.1-48.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2023]:  
4 **Chapter 48.5. Alternative Energy Zones**  
5 **Sec. 1. As used in this chapter, "alternative energy project"**  
6 **means any project to provide electric power through the**  
7 **construction, installation, and use of an energy facility. The term**  
8 **includes any of the following:**  
9 (1) **A project that uses renewable energy resources, such as**  
10 **wind and solar energy.**  
11 (2) **A project that uses any of the following:**  
12 (A) **Clean coal technology.**  
13 (B) **Advanced nuclear technology.**  
14 (C) **Cogeneration technology.**  
15 **Sec. 2. As used in this chapter, "designating body" means the**  
16 **fiscal body of a county, city, or town.**  
17 **Sec. 3. As used in this chapter, "full-time equivalent employee"**



1 means the total number of employee hours for which compensation  
 2 was paid to individuals employed at the site of an alternative  
 3 energy project for services performed at the alternative energy  
 4 project during the calendar year divided by two thousand eighty  
 5 (2,080) hours.

6 **Sec. 4.** As used in this chapter, "person" means a firm,  
 7 association, cooperative, corporation, limited liability company,  
 8 business trust, partnership, or limited liability partnership.

9 **Sec. 5.** A designating body may adopt an ordinance designating  
 10 a geographic territory as an alternative energy zone after it takes  
 11 each of the following steps:

- 12 (1) Conducts a public hearing on the proposed ordinance.
- 13 (2) Publishes notice of the public hearing in the manner  
 14 prescribed by IC 5-3-1.
- 15 (3) Makes the following findings:
  - 16 (A) Power provided by means of an alternative energy  
 17 project is not available in the zone.
  - 18 (B) Providing a property tax deduction to a person for  
 19 investing in an alternative energy project in the zone will  
 20 provide:
    - 21 (i) opportunities for increased energy production; and
    - 22 (ii) economic development benefits, including full-time  
 23 employment for individuals involved in the construction  
 24 or installation of the alternative energy project.

25 **Sec. 6.** The ordinance adopted under section 5 of this chapter  
 26 must include at least the following elements:

- 27 (1) The:
  - 28 (A) percentage amount of the property tax deduction for  
 29 each year of the deduction; and
  - 30 (B) duration of the property tax deduction, which may not  
 31 exceed fifteen (15) years.
- 32 (2) An annual service payment in lieu of taxes to the county  
 33 treasurer that is based on the nameplate capacity of the  
 34 particular alternative energy project.
- 35 (3) A requirement that an alternative energy project maintain  
 36 a ratio of Indiana resident full-time equivalent employees  
 37 employed in the construction or installation of the alternative  
 38 energy project to total full-time equivalent employees  
 39 employed in the construction or installation of the energy  
 40 project of at least fifty percent (50%).
- 41 (4) A requirement that a person who owns or operates an  
 42 alternative energy project with a nameplate capacity that is



1           **more than twenty (20) megawatts must establish relationships**  
2           **to educate and train individuals for careers in the alternative**  
3           **energy industry with any of the following:**

4           **(A) State educational institutions (as defined in**  
5           **IC 21-7-13-32).**

6           **(B) Apprenticeship programs registered with:**

7           **(i) the Employment and Training Administration within**  
8           **the United States Department of Labor; or**

9           **(ii) the Indiana office of work-based learning and**  
10           **apprenticeship.**

11           **(C) Career and technical education centers, schools, and**  
12           **departments described in IC 20-37.**

13           **(D) Training centers operated by a:**

14           **(i) labor organization; or**

15           **(ii) for-profit or nonprofit organization.**

16           **The relationships established under this subdivision may**  
17           **include endowments, cooperative programs, internships,**  
18           **apprenticeships, research and development projects, and**  
19           **curriculum development.**

