

# SENATE BILL No. 251

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-3-28; IC 5-11-1-32; IC 5-28.

**Synopsis:** Indiana economic development corporation. Provides that the governor may convene meetings with individuals from certain state agencies to work toward communicating a single, strategic economic development plan for the state. Provides that the state board of accounts shall act as the economic development ombudsman (ombudsman) for the Indiana economic development corporation (IEDC) and a nonprofit subsidiary of the IEDC (nonprofit subsidiary). Requires the state board of accounts to designate an individual to serve as the ombudsman. Sets forth the ombudsman's duties, including the recommendation of policies to the general assembly concerning economic development and transparency matters. Provides that the ombudsman (subject to the state examiner's approval) may employ or contract with assistants necessary to assist the ombudsman in carrying out the ombudsman's duties. Establishes circumstances under which the ombudsman is required to adopt a budget before the ombudsman's costs, including the costs of any assistants, in carrying out the ombudsman's duties are paid from appropriations made to the IEDC and when the ombudsman may bill the IEDC for those costs without using the budget procedure added by the bill. Provides for appointment to the board of the IEDC of two nonvoting, advisory members who are members of the general assembly. Requires the IEDC, before purchasing land that exceeds 100 acres in a county, to first give notice to the county or municipality, or both, in which the land is located not later than 30 days before the closing date for the purchase. Requires the IEDC to establish a dashboard that includes longitudinal representations of certain economic development data derived from  
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**Effective:** Upon passage; July 1, 2025.

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January 13, 2025, read first time and referred to Committee on Commerce and Technology.

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Digest Continued

elements required to be included in the economic incentives and compliance report. Requires the IEDC to analyze the potential impact of a proposed economic development investment on the costs to provide the following utility services to ratepayers: (1) Water. (2) Wastewater. (3) Electricity. (4) Natural gas. Specifies that in performing the analysis, the IEDC must consider each of the following: (1) The existing utility infrastructure available to serve the project. (2) Any new utility infrastructure needed to serve the project. (3) Water resource availability for the project. Provides that if a proposed economic development investment is projected to negatively impact ratepayers, the IEDC is required to develop and implement a mitigation plan. Allows the IEDC to consult with certain state agencies, utilities providing utility services to the project area, local units of government, and consumer and ratepayer advocates in performing the analysis and mitigation requirements added by the bill.



Introduced

First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

## SENATE BILL No. 251

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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 4-3-28 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON  
3 PASSAGE]:

4 **Chapter 28. Strategic Planning**  
5 **Sec. 1. As used in this chapter, "state agency" means an**  
6 **authority, board, branch, commission, committee, department,**  
7 **division, body corporate and politic created by statute, or other**  
8 **instrumentality of the executive, including the administrative,**  
9 **department of state government.**

10 **Sec. 2. The governor may convene meetings, at the governor's**  
11 **discretion, with:**

- 12 (1) the secretary of commerce of the Indiana economic  
13 development corporation;  
14 (2) the commissioner of the Indiana department of  
15 transportation;



- 1 (3) the chair of the Indiana utility regulatory commission;  
 2 (4) the chair of the ports of Indiana;  
 3 (5) the public finance director of the Indiana finance  
 4 authority; and  
 5 (6) any other individual from a state agency who the governor  
 6 determines is necessary to participate in a meeting;

7 to work toward communicating a single, strategic economic  
 8 development plan for the state that includes the identification of  
 9 state assets that enable organic investment and ensure that the  
 10 state's physical infrastructure is prepared for the future needs of  
 11 commerce.

12 SECTION 2. IC 5-11-1-32 IS ADDED TO THE INDIANA CODE  
 13 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 14 1, 2025]: **Sec. 32. (a) The following definitions apply throughout  
 15 this section:**

- 16 (1) "Corporation" refers to the Indiana economic  
 17 development corporation established by IC 5-28-3-1.  
 18 (2) "Nonprofit subsidiary" refers to a nonprofit subsidiary  
 19 corporation established under IC 5-28-5-13.  
 20 (3) "Ombudsman" means the individual designated as the  
 21 economic development ombudsman under subsection (b) for  
 22 the corporation and a nonprofit subsidiary.

23 (b) The state board of accounts shall act as the economic  
 24 development ombudsman for the corporation and a nonprofit  
 25 subsidiary. To carry out the duties set forth in this section, the state  
 26 board of accounts shall designate an individual to serve as the  
 27 economic development ombudsman. The individual selected under  
 28 this subsection serves at the pleasure of the state board of accounts.

29 (c) The ombudsman shall carry out the following duties:

- 30 (1) Assist the state board of accounts with respect to:  
 31 (A) an examination of the corporation or a nonprofit  
 32 subsidiary; or  
 33 (B) a review of the examination of the corporation or a  
 34 nonprofit subsidiary conducted by a private examiner as  
 35 described in section 9 of this chapter.  
 36 (2) Conduct investigations related to fraud, waste, abuse,  
 37 mismanagement, and misconduct in the corporation or  
 38 nonprofit subsidiary.  
 39 (3) Conduct performance audits of programs of the  
 40 corporation or nonprofit subsidiary.  
 41 (4) Consult with outside management and economic  
 42 development experts to aid the ombudsman in carrying out



1 the duties under this section.

2 **(5) Recommend policies to the general assembly that would do**  
 3 **any of the following:**

4 **(A) Increase public trust of the corporation's management**  
 5 **and spending of taxpayer resources.**

6 **(B) Increase the transparency of the corporation's**  
 7 **activities without sacrificing the corporation's economic**  
 8 **development mission as set forth in IC 5-28-1-1.**

9 **(C) Promote economic development in all parts of Indiana,**  
 10 **especially rural communities.**

11 **(D) Increase the opportunities for coordination and**  
 12 **collaboration with local communities throughout Indiana.**

13 **Any policy recommendations under this subdivision must be**  
 14 **made to the general assembly in an electronic format under**  
 15 **IC 5-14-6.**

16 **(6) Attend board meetings of the corporation and have access**  
 17 **to all board materials.**

18 **(d) This subsection applies if the ombudsman's budget is not**  
 19 **more than ninety-nine thousand dollars (\$99,000). The ombudsman**  
 20 **shall bill the corporation for the costs incurred in carrying out the**  
 21 **duties under this section, and the costs, including the costs of any**  
 22 **assistants under subsection (f), shall be paid from appropriations**  
 23 **made to the corporation.**

24 **(e) This subsection applies if the ombudsman's budget is more**  
 25 **than ninety-nine thousand dollars (\$99,000). The ombudsman must**  
 26 **prepare a budget and provide the proposed budget to the state**  
 27 **examiner and the corporation. The state examiner and the**  
 28 **corporation must provide written comments on the ombudsman's**  
 29 **proposed budget not later than fourteen (14) days after the date the**  
 30 **proposed budget is received. After the corporation and the state**  
 31 **examiner have provided written comments on the ombudsman's**  
 32 **proposed budget, the ombudsman shall provide the proposed**  
 33 **budget to the budget agency for review and approval. The budget**  
 34 **agency may:**

35 **(1) approve;**

36 **(2) approve with modifications; or**

37 **(3) deny;**

38 **the ombudsman's proposed budget. If the budget agency denies the**  
 39 **ombudsman's proposed budget, the ombudsman may prepare**  
 40 **another proposed budget and resubmit that budget in accordance**  
 41 **with the procedures set forth in this subsection. The costs incurred**  
 42 **by the ombudsman, including the costs of any assistants under**



1 subsection (f), in carrying out the duties under this section shall be  
 2 paid from appropriations made to the corporation in accordance  
 3 with the budget approved under this subsection.

4 (f) Subject to the approval of the state examiner, the  
 5 ombudsman may employ or contract with assistants that are  
 6 necessary to assist the ombudsman in carrying out the duties under  
 7 this section and that meet the requirements applicable to the:

8 (1) appointment of a field examiner under section 8 of this  
 9 chapter; or

10 (2) engagement of a private examiner under section 24 of this  
 11 chapter.

12 (g) The corporation and a nonprofit subsidiary shall cooperate  
 13 with the ombudsman to carry out the purpose of this section.

14 (h) In carrying out any of the duties under this section, the  
 15 ombudsman has the same rights, powers, duties, and obligations as  
 16 the state examiner, deputy examiner, field examiner, or private  
 17 examiner when engaged in making any examination or when  
 18 engaged in any official duty delegated to that examiner by the state  
 19 examiner.

20 (i) This section does not confer authority on the state board of  
 21 accounts or the ombudsman to publicly release information where  
 22 public release of that information is prohibited, restricted, or  
 23 otherwise limited by any one (1) of the following:

24 (1) A contractual provision governing:

25 (A) access to; or

26 (B) public disclosure or release of;  
 27 information.

28 (2) IC 5-14-1.5 (open door law).

29 (3) IC 5-14-3 (access to public records).

30 (4) IC 24-2-3 (Uniform Trade Secrets Act).

31 (5) Another law that prohibits, restricts, or limits public  
 32 access to the information.

33 SECTION 3. IC 5-28-4-2, AS AMENDED BY P.L.237-2017,  
 34 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2025]: Sec. 2. (a) The board is composed of the following  
 36 members: ~~none of whom may be members of the general assembly:~~

37 (1) The governor.

38 (2) Eleven (11) individuals appointed by the governor.

39 (3) The members (if any) appointed by the governor under  
 40 subsection (c).

41 (4) ~~Two~~ (2) nonvoting, advisory members who are members  
 42 of the general assembly appointed under subsection (d).



1 The individuals appointed under subdivision (2) and the individuals  
 2 appointed under subsection (c) must be employed in or retired from the  
 3 private or nonprofit sector or academia **and may not be members of**  
 4 **the general assembly.**

5 (b) When making appointments under subsection (a)(2), the  
 6 governor shall appoint the following:

7 (1) At least five (5) members belonging to the same political party  
 8 as the governor.

9 (2) At least three (3) members who belong to a major political  
 10 party (as defined in IC 3-5-2-30) other than the party of which the  
 11 governor is a member.

12 (c) In addition to the members appointed under subsection (a)(2),  
 13 the governor may appoint not more than three (3) additional members  
 14 to the board. If the governor appoints more than one (1) additional  
 15 member to the board under this subsection, at least one (1) of the  
 16 additional members must belong to a major political party (as defined  
 17 in IC 3-5-2-30) other than the party of which the governor is a member.

18 **(d) The members described in subsection (a)(4) are appointed as**  
 19 **follows:**

20 **(1) The speaker of the house of representatives shall appoint**  
 21 **one (1) individual who is a member of the house of**  
 22 **representatives.**

23 **(2) The president pro tempore of the senate shall appoint one**  
 24 **(1) individual who is a member of the senate.**

25 **(e) The following apply to the members appointed under**  
 26 **subsection (d):**

27 **(1) A member appointed under subsection (d):**

28 **(A) serves at the pleasure of the member's appointing**  
 29 **authority; and**

30 **(B) may be reappointed to successive terms.**

31 **(2) A vacancy in an appointment under subsection (d)(1) shall**  
 32 **be filled by the speaker of the house of representatives.**

33 **(3) A vacancy in an appointment under subsection (d)(2) shall**  
 34 **be filled by the president pro tempore of the senate.**

35 **(4) An individual appointed to fill a vacancy in an**  
 36 **appointment under subsection (d) serves for the unexpired**  
 37 **term of the individual's predecessor.**

38 SECTION 4. IC 5-28-4-3, AS AMENDED BY P.L.237-2017,  
 39 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2025]: Sec. 3. (a) **Except as provided in subsection (d),** the  
 41 term of office of an appointed member of the board is four (4) years.

42 (b) Each member **appointed under section 2(a)(2) or 2(c) of this**



1 **chapter** holds office for the term of appointment and continues to serve  
 2 after expiration of the appointment until a successor is appointed and  
 3 qualified. A member is eligible for reappointment.

4 (c) Members of the board appointed under section 2(a)(2) or 2(c) of  
 5 this chapter serve at the pleasure of the governor.

6 **(d) This subsection applies to a member of the board appointed**  
 7 **under section 2(d) of this chapter. The term of a member is two (2)**  
 8 **years and expires June 30 of the odd-numbered year.**

9 SECTION 5. IC 5-28-4-5, AS ADDED BY P.L.4-2005, SECTION  
 10 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
 11 2025]: Sec. 5. **(a) The members of the board who are not members of**  
 12 **the general assembly:**

13 **(1)** are entitled to a salary per diem for attending meetings equal  
 14 to the per diem provided by law for members of the general  
 15 assembly; ~~The members of the board and~~

16 **(2)** are ~~also~~ entitled to receive reimbursement for traveling  
 17 expenses as provided under IC 4-13-1-4 and other expenses  
 18 actually incurred in connection with the members' duties as  
 19 approved by the budget agency.

20 **(b) Each member of the board who is a member of the general**  
 21 **assembly is entitled to receive the same per diem, mileage, and**  
 22 **travel allowances paid to legislative members of interim study**  
 23 **committees established by the legislative council. Per diem,**  
 24 **mileage, and travel allowances paid under this subsection shall be**  
 25 **paid from appropriations made to the legislative council or the**  
 26 **legislative services agency.**

27 SECTION 6. IC 5-28-4-6, AS AMENDED BY P.L.237-2017,  
 28 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2025]: Sec. 6. (a) The following constitutes a quorum for the  
 30 transaction of business by the board of the corporation:

31 (1) Seven (7) **voting members of the board**, if:

32 (A) no additional members are appointed under section 2(c) of  
 33 this chapter; or

34 (B) one (1) additional member is appointed under section 2(c)  
 35 of this chapter.

36 (2) Eight (8) **voting members of the board**, if either two (2) or  
 37 three (3) additional members are appointed under section 2(c) of  
 38 this chapter.

39 (b) The following number of affirmative votes is necessary for  
 40 action to be taken by the board:

41 (1) The affirmative vote of at least seven (7) members, if:

42 (A) no additional members are appointed under section 2(c) of





- 1                   this chapter; or  
 2                   (B) one (1) additional member is appointed under section 2(c)  
 3                   of this chapter.  
 4                   (2) The affirmative vote of at least eight (8) members, if either  
 5                   two (2) or three (3) additional members are appointed under  
 6                   section 2(c) of this chapter.  
 7                   (c) Members of the board may not vote by proxy.  
 8                   SECTION 7. IC 5-28-5-2, AS ADDED BY P.L.4-2005, SECTION  
 9                   34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
 10                   2025]: Sec. 2. (a) **Subject to subsection (b)**, the corporation is granted  
 11                   all powers necessary or appropriate to carry out the corporation's public  
 12                   and corporate purposes under this chapter.  
 13                   **(b) Before the corporation may purchase land that in total**  
 14                   **exceeds one hundred (100) acres in a county, whether acquired in**  
 15                   **one (1) or a series of transactions, the corporation must first give**  
 16                   **notice to the county or municipality, or both, in which the land is**  
 17                   **located not later than thirty (30) days before the closing date for**  
 18                   **the purchase or purchases.**  
 19                   SECTION 8. IC 5-28-6-2, AS AMENDED BY P.L.197-2021,  
 20                   SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21                   JULY 1, 2025]: Sec. 2. (a) The corporation shall develop and promote  
 22                   programs designed to make the best use of Indiana resources to ensure  
 23                   a balanced economy and continuing economic growth for Indiana, and,  
 24                   for those purposes, may do the following:  
 25                   (1) Cooperate with federal, state, and local governments and  
 26                   agencies in the coordination of programs to make the best use of  
 27                   Indiana resources, based on a statewide study to determine  
 28                   specific economic sectors that should be emphasized by the state  
 29                   and by local economic development organizations within  
 30                   geographic regions in Indiana, and encourage collaboration with  
 31                   local economic development organizations within geographic  
 32                   regions in Indiana and with the various state economic  
 33                   development organizations within the states contiguous to  
 34                   Indiana.  
 35                   (2) Receive and expend funds, grants, gifts, and contributions of  
 36                   money, property, labor, interest accrued from loans made by the  
 37                   corporation, and other things of value from public and private  
 38                   sources, including grants from agencies and instrumentalities of  
 39                   the state and the federal government. The corporation:  
 40                   (A) may accept federal grants for providing planning  
 41                   assistance, making grants, or providing other services or  
 42                   functions necessary to political subdivisions, planning



- 1 commissions, or other public or private organizations;  
 2 (B) shall administer these grants in accordance with the terms  
 3 of the grants; and  
 4 (C) may contract with political subdivisions, planning  
 5 commissions, or other public or private organizations to carry  
 6 out the purposes for which the grants were made.
- 7 (3) Direct that assistance, information, and advice regarding the  
 8 duties and functions of the corporation be given to the corporation  
 9 by an officer, agent, or employee of the executive branch of the  
 10 state. The head of any other state department or agency may  
 11 assign one (1) or more of the department's or agency's employees  
 12 to the corporation on a temporary basis or may direct a division  
 13 or an agency under the department's or agency's supervision and  
 14 control to make a special study or survey requested by the  
 15 corporation.
- 16 (b) The corporation shall perform the following duties:
- 17 (1) Develop and implement industrial development programs to  
 18 encourage expansion of existing industrial, commercial, and  
 19 business facilities in Indiana and to encourage new industrial,  
 20 commercial, and business locations in Indiana.
- 21 (2) Assist businesses and industries in acquiring, improving, and  
 22 developing overseas markets and encourage international plant  
 23 locations in Indiana. The corporation, with the approval of the  
 24 governor, may establish foreign offices to assist in this function.
- 25 (3) Promote the growth of minority business enterprises by doing  
 26 the following:
- 27 (A) Mobilizing and coordinating the activities, resources, and  
 28 efforts of governmental and private agencies, businesses, trade  
 29 associations, institutions, and individuals.
- 30 (B) Assisting minority businesses in obtaining governmental  
 31 or commercial financing for expansion or establishment of  
 32 new businesses or individual development projects.
- 33 (C) Aiding minority businesses in procuring contracts from  
 34 governmental or private sources, or both.
- 35 (D) Providing technical, managerial, and counseling assistance  
 36 to minority business enterprises.
- 37 (4) Assist the office of the lieutenant governor in:
- 38 (A) community economic development planning;  
 39 (B) implementation of programs designed to further  
 40 community economic development; and  
 41 (C) the development and promotion of Indiana's tourist  
 42 resources.



- 1 (5) Assist the secretary of agriculture and rural development in  
 2 promoting and marketing of Indiana's agricultural products and  
 3 provide assistance to the director of the Indiana state department  
 4 of agriculture.
- 5 (6) With the approval of the governor, implement federal  
 6 programs delegated to the state to carry out the purposes of this  
 7 article.
- 8 (7) Promote the growth of small businesses by doing the  
 9 following:
- 10 (A) Assisting small businesses in obtaining and preparing the  
 11 permits required to conduct business in Indiana.
- 12 (B) Serving as a liaison between small businesses and state  
 13 agencies.
- 14 (C) Providing information concerning business assistance  
 15 programs available through government agencies and private  
 16 sources.
- 17 (8) Establish a transparency portal on its current Internet site on  
 18 the world wide web. The page must provide the following:
- 19 (A) By program, cumulative information on the total amount  
 20 of incentives awarded, the total number of companies that  
 21 received the incentives and were assisted in a year, and the  
 22 names and addresses of those companies.
- 23 (B) A mechanism on the page whereby the public may request  
 24 further information online about specific programs or  
 25 incentives awarded.
- 26 (C) A mechanism for the public to receive an electronic  
 27 response.
- 28 (D) Access to the following:
- 29 (i) Any information or report that is required by statute to be  
 30 included in the economic incentives and compliance report  
 31 submitted under IC 5-28-28.
- 32 (ii) Final offer of public financial resources to which the  
 33 corporation is a party.
- 34 (iii) Reports that the corporation submitted to the general  
 35 assembly.
- 36 **(9) Establish a dashboard that is easily accessible from either**  
 37 **the corporation's website or the transparency portal (or both)**  
 38 **to convey economic development data in an easily**  
 39 **understandable manner that deploys charts and graphs. The**  
 40 **dashboard must include at least the following information:**  
 41 **(A) Longitudinal representations of economic development**  
 42 **data derived primarily from the elements that are required**



1 under IC 5-28-28-6 to be included in the economic  
2 incentives and compliance report.

3 **(B) Depictions of:**

4 **(i) the amount of tax money spent on economic**  
5 **development;**

6 **(ii) the number of actual jobs created, and the number of**  
7 **jobs expected to be created;**

8 **(iii) a ratio showing tax money spent per job created;**

9 **(iv) the distribution by county or region where tax**  
10 **money was spent and jobs were created; and**

11 **(v) how the corporation spends tax money and generates**  
12 **revenue.**

13 (c) The corporation may do the following:

14 (1) Disseminate information concerning the industrial,  
15 commercial, governmental, educational, cultural, recreational,  
16 agricultural, and other advantages of Indiana.

17 (2) Plan, direct, and conduct research activities.

18 (3) Assist in community economic development planning and the  
19 implementation of programs designed to further community  
20 economic development.

21 **(d) The dashboard required to be established under subsection**  
22 **(b)(9) may also include the following information:**

23 **(1) A ratio projecting the tax money spent relative to tax**  
24 **revenue generated from the corporation's activities.**

25 **(2) Average wages of new jobs attracted to Indiana or**  
26 **expected to be attracted to Indiana.**

27 SECTION 9. IC 5-28-6-2.5 IS ADDED TO THE INDIANA CODE  
28 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE  
29 UPON PASSAGE]: **Sec. 2.5. (a) The corporation shall analyze the**  
30 **potential impact of a proposed economic development investment**  
31 **on the costs to provide the following utility services to ratepayers:**

32 **(1) Water.**

33 **(2) Wastewater.**

34 **(3) Electricity.**

35 **(4) Natural gas.**

36 **(b) In performing the analysis under subsection (a), the**  
37 **corporation must consider each of the following:**

38 **(1) The existing utility infrastructure available to serve the**  
39 **project.**

40 **(2) Any new utility infrastructure needed to serve the project.**

41 **(3) Water resource availability for the project.**

42 **(c) For any proposed economic development investment that is**



1 projected to negatively impact ratepayers for a utility service listed  
2 in subsection (a), the corporation shall develop and implement a  
3 mitigation plan to offset the costs of providing any or all of the  
4 utility services listed in subsection (a) that are associated with the  
5 project.

6 (d) In performing the analysis under subsection (a) and  
7 preparing a mitigation plan under subsection (c) (if mitigation is  
8 required), the corporation may consult with the following:

9 (1) The Indiana utility regulatory commission.

10 (2) The department of natural resources.

11 (3) Utilities that provide any of the utility services listed in  
12 subsection (a) to the ratepayers located in the area of the  
13 project.

14 (4) Counties, cities, towns, and other political subdivisions  
15 located in the area of the project.

16 (5) Consumer and ratepayer advocates.

17 SECTION 10. An emergency is declared for this act.

