

## SENATE BILL No. 70

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 6-1.1-42; IC 13-19-5-9.

**Synopsis:** Environmental revitalization. Eliminates duplication between two provisions granting authority to establish additional standards related to the establishment of brownfield revitalization zones and the granting of tax deductions in brownfield revitalization zones. Indicates that deductions in a zone may be limited to real or personal property in the zone. Prohibits a person that contaminates soil or surface water in a brownfield revitalization zone from receiving a property tax deduction for revitalizing the area. (Current law prohibits only persons that contaminate groundwater from receiving a deduction.) Indicates that the order that must be attached to a remonstrance petition is the resolution adopted by the designating body. Limits the duty of a designating body to notify the state board of tax commissioners when a deduction is terminated to terminations related to personal property. Corrects citation cross references.  
(Continued next page)

**Effective:** Upon passage; July 1, 1997 (retroactive).

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January 6, 1998, read first time and referred to Committee on Governmental and Regulatory Affairs.

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## Digest Continued

Eliminates the requirement that a political subdivision applying for a loan from the environmental remediation revolving loan fund obtain an approving opinion from a nationally recognized bond counsel. Gives the Indiana development finance authority the discretion to require an opinion. Legalizes the establishment of brownfield revitalization zones established within a specified period, if they meet certain conditions. Voids certain brownfield revitalization zones established within the period, if they fail to meet certain conditions. Makes related changes.



Introduced

Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

## SENATE BILL No. 70

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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 6-1.1-42-7, AS ADDED BY P.L.59-1997,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 1997 (RETROACTIVE)]: Sec. 7. A designating body may, **by**  
4 **resolution**, do the following:

5 (1) Impose a fee for filing an application to designate an area as  
6 a zone or to approve a deduction. The fee may be sufficient to  
7 defray actual processing and administrative costs associated with  
8 the application.  
9 (2) Establish general written standards for declaring an area as a  
10 zone. ~~or granting a deduction under this chapter~~. The written  
11 standards must be reasonably related to accomplishing the  
12 purposes of this chapter.

13 SECTION 2. IC 6-1.1-42-12, AS ADDED BY P.L.59-1997,  
14 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 JULY 1, 1997 (RETROACTIVE)]: Sec. 12. (a) The designating body

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1 shall determine whether an area should be designated a brownfield  
2 revitalization zone.

3 (b) A designating body may designate an area as a brownfield  
4 revitalization zone only if the following findings are made in the  
5 affirmative:

6 (1) The applicant:

7 (A) has never had an ownership interest in an entity that  
8 contributed; and

9 (B) has not contributed;

10 ~~to contamination~~ **a contaminant** (as defined in ~~IC 13-11-2-43~~)  
11 **IC 13-11-2-42**) that is the subject of the voluntary remediation,  
12 as determined under the written standards adopted by the  
13 department of environmental management.

14 (2) The area described in section 8 of this chapter qualifies as a  
15 brownfield, as determined under the written standards adopted by  
16 the department of environmental management.

17 (3) The area described in section 8 of this chapter is substantially  
18 under-utilized or nonproductive without remediation.

19 (4) The applicant can successfully obtain a certificate of  
20 completion of a voluntary remediation for the area described in  
21 section 8 of this chapter under IC 13-25-5-16.

22 (5) The estimate of the value of the remediation and  
23 redevelopment is reasonable for projects of that nature.

24 (6) The estimate of the number of individuals who will be  
25 employed or whose employment will be retained can be  
26 reasonably expected to result from the proposed described  
27 remediation and redevelopment.

28 (7) The estimate of the annual salaries of those individuals who  
29 will be employed or whose employment will be retained can be  
30 reasonably expected to result from the proposed described  
31 remediation and redevelopment.

32 (8) Any other benefits about which information was requested are  
33 benefits that can be reasonably expected to result from the  
34 proposed described remediation and redevelopment.

35 (9) The totality of benefits is sufficient to justify the establishment  
36 of a zone.

37 SECTION 3. IC 6-1.1-42-14, AS ADDED BY P.L.59-1997,  
38 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
39 JULY 1, 1997 (RETROACTIVE)]: Sec. 14. A person who filed a  
40 written remonstrance with the designating body before the adjournment  
41 of the public hearing required under section 11 of this chapter and who  
42 is aggrieved by the final action taken may, within ten (10) days after



1 that final action is taken under section 13 of this chapter, initiate an  
 2 appeal of that action by filing in the office of the clerk of the circuit or  
 3 superior court a copy of the ~~order of the designating body resolution~~  
 4 **adopted under section 9 of this chapter, any modifications made**  
 5 **under section 13 of this chapter**, and the person's remonstrance  
 6 against ~~that order; the resolution~~, together with a bond conditioned to  
 7 pay the costs of the appeal if the appeal is determined against the  
 8 person. The only ground of appeal that the court may hear is whether  
 9 the proposed project will meet the qualifications for granting an  
 10 assessed valuation deduction for the property under this chapter. The  
 11 burden of proof is on the appellant.

12 SECTION 4. IC 6-1.1-42-22, AS ADDED BY P.L.59-1997,  
 13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14 JULY 1, 1997 (RETROACTIVE)]: Sec. 22. (a) The designating body  
 15 shall determine whether to approve a deduction.

16 (b) A designating body may not grant a deduction for a facility  
 17 described in IC 6-1.1-12.1-3(e).

18 (c) A property owner may not receive a deduction under this chapter  
 19 for repairs or improvements to real property if the owner receives a  
 20 deduction under either IC 6-1.1-12.1, IC 6-1.1-12-18, IC 6-1.1-12-22,  
 21 or IC 6-1.1-12-28.5 for the same property.

22 (d) A designating body may approve a deduction only if the  
 23 following findings are made in the affirmative:

24 (1) The applicant:

25 (A) has never had an ownership interest in an entity that  
 26 contributed; and

27 (B) has not contributed;

28 ~~to contamination a contaminant~~ (as defined in ~~IC 13-11-2-43~~)  
 29 **IC 13-11-2-42**) that is the subject of the voluntary remediation,  
 30 as determined under the written standards adopted by the  
 31 department of environmental management.

32 (2) The proposed improvement or property will be located in a  
 33 zone.

34 (3) The estimate of the value of the remediation and  
 35 redevelopment is reasonable for projects of that nature.

36 (4) The estimate of the number of individuals who will be  
 37 employed or whose employment will be retained can be  
 38 reasonably expected to result from the proposed described  
 39 remediation and redevelopment.

40 (5) The estimate of the annual salaries of those individuals who  
 41 will be employed or whose employment will be retained can be  
 42 reasonably expected to result from the proposed described



1 remediation and redevelopment.

2 (6) Any other benefits about which information was requested are  
3 benefits that can be reasonably expected to result from the  
4 proposed described remediation and redevelopment.

5 (7) The totality of benefits is sufficient to justify the deduction.

6 SECTION 5. IC 6-1.1-42-23, AS ADDED BY P.L.59-1997,  
7 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 1997 (RETROACTIVE)]: Sec. 23. **With respect to property  
9 in a particular brownfield revitalization zone**, the designating body  
10 may do the following:

11 (1) Limit the type of ~~deductions that will be allowed~~ **property**  
12 **that is eligible for a deduction** within ~~the a brownfield~~  
13 **revitalization zone to either the deduction allowed under section**  
14 **24 of this chapter: personal property or real property.**

15 (2) Limit the dollar amount of the individual or aggregate  
16 deductions that will be allowed with respect to personal property.

17 (3) Limit the dollar amount of the deduction that will be allowed  
18 with respect to real property.

19 (4) Impose reasonable conditions for allowing ~~the a~~ deduction for  
20 tangible property under this chapter. The conditions must have a  
21 reasonable relationship to the development objectives of the area  
22 in which the designating body has jurisdiction.

23 To exercise one (1) or more of these powers a designating body must  
24 include this fact in the resolution **creating the brownfield**  
25 **revitalization zone that is** finally passed under section 13 of this  
26 chapter.

27 SECTION 6. IC 6-1.1-42-25, AS ADDED BY P.L.59-1997,  
28 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
29 JULY 1, 1997 (RETROACTIVE)]: Sec. 25. A person who filed a  
30 written remonstrance with the designating body before the adjournment  
31 of the public hearing required in section 21 of this chapter and who is  
32 aggrieved by the final action taken may, within ten (10) days after that  
33 final action under section 24 of this chapter, initiate an appeal of that  
34 action by filing in the office of the clerk of the circuit or superior court  
35 a copy of the ~~order of the designating body~~ **resolution adopted under**  
36 **section 9 of this chapter, any modifications made under section 24**  
37 **of this chapter, and the person's remonstrance against that order, the**  
38 **resolution**, together with a bond conditioned to pay the costs of the  
39 appeal if the appeal is determined against the person. The only ground  
40 of appeal that the court may hear is whether the proposed project will  
41 meet the qualifications for granting an assessed valuation deduction for  
42 the property under this chapter. The burden of proof is on the appellant.



1 SECTION 7. IC 6-1.1-42-27, AS ADDED BY P.L.59-1997,  
 2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 1997 (RETROACTIVE)]: Sec. 27. (a) A property owner who  
 4 desires to obtain the deduction provided by section 24 of this chapter  
 5 must file a certified deduction application, on forms prescribed by the  
 6 state board of tax commissioners, with the auditor of the county in  
 7 which the property is located. Except as otherwise provided in  
 8 subsection (b) or (e), the deduction application must be filed before  
 9 May 10 of the year in which the addition to assessed valuation is made.

10 (b) If notice of the addition to assessed valuation or new assessment  
 11 for any year is not given to the property owner before April 10 of that  
 12 year, the deduction application required by this section may be filed not  
 13 later than thirty (30) days after the date such a notice is mailed to the  
 14 property owner at the address shown on the records of the township  
 15 assessor.

16 (c) The **certified** deduction application required by this section must  
 17 contain the following information:

18 (1) The name of each owner of the property.

19 (2) A certificate of completion of a voluntary remediation under  
 20 IC 13-25-5-16.

21 (3) Proof that each owner who is applying for the deduction:

22 (A) has never had an ownership interest in an entity that  
 23 contributed; and

24 (B) has not contributed;

25 ~~to contamination a contaminant~~ (as defined in ~~IC 13-11-2-43~~)  
 26 **IC 13-11-2-42**) that is the subject of the voluntary remediation,  
 27 as determined under the written standards adopted by the  
 28 department of environmental management.

29 (4) Proof that the deduction was approved by the appropriate  
 30 designating body.

31 (5) A description of the property for which a deduction is claimed  
 32 in sufficient detail to afford identification.

33 (6) The assessed value of the improvements before remediation  
 34 and redevelopment.

35 (7) The increase in the assessed value of improvements resulting  
 36 from remediation and redevelopment.

37 (8) The amount of the deduction claimed for the first year of the  
 38 deduction.

39 (d) A **certified** deduction application filed under subsection (a) or  
 40 (b) is applicable for the year in which the addition to assessed value or  
 41 assessment of a **new structure property** is made and each subsequent  
 42 year to which the deduction applies under the resolution adopted under



1 section 24 of this chapter.

2 (e) A property owner who desires to obtain the deduction provided  
3 by section 24 of this chapter but who has failed to file a deduction  
4 application within the dates prescribed in subsection (a) or (b) may file  
5 a deduction application between March 1 and May 10 of a subsequent  
6 year which is applicable for the year filed and the subsequent years  
7 without any additional **certified** deduction application being filed for  
8 the amounts of the deduction which would be applicable to such years  
9 under this chapter if such a deduction application had been filed in  
10 accordance with subsection (a) or (b).

11 (f) On verification of the correctness of a **certified** deduction  
12 application by the assessor of the township in which the property is  
13 located, the county auditor shall, if the property is covered by a  
14 resolution adopted under section 24 of this chapter, the county auditor  
15 shall make the appropriate deduction.

16 (g) The amount and period of the deduction provided for property  
17 by section 24 of this chapter are not affected by a change in the  
18 ownership of the property if the new owner of the property:

19 (1) is a person that:

20 (A) has never had an ownership interest in an entity that  
21 contributed; and

22 (B) has not contributed;

23 ~~to contamination a contaminant~~ (as defined in ~~IC 13-11-2-43~~)  
24 **IC 13-11-2-42**) that is the subject of the voluntary remediation,  
25 as determined under the written standards adopted by the  
26 department of environmental management;

27 (2) continues to use the property in compliance with any  
28 standards established under ~~section~~ **sections 7 and 23** of this  
29 chapter; and

30 (3) files an application in the manner provided by subsection (e).

31 (h) The township assessor shall include a notice of the deadlines for  
32 filing a deduction application under subsections (a) and (b) with each  
33 notice to a property owner of an addition to assessed value or of a new  
34 assessment.

35 SECTION 8. IC 6-1.1-42-28, AS ADDED BY P.L.59-1997,  
36 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
37 JULY 1, 1997 (RETROACTIVE)]: Sec. 28. (a) Subject to this section,  
38 the amount of the deduction which the property owner is entitled to  
39 receive under this chapter for a particular year equals the product of:

40 (1) the increase in the assessed value resulting from the  
41 remediation and redevelopment in the zone or the location of  
42 personal property in the zone, **or both**; multiplied by



- 1 (2) the percentage determined under subsection (b).  
 2 (b) The percentage to be used in calculating the deduction under  
 3 subsection (a) is as follows:  
 4 (1) For deductions allowed over a three (3) year period:  
 5 YEAR OF DEDUCTION PERCENTAGE  
 6 1st 100%  
 7 2nd 66%  
 8 3rd 33%  
 9 (2) For deductions allowed over a six (6) year period:  
 10 YEAR OF DEDUCTION PERCENTAGE  
 11 1st 100%  
 12 2nd 85%  
 13 3rd 66%  
 14 4th 50%  
 15 5th 34%  
 16 6th 17%  
 17 (3) For deductions allowed over a ten (10) year period:  
 18 YEAR OF DEDUCTION PERCENTAGE  
 19 1st 100%  
 20 2nd 95%  
 21 3rd 80%  
 22 4th 65%  
 23 5th 50%  
 24 6th 40%  
 25 7th 30%  
 26 8th 20%  
 27 9th 10%  
 28 10th 5%  
 29 (c) The amount of the deduction determined under subsection (a)  
 30 shall be adjusted in accordance with this subsection in the following  
 31 circumstances:  
 32 (1) If a general reassessment of real property occurs within the  
 33 particular period of the deduction, the amount determined under  
 34 subsection (a)(1) shall be adjusted to reflect the percentage  
 35 increase or decrease in assessed valuation that resulted from the  
 36 general reassessment.  
 37 (2) If an appeal of an assessment is approved that results in a  
 38 reduction of the assessed value of the redeveloped or  
 39 rehabilitated property, the amount of any deduction shall be  
 40 adjusted to reflect the percentage decrease that resulted from the  
 41 appeal.  
 42 (3) The amount of the deduction may not exceed the limitations



1 imposed by the designating body under section 23 of this  
 2 chapter.  
 3 (4) The amount of the deduction must be proportionally reduced  
 4 by the proportionate ownership of the property by a person that:  
 5 (A) has an ownership interest in an entity that contributed;  
 6 or  
 7 (B) has contributed;  
 8 ~~to contamination a contaminant~~ (as defined in ~~IC 13-11-2-43~~)  
 9 **IC 13-11-2-42**) that is the subject of the voluntary remediation,  
 10 as determined under the written standards adopted by the  
 11 department of environmental management.

12 The state board of tax commissioners shall adopt rules under IC 4-22-2  
 13 to implement this subsection.

14 SECTION 9. IC 6-1.1-42-30, AS ADDED BY P.L.59-1997,  
 15 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 JULY 1, 1997 (RETROACTIVE)]: Sec. 30. (a) Within forty-five (45)  
 17 days after receipt of the information described in section 29 of this  
 18 chapter, the designating body may determine whether the property  
 19 owner has substantially complied with the statement of benefits filed  
 20 under sections 6 and 18 of this chapter.

21 (b) If the designating body determines that the property owner has  
 22 not substantially complied with the statement of benefits and that the  
 23 failure to substantially comply was not caused by factors beyond the  
 24 control of the property owner (such as declines in demand for the  
 25 property owner's products or services), the designating body shall mail  
 26 a written notice to the property owner. The written notice must include  
 27 the following provisions:

- 28 (1) An explanation of the reasons for the designating body's  
 29 determination.  
 30 (2) The date, time, and place of a hearing to be conducted by the  
 31 designating body for the purpose of further considering the  
 32 property owner's compliance with the statement of benefits. The  
 33 date of the hearing may not be more than thirty (30) days after  
 34 the date on which the notice is mailed.

35 If a notice mailed to a property owner concerns a statement of benefits  
 36 approved **for personal property** under ~~section 4.5~~ **section 24** of this  
 37 chapter, the designating body shall also mail a copy of the notice to the  
 38 state board of tax commissioners.

39 (c) On the date specified in the notice described in subsection  
 40 (b)(2), the designating body shall conduct a hearing for the purpose of  
 41 further considering the property owner's compliance with the statement  
 42 of benefits. Based on the information presented at the hearing by the



1 property owner and other interested parties, the designating body shall  
 2 again determine whether the property owner has made reasonable  
 3 efforts to substantially comply with the statement of benefits and  
 4 whether any failure to substantially comply was caused by factors  
 5 beyond the control of the property owner. If the designating body  
 6 determines that the property owner has not made reasonable efforts to  
 7 comply with the statement of benefits, the designating body shall adopt  
 8 a resolution terminating the property owner's deduction under section  
 9 24 of this chapter. If the designating body adopts such a resolution, the  
 10 deduction does not apply to the next installment of property taxes owed  
 11 by the property owner or to any subsequent installment of property  
 12 taxes.

13 (d) If the designating body adopts a resolution terminating a  
 14 deduction under subsection (c), the designating body shall immediately  
 15 mail a certified copy of the resolution to:

16 (1) the property owner;

17 (2) the county auditor; and

18 (3) the state board of tax commissioners if the deduction was  
 19 granted **for personal property** under ~~section 4.5~~ **section 24** of  
 20 this chapter.

21 The county auditor shall remove the deduction from the tax duplicate  
 22 and shall notify the county treasurer of the termination of the  
 23 deduction. If the designating body's resolution is adopted after the  
 24 county treasurer has mailed the statement required by IC 6-1.1-22-8,  
 25 the county treasurer shall immediately mail the property owner a  
 26 revised statement that reflects the termination of the deduction.

27 (e) A property owner whose deduction is terminated by the  
 28 designating body under this section may appeal the designating body's  
 29 decision by filing a complaint in the office of the clerk of the circuit or  
 30 superior court together with a bond conditioned to pay the costs of the  
 31 appeal if the appeal is determined against the property owner. An  
 32 appeal under this subsection shall be promptly heard by the court  
 33 without a jury and determined within thirty (30) days after the time of  
 34 the filing of the appeal. The court shall hear evidence on the appeal and  
 35 may confirm the action of the designating body or sustain the appeal.  
 36 The judgment of the court is final and conclusive unless an appeal is  
 37 taken as in other civil actions.

38 (f) If an appeal under subsection (e) is pending, the taxes resulting  
 39 from the termination of the deduction are not due until after the appeal  
 40 is finally adjudicated and the termination of the deduction is finally  
 41 determined.

42 SECTION 10. IC 13-19-5-9, AS ADDED BY P.L.59-1997,



1 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 UPON PASSAGE]: Sec. 9. (a) Based on the priority ranking system  
3 established under section 8 of this chapter, the authority may make  
4 loans or provide other financial assistance from the fund to or for the  
5 benefit of a political subdivision under this section.

6 (b) A loan or other financial assistance must be used for at least  
7 one (1) of the purposes under section 1 of this chapter and may be used  
8 for any of the following purposes:

9 (1) To establish reserves or sinking funds or provide interest  
10 subsidies.

11 (2) To pay financing charges, including interest on the loan or  
12 other financial assistance during remediation and for a  
13 reasonable period after the completion of remediation.

14 (3) To pay consultant, advisory, and legal fees, and any other  
15 costs or expenses resulting from:

16 (A) the assessment, planning, or remediation of a  
17 brownfield; or

18 (B) the loan or other financial assistance.

19 (c) Upon the recommendation of the authority and the approval of  
20 the budget agency, the interest rate or parameters for establishing the  
21 interest rate on each loan, including parameters for establishing the  
22 amount of interest subsidies, shall be established by the state board of  
23 finance.

24 (d) Not more than ten percent (10%) of the money available in the  
25 fund during a year may be loaned or otherwise provided to any one (1)  
26 political subdivision.

27 (e) Before a political subdivision may receive a loan or other  
28 financial assistance, including grants, from the fund, a political  
29 subdivision must submit the following:

30 (1) Documentation of community and neighborhood comment  
31 concerning the use of a brownfield on which remediation  
32 activities will be undertaken after remediation activities are  
33 completed.

34 (2) A plan for repayment of the loan or other financial  
35 assistance, if applicable.

36 (3) An approving opinion of a nationally recognized bond  
37 counsel, **if required by the authority.**

38 (4) A summary of the environmental objectives of the proposed  
39 project.

40 (f) A political subdivision that receives a loan or other financial  
41 assistance from the fund shall enter into a financial assistance  
42 agreement. A financial assistance agreement is a valid, binding, and



1 enforceable agreement of the political subdivision.

2 (g) With the approval of the budget agency, the authority may sell  
3 or assign:

4 (1) loans or evidence of other financial assistance; and

5 (2) other obligations of political subdivisions evidencing the  
6 loans or other financial assistance from the fund;

7 at any price and on terms acceptable to the authority. Proceeds of sales  
8 or assignments under this subsection shall be deposited in the fund. A  
9 sale or an assignment under this subsection does not create a liability  
10 or an indebtedness of the state or the authority except, in the case of the  
11 authority, strictly in accordance with the sale or assignment terms.

12 (h) The authority may pledge loans or evidences of other financial  
13 assistance and other obligations of political subdivisions evidencing the  
14 loans or other financial assistance from the fund to secure other loans  
15 or financial assistance from the fund to or for the benefit of political  
16 subdivisions. The terms of a pledge under this subsection must be  
17 approved by the budget agency. Notwithstanding any other law, a  
18 pledge of property made by the authority and approved by the budget  
19 agency under this subsection is binding from the time the pledge is  
20 made. Revenues, other money, or other property pledged and then  
21 received are immediately subject to the lien of the pledge without any  
22 further act. The lien of a pledge is binding against all parties having  
23 claims of any kind in tort, contract, or otherwise against the authority,  
24 the department, the budget agency, a trustee, or the fund, regardless of  
25 whether the parties have notice of a lien. A resolution, an indenture, or  
26 other instrument by which a pledge is created is not required to be filed  
27 or recorded, except in the records of the authority or the budget agency.  
28 An action taken to enforce a pledge under this subsection and to realize  
29 the benefits of the pledge is limited to the property pledged. A pledge  
30 under this subsection does not create a liability or an indebtedness of  
31 the state or the authority except, in the case of the authority, strictly in  
32 accordance with the pledge terms.

33 **SECTION 11. [EFFECTIVE UPON PASSAGE] (a) A brownfield**  
34 **revitalization zone that was established or a deduction in a**  
35 **brownfield revitalization zone that was granted after June 30,**  
36 **1997, and before the passage of this act in conformity with**  
37 **IC 6-1.1-42, as amended by this act, is legalized and validated to**  
38 **the same extent as if the changes in this act had been part of**  
39 **P.L.59-1997.**

40 **(b) A brownfield revitalization zone that was established or a**  
41 **deduction in a brownfield revitalization zone that was granted**  
42 **after June 30, 1997, and before the passage of this act, in response**



1       **to an applicant that:**  
2             **(1) had an ownership interest in an entity that contributed;**  
3             **or**  
4             **(2) contributed;**  
5       **a contaminant (as defined in IC 13-11-2-42) that is the subject of a**  
6       **voluntary remediation under IC 13-25-5 is void to the same extent**  
7       **as if this act had been part of P.L.59-1997.**  
8             **SECTION 12. An emergency is declared for this act.**

