



February 12, 1999

HOUSE BILL No. 1045

DIGEST OF HB1045 (Updated February 10, 1999 1:45 pm - DI 58)

Citations Affected: IC 6-9.

Synopsis: Elkhart County innkeeper's tax. Deletes the requirement that hotels or motels managed by certain members of the innkeeper's tax commission in Elkhart County must have banquet facilities, a restaurant, and a lounge in one complex under common ownership.

Effective: July 1, 1999.

Mock, Pelath

January 6, 1999, read first time and referred to Committee on Ways and Means.
February 11, 1999, reported — Do Pass.

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HB 1045—LS 6267/DI 44+



February 12, 1999

First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

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HOUSE BILL No. 1045

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 6-9-19-2 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 1999]: Sec. 2. As used in this chapter:
3 "Fiscal body" and "executive" have the same meanings that are
4 prescribed by IC 36-1-2.
5 "~~Full service hotel or motel~~" means a ~~hotel or motel with banquet~~
6 ~~facilities, restaurant, and a lounge in one (1) complex under common~~
7 ~~ownership.~~
8 "Gross retail income" and "person" have the same meanings that are
9 prescribed by IC 6-2.5-1.
10 SECTION 2. IC 6-9-19-5 IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 1999]: Sec. 5. (a) If a tax is levied under section
12 3 of this chapter, the county executive shall create a commission to
13 promote the development and growth of the convention and visitor
14 industry in the county.
15 (b) The commission consists of seven (7) members. The county
16 executive shall appoint all members to the commission. Four (4)
17 members must be actively engaged in the management of a ~~full service~~

HB 1045—LS 6267/DI 44+



1 hotel or motel in the county. The remainder of the commission
2 members must be members, officers, or directors of a chamber of
3 commerce within the county or of other Indiana not-for-profit
4 corporations organized to promote and solicit conventions, trade shows,
5 or visitors in the county.

6 (c) All terms of office of commission members begin on January 1.
7 Initial appointments must be for staggered terms, with subsequent
8 appointments for two (2) year terms. A member whose term expires
9 may be reappointed to serve another term. If a vacancy occurs, the
10 county executive shall appoint a qualified person, as provided in
11 subsection (b), to serve for the remainder of the term.

12 (d) A member of the commission may be removed for cause by the
13 county executive.

14 (e) Members of the commission may not receive a salary. However,
15 commission members are entitled to reimbursement for necessary
16 expenses incurred in the performance of their respective duties.

17 (f) Each commission member, before entering his duties, shall take
18 an oath of office in the usual form, to be endorsed upon his certificate
19 of appointment and promptly filed with the clerk of the circuit court of
20 the county.

21 (g) The commission shall meet after January 1 each year for the
22 purpose of organization. It shall elect one (1) of its members president,
23 another vice president, another secretary, and another treasurer. The
24 members elected to those offices shall perform the duties pertaining to
25 the offices. The first officers chosen shall serve from the date of their
26 election until their successors are elected and qualified. A majority of
27 the commission constitutes a quorum, and the concurrence of a
28 majority of the commission is necessary to authorize any action.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1045, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BAUER, Chair

Committee Vote: yeas 22, nays 0.

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