

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 589 be amended to read as follows:

- 1 Page 50, between lines 22 and 23, begin a new paragraph and insert:
- 2 "SECTION 26. IC 36-7-31.3-9, AS AMENDED BY P.L.214-2005,
- 3 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 UPON PASSAGE]: Sec. 9. (a) A tax area must be initially established
- 5 by resolution:
- 6 (1) except as provided in subdivision (2) before July 1, 1999; or
- 7 (2) before January 1, ~~2005~~; **2013**, in the case of:
- 8 (A) a second class city; or
- 9 (B) the city of Marion;
- 10 according to the procedures set forth for the establishment of an
- 11 economic development area under IC 36-7-14. Before May 15, 2005,
- 12 a tax area **established before January 1, 2005**, may be changed or the
- 13 terms governing the tax area revised in the same manner as the
- 14 establishment of the initial tax area. After May 14, 2005, a tax area
- 15 **established before January 1, 2005**, may not be changed and the
- 16 terms governing a tax area may not be revised. Only one (1) tax area
- 17 may be created in each county.
- 18 (b) In establishing the tax area, the designating body must make the
- 19 following findings instead of the findings required for the
- 20 establishment of economic development areas:
- 21 (1) Except for a tax area in a city having a population of:
- 22 (A) more than one hundred fifty thousand (150,000) but less
- 23 than five hundred thousand (500,000); or
- 24 (B) more than ninety thousand (90,000) but less than one

- 1 hundred five thousand (105,000);
2 there is a capital improvement that will be undertaken or has been
3 undertaken in the tax area for a facility that is used by a
4 professional sports franchise for practice or competitive sporting
5 events. A tax area to which this subdivision applies may also
6 include a capital improvement that will be undertaken or has been
7 undertaken in the tax area for a facility that is used for any
8 purpose specified in section 8(a)(2) of this chapter.
9 (2) For a tax area in a city having a population of more than one
10 hundred fifty thousand (150,000) but less than five hundred
11 thousand (500,000), there is a capital improvement that will be
12 undertaken or has been undertaken in the tax area for a facility
13 that is used for any purpose specified in section 8(a) of this
14 chapter.
15 (3) For a tax area in a city having a population of more than
16 ninety thousand (90,000) but less than one hundred five thousand
17 (105,000), there is a capital improvement that will be undertaken
18 or has been undertaken in the tax area for a facility that is used for
19 any purpose specified in section 8(a)(2) of this chapter.
20 (4) The capital improvement that will be undertaken or that has
21 been undertaken in the tax area will benefit the public health and
22 welfare and will be of public utility and benefit.
23 (5) The capital improvement that will be undertaken or that has
24 been undertaken in the tax area will protect or increase state and
25 local tax bases and tax revenues.
26 (c) The tax area established under this chapter is a special taxing
27 district authorized by the general assembly to enable the designating
28 body to provide special benefits to taxpayers in the tax area by
29 promoting economic development that is of public use and benefit."
30 Renumber all SECTIONS consecutively.
 (Reference is to ESB 589 as printed April 13, 2011.)

Representative Turner