



February 15, 2011

HOUSE BILL No. 1460

DIGEST OF HB 1460 (Updated February 14, 2011 2:23 pm - DI 92)

Citations Affected: IC 6-9.

Synopsis: Clark County and Floyd County innkeeper's tax. Reduces the number of members on the special funds board of managers from 13 to nine. Specifies that the county commissioners of Floyd County gain one appointee while each of the remaining appointing authorities loses at least one appointee. Requires that at least five of the members have experience in the tourism business. (Current law requires at least three of the members to have experience in the lodging business.) Specifies that the transition occurs January 15, 2012. Replaces population parameters and other classifications with the names of the affected communities. Makes conforming changes.

Effective: January 1, 2012.

Clere, Rhoads, Stemler

January 20, 2011, read first time and referred to Committee on Ways and Means.
February 15, 2011, reported — Do Pass.

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HB 1460—LS 7438/DI 92+



February 15, 2011

First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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HOUSE BILL No. 1460

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 6-9-3-1 IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JANUARY 1, 2012]: Sec. 1. (a) This chapter applies to
 3 each of two (2) adjacent counties when: **the following counties:**
 4 (1) one (1) of the counties has a population of more than seventy
 5 thousand (70,000) but less than seventy-one thousand (71,000);
 6 and
 7 (2) the other county has a population of more than ninety
 8 thousand (90,000) but less than one hundred thousand (100,000).
 9 (1) **Clark County.**
 10 (2) **Floyd County.**
 11 (b) In these counties, there is created a special funds board of
 12 managers. As used in this chapter, the term "board of managers" means
 13 a special funds board of managers.
 14 (c) **Beginning January 15, 2012**, the board of managers is
 15 composed of ~~thirteen (13)~~ **nine (9)** members as follows:
 16 (1) ~~Four (4)~~ **Two (2)** members appointed by the executive of the
 17 ~~second class city having the largest population;~~ **city of New**

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- 1 **Albany**, including at least one (1) member who is: ~~engaged in the~~
- 2 ~~lodging business.~~
- 3 **(A) engaged in a convention, visitor, or tourism business;**
- 4 **or**
- 5 **(B) involved in or promoting conventions, visitors, or**
- 6 **tourism.**
- 7 (2) ~~Three (3)~~ **Two (2)** members appointed by the executive of the
- 8 ~~third class city having the largest population; city of~~
- 9 **Jeffersonville**, including at least one (1) member who is: ~~engaged~~
- 10 ~~in the lodging business or the restaurant business.~~
- 11 **(A) engaged in a convention, visitor, or tourism business;**
- 12 **or**
- 13 **(B) involved in or promoting conventions, visitors, or**
- 14 **tourism.**
- 15 (3) ~~Two (2)~~ **One (1)** member appointed by the
- 16 legislative body of the town having the largest population: ~~of~~
- 17 **Clarksville**, who must be:
- 18 **(A) engaged in a convention, visitor, or tourism business;**
- 19 **or**
- 20 **(B) involved in or promoting conventions, visitors, or**
- 21 **tourism.**
- 22 (4) ~~One (1)~~ **Two (2)** members appointed by the
- 23 executive of the **Floyd County**, with the smaller population:
- 24 **including at least one (1) member who is:**
- 25 **(A) engaged in a convention, visitor, or tourism business;**
- 26 **or**
- 27 **(B) involved in or promoting conventions, visitors, or**
- 28 **tourism.**
- 29 (5) ~~Three (3)~~ **Two (2)** members appointed by the executive of ~~the~~
- 30 **Clark County**, with the larger population; including at least one
- 31 (1) member who is: ~~engaged in the lodging business.~~
- 32 **(A) engaged in a convention, visitor, or tourism business;**
- 33 **or**
- 34 **(B) involved in or promoting conventions, visitors, or**
- 35 **tourism.**
- 36 (d) The terms of office for the members of the board of managers
- 37 are for two (2) years and end as follows:
- 38 (1) For each of the following members, the term of office ends on
- 39 January 15 of each odd-numbered year:
- 40 **(A) The One (1) member appointed by the less populated**
- 41 **county's executive of Floyd County.**
- 42 **(B) One (1) member appointed by the more populated county's**

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executive of Clark County.

(C) One (1) member appointed by each of the city executives referred to in this section.

(2) For all other members, the terms of office end on January 15 of each even-numbered year.

The term of the second member appointed under subsection (c)(4) by the executive of Floyd County begins January 15, 2012.

(e) At the end of the term of a member of the board of managers, the person or body making the original appointment may reappoint a person whose term has expired or appoint a new member for a two (2) year term. If a vacancy occurs in the board of managers during a term, a successor for the vacancy shall be appointed by the person or body making the original appointment, and the successor shall serve for the remainder of the vacated term.

(f) A member of the board of managers may be removed for cause by the person or body making the original appointment.

(g) ~~No more than two (2) members of the board of managers appointed by the executive of the third class city may be of the same political party. The two (2) members of the board of managers appointed by the town legislative body may not be of the same political party. No more than three (3) members of the board of managers appointed by the executive of the second class city having the largest population may be of the same political party.~~ **each of the following may not be of the same political party:**

- (1) **The executive of the city of New Albany under subsection (c)(1).**
- (2) **The executive of the city of Jeffersonville under subsection (c)(2).**
- (3) **The executive of Floyd County under subsection (c)(4).**
- (4) **The executive of Clark County under subsection (c)(5).**

(h) Each member of the board of managers, before entering upon the member's duties, shall take an oath of office in the usual form, to be endorsed upon the member's certificate of appointment, which shall be promptly filed with the clerk of the circuit court of the member's county of residence.

(i) A person may not be appointed as a member who has not been a resident of one (1) of the two (2) counties for a period of two (2) years immediately preceding the person's appointment.

(j) A member may receive no salary but is entitled to reimbursement for any expenses necessarily incurred in the performance of the member's duties.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1460, 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.

ESPICH, Chair

Committee Vote: yeas 17, nays 0.

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