

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.

HOUSE ENROLLED ACT No. 1005

AN ACT to amend the Indiana Code concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 6-3.1-11-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2011 (RETROACTIVE)]:
Sec. 1. As used in this chapter, "applicable percentage" means the percentage determined as follows:

- (1) If a plant that is located on an industrial recovery site was placed in service at least ~~twenty (20)~~ **fifteen (15)** years ago but less than thirty (30) years ago, the applicable percentage is fifteen percent (15%).
- (2) If a plant that is located on an industrial recovery site was placed in service at least thirty (30) years ago but less than forty (40) years ago, the applicable percentage is twenty percent (20%).
- (3) If a plant that is located on an industrial recovery site was placed in service at least forty (40) years ago, the applicable percentage is twenty-five percent (25%).

The time that has expired since a plant was placed in service shall be determined as of the date that an application is filed with the board for designation of the location as an industrial recovery site under this chapter.

SECTION 2. IC 6-3.1-11-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2011 (RETROACTIVE)]:
Sec. 15. As used in this chapter, "vacant industrial facility" means a tract of land on which there is located a plant that:

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(1) has:

(A) for taxable years beginning after December 31, 2010, and beginning before January 1, 2015, at least fifty thousand (50,000) square feet of floor space; or

(B) for taxable years beginning after December 31, 2014, at least ~~two hundred fifty thousand (250,000)~~ one hundred thousand (100,000) square feet of floor space;

(2) was placed in service at least ~~twenty (20)~~ **fifteen (15)** years ago; and

(3) has been vacant for ~~two (2) or more years~~; **at least one (1) year**, unless the tract and the plant are owned by a municipality or a county, in which case the ~~two (2)~~ **one (1)** year requirement does not apply.

SECTION 3. An emergency is declared for this act.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____

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