

# HOUSE BILL No. 1291

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-7-14-47.

**Synopsis:** TIF districts for housing programs. Increases from 150 acres to 300 acres the total area that may be included in a tax increment financing (TIF) allocation area established for a housing program by a municipal or county redevelopment commission.

**Effective:** July 1, 2012.

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January 11, 2012, read first time and referred to Committee on Ways and Means.

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Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

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# HOUSE BILL No. 1291



A BILL FOR AN ACT to amend the Indiana Code concerning redevelopment commissions.

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

- 1 SECTION 1. IC 36-7-14-47, AS ADDED BY P.L.154-2006,
- 2 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2012]: Sec. 47. The commission must make the following
- 4 findings in the resolution adopting a housing program under section 45
- 5 of this chapter:
- 6 (1) Not more than twenty-five (25) acres of the area included in
- 7 the allocation area has been annexed during the preceding five (5)
- 8 years.
- 9 (2) No area within the allocation area has been annexed within the
- 10 preceding five (5) years over a remonstrance of a majority of the
- 11 owners of land within the annexed area.
- 12 (3) The program cannot be accomplished by regulatory processes
- 13 or by the ordinary operation of private enterprise because of:
- 14 (A) the lack of public improvements;
- 15 (B) the existence of improvements or conditions that lower the
- 16 value of the land below that of nearby land; or
- 17 (C) other similar conditions.



- 1 (4) The public health and welfare will be benefited by
- 2 accomplishment of the program.
- 3 (5) The accomplishment of the program will be of public utility
- 4 and benefit as measured by:
- 5 (A) the provision of adequate housing for low and moderate
- 6 income persons;
- 7 (B) an increase in the property tax base; or
- 8 (C) other similar public benefits.
- 9 (6) At least one-third (1/3) of the parcels in the allocation area
- 10 established by the program are vacant.
- 11 (7) At least seventy-five percent (75%) of the allocation area is
- 12 used for residential purposes or is planned to be used for
- 13 residential purposes.
- 14 (8) At least one-third (1/3) of the residential units in the allocation
- 15 area were constructed before 1941.
- 16 (9) At least one-third (1/3) of the parcels in the allocation area
- 17 have at least one (1) of the following characteristics:
- 18 (A) The dwelling unit on the parcel is not permanently
- 19 occupied.
- 20 (B) The parcel is the subject of a governmental order, issued
- 21 under a statute or an ordinance, requiring the correction of a
- 22 housing code violation or unsafe building condition.
- 23 (C) Two (2) or more property tax payments on the parcel are
- 24 delinquent.
- 25 (D) The parcel is owned by local, state, or federal government.
- 26 (10) The total area within the county or municipality that is
- 27 included in any allocation area established for a housing program
- 28 under section 45 of this chapter does not exceed ~~one~~ **three**
- 29 hundred ~~thirty~~ **(150) (300)** acres.

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