March 15, 2013

ENGROSSED
HOUSE BILL No. 1077

DIGEST OF HB 1077 (Updated March 13, 2013 4:01 pm - DI 87)

Citations Affected: IC 6-3.5.

Synopsis: Fund transfers. Designates the county, city, or town executive as the governing body authorized to transfer money from an economic development income tax. Requires the executive to adjust the capital improvement plan to reflect the transfer. Provides that after appropriation and transfer, the money may be used for the purposes of the fund to which it is transferred. Provides that a unit may not transfer money if the amount transferred would impair the unit's ability to satisfy any debts, liabilities, or obligations for which county economic development income taxes are pledged or otherwise encumbered, including transfers required by the northwest Indiana regional development authority law.

Effective: Upon passage.

Soliday

(SENATE SPONSORS — CHARBONNEAU, TALLIAN)

January 7, 2013, read first time and referred to Committee on Local Government.
January 22, 2013, reported — Do Pass.
January 24, 2013, read second time, ordered engrossed. Engrossed.
January 28, 2013, read third time, passed. Yeas 97, nays 0.

SENATE ACTION

February 25, 2013, read first time and referred to Committee on Local Government.
March 14, 2013, reported favorably — Do Pass.

C o p y

March 15, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

C o p y

ENGROSSED
HOUSE BILL No. 1077

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

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

SECTION 1. IC 6-3.5-7-12.7, AS ADDED BY P.L.53-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12.7. ~~A~~ **(a) Subject to subsection (b), the executive of a** county, **by resolution or ordinance, or the executive of a** city or town may at any time ~~by ordinance or resolution,~~ transfer to:

(1) its general fund; or

(2) any other ~~appropriated funds~~ **fund** of the county, city, or town **that the executive serves;**

money that has been deposited in the economic development income tax fund established by the county, city, or town under section 13.1 of this chapter. **The executive shall adjust the unit's capital improvement plan adopted under section 15 of this chapter to reflect the transfer. After appropriation of the money by the fiscal body of the county, city, or town in a budget or supplemental budget (as required by law), the money transferred under this section may be used for the purposes of the fund to which the**

money is transferred.

(b) A unit may not transfer money under subsection (a) if the amount transferred would impair the unit's ability to satisfy any debts, liabilities, or obligations for which county economic development income taxes are pledged or otherwise encumbered, including transfers required by IC 36-7.5-4-2.

SECTION 2. **An emergency is declared for this act.**

C o p y

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1077, 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.

NEESE, Chair

Committee Vote: yeas 11, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred House Bill No. 1077, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1077 as printed January 22, 2013.)

HEAD, Chairperson

Committee Vote: Yeas 7, Nays 0.

C o p y