

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 459 be amended to read as follows:

- 1 Page 14, between lines 3 and 4, begin a new paragraph and insert:
- 2 "SECTION 16. IC 36-7-14-3.7 IS ADDED TO THE INDIANA
- 3 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 4 [EFFECTIVE UPON PASSAGE]: **Sec. 3.7. (a) As used in this**
- 5 **chapter, "development area" means a redevelopment project area,**
- 6 **economic development area, or urban renewal project area**
- 7 **established under this chapter.**
- 8 **(b) The jurisdiction and control over a development area**
- 9 **established by the redevelopment commission of a first**
- 10 **municipality may be transferred from that redevelopment**
- 11 **commission to the redevelopment commission of a second, adjacent**
- 12 **municipality if:**
- 13 **(1) the owners of one hundred percent (100%) of the real**
- 14 **property in the development area consent to the transfer;**
- 15 **(2) the fiscal body of the first municipality and the fiscal body**
- 16 **of the second, adjacent municipality:**
- 17 **(A) adopt or have adopted:**
- 18 **(i) substantially similar ordinances; or**
- 19 **(ii) an interlocal agreement;**
- 20 **consenting to the transfer of the jurisdiction and control**
- 21 **over the development area; and**
- 22 **(B) agree or have agreed to transfer the geographic**
- 23 **territory comprising the development area from the first**
- 24 **municipality to the second, adjacent municipality through**

- 1 disannexation, interlocal agreement, or any other legal
- 2 means;
- 3 **(3) no tax increment from an allocation area within the**
- 4 **development area has been pledged for the payment of bonds**
- 5 **or the payment of lease rentals; and**
- 6 **(4) either the first municipality or the second, adjacent**
- 7 **municipality has before the date of the transfer completed a**
- 8 **reorganization under IC 36-1.5.**
- 9 **(c) If the requirements of subsection (b) are satisfied:**
- 10 **(1) the jurisdiction and control over the development area is**
- 11 **transferred without any other action required from the fiscal**
- 12 **bodies, the redevelopment commissions, or the plan**
- 13 **commissions of the municipalities or from any other state or**
- 14 **local entity;**
- 15 **(2) the development area is thereafter part of the territory**
- 16 **that is under the jurisdiction and control of the**
- 17 **redevelopment commission of the second, adjacent**
- 18 **municipality;**
- 19 **(3) the development area or the redevelopment plan may be**
- 20 **altered or amended by the second, adjacent municipality and**
- 21 **the redevelopment commission of the second, adjacent**
- 22 **municipality as otherwise provided in this chapter; and**
- 23 **(4) any property taxes collected within the development area**
- 24 **that were payable to the first municipality, to any taxing**
- 25 **district of the first municipality, or to the redevelopment**
- 26 **commission of the first municipality shall after the transfer be**
- 27 **payable to the second, adjacent municipality, to the taxing**
- 28 **districts of the second, adjacent municipality, or to the**
- 29 **redevelopment commission of the second, adjacent**
- 30 **municipality, as appropriate.**
- 31 **(d) If, before January 1, 2013, the redevelopment commission of**
- 32 **the first municipality has entered into an agreement to reimburse**
- 33 **a person or political subdivision for infrastructure improvements**
- 34 **from tax increments from an allocation area within the**
- 35 **development area, the obligation to make the reimbursement is**
- 36 **transferred to the redevelopment commission of the second,**
- 37 **adjacent municipality upon the effective date of the transfer of the**
- 38 **jurisdiction and control over the development area.**
- 39 **(e) The authority to transfer the jurisdiction and control over a**

- 1 **development area as provided in this section expires December 31,**
- 2 **2013."**
- 3 Renumber all SECTIONS consecutively.
 (Reference is to ESB 459 as printed April 2, 2013.)

Representative Braun