

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.

HOUSE ENROLLED ACT No. 1270

AN ACT to amend the Indiana Code concerning economic development.

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

SECTION 1. IC 36-7-14-47, AS ADDED BY P.L.154-2006, SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 47. The commission must make the following findings in the resolution adopting a housing program under section 45 of this chapter:

- (1) Not more than twenty-five (25) acres of the area included in the allocation area has been annexed during the preceding five (5) years.
- (2) No area within the allocation area has been annexed within the preceding five (5) years over a remonstrance of a majority of the owners of land within the annexed area.
- (3) The program cannot be accomplished by regulatory processes or by the ordinary operation of private enterprise because of:
 - (A) the lack of public improvements;
 - (B) the existence of improvements or conditions that lower the value of the land below that of nearby land; or
 - (C) other similar conditions.
- (4) The public health and welfare will be benefited by accomplishment of the program.
- (5) The accomplishment of the program will be of public utility and benefit as measured by:
 - (A) the provision of adequate housing for low and moderate

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- income persons;
 - (B) an increase in the property tax base; or
 - (C) other similar public benefits.
- (6) At least one-third (1/3) of the parcels in the allocation area established by the program are vacant.
- (7) At least seventy-five percent (75%) of the allocation area is used for residential purposes or is planned to be used for residential purposes.
- (8) At least one-third (1/3) of the residential units in the allocation area were constructed before 1941.
- (9) At least one-third (1/3) of the parcels in the allocation area have at least one (1) of the following characteristics:
- (A) The dwelling unit on the parcel is not permanently occupied.
 - (B) The parcel is the subject of a governmental order, issued under a statute or an ordinance, requiring the correction of a housing code violation or unsafe building condition.
 - (C) Two (2) or more property tax payments on the parcel are delinquent.
 - (D) The parcel is owned by local, state, or federal government.
- (10) The total area within the county or municipality that is included in any allocation area established for a housing program under section 45 of this chapter does not exceed ~~one~~ **three** hundred ~~fifty (150)~~ **(300)** acres.

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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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