
HOUSE BILL No. 1452

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-1-38.

Synopsis: Utility facilitation of job creation. Provides that when a political subdivision performs a public work, a public utility that provides utility service to the political subdivision: (1) shall grant all necessary rights-of-way to the political subdivision at no charge; and (2) may not impose connection fees for utility service provided to the public work. Provides that when a political subdivision grants a job creation incentive for a project that reduces a person's property tax liability, the public utility that provides utility service to the project shall reduce, directly or in the form of a credit, the rates and charges imposed for the utility service in proportion to the reduction in the person's property tax liability.

Effective: July 1, 2013.

Candelaria Reardon

January 22, 2013, read first time and referred to Committee on Utilities and Energy.

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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.

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HOUSE BILL No. 1452



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

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

1 SECTION 1. IC 8-1-38 IS ADDED TO THE INDIANA CODE AS
 2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
 3 1, 2013]:
 4 **Chapter 38. Utility Facilitation of Job Creation**
 5 **Sec. 1. The definitions in IC 8-1-2-1 apply throughout this**
 6 **chapter.**
 7 **Sec. 2. As used in this chapter, "job creation incentive" means**
 8 **a property tax abatement that a political subdivision awards under**
 9 **IC 6-1.1-12.1 to encourage the creation of new jobs in Indiana.**
 10 **Sec. 3. As used in this chapter, "political subdivision" has the**
 11 **meaning set forth in IC 36-1-2-13.**
 12 **Sec. 4. As used in this chapter, "project" means a project,**
 13 **including facilities, for which a political subdivision awards or**
 14 **approves a job creation incentive.**
 15 **Sec. 5. As used in this chapter, "property tax liability" means**
 16 **liability for the tax imposed on property under IC 6-1.1 determined**
 17 **after application of all credits and deductions under IC 6-1.1,**



1 including any job creation incentives described in this chapter.
 2 However, the term does not include any interest or penalty
 3 imposed under IC 6-1.1.
 4 Sec. 6. As used in this chapter, "public work" has the meaning
 5 set forth in 36-1-12-2.
 6 Sec. 7. (a) This section applies when a political subdivision
 7 performs or contracts to perform a public work.
 8 (b) A public utility that provides utility service to the political
 9 subdivision shall provide to the political subdivision at no charge
 10 all easements and rights-of-way necessary for the public work.
 11 (c) A public utility that provides utility services to the political
 12 subdivision may not impose on or collect from the political
 13 subdivision any fees or charges for connecting utility service to the
 14 public work, including to any infrastructure constructed in
 15 connection with the public work.
 16 Sec. 8. (a) This section applies when a political subdivision
 17 grants a person a job creation incentive for a project that results
 18 in the reduction of the person's property tax liability.
 19 (b) A public utility that provides utility service to a project shall
 20 credit the rates and charges that the public utility imposes for
 21 utility service to the project in the same amount, proportion, and
 22 manner that the person's property tax liability is reduced as a
 23 result of a job creation incentive.

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