

HOUSE BILL No. 1495

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-7-11.5-11.

Synopsis: Historic hotel preservation and maintenance fund. Requires that money in the West Baden Springs historic hotel preservation and maintenance fund must be used for only certain purposes. (Current law requires that only the interest accruing in the fund must be used for those purposes.) Provides that, for the state fiscal year beginning July 1, 2013, and ending June 30, 2014, the total money withdrawn from the fund to pay claims may not exceed 5% of the amount of money in the fund at the beginning of that fiscal year. Provides that for any subsequent fiscal year the department may not pay a claim in that fiscal year until the fund has a balance of at least \$20,000,000 and the total money withdrawn from the fund to pay claims in that fiscal year may not exceed 5% of the amount of money in the fund at the time the balance is at least \$20,000,000.

Effective: July 1, 2013.

Arnold L, Richardson, Davisson

January 22, 2013, read first time and referred to Committee on Ways and Means.

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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. 1495



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

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

1 SECTION 1. IC 36-7-11.5-11, AS AMENDED BY P.L.229-2011,
2 SECTION 266, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2013]: Sec. 11. (a) As used in this section,
4 "fund" refers to the West Baden Springs historic hotel preservation and
5 maintenance fund established by subsection (b).
6 (b) The West Baden Springs historic hotel preservation and
7 maintenance fund is established. The fund consists of the following:
8 (1) Amounts deposited in the fund under IC 4-33-6.5-6,
9 IC 4-33-12-6(c), and IC 4-33-13-5(b).
10 (2) Grants and gifts that the department of natural resources
11 receives for the fund under terms, obligations, and liabilities that
12 the department considers appropriate.
13 (3) The one million dollar (\$1,000,000) initial fee paid to the
14 gaming commission under IC 4-33-6.5.
15 (4) Any amount transferred to the fund upon the repeal of
16 IC 36-7-11.5-8 (the community trust fund).
17 The fund shall be administered by the department of natural resources.



1 The expenses of administering the fund shall be paid from money in
2 the fund.

3 (c) The treasurer of state shall invest the money in the fund that is
4 not currently needed to meet the obligations of the fund in the same
5 manner as other public funds may be invested. The treasurer of state
6 shall deposit in the fund the interest that accrues from the investment
7 of the fund.

8 (d) Money in the fund at the end of a state fiscal year does not revert
9 to the state general fund.

10 (e) The ~~interest accruing to the money in the~~ fund is annually
11 appropriated to the department of natural resources only for the
12 following purposes:

13 (1) To reimburse claims made for expenditures to maintain a
14 qualified historic hotel, as determined by the owner of the hotel
15 riverboat resort.

16 (2) To reimburse claims made for expenditures to maintain:

17 (A) the grounds surrounding a qualified historic hotel;

18 (B) supporting buildings and structures related to a qualified
19 historic hotel; and

20 (C) other facilities used by the guests of the qualified historic
21 hotel;

22 as determined by the owner of the hotel riverboat resort.

23 (f) **Subject to subsections (g) and (h),** the department of natural
24 resources shall promptly pay each claim for a purpose described in
25 subsection (e), ~~to the extent of the balance of interest available in the~~
26 ~~fund~~, without review or approval of the project or claim under IC 14-21
27 or IC 36-7-11. IC 14-21-1-18 does not apply to projects or claims paid
28 for maintenance under this section. If insufficient money is available
29 to fully pay all of the submitted claims, the department of natural
30 resources shall pay the claims in the order in which they are received
31 until each claim is fully paid.

32 **(g) For the state fiscal year beginning July 1, 2013, and ending**
33 **June 30, 2014, the total money withdrawn from the fund to pay**
34 **claims under subsection (f) may not exceed five percent (5%) of the**
35 **amount of money in the fund on July 1, 2013.**

36 **(h) For each subsequent state fiscal year, the following apply:**

37 **(1) The department of natural resources may not pay claims**
38 **under subsection (f) in any subsequent fiscal year until the**
39 **fund has a balance of at least twenty million dollars**
40 **(\$20,000,000) in that fiscal year.**

41 **(2) If the fund has a balance of at least twenty million dollars**
42 **(\$20,000,000) in a fiscal year, the total money withdrawn from**

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1 **the fund to pay claims in that fiscal year may not exceed five**
2 **percent (5%) of the amount of money in the fund at the time**
3 **the balance is at least twenty million dollars (\$20,000,000.)**
4 ~~(g)~~ **(i)** Notwithstanding IC 4-9.1-1-7, IC 4-12-1-12, IC 4-13-2-18, or
5 any other law, interest accruing to the fund may not be withheld,
6 transferred, assigned, or reassigned to a purpose other than the
7 reimbursement of claims under subsection (f).

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