

# COMMITTEE REPORT

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## MADAM PRESIDENT:

The Senate Committee on Utilities, to which was referred Senate Bill No. 349, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Delete the title and insert the following:  
2 A BILL FOR AN ACT to amend the Indiana Code concerning local  
3 government.  
4 Delete everything after the enacting clause and insert the following:  
5 SECTION 1. IC 36-1-14-1.5 IS ADDED TO THE INDIANA CODE  
6 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
7 1, 2013]: **Sec. 1.5. (a) As used in this section, "local economic  
8 development organization" includes the following:**  
9 **(1) A nonprofit corporation established under state law whose  
10 primary purpose is the promotion of industrial or business  
11 development in Indiana, the retention or expansion of Indiana  
12 businesses, or the development of entrepreneurial activities in  
13 Indiana.**  
14 **(2) A nonprofit educational organization whose primary  
15 purpose is educating and developing local leadership for  
16 economic development initiatives.**  
17 **(3) Any similar organization, including a partnership between  
18 private enterprise and one (1) or more units, the purposes of  
19 which include:**  
20 **(A) promoting development activities in one (1) or more  
21 units;**

- 1           **(B) coordinating local efforts to attract jobs and new**  
2           **business investment;**  
3           **(C) providing assistance to existing businesses to foster**  
4           **growth and job retention; and**  
5           **(D) sustaining and improving the quality of life in the units**  
6           **served.**

7           **(b) A municipal legislative body, with the approval of the board**  
8           **(as defined in IC 8-1.5-3-2) of the municipality's municipally owned**  
9           **utility, may donate funds from the municipally owned utility's**  
10          **surplus earnings (as defined in IC 8-1.5-3-11) to a local economic**  
11          **development organization as long as terms and conditions of any**  
12          **bond ordinance, resolution, indenture, contract under IC 8-1-2.2,**  
13          **or similar instrument binding upon the municipally owned utility**  
14          **are complied with before the donation is made.**

(Reference is to SB 349 as introduced.)

**and when so amended that said bill do pass .**

Committee Vote: Yeas 10, Nays 0.

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**Senator Merritt, Chairperson**