

#### **IC 8-15.7-14**

Chapter 14. Additional Powers of the Authority and the Department With Respect to Qualifying Projects

#### **IC 8-15.7-14-1**

##### **Cooperation by authority or department with other governmental entities**

Sec. 1. The authority or the department may exercise any powers provided under this article in participation or cooperation with any governmental entity and enter into any contracts to facilitate that participation or cooperation without compliance with any other statute.

*As added by P.L.47-2006, SEC.40.*

#### **IC 8-15.7-14-2**

##### **Contracts necessary for performance of duties**

Sec. 2. The authority or the department may make and enter into all contracts and agreements necessary or incidental to the performance of the authority's or department's duties and the execution of the authority's or department's powers under this article. These contracts or agreements are not subject to any approvals other than the approval of the authority or the department, as applicable, and may be for any term of years and contain any terms that are considered reasonable by the authority or the department.

*As added by P.L.47-2006, SEC.40.*

#### **IC 8-15.7-14-3**

##### **Payment of amounts owed from available funds**

Sec. 3. The authority or the department may pay the costs incurred under a public-private agreement entered into under this article from any funds legally available to the authority or the department under this article or any other statute.

*As added by P.L.47-2006, SEC.40.*

#### **IC 8-15.7-14-4**

##### **Delegation of certain powers to operator**

Sec. 4. For purposes of this article, the department may authorize an operator under a public-private agreement to perform any of its duties under IC 8-15-3-9, IC 8-15-3-16, IC 8-15-3-29, IC 8-15-3-30, and IC 8-15-3-33.

*As added by P.L.47-2006, SEC.40.*

#### **IC 8-15.7-14-5**

##### **Powers under tollway statute; delegation of powers to authority; eminent domain**

Sec. 5. (a) Subject to subsection (b), the department may exercise any of its powers under IC 8-15-3 as necessary or desirable for the performance of its duties and the execution of its powers under this article. In connection with or in anticipation of the exercise by the authority of any powers granted to the authority by this article, the

department may authorize the authority to exercise all or part of the powers of the department under this article as necessary or desirable to accomplish the purposes of this article.

(b) For purposes of subsection (a):

(1) the department's or the authority's use of the power of eminent domain to acquire property or interests in property for a project under this article; and

(2) the rights of property owners who are affected by the authority's use of the power of eminent domain for a project under this article;

are governed by IC 8-15-3, IC 8-23-7, IC 32-24, and any other applicable provision of the Indiana Code as in effect on January 1, 2010, and are not affected by amendments to those statutes enacted after December 31, 2009.

*As added by P.L.47-2006, SEC.40. Amended by P.L.85-2010, SEC.21.*

#### **IC 8-15.7-14-6**

##### **Impairment of public-private agreement prohibited**

Sec. 6. The authority or the department may not take any action under this chapter that would impair the public-private agreement entered into under this article.

*As added by P.L.47-2006, SEC.40.*

#### **IC 8-15.7-14-7**

##### **Agreement with state police concerning law enforcement**

Sec. 7. (a) The department shall enter into an agreement between and among the operator, the department, and the state police department concerning the provision of law enforcement assistance with respect to a qualifying project that is the subject of a public-private agreement under this article.

(b) The department may enter into arrangements with the state police department related to costs incurred in providing law enforcement assistance under this article.

*As added by P.L.47-2006, SEC.40.*