

HOUSE BILL No. 1280

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-11-21.

Synopsis: Prohibited economic development incentives. Prohibits a state agency, political subdivision, or body corporate and politic created by state statute from disbursing: (1) funds; (2) financial incentives; or (3) subsidies; for any project where a facility or property is to be used primarily by an electronic commerce business with a market capitalization of more than \$100,000,000 for electronic commerce storage and transfers or the facilitation of electronic commerce storage and transfers.

Effective: July 1, 2023.

Greene

January 11, 2023, read first time and referred to Committee on Government and Regulatory Reform.



Introduced

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1280

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

SECTION 1. IC 5-11-21 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:

Chapter 21. Prohibited Economic Development Incentives

Sec. 1. As used in this chapter, "business entity" refers to any of the following:

- (1) A sole proprietorship.
- (2) A trust, including a business trust.
- (3) A partnership.
- (4) A limited partnership.
- (5) A limited liability partnership.
- (6) A corporation.
- (7) A professional corporation.
- (8) A limited liability company.
- (9) Any other form of organization permitted under Indiana law for business purposes.

Sec. 2. As used in this chapter, "electronic commerce business"

2023

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1 refers to a business entity that:

- 2 (1) buys and sells goods and services over the Internet; and
 3 (2) has a market capitalization of more than one hundred
 4 million dollars (\$100,000,000).

5 Sec. 3. As used in this chapter, "public entity" refers to any of
 6 the following:

- 7 (1) A state agency (as defined in IC 4-13-1-1(b)).
 8 (2) A political subdivision (as defined in IC 36-1-2-13).
 9 (3) A body corporate and politic created by state statute.

10 Sec. 4. Notwithstanding any other law, after June 30, 2023, a
 11 public entity may not disburse:

- 12 (1) funds;
 13 (2) financial incentives; or
 14 (3) subsidies;

15 for any project where a facility or property is to be used primarily
 16 by an electronic commerce business for electronic commerce
 17 storage and transfers or the facilitation of electronic commerce
 18 storage and transfers.

19 Sec. 5. This chapter does not affect and may not be construed to
 20 affect the terms of any agreement entered into before July 1, 2023,
 21 involving a public entity's disbursement of:

- 22 (1) funds;
 23 (2) financial incentives; or
 24 (3) subsidies;

25 for any project where a facility or property is to be used primarily
 26 by an electronic commerce business for electronic commerce
 27 storage and transfers or the facilitation of electronic commerce
 28 storage and transfers.

