



SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1454 be amended to read as follows:

- 1 Page 120, line 33, delete "district;" and insert "**district; minus**".
- 2 Page 120, delete line 34.
- 3 Page 121, line 25, delete "district;" and insert "**district; minus**".
- 4 Page 121, delete line 26.
- 5 Page 121, delete lines 32 through 42, begin a new paragraph and
- 6 insert:
- 7 "SECTION 11. IC 36-7.5-4.5-27, AS ADDED BY P.L.248-2017,
- 8 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 9 JULY 1, 2023]: Sec. 27. (a) If a district is established, the treasurer of
- 10 state shall establish a local income tax increment fund and an account
- 11 for each district established under this chapter for deposit of local
- 12 income tax increment revenue for that district.
- 13 (b) The funds shall be administered by the treasurer of state. Money
- 14 in a fund does not revert to the state general fund at the end of a state
- 15 fiscal year.
- 16 (c) The total amount of local income tax (IC 6-3.6) paid by:
- 17 (1) employees employed in a district with respect to wages earned
- 18 for work performed in the district; **and**
- 19 (2) **residents living in the district;**
- 20 shall be deposited in the district's account within the local income tax
- 21 increment fund. **If an individual is a resident of one (1) district and**
- 22 **is employed within another district, only the local income tax for**
- 23 **the district in which the individual resides shall be deposited into**
- 24 **the local income tax increment fund.** For each district, the budget
- 25 agency shall determine and transfer to the appropriate county account
- 26 under IC 6-3.6-9 an amount equal to the local income tax base period
- 27 amount for the district.

(d) The budget agency shall determine and transfer any amount of the local income tax increment revenue that will not be disbursed to the development authority or redevelopment commission to the appropriate county account under IC 6-3.6-9.

SECTION 12. IC 36-7.5-4.5-28, AS ADDED BY P.L.248-2017, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 28. (a) Not later than ~~sixty (60) days after receiving a copy of the resolution establishing a district,~~ **November 30 of the year following the establishment of a district under this chapter, or November 30, 2024, whichever is later,** the department shall determine the following for that district:

- (1) The state income tax base period amount.
- (2) The gross retail tax base period amount.
- (3) The local income tax base period amount.

(b) ~~Before October 1~~ **Before December 1** of each year, beginning in ~~2018,~~ **the year two (2) years following the establishment of the district under this chapter,** the department shall determine the following for each district for the preceding calendar year:

- (1) The state income tax increment revenue.
- (2) The gross retail tax increment revenue.
- (3) The local income tax increment revenue.

(c) The department shall notify the budget agency and the development authority of each base period amount and annually each increment revenue amount.

(d) ~~Before November 1~~ **Before December 15** of each calendar year, the department shall determine and certify to the Indiana finance authority and the development authority the following:

- (1) The state income tax increment revenue.
- (2) The gross retail tax increment revenue.
- (3) The local income tax increment revenue for each district.
- (4) The extent to which the sum of the state income tax increment revenue and gross retail tax increment revenue certified under this subsection for all districts exceeds the sum of the amounts previously appropriated by the general assembly to the development authority for rail projects (including any amounts appropriated for debt service payments made by the Indiana finance authority for a rail project).

(e) Beginning in the following calendar year, the auditor of state shall distribute from a district's account within the local income tax increment fund to the development authority or redevelopment commission, in the case of a district located in a cash participant county, on or before ~~the twentieth day of each month one-twelfth (1/12)~~ **of March 1,** the lesser of:

- (1) the amount of local income tax increment revenue specified by the development authority or redevelopment commission; or
- (2) the certified local income tax increment revenue amount for

1 that district.

2 (f) The development authority or redevelopment commission shall
3 deposit the local income tax increment revenue it receives in the
4 appropriate district account in the south shore improvement and
5 development fund.

6 **(g) Notwithstanding subsection (a), if the department**
7 **determines that an amount determined under section 7, 8, 9, 10, 13,**
8 **or 14 of this chapter is in error, the department shall redetermine**
9 **any erroneous amounts and notify the budget agency and**
10 **development authority of any redetermination. If the department**
11 **determines that the redetermination of an amount affects**
12 **incremental tax amounts determined under subsection (b), the**
13 **department shall recompute the incremental tax amounts and**
14 **make any necessary adjustments to distributions or computations**
15 **to reflect any redetermination.**

16 **(h) A municipality that includes more than one (1) transit**
17 **development district may share its increment revenue among the**
18 **transit development districts upon approval of the legislative body**
19 **of the municipality."**

20 Delete page 122.

21 Page 123, delete lines 1 through 29.

22 Renumber all SECTIONS consecutively.

(Reference is to EHB 1454 as printed April 5, 2023.)

Senator BASSLER