



January 27, 2026

HOUSE BILL No. 1333

DIGEST OF HB 1333 (Updated January 27, 2026 10:21 am - DI 140)

Citations Affected: IC 5-1.2; IC 6-2.5; IC 8-1; IC 34-13; IC 36-7.

Synopsis: Land use and development. Requires a development that is sited on land: (1) in an area zoned agricultural; and (2) comprised of certain capability classes of soils; to be a permitted use. Extends governmental immunity to a private entity or nonprofit entity that has executed certain agreements under the Indiana brownfields program. Provides that before a qualified data center user may use a specific transaction award certificate issued after June 30, 2026, to purchase qualified data center equipment eligible for the state gross retail tax exemption, the qualified data center user and a local unit that issues after June 30, 2026, a permit authorizing the development, construction, or operation of the qualified data center in the unit shall enter into a written agreement that includes a commitment by the qualified data center user to contribute to the local unit an amount equal to at least 1% of the amount of taxes that are not paid on each purchase of qualified data center equipment that is made: (1) using the specific transaction award certificate; and (2) during the duration of the specific transaction award certificate. For purposes of the statute concerning energy production zones: (1) redesignates the term "electric generation facility" as "electric generation or storage facility"; and (2) provides that the term includes a utility scale battery energy storage

(Continued next page)

Effective: July 1, 2026.

Culp, Pressel, Haggard

January 6, 2026, read first time and referred to Committee on Utilities, Energy and Telecommunications.

January 20, 2026, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 126.3.

January 27, 2026, reported — Do Pass.

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Digest Continued

system (BESS). Provides that if a planned electric generation or storage facility will include a BESS, the project owner must include in the required statutory notice to the local planning authority: (1) the emergency response plan required under the statute governing the approval of a BESS by the department of homeland security (department); and (2) documentation of the department's approval of the BESS. Makes conforming changes. Allows a plan commission, board of zoning appeals, or county or municipal legislative body (body) to require a person to provide their name and address in writing in order to speak at a public hearing regarding certain matters. Allows the body's presiding officer to give consideration to whether a person is a county resident or has an interest as an owner, lessor, lessee, or life tenant in real property within the county in deciding: (1) the order of speakers; and (2) the amount of time allotted to speakers; at a hearing.

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January 27, 2026

Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1333

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 5-1.2-12-4, AS AMENDED BY P.L.166-2021,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2026]: Sec. 4. (a) The authority shall do the following under
4 this chapter:

5 (1) Be responsible for the management of all aspects of the
6 Indiana brownfields program.
7 (2) Prepare and provide program information.
8 (3) Negotiate the negotiable aspects of each financial assistance
9 agreement.
10 (4) Sign each financial assistance agreement.
11 (5) Review each proposed project and financial assistance
12 agreement to determine if the project meets the credit, economic,
13 or fiscal criteria established by guidelines of the authority.
14 (6) Periodically inspect or cause to be inspected projects to
15 determine compliance with this chapter.

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4 (A) pay a loan or other financial assistance and other
5 obligations evidencing loans or other financial assistance, if
6 required to be paid; and
7 (B) otherwise comply with terms of the financial assistance
8 agreement.

12 (A) environmental assessment of potential brownfield
13 properties;

14 (B) proposed remediation; and
15 (C) remediation activities conducted on brownfield properties.

16 (9) Inspect or cause to be inspected remediation activities
17 conducted under this chapter.

18 (10) Act as a liaison to the United States Environmental
19 Protection Agency regarding the Indiana brownfields program.

20 (11) Be a point of contact for private entities, nonprofit entities,
21 and political subdivisions concerning questions about the Indiana
22 brownfields program.

23 (12) Enter into memoranda of understanding, as necessary, with
24 the department of environmental management and the budget
25 agency concerning the administration and management of the
26 Indiana brownfields fund and the Indiana brownfields program.

27 (b) The authority may do the following under this chapter:

28 (1) Undertake activities to make private environmental insurance
29 products available to encourage and facilitate the cleanup and
30 redevelopment of brownfield properties.

34 (A) Environmental assessment activities.
35 (B) Environmental remediation activities
36 (C) Demolition and clearance activities.

37 (c) The authority may:

38 (1) negotiate with;
39 (2) select; and
40 (3) contract with;

41 one (1) or more insurers to provide insurance products as described in
42 subsection (b)(1).



1 (d) The authority may:

(1) negotiate with;

(2) select; and

(3) contract with;

5 one (1) or more environmental consultants to undertake the activities
6 described in subsection (b)(2) for the benefit of private entities,
7 nonprofit entities, and political subdivisions.

8 (e) Notwithstanding IC 13-23, IC 13-24-1, and IC 13-25-4, the
9 authority is not liable for any contamination addressed by the authority
10 under an agreement under subsection (b)(2) unless existing
11 contamination on the brownfield is exacerbated due to gross negligence
12 or intentional misconduct by the authority.

13 (f) For purposes of subsection (e), reckless, willful, or wanton
14 misconduct constitutes gross negligence.

15 (g) The authority ~~is~~ and a private entity or nonprofit entity that
16 have executed an agreement under subsection (b)(2) are entitled to
17 the same governmental immunity afforded a political subdivision under
18 IC 34-13-3-3(a)(22) for any act taken to investigate or remediate
19 hazardous substances, petroleum, or other pollutants associated with a
20 brownfield under ~~an~~ the agreement under subsection (b)(2).

21 (h) This chapter does not require the authority to provide a loan or
22 other financial assistance to any private individual or entity, nonprofit
23 entity, or political subdivision to the extent the authority determines
24 that providing the loan or other financial assistance is not in the best
25 interests of the Indiana brownfields program and the authority.

26 SECTION 2. IC 6-2.5-15-6.7 IS ADDED TO THE INDIANA
27 CODE AS A NEW SECTION TO READ AS FOLLOWS
28 [EFFECTIVE JULY 1, 2026]: **Sec. 6.7. As used in this chapter, "local**
29 **authority" has the meaning set forth in IC 36-7-4-1109.**

30 SECTION 3. IC 6-2.5-15-8.5 IS ADDED TO THE INDIANA
31 CODE AS A NEW SECTION TO READ AS FOLLOWS
32 [EFFECTIVE JULY 1, 2026]: **Sec. 8.5. As used in this chapter,**
33 **"permit" has the meaning set forth in IC 36-7-4-1109.**

34 SECTION 4. IC 6-2.5-15-15.5 IS ADDED TO THE INDIANA
35 CODE AS A NEW SECTION TO READ AS FOLLOWS
36 [EFFECTIVE JULY 1, 2026]: **Sec. 15.5. (a) This section applies to a**
37 **qualified data center user that:**

(1) uses or will use qualified data center equipment in connection with a qualified data center for which a permit that;

(A) authorizes the development, construction, or operation of the qualified data center in a local unit; and



(B) is issued after June 30, 2026, by the local authority with jurisdiction over the local unit; and

(2) is issued a specific transaction award certificate under this chapter with respect to the qualified data center after June 30, 2026.

(b) Before a qualified data center user described in subsection (a) may use the specific transaction award certificate issued under this chapter to purchase qualified data center equipment, the qualified data center user and the local unit described in subsection (a)(1) shall enter into a written agreement that includes a commitment by the qualified data center user to contribute to the local unit, at such times and in the manner agreed to by the local unit and the qualified data center user, an amount equal to at least one percent (1%) of the amount of taxes that are not paid on each purchase of qualified data center equipment that is made:

- (1) using the specific transaction award certificate; and
- (2) during the duration of the specific transaction award certificate.

(c) The local unit and political subdivisions within the local unit shall determine:

(1) how the contributions required under subsection (b) will be allocated; and

(2) for what purposes the contributions required under subsection (b) will be used;

subsection (b) within the local unit

SECTION 5. IC 8-1-8.2-1, AS ADDED BY P.L.202-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) As used in this chapter, "electric generation or storage facility" means:

(1) a facility; or

(2) infrastructure associated with a facility;

(2) infrastructure associated with a facility for the generation or storage of electricity

(b) The term includes a utility scale battery energy storage system that is:

(1) co-located on the same premises as a facility for the generation of electricity; or

(2) installed as a standalone system with no connection to the electrical grid.

→ (c) The term does not include the following:

(1) A wind power device (as defined in JC 8-1-41-7).

(2) A commercial solar energy system (as defined in IC 8-1-42-2).

SECTION 6. IC 8-1-8.2-5. AS ADDED BY P.L.202-2025.

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1 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2026]: Sec. 5. As used in this chapter, "premise of land"
3 means property comprising a tract of land on which a project owner
4 proposes to construct an electric generation **or storage** facility,
5 including land within the perimeter of the tract of land that was not
6 owned by the project owner as of January 1, 2025.

7 SECTION 7. IC 8-1-8.2-6, AS ADDED BY P.L.202-2025,
8 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2026]: Sec. 6. As used in this chapter, "project owner" means
10 a person that proposes to construct an electric generation **or storage**
11 facility.

12 SECTION 8. IC 8-1-8.2-8.2 IS ADDED TO THE INDIANA CODE
13 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
14 1, 2026]: **Sec. 8.2. As used in this chapter, "utility scale battery**
15 **energy storage system" has the meaning set forth in IC 22-14-8-3.**

16 SECTION 9. IC 8-1-8.2-10, AS ADDED BY P.L.202-2025,
17 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2026]: Sec. 10. (a) A project owner is not required to obtain
19 a permit, or any other land use or zoning approval, from a local
20 authority for the construction of an electric generation **or storage**
21 facility if:

22 (1) the commission:

23 (A) grants the project owner a certificate under IC 8-1-8.5-2
24 for the construction; or

25 (B) declines jurisdiction over the construction under
26 IC 8-1-2.5-5;

27 (2) the electric generating **or storage** facility will be located on
28 a premise of land that is an energy production zone; and

29 (3) the project owner complies with subsections (b) and (c).

30 (b) Not later than two hundred seventy (270) days before beginning
31 construction to which subsection (a) applies, a project owner shall
32 provide notice of the construction to the local authority with planning
33 authority under IC 36-7 for the premise of land on which the
34 construction will occur. The notice must include the following
35 information with regard to the construction and the electric generation
36 **or storage** facility to be constructed:

37 (1) A comprehensive description of the electric generation **or**
38 **storage** facility, including the following:

39 (A) The planned generation **or storage** capacity of the electric
40 generation **or storage** facility, expressed in megawatts.

41 (B) The energy source or technology that will be used by the
42 electric generation **or storage** facility to generate **or store**



electricity.

(C) The expected operational lifespan of the electric generation **or storage** facility.

(2) The expected date on which the construction will begin.

(3) The expected date on which the electric generation **or storage** facility will begin operation.

(4) Whether the electric generation **or storage** facility will **be used to** provide retail electric service, wholesale electric service, or both.

(5) The project owner's plan for eventual decommissioning of the **planned** electric generation **or storage** facility.

(6) If construction of the electric generation **or storage** facility will entail decommissioning an existing electric generation facility that is located on the premise of land on which the electric generation **or storage** facility will be located, the project owner's plan for decommissioning the existing electric generation facility, including financial assurances for the decommissioning.

(7) A detailed site plan that includes the location of the following within or adjacent to the premise of land on which the electric generation **or storage** facility will be constructed:

(A) The structures associated with the electric generation **or** storage facility.

(B) The:

(i) existing electric generation facility, and any structures associated with the existing electric generation facility; or

(ii) surface or underground mine, and any structures associated with the surface or underground mine;

associated with the surface of underground mine, located on the premise of land on which the electric generation or storage facility will be located

(C) Existing and proposed access roads

- (C) Existing and proposed access
- (D) Regulated drains or ditches

(E) Flood plains

- (E) Flood plain
- (F) Wetlands

(G) Historic sites or other areas of cultural or environmental significance

(8) An economic development plan detailing the expected economic effect of the electric generation **or storage** facility on the unit within which the electric generation **or storage** facility will be located, including the following:

(A) The anticipated number and types of jobs to be created:

(i) during the construction of the electric generation **or storage** facility; and



(ii) in the operation of the electric generation **or storage** facility.

(B) The estimated property tax revenue the electric generation **or storage** facility will produce for the unit.

(C) An estimate of the overall:

(i) cost to the unit; and

(ii) effect on the unit's revenue;

associated with the electric generation **or storage** facility.

(9) A safety, security, and emergency response plan describing measures to ensure:

- (A) site security and safety;
- (B) coordination with the unit's services; and

(C) safeguarding of the public;

with regard to the construction and operation of the electric generation **or storage** facility. **If the electric generation or storage facility will include a utility scale battery energy storage system, the response plan provided under this subdivision must include the emergency response plan required by IC 22-14-8-4(b)(4).**

(10) If the electric generation or storage facility will include a utility scale battery energy storage system, documentation that the project owner has received approval for the installation of the utility scale battery energy storage system from the department of homeland security under IC 22-14-8-4(d).

(c) Not later than sixty (60) days after a project owner's provision of the notice under subsection (b), the project owner shall hold a public hearing in the unit in which the electric generation **or storage** facility will be located, during which the project owner shall:

(1) provide information to the public; and

(2) receive public comment;

regarding the electric generation **or storage** facility and the construction of the electric generation **or storage** facility. The project owner shall publish notice of the date, time, location, and subject of the public hearing in accordance with IC 5-3-1-2(b).

(d) After providing notice to a local authority under subsection (b), a project owner shall notify the local authority regarding any substantive changes in the information provided by the project owner under subsection (b) that occur before construction begins on the electric generation **or storage** facility to which the notice pertains.

SECTION 10. IC 8-1-8.2-11, AS ADDED BY P.L.202-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2026]: Sec. 11. This chapter may not be construed to increase
2 or modify the authority of a local authority or a unit to regulate the
3 siting, construction, or deployment of an electric generation **or storage**
4 facility that is not located in an energy production zone.

5 SECTION 11. IC 34-13-3-3, AS AMENDED BY P.L.186-2025,
6 SECTION 182, IS AMENDED TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) A governmental entity or an
8 employee acting within the scope of the employee's employment is not
9 liable if a loss results from the following:

10 (1) The natural condition of unimproved property.
11 (2) The condition of a reservoir, dam, canal, conduit, drain, or
12 similar structure when used by a person for a purpose that is not
13 foreseeable.

14 (3) The temporary condition of a public thoroughfare or extreme
15 sport area that results from weather.

16 (4) The condition of an unpaved road, trail, or footpath, the
17 purpose of which is to provide access to a recreation or scenic
18 area.

19 (5) The design, construction, control, operation, or normal
20 condition of an extreme sport area, if all entrances to the extreme
21 sport area are marked with:

22 (A) a set of rules governing the use of the extreme sport area;
23 (B) a warning concerning the hazards and dangers associated
24 with the use of the extreme sport area; and
25 (C) a statement that the extreme sport area may be used only
26 by persons operating extreme sport equipment.

27 This subdivision shall not be construed to relieve a governmental
28 entity from liability for the continuing duty to maintain extreme
29 sports areas in a reasonably safe condition.

30 (6) The initiation of a judicial or an administrative proceeding.

31 (7) The performance of a discretionary function; however, the
32 provision of medical or optical care as provided in IC 34-6-2.1-54
33 shall be considered as a ministerial act.

34 (8) The adoption and enforcement of or failure to adopt or
35 enforce:

36 (A) a law (including rules and regulations); or

37 (B) in the case of a public school or charter school, a policy;
38 unless the act of enforcement constitutes false arrest or false
39 imprisonment.

40 (9) An act or omission performed in good faith and without
41 malice under the apparent authority of a statute which is invalid
42 if the employee would not have been liable had the statute been



1 valid.

(10) The act or omission of anyone other than the governmental entity or the governmental entity's employee.

4 (11) The issuance, denial, suspension, or revocation of, or failure
5 or refusal to issue, deny, suspend, or revoke any permit, license,
6 certificate, approval, order, or similar authorization, where the
7 authority is discretionary under the law.

8 (12) Failure to make an inspection, or making an inadequate or
9 negligent inspection, of any property, other than the property of
10 a governmental entity, to determine whether the property
11 complied with or violates any law or contains a hazard to health
12 or safety.

15 (14) Misrepresentation if unintentional.

16 (15) Theft by another person of money in the employee's official
17 custody, unless the loss was sustained because of the employee's
18 own negligent or wrongful act or omission.

19 (16) Injury to the property of a person under the jurisdiction and
20 control of the department of correction if the person has not
21 exhausted the administrative remedies and procedures provided
22 by section 7 of this chapter.

23 (17) Injury to the person or property of a person under supervision
24 of a governmental entity and who is:

25 (A) on probation;

(B) assigned to an alcohol and drug services program under IC 12-23, a minimum security release program under IC 11-10-8, a pretrial conditional release program under IC 35-33-8, or a community corrections program under IC 11-12; or

31 (C) subject to a court order requiring the person to be escorted
32 by a county police officer while on or in a government
33 building (as defined in IC 36-9-13-3) owned by a county
34 building authority under IC 36-9-13, unless the injury is the
35 result of an act or omission amounting to:

36 (i) gross negligence;

37 (ii) willful or wanton misconduct; or

38 (iii) intentional misconduct.

39 (18) Design of a highway (as defined in IC 9-13-2-73), toll road
40 project (as defined in IC 8-15-2-4(4)), tollway (as defined in
41 IC 8-15-3-7), or project (as defined in IC 8-15.7-2-14) if the
42 claimed loss occurs at least twenty (20) years after the public



1 highway, toll road project, tollway, or project was designed or
2 substantially redesigned; except that this subdivision shall not be
3 construed to relieve a responsible governmental entity from the
4 continuing duty to provide and maintain public highways in a
5 reasonably safe condition.

6 (19) Development, adoption, implementation, operation,
7 maintenance, or use of an enhanced emergency communication
8 system.

9 (20) Injury to a student or a student's property by an employee of
10 a school corporation if the employee is acting reasonably under a:

11 (A) discipline policy adopted under IC 20-33-8-12; or
12 (B) restraint and seclusion plan adopted under IC 20-20-40-14.

13 (21) An act or omission performed in good faith under the
14 apparent authority of a court order described in IC 35-46-1-15.1
15 or IC 35-46-1-15.3 that is invalid, including an arrest or
16 imprisonment related to the enforcement of the court order, if the
17 governmental entity or employee would not have been liable had the
18 court order been valid.

19 (22) An act taken to investigate or remediate hazardous
20 substances, petroleum, or other pollutants associated with a
21 brownfield (as defined in IC 13-11-2-19.3) unless:

22 (A) the loss is a result of reckless conduct; or
23 (B) the governmental entity **or the private or nonprofit**
24 **entity described in IC 5-1.2-12-4(g)** was responsible for the
25 initial placement of the hazardous substances, petroleum, or
26 other pollutants on the brownfield.

27 (23) The operation of an off-road vehicle (as defined in
28 IC 14-8-2-185) by a nongovernmental employee, or by a
29 governmental employee not acting within the scope of the
30 employment of the employee, on a public highway in a county
31 road system outside the corporate limits of a city or town, unless
32 the loss is the result of an act or omission amounting to:

33 (A) gross negligence;
34 (B) willful or wanton misconduct; or
35 (C) intentional misconduct.

36 This subdivision shall not be construed to relieve a governmental
37 entity from liability for the continuing duty to maintain highways
38 in a reasonably safe condition for the operation of motor vehicles
39 licensed by the bureau of motor vehicles for operation on public
40 highways.

41 (24) Any act or omission rendered in connection with a request,
42 investigation, assessment, or opinion provided under



1 IC 36-9-28.7.

2 (b) This subsection applies to a cause of action that accrues during
3 a period of a state disaster emergency declared under IC 10-14-3-12 to
4 respond to COVID-19, if the state of disaster emergency was declared
5 after February 29, 2020, and before April 1, 2022. A governmental
6 entity or an employee acting within the scope of the employee's
7 employment is not liable for an act or omission arising from COVID-19
8 unless the act or omission constitutes gross negligence, willful or
9 wanton misconduct, or intentional misrepresentation. If a claim
10 described in this subsection is:

11 (1) a claim for injury or death resulting from medical malpractice;
12 and

13 (2) not barred by the immunity provided under this subsection;
14 the claimant is required to comply with all of the provisions of
15 IC 34-18 (medical malpractice act).

16 SECTION 12. IC 36-7-4-201.6 IS ADDED TO THE INDIANA
17 CODE AS A NEW SECTION TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2026]: **Sec. 201.6. (a) As used in this section,**
19 **"permitted use" means a use that is approved in a zoning district**
20 **without requiring a:**

21 (1) public hearing;

22 (2) variance, special exception, contingent use, or conditional
23 use; or

24 (3) discretionary zoning action, other than a determination
25 that a site plan conforms with applicable zoning regulations.

26 **(b) Notwithstanding any ordinance or regulation to the**
27 **contrary, a project or development is a permitted use if the project**
28 **or development is sited on land:**

29 (1) zoned for agricultural use; and

30 (2) comprised of soil in capability classes IV, V, VI, VII, or
31 VIII as identified in the land capability classification system
32 of the United States Department of Agriculture Natural
33 Resources Conservation Service.

34 SECTION 13. IC 36-7-4-305.5 IS ADDED TO THE INDIANA
35 CODE AS A NEW SECTION TO READ AS FOLLOWS
36 [EFFECTIVE JULY 1, 2026]: **Sec. 305.5. (a) As used in this section,**
37 **"petition" has the meaning set forth in section 400.5 of this**
38 **chapter.**

39 **(b) Any person wishing to speak at a plan commission hearing**
40 **regarding a petition may be required, as a condition of speaking,**
41 **to provide the person's name and address in writing.**

42 **(c) The presiding officer of the plan commission may, in**



1 **managing the conduct of a hearing, give consideration to whether**
2 **a person:**

3 **(1) is a resident of the county; or**
4 **(2) has an interest as an owner, lessor, lessee, or life tenant in**
5 **real property located within the county;**

6 **in deciding the order in which persons may speak and the amount**
7 **of time allotted to each speaker.**

8 **(d) A presiding officer may allot persons who are described in**
9 **subsection (c) more time to speak at the hearing than persons who**
10 **are not described in subsection (c).**

11 SECTION 14. IC 36-7-4-400.5 IS ADDED TO THE INDIANA
12 CODE AS A NEW SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2026]: **Sec. 400.5. (a) As used in this section,**
14 **"petition" means a petition concerning any of the following:**

15 **(1) A plat, including the vacation of a plat.**
16 **(2) A development plan.**
17 **(3) A variance, contingent use, conditional use, special**
18 **exception, or special use.**
19 **(4) A planned unit development.**
20 **(5) A comprehensive plan.**
21 **(6) A zoning ordinance.**

22 **The term includes an administrative appeal of a decision regarding**
23 **a petition.**

24 **(b) Any person wishing to speak at a public hearing of the**
25 **legislative body regarding a petition may be required, as a**
26 **condition of speaking, to provide the person's name and address in**
27 **writing.**

28 **(c) The presiding officer of the legislative body may, in**
29 **managing the conduct of a public hearing, give consideration to**
30 **whether a person:**

31 **(1) is a resident of the county; or**
32 **(2) has an interest as an owner, lessor, lessee, or life tenant in**
33 **real property located within the county;**

34 **in deciding the order in which persons may speak and the amount**
35 **of time allotted to each speaker.**

36 **(d) A presiding officer may allot persons who are described in**
37 **subsection (c) more time to speak at the public hearing than**
38 **persons who are not described in subsection (c).**

39 SECTION 15. IC 36-7-4-920.5 IS ADDED TO THE INDIANA
40 CODE AS A NEW SECTION TO READ AS FOLLOWS
41 [EFFECTIVE JULY 1, 2026]: **Sec. 920.5. (a) As used in this section,**
42 **"petition" has the meaning set forth in section 400.5 of this**



1 **chapter.**

2 **(b) Any person wishing to speak at a public hearing of the board**
3 **of zoning appeals regarding a petition may be required, as a**
4 **condition of speaking, to provide the person's name and address in**
5 **writing.**

6 **(c) The presiding officer of the board of zoning appeals may, in**
7 **managing the conduct of a public hearing, give consideration to**
8 **whether a person:**

9 **(1) is a resident of the county; or**

10 **(2) has an interest as an owner, lessor, lessee, or life tenant in**
11 **real property located within the county;**

12 **in deciding the order in which persons may speak and the amount**
13 **of time allotted to each speaker.**

14 **(d) A presiding officer may allot persons who are described in**
15 **subsection (c) more time to speak at the public hearing than**
16 **persons who are not described in subsection (c).**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred House Bill 1333, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, delete lines 26 through 39, begin a new paragraph and insert:

"SECTION 2. IC 6-2.5-15-6.7 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6.7. As used in this chapter, "local authority" has the meaning set forth in IC 36-7-4-1109.

SECTION 3. IC 6-2.5-15-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8.5. As used in this chapter, "permit" has the meaning set forth in IC 36-7-4-1109.

SECTION 4. IC 6-2.5-15-15.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15.5. (a) This section applies to a qualified data center user that:

(1) uses or will use qualified data center equipment in connection with a qualified data center for which a permit that:

(A) authorizes the development, construction, or operation of the qualified data center in a local unit; and

(B) is issued after June 30, 2026, by the local authority with jurisdiction over the local unit; and

(2) is issued a specific transaction award certificate under this chapter with respect to the qualified data center after June 30, 2026.

(b) Before a qualified data center user described in subsection (a) may use the specific transaction award certificate issued under this chapter to purchase qualified data center equipment, the qualified data center user and the local unit described in subsection (a)(1) shall enter into a written agreement that includes a commitment by the qualified data center user to contribute to the local unit, at such times and in the manner agreed to by the local unit and the qualified data center user, an amount equal to at least one percent (1%) of the amount of taxes that are not paid on each purchase of qualified data center equipment that is made:

(1) using the specific transaction award certificate; and

(2) during the duration of the specific transaction award



certificate.

(c) The local unit and political subdivisions within the local unit shall determine:

- (1) how the contributions required under subsection (b) will be allocated; and**
- (2) for what purposes the contributions required under subsection (b) will be used;**

within the local unit.".

Page 4, delete lines 14 through 34.

Page 6, delete line 29.

Page 7, line 27, delete "If an OEO".

Page 7, delete lines 28 through 33.

Page 7, line 34, delete "the public to comment on each proposal.".

Page 7, delete line 42.

Delete page 8.

Page 9, delete lines 1 through 41.

Page 13, line 17, delete "IC 36-7-4-201.5" and insert "IC 36-7-4-201.6".

Page 13, line 19, delete "201.5." and insert "**201.6.**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1333 as introduced.)

SOLIDAY

Committee Vote: yeas 8, nays 4.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1333, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1333 as printed January 20, 2026.)

THOMPSON

Committee Vote: Yeas 14, Nays 6

HB 1333—LS 7025/DI 87

