

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS
FISCAL IMPACT STATEMENT**

LS 7025

BILL NUMBER: HB 1333

NOTE PREPARED: Jan 5, 2026

BILL AMENDED:

SUBJECT: Land use and development.

FIRST AUTHOR: Rep. Culp

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Pending

Summary of Legislation: *IFA Agreements:* This bill 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. It extends governmental immunity to a private entity or nonprofit entity that has executed certain agreements under the Indiana Brownfields Program.

Provides that the Indiana economic development corporation may not issue a specific transaction award certificate to exempt purchases made by certain data centers from sales and use tax exemption after June 30, 2026.

Electric Storage Facility Notifications: 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 system (BESS). Defines, for purposes of the statute, an "onsite energy offtake development" (OEO development) as a commercial or industrial development: (1) that will be located on a premise of land in an energy production zone on which an electric generation or storage facility that is not subject to the jurisdiction of the Indiana utility regulatory commission will be located; (2) that will be equipped with or use water saving technologies; and (3) with respect to which the development owner has committed through an offtake agreement to purchase a specified amount of energy or capacity from the energy generation or storage facility; under the terms of an economic development agreement with a unit. 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. Provides that a development owner is not required to obtain a permit, or any other land use or zoning approval, from a local authority for the construction of an OEO development if the development owner: (1) provides notice containing specified information about the OEO development to the local authority before commencing construction; and (2) holds a public hearing in the unit in which the OEO development will be located; in the same manner provided under current law for planned electric generation or storage facilities. 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.

Effective Date: July 1, 2026.

Explanation of State Expenditures: *As of the above date, the fiscal analysis of this bill has not been completed. Please contact the Office of Fiscal and Management Analysis for an update of this fiscal impact statement.*

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected:

Local Agencies Affected:

Information Sources:

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