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| Adopted | Rejected |
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COMMITTEE REPORT

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| YES: | 20 |
| NO: | 0 |

MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred Senate Bill 281, 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:*

1 Page 1, between the enacting clause and line 1, begin a new
 2 paragraph and insert:
 3 "SECTION 1. IC 5-28-6-9, AS AMENDED BY P.L.213-2025,
 4 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2026]: Sec. 9. (a) Subject to subsection (c), the aggregate
 6 amount of applicable tax credits that the corporation may certify:
 7 (1) for each state fiscal year ending on or before June 30, 2025,
 8 for all taxpayers is two hundred fifty million dollars
 9 (\$250,000,000); and
 10 (2) for each state fiscal year ending on or after July 1, 2025, for all
 11 taxpayers is three hundred million dollars (\$300,000,000), **fifteen**
 12 **million dollars (\$15,000,000) of which must be allocated to**

1 **fund qualified community projects within local government**
2 **units under IC 6-3.1-34-24.** Each certification under this
3 subdivision is subject to budget committee review.

4 (b) For purposes of determining the amount of applicable tax credits
5 that have been certified for a state fiscal year, the following apply:

6 (1) An applicable tax credit is considered awarded in the state
7 fiscal year in which the taxpayer can first claim the credit,
8 determined without regard to any carryforward period or
9 carryback period.

10 (2) An applicable tax credit awarded by the corporation before
11 July 1, 2022, shall be counted toward the aggregate credit
12 limitation under this section.

13 (3) If an accelerated credit is awarded under IC 6-3.1-26-15, the
14 amount counted toward the aggregate credit limitation under this
15 section for a state fiscal year shall be the amount of the credit for
16 the taxable year described in subdivision (1) prior to any discount.

17 (c) Notwithstanding subsection (a), if the corporation determines
18 that:

19 (1) an applicable tax credit should be certified in a state fiscal
20 year; and

21 (2) certification of the applicable tax credit will result in an
22 aggregate amount of applicable tax credits certified for that state
23 fiscal year that exceeds the maximum amount provided in
24 subsection (a);

25 the corporation may, after review by the budget committee, certify the
26 applicable tax credit to the taxpayer.

27 (d) This section expires December 31, 2032.

28 SECTION 2. IC 5-28-44 IS ADDED TO THE INDIANA CODE AS
29 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
30 PASSAGE]:

31 **Chapter 44. Unmanned Aircraft Systems Test Site**

32 **Sec. 1. In enacting this chapter, it is the intent of the general**
33 **assembly to advance the state's leadership position in technologies**
34 **related to unmanned aircraft systems to foster more opportunities**
35 **for citizens of the state with respect to unmanned aircraft system**
36 **technology and related industries and to support the federal**
37 **government in research, development, and testing in support of**
38 **commerce and national security. The general assembly finds the**

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following:

- (1) The FAA announced on January 8, 2026, that Indiana is designated as a test site for UAS.**
- (2) The FAA notes that test sites help the United States assess emerging technologies to modernize methods for cargo delivery, Beyond Visual Line of Sight operations, and multiple UAS operations while informing safety and security, ushering in the safe commercialization of UAS technologies and fully integrating UAS into the national airspace system.**
- (3) Indiana's designation as a test site was the result of a competitive process against other states and a joint application between the corporation and the operating partner. The proposal was developed under a contract between the corporation and the operating partner to pursue similar federal programs.**
- (4) The FAA test site will require substantial reporting and compliance activities to comply with federal laws and regulations governing the federal UAS Test Site Program and ancillary activities and is desirable for efficiency, clarity, and transparency to avoid duplicating regulatory schemes at the federal and state levels.**

Sec. 2. As used in this chapter, "FAA" means the Federal Aviation Administration.

Sec. 3. As used in this chapter, "operating partner" means the Indiana based nonprofit corporation that partners with the corporation to operate and maintain the UAS test site under supervision of the corporation.

Sec. 4. As used in this chapter, "test site" means the Indiana UAS test site awarded to the corporation by the FAA.

Sec. 5. As used in this chapter, "UAS" means an unmanned aircraft system, including counter UAS and other related entities.

Sec. 6. Notwithstanding any other law, during the period that the test site remains subject to federal requirements as part of the UAS Test Site Program operated by the FAA, the corporation and operating partner are not subject to any state law concerning the following for purposes of operating the test site:

- (1) State procurement requirements.**
- (2) State contracting requirements.**

1 **(3) State fee setting requirements.**

2 **Sec. 7. (a) The operating partner shall establish a bank account**
3 **that is separate and segregated from any other bank account under**
4 **the operating partner's control and administer all funds for the test**
5 **site in the bank account.**

6 **(b) The operating partner may administer and deposit all**
7 **income, earnings, and other receipts accrued through operation of**
8 **the test site in the bank account, including any state or federal**
9 **funding received through a contract, or as a grant or loan.**

10 **(c) The operating partner may expend money from the bank**
11 **account for operations of the test site, including costs for**
12 **administration, staffing, equipment, test site activities,**
13 **communications, and marketing. The operating partner may**
14 **transfer revenue from the bank account to the corporation or any**
15 **other state agency to be used for the following purposes:**

16 **(1) To procure UAS technology for use by the state.**

17 **(2) To pursue federal funding for activities related to UAS**
18 **that benefit the state.**

19 **(3) To support economic development activities related to**
20 **UAS research or manufacturing.**

21 **(d) The operating partner shall keep a full and complete record**
22 **of funds received and disbursed by the operating partner. The**
23 **report is subject to audit and must be submitted to the corporation**
24 **board not later than July 1 of each year, or more often as required**
25 **by the corporation.**

26 **Sec. 8. The state examiner, or deputy examiners, field**
27 **examiners, or private examiners, shall make a full and complete**
28 **report of the records and receipts of the test site.**

29 **Sec. 9. The operating partner shall do the following:**

30 **(1) Respond to requests from local, regional, or state**
31 **economic development organizations for assistance with**
32 **economic activities intended to attract companies, or to**
33 **develop clusters of activity, within the UAS sector.**

34 **(2) Respond to requests from state agencies for expertise**
35 **related to the procurement of UAS technology.**

36 **(3) Respond to requests from state agencies for assistance**
37 **with the development of new UAS test activities within**
38 **particular economic sectors.**

1 **Sec. 10. The operating partner is responsible for carrying out**
 2 **the FAA's requirements and obligations for the safe operation and**
 3 **maintenance of the test site and for managing the day to day**
 4 **operations of the test site under supervision of the corporation.**

5 **Sec. 11. (a) Notwithstanding any other law, the corporation may**
 6 **enter into an agreement with the operating partner to fulfill the**
 7 **requirements of this chapter and any other applicable requirement**
 8 **from the FAA or another federal agency.**

9 **(b) The corporation may dedicate resources as determined**
 10 **necessary and appropriate by the corporation to support the**
 11 **implementation and ongoing operation of the test site, including**
 12 **staff support, administrative support, and direct financial support.**

13 SECTION 3. IC 6-3.1-24-7, AS AMENDED BY P.L.172-2011,
 14 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2026]: Sec. 7. (a) The Indiana economic development
 16 corporation shall certify that a business is a qualified Indiana business
 17 if the corporation determines that the business:

18 (1) has its headquarters in Indiana;

19 (2) is primarily focused on professional motor vehicle racing,
 20 commercialization of research and development, technology
 21 transfers, or the application of new technology, or is determined
 22 by the Indiana economic development corporation to have
 23 significant potential to:

24 (A) bring substantial capital into Indiana;

25 (B) create jobs;

26 (C) diversify the business base of Indiana; or

27 (D) significantly promote the purposes of this chapter in any
 28 other way;

29 (3) has had average annual revenues of less than ten million
 30 dollars (\$10,000,000) in the two (2) years preceding the year in
 31 which the business received qualified investment capital from a
 32 taxpayer claiming a credit under this chapter;

33 (4) has:

34 (A) at least fifty percent (50%) of its employees residing in
 35 Indiana; or

36 (B) at least seventy-five percent (75%) of its assets located in
 37 Indiana; and

38 (5) is not engaged in a business involving:

- 1 (A) real estate;
 2 (B) real estate development;
 3 (C) insurance;
 4 (D) professional services provided by an accountant, a lawyer,
 5 or a physician;
 6 (E) retail sales, except when:
 7 (i) the primary purpose of the business is the development
 8 or support of electronic commerce using the Internet; or
 9 **(ii) the business is engaged in retail sales as a method to**
 10 **sell a unique product that the business developed, for**
 11 **which the business holds patents, or of which the**
 12 **business otherwise has ownership; or**
 13 (F) oil and gas exploration.
- 14 (b) A business shall apply to be certified as a qualified Indiana
 15 business on a form prescribed by the Indiana economic development
 16 corporation.
- 17 (c) If a business is certified as a qualified Indiana business under
 18 this section, the Indiana economic development corporation shall
 19 provide a copy of the certification to the investors in the qualified
 20 Indiana business for inclusion in tax filings.
- 21 (d) Except as provided in subsection (e), the Indiana economic
 22 development corporation may impose an application fee of not more
 23 than two hundred dollars (\$200).
- 24 (e) The Indiana economic development corporation may not impose
 25 the application fee authorized by subsection (d) for applications
 26 submitted during the period beginning July 1, 2011, and ending June
 27 30, 2013.
- 28 SECTION 4. IC 6-3.1-24-7.5, AS ADDED BY P.L.165-2021,
 29 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2026]: Sec. 7.5. (a) The Indiana economic development
 31 corporation may certify that an investment fund is a qualified Indiana
 32 investment fund if the corporation determines that the fund meets the
 33 definition in section 2.5 of this chapter and the requirements in
 34 subsection (b).
- 35 (b) The Indiana economic development corporation may only certify
 36 a fund as a qualified Indiana investment fund if the fund makes
 37 investments according to a policy that:
 38 (1) requires eligible companies to be primarily focused on the

1 commercialization of research and development, technology
2 transfer, or application of new technology; and

3 (2) prioritizes investments in companies that:

4 (A) have received a grant, loan, or other investment funds
5 provided by the Indiana twenty-first century research and
6 technology fund established by IC 5-28-16-2; or

7 (B) maintain a substantial presence in Indiana.

8 **The policy referred to in this subsection shall apply only to**
9 **investable capital in the fund, excluding management fees, legal**
10 **fees, and other expenses incurred in the operation of the fund.**

11 (c) An investment fund must apply to be certified as a qualified
12 Indiana investment fund on a form prescribed by the Indiana economic
13 development corporation.

14 (d) If an investment fund is certified as a qualified Indiana
15 investment fund under this section, the Indiana economic development
16 corporation shall provide a copy of the certification to the investors in
17 the qualified Indiana investment fund for inclusion in tax filings.

18 SECTION 5. IC 6-3.1-24-12, AS AMENDED BY P.L.165-2021,
19 SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2026]: Sec. 12. (a) If the amount of the credit determined
21 under section 8 or 8.5 of this chapter for a taxpayer in a taxable year
22 exceeds the taxpayer's state tax liability for that taxable year, the
23 taxpayer may carry the excess credit over for a period not to exceed the
24 taxpayer's following five (5) taxable years. The amount of the credit
25 carryover from a taxable year shall be reduced to the extent that the
26 carryover is used by the taxpayer to obtain a credit under this chapter
27 for any subsequent taxable year. A taxpayer is not entitled to a
28 carryback or a refund of any unused credit amount.

29 (b) If the corporation certifies a credit for an investment that is made
30 after June 30, 2020, and before July 1, 2029, the taxpayer may assign
31 all or part of the credit to which the taxpayer is entitled under this
32 chapter, subject to the limitations set forth in subsection (c).

33 (c) The following apply to the assignment of a credit under this
34 chapter:

35 (1) A taxpayer may not assign all or part of a credit or credits to
36 a particular person in amounts that are less than ten thousand
37 dollars (\$10,000).

38 (2) Before a credit may be assigned, the taxpayer must notify the

1 corporation of the assignment of the credit in the manner
2 prescribed by the corporation.

3 (3) An assignment of a credit must be in writing, and both the
4 taxpayer and assignee shall report the assignment on the
5 taxpayer's and assignee's state tax returns for the year in which the
6 assignment is made, in the manner prescribed by the department.

7 (4) Once a particular credit or credits are assigned, the assignee
8 may not assign all or part of the credit or credits to another
9 person.

10 (5) A taxpayer may not receive value in connection with an
11 assignment under this section that exceeds the value of that part
12 of the credit assigned.

13 **Nothing in this subsection shall prevent a taxpayer from combining**
14 **individual credits of less than ten thousand dollars (\$10,000) for**
15 **assignment.**

16 (d) The corporation shall collect and compile data on the
17 assignments of tax credits under this chapter and determine the
18 effectiveness of each assignment in getting projects completed. The
19 corporation shall report its findings under this subsection to the
20 legislative council in an electronic format under IC 5-14-6 before
21 November 1, 2022. This subsection expires January 1, 2023."

22 Page 1, line 5, after "planning," insert "**the corporation shall**
23 **commit thirty-five million dollars (\$35,000,000) in tax credits**
24 **under this chapter each state fiscal year among:**

- 25 (1) **development authorities;**
26 (2) **qualified nonprofit organizations; and**
27 (3) **local economic development organizations that:**
28 (A) **represent a single unit or multiple units; and**
29 (B) **have an economically significant impact, as determined**
30 **by the corporation;**

31 **which may subsequently be awarded by the corporation at the**
32 **request of an entity described in subdivisions (1) through (3) to a**
33 **taxpayer proposing a qualified investment in a qualified**
34 **redevelopment site. The corporation shall consider the regional**
35 **significance of a project when awarding the tax credits under this**
36 **subsection.**

37 (b) **Not later than January 1, 2031, the corporation shall present**
38 **a report to the budget committee concerning the tax credits**

1 awarded under this section, including the status of the projects for
2 which tax credits were awarded under this section and the regional
3 impact of the projects."

4 Page 1, delete lines 6 through 17.

5 Page 2, line 3, delete "(a)".

6 Page 2, delete lines 7 through 36, begin a new paragraph and insert:

7 "SECTION 8. IC 6-3.1-34-5.5 IS ADDED TO THE INDIANA
8 CODE AS A NEW SECTION TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2026]: **Sec. 5.5. As used in this chapter,**
10 **"qualified nonprofit organization" means a nonprofit organization**
11 **that:**

12 (1) was established and obtained tax exempt status under
13 Section 501 of the Internal Revenue Code before January 1,
14 2016, and has since maintained tax exempt status under
15 Section 501 of the Internal Revenue Code;

16 (2) was formed to support economic development across the
17 region; and

18 (3) does not represent a single interest group or local unit or
19 units within a single county.

20 SECTION 9. IC 6-3.1-34-24 IS ADDED TO THE INDIANA CODE
21 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
22 1, 2026]: **Sec. 24. (a) As used in this section, "downtown area"**
23 **means:**

24 (1) the central business district of a city or town; or

25 (2) any commercial or mixed use area within a neighborhood
26 of a city or town that has traditionally served, since the
27 founding of the community, as the retail service and
28 communal focal point within the community.

29 (b) As used in this section, "initiative" means the small town
30 opportunity initiative established by subsection (f).

31 (c) As used in this section, "nonprofit taxpayer" means a
32 taxpayer:

33 (1) that is tax exempt under Section 501 of the Internal
34 Revenue Code;

35 (2) for which some or all of its mission is to revitalize the
36 community it serves; and

37 (3) whose leadership includes primarily members of the
38 community it serves.

1 **(d) As used in this section, "qualified community project"**
2 **means a project that:**

3 **(1) is located in the:**

4 **(A) downtown area of a city or a town with a population of**
5 **less than thirty thousand (30,000);**

6 **(B) downtown area of a city or a town that is located in a**
7 **county with a population of less than seventy-five thousand**
8 **(75,000); or**

9 **(C) unincorporated territory of a county with a population**
10 **of less than seventy-five thousand (75,000) if the site of the**
11 **project is an area of the unincorporated territory that**
12 **serves as the retail service and communal focal point**
13 **within the unincorporated territory;**

14 **(2) involves the:**

15 **(A) historic preservation;**

16 **(B) redevelopment; or**

17 **(C) rehabilitation;**

18 **of real property; and**

19 **(3) has a total project budget of at least fifteen million dollars**
20 **(\$15,000,000).**

21 **(e) As used in this section, "qualified investment" means the**
22 **amount of the taxpayer's expenditures that are:**

23 **(1) for the redevelopment or rehabilitation of real property as**
24 **part of a qualified community project; and**

25 **(2) approved by the corporation before the expenditure is**
26 **made.**

27 **(f) The small town opportunity initiative is established.**

28 **(g) The corporation shall administer the initiative.**

29 **(h) The purpose of the initiative is to undertake qualified**
30 **community projects within local government units to do the**
31 **following:**

32 **(1) Advance historic preservation.**

33 **(2) Redevelop or rehabilitate distressed buildings or**
34 **underutilized property.**

35 **(3) Redevelop or rehabilitate sites where distressed buildings**
36 **once stood.**

37 **(i) A for-profit taxpayer undertaking a qualified community**
38 **project under the initiative is entitled to a redevelopment tax credit**

1 under this chapter equal to twenty percent (20%) of the taxpayer's
2 cost of the project.

3 (j) A nonprofit taxpayer undertaking a qualified community
4 project under the initiative is entitled to a redevelopment tax credit
5 under this chapter equal to thirty percent (30%) of the taxpayer's
6 cost of the project.

7 (k) Qualified community projects undertaken under this section
8 are not subject to any statutory or administrative repayment
9 obligation.

10 (l) Notwithstanding any other provision of this section, for a
11 nonprofit taxpayer undertaking a qualified community project
12 under this section, expenditures incurred to acquire, hold, or
13 prepare real property for redevelopment or rehabilitation before
14 the date the taxpayer's initial application or application for
15 certification is approved by the corporation shall be included in the
16 taxpayer's qualified investment if:

- 17 (1) the expenditures were incurred for the primary purpose
- 18 of future redevelopment consistent with subsection (h);
- 19 (2) the nonprofit taxpayer obtained site control in furtherance
- 20 of a locally supported redevelopment effort; and
- 21 (3) the corporation determines, as part of the application or
- 22 certification process, that inclusion of such expenditures is in
- 23 the public interest and supportive of early stage community
- 24 redevelopment efforts.

25 (m) For purposes of determining whether an expenditure is
26 included as part of a qualified investment under subsection (l), an
27 expenditure shall be treated as if it were approved by the
28 corporation as of the date the expenditure was originally incurred.

29 SECTION 10. IC 36-7-32-8.5, AS AMENDED BY P.L.154-2020,
30 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2026]: Sec. 8.5. As used in this chapter, "income tax
32 incremental amount" means the following:

- 33 (1) Except as provided in subdivision (2), the remainder of:
- 34 (A) the total amount of state adjusted gross income taxes and
- 35 local income taxes paid by employees employed in the
- 36 territory comprising the certified technology park with respect
- 37 to wages and salary earned for work in the territory comprising

1 the certified technology park for a particular state fiscal year;
 2 minus
 3 (B) the sum of the:
 4 (i) income tax base period amount as defined in section 8 of
 5 this chapter; and
 6 (ii) tax credits awarded by the Indiana economic
 7 development corporation under IC 6-3.1-13 to businesses
 8 operating in a certified technology park as the result of
 9 wages earned for work in the certified technology park for
 10 the state fiscal year;
 11 as determined by the department of state revenue.

12 (2) In the case of a certified technology park for which the amount
 13 limit under section 22(c), ~~or~~ 22(d), **or 22(e)** of this chapter has
 14 been exceeded, the remainder of:

15 (A) the total amount of state adjusted gross income taxes and
 16 local income taxes paid by employees employed in the
 17 territory comprising the certified technology park with respect
 18 to wages and salary earned for work in the territory comprising
 19 the certified technology park for a particular state fiscal year;
 20 minus
 21 (B) the sum of the:
 22 (i) income tax base period amount as defined in section 8 of
 23 this chapter; and
 24 (ii) tax credits awarded by the Indiana economic
 25 development corporation under IC 6-3.1-13 to businesses
 26 operating in a certified technology park as the result of
 27 wages earned for work in the certified technology park for
 28 the state fiscal year;
 29 as determined by the department of state revenue.

30 SECTION 11. IC 36-7-32-22, AS AMENDED BY P.L.145-2025,
 31 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2026]: Sec. 22. (a) The treasurer of state shall establish an
 33 incremental tax financing fund for each certified technology park
 34 designated under this chapter. The fund shall be administered by the
 35 treasurer of state. Money in the fund does not revert to the state general
 36 fund at the end of a state fiscal year.

1 (b) Subject to subsection (c), the following amounts shall be
 2 deposited during each state fiscal year in the incremental tax financing
 3 fund established for a certified technology park under subsection (a):

4 (1) The aggregate amount of state gross retail and use taxes that
 5 are remitted under IC 6-2.5 by businesses operating in the
 6 certified technology park, until the amount of state gross retail
 7 and use taxes deposited equals the gross retail incremental
 8 amount for the certified technology park.

9 (2) Except as provided in subdivision (3), the aggregate amount
 10 of the following taxes paid by employees employed in the
 11 certified technology park with respect to wages earned for work
 12 in the certified technology park, until the amount deposited equals
 13 the income tax incremental amount as defined in section 8.5(1) of
 14 this chapter:

15 (A) The adjusted gross income tax.

16 (B) The local income tax (IC 6-3.6).

17 (3) In the case of a certified technology park to which subsection
 18 (e) **or (f)** applies, the amount determined under subsection (e) **or**
 19 **(f)**, if any **and as applicable**.

20 (c) Except as provided in subsections (d), ~~and (e)~~, **and (f)**, not more
 21 than a total of five million dollars (\$5,000,000) may be deposited in a
 22 particular incremental tax financing fund for a certified technology
 23 park over the life of the certified technology park.

24 (d) Except as provided in ~~subsection (e)~~; **subsections (e) and (f)**, in
 25 the case of a certified technology park that is operating under a written
 26 agreement entered into by two (2) or more redevelopment
 27 commissions, and subject to section 26(b)(4) of this chapter:

28 (1) not more than a total of five million dollars (\$5,000,000) may
 29 be deposited over the life of the certified technology park in the
 30 incremental tax financing fund of each redevelopment
 31 commission participating in the operation of the certified
 32 technology park; and

33 (2) the total amount that may be deposited in all incremental tax
 34 financing funds, over the life of the certified technology park, in
 35 aggregate, may not exceed the result of:

36 (A) five million dollars (\$5,000,000); multiplied by

- 1 (B) the number of redevelopment commissions that have
- 2 entered into a written agreement for the operation of the
- 3 certified technology park.
- 4 (e) If a certified technology park has reached the limit on deposits
- 5 under subsection (c) or (d) and maintains its certification under section
- 6 11(c) of this chapter, the certified technology park shall become a
- 7 Level 2 certified technology park and an additional annual deposit
- 8 amount shall be deposited in the incremental tax financing fund for the
- 9 certified technology park equal to the following:
- 10 (1) For a certified technology park to which subsection (c)
- 11 applies, the lesser of:
- 12 (A) the income tax incremental amount as defined in section
- 13 8.5(2) of this chapter; or
- 14 (B) two hundred fifty thousand dollars (\$250,000).
- 15 (2) For a certified technology park to which subsection (d)
- 16 applies, the lesser of:
- 17 (A) the aggregate income tax incremental amounts as defined
- 18 in section 8.5(2) of this chapter attributable to each
- 19 redevelopment commission that has entered into a written
- 20 agreement for the operation of the certified technology park;
- 21 or
- 22 (B) two hundred fifty thousand dollars (\$250,000) multiplied
- 23 by the number of redevelopment commissions that have
- 24 entered into a written agreement for the operation of the
- 25 certified technology park.
- 26 (3) The following apply to deposits under this subsection:
- 27 (A) If a certified technology park reached its limit on deposits
- 28 based on a state fiscal year ending before July 1, 2020, the
- 29 certified technology park shall receive deposits based on the
- 30 income tax incremental amount as defined in section 8.5(2) of
- 31 this chapter for each state fiscal year ending after June 30,
- 32 2019.
- 33 (B) If a certified technology park reached its limit on deposits
- 34 based on a state fiscal year ending after June 30, 2020, the
- 35 certified technology park shall receive deposits based on the
- 36 income tax incremental amount as defined in section 8.5(2) of
- 37 this chapter for the state fiscal year in which it reached its limit

1 on deposits under subsection (c) or (d) and each state fiscal
2 year thereafter.

3 (C) If a certified technology park is permitted to receive
4 deposits under this subsection during the state fiscal year in
5 which it reached its limit on deposits under subsection (c) or
6 (d), the income tax incremental amount for purposes of
7 subdivision (1)(A) or (1)(B) for that state fiscal year shall be
8 reduced by an amount equal to:

9 (i) the deposit amount for the state fiscal year under
10 subsection (b) required to reach the limit on deposits under
11 subsection (c) or (d); minus

12 (ii) the gross retail incremental amount determined under
13 section 6.5 of this chapter;

14 but not less than zero (0).

15 **(f) This subsection applies to a certified technology park that is**
16 **located within a qualified military base enhancement area under**
17 **IC 36-7-34. Subject to subsection (g), if a certified technology park**
18 **has reached the limit on deposits under subsection (e) and**
19 **maintains its certification under section 11(c) of this chapter, the**
20 **certified technology park shall become a Level 3 certified**
21 **technology park and an additional annual deposit amount shall be**
22 **deposited in the incremental tax financing fund for the certified**
23 **technology park equal to the lesser of:**

24 **(1) the aggregate income tax incremental amounts as defined**
25 **in section 8.5(2) of this chapter attributable to each**
26 **redevelopment commission that has entered into a written**
27 **agreement for the operation of the certified technology park;**
28 **or**

29 **(2) two hundred fifty thousand dollars (\$250,000) multiplied**
30 **by the number of redevelopment commissions that have**
31 **entered into a written agreement for the operation of the**
32 **certified technology park.**

33 **However, no amount of state gross retail and use taxes that are**
34 **remitted under IC 6-2.5 for transactions occurring after June 30,**
35 **2029, by businesses operating in the certified technology park and**
36 **no amount of adjusted gross income tax or local income tax paid by**
37 **employees employed in the certified technology park with respect**
38 **to wages and salary earned for work in the certified technology**

1 park after June 30, 2029, may be deposited in the incremental tax
 2 financing fund for the certified technology park, regardless of
 3 whether the maximum annual amount under subdivision (1) or (2)
 4 has been met.

5 (g) For purposes of calculating the income tax incremental
 6 amount for the additional annual deposit amount under subsection
 7 (f), only wages attributable to new employees hired on or after the
 8 date the certified technology park becomes a Level 3 certified
 9 technology park shall be included in the calculation. The
 10 department of state revenue shall determine the incremental
 11 amount based only on the net payroll increase over the base payroll
 12 determined at the time of the Level 3 designation.

13 (h) Once a certified technology park meets the requirements of
 14 designation as a Level 3 certified technology park, the department
 15 of state revenue shall, not later than ninety (90) days after receipt
 16 of all information necessary to make the determination, issue a
 17 written determination establishing:

18 (1) the date on which the certified technology park became a
 19 Level 3 certified technology park; and

20 (2) the base payroll amount to be used for purposes of
 21 calculating the income tax incremental amount under section
 22 8.5 of this chapter.

23 The department of state revenue may require the submission of
 24 documentation reasonably necessary to make the determination
 25 under this subsection.

26 ~~(f)~~ (i) This subsection applies to a Level 2 **or** Level 3 certified
 27 technology park designated in subsection (e) **or** (f). When the office
 28 recertifies a certified technology park as required under section 11 of
 29 this chapter, the office shall make a determination of whether the
 30 certified technology park shall continue to be designated as a Level 2
 31 **or** Level 3 certified technology park.

32 ~~(g)~~ (j) On or before the twentieth day of each month, all amounts
 33 held in the incremental tax financing fund established for a certified
 34 technology park shall be distributed to the redevelopment commission
 35 for deposit in the certified technology park fund established under
 36 section 23 of this chapter."

37 Page 3, delete lines 30 through 42, begin a new paragraph and
 38 insert:

- 1 "SECTION 13. **An emergency is declared for this act.**".
- 2 Delete page 4.
- 3 Renumber all SECTIONS consecutively.
(Reference is to SB 281 as reprinted January 28, 2026.)

and when so amended that said bill do pass.

Representative Thompson