



April 2, 2025

ENGROSSED

HOUSE BILL No. 1427

DIGEST OF HB 1427 (Updated April 1, 2025 12:28 pm - DI 129)

Citations Affected: IC 5-1; IC 5-14; IC 6-1.1; IC 6-1.5; IC 6-3.6; IC 6-8.1; IC 6-9; IC 8-1; IC 14-27; IC 20-46; IC 20-48; IC 35-52; IC 36-2; IC 36-3; IC 36-7; IC 36-7.5; IC 36-10; noncode.

Synopsis: Fiscal and administrative matters. Removes the sunset of provisions that authorize the sale of bonds at a negotiated sale. Requires the fiscal officer (rather than the executive) of a political subdivision to upload certain contracts to the Indiana transparency website (website). Permits the political subdivision to identify an individual other than the fiscal officer to upload contracts to the website. Provides that the only permissible method of filing a personal property return is by using the personal property online submission (Continued next page)

Effective: Upon passage; January 1, 2025 (retroactive); July 1, 2025; January 1, 2026.

Snow, Slager, Heine, Pryor

(SENATE SPONSORS — BASSLER, NIEZGODSKI, FORD J.D., ROGERS)

January 13, 2025, read first time and referred to Committee on Ways and Means.
February 13, 2025, amended, reported — Do Pass.
February 17, 2025, read second time, amended, ordered engrossed.
February 18, 2025, engrossed. Read third time, passed. Yeas 89, nays 1.

SENATE ACTION

March 3, 2025, read first time and referred to Committee on Tax and Fiscal Policy.
April 1, 2025, amended, reported favorably — Do Pass.

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portal. Establishes a \$5 filing fee and an exception. Adds requirements for the filing of a petition for review of land values. Amends a provision pertaining to the assessment of solar land. For purposes of public utility companies, specifies that the period of time that a taxpayer may file an objection with the department of local government finance (DLGF) is not later than 15 days after the notice is postmarked. Provides that all or part of a building is deemed to serve a charitable purpose and is exempt from property taxation if it is owned by certain nonprofit entities that charge an entry fee of not more than \$500,000. Adds continuing care retirement communities, small house health facilities, and qualified residential treatment providers to the list of exempt entities. For purposes of property of an exempt organization used in a nonexempt trade or business, provides that the DLGF may (as opposed to shall) adopt certain rules. Amends the requirements that must be satisfied to receive a property tax exemption for property used by a for-profit provider of early childhood education. Establishes a partial property tax exemption for an employer that provides child care on the employer's property for the employer's employees and certain other employees. Amends certain notice and procedural provisions applicable to proceedings before the Indiana board of tax review. Clarifies the deadline for submitting amended certified net assessed value amounts. Specifies the calculation of the maximum permissible property tax levy for certain units that fail to comply with certain budget and tax levy review and adoption procedures. Adds provisions that: (1) require the DLGF to increase the maximum permissible property tax levy for certain qualifying municipalities for property taxes first due and payable in 2025 to include all debt service levies of the qualifying municipality for property taxes first due and payable in 2025; (2) specify that the adjustment is a one time and permanent increase; (3) modify the: (A) local income tax trust account threshold percentage of a county that contains a qualifying municipality (for purposes of determining whether the county shall receive a supplemental distribution); and (B) certified share allocation determination for a qualifying municipality; and (4) prohibit the use funds from the state general fund to make up certain local income tax related shortfalls. Provides temporary one time increases for the maximum permissible ad valorem property tax levies for Shelby County and the Shelby County solid waste management district. Provides that the county treasurer is not required to mail or transmit a statement for property that is exempt from taxation and does not have a reported assessed value. Requires the DLGF, in a manner determined by the DLGF, to include on the coupon page of each property tax statement educational information regarding the eligibility and procedures for the over 65 property tax deduction and for various property tax deductions available to veterans. Provides that a tract or item of real property owned by a political subdivision may not be sold at a tax sale. Removes a provision requiring the county executive to provide an annual report to the legislative council concerning certain tax sales. Provides that property tax assessment board of appeals members' terms must be staggered for a two year period and begin on January 1. Provides that a property tax payment made by a check processing company received after the due date for the property taxes is considered to be made on or before the due date if the taxpayer provides reasonable evidence that the payments were made on or before the due date. Specifies that a volunteer fire department that applies to the county adopting body for a distribution of local income tax revenue that is allocated to public safety purposes must do so through the fiscal officer of the unit served by the department. Allows revenue generated from a special purpose local income tax rate in Starke County to be used to operate and maintain the county jail and related facilities. Provides a presumption of reasonable cause exception to the penalty for failure to file a return in the case of certain small

(Continued next page)



partnerships. Amends the provisions to conform to the reasonable cause exception applicable to the failure to file penalty available under federal tax procedures (IRS Rev. Proc. 84-35, 1984-1 C.B. 509). Authorizes numerous local units to impose food and beverage taxes. Allows the town of Shipshewana to increase its food and beverage tax. Removes language excluding transactions that occur at a historical hotel from the Orange County food and beverage tax and amends provisions that apply to the uses of the tax revenue. Repeals provisions authorizing the imposition of food and beverage taxes in Wayne County. Reallocates the amounts of revenue received from the Vanderburgh County innkeeper's tax that is deposited in certain funds. Authorizes certain counties to impose an innkeeper's tax under separate enabling statutes. Allows Brown County and Delaware County to increase the innkeeper's tax rate under the uniform innkeeper's tax statute. Prohibits the deposit or transfer of money in an innkeeper's or food and beverage tax fund into any other fund, or deposit or transfer of money from any other fund into an innkeeper's or food and beverage tax fund. Requires a local unit that imposes a food and beverage tax (as part of its required annual reporting) to provide to the state board of accounts a consolidated financial statement for the preceding year. Requires the state board of accounts to: (1) determine whether or not local units imposing a food and beverage tax, and other entities that receive a distribution of food and beverage tax revenue, are in compliance with current reporting requirements and applicable statutory requirements; and (2) submit a report of its findings to the legislative council. Provides for a reduction of the percentage of gross revenue to be paid to a unit of local government by a holder of a cable franchise. Amends operations fund property tax levy distribution provisions for eligible charter schools. Specifies that a minimum population for application of certain provisions concerning: (1) the assessment of industrial facilities; (2) the general government of counties; and (3) the division of powers of certain counties; is 450,000 (instead of 400,000). Allows a county fiscal body to make loans of money for not more than 10 years (rather than five years under current law) and issue notes for the purpose of refunding those loans. Provides for the establishment of a new allocation area over an existing allocation area under specified conditions. Allows a qualified city to establish a sports and convention development area as a tax area in which covered taxes are captured for use in the tax area. Specifies conditions applicable to a qualified city's establishment of a tax area. Specifies that an agreement entered into for the lease of public facilities in a certified technology park to a nonprofit corporation may not be below market rate. Allows a person who is: (1) engaged in the business of renting or furnishing, for periods of less than 30 days, certain lodging facilities located within an economic development district; and (2) liable for a special benefits assessment for the property; to charge a fee of not more than \$1. Provides that the northwest Indiana regional development authority must be reimbursed for amounts deposited in the blighted property demolition fund not later than July 1, 2027 (instead of July 1, 2026). Provides for funding for cultural institutions.



April 2, 2025

First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1427

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:

- 1 SECTION 1. IC 5-1-11-1, AS AMENDED BY P.L.236-2023,
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2025]: Sec. 1. (a) Except as otherwise provided in this chapter
4 or in the statute authorizing their issuance, all bonds issued by or in the
5 name of counties, townships, cities, towns, school corporations, and
6 special taxing districts, agencies or instrumentalities thereof, or by
7 entities required to sell bonds pursuant to this chapter, whether the
8 bonds are general obligations or issued in anticipation of the collection
9 of special taxes or are payable out of revenues, may be sold:
10 (1) at a public sale; or
11 (2) alternatively, at a negotiated sale, ~~after June 30, 2018, and~~
12 ~~before July 1, 2025~~, in the case of:
13 (A) counties;
14 (B) townships;
15 (C) cities;
16 (D) towns;
17 (E) taxing districts;

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(F) special taxing districts; and

(G) school corporations.

(b) The word "bonds" as used in this chapter means any obligations issued by or in the name of any of the political subdivisions or bodies referred to in subsection (a), except obligations payable in the year in which they are issued, obligations issued in anticipation of the collection of delinquent taxes, and obligations issued in anticipation of the collection of frozen bank deposits.

(c) Notwithstanding any of the provisions of subsection (a) or any of the provisions of section 2 of this chapter, any bonds may be sold to the federal government or any agency thereof, at private sale and without a public offering.

SECTION 2. IC 5-1-11-6, AS AMENDED BY P.L.236-2023, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) In cases where other statutes authorize the issuance and exchange of new bonds for the purpose of refunding or redeeming outstanding bonds for the payment of which no funds are available, it shall be the duty of the officers charged with issuance and exchange of the new bonds to cause the bonds to be offered:

(1) at a public sale as provided in this chapter; or

(2) alternatively, at a negotiated sale, ~~after June 30, 2018, and before July 1, 2025;~~ in the case of:

(A) counties;

(B) townships;

(C) cities;

(D) towns;

(E) taxing districts;

(F) special taxing districts; and

(G) school corporations.

(b) In cases where it is necessary to provide for the refunding of bonds or interest coupons maturing at various times over a period not exceeding six (6) months, the bodies and officials charged with the duty of issuing and selling the refunding bonds may, for the purpose of reducing the cost of issuance of the bonds, issue and sell one (1) issue of bonds in an amount sufficient to provide for the refunding of all of the bonds and interest coupons required to be refunded during the six (6) month period.

SECTION 3. IC 5-14-3.8-3.5, AS AMENDED BY P.L.156-2024, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3.5. (a) This section applies only to contracts that a political subdivision that is a taxing unit (as defined in IC 6-1.1-1-21) enters into after June 30, 2016.



(b) As used in this section, "contract" means a contract, agreement, or similar arrangement by any other name. The term includes all pages of a contract, any attachments to the contract, and any amendments, addendums, or extensions.

(c) Subject to subsection (d), a political subdivision shall upload a digital copy of a contract to the Indiana transparency website one (1) time if the total cost of the contract to the political subdivision exceeds fifty thousand dollars (\$50,000) during the term of the contract. This subsection applies to all contracts for any subject, purpose, or term, except that a political subdivision is not required to upload a copy of an employment contract between the political subdivision and an employee of the political subdivision. In the case of a collective bargaining agreement, the political subdivision shall upload a copy of the collective bargaining agreement and a copy of a blank or sample individual employment contract. A political subdivision shall upload the contract not later than sixty (60) days after the date the contract is executed. If a political subdivision enters into a contract that the political subdivision reasonably expects when entered into will not exceed fifty thousand dollars (\$50,000) in cost to the political subdivision but at a later date determines or expects the contract to exceed fifty thousand dollars (\$50,000) in cost to the political subdivision, the political subdivision shall upload a copy of the contract within sixty (60) days after the date on which the political subdivision makes the determination or realizes the expectation that the contract will exceed fifty thousand dollars (\$50,000) in cost to the political subdivision.

(d) The **executive fiscal officer** of a political subdivision shall upload a digital copy to the Indiana transparency website of any contract, regardless of the total cost, that is:

(1) related to the provision of fire services or emergency medical services; or

(2) entered into with another unit or entity that provides fire services or emergency medical services.

A political subdivision shall upload the contract not later than sixty (60) days after the date the contract is executed. If a participating unit of a fire protection territory submits the agreement to establish the fire protection territory as required under this subsection, each of the participating units of the fire protection territory shall be considered to have complied with the requirements of this subsection.

(e) The executive body of a political subdivision may, by ordinance or resolution, identify ~~another~~ **another** an individual **other than the fiscal officer of the political subdivision** ~~that is required~~ to upload contracts



1 **as required** under ~~subsection (d)~~ **this section** and complete the
 2 attestation required under IC 6-1.1-17-5.4.

3 (f) Any ordinance or resolution adopted by the executive body of a
 4 political subdivision shall be submitted to the department of local
 5 government finance not later than five (5) days after the ordinance or
 6 resolution is passed.

7 (g) Nothing in this section prohibits the political subdivision from
 8 withholding any information in the contract that the political
 9 subdivision shall or may withhold from disclosure under IC 5-14-3. A
 10 political subdivision may redact or obscure signatures on a contract.
 11 The political subdivision is solely responsible for redacting information
 12 in the contract.

13 SECTION 4. IC 6-1.1-3-7, AS AMENDED BY P.L.174-2022,
 14 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JANUARY 1, 2026]: Sec. 7. (a) Except as provided in subsections (b),
 16 (c), and (f), a taxpayer shall, on or before the filing date of each year,
 17 file a personal property return with:

18 ~~(1) the assessor of each township in which the taxpayer's personal~~
 19 ~~property is subject to assessment;~~

20 ~~(2) the county assessor if there is no township assessor for a~~
 21 ~~township in which the taxpayer's personal property is subject to~~
 22 ~~assessment; or~~

23 ~~(3) after 2020; using~~ the personal property online submission
 24 portal developed and maintained by the department under section
 25 26 of this chapter.

26 (b) The township assessor or county assessor may grant a taxpayer
 27 an extension of not more than thirty (30) days to file the taxpayer's
 28 return if:

29 (1) the taxpayer submits a written or an electronic application for
 30 an extension prior to the filing date; and

31 (2) the taxpayer is prevented from filing a timely return because
 32 of sickness, absence from the county, or any other good and
 33 sufficient reason.

34 (c) If a taxpayer:

35 (1) has personal property subject to assessment in more than one
 36 (1) township in a county; or

37 (2) has personal property that is subject to assessment and that is
 38 located in two (2) or more taxing districts within the same
 39 township;

40 the taxpayer shall file a single return with the county assessor and
 41 attach a schedule listing, by township, all the taxpayer's personal
 42 property and the property's assessed value. The taxpayer shall provide



the county assessor with the information necessary for the county assessor to allocate the assessed value of the taxpayer's personal property among the townships listed on the return and among taxing districts, including the street address, the township, and the location of the property. The taxpayer may, in the alternative, submit the taxpayer's personal property information and the property's assessed value through the personal property online submission portal developed under section 26 of this chapter.

(d) The county assessor shall provide to each affected township assessor (if any) in the county all information filed by a taxpayer under subsection (c) that affects the township.

(e) The county assessor may refuse to accept a personal property tax return that does not comply with subsection (c). For purposes of IC 6-1.1-37-7, a return to which subsection (c) applies is filed on the date it is filed with the county assessor with the schedule required by subsection (c) attached.

(f) This subsection applies to a church or religious society that:

(1) has filed a personal property tax return under this section for each of the five (5) years preceding a year; and

(2) on each of the returns described in subdivision (1) has not owed any tax liability due to exemptions under IC 6-1.1 for which the church or religious society has been deemed eligible.

Notwithstanding any other law, a church or religious society is not required to file a personal property tax return for a year after the five (5) year period described in subdivision (1) unless there is a change in ownership of any personal property included on a return described in subdivision (1), or any other change that results in the personal property no longer being eligible for an exemption under IC 6-1.1, or the church or religious society would otherwise be liable for property tax imposed on personal property owned by the church or religious society.

SECTION 5. IC 6-1.1-3-27, AS ADDED BY P.L.108-2019, SECTION 103, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2026]: Sec. 27. (a) The department shall adopt rules under IC 4-22-2 to set a fee for the submission of a personal property return using the personal property online submission portal described in section 26 of this chapter.

(b) A person filing a personal property return using the personal property online submission portal shall pay a fee established under subsection (a) to the county auditor.

(c) All revenue collected under this section shall be transferred by the county auditor to the treasurer of state for deposit in the personal



property online submission portal fund established by section 28 of this chapter. **For taxable years beginning after December 31, 2025, a person filing a personal property return using the personal property online submission portal shall pay five dollars (\$5) per filing. A taxpayer that has included the information under section 7.2(e) of this chapter on the taxpayer's personal property return to claim the exemption is not required to pay the filing fee under this subsection.**

SECTION 6. IC 6-1.1-4-13.6, AS AMENDED BY P.L.236-2023, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 13.6. (a) The county assessor shall determine the values of all classes of commercial, industrial, and residential land (including farm homesites) in the county using guidelines determined by the department of local government finance. The assessor determining the values of land shall submit the values and any supporting document to the county property tax assessment board of appeals and the department of local government finance by the dates specified in the county's reassessment plan under section 4.2 of this chapter.

(b) If the county assessor fails to determine land values under subsection (a) before the deadlines in the county's reassessment plan under section 4.2 of this chapter, the county property tax assessment board of appeals shall determine the values. If the county property tax assessment board of appeals fails to determine the values before the land values become effective, the department of local government finance shall determine the values.

(c) The county assessor shall notify all township assessors in the county (if any) of the values. Assessing officials shall use the values determined under this section.

(d) A petition for the review of the land values determined by a county assessor under this section may be filed with the ~~department of local government finance~~ **county auditor** not later than forty-five (45) days after the county assessor makes the determination of the land values. The petition must **set forth the property owners' objections** and be signed by at least the lesser of:

- (1) one hundred (100) property owners in the county; or
- (2) five percent (5%) of the property owners in the county.

(e) Upon the filing of a petition, the county auditor shall certify a copy of the petition, together with any other data that is necessary in order to present the property owners' objections, to the department of local government finance.

~~(e)~~ (f) Upon receipt of a petition for review under subsection (d), the



department of local government finance:

- (1) shall review the land values determined by the county assessor; and
 - (2) after a public hearing, shall:
 - (A) approve;
 - (B) modify; or
 - (C) disapprove;
- the land values.

Notice of the hearing shall be given by the department of local government finance to the assessor and to the first ten (10) petitioners at least five (5) days before the date of the hearing.

SECTION 7. IC 6-1.1-8-24.5, AS ADDED BY P.L.191-2021, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2026]: Sec. 24.5. The department of local government finance shall annually determine and release a solar land base rate for the north region, the central region, and the south region of the state as follows:

- (1) For each region, the department shall determine the median true tax value per acre of all land in the region classified under the utility property class codes of the department of local government finance for the immediately preceding assessment date. **For purposes of these determinations, the department shall exclude any land classified under the department's utility property class codes that is assessed using the agricultural base rate for the immediately preceding assessment date.**
- (2) The department shall release the department's annual determination of the solar land base rates on or before December 1 of each year.

SECTION 8. IC 6-1.1-8-28, AS AMENDED BY P.L.156-2024, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 28. (a) Each year the department of local government finance shall notify each public utility company of:

- (1) the department's tentative assessment of the company's distributable property; and
- (2) the value of the company's distributable property used by the department to determine the tentative assessment.

(b) The department of local government finance shall give the notice required by subsection (a) not later than:

- (1) September 1 in the case of railcar companies; and
- (2) June 1 in the case of all other public utility companies.

(c) The department of local government finance shall notify the county assessor of the department's tentative assessment, or



information related to tentative valuation changes, of each utility company's distributable property located in that county not later than June 1.

(d) Not later than ~~ten (10)~~ **fifteen (15)** days after a public utility company receives the department of local government finance sends the notice required by subsection (a), the company may:

(1) file with the department its objections to the tentative assessment; and

(2) request that the department hold a preliminary conference on the tentative assessment.

(e) If the public utility company does not file its objections under subsection (d)(1) within the time allowed:

(1) the tentative assessment is considered final; and

(2) the company may appeal the assessment under section 30 of this chapter.

SECTION 9. IC 6-1.1-8.5-3, AS AMENDED BY P.L.11-2023, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. As used in this chapter, "qualifying county" means a county having a population of more than ~~four hundred thousand (400,000)~~ **four hundred fifty thousand (450,000)** and less than seven hundred thousand (700,000).

SECTION 10. IC 6-1.1-10-16, AS AMENDED BY P.L.85-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2026]: Sec. 16. (a) All or part of a building is exempt from property taxation if it is owned, occupied, and used by a person for educational, literary, scientific, religious, or charitable purposes.

(b) A building is exempt from property taxation if it is owned, occupied, and used by a town, city, township, or county for educational, literary, scientific, fraternal, or charitable purposes.

(c) A tract of land, including the campus and athletic grounds of an educational institution, is exempt from property taxation if:

(1) a building that is exempt under subsection (a) or (b) is situated on it;

(2) a parking lot or structure that serves a building referred to in subdivision (1) is situated on it; or

(3) the tract:

(A) is owned by a nonprofit entity established for the purpose of retaining and preserving land and water for their natural characteristics;

(B) does not exceed five hundred (500) acres; and

(C) is not used by the nonprofit entity to make a profit.

(d) A tract of land is exempt from property taxation if:



(1) it is purchased for the purpose of erecting a building that is to be owned, occupied, and used in such a manner that the building will be exempt under subsection (a) or (b); and

(2) not more than four (4) years after the property is purchased, and for each year after the four (4) year period, the owner demonstrates substantial progress and active pursuit towards the erection of the intended building and use of the tract for the exempt purpose. To establish substantial progress and active pursuit under this subdivision, the owner must prove the existence of factors such as the following:

(A) Organization of and activity by a building committee or other oversight group.

(B) Completion and filing of building plans with the appropriate local government authority.

(C) Cash reserves dedicated to the project of a sufficient amount to lead a reasonable individual to believe the actual construction can and will begin within four (4) years.

(D) The breaking of ground and the beginning of actual construction.

(E) Any other factor that would lead a reasonable individual to believe that construction of the building is an active plan and that the building is capable of being completed within eight (8) years considering the circumstances of the owner.

If the owner of the property sells, leases, or otherwise transfers a tract of land that is exempt under this subsection, the owner is liable for the property taxes that were not imposed upon the tract of land during the period beginning January 1 of the fourth year following the purchase of the property and ending on December 31 of the year of the sale, lease, or transfer. The county auditor of the county in which the tract of land is located may establish an installment plan for the repayment of taxes due under this subsection. The plan established by the county auditor may allow the repayment of the taxes over a period of years equal to the number of years for which property taxes must be repaid under this subsection.

(e) Personal property is exempt from property taxation if it is owned and used in such a manner that it would be exempt under subsection (a) or (b) if it were a building.

(f) A hospital's property that is exempt from property taxation under subsection (a), (b), or (e) shall remain exempt from property taxation even if the property is used in part to furnish goods or services to another hospital whose property qualifies for exemption under this section.



(g) Property owned by a shared hospital services organization that is exempt from federal income taxation under Section 501(c)(3) or 501(e) of the Internal Revenue Code is exempt from property taxation if it is owned, occupied, and used exclusively to furnish goods or services to a hospital whose property is exempt from property taxation under subsection (a), (b), or (e).

(h) This section does not exempt from property tax an office or a practice of a physician or group of physicians that is owned by a hospital licensed under IC 16-21-2 or other property that is not substantially related to or supportive of the inpatient facility of the hospital unless the office, practice, or other property:

- (1) provides or supports the provision of charity care (as defined in IC 16-18-2-52.5), including providing funds or other financial support for health care services for individuals who are indigent (as defined in IC 16-18-2-52.5(b) and IC 16-18-2-52.5(c)); or
- (2) provides or supports the provision of community benefits (as defined in IC 16-21-9-1), including research, education, or government sponsored indigent health care (as defined in IC 16-21-9-2).

However, participation in the Medicaid or Medicare program alone does not entitle an office, practice, or other property described in this subsection to an exemption under this section.

(i) A tract of land or a tract of land plus all or part of a structure on the land is exempt from property taxation if:

- (1) the tract is acquired for the purpose of erecting, renovating, or improving a single family residential structure that is to be given away or sold:
 - (A) in a charitable manner;
 - (B) by a nonprofit organization; and
 - (C) to low income individuals who will:
 - (i) use the land as a family residence; and
 - (ii) not have an exemption for the land under this section;
- (2) the tract does not exceed three (3) acres; and
- (3) the tract of land or the tract of land plus all or part of a structure on the land is not used for profit while exempt under this section.

(j) An exemption under subsection (i) terminates when the property is conveyed by the nonprofit organization to another owner.

(k) When property that is exempt in any year under subsection (i) is conveyed to another owner, the nonprofit organization receiving the exemption must file a certified statement with the auditor of the county, notifying the auditor of the change not later than sixty (60) days after



the date of the conveyance. The county auditor shall immediately forward a copy of the certified statement to the county assessor. A nonprofit organization that fails to file the statement required by this subsection is liable for the amount of property taxes due on the property conveyed if it were not for the exemption allowed under this chapter.

(l) If property is granted an exemption in any year under subsection (i) and the owner:

(1) fails to transfer the tangible property within eight (8) years after the assessment date for which the exemption is initially granted; or

(2) transfers the tangible property to a person who:

(A) is not a low income individual; or

(B) does not use the transferred property as a residence for at least one (1) year after the property is transferred;

the person receiving the exemption shall notify the county recorder and the county auditor of the county in which the property is located not later than sixty (60) days after the event described in subdivision (1) or (2) occurs. The county auditor shall immediately inform the county assessor of a notification received under this subsection.

(m) If subsection (l)(1) or (l)(2) applies, the owner shall pay, not later than the date that the next installment of property taxes is due, an amount equal to the sum of the following:

(1) The total property taxes that, if it were not for the exemption under subsection (i), would have been levied on the property in each year in which an exemption was allowed.

(2) Interest on the property taxes at the rate of ten percent (10%) per year.

(n) The liability imposed by subsection (m) is a lien upon the property receiving the exemption under subsection (i). An amount collected under subsection (m) shall be collected as an excess levy. If the amount is not paid, it shall be collected in the same manner that delinquent taxes on real property are collected.

(o) Property referred to in this section shall be assessed to the extent required under IC 6-1.1-11-9.

(p) **Property used by** a for-profit provider of early childhood education services to children who are ~~at least four (4)~~ but less than six (6) years of age on the annual assessment date may receive the exemption provided by this section for property used for educational purposes only if all the requirements of section 46 of this chapter are satisfied. ~~A for-profit provider of early childhood education services that provides the services only to children younger than four (4) years~~



of age may not receive the exemption provided by this section for property used for educational purposes:

(q) All or part of a building is deemed to serve a charitable purpose and is exempt from property taxation if it is owned by a nonprofit entity that charges an entry fee of not more than five hundred thousand dollars (\$500,000) and is:

(1) registered as a continuing care retirement community under IC 23-2-4;

(2) defined as a small house health facility under IC 16-18-2-331.9;

(3) licensed as a health care or residential care facility under IC 16-28; or

(4) licensed under IC 31-27 and designated as a qualified residential treatment provider that provides services under a contract with the department of child services.

SECTION 11. IC 6-1.1-10-18.5, AS AMENDED BY P.L. 197-2011, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2026]: Sec. 18.5. (a) This section does not exempt from property tax an office or a practice of a physician or group of physicians that is owned by a hospital licensed under IC 16-21-2 or other property that is not substantially related to or supportive of the inpatient facility of the hospital unless the office, practice, or other property:

(1) provides or supports the provision of charity care (as defined in IC 16-18-2-52.5), including funds or other financial support for health care services for individuals who are indigent (as defined in IC 16-18-2-52.5(b) and IC 16-18-2-52.5(c)); or

(2) provides or supports the provision of community benefits (as defined in IC 16-21-9-1), including research, education, or government sponsored indigent health care (as defined in IC 16-21-9-2).

However, participation in the Medicaid or Medicare program, alone, does not entitle an office, a practice, or other property described in this subsection to an exemption under this section.

(b) Tangible property is exempt from property taxation if it is:

(1) owned by an Indiana nonprofit corporation; and

(2) used by ~~that~~ **an Indiana nonprofit** corporation in the operation of a hospital licensed under IC 16-21, a health facility licensed under IC 16-28, **a continuing care retirement community under IC 23-2-4, a small house health facility under IC 16-18-2-331.9, a qualified residential treatment provider listed in section 16(q)(4) of this chapter, or in the**



operation of a residential care facility for the aged and licensed under IC 16-28, or in the operation of a Christian Science home or sanatorium.

(c) Property referred to in this section shall be assessed to the extent required under IC 6-1.1-11-9.

SECTION 12. IC 6-1.1-10-36.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 36.5. (a) Tangible property is not exempt from property taxation under sections 16 through 28 of this chapter or under section 33 of this chapter if it is used by the exempt organization in a trade or business, not substantially related to the exercise or performance of the organization's exempt purpose.

(b) Property referred to in sections 16 through 28 of this chapter or under section 33 of this chapter shall be assessed to the extent required under IC 6-1.1-11-9.

(c) The department of local government finance ~~shall~~ **may** adopt rules under IC 4-22-2 to carry out this section.

SECTION 13. IC 6-1.1-10-46, AS AMENDED BY P.L.130-2018, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2026]: Sec. 46. ~~(a)~~ Tangible property owned, occupied, or used by a for-profit provider of early childhood education services to children who are at least four ~~(4)~~ but less than six (6) years of age is exempt from property taxation under section 16 of this chapter only if all the following requirements are satisfied:

~~(1) The primary purpose of the provider is educational.~~

~~(2) (1) The provider, or a parent company, subsidiary, or affiliate company of the provider, is the property owner. and~~

~~(2) The provider also predominantly occupies and uses the tangible property for providing early childhood education services to children who are at least four (4) but less than six (6) years of age.~~

~~(3) The provider meets the standards of quality recognized by a Level 3 or Level 4 Paths to QUALITY program rating under IC 12-17.2-2-14.2 or has a comparable rating from a nationally recognized accrediting body.~~

~~(4) The provider offers age appropriate curriculum for all children who are less than six (6) years of age, including infants, who attend the child care facility. The curriculum offered must include reading to the children.~~

However, the exemption provided by this section does not apply to tangible property that has been granted a homestead standard deduction under IC 6-1.1-12-37.



1 If the property owner provides early childhood education services to
 2 children who are at least four (4) but less than six (6) years of age and
 3 to children younger than four (4) years of age; the amount of the
 4 exemption must be on that part of the assessment of the property that
 5 bears the same proportion to the total assessment of the property as the
 6 percentage of the property owner's enrollment count of children who
 7 are at least four (4) but less than six (6) years of age compared to the
 8 property owner's total enrollment count of children of all ages.

9 (b) For purposes of this section, the annual assessment date or, if the
 10 annual assessment date is not a business day for the property owner, the
 11 business day closest to the annual assessment date, must be used for the
 12 enrollment count under this section. However, a property owner that
 13 believes that the enrollment count on this date for a particular year does
 14 not accurately represent the property owner's normal enrollment count
 15 for that year may appeal to the county assessor for a change in the date
 16 to be used under this section for that year. The appeal must be filed on
 17 or before the deadline for filing an exemption under section 16 of this
 18 chapter. If the county assessor finds that the property owner's appeal
 19 substantiates that the property owner's normal enrollment count is not
 20 accurately represented by using the required date, the assessor shall
 21 establish an alternate date to be used for that year that represents the
 22 property owner's normal enrollment count for that year.

23 SECTION 14. IC 6-1.1-10-51 IS ADDED TO THE INDIANA
 24 CODE AS A NEW SECTION TO READ AS FOLLOWS
 25 [EFFECTIVE JANUARY 1, 2026]: Sec. 51. (a) As used in this
 26 section, "child care" has the meaning set forth in IC 12-7-2-28.2.

27 (b) As used in this section, "early learning advisory committee"
 28 refers to the early learning advisory committee established by
 29 IC 12-17.2-3.8-5.

30 (c) As used in this section, "employer" means any person,
 31 corporation, limited liability company, partnership, or other entity
 32 with employees employed at a physical location in Indiana. The
 33 term includes a pass through entity. However, the term does not
 34 include an employer who is in the business of operating a child care
 35 facility.

36 (d) As used in this section, "office" refers to the office of the
 37 secretary of family and social services established by IC 12-8-1.5-1.

38 (e) The part of the gross assessed value of tangible property that
 39 is attributable to tangible property owned and used by an
 40 employer, or a parent company, subsidiary, or affiliate company
 41 of an employer, to provide child care for children of the employer's
 42 employees and children of the employees of another business in



1 accordance with an agreement entered into under subsection (g) is
 2 exempt from property taxation if the following conditions are met:

3 (1) The child care is provided in a facility located on the
 4 employer's property.

5 (2) Subject to subsection (g), the child care is provided only
 6 for children of the employer's employees.

7 (3) The child care facility is licensed by the division of family
 8 resources under IC 12-17.2.

9 (4) The part of the employer's property used to provide child
 10 care meets standards established by the office and the early
 11 learning advisory committee for the number of children to be
 12 served by the child care facility.

13 (f) The child care facility may be operated by the employer or
 14 under a contract described in Section 45F(c)(1)(A)(iii) of the
 15 Internal Revenue Code to provide child care services to the
 16 employer's employees.

17 (g) An employer may provide child care in a facility described
 18 in subsection (e)(1) for the children of the employees of another
 19 business if the employer and the other business enter into an
 20 agreement that outlines the terms under which the child care is to
 21 be provided to the children of the employees of the other business.

22 SECTION 15. IC 6-1.1-15-3, AS AMENDED BY P.L.154-2020,
 23 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2025]: Sec. 3. (a) A taxpayer may obtain a review by the
 25 Indiana board of:

26 (1) a county board's action with respect to a claim under section
 27 1.1 of this chapter; or

28 (2) a denial by the county auditor, the county assessor, or the
 29 county treasurer of a claim for refund under IC 6-1.1-9-10(c)(2)
 30 that is appealed to the Indiana board as authorized in
 31 IC 6-1.1-26-2.1(d)(2).

32 (b) The county assessor is the party to a review under subsection
 33 (a)(1) to defend the determination of the county board. The county
 34 auditor may appear as an additional party to the review if the
 35 determination concerns a matter that is in the discretion of the county
 36 auditor. At the time the notice of that determination is given to the
 37 taxpayer, the taxpayer shall also be informed in writing of:

38 (1) the taxpayer's opportunity for review under subsection (a)(1);
 39 and

40 (2) the procedures the taxpayer must follow in order to obtain
 41 review under this section.

42 (c) A county assessor who dissents from the determination of the



1 county board may obtain a review by the Indiana board. A county
 2 auditor who dissents from the determination of the county board
 3 concerning a matter that is in the discretion of the county auditor may
 4 obtain a review by the Indiana board.

5 (d) In order to obtain a review by the Indiana board under
 6 subsection (a)(1), the party must, not later than forty-five (45) days
 7 after the date of the notice given to the party or parties of the
 8 determination of the county board:

9 (1) file a petition for review with the Indiana board; and

10 (2) ~~mail~~ **serve** a copy of the petition ~~to~~ **on** the other party.

11 (e) The Indiana board shall prescribe the form of the petition for
 12 review under this chapter. The Indiana board shall issue instructions for
 13 completion of the form. The form and the instructions must be clear,
 14 simple, and understandable to the average individual. A petition for
 15 review of such a determination must be made on the form prescribed
 16 by the Indiana board. The form must require the petitioner to specify
 17 the reasons why the petitioner believes that the determination by the
 18 county board is erroneous.

19 (f) If the action for which a taxpayer seeks review under this section
 20 is the assessment of tangible property, the taxpayer is not required to
 21 have an appraisal of the property in order to do the following:

22 (1) Initiate the review.

23 (2) Prosecute the review.

24 (g) If an owner petitions the Indiana board under IC 6-1.1-11-7(d),
 25 the Indiana board is authorized to approve or disapprove an exemption
 26 application:

27 (1) previously submitted to a county board under IC 6-1.1-11-6;
 28 and

29 (2) that is not approved or disapproved by the county board within
 30 one hundred eighty (180) days after the owner filed the
 31 application for exemption under IC 6-1.1-11.

32 The county assessor is a party to a petition to the Indiana board under
 33 IC 6-1.1-11-7(d).

34 (h) This subsection applies only to the review by the Indiana board
 35 of a denial of a refund claim described in subsection (a)(2). The county
 36 assessor is the party to a review under subsection (a)(2) to defend the
 37 denial of the refund under IC 6-1.1-26-2.1. In order to obtain a review
 38 by the Indiana board under subsection (a)(2), the taxpayer must, within
 39 forty-five (45) days of the notice of denial under IC 6-1.1-26-2.1(d):

40 (1) file a petition for review with the Indiana board; and

41 (2) ~~mail~~ **serve** a copy of the petition ~~to~~ **on** the county auditor.

42 SECTION 16. IC 6-1.1-15-4, AS AMENDED BY P.L.156-2020,



SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) After receiving a petition for review which is filed under section 3 of this chapter, the Indiana board shall conduct a hearing at its earliest opportunity. The Indiana board may correct any errors related to a claim under section 1.1 of this chapter that is within the jurisdiction of the Indiana board under IC 6-1.5-4-1.

(b) If the Indiana board conducts a site inspection of the property as part of its review of the petition, the Indiana board shall give notice to all parties of the date and time of the site inspection. The Indiana board is not required to assess the property in question. The Indiana board shall give notice of the date fixed for the hearing, by mail, to the parties or a party's representative. The Indiana board shall give these notices at least thirty (30) days before the day fixed for the hearing unless the parties agree to a shorter period. With respect to a petition for review filed by a county assessor, the county board that made the determination under review under this section may file an amicus curiae brief in the review proceeding under this section. The expenses incurred by the county board in filing the amicus curiae brief shall be paid from the property reassessment fund under IC 6-1.1-4-27.5 of the county in which the property is located. The executive of a taxing unit may file an amicus curiae brief in the review proceeding under this section if the property that is the subject of the appeal is subject to assessment by that taxing unit.

(c) If a petition for review does not comply with the Indiana board's instructions for completing the form prescribed under section 3 of this chapter, the Indiana board shall ~~return the petition to the petitioner and include~~ serve a notice describing the defect in the petition. The petitioner then has thirty (30) days from the date on the notice to cure the defect and file a corrected petition. The Indiana board shall deny a corrected petition for review if it does not substantially comply with the Indiana board's instructions for completing the form prescribed under section 3 of this chapter.

(d) After the hearing, the Indiana board shall give the parties and any entity that filed an amicus curiae brief, or their representatives:

- (1) notice ~~by mail~~, of its final determination; and
- (2) for parties entitled to appeal the final determination, notice of the procedures they must follow in order to obtain court review under section 5 of this chapter.

(e) The Indiana board shall conduct a hearing not later than one (1) year after a petition in proper form is filed with the Indiana board.

(f) The Indiana board shall issue a determination not later than the later of:



- (1) ninety (90) days after the hearing; or
 - (2) the date set in an extension order issued by the Indiana board.
- The board may not extend the date by more than one hundred eighty (180) days.

(g) The time periods described in subsections (e) and (f) do not include any period of time that is attributable to a party's:

- (1) request for a continuance, stay, extension, or summary disposition;
- (2) consent to a case management order, stipulated record, or proposed hearing date;
- (3) failure to comply with the board's orders or rules; or
- (4) waiver of a deadline.

(h) If the Indiana board fails to take action required under subsection (e) or (f), the entity that initiated the petition may:

- (1) take no action and wait for the Indiana board to hear the matter and issue a final determination; or
- (2) petition for judicial review under section 5 of this chapter.

(i) This subsection applies when the board has not held a hearing.

A person may not seek judicial review under subsection (h)(2) until:

- (1) the person requests a hearing in writing; and
- (2) sixty (60) days have passed after the person requests a hearing under subdivision (1) and the matter has not been heard or otherwise extended under subsection (g).

(j) A final determination must include separately stated findings of fact for all aspects of the determination. Findings of ultimate fact must be accompanied by a concise statement of the underlying basic facts of record to support the findings. Findings must be based exclusively upon the evidence on the record in the proceeding and on matters officially noticed in the proceeding. Findings must be based upon a preponderance of the evidence.

(k) The Indiana board may limit the scope of the appeal to the issues raised in the petition and the evaluation of the evidence presented to the county board in support of those issues only if all parties participating in the hearing required under subsection (a) agree to the limitation. A party participating in the hearing required under subsection (a) is entitled to introduce evidence that is otherwise proper and admissible without regard to whether that evidence has previously been introduced at a hearing before the county board.

(l) The Indiana board may require the parties to the appeal:

- (1) to file not more than five (5) business days before the date of the hearing required under subsection (a) documentary evidence or summaries of statements of testimonial evidence; and



(2) to file not more than fifteen (15) business days before the date of the hearing required under subsection (a) lists of witnesses and exhibits to be introduced at the hearing.

(m) A party to a proceeding before the Indiana board shall provide to all other parties to the proceeding the information described in subsection (l) if the other party requests the information in writing at least ten (10) days before the deadline for filing of the information under subsection (l).

(n) The Indiana board may base its final determination on a stipulation between the respondent and the petitioner. If the final determination is based on a stipulated assessed valuation of tangible property, the Indiana board may order the placement of a notation on the permanent assessment record of the tangible property that the assessed valuation was determined by stipulation. The Indiana board may:

(1) order that a final determination under this subsection has no precedential value; or

(2) specify a limited precedential value of a final determination under this subsection.

(o) If a party to a proceeding, or a party's authorized representative, elects to receive any notice under this section ~~by electronic mail~~, **electronically**, the notice is considered effective in the same manner as if the notice had been sent by United States mail, with postage prepaid, to the party's or representative's mailing address of record.

(p) At a hearing under this section, the Indiana board shall admit into evidence an appraisal report, prepared by an appraiser, unless the appraisal report is ruled inadmissible on grounds besides a hearsay objection. This exception to the hearsay rule shall not be construed to limit the discretion of the Indiana board, as trier of fact, to review the probative value of an appraisal report.

SECTION 17. IC 6-1.1-17-1, AS AMENDED BY P.L.156-2024, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) On or before August 1 of each year, the county auditor shall submit a certified statement of the assessed value for the ensuing year to the department of local government finance in the manner prescribed by the department.

(b) The department of local government finance shall make the certified statement available on the department's computer gateway.

(c) Subject to subsection (d), after the county auditor submits a certified statement under subsection (a) or an amended certified statement under this subsection with respect to a political subdivision and before the department of local government finance certifies its



1 action with respect to the political subdivision under section 16(i) of
 2 this chapter, the county auditor may amend the information concerning
 3 assessed valuation included in the earlier certified statement. The
 4 county auditor shall, in a manner prescribed by the department, submit
 5 a certified statement amended under this subsection to the department
 6 of local government finance by the later of:

7 (1) September 1; ~~or~~

8 (2) fifteen (15) days after the original certified statement is
 9 submitted to the department under subsection (a); **or**

10 **(3) fifteen (15) days after the department of local government**
 11 **finance notifies the county auditor of an error in the original**
 12 **certified statement submitted under subsection (a) that the**
 13 **department determines must be corrected.**

14 (d) Before the county auditor makes an amendment under
 15 subsection (c), the county auditor must provide an opportunity for
 16 public comment on the proposed amendment at a public hearing. The
 17 county auditor must give notice of the hearing under IC 5-3-1. If the
 18 county auditor makes the amendment as a result of information
 19 provided to the county auditor by an assessor, the county auditor shall
 20 give notice of the public hearing to the assessor.

21 (e) Beginning in 2018, each county auditor shall submit to the
 22 department of local government finance parcel level data of certified
 23 net assessed values as required by the department. A county auditor
 24 shall submit the parcel level data in the manner and format required by
 25 the department and according to a schedule determined by the
 26 department.

27 (f) When the county auditor submits the certified statement under
 28 subsection (a), the county auditor shall exclude the amount of assessed
 29 value for any property located in the county for which:

30 (1) an appeal has been filed under IC 6-1.1-15; and

31 (2) there is no final disposition of the appeal as of the date the
 32 county auditor submits the certified statement under subsection

33 (a).

34 The county auditor may appeal to the department of local government
 35 finance to include the amount of assessed value under appeal within a
 36 taxing district for that calendar year.

37 SECTION 18. IC 6-1.1-17-5.4, AS ADDED BY P.L.156-2024,
 38 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2025]: Sec. 5.4. (a) Not later than March 2 of each year, the
 40 **executive fiscal officer** of a political subdivision shall submit a
 41 statement to the department of local government finance attesting that
 42 the political subdivision uploaded any contract entered into during the



1 immediately preceding year related to the provision of fire services or
 2 emergency medical services to the Indiana transparency website as
 3 required by IC 5-14-3.8-3.5(d).

4 (b) The department of local government finance may not approve
 5 the budget of a political subdivision or a supplemental appropriation
 6 for a political subdivision until the political subdivision files the
 7 attestation under subsection (a).

8 SECTION 19. IC 6-1.1-17-20, AS AMENDED BY P.L.257-2013,
 9 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2025]: Sec. 20. (a) This section applies to each governing
 11 body of a taxing unit that is not comprised of a majority of officials
 12 who are elected to serve on the governing body. For purposes of this
 13 section, an individual who qualifies to be appointed to a governing
 14 body or serves on a governing body because of the individual's status
 15 as an elected official of another taxing unit shall be treated as an
 16 official who was not elected to serve on the governing body.

17 (b) As used in this section, "taxing unit" has the meaning set forth
 18 in IC 6-1.1-1-21, except that the term does not include a public library
 19 or an entity whose tax levies are subject to review and modification by
 20 a city-county legislative body under IC 36-3-6-9.

21 (c) If:

22 (1) the assessed valuation of a taxing unit is entirely contained
 23 within a city or town; or

24 (2) the assessed valuation of a taxing unit is not entirely contained
 25 within a city or town but:

26 (A) the taxing unit was originally established by the city or
 27 town; or

28 (B) the majority of the individuals serving on the governing
 29 body of the taxing unit are appointed by the city or town;

30 the governing body shall submit its proposed budget and property tax
 31 levy to the city or town fiscal body. The proposed budget and levy shall
 32 be submitted to the city or town fiscal body in the manner prescribed
 33 by the department of local government finance before September 2 of
 34 a year.

35 (d) If subsection (c) does not apply, the governing body of the taxing
 36 unit shall submit its proposed budget and property tax levy to the
 37 county fiscal body in the county where the taxing unit has the most
 38 assessed valuation. The proposed budget and levy shall be submitted
 39 to the county fiscal body in the manner prescribed by the department
 40 of local government finance before September 2 of a year.

41 (e) The fiscal body of the city, town, or county (whichever applies)
 42 shall review each budget and proposed tax levy and adopt a final



1 budget and tax levy for the taxing unit. The fiscal body may reduce or
2 modify but not increase the proposed budget or tax levy.

3 (f) If a taxing unit fails to file the information required in subsection
4 (c) or (d), whichever applies, with the appropriate fiscal body by the
5 time prescribed by this section, ~~the most recent annual appropriations~~
6 ~~and annual tax levy of that taxing unit are continued for the ensuing~~
7 ~~budget year. when calculating the maximum ad valorem property~~
8 ~~tax levy under IC 6-1.1-18.5-3(a) for the taxing unit for the ensuing~~
9 ~~budget year, instead of multiplying the maximum levy growth~~
10 ~~quotient determined under IC 6-1.1-18.5-2(b) or IC 6-1.1-18.5-2(e)~~
11 ~~(as applicable) for the year by the taxing unit's maximum~~
12 ~~permissible ad valorem property tax levy for the preceding~~
13 ~~calendar year as prescribed in STEP TWO of IC 6-1.1-18.5-3(a),~~
14 ~~for purposes of STEP TWO of IC 6-1.1-18.5-3(a), the taxing unit's~~
15 ~~maximum permissible ad valorem property tax levy for the~~
16 ~~preceding calendar year must instead be multiplied by the result~~
17 ~~of the following:~~

18 **STEP ONE: Determine:**

- 19 (A) the result of STEP FOUR of IC 6-1.1-18.5-2(b) or
20 STEP FIVE of IC 6-1.1-18.5-2(e) (as applicable); minus
21 (B) one (1).

22 **STEP TWO: Multiply:**

- 23 (A) the STEP ONE result; by
24 (B) eight-tenths (0.8).

25 **STEP THREE: Add one (1) to the STEP TWO result.**

26 **However, if the taxing unit files the information as required in**
27 **subsection (c) or (d), whichever applies, for the budget year**
28 **immediately following the budget year for which the formula**
29 **under this subsection is applied, when calculating the maximum ad**
30 **valorem property tax levy under IC 6-1.1-18.5-3(a) for the taxing**
31 **unit for the subsequent budget year, the taxing unit's maximum**
32 **permissible ad valorem property tax levy must be calculated as if**
33 **the formula under this subsection had not been applied for the**
34 **affected budget year.**

35 (g) If the appropriate fiscal body fails to complete the requirements
36 of subsection (e) before the adoption deadline in section 5 of this
37 chapter for any taxing unit subject to this section, ~~the most recent~~
38 ~~annual appropriations and annual tax levy of the city, town, or county,~~
39 ~~whichever applies, are continued for the ensuing budget year. when~~
40 ~~calculating the maximum ad valorem property tax levy under~~
41 ~~IC 6-1.1-18.5-3(a) for the city, town, or county for the ensuing~~
42 ~~budget year, instead of multiplying the maximum levy growth~~



quotient determined under IC 6-1.1-18.5-2(b) or IC 6-1.1-18.5-2(e) (as applicable) for the year by the city's, town's, or county's maximum permissible ad valorem property tax levy for the preceding calendar year as prescribed in STEP TWO of IC 6-1.1-18.5-3(a), for purposes of STEP TWO of IC 6-1.1-18.5-3(a), the city's, town's, or county's maximum permissible ad valorem property tax levy for the preceding calendar year must instead be multiplied by the result of the following:

STEP ONE: Determine:

- (A) the result of STEP FOUR of IC 6-1.1-18.5-2(b) or STEP FIVE of IC 6-1.1-18.5-2(e) (as applicable); minus
- (B) one (1).

STEP TWO: Multiply:

- (A) the STEP ONE result; by
- (B) eight-tenths (0.8).

STEP THREE: Add one (1) to the STEP TWO result.

However, if the city, town, or county files the information as required in subsection (e) for the budget year immediately following the budget year for which the formula under this subsection is applied, when calculating the maximum ad valorem property tax levy under IC 6-1.1-18.5-3(a) for the city, town, or county for the subsequent budget year, the unit's maximum permissible ad valorem property tax levy must be calculated as if the formula under this subsection had not been applied for the affected budget year.

SECTION 20. IC 6-1.1-17-20.3, AS AMENDED BY P.L.38-2021, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 20.3. (a) Except as provided in section 20.4 of this chapter, this section applies only to the governing body of a public library that:

- (1) is not comprised of a majority of officials who are elected to serve on the governing body; and
- (2) has a percentage increase in the proposed budget for the taxing unit for the ensuing calendar year that is more than the result of:
 - (A) the maximum levy growth quotient determined under IC 6-1.1-18.5-2 for the ensuing calendar year, rounded to the nearest thousandth (0.001); minus
 - (B) one (1).

For purposes of this section, an individual who qualifies to be appointed to a governing body or serves on a governing body because



1 of the individual's status as an elected official of another taxing unit
 2 shall be treated as an official who was not elected to serve on the
 3 governing body.

4 (b) This section does not apply to an entity whose tax levies are
 5 subject to review and modification by a city-county legislative body
 6 under IC 36-3-6-9.

7 (c) If:

8 (1) the assessed valuation of a public library's territory is entirely
 9 contained within a city or town; or

10 (2) the assessed valuation of a public library's territory is not
 11 entirely contained within a city or town but more than fifty
 12 percent (50%) of the assessed valuation of the public library's
 13 territory is contained within the city or town;

14 the governing body shall submit its proposed budget and property tax
 15 levy to the city or town fiscal body in the manner prescribed by the
 16 department of local government finance before September 2 of a year.
 17 However, the governing body shall submit its proposed budget and
 18 property tax levy to the county fiscal body in the manner provided in
 19 subsection (d), rather than to the city or town fiscal body, if more than
 20 fifty percent (50%) of the parcels of real property within the
 21 jurisdiction of the public library are located outside the city or town.

22 (d) If subsection (c) does not apply or the public library's territory
 23 covers more than one (1) county, the governing body of the public
 24 library shall submit its proposed budget and property tax levy to the
 25 county fiscal body in the county where the public library has the most
 26 assessed valuation. The proposed budget and levy shall be submitted
 27 to the county fiscal body in the manner prescribed by the department
 28 of local government finance before September 2 of a year.

29 (e) The fiscal body of the city, town, or county (whichever applies)
 30 shall review each budget and proposed tax levy and adopt a final
 31 budget and tax levy for the public library. The fiscal body may reduce
 32 or modify but not increase the proposed budget or tax levy.

33 (f) If a public library fails to file the information required in
 34 subsection (c) or (d), whichever applies, with the appropriate fiscal
 35 body by the time prescribed by this section, ~~the most recent annual~~
 36 ~~appropriations and annual tax levy of that public library are continued~~
 37 ~~for the ensuing budget year. when calculating the maximum ad~~
 38 **valorem property tax levy under IC 6-1.1-18.5-3(a) for the public**
 39 **library for the ensuing budget year, instead of multiplying the**
 40 **maximum levy growth quotient determined under**
 41 **IC 6-1.1-18.5-2(b) or IC 6-1.1-18.5-2(e) (as applicable) for the year**
 42 **by the public library's maximum permissible ad valorem property**



1 tax levy for the preceding calendar year as prescribed in STEP
 2 TWO of IC 6-1.1-18.5-3(a), for purposes of STEP TWO of
 3 IC 6-1.1-18.5-3(a), the public library's maximum permissible ad
 4 valorem property tax levy for the preceding calendar year must
 5 instead be multiplied by the result of the following:

6 STEP ONE: Determine:

- 7 (A) the result of STEP FOUR of IC 6-1.1-18.5-2(b) or
- 8 STEP FIVE of IC 6-1.1-18.5-2(e) (as applicable); minus
- 9 (B) one (1).

10 STEP TWO: Multiply:

- 11 (A) the STEP ONE result; by
- 12 (B) eight-tenths (0.8).

13 STEP THREE: Add one (1) to the STEP TWO result.

14 However, if the public library files the information as required in
 15 subsection (c) or (d), whichever applies, for the budget year
 16 immediately following the budget year for which the formula
 17 under this subsection is applied, when calculating the maximum ad
 18 valorem property tax levy under IC 6-1.1-18.5-3(a) for the public
 19 library for the subsequent budget year, the public library's
 20 maximum permissible ad valorem property tax levy must be
 21 calculated as if the formula under this subsection had not been
 22 applied for the affected budget year.

23 (g) If the appropriate fiscal body fails to complete the requirements
 24 of subsection (e) before the adoption deadline in section 5 of this
 25 chapter for any public library subject to this section, ~~the most recent~~
 26 ~~annual appropriations and annual tax levy of the city, town, or county;~~
 27 ~~whichever applies; are continued for the ensuing budget year. when~~
 28 ~~calculating the maximum ad valorem property tax levy under~~
 29 ~~IC 6-1.1-18.5-3(a) for the city, town, or county for the ensuing~~
 30 ~~budget year, instead of multiplying the maximum levy growth~~
 31 ~~quotient determined under IC 6-1.1-18.5-2(b) or IC 6-1.1-18.5-2(e)~~
 32 ~~(as applicable) for the year by the city's, town's, or county's~~
 33 ~~maximum permissible ad valorem property tax levy for the~~
 34 ~~preceding calendar year as prescribed in STEP TWO of~~
 35 ~~IC 6-1.1-18.5-3(a), for purposes of STEP TWO of~~
 36 ~~IC 6-1.1-18.5-3(a), the city's, town's, or county's maximum~~
 37 ~~permissible ad valorem property tax levy for the preceding~~
 38 ~~calendar year must instead be multiplied by the result of the~~
 39 ~~following:~~

40 STEP ONE: Determine:

- 41 (A) the result of STEP FOUR of IC 6-1.1-18.5-2(b) or
- 42 STEP FIVE of IC 6-1.1-18.5-2(e) (as applicable); minus



(B) one (1).

STEP TWO: Multiply:

(A) the STEP ONE result; by

(B) eight-tenths (0.8).

STEP THREE: Add one (1) to the STEP TWO result.

However, if the city, town, or county files the information as required in subsection (e) for the budget year immediately following the budget year for which the formula under this subsection is applied, when calculating the maximum ad valorem property tax levy under IC 6-1.1-18.5-3(a) for the city, town, or county for the subsequent budget year, the unit's maximum permissible ad valorem property tax levy must be calculated as if the formula under this subsection had not been applied for the affected budget year.

SECTION 21. IC 6-1.1-18.5-31 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 31. (a) This section applies only to counties that contain at least four (4) municipalities each with a population greater than forty thousand (40,000), as determined by the most recent federal decennial census.

(b) As used in this section, "maximum levy to assessed value comparison" refers to the maximum property tax levy to property assessed value comparison determined under subsection (e).

(c) As used in this section, "municipality" means a city or town.

(d) As used in this section, "qualifying municipality" means a municipality that meets the condition set forth in subsection (f).

(e) The department of local government finance shall, before August 1, determine a maximum property tax levy to property assessed value comparison for all municipalities statewide using the following formula:

STEP ONE: For each municipality, determine the municipality's maximum permissible ad valorem property tax levy for taxes first due and payable in 2024.

STEP TWO: For each municipality, determine the total property assessed value of the municipality, as certified by the county auditor, for taxes first due and payable in 2024.

STEP THREE: For each municipality, determine the quotient of:

(A) STEP ONE; divided by

(B) STEP TWO;

expressed as a percentage.

(f) This section applies only to a municipality in which for taxes



1 first due and payable in 2025, the municipality has a maximum
 2 levy to assessed value comparison that is in the lowest twentieth
 3 percentile of municipalities under STEP THREE of subsection (e)
 4 when compared to all municipalities statewide.

5 (g) If this section applies, the executive of a qualified
 6 municipality may, not later than July 1, 2025, and after receiving
 7 approval by the legislative body, submit a petition to the
 8 department of local government finance to increase the maximum
 9 permissible ad valorem property tax levy of a qualified
 10 municipality under this subsection. If a petition is submitted under
 11 this subsection, the department of local government finance shall
 12 increase the maximum permissible ad valorem property tax levy
 13 of the qualifying municipality for property taxes first due and
 14 payable in 2025 to include all debt service levies of the qualifying
 15 municipality for property taxes first due and payable in 2025.

16 (h) An adjustment under this section is a one (1) time and
 17 permanent increase. The qualifying municipality's ad valorem
 18 property tax levy for property taxes first due and payable in 2025,
 19 as adjusted under this section, shall be used in the determination
 20 of the qualifying municipality's maximum permissible ad valorem
 21 property tax levy under this chapter for property taxes first due
 22 and payable in 2026 and thereafter.

23 (i) Notwithstanding STEP ONE of section 3(a) of this chapter,
 24 for purposes of determining a qualified municipality's maximum
 25 permissible ad valorem property tax levy for property taxes first
 26 due and payable in 2026, the amount determined in STEP ONE of
 27 section 3(a) of this chapter shall be the result determined in STEP
 28 TWO of the following calculation:

29 STEP ONE: Determine a qualified municipality's maximum
 30 permissible ad valorem property tax levy for property taxes
 31 first due and payable in 2025 without regard to the
 32 adjustment under this section.

33 STEP TWO: Determine the sum of:

34 (A) STEP ONE; plus

35 (B) the amount of the adjustment under this section.

36 This calculation only applies to determining a qualified
 37 municipality's maximum ad valorem property tax levy for
 38 property taxes first due and payable in 2026 and not to a
 39 determination for any other tax year.

40 (j) This section expires June 30, 2030.

41 SECTION 22. IC 6-1.1-18.5-31.5 IS ADDED TO THE INDIANA
 42 CODE AS A NEW SECTION TO READ AS FOLLOWS



[EFFECTIVE UPON PASSAGE]: Sec. 31.5. (a) This section applies only to Shelby County.

(b) The executive of the county may, after approval by the fiscal body of the county, submit a petition to the department of local government finance requesting an increase in the county's maximum permissible ad valorem property tax levy for property taxes first due and payable in 2026. A petition must be submitted not later than September 1, 2025.

(c) If the executive of the county submits a petition under subsection (b), the department of local government finance shall increase the county's maximum permissible ad valorem property tax levy for property taxes first due and payable in 2026. The amount of the increase under this section is equal to the difference between:

(1) the lesser of:

(A) the county's maximum permissible ad valorem property tax levy for property taxes first due and payable in 2025; or

(B) the ad valorem property tax levy adopted by the county fiscal body for property taxes first due and payable in 2025; and

(2) the county's ad valorem property tax levy as certified by the department of local government finance for property taxes first due and payable in 2025.

(d) The adjustment under this section is a temporary, one (1) time increase to the county's maximum permissible ad valorem property tax levy for purposes of this chapter.

(e) This section expires June 30, 2028.

SECTION 23. IC 6-1.1-18.5-32 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS

[EFFECTIVE UPON PASSAGE]: Sec. 32. (a) This section applies only to the Shelby County solid waste management district.

(b) The board of directors of the solid waste management district may, upon approval by the county executive, submit a petition to the department of local government finance for an increase in the solid waste management district's maximum permissible ad valorem property tax levy for property taxes due and payable in 2026. A petition must be submitted not later than September 1, 2025.

(c) If a petition is submitted under subsection (b), the department of local government finance shall increase the solid waste management district's maximum permissible ad valorem



property tax levy for property taxes due and payable in 2026. The amount of the increase under this section is equal to the difference between:

(1) the lesser of:

(A) the solid waste management district's maximum permissible ad valorem property tax levy for property taxes first due and payable in 2025; or

(B) the ad valorem property tax levy adopted for the solid waste management district by the county fiscal body for property taxes first due and payable in 2025; and

(2) the solid waste management district's ad valorem property tax levy as certified by the department of local government finance for property taxes first due and payable in 2025.

(d) The adjustment under this section is a temporary, one (1) time increase to the solid waste management district's maximum permissible ad valorem property tax levy.

(e) This section expires June 30, 2028.

SECTION 24. IC 6-1.1-22-8.1, AS AMENDED BY P.L.159-2020, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8.1. (a) The county treasurer shall:

(1) except as provided in subsection (h), mail to the last known address of each person liable, **as described in subsection (o)**, for any property taxes or special assessment, as shown on the tax duplicate or special assessment records, or to the last known address of the most recent owner shown in the transfer book; and

(2) transmit by written, electronic, or other means to a mortgagee maintaining an escrow account for a person who is liable for any property taxes or special assessments, as shown on the tax duplicate or special assessment records;

a statement in the form required under subsection (b).

(b) The department of local government finance shall prescribe a form, subject to the approval of the state board of accounts, for the statement under subsection (a) that includes at least the following:

(1) A statement of the taxpayer's current and delinquent taxes and special assessments.

(2) A breakdown showing the total property tax and special assessment liability and the amount of the taxpayer's liability that will be distributed to each taxing unit in the county.

(3) An itemized listing for each property tax levy, including:

(A) the amount of the tax rate;

(B) the entity levying the tax owed; and

(C) the dollar amount of the tax owed.



- (4) Information designed to show the manner in which the taxes and special assessments billed in the tax statement are to be used.
 - (5) Information regarding how a taxpayer can obtain information regarding the taxpayer's notice of assessment or reassessment under IC 6-1.1-4-22.
 - (6) A comparison showing any change in the assessed valuation for the property as compared to the previous year.
 - (7) A comparison showing any change in the property tax and special assessment liability for the property as compared to the previous year. The information required under this subdivision must identify:
 - (A) the amount of the taxpayer's liability distributable to each taxing unit in which the property is located in the current year and in the previous year; and
 - (B) the percentage change, if any, in the amount of the taxpayer's liability distributable to each taxing unit in which the property is located from the previous year to the current year.
 - (8) An explanation of the following:
 - (A) Homestead credits under IC 6-1.1-20.4, IC 6-3.6-5, or another law that are available in the taxing district where the property is located.
 - (B) All property tax deductions that are available in the taxing district where the property is located.
 - (C) The procedure and deadline for filing for any available homestead credits under IC 6-1.1-20.4, IC 6-3.6-5, or another law and each deduction.
 - (D) The procedure that a taxpayer must follow to:
 - (i) appeal a current assessment; or
 - (ii) petition for the correction of an error related to the taxpayer's property tax and special assessment liability.
 - (E) The forms that must be filed for an appeal or a petition described in clause (D).
 - (F) The procedure and deadline that a taxpayer must follow and the forms that must be used if a credit or deduction has been granted for the property and the taxpayer is no longer eligible for the credit or deduction.
 - (G) Notice that an appeal described in clause (D) requires evidence relevant to the true tax value of the taxpayer's property as of the assessment date that is the basis for the taxes payable on that property.
- The department of local government finance shall provide the



1 explanation required by this subdivision to each county treasurer.

2 (9) A checklist that shows:

3 (A) homestead credits under IC 6-1.1-20.4, IC 6-3.6-5, or
4 another law and all property tax deductions; and

5 (B) whether each homestead credit and property tax deduction
6 applies in the current statement for the property transmitted
7 under subsection (a).

8 (10) A remittance coupon indicating the payment amounts due at
9 each payment due date and other information determined by the
10 department of local government finance.

11 (c) The county treasurer shall mail or transmit the statement one (1)
12 time each year on or before April 15. Whenever a person's tax liability
13 for a year is due in one (1) installment under IC 6-1.1-7-7 or section 9
14 of this chapter, a statement that is mailed must include the date on
15 which the installment is due and denote the amount of money to be
16 paid for the installment. Whenever a person's tax liability is due in two
17 (2) installments, a statement that is mailed must contain the dates on
18 which the first and second installments are due and denote the amount
19 of money to be paid for each installment. If a statement is returned to
20 the county treasurer as undeliverable and the forwarding order is
21 expired, the county treasurer shall notify the county auditor of this fact.
22 Upon receipt of the county treasurer's notice, the county auditor may,
23 at the county auditor's discretion, treat the property as not being eligible
24 for any deductions under IC 6-1.1-12 or any homestead credits under
25 IC 6-1.1-20.4 and IC 6-3.6-5.

26 (d) All payments of property taxes and special assessments shall be
27 made to the county treasurer. The county treasurer, when authorized by
28 the board of county commissioners, may open temporary offices for the
29 collection of taxes in cities and towns in the county other than the
30 county seat.

31 (e) The county treasurer, county auditor, and county assessor shall
32 cooperate to generate the information to be included in the statement
33 under subsection (b).

34 (f) The information to be included in the statement under subsection
35 (b) must be simply and clearly presented and understandable to the
36 average individual.

37 (g) After December 31, 2007, a reference in a law or rule to
38 IC 6-1.1-22-8 (expired January 1, 2008, and repealed) shall be treated
39 as a reference to this section.

40 (h) Transmission of statements and other information under this
41 subsection applies in a county only if the county legislative body adopts
42 an authorizing ordinance. Subject to subsection (i), in a county in



which an ordinance is adopted under this subsection for property taxes and special assessments, a person may, in any manner permitted by subsection (n), direct the county treasurer and county auditor to transmit the following to the person by electronic mail:

(1) A statement that would otherwise be sent by the county treasurer to the person by regular mail under subsection (a)(1), including a statement that reflects installment payment due dates under section 9.5 or 9.7 of this chapter.

(2) A provisional tax statement that would otherwise be sent by the county treasurer to the person by regular mail under IC 6-1.1-22.5-6.

(3) A reconciling tax statement that would otherwise be sent by the county treasurer to the person by regular mail under any of the following:

(A) Section 9 of this chapter.

(B) Section 9.7 of this chapter.

(C) IC 6-1.1-22.5-12, including a statement that reflects installment payment due dates under IC 6-1.1-22.5-18.5.

(4) Any other information that:

(A) concerns the property taxes or special assessments; and

(B) would otherwise be sent:

(i) by the county treasurer or the county auditor to the person by regular mail; and

(ii) before the last date the property taxes or special assessments may be paid without becoming delinquent.

The information listed in this subsection may be transmitted to a person by using electronic mail that provides a secure Internet link to the information.

(i) For property with respect to which more than one (1) person is liable for property taxes and special assessments, subsection (h) applies only if all the persons liable for property taxes and special assessments designate the electronic mail address for only one (1) individual authorized to receive the statements and other information referred to in subsection (h).

(j) The department of local government finance shall create a form to be used to implement subsection (h). The county treasurer and county auditor shall:

(1) make the form created under this subsection available to the public;

(2) transmit a statement or other information by electronic mail under subsection (h) to a person who files, on or before March 15, the form created under this subsection:



- 1 (A) with the county treasurer; or
- 2 (B) with the county auditor; and
- 3 (3) publicize the availability of the electronic mail option under
- 4 this subsection through appropriate media in a manner reasonably
- 5 designed to reach members of the public.
- 6 (k) The form referred to in subsection (j) must:
- 7 (1) explain that a form filed as described in subsection (j)(2)
- 8 remains in effect until the person files a replacement form to:
- 9 (A) change the person's electronic mail address; or
- 10 (B) terminate the electronic mail option under subsection (h);
- 11 and
- 12 (2) allow a person to do at least the following with respect to the
- 13 electronic mail option under subsection (h):
- 14 (A) Exercise the option.
- 15 (B) Change the person's electronic mail address.
- 16 (C) Terminate the option.
- 17 (D) For a person other than an individual, designate the
- 18 electronic mail address for only one (1) individual authorized
- 19 to receive the statements and other information referred to in
- 20 subsection (h).
- 21 (E) For property with respect to which more than one (1)
- 22 person is liable for property taxes and special assessments,
- 23 designate the electronic mail address for only one (1)
- 24 individual authorized to receive the statements and other
- 25 information referred to in subsection (h).
- 26 (l) The form created under subsection (j) is considered filed with the
- 27 county treasurer or the county auditor on the postmark date or on the
- 28 date it is electronically submitted. If the postmark is missing or
- 29 illegible, the postmark is considered to be one (1) day before the date
- 30 of receipt of the form by the county treasurer or the county auditor.
- 31 (m) The county treasurer shall maintain a record that shows at least
- 32 the following:
- 33 (1) Each person to whom a statement or other information is
- 34 transmitted by electronic mail under this section.
- 35 (2) The information included in the statement.
- 36 (3) Whether the county treasurer received a notice that the
- 37 person's electronic mail was undeliverable.
- 38 (n) A person may direct the county treasurer and county auditor to
- 39 transmit information by electronic mail under subsection (h) on a form
- 40 prescribed by the department submitted:
- 41 (1) in person;
- 42 (2) by mail; or



(3) in an online format developed by the county and approved by the department.

(o) Liability, for purposes of subsection (a), means property taxes or special assessments that are greater than zero dollars (\$0).

(p) The county treasurer is not required to mail or transmit a statement for property that is exempt from taxation and does not have a reported assessed value.

SECTION 25. IC 6-1.1-22-19 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 19. (a) This section applies to real property tax statements provided to taxpayers after December 31, 2025.**

(b) In a manner determined by the department of local government finance, the department of local government finance shall include on the coupon page of the property tax statement prescribed by the department of local government finance educational information regarding the eligibility and procedures for the following deductions available to certain eligible taxpayers:

(1) The deduction for a person sixty-five (65) years of age or older under IC 6-1.1-12-9.

(2) The deduction for a veteran with a partial disability under IC 6-1.1-12-13.

(3) The deduction for a totally disabled veteran or a veteran who is at least sixty-two (62) years of age who is partially disabled under IC 6-1.1-12-14.

(4) The deduction for a disabled veteran under IC 6-1.1-12-14.5.

(5) The deduction for a surviving spouse of a veteran under IC 6-1.1-12-16.

SECTION 26. IC 6-1.1-24-0.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 0.9. A tract or item of real property that a political subdivision owns may not be sold at a tax sale conducted under this chapter.**

SECTION 27. IC 6-1.1-24-17.5, AS AMENDED BY P.L.159-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 17.5. (a) This section does not apply to real property:**

(1) used as a principal place of residence and receiving a homestead standard deduction under IC 6-1.1-12-37 for the most recent assessment date; or

(2) for which a set off has been obtained under IC 6-8.1-9.5



1 against the delinquent debt owed on the real property.
 2 This subsection includes any real property adjacent to and under the
 3 same ownership as the homestead real property described in
 4 subdivision (1).

5 (b) This section applies only to real property that has been offered
 6 for sale by the county at two (2) or more public tax sales held under
 7 this chapter.

8 (c) For purposes of this section, "county executive" refers to:

9 (1) in a county containing a consolidated city, the board of
 10 commissioners as provided in IC 36-3-3-10; and

11 (2) in all other counties, the board of commissioners.

12 (d) For purposes of this section, "eligible nonprofit entity" means an
 13 organization exempt from federal income tax under 26 U.S.C.
 14 501(c)(3) that is either:

15 (1) an entity that:

16 (A) acquires real property to stabilize and provide future home
 17 ownership opportunities to those who would not otherwise be
 18 financially capable of purchasing a home;

19 (B) has the organizational capacity and community experience
 20 necessary to successfully undertake community development
 21 projects;

22 (C) has been organized and in operation for at least five (5)
 23 years; and

24 (D) has each year of the immediately preceding two (2) years,
 25 rehabilitated and transferred at least one (1) single family
 26 dwelling to a low or moderate income household for use as a
 27 residence; or

28 (2) a community development corporation (as defined in
 29 IC 4-4-28-2).

30 (e) For purposes of this section, "low or moderate income
 31 household" means a household having an income equal to or less than
 32 the Section 8 low income limit established by the United States
 33 Department of Housing and Urban Development.

34 (f) A county treasurer may, as a separate part of a regularly
 35 scheduled sale conducted under section 5 of this chapter, offer for sale
 36 a tract or item of real property, subject to the right of redemption, to an
 37 eligible nonprofit entity for purposes of a project for the development
 38 of low or moderate income housing, using either:

39 (1) the sale process under section 5 of this chapter; or

40 (2) a procedure developed and implemented by resolution of the
 41 county executive that conforms in all material respects to the
 42 procedures under section 5 of this chapter.



(g) Not more than five percent (5%) of the number of parcels listed for sale under section 5 of this chapter may be made available for sale to eligible nonprofit entities under subsection (f). However, an eligible nonprofit entity may acquire not more than ten (10) parcels made available for sale under subsection (f).

(h) To participate in a sale under subsection (f), an eligible nonprofit entity must file, not later than forty-five (45) days prior to the advertised date of the sale under section 5 of this chapter:

(1) an application to the county executive, signed by an officer or member of the eligible nonprofit entity, that includes:

(A) the address or parcel number of the tract or item of real property the entity desires to acquire;

(B) the intended use of the tract or item of real property;

(C) the time period anticipated for implementation of the intended use; and

(D) any additional information required by the county executive and communicated to potential applicants in advance that demonstrates the entity meets the definition of an eligible nonprofit entity under subsection (d); and

(2) documentation verifying:

(A) the entity's federal tax exempt status; and

(B) the entity's good standing in Indiana as determined by the secretary of state.

(i) If an eligible nonprofit entity takes possession of a tax sale certificate under this section, the eligible nonprofit entity acquires the same rights and obligations as a purchaser under section 6.1 of this chapter. However, if an eligible nonprofit entity obtains a tax deed after the expiration of the redemption period specified under IC 6-1.1-25, the eligible nonprofit entity shall first offer an occupant of the parcel the opportunity to purchase the parcel.

(j) If an eligible nonprofit entity uses a tract or item of real property obtained under this section for a purpose other than the development of low or moderate income housing, the tract or item of real property is subject to forfeiture.

~~(k) Before January 1, 2023, and before each January 1 thereafter, the county executive shall provide an annual report to the legislative council in an electronic format under IC 5-14-6 concerning the tax sale program established by this section.~~

SECTION 28. IC 6-1.1-28-1, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2025 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) This section applies only to a county that is



1 not participating in a multiple county property tax assessment board of
2 appeals.

3 (b) Each county shall have a county property tax assessment board
4 of appeals composed of individuals who are at least eighteen (18) years
5 of age and knowledgeable in the valuation of property. At the election
6 of the board of commissioners of the county, a county property tax
7 assessment board of appeals may consist of three (3) or five (5)
8 members appointed in accordance with this section.

9 (c) This subsection applies to a county in which the board of
10 commissioners elects to have a five (5) member county property tax
11 assessment board of appeals. In addition to the county assessor, only
12 one (1) other individual who is an officer or employee of a county or
13 township may serve on the board of appeals in the county in which the
14 individual is an officer or employee. Subject to subsections (h) and (i),
15 the fiscal body of the county shall appoint two (2) individuals to the
16 board. At least one (1) of the members appointed by the county fiscal
17 body must be a certified level two or level three assessor-appraiser. The
18 fiscal body may waive the requirement in this subsection that one (1)
19 of the members appointed by the fiscal body must be a certified level
20 two or level three assessor-appraiser. Subject to subsections (h) and (i),
21 the board of commissioners of the county shall appoint three (3)
22 freehold members so that not more than three (3) of the five (5)
23 members may be of the same political party and so that at least three
24 (3) of the five (5) members are residents of the county. At least one (1)
25 of the members appointed by the board of county commissioners must
26 be a certified level two or level three assessor-appraiser. The board of
27 county commissioners may waive the requirement in this subsection
28 that one (1) of the freehold members appointed by the board of county
29 commissioners must be a certified level two or level three
30 assessor-appraiser.

31 (d) This subsection applies to a county in which the board of
32 commissioners elects to have a three (3) member county property tax
33 assessment board of appeals. In addition to the county assessor, only
34 one (1) other individual who is an officer or employee of a county or
35 township may serve on the board of appeals in the county in which the
36 individual is an officer or employee. Subject to subsections (h) and (i),
37 the fiscal body of the county shall appoint one (1) individual to the
38 board. The member appointed by the county fiscal body must be a
39 certified level two or level three assessor-appraiser. The fiscal body
40 may waive the requirement in this subsection that the member
41 appointed by the fiscal body must be a certified level two or level three
42 assessor-appraiser. Subject to subsections (e) and (f), the board of



commissioners of the county shall appoint two (2) freehold members so that not more than two (2) of the three (3) members may be of the same political party and so that at least two (2) of the three (3) members are residents of the county. At least one (1) of the members appointed by the board of county commissioners must be a certified level two or level three assessor-appraiser. The board of county commissioners may waive the requirement in this subsection that one (1) of the freehold members appointed by the board of county commissioners must be a certified level two or level three assessor-appraiser.

(e) A person appointed to a property tax assessment board of appeals may serve on the property tax assessment board of appeals of another county at the same time. The members of the board shall elect a president. The employees of the county assessor shall provide administrative support to the property tax assessment board of appeals. The county assessor is a nonvoting member of the property tax assessment board of appeals. The county assessor shall serve as secretary of the board. The secretary shall keep full and accurate minutes of the proceedings of the board. A majority of the board constitutes a quorum for the transaction of business. Any question properly before the board may be decided by the agreement of a majority of the whole board.

(f) The county assessor, county fiscal body, and board of county commissioners may agree to waive the requirement in subsection (c) or (d) that not more than three (3) of the five (5) or two (2) of the three (3) members of the county property tax assessment board of appeals may be of the same political party if it is necessary to waive the requirement due to the absence of certified level two or level three Indiana assessor-appraisers:

- (1) who are willing to serve on the board; and
- (2) whose political party membership status would satisfy the requirement in subsection (c) or (d).

(g) If the board of county commissioners is not able to identify at least two (2) prospective freehold members of the county property tax assessment board of appeals who are:

- (1) residents of the county;
- (2) certified level two or level three Indiana assessor-appraisers;
- and
- (3) willing to serve on the county property tax assessment board of appeals;

it is not necessary that at least three (3) of the five (5) or two (2) of the three (3) members of the county property tax assessment board of



appeals be residents of the county.

(h) Except as provided in subsection (i), the term of a member of the county property tax assessment board of appeals appointed under either subsection (c) or (d) shall:

(1) be staggered so that the appointment of a majority of the board does not expire in any single year; ~~and~~

(2) last two (2) years; and

~~(2) (3) begins begin~~ January 1.

(i) If:

(1) the term of a member of the county property tax assessment board of appeals appointed under this section expires;

(2) the member is not reappointed; and

(3) a successor is not appointed;

the term of the member continues until a successor is appointed.

(j) An:

(1) employee of the township assessor or county assessor; or

(2) appraiser, as defined in IC 6-1.1-31.7-1;

may not serve as a voting member of a county property tax assessment board of appeals in a county where the employee or appraiser is employed.

SECTION 29. IC 6-1.1-30-18, AS ADDED BY P.L.236-2023, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 18. (a) Before March 1, 2024, and before March 1 of every year thereafter, each local unit that imposes a food and beverage tax under IC 6-9 shall provide a report to the state board of accounts that includes:

(1) a consolidated financial statement that at a minimum contains total collections, total expenditures, the beginning year fund balance, and the end of year fund balance;

~~(1) (2)~~ every expenditure of funds by the local unit;

~~(2) (3)~~ each local governmental entity, or instrumentality of a local governmental entity, that received a distribution; and

~~(3) (4)~~ every expenditure of funds by each local governmental entity described in subdivision ~~(2); (3);~~

from amounts received from the food and beverage tax imposed by the local unit during the previous calendar year.

(b) The report required under subsection (a) must include for each check, expenditure, distribution, or payment:

(1) the date and amount of the check, expenditure, distribution, or payment;

(2) the payee or recipient;

(3) the specific purpose, including whether the check,



expenditure, distribution, or payment was for an employee salary or a capital project; ~~and~~

(4) if applicable, a description of the project for which the check, expenditure, distribution, or payment was made; **and**

(5) a consolidated financial statement for the previous calendar year that at a minimum contains total collections, total expenditures, the beginning year fund balance, and the end of year fund balance.

(c) The report required under subsection (a) must be in a format and on a form prescribed by the state board of accounts.

(d) The state board of accounts shall post a report received under subsection (a) on the department of local government finance's computer gateway.

(e) The requirements under subsection (a) do not apply to taxes collected under:

(1) IC 6-9-12 that are distributed to the capital improvement board of managers created by IC 36-10-9-3;

(2) IC 6-9-35 that are distributed to the capital improvement board of managers created by IC 36-10-9-3; and

(3) IC 6-9-33 that are distributed to the capital improvement board of managers created by IC 36-10-8.

SECTION 30. IC 6-1.1-30-18.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 18.5. (a) The state board of accounts shall, for each local unit that imposes a food and beverage tax under IC 6-9 and is subject to the reporting requirement in section 18(a) of this chapter, determine the following:**

(1) Whether or not the local unit has provided a report to the state board of accounts as required under section 18(a) of this chapter before March 1, 2025.

(2) Whether or not:

(A) the local unit; and

(B) each local governmental entity, or instrumentality of a local governmental entity, that receives a distribution of food and beverage tax revenue;

is or has been making expenditures of the food and beverage tax revenue in compliance with the applicable statutory requirements under IC 6-9 and according to the report submitted under section 18(a) of this chapter, if a report has been submitted.

(b) If the state board of accounts concludes that a local unit has not provided a report as required under section 18(a) of this



chapter, the state board of accounts shall make a finding of noncompliance by the local unit based on that fact.

(c) If the state board of accounts concludes that a local unit, local governmental entity, or instrumentality of a local governmental entity has not complied with the applicable statutory requirements under IC 6-9 for the expenditure of the food and beverage tax revenue or has failed to make the expenditures contained in the report under section 18(a) of this chapter, the state board of accounts shall make a finding of noncompliance by the local unit, local governmental entity, or instrumentality of a local governmental entity (as applicable), based on that fact.

(d) The state board of accounts shall compile and submit a report containing all of its conclusions and findings under this section to the legislative council, in an electronic format under IC 5-14-6, before October 1, 2025.

SECTION 31. IC 6-1.1-37-10, AS AMENDED BY P.L.95-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. (a) If property taxes due and payable are not completely paid on or before the due date, a penalty shall be added to the unpaid portion in the year of the initial delinquency. The penalty is equal to an amount determined as follows:

(1) If:

(A) subject to subsection (g), the real property taxes due and payable are completely paid on or before the date thirty (30) days after the due date; and

(B) the taxpayer is not liable for:

(i) delinquent property taxes first due and payable in a previous tax payment for the same parcel; or

(ii) a penalty that is owed from a previous tax payment for the same parcel;

the amount of the penalty is equal to five percent (5%) of the amount of delinquent taxes.

(2) If:

(A) subject to subsection (g), personal property taxes due and payable are not completely paid on or before the date thirty (30) days after the due date; and

(B) the taxpayer is not liable for:

(i) delinquent property taxes first due and payable in a previous tax payment for a personal property tax return for property in the same taxing district; or

(ii) a penalty that is owed from a previous tax payment;

the amount of the penalty is equal to five percent (5%) of the



amount of delinquent taxes.

(3) If subdivision (1) or (2) does not apply, the amount of the penalty is equal to ten percent (10%) of the amount due and payable as of the tax date.

A payment received under this subsection shall be applied first to the delinquent tax amount and then to any associated penalties.

(b) With respect to property taxes due in two (2) equal installments under IC 6-1.1-22-9(a), on the day immediately following the due dates of the first and second installments in each year following the year of the initial delinquency, an additional penalty equal to ten percent (10%) of any taxes remaining unpaid shall be added. With respect to property taxes due in installments under IC 6-1.1-22-9.5, an additional penalty equal to ten percent (10%) of any taxes remaining unpaid shall be added on the day immediately following each date that succeeds the last installment due date by:

(1) six (6) months; or

(2) a multiple of six (6) months.

(c) The penalties under subsection (b) are imposed only on the principal amount of the delinquent taxes.

(d) If the department of local government finance determines that an emergency has occurred which precludes the mailing of the tax statement in any county at the time set forth in IC 6-1.1-22-8.1, the department shall establish by order a new date on which the installment of taxes in that county is due and no installment is delinquent if paid by the date so established.

(e) If any due date falls on a Saturday, a Sunday, a national legal holiday recognized by the federal government, or a statewide holiday, the act that must be performed by that date is timely if performed by the next succeeding day that is not a Saturday, a Sunday, or one (1) of those holidays.

(f) Subject to subsections (h) and (i), a payment to the county treasurer is considered to have been paid by the due date if the payment is:

(1) received on or before the due date by the county treasurer or a collecting agent appointed by the county treasurer;

(2) deposited in United States first class mail:

(A) properly addressed to the principal office of the county treasurer;

(B) with sufficient postage; and

(C) postmarked by the United States Postal Service as mailed on or before the due date;

(3) deposited with a nationally recognized express parcel carrier



1 and is:

2 (A) properly addressed to the principal office of the county
3 treasurer; and

4 (B) verified by the express parcel carrier as:

5 (i) paid in full for final delivery; and

6 (ii) received by the express parcel carrier on or before the
7 due date;

8 (4) deposited to be mailed through United States registered mail,
9 United States certified mail, or United States certificate of
10 mailing:

11 (A) properly addressed to the principal office of the county
12 treasurer;

13 (B) with sufficient postage; and

14 (C) with a date of registration, certification, or certificate, as
15 evidenced by any record authenticated by the United States
16 Postal Service, on or before the due date;

17 (5) deposited in United States first class mail:

18 (A) properly addressed to the principal office of the county
19 treasurer;

20 (B) with sufficient metered postage from a meter postage
21 provider approved by the United States Postal Service; and

22 (C) with a postage meter stamp affixed to the envelope that
23 must bear the actual date the postage meter stamp was affixed
24 to the envelope, which must be on or before the due date;

25 and the payment is received by the county treasurer not later than
26 five (5) business days after the due date; ~~or~~

27 (6) made by an electronic funds transfer and the taxpayer's bank
28 account is charged on or before the due date; **or**

29 **(7) made by a check processing company without:**

30 **(A) a postmark; or**

31 **(B) another method of verification;**

32 **allowed under subdivisions (1) through (6) but for which the**
33 **taxpayer provides the county treasurer with reasonable**
34 **evidence that the payment was made for the taxpayer on or**
35 **before the due date.**

36 **For purposes of subdivision (7), reasonable evidence includes a**
37 **statement from a ledger of payments maintained by the check**
38 **processing company showing the date the payment was made for**
39 **the taxpayer.**

40 (g) As used in this subsection, "initial penalty period" means the
41 period after the due date and not later than thirty (30) days after the due
42 date. A person who makes a payment within the initial penalty period



1 is subject to a penalty equal to five percent (5%) of the amount of the
 2 delinquent taxes as provided in subsection (a)(1) or (a)(2). A payment
 3 to the county treasurer is considered to have been paid within the initial
 4 penalty period and subject to the five percent (5%) penalty if the
 5 payment is:

6 (1) received within the penalty period by the county treasurer or
 7 a collecting agent appointed by the county treasurer;

8 (2) deposited in United States first class mail:

9 (A) properly addressed to the principal office of the county
 10 treasurer;

11 (B) with sufficient postage; and

12 (C) postmarked by the United States Postal Service as mailed
 13 on or before the thirtieth day after the due date;

14 (3) deposited with a nationally recognized express parcel carrier
 15 and is:

16 (A) properly addressed to the principal office of the county
 17 treasurer; and

18 (B) verified by the express parcel carrier as:

19 (i) paid in full for final delivery; and

20 (ii) received by the express parcel carrier on or before the
 21 thirtieth day after the due date;

22 (4) deposited to be mailed through United States registered mail,
 23 United States certified mail, or United States certificate of
 24 mailing:

25 (A) properly addressed to the principal office of the county
 26 treasurer;

27 (B) with sufficient postage; and

28 (C) with a date of registration, certification, or certificate, as
 29 evidenced by any record authenticated by the United States
 30 Postal Service, on or before the thirtieth day after the due date;
 31 or

32 (5) deposited in United States first class mail:

33 (A) properly addressed to the principal office of the county
 34 treasurer;

35 (B) with sufficient metered postage from a meter postage
 36 provider approved by the United States Postal Service; and

37 (C) with a postage meter stamp affixed to the envelope that
 38 must bear the actual date the postage meter stamp was affixed
 39 to the envelope, which must be on or before the thirtieth day
 40 after the due date;

41 and the payment is received by the county treasurer not later than
 42 five (5) business days after the thirtieth day after the due date.



(h) As used in this subsection, "initial penalty period" has the meaning set forth in subsection (g). If a payment is mailed through the United States mail and is physically received after the due date or after the initial penalty period without a legible correct postmark, the person who mailed the payment is considered to have made the payment:

(1) on or before the due date if the person can show by reasonable evidence that the payment was deposited in the United States mail on or before the due date; or

(2) within the initial penalty period, if the person can show by reasonable evidence that the payment was deposited in the United States mail on or before the thirtieth day after the due date.

(i) As used in this subsection, "initial penalty period" has the meaning set forth in subsection (g). This section applies if a payment is sent via the United States mail or a nationally recognized express parcel carrier but is not received by the designated recipient, the person who sent the payment is considered to have made the payment:

(1) on or before the due date if the person:

(A) can show by reasonable evidence that the payment was deposited in the United States mail, or with the express parcel carrier, on or before the due date; and

(B) makes a duplicate payment within thirty (30) days after the date the person is notified that the payment was not received; or

(2) within the initial penalty period, if the person:

(A) can show by reasonable evidence that the payment was deposited in the United States mail, or with the express parcel carrier, on or before the thirtieth day after the due date; and

(B) makes a duplicate payment within thirty (30) days after the date the person is notified that the payment was not received.

SECTION 32. IC 6-1.5-5-2, AS AMENDED BY P.L.146-2008, SECTION 308, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) After receiving a petition for review that is filed under a statute listed in section 1(a) of this chapter, the Indiana board shall, at its earliest opportunity:

(1) conduct a hearing; or

(2) cause a hearing to be conducted by an administrative law judge.

The Indiana board may determine to conduct the hearing under subdivision (1) on its own motion or on request of a party to the appeal.

(b) In its resolution of a petition, the Indiana board may correct any errors that may have been made and adjust the assessment in accordance with the correction.



(c) The Indiana board shall give notice of the date fixed for the hearing ~~by mail~~ to:

- (1) the taxpayer;
- (2) the department of local government finance; and
- (3) the appropriate:
 - (A) township assessor (if any);
 - (B) county assessor; and
 - (C) county auditor.

(d) With respect to an appeal of the assessment of real property or personal property filed after June 30, 2005, the notices required under subsection (c) must include the following:

- (1) The action of the department of local government finance with respect to the appealed items.
- (2) A statement that a taxing unit receiving the notice from the county auditor under subsection (e) may:
 - (A) attend the hearing;
 - (B) offer testimony; and
 - (C) file an amicus curiae brief in the proceeding.

(e) If, after receiving notice of a hearing under subsection (c), the county auditor determines that the assessed value of the appealed items constitutes at least one percent (1%) of the total gross certified assessed value of a particular taxing unit for the assessment date immediately preceding the assessment date for which the appeal was filed, the county auditor shall send a copy of the notice to the affected taxing unit. A taxing unit that receives a notice from the county auditor under this subsection is not a party to the appeal. Failure of the county auditor to send a copy of the notice to the affected taxing unit does not affect the validity of the appeal or delay the appeal.

(f) The Indiana board shall give the notices required under subsection (c) at least thirty (30) days before the day fixed for the hearing.

SECTION 33. IC 6-1.5-5-5, AS AMENDED BY P.L.146-2008, SECTION 309, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. After the hearing, the Indiana board shall give the petitioner, the township assessor (if any), the county assessor, the county auditor, and the department of local government finance:

- (1) notice ~~by mail~~, of its final determination, findings of fact, and conclusions of law; and
- (2) notice of the procedures the petitioner or the department of local government finance must follow in order to obtain court review of the final determination of the Indiana board.



1 The county auditor shall provide copies of the documents described in
 2 subdivisions (1) and (2) to the taxing units entitled to notice under
 3 section 2(e) of this chapter.

4 SECTION 34. IC 6-3.6-6-8, AS AMENDED BY P.L.101-2024,
 5 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 UPON PASSAGE]: Sec. 8. (a) This section applies to the allocation of
 7 additional revenue from a tax under this chapter to public safety
 8 purposes. Funding dedicated for a PSAP under a former tax continues
 9 to apply under this chapter until it is rescinded or modified. If funding
 10 was not dedicated for a PSAP under a former tax, the adopting body
 11 may adopt a resolution providing that all or part of the additional
 12 revenue allocated to public safety is to be dedicated for a PSAP. The
 13 resolution first applies in the following year and then thereafter until it
 14 is rescinded or modified. Funding dedicated for a PSAP shall be
 15 allocated and distributed as provided in IC 6-3.6-11-4.

16 (b) Except as provided in subsections (c) and (d), the amount of the
 17 certified distribution that is allocated to public safety purposes, and
 18 after making allocations under IC 6-3.6-11, shall be allocated to the
 19 county and to each municipality in the county that is carrying out or
 20 providing at least one (1) public safety purpose. For purposes of this
 21 subsection, in the case of a consolidated city, the total property taxes
 22 imposed by the consolidated city include the property taxes imposed by
 23 the consolidated city and all special taxing districts (except for a public
 24 library district, a public transportation corporation, and a health and
 25 hospital corporation), and all special service districts. The amount
 26 allocated under this subsection to a county or municipality is equal to
 27 the result of:

28 (1) the amount of the remaining certified distribution that is
 29 allocated to public safety purposes; multiplied by

30 (2) a fraction equal to:

31 (A) in the case of a county that initially imposed a rate for
 32 public safety under IC 6-3.5-6 (repealed), the result of the total
 33 property taxes imposed in the county by the county or
 34 municipality for the calendar year preceding the distribution
 35 year, divided by the sum of the total property taxes imposed in
 36 the county by the county and each municipality in the county
 37 that is entitled to a distribution under this section for that
 38 calendar year; or

39 (B) in the case of a county that initially imposed a rate for
 40 public safety under IC 6-3.5-1.1 (repealed) or a county that did
 41 not impose a rate for public safety under either IC 6-3.5-1.1
 42 (repealed) or IC 6-3.5-6 (repealed), the result of the attributed



1 allocation amount of the county or municipality for the
 2 calendar year preceding the distribution year, divided by the
 3 sum of the attributed allocation amounts of the county and
 4 each municipality in the county that is entitled to a distribution
 5 under this section for that calendar year.

6 (c) A fire department, volunteer fire department, or emergency
 7 medical services provider that:

8 (1) provides fire protection or emergency medical services within
 9 the county; and

10 (2) is operated by or serves a political subdivision that is not
 11 otherwise entitled to receive a distribution of tax revenue under
 12 this section;

13 may, before July 1 of a year, apply to the adopting body for a
 14 distribution of tax revenue under this section during the following
 15 calendar year. The adopting body shall review an application submitted
 16 under this subsection. However, after giving notice under IC 5-3-1, the
 17 adopting body shall review an application by a township that provided
 18 fire protection or emergency medical services in the most recent
 19 calendar year and imposed a property tax levy for the provision of fire
 20 protection or emergency medical services within the county in the most
 21 recent calendar year at a public hearing. The adopting body may review
 22 multiple applications submitted under this subsection at one (1) public
 23 hearing. If applicable, a township shall present and explain its
 24 application at the public hearing. Not later than ten (10) days after the
 25 public hearing, if applicable, but before September 1 of a year, the
 26 adopting body may adopt a resolution requiring that one (1) or more of
 27 the applicants shall receive a specified amount of the tax revenue to be
 28 distributed under this section during the following calendar year. The
 29 adopting body shall provide a copy of the resolution to the county
 30 auditor and the department of local government finance not more than
 31 fifteen (15) days after the resolution is adopted. A resolution adopted
 32 under this subsection and provided in a timely manner to the county
 33 auditor and the department applies only to distributions in the
 34 following calendar year. Any amount of tax revenue distributed under
 35 this subsection to a fire department, volunteer fire department, or
 36 emergency medical services provider shall be distributed before the
 37 remainder of the tax revenue is allocated under subsection (b).

38 (d) A township fire department, volunteer fire department, fire
 39 protection territory, or fire protection district that:

40 (1) provides fire protection or emergency medical services within
 41 a county; and

42 (2) is operated by or serves a political subdivision;



1 may, before July 1 of a year, apply to the adopting body for a
 2 distribution of tax revenue under this section during the following
 3 calendar year. The adopting body shall review an application submitted
 4 under this subsection. However, after giving notice under IC 5-3-1, the
 5 adopting body shall review an application submitted by a township that
 6 provided fire protection or emergency medical services in the most
 7 recent calendar year and that imposed a property tax levy for the
 8 provision of fire protection or emergency medical services within the
 9 county in the most recent calendar year at a public hearing. The
 10 adopting body may review multiple applications submitted under this
 11 subsection at one (1) public hearing. If applicable, a township shall
 12 present and explain its application at the public hearing. From the
 13 amount of the certified distribution that is allocated to public safety
 14 purposes, and after making allocations under IC 6-3.6-11, the adopting
 15 body may adopt a resolution that one (1) or more township fire
 16 departments, volunteer fire departments, fire protection territories, or
 17 fire protection districts shall receive an amount of the tax revenue to be
 18 distributed under this section during the following calendar year up to
 19 one hundred percent (100%) of the revenue collected from that portion
 20 of the tax rate imposed for allocations for public safety purposes that
 21 does not exceed a rate of five one-hundredths of one percent (0.05%).
 22 A resolution adopted under this subsection must include information
 23 on the service area for each township fire department, volunteer fire
 24 department, fire protection territory, or fire protection district, as
 25 applicable. Any distribution under this subsection must be based on the
 26 assessed value of real property, not including land, that is served by
 27 each township fire department, volunteer fire department, fire
 28 protection territory, or fire protection district, as applicable. The
 29 adopting body shall provide a copy of the resolution to the county
 30 auditor and the department of local government finance not more than
 31 fifteen (15) days after the resolution is adopted. A resolution adopted
 32 under this subsection and provided in a timely manner to the county
 33 auditor and the department applies only to distributions in the
 34 following calendar year. Any amount of tax revenue distributed under
 35 this subsection to a township fire department, volunteer fire
 36 department, fire protection territory, or fire protection district, as
 37 applicable, shall be distributed before the remainder of the tax revenue
 38 is allocated under subsection (b). **In the case of a volunteer fire**
 39 **department, the application under this subsection must be made to**
 40 **the adopting body by the fiscal officer of the unit served by the**
 41 **volunteer fire department.**

42 SECTION 35. IC 6-3.6-6-12, AS AMENDED BY P.L.247-2017,

EH 1427—LS 6977/DI 134



SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) Except as provided in this chapter and IC 6-3.6-11, this section applies to an allocation of certified shares in all counties.

(b) The allocation amount of a civil taxing unit during a calendar year must be based on the amounts for the calendar year preceding the distribution year and is equal to the amount determined using the following formula:

STEP ONE: Determine the sum of the total property taxes being imposed by the civil taxing unit.

STEP TWO: Determine the sum of the following:

(A) Amounts appropriated from property taxes to pay the principal of or interest on any debenture or other debt obligation issued after June 30, 2005, other than an obligation described in subsection (c).

(B) Amounts appropriated from property taxes to make payments on any lease entered into after June 30, 2005, other than a lease described in subsection (d).

STEP THREE: Subtract the STEP TWO amount from the STEP ONE amount.

STEP FOUR: In the case of a qualifying municipality as defined in IC 6-1.1-18.5-31(d) that is located in a county described in IC 6-1.1-18.5-31(a), and only for the allocation of certified shares in 2027 and 2028, STEP THREE multiplied by seventy percent (70%).

~~STEP FOUR:~~ **FIVE:** Determine the sum of:

(A) the:

(i) STEP THREE amount; or

(ii) **STEP FOUR amount in the case of a qualifying municipality as defined in IC 6-1.1-18.5-31(d) that is located in a county described in IC 6-1.1-18.5-31(a); plus**

(B) the civil taxing unit's certified shares plus the amount distributed under section 3(a)(2) of this chapter for the previous calendar year; **plus**

(C) in the case of a qualifying municipality as defined in IC 6-1.1-18.5-31(d) that is located in a county described in IC 6-1.1-18.5-31(a), and only for the allocation of certified shares in 2026, the amount of the levy for the municipality's debt service and lease rental funds that was certified in 2025 multiplied by fifty-four and five-tenths percent (54.5%). This clause expires January 1, 2027.

The allocation amount is subject to adjustment as provided in



1 IC 36-8-19-7.5.

2 (c) Except as provided in this subsection, an appropriation for the
3 calendar year preceding the distribution year from property taxes to
4 repay interest and principal of a debt obligation is not deducted from
5 the allocation amount for a civil taxing unit if:

6 (1) the debt obligation was issued; and

7 (2) the proceeds were appropriated from property taxes;
8 to refund or otherwise refinance a debt obligation or a lease issued
9 before July 1, 2005. However, an appropriation from property taxes
10 related to a debt obligation issued after June 30, 2005, is deducted if
11 the debt extends payments on a debt or lease beyond the time in which
12 the debt or lease would have been payable if the debt or lease had not
13 been refinanced or increases the total amount that must be paid on a
14 debt or lease in excess of the amount that would have been paid if the
15 debt or lease had not been refinanced. The amount of the deduction is
16 the annual amount for each year of the extension period or the annual
17 amount of the increase over the amount that would have been paid.

18 (d) Except as provided in this subsection, an appropriation for the
19 calendar year preceding the distribution year from property taxes to
20 make payments on a lease is not deducted from the allocation amount
21 for a civil taxing unit if:

22 (1) the lease was issued; and

23 (2) the proceeds were appropriated from property taxes;
24 to refinance a debt obligation or lease issued before July 1, 2005.
25 However, an appropriation from property taxes related to a lease
26 entered into after June 30, 2005, is deducted if the lease extends
27 payments on a debt or lease beyond the time in which the debt or lease
28 would have been payable if the debt or lease had not been refinanced
29 or increases the total amount that must be paid on a debt or lease in
30 excess of the amount that would have been paid if the debt or lease had
31 not been refinanced. The amount of the deduction is the annual amount
32 for each year of the extension period or the annual amount of the
33 increase over the amount that would have been paid.

34 SECTION 36. IC 6-3.6-7-21, AS ADDED BY P.L.243-2015,
35 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JANUARY 1, 2025 (RETROACTIVE)]: Sec. 21. (a) This section
37 applies only to Starke County.

38 (b) Starke County possesses unique governmental and economic
39 development challenges due to:

40 (1) the county's predominantly rural geography, demography, and
41 economy;

42 (2) the county's relatively low tax base and relatively high



property tax rates;

(3) the current maximum capacity of the county jail, which was constructed in 1976; and

(4) pending federal class action litigation seeking a mandate to address capacity and living conditions in the county jail.

The use of a tax under this section is necessary for the county to address jail capacity and appropriate inmate living conditions and to maintain low property tax rates essential to economic development. The use of a tax under this section for the purposes described in this section promotes these purposes.

(c) The county fiscal body may impose a tax on the adjusted gross income of local taxpayers at a tax rate that does not exceed the lesser of the following:

(1) Sixty-five hundredths percent (0.65%).

(2) The rate necessary to carry out the purposes described in this section.

(d) Revenue from a tax under this section may be used only for the following purposes:

(1) To finance, construct, acquire, and equip the county jail and related buildings and parking facilities, including costs related to the demolition of existing buildings, the acquisition of land, and any other reasonably related costs.

(2) To repay bonds issued or leases entered into for constructing, acquiring, and equipping the county jail and related buildings and parking facilities, including costs related to the demolition of existing buildings, the acquisition of land, and any other reasonably related costs.

(3) To operate and maintain the facilities described in subdivision (1).

(e) The tax imposed under this section may be imposed only until the last of the following dates:

(1) The date on which the purposes described in subsection (d)(1) are completed.

(2) The date on which the last of any bonds issued (including any refunding bonds) or leases described in subsection (d)(2) are fully paid.

The term of the bonds issued (including any refunding bonds) or a lease entered into under subsection (d)(2) may not exceed twenty-five (25) years.

SECTION 37. IC 6-3.6-9-15, AS AMENDED BY P.L.239-2023, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) If the budget agency determines that



1 the balance in a county trust account exceeds fifteen percent (15%) **(or**
 2 **the percentage set forth in subsection (g), if applicable)** of the
 3 certified distributions to be made to the county in the determination
 4 year, the budget agency shall make a supplemental distribution to the
 5 county from the county's trust account. The budget agency shall use the
 6 trust account balance as of December 31 of the year that precedes the
 7 determination year by two (2) years (referred to as the "trust account
 8 balance year" in this section).

9 (b) A supplemental distribution described in subsection (a) must be:

10 (1) made at the same time as the determinations are provided to
 11 the county auditor under subsection (d)(3); and

12 (2) allocated in the same manner as certified distributions for the
 13 purposes described in this article.

14 (c) The amount of a supplemental distribution described in
 15 subsection (a) is equal to the amount by which:

16 (1) the balance in the county trust account; minus

17 (2) the amount of any supplemental or special distribution that has
 18 not yet been accounted for in the last known balance of the
 19 county's trust account;

20 exceeds fifteen percent (15%) **(or the percentage set forth in**
 21 **subsection (g), if applicable)** of the certified distributions to be made
 22 to the county in the determination year.

23 (d) For a county that qualifies for a supplemental distribution under
 24 this section in a year, the following apply:

25 (1) Before February 15, the budget agency shall update the
 26 information described in section 9 of this chapter to include the
 27 excess account balances to be distributed under this section.

28 (2) Before May 2, the budget agency shall provide the amount of
 29 the supplemental distribution for the county to the department of
 30 local government finance and to the county auditor.

31 (3) The department of local government finance shall determine
 32 for the county and each taxing unit within the county:

33 (A) the amount and allocation of the supplemental distribution
 34 attributable to the taxes that were imposed as of December 31
 35 of the trust account balance year, including any specific
 36 distributions for that year; and

37 (B) the amount of the allocation for each of the purposes set
 38 forth in this article, using the allocation percentages in effect
 39 in the trust account balance year.

40 The department of local government finance shall provide these
 41 determinations to the county auditor before May 16 of the
 42 determination year.



(4) Before June 1, the county auditor shall distribute to each taxing unit the amount of the supplemental distribution that is allocated to the taxing unit under subdivision (3). However, for a county with a former tax to provide for a levy freeze under IC 6-3.6-11-1, the supplemental distribution shall first be distributed as determined in any resolution adopted under IC 6-3.6-11-1(d).

For determinations before 2019, the tax rates in effect under and the allocation methods specified in the former income tax laws shall be used for the determinations under subdivision (3).

(e) For any part of a supplemental distribution attributable to property tax credits under a former income tax or IC 6-3.6-5, the adopting body for the county may allocate the supplemental distribution to property tax credits for not more than the three (3) years after the year the supplemental distribution is received.

(f) Any income earned on money held in a trust account established for a county under this chapter shall be deposited in that trust account.

(g) This subsection applies only to counties that contain at least four (4) municipalities (cities or towns) each with a population greater than forty thousand (40,000), as determined by the most recent federal decennial census, in which at least one (1) of those municipalities meets the definition of a qualifying municipality under IC 6-1.1-18.5-31(d). The following percentages apply for purposes of the determinations under subsections (a) and (c):

(1) For the determination year beginning after December 31, 2025, and ending before January 1, 2027, twelve and five-tenths percent (12.5%).

(2) For the determination year beginning after December 31, 2026, and ending before January 1, 2028, ten percent (10%).

(3) For a determination year beginning after December 31, 2027, and ending before January 1, 2029, seven and five-tenths percent (7.5%).

(4) For the determination year beginning after December 31, 2028, and ending before January 1, 2030, five percent (5%).

(5) For the determination year beginning after December 31, 2029, and ending before January 1, 2031, two and one-half percent (2.5%).

(6) For the determination year beginning after December 31, 2030, one percent (1%).

SECTION 38. IC 6-3.6-9-17.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 17.6. (a) Notwithstanding any**



1 other provision, funds from the state general fund shall not be used
2 to make up a shortfall in the:

- 3 (1) reserve account; or
4 (2) certified distribution.

5 (b) If a county reserve account runs out of funds for making a
6 certified distribution, funds may not be transferred from the state
7 general fund to the reserve account.

8 SECTION 39. IC 6-8.1-10-2.1, AS AMENDED BY P.L.137-2022,
9 SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 UPON PASSAGE]: Sec. 2.1. (a) Except as provided in IC 6-3-4-12(k)
11 and IC 6-3-4-13(l), a person that:

- 12 (1) fails to file a return for any of the listed taxes;
13 (2) fails to pay the full amount of tax shown on the person's return
14 on or before the due date for the return or payment;
15 (3) incurs, upon examination by the department, a deficiency that
16 is due to negligence;
17 (4) fails to timely remit any tax held in trust for the state;
18 (5) fails to file a return in the electronic manner required by the
19 department if such return is required to be filed electronically; or
20 (6) is required to make a payment by electronic funds transfer (as
21 defined in IC 4-8.1-2-7), overnight courier, personal delivery, or
22 any other electronic means and the payment is not received by the
23 department by the due date in such manner and in funds
24 acceptable to the department;

25 is subject to a penalty.

26 (b) Except as provided in subsection (g), the penalty described in
27 subsection (a) is ten percent (10%) of:

- 28 (1) the full amount of the tax due if the person failed to file the
29 return or, in the case of a return required to be filed electronically,
30 the return is not filed in the electronic manner required by the
31 department;
32 (2) the amount of the tax not paid, if the person filed the return
33 but failed to pay the full amount of the tax shown on the return;
34 (3) the amount of the tax held in trust that is not timely remitted;
35 (4) the amount of deficiency as finally determined by the
36 department; or
37 (5) the amount of tax due if a person failed to make payment
38 required to be made by electronic funds transfer, overnight
39 courier, personal delivery, or any other electronic means by the
40 due date in such manner.

41 (c) For purposes of this section, the filing of a substantially blank or
42 unsigned return does not constitute a return.



(d) If a person subject to the penalty imposed under this section can show that the failure to file a return, pay the full amount of tax shown on the person's return, timely remit tax held in trust, or pay the deficiency determined by the department was due to reasonable cause and not due to willful neglect, the department shall waive the penalty.

(e) A person who wishes to avoid the penalty imposed under this section must make an affirmative showing of all facts alleged as a reasonable cause for the person's failure to file the return, pay the amount of tax shown on the person's return, pay the deficiency, or timely remit tax held in trust, in a written statement containing a declaration that the statement is made under penalty of perjury. The statement must be filed with the return or payment within the time prescribed for protesting departmental assessments. A taxpayer may also avoid the penalty imposed under this section by obtaining a ruling from the department before the end of a particular tax period on the amount of tax due for that tax period.

(f) The department shall adopt rules under IC 4-22-2 to prescribe the circumstances that constitute reasonable cause and negligence for purposes of this section.

(g) A person who fails to file a return for a listed tax that shows no tax liability for a taxable year, other than an information return (as defined in section 6 of this chapter), on or before the due date of the return shall pay a penalty of ten dollars (\$10) for each day that the return is past due, up to a maximum of two hundred fifty dollars (\$250).

(h) A:

- (1) corporation which otherwise qualifies under IC 6-3-2-2.8(2);
- (2) partnership; or
- (3) trust;

that fails to withhold and pay any amount of tax required to be withheld under IC 6-3-4-12, IC 6-3-4-13, or IC 6-3-4-15 shall pay a penalty equal to twenty percent (20%) of the amount of tax required to be withheld under IC 6-3-4-12, IC 6-3-4-13, or IC 6-3-4-15. This penalty shall be in addition to any penalty imposed by section 6 of this chapter.

(i) Subsections (a) through (c) do not apply to a motor carrier fuel tax return.

(j) If a pass through entity (as defined in IC 6-3-1-35) fails to include all nonresident partners, nonresident shareholders, or nonresident beneficiaries in a composite return as required by IC 6-3-4-12(i), IC 6-3-4-13(j), or IC 6-3-4-15(h), a penalty of five hundred dollars (\$500) per pass through entity is imposed on the pass through entity.



(k) If a person subject to the penalty imposed under this section provides the department with documentation showing that the person is or has been subject to incarceration for a period of a least one hundred eighty (180) days, the department shall waive any penalty under this section and interest that accrues during the time the person was incarcerated, but not to an extent greater than the penalty or interest relief to which a person would otherwise have been entitled under the federal Servicemembers Civil Relief Act (50 U.S.C. 3901-4043), if the person was in military service. Nothing in this subsection shall preclude the department from issuing a proposed assessment, demand notice, jeopardy proposed assessment, jeopardy demand notice, or warrant otherwise permitted by law.

(l) Beginning after December 31, 2024, reasonable cause under this section for failure to file a timely and complete form IT-65 partnership return will be presumed if the partnership (or any of its partners) is able to show that all of the following conditions have been met:

(1) The partnership had no more than ten (10) partners for the taxable year. (A husband and wife filing a joint return count as one (1) partner.)

(2) Each partner during the tax year was a natural person (other than a nonresident alien), or the estate of a natural person.

(3) Each partner's proportionate share of any partnership item is the same as the partner's proportionate share of any other partnership item.

(4) The partnership did not elect to be subject to the rules for federal consolidated audit proceedings under Sections 6221 through 6234 of the Internal Revenue Code.

(5) All partners reported their distributive share of partnership items on their timely filed income tax returns.

SECTION 40. IC 6-8.1-10-6, AS AMENDED BY P.L.234-2019, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) As used in this section, "information return" means the following when a statute or rule requires the following to be filed with the department:

(1) Schedule K-1 of form IT-20S, IT-41, or IT-65.

(2) Any form, statement, or schedule required to be filed with the department with respect to an amount from which tax is required to be deducted and withheld under IC 6 or from which tax would be required to be deducted and withheld but for an exemption under IC 6.



(3) Any form, statement, or schedule required to be filed with the Internal Revenue Service under 26 C.F.R. 301.6721-1(g) (1993). The term does not include form IT-20FIT, IT-20S, IT-20SC, IT-41, or IT-65.

(b) If a person fails to file an information return required by the department, or fails to electronically file an information return that is required by the department to be filed in an electronic format, a penalty of ten dollars (\$10) for:

(1) each failure to file a timely return; or
 (2) each failure to electronically file a timely return required by the department to be in an electronic format;
 not to exceed twenty-five thousand dollars (\$25,000) in any one (1) calendar year, is imposed.

(c) For purposes of this section, the filing of a substantially blank or unsigned return does not constitute a return.

(d) Beginning after December 31, 2024, a person that has been granted penalty relief under section 2.1(l) of this chapter for failure to file a timely and complete form IT-65 partnership return shall not be subject to a penalty under this section for failure to file the information return Schedule K-1 of form IT-65 for which penalty relief was granted.

SECTION 41. IC 6-9-2.5-7, AS AMENDED BY P.L.168-2005, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. (a) The county treasurer shall establish a convention and visitor promotion fund.

(b) The county treasurer shall deposit in the convention and visitor promotion fund the amount of money received under section 6 of this chapter as follows:

(1) Before January 1, 2026, the county treasurer shall deposit in the convention and visitor promotion fund the amount of money received under section 6 of this chapter that is generated by a two and one-half percent (2.5%) rate.

(2) After December 31, 2025, the county treasurer shall deposit in the convention and visitor promotion fund the amount of money received under section 6 of this chapter that is generated by a three percent (3%) rate.

(c) Money in this fund shall be expended only as provided in this chapter.

(d) The commission may transfer money in the convention and visitor promotion fund to any Indiana nonprofit corporation for the purpose of promotion and encouragement in the county of conventions, trade shows, visitors, or special events. The commission may transfer



1 money under this section only after approving the transfer. Transfers
2 shall be made quarterly or less frequently under this section.

3 SECTION 42. IC 6-9-2.5-7.5, AS AMENDED BY P.L.290-2019,
4 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2025]: Sec. 7.5. (a) The county treasurer shall establish a
6 tourism capital improvement fund.

7 (b) The county treasurer shall deposit money in the tourism capital
8 improvement fund as follows:

9 (1) Before January 1, 2026, the county treasurer shall deposit in
10 the tourism capital improvement fund the amount of money
11 received under section 6 of this chapter that is generated by a
12 three and one-half percent (3.5%) rate.

13 (2) After December 31, 2025, **and before January 1, 2029**, the
14 county treasurer shall deposit in the tourism capital improvement
15 fund the amount of money received under section 6 of this chapter
16 that is generated by a ~~four and one-half percent (4.5%)~~ **three**
17 **percent (3%)** rate.

18 (3) **After December 31, 2028, the county treasurer shall**
19 **deposit in the tourism capital improvement fund the amount**
20 **of money received under section 6 of this chapter that is**
21 **generated by a four percent (4%) rate.**

22 (c) The commission may transfer money in the tourism capital
23 improvement fund to:

24 (1) the county government, a city government, or a separate body
25 corporate and politic in a county described in section 1 of this
26 chapter; or

27 (2) any Indiana nonprofit corporation;

28 for the purpose of making capital improvements in the county that
29 promote conventions, tourism, or recreation. The commission may
30 transfer money under this section only after approving the transfer.
31 Transfers shall be made quarterly or less frequently under this section.

32 SECTION 43. IC 6-9-2.5-7.7, AS AMENDED BY P.L.290-2019,
33 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2025]: Sec. 7.7. (a) As used in this section, "fund" refers to the
35 convention center operating, capital improvement, and financial
36 incentive fund established under subsection (b).

37 (b) The county treasurer shall establish a convention center
38 operating, capital improvement, and financial incentive fund.

39 (c) Before January 1, ~~2026~~, **2029**, the county treasurer shall deposit
40 in the fund the amount of money received under section 6 of this
41 chapter that is generated by a two percent (2%) rate.

42 (d) After December 31, ~~2025~~, **2028**, the county treasurer shall



1 deposit in the fund the amount of money received under section 6 of
2 this chapter that is generated by a one percent (1%) rate.

3 (e) Money in the fund may be expended only for the following:

4 (1) Operating expenses of a convention center located in the
5 county.

6 (2) Capital improvements to a convention center located in the
7 county.

8 (3) Financial incentives to attract, promote, or encourage new
9 business conventions, trade shows, or special events held at a
10 convention center located in the county.

11 (f) A financial incentive described in subsection (e)(3) may not be
12 distributed to a new business for at least thirty (30) days after the
13 conclusion of a convention, trade show, or special event that is held by
14 the new business at a convention center located in the county.

15 SECTION 44. IC 6-9-14-6, AS AMENDED BY P.L.9-2024,
16 SECTION 232, IS AMENDED TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) The county council may levy
18 a tax on every person engaged in the business of renting or furnishing,
19 for periods of less than thirty (30) days, any room or rooms, lodgings
20 or accommodations in any hotel, motel, inn, conference center, retreat
21 center, or tourist cabin located in the county. However, the county
22 council may not levy the tax on a person for engaging in the business
23 of providing campsites within a state or federal park or forest. The tax
24 may be imposed at any rate ~~up to and including five~~ **that does not**
25 **exceed eight** percent ~~(5%)~~: **(8%)**. The tax shall be imposed on the
26 gross retail income derived from lodging income only and shall be in
27 addition to the state gross retail tax imposed on those persons by
28 IC 6-2.5.

29 (b) The county fiscal body may adopt an ordinance to require that
30 the tax shall be paid monthly to the county treasurer. If such an
31 ordinance is adopted, the tax shall be paid to the county treasurer not
32 more than twenty (20) days after the end of the month the tax is
33 collected. If such an ordinance is not adopted, the tax shall be imposed,
34 paid and collected in exactly the same manner as the state gross retail
35 tax is imposed, paid, and collected pursuant to IC 6-2.5.

36 (c) All of the provisions of IC 6-2.5 relating to rights, duties,
37 liabilities, procedures, penalties, definitions, exemptions, and
38 administration apply to the imposition and administration of the tax
39 imposed under this section, except to the extent those provisions are in
40 conflict or inconsistent with the specific provisions of this chapter or
41 the requirements of the county treasurer. Specifically and not in
42 limitation of the foregoing sentence, the terms "person" and "gross



1 retail income" shall have the same meaning in this section as they have
 2 in IC 6-2.5. If the tax is paid to the department of state revenue, the
 3 returns to be filed for the payment of the tax under this section may be
 4 either a separate return or may be combined with the return filed for the
 5 payment of the state gross retail tax as the department of state revenue
 6 may, by rule or regulation, determine.

7 (d) If the tax is paid to the department of state revenue, the amounts
 8 received from the tax shall be paid quarterly by the treasurer of state to
 9 the county treasurer upon warrants issued by the state comptroller.

10 (e) The tax imposed under subsection (a) does not apply to the
 11 renting or furnishing of rooms, lodgings, or accommodations to a
 12 person for a period of thirty (30) days or more.

13 SECTION 45. IC 6-9-14-9 IS ADDED TO THE INDIANA CODE
 14 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 15 1, 2025]: **Sec. 9. This chapter expires January 1, 2047.**

16 SECTION 46. IC 6-9-18-3, AS AMENDED BY P.L.136-2024,
 17 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 UPON PASSAGE]: Sec. 3. (a) The fiscal body of a county may levy a
 19 tax on every person engaged in the business of renting or furnishing,
 20 for periods of less than thirty (30) days, any room or rooms, lodgings,
 21 or accommodations in any:

- 22 (1) hotel;
- 23 (2) motel;
- 24 (3) boat motel;
- 25 (4) inn;
- 26 (5) college or university memorial union;
- 27 (6) college or university residence hall or dormitory; or
- 28 (7) tourist cabin;

29 located in the county.

30 (b) The tax does not apply to gross income received in a transaction
 31 in which:

- 32 (1) a student rents lodgings in a college or university residence
 33 hall while that student participates in a course of study for which
 34 the student receives college credit from a college or university
 35 located in the county; or
- 36 (2) a person rents a room, lodging, or accommodations for a
 37 period of thirty (30) days or more.

38 (c) The tax may not exceed:

- 39 (1) the rate of five percent (5%) in a county other than a county
 40 subject to subdivision (2), (3), or (4);
- 41 (2) after June 30, 2019, and except as provided in section 6.7 of
 42 this chapter, the rate of eight percent (8%) in Howard County;



(3) after June 30, 2021, the rate of nine percent (9%) in Daviess County; or

~~(4) after June 30, 2023, the rate of eight percent (8%) in Parke County;~~

(4) after June 30, 2025, and before January 1, 2047, the rate of eight percent (8%) in Delaware County. This subdivision expires January 1, 2047.

The tax is imposed on the gross retail income derived from lodging income only and is in addition to the state gross retail tax imposed under IC 6-2.5.

(d) The county fiscal body may adopt an ordinance to require that the tax shall be paid monthly to the county treasurer. If such an ordinance is adopted, the tax shall be paid to the county treasurer not more than twenty (20) days after the end of the month the tax is collected. If such an ordinance is not adopted, the tax shall be imposed, paid, and collected in exactly the same manner as the state gross retail tax is imposed, paid, and collected under IC 6-2.5.

(e) All of the provisions of IC 6-2.5 relating to rights, duties, liabilities, procedures, penalties, definitions, exemptions, and administration are applicable to the imposition and administration of the tax imposed under this section except to the extent those provisions are in conflict or inconsistent with the specific provisions of this chapter or the requirements of the county treasurer. If the tax is paid to the department of state revenue, the return to be filed for the payment of the tax under this section may be either a separate return or may be combined with the return filed for the payment of the state gross retail tax as the department of state revenue may, by rule, determine.

(f) If the tax is paid to the department of state revenue, the amounts received from the tax imposed under this section shall be paid monthly by the treasurer of state to the county treasurer upon warrants issued by the state comptroller.

SECTION 47. IC 6-9-18-6, AS AMENDED BY P.L.122-2021, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) The commission may:

- (1) accept and use gifts, grants, and contributions from any public or private source, under terms and conditions that the commission considers necessary and desirable;
- (2) sue and be sued;
- (3) enter into contracts and agreements;
- (4) make rules necessary for the conduct of its business and the accomplishment of its purposes;
- (5) receive and approve, alter, or reject requests and proposals for



1 funding by corporations qualified under subdivision (6);
 2 (6) after its approval of a proposal, transfer money, quarterly or
 3 less frequently, from the fund established under section 4(a) of
 4 this chapter, or from money transferred from that fund to the
 5 commission's treasurer under section 4(b) of this chapter, to any
 6 Indiana not-for-profit corporation to promote and encourage
 7 conventions, visitors, or tourism in the county; and
 8 (7) require financial or other reports from any corporation that
 9 receives funds under this chapter.

10 ~~(b) This subsection applies only to Boone County. In addition to the~~
 11 ~~powers of the commission under subsection (a), and subject to adoption~~
 12 ~~of a resolution by the county fiscal body under section 6.5 of this~~
 13 ~~chapter, the commission may enter into an agreement under which~~
 14 ~~amounts deposited in, or to be deposited in, the fund established under~~
 15 ~~section 4(a) of this chapter are pledged toward the payment of~~
 16 ~~obligations (including bonds and leases) issued or entered into by any~~
 17 ~~political subdivision located in the county to finance the construction,~~
 18 ~~acquisition, enlargement, and equipping of a sports and recreation~~
 19 ~~facility to promote and encourage conventions, trade shows, tourism,~~
 20 ~~visitors, or special events within the county.~~

21 ~~(c) (b)~~ All expenses of the commission shall be paid from the fund
 22 established under section 4(a) of this chapter or from money transferred
 23 from that fund to the commission's treasurer under section 4(b) of this
 24 chapter. The commission shall annually prepare a budget, taking into
 25 consideration the recommendations made by a corporation qualified
 26 under subsection (a)(6) and submit it to the county fiscal body for its
 27 review and approval. ~~Except for payments made under an agreement~~
 28 ~~that is authorized in a resolution adopted by the county fiscal body~~
 29 ~~under section 6.5 of this chapter, An expenditure may not be made~~
 30 ~~under this chapter unless it is in accordance with an appropriation~~
 31 ~~made by the county fiscal body in the manner provided by law.~~

32 SECTION 48. IC 6-9-18-6.5 IS REPEALED [EFFECTIVE JULY
 33 1, 2025]. Sec. 6.5: (a) This section applies only to Boone County:

34 (b) The county fiscal body may adopt a resolution authorizing an
 35 agreement described in section (6)(b) of this chapter that pledges all or
 36 part of the amounts received from the tax imposed under section 3 of
 37 this chapter toward the payment of obligations of a political subdivision
 38 located in the county only after a public hearing:

- 39 (1) for which notice has been given in accordance with IC 5-3-1;
 40 and
 41 (2) at which all interested parties are provided the opportunity to
 42 be heard.



1 Upon adoption of a resolution under this subsection, the county fiscal
 2 body shall publish notice of the adoption of the resolution in
 3 accordance with IC 5-3-1. An action to contest the validity of the
 4 resolution or agreement described in section (6)(b) of this chapter must
 5 be brought not later than thirty (30) days after notice of the adoption of
 6 the resolution.

7 (e) With respect to obligations to which amounts received from a tax
 8 imposed under section 3 of this chapter have been pledged in an
 9 agreement described in section (6)(b) of this chapter, the general
 10 assembly covenants with the commission and the purchasers or owners
 11 of the obligations that this chapter will not be repealed or amended in
 12 any manner that will adversely affect the collection of the tax imposed
 13 under section 3 of this chapter, or the money deposited in the fund
 14 established under section 4(a) of this chapter, as long as the obligations
 15 are unpaid.

16 SECTION 49. IC 6-9-27-3, AS AMENDED BY P.L.214-2005,
 17 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2025]: Sec. 3. (a) The fiscal body of the municipality may
 19 adopt an ordinance to impose an excise tax, known as the municipal
 20 food and beverage tax, on transactions described in section 4 of this
 21 chapter. **The fiscal body of a municipality described in section 1(2)**
 22 **of this chapter may adopt an ordinance under section 5(b) of this**
 23 **chapter to increase the tax rate of the municipality's food and**
 24 **beverage tax.**

25 (b) If a fiscal body adopts an ordinance under subsection (a), the
 26 fiscal body shall immediately send a certified copy of the ordinance to
 27 the department of state revenue.

28 (c) If a fiscal body adopts an ordinance under subsection (a), the
 29 municipal food and beverage tax applies to transactions that occur after
 30 the last day of the month that succeeds the month in which the
 31 ordinance was adopted.

32 SECTION 50. IC 6-9-27-5, AS AMENDED BY P.L.214-2005,
 33 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2025]: Sec. 5. **(a) Except as provided in subsection (b),** the
 35 municipal food and beverage tax imposed on a food or beverage
 36 transaction described in section 4 of this chapter equals one percent
 37 (1%) of the gross retail income received by the merchant from the
 38 transaction.

39 **(b) This subsection applies to a municipality described in section**
 40 **1(2) of this chapter. The fiscal body of the municipality may adopt**
 41 **an ordinance to increase the rate of the municipality's food and**
 42 **beverage tax to a rate that may not exceed two percent (2%) of the**



gross retail income received by a retail merchant from a taxable transaction. An ordinance adopted under this subsection to increase the rate of the municipality's food and beverage tax rate expires January 1, 2047.

(c) For purposes of this chapter, the gross retail income received by the a retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

SECTION 51. IC 6-9-27-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5.5. (a) This section applies to a municipality described in section 1(2) of this chapter.

(b) If a fiscal body adopts an ordinance under section 5(b) of this chapter, the fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) A municipal food and beverage tax rate increase imposed by an ordinance adopted under section 5(b) of this chapter applies to transactions that occur after the last day of the month that succeeds the month in which the ordinance was adopted.

SECTION 52. IC 6-9-29-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) As used in this section, "innkeeper's tax fund" refers to any fund established pursuant to an innkeeper's tax chapter of this article regardless of its title.

(b) Each county that imposes an innkeeper's tax may not:

- (1) deposit or transfer money in its innkeeper's tax fund into any other fund; or
- (2) deposit or transfer money in any other fund into its innkeeper's tax fund.

SECTION 53. IC 6-9-29.5-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) As used in this section, "food and beverage tax fund" refers to any fund established pursuant to a food and beverage tax chapter of this article regardless of its title.

(b) Each political subdivision that imposes a food and beverage tax may not:

- (1) deposit or transfer money in its food and beverage tax fund into any other fund; or
- (2) deposit or transfer money in any other fund into its food and beverage tax fund.

SECTION 54. IC 6-9-38 IS REPEALED [EFFECTIVE JULY 1, 2025]. (Food and Beverage Taxes in Wayne County).

SECTION 55. IC 6-9-47.5-4, AS ADDED BY P.L.254-2015,



SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

- (1) for consumption at a location or on equipment provided by a retail merchant;
- (2) in the county; and
- (3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

- (1) served by a retail merchant off the merchant's premises;
- (2) food sold in a heated state or heated by a retail merchant;
- (3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses);
- or
- (4) food sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport the food).

(c) The county food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in the following transactions:

- (1) a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.
- (2) A transaction that occurs at a historic hotel (as defined in IC 4-33-2-11.1); the riverboat operated under IC 4-33-6.5; and other properties operated in conjunction with the historic hotel enterprise located in Orange County, including golf courses.

SECTION 56. IC 6-9-47.5-9, AS ADDED BY P.L.254-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. Money in the food and beverage tax receipts fund must be used by the county only for the following purposes:

- (1) For economic development purposes, including the pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations for economic development purposes.
- (2) For the following purposes:
 - (A) Storm water, sidewalk, street, park, Parks and parking



improvements necessary to support tourism in the county.

(B) Public safety.

(C) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in clauses

(A) through (B).

Revenue derived from the imposition of a tax under this chapter may be treated by the county as additional revenue for the purpose of fixing its budget for the budget year during which the revenues are to be distributed to the county.

SECTION 57. IC 6-9-60 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 60. LaGrange County Innkeeper's Tax

Sec. 1. (a) This chapter applies to LaGrange County, if the county had adopted an innkeeper's tax under IC 6-9-18 before July 1, 2025.

(b) The:

(1) convention, visitor, and tourism promotion fund;

(2) convention and visitor commission;

(3) innkeeper's tax rate; and

(4) tax collection procedures;

established under IC 6-9-18 before July 1, 2025, remain in effect and govern the county's innkeeper's tax until amended under this chapter.

(c) A member of the convention and visitor commission established under IC 6-9-18 before July 1, 2025, shall serve a full term of office. If a vacancy occurs, the appointing authority shall appoint a qualified replacement as provided under this chapter. The appointing authority shall make other subsequent appointments to the commission as provided under this chapter.

Sec. 2. As used in this chapter:

(1) "executive" and "fiscal body" have the meanings set forth in IC 36-1-2; and

(2) "gross retail income" and "person" have the meanings set forth in IC 6-2.5-1.

Sec. 3. (a) The fiscal body of the county may levy a tax on every person engaged in the business of renting or furnishing, for periods of less than thirty (30) days, any room or rooms, lodgings, or accommodations in any:

(1) hotel;

(2) motel;

(3) boat motel;



1 (4) inn;
 2 (5) college or university memorial union;
 3 (6) college or university residence hall or dormitory; or
 4 (7) tourist cabin;
 5 located in the county.

6 (b) The tax does not apply to gross income received in a
 7 transaction in which:

- 8 (1) a student rents lodgings in a college or university residence
 9 hall while that student participates in a course of study for
 10 which the student receives college credit from a college or
 11 university located in the county; or
 12 (2) a person rents a room, lodging, or accommodations for a
 13 period of thirty (30) days or more.

14 (c) Subject to section 4 of this chapter, the tax may not exceed
 15 the rate of eight percent (8%) on the gross retail income derived
 16 from lodging income only and is in addition to the state gross retail
 17 tax imposed under IC 6-2.5.

18 (d) The county fiscal body may adopt an ordinance to require
 19 that the tax shall be paid monthly to the county treasurer. If such
 20 an ordinance is adopted, the tax shall be paid to the county
 21 treasurer not more than twenty (20) days after the end of the
 22 month the tax is collected. If such an ordinance is not adopted, the
 23 tax shall be imposed, paid, and collected in exactly the same
 24 manner as the state gross retail tax is imposed, paid, and collected
 25 under IC 6-2.5.

26 (e) All of the provisions of IC 6-2.5 relating to rights, duties,
 27 liabilities, procedures, penalties, definitions, exemptions, and
 28 administration are applicable to the imposition and administration
 29 of the tax imposed under this section except to the extent those
 30 provisions are in conflict or inconsistent with the specific
 31 provisions of this chapter or the requirements of the county
 32 treasurer. If the tax is paid to the department of state revenue, the
 33 return to be filed for the payment of the tax under this section may
 34 be either a separate return or may be combined with the return
 35 filed for the payment of the state gross retail tax as the department
 36 of state revenue may, by rule, determine.

37 (f) If the tax is paid to the department of state revenue, the
 38 amounts received from the tax imposed under this section shall be
 39 paid monthly by the treasurer of state to the county treasurer upon
 40 warrants issued by the state comptroller.

41 Sec. 4. (a) After June 30, 2025, the county fiscal body may adopt
 42 an ordinance to increase the tax rate imposed under section 3 of



1 this chapter to a tax rate that exceeds five percent (5%) but does
 2 not exceed eight percent (8%). If the county imposes a tax rate that
 3 exceeds five percent (5%), the portion that exceeds five percent
 4 (5%) terminates January 1, 2047.

5 (b) If the county fiscal body adopts an ordinance for an increase
 6 under this section:

7 (1) it shall immediately send a certified copy of the ordinance
 8 to the department of state revenue; and

9 (2) the increase applies to transactions after the last day of the
 10 month in which the ordinance is adopted, if the county fiscal
 11 body adopts the ordinance on or before the fifteenth day of a
 12 month. If the county fiscal body adopts the ordinance after
 13 the fifteenth day of a month, the tax applies to transactions
 14 after the last day of the month following the month in which
 15 the ordinance is adopted.

16 Sec. 5. (a) The county treasurer shall establish a convention,
 17 visitor, and tourism promotion fund. The county treasurer shall
 18 deposit in this fund all amounts the county treasurer receives
 19 under this chapter.

20 (b) The county auditor shall issue a warrant directing the
 21 county treasurer to transfer money from the convention, visitor,
 22 and tourism promotion fund to the treasurer of the commission
 23 established under section 6 of this chapter if the commission
 24 submits a written request for the transfer.

25 (c) Money in a convention, visitor, and tourism promotion fund,
 26 or money transferred from such a fund under subsection (b), may
 27 be expended to promote and encourage conventions, visitors, and
 28 tourism within the county. Expenditures may include, but are not
 29 limited to, expenditures for advertising, promotional activities,
 30 trade shows, special events, and recreation.

31 Sec. 6. (a) The county executive shall create a commission to
 32 promote the development and growth of the convention, visitor,
 33 and tourism industry in the county. If two (2) or more adjoining
 34 counties desire to establish a joint commission, the counties shall
 35 enter into an agreement under IC 36-1-7.

36 (b) The county executive shall determine the number of
 37 members, which must be an odd number, to be appointed to the
 38 commission. Each of the members must be:

39 (1) engaged in a convention, visitor, or tourism business; or

40 (2) involved in or promoting conventions, visitors, or tourism.

41 A member who is an owner or an executive level employee of a
 42 convention, visitor, or tourism related business located in the



1 county is not required to reside in the county but must reside in
 2 Indiana. A member who is not an owner or an executive level
 3 employee of a convention, visitor, or tourism related business
 4 located in the county must reside in the county. If available and
 5 willing to serve, at least two (2) of the members must be engaged
 6 in the business of renting or furnishing rooms, lodging, or
 7 accommodations (as described in section 3 of this chapter). The
 8 county executive shall also determine who will make the
 9 appointments to the commission.

10 (c) All terms of office of commission members begin on January
 11 1. Initial appointments must be for staggered terms, with
 12 subsequent appointments for three (3) year terms. A member
 13 whose term expires may be reappointed to serve another term. If
 14 a vacancy occurs, the appointing authority shall appoint a qualified
 15 person to serve for the remainder of the term. If an initial
 16 appointment is not made by February 1 or a vacancy is not filled
 17 within thirty (30) days, the commission shall appoint a member by
 18 majority vote.

19 (d) A member of the commission may be removed for cause by
 20 the member's appointing authority.

21 (e) Members of the commission may not receive a salary.
 22 However, commission members are entitled to reimbursement for
 23 necessary expenses incurred in the performance of their respective
 24 duties.

25 (f) Each commission member, before entering the member's
 26 duties, shall take an oath of office in the usual form, to be endorsed
 27 upon the member's certificate of appointment and promptly filed
 28 with the clerk of the circuit court of the county.

29 (g) The commission shall meet after January 1 each year for the
 30 purpose of organization. It shall elect one (1) of its members
 31 president, another vice president, another secretary, and another
 32 treasurer. The members elected to those offices shall perform the
 33 duties pertaining to the offices. The first officers chosen shall serve
 34 from the date of their election until their successors are elected and
 35 qualified. A majority of the commission constitutes a quorum, and
 36 the concurrence of a majority of the commission is necessary to
 37 authorize any action.

38 Sec. 7. (a) The commission may:

- 39 (1) accept and use gifts, grants, and contributions from any
- 40 public or private source, under terms and conditions that the
- 41 commission considers necessary and desirable;
- 42 (2) sue and be sued;



(3) enter into contracts and agreements; and

(4) make rules necessary for the conduct of its business and the accomplishment of its purposes.

(b) All expenses of the commission shall be paid from the fund established under section 5(a) of this chapter or from money transferred from that fund to the commission's treasurer under section 5(b) of this chapter. The commission shall annually prepare a budget and submit it to the county fiscal body for its review and approval. An expenditure may not be made under this chapter unless it is in accordance with an appropriation made by the county fiscal body in the manner provided by law.

Sec. 8. All money coming into possession of the commission shall be deposited, held, secured, invested, and paid in accordance with statutes relating to the handling of public funds. The handling and expenditure of money coming into possession of the commission is subject to audit and supervision by the state board of accounts.

Sec. 9. (a) A member of the commission who knowingly:

(1) approves the transfer of money to any person or corporation not qualified under law for that transfer; or

(2) approves a transfer for a purpose not permitted under law;

commits a Level 6 felony.

(b) A person who receives a transfer of money under this chapter and knowingly uses that money for any purpose not permitted under this chapter commits a Level 6 felony.

Sec. 10. (a) If the county imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 58. IC 6-9-61 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 61. Marion Food and Beverage Tax

Sec. 1. This chapter applies to the city of Marion.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the city may adopt an ordinance to impose an excise tax, known as the city food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the city may adopt an ordinance under this subsection only after the city fiscal body has previously:

(1) adopted a resolution in support of the proposed city food and beverage tax; and



(2) held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the city food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the city fiscal body adopts an ordinance under subsection (a), the city fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the city fiscal body adopts an ordinance under subsection (a), the city food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

- (1) for consumption at a location or on equipment provided by a retail merchant;
- (2) in the city; and
- (3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

- (1) served by a retail merchant off the merchant's premises;
- (2) food sold in a heated state or heated by a retail merchant;
- (3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or
- (4) food sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport the food).

(c) The city food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The city food and beverage tax rate:

- (1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and



(2) may not exceed one percent (1%);
of the gross retail income received by the merchant from the food
or beverage transaction described in section 4 of this chapter. For
purposes of this chapter, the gross retail income received by the
retail merchant from a transaction does not include the amount of
tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid,
and collected in the same manner that the state gross retail tax is
imposed, paid, and collected under IC 6-2.5. However, the return
to be filed with the payment of the tax imposed under this chapter
may be made on a separate return or may be combined with the
return filed for the payment of the state gross retail tax, as
prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this
chapter shall be paid monthly by the treasurer of state to the city
fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by
a city, the city fiscal officer shall establish a food and beverage tax
receipts fund.

(b) The city fiscal officer shall deposit in the fund all amounts
received under this chapter.

(c) Money earned from the investment of money in the fund
becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must
be used by the city only for the following purposes:

(1) For economic development purposes, including the pledge
of money under IC 5-1-14-4 for bonds, leases, or other
obligations for economic development purposes.

(2) For park and recreation purposes, including the purchase
of land for park and recreation purposes.

(3) The pledge of money under IC 5-1-14-4 for bonds, leases,
or other obligations incurred for a purpose described in
subdivision (2).

Sec. 10. With respect to obligations for which a pledge has been
made under section 9 of this chapter, the general assembly
covenants with the holders of the obligations that this chapter will
not be repealed or amended in a manner that will adversely affect
the imposition or collection of the tax imposed under this chapter
if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the city imposes the tax authorized by this chapter,
the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.



SECTION 59. IC 6-9-62 IS ADDED TO THE INDIANA CODE AS
A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
1, 2025]:

Chapter 62. Shelbyville Food and Beverage Tax

Sec. 1. This chapter applies to the city of Shelbyville.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the city may adopt an ordinance to impose an excise tax, known as the city food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the city may adopt an ordinance under this subsection only after the fiscal body has previously held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the city food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the city fiscal body adopts an ordinance under subsection (a), the city fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the city fiscal body adopts an ordinance under subsection (a), the city food and beverage tax applies to transactions that occur after the later of the following:

(1) The day specified in the ordinance.

(2) The last day of the month that succeeds the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

(1) for consumption at a location or on equipment provided by a retail merchant;

(2) in the city; and

(3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

(1) served by a retail merchant off the merchant's premises;

(2) sold in a heated state or heated by a retail merchant;

(3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to



1 prevent food borne illnesses); or
 2 (4) sold with eating utensils provided by a retail merchant,
 3 including plates, knives, forks, spoons, glasses, cups, napkins,
 4 or straws (for purposes of this subdivision, a plate does not
 5 include a container or package used to transport food).

6 (c) The city food and beverage tax does not apply to the
 7 furnishing, preparing, or serving of a food or beverage in a
 8 transaction that is exempt, or to the extent the transaction is
 9 exempt, from the state gross retail tax imposed by IC 6-2.5.

10 Sec. 5. The city food and beverage tax rate:

11 (1) must be imposed in an increment of twenty-five
 12 hundredths percent (0.25%); and

13 (2) may not exceed one percent (1%);

14 of the gross retail income received by the merchant from the food
 15 or beverage transaction described in section 4 of this chapter. For
 16 purposes of this chapter, the gross retail income received by the
 17 retail merchant from a transaction does not include the amount of
 18 tax imposed on the transaction under IC 6-2.5.

19 Sec. 6. A tax imposed under this chapter is imposed, paid, and
 20 collected in the same manner that the state gross retail tax is
 21 imposed, paid, and collected under IC 6-2.5. However, the return
 22 to be filed with the payment of the tax imposed under this chapter
 23 may be made on a separate return or may be combined with the
 24 return filed for the payment of the state gross retail tax, as
 25 prescribed by the department of state revenue.

26 Sec. 7. The amounts received from the tax imposed under this
 27 chapter shall be paid monthly by the treasurer of state to the city
 28 fiscal officer upon warrants issued by the state comptroller.

29 Sec. 8. (a) If a tax is imposed under section 3 of this chapter by
 30 the city, the city fiscal officer shall establish a food and beverage
 31 tax receipts fund.

32 (b) The city fiscal officer shall deposit in the fund all amounts
 33 received under this chapter.

34 (c) Money earned from the investment of money in the fund
 35 becomes a part of the fund.

36 Sec. 9. Money in the food and beverage tax receipts fund must
 37 be used by the city only for the following purposes:

38 (1) Rehabilitation, renovation, repurposing, improvement, or
 39 maintenance of historic property.

40 (2) Park and recreation purposes, including the purchase of
 41 land for park and recreation purposes.

42 (3) Economic development purposes.



(4) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivisions (1) through (3).

Revenue derived from the imposition of a tax under this chapter may be treated by the city as additional revenue for the purpose of fixing its budget for the budget year during which the revenues are to be distributed to the city.

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the city imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 60. IC 6-9-63 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 63. New Haven Food and Beverage Tax

Sec. 1. This chapter applies to the city of New Haven.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the city may adopt an ordinance to impose an excise tax, known as the city food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the city may adopt an ordinance under this subsection only after the fiscal body has previously held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the city food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the city fiscal body adopts an ordinance under subsection (a), the city fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the city fiscal body adopts an ordinance under subsection (a), the city food and beverage tax applies to transactions that occur after the later of the following:

(1) The day specified in the ordinance.

(2) The last day of the month that succeeds the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which



1 food or beverage is furnished, prepared, or served:

- 2 (1) for consumption at a location or on equipment provided by
 3 a retail merchant;
 4 (2) in the city; and
 5 (3) by a retail merchant for consideration.

6 (b) Transactions described in subsection (a)(1) include
 7 transactions in which food or beverage is:

- 8 (1) served by a retail merchant off the merchant's premises;
 9 (2) sold in a heated state or heated by a retail merchant;
 10 (3) made of two (2) or more food ingredients, mixed or
 11 combined by a retail merchant for sale as a single item (other
 12 than food that is only cut, repackaged, or pasteurized by the
 13 seller, and eggs, fish, meat, poultry, and foods containing these
 14 raw animal foods requiring cooking by the consumer as
 15 recommended by the federal Food and Drug Administration
 16 in chapter 3, subpart 3-401.11 of its Food Code so as to
 17 prevent food borne illnesses); or
 18 (4) sold with eating utensils provided by a retail merchant,
 19 including plates, knives, forks, spoons, glasses, cups, napkins,
 20 or straws (for purposes of this subdivision, a plate does not
 21 include a container or package used to transport food).

22 (c) The city food and beverage tax does not apply to the
 23 furnishing, preparing, or serving of a food or beverage in a
 24 transaction that is exempt, or to the extent the transaction is
 25 exempt, from the state gross retail tax imposed by IC 6-2.5.

26 Sec. 5. The city food and beverage tax rate:

- 27 (1) must be imposed in an increment of twenty-five
 28 hundredths percent (0.25%); and
 29 (2) may not exceed one percent (1%);

30 of the gross retail income received by the merchant from the food
 31 or beverage transaction described in section 4 of this chapter. For
 32 purposes of this chapter, the gross retail income received by the
 33 retail merchant from a transaction does not include the amount of
 34 tax imposed on the transaction under IC 6-2.5.

35 Sec. 6. A tax imposed under this chapter shall be imposed, paid,
 36 and collected in the same manner that the state gross retail tax is
 37 imposed, paid, and collected under IC 6-2.5. However, the return
 38 to be filed with the payment of the tax imposed under this chapter
 39 may be made on a separate return or may be combined with the
 40 return filed for the payment of the state gross retail tax, as
 41 prescribed by the department of state revenue.

42 Sec. 7. The amounts received from the tax imposed under this



chapter shall be paid monthly by the treasurer of state to the city fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the city, the city fiscal officer shall establish a food and beverage tax receipts fund.

(b) The city fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the city only for the following purposes:

(1) Park and recreation purposes, including the purchase of land for park and recreation purposes.

(2) Tourism related purposes or facilities, including the purchase of land for tourism related purposes.

(3) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivisions (1) and (2).

Revenue derived from the imposition of a tax under this chapter may be treated by the city as additional revenue for the purpose of fixing its budget for the budget year during which the revenues are to be distributed to the city.

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the city imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 61. IC 6-9-64 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 64. Richmond Food and Beverage Tax

Sec. 1. This chapter applies to the city of Richmond.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the city may adopt an ordinance to impose an excise tax, known as the city food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the city may adopt an ordinance under this subsection only after



the city fiscal body has previously:

(1) adopted a resolution in support of the proposed city food and beverage tax; and

(2) held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the city food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the city fiscal body adopts an ordinance under subsection (a), the city fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the city fiscal body adopts an ordinance under subsection (a), the city food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

(1) for consumption at a location or on equipment provided by a retail merchant;

(2) in the city; and

(3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

(1) served by a retail merchant off the merchant's premises;

(2) sold in a heated state or heated by a retail merchant;

(3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or

(4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The city food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The city food and beverage tax rate:



(1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and

(2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the city fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the city, the city fiscal officer shall establish a food and beverage tax receipts fund.

(b) The city fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the city only for the following purposes:

(1) Parks and recreation, including trails.

(2) Activation of the Whitewater Gorge.

(3) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivision (1) or (2).

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the city imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 62. IC 6-9-65 IS ADDED TO THE INDIANA CODE AS



A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 65. Centerville Food and Beverage Tax

Sec. 1. This chapter applies to the town of Centerville.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the town may adopt an ordinance to impose an excise tax, known as the town food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the town may adopt an ordinance under this subsection only after the town fiscal body has previously:

(1) adopted a resolution in support of the proposed town food and beverage tax; and

(2) held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the town food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the town fiscal body adopts an ordinance under subsection (a), the town fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

(1) for consumption at a location or on equipment provided by a retail merchant;

(2) in the town; and

(3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

(1) served by a retail merchant off the merchant's premises;

(2) sold in a heated state or heated by a retail merchant;

(3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to



1 prevent food borne illnesses); or
 2 (4) sold with eating utensils provided by a retail merchant,
 3 including plates, knives, forks, spoons, glasses, cups, napkins,
 4 or straws (for purposes of this subdivision, a plate does not
 5 include a container or package used to transport food).

6 (c) The town food and beverage tax does not apply to the
 7 furnishing, preparing, or serving of a food or beverage in a
 8 transaction that is exempt, or to the extent the transaction is
 9 exempt, from the state gross retail tax imposed by IC 6-2.5.

10 Sec. 5. The town food and beverage tax rate:

11 (1) must be imposed in an increment of twenty-five
 12 hundredths percent (0.25%); and

13 (2) may not exceed one percent (1%);

14 of the gross retail income received by the merchant from the food
 15 or beverage transaction described in section 4 of this chapter. For
 16 purposes of this chapter, the gross retail income received by the
 17 retail merchant from a transaction does not include the amount of
 18 tax imposed on the transaction under IC 6-2.5.

19 Sec. 6. A tax imposed under this chapter shall be imposed, paid,
 20 and collected in the same manner that the state gross retail tax is
 21 imposed, paid, and collected under IC 6-2.5. However, the return
 22 to be filed with the payment of the tax imposed under this chapter
 23 may be made on a separate return or may be combined with the
 24 return filed for the payment of the state gross retail tax, as
 25 prescribed by the department of state revenue.

26 Sec. 7. The amounts received from the tax imposed under this
 27 chapter shall be paid monthly by the treasurer of state to the town
 28 fiscal officer upon warrants issued by the state comptroller.

29 Sec. 8. (a) If a tax is imposed under section 3 of this chapter by
 30 the town, the town fiscal officer shall establish a food and beverage
 31 tax receipts fund.

32 (b) The town fiscal officer shall deposit in the fund all amounts
 33 received under this chapter.

34 (c) Money earned from the investment of money in the fund
 35 becomes a part of the fund.

36 Sec. 9. Money in the food and beverage tax receipts fund must
 37 be used by the town only for the following purposes:

38 (1) Community and economic development projects that are
 39 listed in the Wayne County Strategic Plan, excluding
 40 infrastructure.

41 (2) The pledge of money under IC 5-1-14-4 for bonds, leases,
 42 or other obligations incurred for a purpose described in



subdivision (1).

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the town imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 63. IC 6-9-66 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 66. Cambridge City Food and Beverage Tax

Sec. 1. This chapter applies to the town of Cambridge City.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the town may adopt an ordinance to impose an excise tax, known as the town food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the town may adopt an ordinance under this subsection only after the town fiscal body has previously:

(1) adopted a resolution in support of the proposed town food and beverage tax; and

(2) held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the town food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the town fiscal body adopts an ordinance under subsection (a), the town fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

(1) for consumption at a location or on equipment provided by a retail merchant;

(2) in the town; and

(3) by a retail merchant for consideration.



(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

- (1) served by a retail merchant off the merchant's premises;
- (2) sold in a heated state or heated by a retail merchant;
- (3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or
- (4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The town food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The town food and beverage tax rate:

- (1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and
- (2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the town fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the town, the town fiscal officer shall establish a food and beverage tax receipts fund.



1 (b) The town fiscal officer shall deposit in the fund all amounts
2 received under this chapter.

3 (c) Money earned from the investment of money in the fund
4 becomes a part of the fund.

5 Sec. 9. Money in the food and beverage tax receipts fund must
6 be used by the town only for the following purposes:

7 (1) Community and economic development projects that are
8 listed in the Wayne County Strategic Plan, excluding
9 infrastructure.

10 (2) The pledge of money under IC 5-1-14-4 for bonds, leases,
11 or other obligations incurred for a purpose described in
12 subdivision (1).

13 Sec. 10. With respect to obligations for which a pledge has been
14 made under section 9 of this chapter, the general assembly
15 covenants with the holders of the obligations that this chapter will
16 not be repealed or amended in a manner that will adversely affect
17 the imposition or collection of the tax imposed under this chapter
18 if the payment of any of the obligations is outstanding.

19 Sec. 11. (a) If the town imposes the tax authorized by this
20 chapter, the tax terminates on January 1, 2047.

21 (b) This chapter expires January 1, 2047.

22 SECTION 64. IC 6-9-67 IS ADDED TO THE INDIANA CODE AS
23 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
24 1, 2025]:

25 Chapter 67. Hagerstown Food and Beverage Tax

26 Sec. 1. This chapter applies to the town of Hagerstown.

27 Sec. 2. The definitions in IC 6-9-12-1 apply throughout this
28 chapter.

29 Sec. 3. (a) The fiscal body of the town may adopt an ordinance
30 to impose an excise tax, known as the town food and beverage tax,
31 on transactions described in section 4 of this chapter. The fiscal
32 body of the town may adopt an ordinance under this subsection
33 only after the town fiscal body has previously:

34 (1) adopted a resolution in support of the proposed town food
35 and beverage tax; and

36 (2) held at least one (1) separate public hearing in which a
37 discussion of the proposed ordinance to impose the town food
38 and beverage tax is the only substantive issue on the agenda
39 for the public hearing.

40 (b) If the town fiscal body adopts an ordinance under subsection
41 (a), the town fiscal body shall immediately send a certified copy of
42 the ordinance to the department of state revenue.



(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

- (1) for consumption at a location or on equipment provided by a retail merchant;
- (2) in the town; and
- (3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

- (1) served by a retail merchant off the merchant's premises;
- (2) sold in a heated state or heated by a retail merchant;
- (3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or
- (4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The town food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The town food and beverage tax rate:

- (1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and
- (2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is



1 imposed, paid, and collected under IC 6-2.5. However, the return
 2 to be filed with the payment of the tax imposed under this chapter
 3 may be made on a separate return or may be combined with the
 4 return filed for the payment of the state gross retail tax, as
 5 prescribed by the department of state revenue.

6 **Sec. 7.** The amounts received from the tax imposed under this
 7 chapter shall be paid monthly by the treasurer of state to the town
 8 fiscal officer upon warrants issued by the state comptroller.

9 **Sec. 8. (a)** If a tax is imposed under section 3 of this chapter by
 10 the town, the town fiscal officer shall establish a food and beverage
 11 tax receipts fund.

12 **(b)** The town fiscal officer shall deposit in the fund all amounts
 13 received under this chapter.

14 **(c)** Money earned from the investment of money in the fund
 15 becomes a part of the fund.

16 **Sec. 9.** Money in the food and beverage tax receipts fund must
 17 be used by the town only for the following purposes:

18 **(1)** Community and economic development projects that are
 19 listed in the Wayne County Strategic Plan, excluding
 20 infrastructure.

21 **(2)** The pledge of money under IC 5-1-14-4 for bonds, leases,
 22 or other obligations incurred for a purpose described in
 23 subdivision (1).

24 **Sec. 10.** With respect to obligations for which a pledge has been
 25 made under section 9 of this chapter, the general assembly
 26 covenants with the holders of the obligations that this chapter will
 27 not be repealed or amended in a manner that will adversely affect
 28 the imposition or collection of the tax imposed under this chapter
 29 if the payment of any of the obligations is outstanding.

30 **Sec. 11. (a)** If the town imposes the tax authorized by this
 31 chapter, the tax terminates on January 1, 2047.

32 **(b)** This chapter expires January 1, 2047.

33 **SECTION 65.** IC 6-9-68 IS ADDED TO THE INDIANA CODE AS
 34 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
 35 1, 2025]:

36 **Chapter 68. Fountain City Food and Beverage Tax**

37 **Sec. 1.** This chapter applies to the town of Fountain City.

38 **Sec. 2.** The definitions in IC 6-9-12-1 apply throughout this
 39 chapter.

40 **Sec. 3. (a)** The fiscal body of the town may adopt an ordinance
 41 to impose an excise tax, known as the town food and beverage tax,
 42 on transactions described in section 4 of this chapter. The fiscal



body of the town may adopt an ordinance under this subsection only after the town fiscal body has previously:

(1) adopted a resolution in support of the proposed town food and beverage tax; and

(2) held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the town food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the town fiscal body adopts an ordinance under subsection (a), the town fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

(1) for consumption at a location or on equipment provided by a retail merchant;

(2) in the town; and

(3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

(1) served by a retail merchant off the merchant's premises;

(2) sold in a heated state or heated by a retail merchant;

(3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or

(4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The town food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.



Sec. 5. The town food and beverage tax rate:

(1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and

(2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the town fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the town, the town fiscal officer shall establish a food and beverage tax receipts fund.

(b) The town fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the town only for the following purposes:

(1) Community and economic development projects that are listed in the Wayne County Strategic Plan, excluding infrastructure.

(2) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivision (1).

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the town imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.



(b) This chapter expires January 1, 2047.

SECTION 66. IC 6-9-69 IS ADDED TO THE INDIANA CODE AS
A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
1, 2025]:

Chapter 69. Greens Fork Food and Beverage Tax

Sec. 1. This chapter applies to the town of Greens Fork.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the town may adopt an ordinance to impose an excise tax, known as the town food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the town may adopt an ordinance under this subsection only after the town fiscal body has previously:

- (1) adopted a resolution in support of the proposed town food and beverage tax; and**
- (2) held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the town food and beverage tax is the only substantive issue on the agenda for the public hearing.**

(b) If the town fiscal body adopts an ordinance under subsection (a), the town fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

- (1) for consumption at a location or on equipment provided by a retail merchant;**
- (2) in the town; and**
- (3) by a retail merchant for consideration.**

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

- (1) served by a retail merchant off the merchant's premises;**
- (2) sold in a heated state or heated by a retail merchant;**
- (3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as**



recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or

(4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The town food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The town food and beverage tax rate:

(1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and

(2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the town fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the town, the town fiscal officer shall establish a food and beverage tax receipts fund.

(b) The town fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the town only for the following purposes:

(1) Community and economic development projects that are listed in the Wayne County Strategic Plan, excluding infrastructure.



(2) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivision (1).

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the town imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 67. IC 6-9-70 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 70. Milton Food and Beverage Tax

Sec. 1. This chapter applies to the town of Milton.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the town may adopt an ordinance to impose an excise tax, known as the town food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the town may adopt an ordinance under this subsection only after the town fiscal body has previously:

(1) adopted a resolution in support of the proposed town food and beverage tax; and

(2) held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the town food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the town fiscal body adopts an ordinance under subsection (a), the town fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

(1) for consumption at a location or on equipment provided by a retail merchant;



(2) in the town; and

(3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

(1) served by a retail merchant off the merchant's premises;

(2) sold in a heated state or heated by a retail merchant;

(3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or

(4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The town food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The town food and beverage tax rate:

(1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and

(2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the town fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by



1 the town, the town fiscal officer shall establish a food and beverage
2 tax receipts fund.

3 (b) The town fiscal officer shall deposit in the fund all amounts
4 received under this chapter.

5 (c) Money earned from the investment of money in the fund
6 becomes a part of the fund.

7 Sec. 9. Money in the food and beverage tax receipts fund must
8 be used by the town only for the following purposes:

9 (1) Community and economic development projects that are
10 listed in the Wayne County Strategic Plan, excluding
11 infrastructure.

12 (2) The pledge of money under IC 5-1-14-4 for bonds, leases,
13 or other obligations incurred for a purpose described in
14 subdivision (1).

15 Sec. 10. With respect to obligations for which a pledge has been
16 made under section 9 of this chapter, the general assembly
17 covenants with the holders of the obligations that this chapter will
18 not be repealed or amended in a manner that will adversely affect
19 the imposition or collection of the tax imposed under this chapter
20 if the payment of any of the obligations is outstanding.

21 Sec. 11. (a) If the town imposes the tax authorized by this
22 chapter, the tax terminates on January 1, 2047.

23 (b) This chapter expires January 1, 2047.

24 SECTION 68. IC 6-9-71 IS ADDED TO THE INDIANA CODE AS
25 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
26 1, 2025]:

27 Chapter 71. Dublin Food and Beverage Tax

28 Sec. 1. This chapter applies to the town of Dublin.

29 Sec. 2. The definitions in IC 6-9-12-1 apply throughout this
30 chapter.

31 Sec. 3. (a) The fiscal body of the town may adopt an ordinance
32 to impose an excise tax, known as the town food and beverage tax,
33 on transactions described in section 4 of this chapter. The fiscal
34 body of the town may adopt an ordinance under this subsection
35 only after the town fiscal body has previously:

36 (1) adopted a resolution in support of the proposed town food
37 and beverage tax; and

38 (2) held at least one (1) separate public hearing in which a
39 discussion of the proposed ordinance to impose the town food
40 and beverage tax is the only substantive issue on the agenda
41 for the public hearing.

42 (b) If the town fiscal body adopts an ordinance under subsection



(a), the town fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

- (1) for consumption at a location or on equipment provided by a retail merchant;
- (2) in the town; and
- (3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

- (1) served by a retail merchant off the merchant's premises;
- (2) sold in a heated state or heated by a retail merchant;
- (3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or
- (4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The town food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The town food and beverage tax rate:

- (1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and
- (2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.



1 **Sec. 6.** A tax imposed under this chapter shall be imposed, paid,
 2 and collected in the same manner that the state gross retail tax is
 3 imposed, paid, and collected under IC 6-2.5. However, the return
 4 to be filed with the payment of the tax imposed under this chapter
 5 may be made on a separate return or may be combined with the
 6 return filed for the payment of the state gross retail tax, as
 7 prescribed by the department of state revenue.

8 **Sec. 7.** The amounts received from the tax imposed under this
 9 chapter shall be paid monthly by the treasurer of state to the town
 10 fiscal officer upon warrants issued by the state comptroller.

11 **Sec. 8. (a)** If a tax is imposed under section 3 of this chapter by
 12 the town, the town fiscal officer shall establish a food and beverage
 13 tax receipts fund.

14 **(b)** The town fiscal officer shall deposit in the fund all amounts
 15 received under this chapter.

16 **(c)** Money earned from the investment of money in the fund
 17 becomes a part of the fund.

18 **Sec. 9.** Money in the food and beverage tax receipts fund must
 19 be used by the town only for the following purposes:

20 **(1)** Community and economic development projects that are
 21 listed in the Wayne County Strategic Plan, excluding
 22 infrastructure.

23 **(2)** The pledge of money under IC 5-1-14-4 for bonds, leases,
 24 or other obligations incurred for a purpose described in
 25 subdivision (1).

26 **Sec. 10.** With respect to obligations for which a pledge has been
 27 made under section 9 of this chapter, the general assembly
 28 covenants with the holders of the obligations that this chapter will
 29 not be repealed or amended in a manner that will adversely affect
 30 the imposition or collection of the tax imposed under this chapter
 31 if the payment of any of the obligations is outstanding.

32 **Sec. 11. (a)** If the town imposes the tax authorized by this
 33 chapter, the tax terminates on January 1, 2047.

34 **(b)** This chapter expires January 1, 2047.

35 SECTION 69. IC 6-9-72 IS ADDED TO THE INDIANA CODE AS
 36 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
 37 1, 2025]:

38 **Chapter 72. Mount Auburn Food and Beverage Tax**

39 **Sec. 1.** This chapter applies to the town of Mount Auburn.

40 **Sec. 2.** The definitions in IC 6-9-12-1 apply throughout this
 41 chapter.

42 **Sec. 3. (a)** The fiscal body of the town may adopt an ordinance



1 to impose an excise tax, known as the town food and beverage tax,
 2 on transactions described in section 4 of this chapter. The fiscal
 3 body of the town may adopt an ordinance under this subsection
 4 only after the town fiscal body has previously:

5 (1) adopted a resolution in support of the proposed town food
 6 and beverage tax; and

7 (2) held at least one (1) separate public hearing in which a
 8 discussion of the proposed ordinance to impose the town food
 9 and beverage tax is the only substantive issue on the agenda
 10 for the public hearing.

11 (b) If the town fiscal body adopts an ordinance under subsection
 12 (a), the town fiscal body shall immediately send a certified copy of
 13 the ordinance to the department of state revenue.

14 (c) If the town fiscal body adopts an ordinance under subsection
 15 (a), the town food and beverage tax applies to transactions that
 16 occur after the last day of the month following the month in which
 17 the ordinance is adopted.

18 Sec. 4. (a) Except as provided in subsection (c), a tax imposed
 19 under section 3 of this chapter applies to a transaction in which
 20 food or beverage is furnished, prepared, or served:

21 (1) for consumption at a location or on equipment provided by
 22 a retail merchant;

23 (2) in the town; and

24 (3) by a retail merchant for consideration.

25 (b) Transactions described in subsection (a)(1) include
 26 transactions in which food or beverage is:

27 (1) served by a retail merchant off the merchant's premises;

28 (2) sold in a heated state or heated by a retail merchant;

29 (3) made of two (2) or more food ingredients, mixed or
 30 combined by a retail merchant for sale as a single item (other
 31 than food that is only cut, repackaged, or pasteurized by the
 32 seller, and eggs, fish, meat, poultry, and foods containing these
 33 raw animal foods requiring cooking by the consumer as
 34 recommended by the federal Food and Drug Administration
 35 in chapter 3, subpart 3-401.11 of its Food Code so as to
 36 prevent food borne illnesses); or

37 (4) sold with eating utensils provided by a retail merchant,
 38 including plates, knives, forks, spoons, glasses, cups, napkins,
 39 or straws (for purposes of this subdivision, a plate does not
 40 include a container or package used to transport food).

41 (c) The town food and beverage tax does not apply to the
 42 furnishing, preparing, or serving of a food or beverage in a



transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The town food and beverage tax rate:

(1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and

(2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the town fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the town, the town fiscal officer shall establish a food and beverage tax receipts fund.

(b) The town fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the town only for the following purposes:

(1) Community and economic development projects that are listed in the Wayne County Strategic Plan, excluding infrastructure.

(2) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivision (1).

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.



1 **Sec. 11. (a) If the town imposes the tax authorized by this**
 2 **chapter, the tax terminates on January 1, 2047.**

3 **(b) This chapter expires January 1, 2047.**

4 SECTION 70. IC 6-9-73 IS ADDED TO THE INDIANA CODE AS
 5 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
 6 1, 2025]:

7 **Chapter 73. Madison Food and Beverage Tax**

8 **Sec. 1. This chapter applies to the city of Madison.**

9 **Sec. 2. The definitions in IC 6-9-12-1 apply throughout this**
 10 **chapter.**

11 **Sec. 3. (a) The fiscal body of the city may adopt an ordinance to**
 12 **impose an excise tax, known as the city food and beverage tax, on**
 13 **transactions described in section 4 of this chapter. The fiscal body**
 14 **of the city may adopt an ordinance under this subsection only after**
 15 **the fiscal body has previously held at least one (1) separate public**
 16 **hearing in which a discussion of the proposed ordinance to impose**
 17 **the city food and beverage tax is the only substantive issue on the**
 18 **agenda for the public hearing.**

19 **(b) If the city fiscal body adopts an ordinance under subsection**
 20 **(a), the city fiscal body shall immediately send a certified copy of**
 21 **the ordinance to the department of state revenue.**

22 **(c) If the city fiscal body adopts an ordinance under subsection**
 23 **(a), the city food and beverage tax applies to transactions that**
 24 **occur after the later of the following:**

25 **(1) The day specified in the ordinance.**

26 **(2) The last day of the month that succeeds the month in**
 27 **which the ordinance is adopted.**

28 **Sec. 4. (a) Except as provided in subsection (c), a tax imposed**
 29 **under section 3 of this chapter applies to a transaction in which**
 30 **food or beverage is furnished, prepared, or served:**

31 **(1) for consumption at a location or on equipment provided by**
 32 **a retail merchant;**

33 **(2) in the city; and**

34 **(3) by a retail merchant for consideration.**

35 **(b) Transactions described in subsection (a)(1) include**
 36 **transactions in which food or beverage is:**

37 **(1) served by a retail merchant off the merchant's premises;**

38 **(2) sold in a heated state or heated by a retail merchant;**

39 **(3) made of two (2) or more food ingredients, mixed or**
 40 **combined by a retail merchant for sale as a single item (other**
 41 **than food that is only cut, repackaged, or pasteurized by the**
 42 **seller, and eggs, fish, meat, poultry, and foods containing these**



raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or

(4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The city food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The city food and beverage tax rate:

(1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and

(2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the city fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the city, the city fiscal officer shall establish a food and beverage tax receipts fund.

(b) The city fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the city only for the following purposes:

(1) Park and recreation purposes, including the purchase of land for park and recreation purposes.



(2) Economic development and tourism related purposes or facilities, including the purchase of land for economic development or tourism related purposes.

(3) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivisions (1) and (2).

Revenue derived from the imposition of a tax under this chapter may be treated by the city as additional revenue for the purpose of fixing its budget for the budget year during which the revenues are to be distributed to the city.

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the city imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 71. IC 6-9-74 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 74. Boone County Innkeeper's Tax

Sec. 1. (a) This chapter applies to Boone County, if the county had adopted an innkeeper's tax under IC 6-9-18 before July 1, 2025.

(b) The:

- (1) convention, visitor, and tourism promotion fund;
- (2) convention and visitor commission;
- (3) innkeeper's tax rate; and
- (4) tax collection procedures;

established under IC 6-9-18 before July 1, 2025, remain in effect and govern the county's innkeeper's tax until amended under this chapter.

(c) A member of the convention and visitor commission established under IC 6-9-18 before July 1, 2025, shall serve a full term of office. If a vacancy occurs, the appointing authority shall appoint a qualified replacement as provided under this chapter. The appointing authority shall make other subsequent appointments to the commission as provided under this chapter.

Sec. 2. As used in this chapter:

- (1) "executive" and "fiscal body" have the meanings set forth



1 in IC 36-1-2; and

2 (2) "gross retail income" and "person" have the meanings set
3 forth in IC 6-2.5-1.

4 Sec. 3. (a) The fiscal body of the county may levy a tax on every
5 person engaged in the business of renting or furnishing, for periods
6 of less than thirty (30) days, any room or rooms, lodgings, or
7 accommodations in any:

8 (1) hotel;

9 (2) motel;

10 (3) boat motel;

11 (4) inn;

12 (5) college or university memorial union;

13 (6) college or university residence hall or dormitory; or

14 (7) tourist cabin;

15 located in the county.

16 (b) The tax does not apply to gross income received in a
17 transaction in which:

18 (1) a student rents lodgings in a college or university residence
19 hall while that student participates in a course of study for
20 which the student receives college credit from a college or
21 university located in the county; or

22 (2) a person rents a room, lodging, or accommodations for a
23 period of thirty (30) days or more.

24 (c) Subject to section 4 of this chapter, the tax may not exceed
25 the rate of eight percent (8%) on the gross retail income derived
26 from lodging income only and is in addition to the state gross retail
27 tax imposed under IC 6-2.5.

28 (d) The county fiscal body may adopt an ordinance to require
29 that the tax shall be paid monthly to the county treasurer. If such
30 an ordinance is adopted, the tax shall be paid to the county
31 treasurer not more than twenty (20) days after the end of the
32 month the tax is collected. If such an ordinance is not adopted, the
33 tax shall be imposed, paid, and collected in exactly the same
34 manner as the state gross retail tax is imposed, paid, and collected
35 under IC 6-2.5.

36 (e) All of the provisions of IC 6-2.5 relating to rights, duties,
37 liabilities, procedures, penalties, definitions, exemptions, and
38 administration are applicable to the imposition and administration
39 of the tax imposed under this section except to the extent those
40 provisions are in conflict or inconsistent with the specific
41 provisions of this chapter or the requirements of the county
42 treasurer. If the tax is paid to the department of state revenue, the



1 return to be filed for the payment of the tax under this section may
 2 be either a separate return or may be combined with the return
 3 filed for the payment of the state gross retail tax as the department
 4 of state revenue may, by rule, determine.

5 (f) If the tax is paid to the department of state revenue, the
 6 amounts received from the tax imposed under this section shall be
 7 paid monthly by the treasurer of state to the county treasurer upon
 8 warrants issued by the state comptroller.

9 Sec. 4. (a) After June 30, 2025, the county fiscal body may adopt
 10 an ordinance to increase the tax rate imposed under section 3 of
 11 this chapter to a tax rate that exceeds five percent (5%) but does
 12 not exceed eight percent (8%). If the county imposes a tax rate that
 13 exceeds five percent (5%), the portion that exceeds five percent
 14 (5%) terminates January 1, 2047.

15 (b) If the county fiscal body adopts an ordinance for an increase
 16 under this section:

17 (1) it shall immediately send a certified copy of the ordinance
 18 to the department of state revenue; and

19 (2) the increase applies to transactions after the last day of the
 20 month in which the ordinance is adopted, if the county fiscal
 21 body adopts the ordinance on or before the fifteenth day of a
 22 month. If the county fiscal body adopts the ordinance after
 23 the fifteenth day of a month, the tax applies to transactions
 24 after the last day of the month following the month in which
 25 the ordinance is adopted.

26 Sec. 5. (a) The county treasurer shall establish a convention,
 27 visitor, and tourism promotion fund. The county treasurer shall
 28 deposit in this fund all amounts the county treasurer receives
 29 under section 3 of this chapter that are attributable to a rate that
 30 does not exceed eight percent (8%).

31 (b) The county auditor shall issue a warrant directing the
 32 county treasurer to transfer money from the convention, visitor,
 33 and tourism promotion fund to the commission's treasurer if the
 34 commission submits a written request for the transfer.

35 (c) Money in a convention, visitor, and tourism promotion fund,
 36 or money transferred from such a fund under subsection (b), may
 37 be expended only to promote and encourage conventions, visitors,
 38 and tourism within the county. Expenditures under this subsection
 39 may include expenditures for advertising, promotional activities,
 40 trade shows, special events, and recreation.

41 (d) If before July 1, 2025, the county:

42 (1) issued a bond with a pledge of revenues from the tax



1 imposed under IC 6-9-18-3; or

2 (2) pledged all or part of the amounts received from the tax
3 imposed under IC 6-9-18-3 in accordance with a resolution
4 adopted under IC 6-9-18-6.5 (before its repeal) to the payment
5 of obligations (including bonds and leases) of a political
6 subdivision located in the county;

7 the county shall continue to expend money from the fund for that
8 purpose until any bonds, leases, or other obligations are paid.

9 Sec. 6. (a) The county executive shall create a commission to
10 promote the development and growth of the convention, visitor,
11 and tourism industry in the county. If two (2) or more adjoining
12 counties desire to establish a joint commission, the counties shall
13 enter into an agreement under IC 36-1-7.

14 (b) The county executive shall determine the number of
15 members, which must be an odd number, to be appointed to the
16 commission. A simple majority of the members must be:

17 (1) engaged in a convention, visitor, or tourism business; or

18 (2) involved in or promoting conventions, visitors, or tourism.

19 A member appointed to the commission under subdivision (1) or
20 (2) need not be a resident of the county if the member is an owner
21 or an executive level employee of a convention, visitor, or tourism
22 business that is located within the county. However, the member
23 must be a resident of Indiana. If available and willing to serve, at
24 least two (2) of the members must be engaged in the business of
25 renting or furnishing rooms, lodging, or accommodations (as
26 described in section 3 of this chapter). Not more than one (1)
27 member may be affiliated with the same business entity. Except as
28 otherwise provided in this subsection, each member must reside in
29 the county. The county executive shall also determine who will
30 make the appointments to the commission, except that the
31 executive of the largest municipality in the county shall appoint a
32 number of the members of the commission, which number shall be
33 in the same ratio to the total size of the commission (rounded off to
34 the nearest whole number) that the population of the largest
35 municipality bears to the total population of the county.

36 (c) All terms of office of commission members begin on January
37 1. Initial appointments must be for staggered terms, with
38 subsequent appointments for two (2) year terms. A member whose
39 term expires may be reappointed to serve another term. If a
40 vacancy occurs, the appointing authority shall appoint a qualified
41 person to serve for the remainder of the term. If an initial
42 appointment is not made by February 1 or a vacancy is not filled



1 within thirty (30) days, the commission shall appoint a member by
2 majority vote.

3 (d) A member of the commission may be removed for cause by
4 the member's appointing authority.

5 (e) Members of the commission may not receive a salary.
6 However, commission members are entitled to reimbursement for
7 necessary expenses incurred in the performance of their respective
8 duties.

9 (f) Each commission member, before entering the member's
10 duties, shall take an oath of office in the usual form, to be endorsed
11 upon the member's certificate of appointment and promptly filed
12 with the clerk of the circuit court of the county.

13 (g) The commission shall meet after January 1 each year for the
14 purpose of organization. It shall elect one (1) of its members
15 president, another vice president, another secretary, and another
16 treasurer. The members elected to those offices shall perform the
17 duties pertaining to the offices. The first officers chosen shall serve
18 from the date of their election until their successors are elected and
19 qualified. A majority of the commission constitutes a quorum, and
20 the concurrence of a majority of the commission is necessary to
21 authorize any action.

22 Sec. 7. (a) The commission may:

23 (1) accept and use gifts, grants, and contributions from any
24 public or private source, under terms and conditions that the
25 commission considers necessary and desirable;

26 (2) sue and be sued;

27 (3) enter into contracts and agreements; and

28 (4) make rules necessary for the conduct of its business and
29 the accomplishment of its purposes.

30 (b) In addition to the powers of the commission under
31 subsection (a), and subject to adoption of a resolution by the county
32 fiscal body under section 8 of this chapter, the commission may
33 enter into an agreement under which amounts deposited in, or to
34 be deposited in, the fund established under section 5(a) of this
35 chapter are pledged toward the payment of obligations (including
36 bonds and leases) issued or entered into by any political subdivision
37 located in the county to finance the construction, acquisition,
38 enlargement, and equipping of a sports and recreation facility to
39 promote and encourage conventions, trade shows, tourism, visitors,
40 or special events within the county.

41 (c) All expenses of the commission shall be paid from the fund
42 established under section 5 of this chapter or from money



transferred from that fund to the commission's treasurer under section 5(b) of this chapter. The commission shall annually prepare a budget and submit it to the county fiscal body for its review and approval. Except for payments made under an agreement that is authorized in a resolution adopted by the county fiscal body under section 8 of this chapter, an expenditure may not be made under this chapter unless it is in accordance with an appropriation made by the county fiscal body in the manner provided by law.

Sec. 8. (a) The county fiscal body may adopt a resolution authorizing an agreement described in section 7(b) of this chapter that pledges all or part of the amounts received from the tax imposed under section 3 of this chapter toward the payment of obligations of a political subdivision located in the county only after a public hearing:

- (1) for which notice has been given in accordance with IC 5-3-1; and
- (2) at which all interested parties are provided the opportunity to be heard.

Upon adoption of a resolution under this subsection, the county fiscal body shall publish notice of the adoption of the resolution in accordance with IC 5-3-1. An action to contest the validity of the resolution or agreement described in section 7(b) of this chapter must be brought not later than thirty (30) days after notice of the adoption of the resolution.

(b) With respect to obligations to which amounts received from a tax imposed under section 3 of this chapter have been pledged in an agreement described in section 7(b) of this chapter, the general assembly covenants with the commission and the purchasers or owners of the obligations that this chapter will not be repealed or amended in any manner that will adversely affect the collection of the tax imposed under section 3 of this chapter, or the money deposited in the fund established under section 5 of this chapter, as long as the obligations are unpaid.

Sec. 9. All money coming into possession of the commission shall be deposited, held, secured, invested, and paid in accordance with statutes relating to the handling of public funds. The handling and expenditure of money coming into possession of the commission is subject to audit and supervision by the state board of accounts.

Sec. 10. (a) A member of the commission who knowingly:

- (1) approves the transfer of money to any person or corporation not qualified under law for that transfer; or
- (2) approves a transfer for a purpose not permitted under



1 law;
2 commits a Level 6 felony.

3 (b) A person who receives a transfer of money under this
4 chapter and knowingly uses that money for any purpose not
5 permitted under this chapter commits a Level 6 felony.

6 Sec. 11. (a) If the county imposes the tax authorized by this
7 chapter, the tax terminates on January 1, 2047.

8 (b) This chapter expires January 1, 2047.

9 SECTION 72. IC 6-9-75 IS ADDED TO THE INDIANA CODE AS
10 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2025]:

12 **Chapter 75. Parke County Innkeeper's Tax**

13 Sec. 1. (a) This chapter applies to Parke County, if the county
14 had adopted an innkeeper's tax under IC 6-9-18 before July 1,
15 2025.

16 (b) The:

- 17 (1) convention, visitor, and tourism promotion fund;
- 18 (2) convention and visitor commission;
- 19 (3) innkeeper's tax rate; and
- 20 (4) tax collection procedures;

21 established under IC 6-9-18 before July 1, 2025, remain in effect
22 and govern the county's innkeeper's tax until amended under this
23 chapter.

24 (c) A member of the convention and visitor commission
25 established under IC 6-9-18 before July 1, 2025, shall serve a full
26 term of office. If a vacancy occurs, the appointing authority shall
27 appoint a qualified replacement as provided under this chapter.
28 The appointing authority shall make other subsequent
29 appointments to the commission as provided under this chapter.

30 Sec. 2. As used in this chapter:

- 31 (1) "executive" and "fiscal body" have the meanings set forth
32 in IC 36-1-2; and
- 33 (2) "gross retail income" and "person" have the meanings set
34 forth in IC 6-2.5-1.

35 Sec. 3. (a) The fiscal body of the county may levy a tax on every
36 person engaged in the business of renting or furnishing, for periods
37 of less than thirty (30) days, any room or rooms, lodgings, or
38 accommodations in any:

- 39 (1) hotel;
- 40 (2) motel;
- 41 (3) boat motel;
- 42 (4) inn;



1 (5) college or university memorial union;
 2 (6) college or university residence hall or dormitory; or
 3 (7) tourist cabin;
 4 located in the county.

5 (b) The tax does not apply to gross income received in a
 6 transaction in which:

7 (1) a student rents lodgings in a college or university residence
 8 hall while that student participates in a course of study for
 9 which the student receives college credit from a college or
 10 university located in the county; or

11 (2) a person rents a room, lodging, or accommodations for a
 12 period of thirty (30) days or more.

13 Sec. 4. (a) The tax may not exceed the rate of eight percent (8%)
 14 on the gross retail income derived from lodging income only and
 15 is in addition to the state gross retail tax imposed under IC 6-2.5.

16 (b) The county fiscal body may adopt an ordinance to require
 17 that the tax shall be paid monthly to the county treasurer. If such
 18 an ordinance is adopted, the tax shall be paid to the county
 19 treasurer not more than twenty (20) days after the end of the
 20 month the tax is collected. If such an ordinance is not adopted, the
 21 tax shall be imposed, paid, and collected in exactly the same
 22 manner as the state gross retail tax is imposed, paid, and collected
 23 under IC 6-2.5.

24 (c) All of the provisions of IC 6-2.5 relating to rights, duties,
 25 liabilities, procedures, penalties, definitions, exemptions, and
 26 administration are applicable to the imposition and administration
 27 of the tax imposed under this section except to the extent those
 28 provisions are in conflict or inconsistent with the specific
 29 provisions of this chapter or the requirements of the county
 30 treasurer. If the tax is paid to the department of state revenue, the
 31 return to be filed for the payment of the tax under this section may
 32 be either a separate return or may be combined with the return
 33 filed for the payment of the state gross retail tax as the department
 34 of state revenue may, by rule, determine.

35 (d) If the tax is paid to the department of state revenue, the
 36 amounts received from the tax imposed under this section shall be
 37 paid monthly by the treasurer of state to the county treasurer upon
 38 warrants issued by the state comptroller.

39 Sec. 5. (a) The county treasurer shall establish a convention,
 40 visitor, and tourism promotion fund. The county treasurer shall
 41 deposit in this fund all amounts the county treasurer receives
 42 under this chapter.



1 (b) The county auditor shall issue a warrant directing the
 2 county treasurer to transfer money from the convention, visitor,
 3 and tourism promotion fund to the treasurer of the commission
 4 established under section 6 of this chapter if the commission
 5 submits a written request for the transfer.

6 (c) Money in a convention, visitor, and tourism promotion fund,
 7 or money transferred from such a fund under subsection (b), may
 8 be expended to:

9 (1) promote and encourage conventions, visitors, and tourism
 10 within the county; and

11 (2) pay for public safety related to tourism.

12 Expenditures may include, but are not limited to, expenditures for
 13 advertising, promotional activities, trade shows, special events,
 14 recreation, and public safety related to tourism.

15 (d) If before July 1, 2025, the county issued a bond with a pledge
 16 of revenues from the tax imposed under IC 6-9-18-3, the county
 17 shall continue to expend money from the fund for that purpose
 18 until the bond is paid.

19 Sec. 6. (a) The county executive shall create a commission to
 20 promote the development and growth of the convention, visitor,
 21 and tourism industry in the county. If two (2) or more adjoining
 22 counties desire to establish a joint commission, the counties shall
 23 enter into an agreement under IC 36-1-7.

24 (b) The county executive shall determine the number of
 25 members, which must be an odd number, to be appointed to the
 26 commission. Each of the members must be:

27 (1) engaged in a convention, visitor, or tourism business; or

28 (2) involved in or promoting conventions, visitors, or tourism.

29 A member who is an owner or an executive level employee of a
 30 convention, visitor, or tourism related business located in the
 31 county is not required to reside in the county but must reside in
 32 Indiana. A member who is not an owner or an executive level
 33 employee of a convention, visitor, or tourism related business
 34 located in the county must reside in the county. If available and
 35 willing to serve, at least two (2) of the members must be engaged
 36 in the business of renting or furnishing rooms, lodging, or
 37 accommodations (as described in section 3 of this chapter). The
 38 county executive shall also determine who will make the
 39 appointments to the commission.

40 (c) All terms of office of commission members begin on January
 41 1. Initial appointments must be for staggered terms, with
 42 subsequent appointments for three (3) year terms. A member



1 whose term expires may be reappointed to serve another term. If
 2 a vacancy occurs, the appointing authority shall appoint a qualified
 3 person to serve for the remainder of the term. If an initial
 4 appointment is not made by February 1 or a vacancy is not filled
 5 within thirty (30) days, the commission shall appoint a member by
 6 majority vote.

7 (d) A member of the commission may be removed for cause by
 8 the member's appointing authority.

9 (e) Members of the commission may not receive a salary.
 10 However, commission members are entitled to reimbursement for
 11 necessary expenses incurred in the performance of their respective
 12 duties.

13 (f) Each commission member, before entering the member's
 14 duties, shall take an oath of office in the usual form, to be endorsed
 15 upon the member's certificate of appointment and promptly filed
 16 with the clerk of the circuit court of the county.

17 (g) The commission shall meet after January 1 each year for the
 18 purpose of organization. It shall elect one (1) of its members
 19 president, another vice president, another secretary, and another
 20 treasurer. The members elected to those offices shall perform the
 21 duties pertaining to the offices. The first officers chosen shall serve
 22 from the date of their election until their successors are elected and
 23 qualified. A majority of the commission constitutes a quorum, and
 24 the concurrence of a majority of the commission is necessary to
 25 authorize any action.

26 Sec. 7. (a) The commission may:

- 27 (1) accept and use gifts, grants, and contributions from any
- 28 public or private source, under terms and conditions that the
- 29 commission considers necessary and desirable;
- 30 (2) sue and be sued;
- 31 (3) enter into contracts and agreements; and
- 32 (4) make rules necessary for the conduct of its business and
- 33 the accomplishment of its purposes.

34 (b) All expenses of the commission shall be paid from the fund
 35 established under section 5(a) of this chapter or from money
 36 transferred from that fund to the commission's treasurer under
 37 section 5(b) of this chapter. The commission shall annually prepare
 38 a budget and submit it to the county fiscal body for its review and
 39 approval. An expenditure may not be made under this chapter
 40 unless it is in accordance with an appropriation made by the
 41 county fiscal body in the manner provided by law.

42 Sec. 8. All money coming into possession of the commission shall



1 be deposited, held, secured, invested, and paid in accordance with
 2 statutes relating to the handling of public funds. The handling and
 3 expenditure of money coming into possession of the commission is
 4 subject to audit and supervision by the state board of accounts.

5 **Sec. 9. (a) A member of the commission who knowingly:**

6 (1) approves the transfer of money to any person or
 7 corporation not qualified under law for that transfer; or

8 (2) approves a transfer for a purpose not permitted under
 9 law;

10 commits a Level 6 felony.

11 (b) A person who receives a transfer of money under this
 12 chapter and knowingly uses that money for any purpose not
 13 permitted under this chapter commits a Level 6 felony.

14 **Sec. 10. (a) If the county imposes the tax authorized by this**
 15 **chapter, the tax terminates on January 1, 2047.**

16 (b) This chapter expires January 1, 2047.

17 SECTION 73. IC 6-9-76 IS ADDED TO THE INDIANA CODE AS
 18 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
 19 1, 2025]:

20 **Chapter 76. Switzerland County Innkeeper's Tax**

21 **Sec. 1. (a) This chapter applies to Switzerland County, if the**
 22 **county had adopted an innkeeper's tax under IC 6-9-18 before July**
 23 **1, 2025.**

24 (b) The:

25 (1) convention, visitor, and tourism promotion fund;

26 (2) convention and visitor commission;

27 (3) innkeeper's tax rate; and

28 (4) tax collection procedures;

29 established under IC 6-9-18 before July 1, 2025, remain in effect
 30 and govern the county's innkeeper's tax until amended under this
 31 chapter.

32 (c) A member of the convention and visitor commission
 33 established under IC 6-9-18 before July 1, 2025, shall serve a full
 34 term of office. If a vacancy occurs, the appointing authority shall
 35 appoint a qualified replacement as provided under this chapter.
 36 The appointing authority shall make other subsequent
 37 appointments to the commission as provided under this chapter.

38 **Sec. 2. As used in this chapter:**

39 (1) "executive" and "fiscal body" have the meanings set forth
 40 in IC 36-1-2; and

41 (2) "gross retail income" and "person" have the meanings set
 42 forth in IC 6-2.5-1.



1 **Sec. 3. (a) The fiscal body of the county may levy a tax on every**
 2 **person engaged in the business of renting or furnishing, for periods**
 3 **of less than thirty (30) days, any room or rooms, lodgings, or**
 4 **accommodations in any:**

- 5 (1) hotel;
- 6 (2) motel;
- 7 (3) boat motel;
- 8 (4) inn;
- 9 (5) college or university memorial union;
- 10 (6) college or university residence hall or dormitory; or
- 11 (7) tourist cabin;

12 **located in the county.**

13 **(b) The tax does not apply to gross income received in a**
 14 **transaction in which:**

- 15 (1) a student rents lodgings in a college or university residence
- 16 hall while that student participates in a course of study for
- 17 which the student receives college credit from a college or
- 18 university located in the county; or
- 19 (2) a person rents a room, lodging, or accommodations for a
- 20 period of thirty (30) days or more.

21 **(c) Subject to section 4 of this chapter, the tax may not exceed**
 22 **the rate of eight percent (8%) on the gross retail income derived**
 23 **from lodging income only and is in addition to the state gross retail**
 24 **tax imposed under IC 6-2.5.**

25 **(d) The county fiscal body may adopt an ordinance to require**
 26 **that the tax shall be paid monthly to the county treasurer. If such**
 27 **an ordinance is adopted, the tax shall be paid to the county**
 28 **treasurer not more than twenty (20) days after the end of the**
 29 **month the tax is collected. If such an ordinance is not adopted, the**
 30 **tax shall be imposed, paid, and collected in exactly the same**
 31 **manner as the state gross retail tax is imposed, paid, and collected**
 32 **under IC 6-2.5.**

33 **(e) All of the provisions of IC 6-2.5 relating to rights, duties,**
 34 **liabilities, procedures, penalties, definitions, exemptions, and**
 35 **administration are applicable to the imposition and administration**
 36 **of the tax imposed under this section except to the extent those**
 37 **provisions are in conflict or inconsistent with the specific**
 38 **provisions of this chapter or the requirements of the county**
 39 **treasurer. If the tax is paid to the department of state revenue, the**
 40 **return to be filed for the payment of the tax under this section may**
 41 **be either a separate return or may be combined with the return**
 42 **filed for the payment of the state gross retail tax as the department**



1 of state revenue may, by rule, determine.

2 (f) If the tax is paid to the department of state revenue, the
3 amounts received from the tax imposed under this section shall be
4 paid monthly by the treasurer of state to the county treasurer upon
5 warrants issued by the state comptroller.

6 Sec. 4. (a) After June 30, 2025, the county fiscal body may adopt
7 an ordinance to increase the tax rate imposed under section 3 of
8 this chapter to a tax rate that exceeds five percent (5%) but does
9 not exceed eight percent (8%). If the county imposes a tax rate that
10 exceeds five percent (5%), the portion that exceeds five percent
11 (5%) terminates January 1, 2047.

12 (b) If the county fiscal body adopts an ordinance for an increase
13 under this section:

14 (1) it shall immediately send a certified copy of the ordinance
15 to the department of state revenue; and

16 (2) the increase applies to transactions after the last day of the
17 month in which the ordinance is adopted, if the county fiscal
18 body adopts the ordinance on or before the fifteenth day of a
19 month. If the county fiscal body adopts the ordinance after
20 the fifteenth day of a month, the tax applies to transactions
21 after the last day of the month following the month in which
22 the ordinance is adopted.

23 Sec. 5. (a) The county treasurer shall establish a convention,
24 visitor, and tourism promotion fund. The county treasurer shall
25 deposit in this fund all amounts the county treasurer receives
26 under section 3 of this chapter that are attributable to a rate that
27 does not exceed five percent (5%).

28 (b) The county auditor shall issue a warrant directing the
29 county treasurer to transfer money from the convention, visitor,
30 and tourism promotion fund to the treasurer of the commission
31 established under section 7 of this chapter if the commission
32 submits a written request for the transfer.

33 (c) Money in a convention, visitor, and tourism promotion fund,
34 or money transferred from such a fund under subsection (b), may
35 be expended to promote and encourage conventions, visitors, and
36 tourism within the county. Expenditures may include, but are not
37 limited to, expenditures for advertising, promotional activities,
38 trade shows, special events, and recreation.

39 (d) If before July 1, 2025, the county issued a bond with a pledge
40 of revenues from the tax imposed under IC 6-9-18-3, the county
41 shall continue to expend money from the fund for that purpose
42 until the bond is paid.



1 **Sec. 6. (a) If the county fiscal body adopts an ordinance to**
 2 **increase the tax rate to a rate that exceeds five percent (5%), the**
 3 **county treasurer shall establish a tourism capital fund. The county**
 4 **treasurer shall deposit in the tourism capital fund the amount of**
 5 **money received under section 3 of this chapter attributable to a tax**
 6 **rate that exceeds five percent (5%).**

7 **(b) The county auditor shall issue a warrant directing the**
 8 **county treasurer to transfer money from the tourism capital fund**
 9 **to the commission's treasurer if the commission submits a written**
 10 **request for the transfer.**

11 **(c) Money deposited in the tourism capital fund shall be**
 12 **transferred or expended only as provided in this section and may**
 13 **be used as follows:**

14 **(1) To fund a riverfront park and festival grounds.**

15 **(2) Economic development and tourism related purposes.**

16 **(3) The pledge of money under IC 5-1-14-4 for bonds, leases,**
 17 **or other obligations incurred for a purpose described in**
 18 **subdivisions (1) and (2).**

19 **Sec. 7. (a) The county executive shall create a commission to**
 20 **promote the development and growth of the convention, visitor,**
 21 **and tourism industry in the county. If two (2) or more adjoining**
 22 **counties desire to establish a joint commission, the counties shall**
 23 **enter into an agreement under IC 36-1-7.**

24 **(b) The county executive shall determine the number of**
 25 **members, which must be an odd number, to be appointed to the**
 26 **commission. Each of the members must be:**

27 **(1) engaged in a convention, visitor, or tourism business; or**

28 **(2) involved in or promoting conventions, visitors, or tourism.**

29 **A member who is an owner or an executive level employee of a**
 30 **convention, visitor, or tourism related business located in the**
 31 **county is not required to reside in the county but must reside in**
 32 **Indiana. A member who is not an owner or an executive level**
 33 **employee of a convention, visitor, or tourism related business**
 34 **located in the county must reside in the county. If available and**
 35 **willing to serve, at least two (2) of the members must be engaged**
 36 **in the business of renting or furnishing rooms, lodging, or**
 37 **accommodations (as described in section 3 of this chapter). The**
 38 **county executive shall also determine who will make the**
 39 **appointments to the commission.**

40 **(c) All terms of office of commission members begin on January**
 41 **1. Initial appointments must be for staggered terms, with**
 42 **subsequent appointments for three (3) year terms. A member**



1 whose term expires may be reappointed to serve another term. If
 2 a vacancy occurs, the appointing authority shall appoint a qualified
 3 person to serve for the remainder of the term. If an initial
 4 appointment is not made by February 1 or a vacancy is not filled
 5 within thirty (30) days, the commission shall appoint a member by
 6 majority vote.

7 (d) A member of the commission may be removed for cause by
 8 the member's appointing authority.

9 (e) Members of the commission may not receive a salary.
 10 However, commission members are entitled to reimbursement for
 11 necessary expenses incurred in the performance of their respective
 12 duties.

13 (f) Each commission member, before entering the member's
 14 duties, shall take an oath of office in the usual form, to be endorsed
 15 upon the member's certificate of appointment and promptly filed
 16 with the clerk of the circuit court of the county.

17 (g) The commission shall meet after January 1 each year for the
 18 purpose of organization. It shall elect one (1) of its members
 19 president, another vice president, another secretary, and another
 20 treasurer. The members elected to those offices shall perform the
 21 duties pertaining to the offices. The first officers chosen shall serve
 22 from the date of their election until their successors are elected and
 23 qualified. A majority of the commission constitutes a quorum, and
 24 the concurrence of a majority of the commission is necessary to
 25 authorize any action.

26 Sec. 8. (a) The commission may:

- 27 (1) accept and use gifts, grants, and contributions from any
- 28 public or private source, under terms and conditions that the
- 29 commission considers necessary and desirable;
- 30 (2) sue and be sued;
- 31 (3) enter into contracts and agreements; and
- 32 (4) make rules necessary for the conduct of its business and
- 33 the accomplishment of its purposes.

34 (b) All expenses of the commission shall be paid from the fund
 35 established under section 5(a) of this chapter or from money
 36 transferred from that fund to the commission's treasurer under
 37 section 5(b) of this chapter. The commission shall annually prepare
 38 a budget and submit it to the county fiscal body for its review and
 39 approval. An expenditure may not be made under this chapter
 40 unless it is in accordance with an appropriation made by the
 41 county fiscal body in the manner provided by law.

42 Sec. 9. All money coming into possession of the commission shall



1 be deposited, held, secured, invested, and paid in accordance with
 2 statutes relating to the handling of public funds. The handling and
 3 expenditure of money coming into possession of the commission is
 4 subject to audit and supervision by the state board of accounts.

5 **Sec. 10. (a) A member of the commission who knowingly:**

6 (1) approves the transfer of money to any person or
 7 corporation not qualified under law for that transfer; or

8 (2) approves a transfer for a purpose not permitted under
 9 law;

10 commits a Level 6 felony.

11 (b) A person who receives a transfer of money under this
 12 chapter and knowingly uses that money for any purpose not
 13 permitted under this chapter commits a Level 6 felony.

14 **Sec. 11. (a) If the county imposes the tax authorized by this**
 15 **chapter, the tax terminates on January 1, 2047.**

16 **(b) This chapter expires January 1, 2047.**

17 SECTION 74. IC 6-9-77 IS ADDED TO THE INDIANA CODE AS
 18 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
 19 PASSAGE]:

20 **Chapter 77. Ellettsville Food and Beverage Tax**

21 **Sec. 1. This chapter applies to the town of Ellettsville.**

22 **Sec. 2. The definitions in IC 6-9-12-1 and IC 36-1-2 apply**
 23 **throughout this chapter.**

24 **Sec. 3. (a) The fiscal body of the town may adopt an ordinance**
 25 **to impose an excise tax, known as the town food and beverage tax,**
 26 **on transactions described in section 4 of this chapter. The fiscal**
 27 **body of the town may adopt an ordinance under this subsection**
 28 **only after the fiscal body has previously held at least one (1)**
 29 **separate public hearing in which a discussion of the proposed**
 30 **ordinance to impose the town food and beverage tax is the only**
 31 **substantive issue on the agenda for the public hearing.**

32 **(b) If the town fiscal body adopts an ordinance under subsection**
 33 **(a), the town fiscal body shall immediately send a certified copy of**
 34 **the ordinance to the department of state revenue.**

35 **(c) If the town fiscal body adopts an ordinance under subsection**
 36 **(a), the town food and beverage tax applies to transactions that**
 37 **occur after the later of the following:**

38 (1) The day specified in the ordinance.

39 (2) The last day of the month that succeeds the month in
 40 which the ordinance is adopted.

41 **Sec. 4. (a) Except as provided in subsection (c), a tax imposed**
 42 **under section 3 of this chapter applies to a transaction in which**



1 food or beverage is furnished, prepared, or served:

- 2 (1) for consumption at a location or on equipment provided by
 3 a retail merchant;
 4 (2) in the town; and
 5 (3) by a retail merchant for consideration.

6 (b) Transactions described in subsection (a)(1) include
 7 transactions in which food or beverage is:

- 8 (1) served by a retail merchant off the merchant's premises;
 9 (2) sold in a heated state or heated by a retail merchant;
 10 (3) made of two (2) or more food ingredients, mixed or
 11 combined by a retail merchant for sale as a single item (other
 12 than food that is only cut, repackaged, or pasteurized by the
 13 seller, and eggs, fish, meat, poultry, and foods containing these
 14 raw animal foods requiring cooking by the consumer as
 15 recommended by the federal Food and Drug Administration
 16 in chapter 3, subpart 3-401.11 of its Food Code so as to
 17 prevent food borne illnesses); or
 18 (4) sold with eating utensils provided by a retail merchant,
 19 including plates, knives, forks, spoons, glasses, cups, napkins,
 20 or straws (for purposes of this subdivision, a plate does not
 21 include a container or package used to transport food).

22 (c) The town food and beverage tax does not apply to the
 23 furnishing, preparing, or serving of a food or beverage in a
 24 transaction that is exempt, or to the extent the transaction is
 25 exempt, from the state gross retail tax imposed by IC 6-2.5.

26 Sec. 5. The town food and beverage tax rate:

- 27 (1) must be imposed in an increment of twenty-five
 28 hundredths percent (0.25%); and
 29 (2) may not exceed one percent (1%);

30 of the gross retail income received by the merchant from the food
 31 or beverage transaction described in section 4 of this chapter. For
 32 purposes of this chapter, the gross retail income received by the
 33 retail merchant from a transaction does not include the amount of
 34 tax imposed on the transaction under IC 6-2.5 and IC 6-9-41.

35 Sec. 6. A tax imposed under this chapter is imposed, paid, and
 36 collected in the same manner that the state gross retail tax is
 37 imposed, paid, and collected under IC 6-2.5. However, the return
 38 to be filed with the payment of the tax imposed under this chapter
 39 may be made on a separate return or may be combined with the
 40 return filed for the payment of the state gross retail tax, as
 41 prescribed by the department of state revenue.

42 Sec. 7. The amounts received from the tax imposed under this



chapter shall be paid monthly by the treasurer of state to the town fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the town, the town fiscal officer shall establish a food and beverage tax receipts fund.

(b) The town fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money deposited in the town food and beverage tax receipts fund may be used only for:

- (1) transit related purposes;
- (2) tourism and infrastructure related purposes; and
- (3) the pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivisions (1) and (2).

Revenue derived from the imposition of a tax under this chapter may be treated by the town as additional revenue for the purpose of fixing its budget for the budget year during which the revenues are to be distributed to the town.

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the town imposes the tax authorized by this chapter, the tax terminates on July 1, 2047.

(b) This chapter expires July 1, 2047.

SECTION 75. IC 8-1-34-24, AS AMENDED BY P.L.6-2012, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 24. (a) Subject to subsection (e); (f), not later than forty-five (45) days after the end of each calendar quarter, the holder shall pay to each unit included in the holder's service area under a certificate issued under this chapter a franchise fee equal to:

- (1) the amount of gross revenue received from providing video service in the unit during the most recent calendar quarter, as determined under section 23 of this chapter; multiplied by
- (2) except as provided in subsection (c) or (d), whichever applies, a percentage equal to one (1) of the following:
 - (A) If a local franchise has never been in effect in the unit before July 1, 2006, five percent (5%).



(B) If no local franchise is in effect in the unit on July 1, 2006, but one (1) or more local franchises have been in effect in the unit before July 1, 2006, the percentage of gross revenue paid by the holder of the most recent local franchise in effect in the unit, unless the unit elects to impose a different percentage, which may not exceed five percent (5%).

(C) If there is one (1) local franchise in effect in the unit on July 1, 2006, the percentage of gross revenue paid by the holder of that local franchise as a franchise fee to the unit, unless the unit elects to impose a different percentage, which may not exceed five percent (5%). Upon the expiration of a local franchise described in this clause, the percentage shall be determined by the unit but may not exceed five percent (5%).

(D) If there is more than one (1) local franchise in effect with respect to the unit on July 1, 2006, a percentage determined by the unit, which may not exceed the greater of:

- (i) five percent (5%); or
- (ii) the percentage paid by a holder of any local franchise in effect in the unit on July 1, 2006.

(b) If the holder provides video service to an unincorporated area in Indiana, as described in section 23(e) of this chapter, the holder shall:

- (1) calculate the franchise fee with respect to the unincorporated area in accordance with subsection (a); and
- (2) remit the franchise fee to the county in which the unincorporated area is located.

If an unincorporated area served by the provider is located in one (1) or more contiguous counties, the provider shall remit part of the franchise fee calculated under subdivision (1) to each county having territory in the unincorporated area served. The part of the franchise fee remitted to a county must bear the same proportion to the total franchise fee for the area, as calculated under subdivision (1), that the number of subscribers in the county bears to the total number of subscribers in the unincorporated area served.

(c) In the case of a franchise issued before January 1, 2026, the percentage applied under subsection (a)(2) to the holder's gross revenue for calendar years beginning on or after January 1, 2026, shall be the percentage that applied under subsection (a)(2) on December 31, 2025, less one percent (1%). However, the percentage applied to the gross revenue of a holder subject to this subsection may not be reduced to an amount that is less than one percent (1%).

(d) In the case of a franchise that is initially issued by the



commission after December 31, 2025, the percentage applied under subsection (a)(2) to the gross revenue of a holder subject to this subsection may not exceed four percent (4%).

~~(c)~~ **(e)** With each payment of a franchise fee to a unit under this section, the holder shall include a statement explaining the basis for the calculation of the franchise fee. A unit may review the books and records of:

(1) the holder; or

(2) an affiliate of the holder, if appropriate;

to the extent necessary to ensure the holder's compliance with section 23 of this chapter in calculating the gross revenue upon which the remitted franchise fee is based. Each party shall bear the party's own costs of an examination under this subsection. If the holder and the unit cannot agree on the amount of gross revenue on which the franchise fee should be based, either party may petition the commission to determine the amount of gross revenue on which the franchise fee should be based. A determination of the commission under this subsection is final, subject to the right of direct appeal by either party.

~~(d)~~ **(f)** A franchise fee owed by a holder to a unit under this section may be passed through to, and collected from, the holder's subscribers in the unit. To the extent allowed under 47 U.S.C. 542(c), the holder may identify as a separate line item on each regular bill issued to a subscriber:

(1) the amount of the total bill assessed as a franchise fee under this section; and

(2) the identity of the unit to which the franchise fee is paid.

~~(e)~~ **(g)** A holder that elects under section 21(b)(1) of this chapter to continue providing video service under a local franchise is not required to pay the franchise fee prescribed under this section, but shall pay any franchise fee imposed under the terms of the local franchise.

SECTION 76. IC 14-27-6-40, AS AMENDED BY P.L.236-2023, SECTION 127, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 40. The provisions of IC 5-1 and IC 6-1.1-20 relating to the following apply to proceedings under this chapter:

(1) The filing of a petition requesting the issuance of bonds and giving notice of the petition.

(2) The giving of notice of determination to issue bonds.

(3) The giving of notice of hearing on the appropriation of the proceeds of bonds and the right of taxpayers to appeal and be heard on the proposed appropriation.

(4) The approval of the appropriation by the department of local



government finance.

(5) The right of:

(A) taxpayers and voters to remonstrate against the issuance of bonds in the case of a proposed bond issue described by IC 6-1.1-20-3.1(a); or

(B) voters to vote on the issuance of bonds in the case of a proposed bond issue described by IC 6-1.1-20-3.5(a).

(6) The sale of bonds at:

(A) a public sale for not less than the par value; or

(B) alternatively, a negotiated sale. ~~after June 30, 2018, and before July 1, 2025.~~

SECTION 77. IC 20-46-8-11.2, AS AMENDED BY P.L.36-2024, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2025 (RETROACTIVE)]: Sec. 11.2. (a) This section applies only to revenue collected after June 30, 2024, from a tax levy imposed under this chapter by a school corporation located in:

(1) Lake County;

(2) Marion County;

(3) St. Joseph County; or

(4) Vanderburgh County.

However, this section does not apply to, and distributions are not required for, a school corporation that is designated as a distressed political subdivision under IC 6-1.1-20.3.

(b) Beginning in calendar year 2025, **for distributions made beginning in 2026**, and each year thereafter, and subject to subsections (c), ~~and (h), and (i)~~, the county auditor shall distribute **to each charter school that is eligible for a distribution under subsection (d) and** as provided under subsection (f), an amount of revenue received from a tax levy imposed by a school corporation under this chapter **that is attributable to the part of the school corporation that is within the boundaries of the county listed in subsection (a).** ~~to each charter school that is eligible for a distribution under subsection (d) and as set forth in subsection (f).~~

(c) The following schools are not eligible to receive a distribution under this section:

(1) A virtual charter school.

(2) An adult high school.

(d) Not later than ~~thirty (30) days before the date that the county auditor distributes money for a school corporation's operations fund (IC 20-40-18) under IC 6-1.1-27, March 1, 2025, and not later than January 1 of each year thereafter~~, the department, in consultation with the department of local government finance, shall determine the



corresponding percentages of revenue received from the tax levy **raised from the property taxes attributable to a county listed in subsection (a)** that must be distributed among the school corporation and each eligible charter school according to the following formula:

STEP ONE: Determine each charter school that:

(A) is located in the same county as the school corporation; and

(B) provides not more than fifty percent (50%) virtual instruction for its students.

STEP TWO: Determine, for each charter school described in STEP ONE, the number of students who:

(A) have legal settlement within the school corporation;

(B) are currently included in the fall ADM for the charter school; and

(C) receive not more than fifty percent (50%) virtual instruction.

STEP THREE: Determine the sum of:

(A) the aggregate of the STEP TWO results for all applicable charter schools; plus

(B) the fall ADM count for the school corporation for students receiving not more than fifty percent (50%) virtual instruction.

STEP FOUR: For each charter school described in STEP ONE, determine the result of:

(A) the applicable STEP TWO amount; divided by

(B) the STEP THREE amount;

expressed as a percentage.

STEP FIVE: Determine the sum of all the amounts computed under STEP FOUR and subtract the result from one hundred percent (100%).

(e) The department shall provide to the county auditor, immediately after calculation under subsection (d): ~~and in the form prescribed by the county auditor:~~

(1) each charter school determined under STEP ONE of subsection (d) and the charter school's corresponding percentage calculated under STEP FOUR of subsection (d); and

(2) the percentage calculated under STEP FIVE of subsection (d) for the school corporation.

(f) The county auditor shall distribute to the school corporation and each applicable charter school the amount determined in the last STEP of the following STEPS:

STEP ONE: For each school corporation, determine a base property tax levy amount calculated as:



(A) the sum of the school corporation's operations fund property tax levies collected under this chapter **that is attributable to the part of the school corporation located in a county listed in subsection (a)** in calendar years 2021, 2022, and 2023; divided by

(B) three (3).

STEP TWO: For each school corporation, determine an incremental property tax levy amount calculated as:

(A) **subject to subsection (i)**, the school corporation's operations fund property tax levy collections for the current calendar year **that is attributable to the part of the school corporation located in a county listed in subsection (a)**; minus

(B) the school corporation's base property tax levy collections determined under STEP ONE.

STEP THREE: For the school corporation and each applicable charter school, determine the result of:

(A) the incremental amount determined under STEP TWO; multiplied by

(B) the following percentage:

(i) In the case of an applicable charter school, the charter school's percentage under STEP FOUR of subsection (d).

(ii) In the case of the school corporation, the school corporation's percentage under STEP FIVE of subsection (d).

(g) Before ~~October 1, 2024~~, **August 1, 2025**, and before ~~October 1~~ **August 1** of each year thereafter, the department shall provide to each school corporation and each eligible charter school an estimate of the amount of property tax levy revenue the school corporation and charter school are expected to receive under this section **based upon the most recent spring ADM**.

(h) **Beginning with property tax distributions made in 2026**, in order to receive a distribution under this section, the governing body of an eligible charter school shall, before November 1, ~~2024~~, **2025**, and before November 1 of each year thereafter, adopt a budget for the **ensuing** school year. Not later than ten (10) days before its adoption, the budget must be fixed and presented to the charter board in a public meeting in the county in which the charter school is incorporated. A budget that is adopted under this subsection must be submitted to the charter authorizer for review and to the department of local government finance to be posted publicly on the computer gateway under IC 6-1.1-17-3 **not later than five (5) business days after adopting a**



1 budget for the school year. The submitted budget must include:

- 2 (1) the date on which the public meeting occurred;
 3 (2) the date when the budget was adopted;
 4 (3) the date when the budget was submitted to the charter
 5 authorizer for review; and
 6 (4) a statement of the charter board attesting that the:
 7 (A) public meeting was held;
 8 (B) budget was adopted;
 9 (C) budget was submitted to the charter authorizer; and
 10 (D) dates described in subdivisions (1) through (3) are
 11 accurate.

12 (i) If an eligible charter school does not perform all the actions
 13 required by subsection (h) to receive a distribution for the ensuing
 14 school year, the county auditor shall distribute the amount of the
 15 eligible charter school's distribution for the ensuing school year
 16 determined under subsection (f) to all remaining eligible charter
 17 schools and the school corporation from where the levy was raised
 18 according to the formula under subsection (f).

19 ~~(i) Before April 1, 2025, and before April 1 of each year thereafter,~~
 20 ~~the county auditor shall provide each school corporation and each~~
 21 ~~eligible charter school the actual amount of property tax levy revenue~~
 22 ~~the school corporation and charter school are expected to receive under~~
 23 ~~this section.~~

24 SECTION 78. IC 20-48-1-4, AS AMENDED BY P.L.236-2023,
 25 SECTION 157, IS AMENDED TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) Bonds issued by a school
 27 corporation shall be sold:

- 28 (1) at a public sale; or
 29 (2) alternatively, at a negotiated sale. ~~after June 30, 2018, and~~
 30 ~~before July 1, 2025.~~
 31 (b) If the bonds are sold at a public sale, the bonds must be sold at:
 32 (1) not less than par value;
 33 (2) a public sale as provided by IC 5-1-11; and
 34 (3) any rate or rates of interest determined by the bidding.

35 (c) This subsection does not apply to bonds for which a school
 36 corporation:

- 37 (1) after June 30, 2008, makes a preliminary determination as
 38 described in IC 6-1.1-20-3.1 or IC 6-1.1-20-3.5 or a decision as
 39 described in IC 6-1.1-20-5; or
 40 (2) in the case of bonds not subject to IC 6-1.1-20-3.1,
 41 IC 6-1.1-20-3.5, or IC 6-1.1-20-5, adopts a resolution or ordinance
 42 authorizing the bonds after June 30, 2008.



1 If the net interest cost exceeds eight percent (8%) per year, the bonds
 2 must not be issued until the issuance is approved by the department of
 3 local government finance.

4 SECTION 79. IC 35-52-6-85 IS ADDED TO THE INDIANA
 5 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 6 [EFFECTIVE JULY 1, 2025]: **Sec. 85. IC 6-9-60-9 defines a crime**
 7 **concerning innkeeper's taxes.**

8 SECTION 80. IC 35-52-6-85.5 IS ADDED TO THE INDIANA
 9 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2025]: **Sec. 85.5. IC 6-9-74-10 defines a crime**
 11 **concerning innkeeper's taxes.**

12 SECTION 81. IC 35-52-6-85.6 IS ADDED TO THE INDIANA
 13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 14 [EFFECTIVE JULY 1, 2025]: **Sec. 85.6. IC 6-9-75-9 defines a crime**
 15 **concerning innkeeper's taxes.**

16 SECTION 82. IC 35-52-6-85.7 IS ADDED TO THE INDIANA
 17 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2025]: **Sec. 85.7. IC 6-9-76-10 defines a crime**
 19 **concerning innkeeper's taxes.**

20 SECTION 83. IC 36-2-2-4, AS AMENDED BY P.L.201-2023,
 21 SECTION 265, IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) This subsection does not
 23 apply to the following counties:

24 (1) A county having a population of more than ~~four hundred~~
 25 ~~thousand (400,000)~~ **four hundred fifty thousand (450,000)** and
 26 less than seven hundred thousand (700,000).

27 (2) A county having a population of more than one hundred
 28 eighty-five thousand (185,000) and less than three hundred
 29 thousand (300,000).

30 The executive shall divide the county into three (3) districts that are
 31 composed of contiguous territory and are reasonably compact. The
 32 district boundaries drawn by the executive must not cross precinct
 33 boundary lines and must divide townships only when a division is
 34 clearly necessary to accomplish redistricting under this section. If
 35 necessary, the county auditor shall call a special meeting of the
 36 executive to establish or revise districts.

37 (b) This subsection applies to a county having a population of more
 38 than ~~four hundred thousand (400,000)~~ **four hundred fifty thousand**
 39 **(450,000)** and less than seven hundred thousand (700,000). A county
 40 redistricting commission shall divide the county into three (3)
 41 single-member districts that comply with subsection (d). The
 42 commission is composed of:



- (1) the members of the Indiana election commission;
- (2) two (2) members of the senate selected by the president pro tempore, one (1) from each political party; and
- (3) two (2) members of the house of representatives selected by the speaker, one (1) from each political party.

The legislative members of the commission have no vote and may act only in an advisory capacity. A majority vote of the voting members is required for the commission to take action. The commission may meet as frequently as necessary to perform its duty under this subsection. The commission's members serve without additional compensation above that provided for them as members of the Indiana election commission, the senate, or the house of representatives.

(c) This subsection applies to a county having a population of more than one hundred eighty-five thousand (185,000) and less than three hundred thousand (300,000) that opts in to the system of county government described in subsection (d), sections 4.7(c) and 5(d)(2) of this chapter, IC 36-2-3-2(b), IC 36-2-3-4(c), and IC 36-2-3.5-1(2) by passing a resolution by a majority vote of its executive body not later than September 1, 2023. In the event the executive body of a county described in this subsection does not opt in by September 1, 2023, the county shall be governed by the general provisions of this chapter. The executive shall divide the county into three (3) single-member districts that comply with subsection (d).

(d) Single-member districts established under subsection (b) or (c) must:

- (1) be compact, subject only to natural boundary lines (such as railroads, major highways, rivers, creeks, parks, and major industrial complexes);
- (2) contain, as nearly as is possible, equal population; and
- (3) not cross precinct lines.

(e) Except as provided by subsection (f), a division under subsection (a), (b), or (c) shall be made only at times permitted under IC 3-5-10.

(f) If the county executive or county redistricting commission determines that a division under subsection (e) is not required, the county executive or county redistricting commission shall adopt an ordinance recertifying that the districts as drawn comply with this section.

(g) Each time there is a division under subsection (e) or a recertification under subsection (f), the county executive or county redistricting commission shall file with the circuit court clerk of the county, not later than thirty (30) days after the division or recertification occurs, a map of the district boundaries:



(1) adopted under subsection (e); or

(2) recertified under subsection (f).

(h) The limitations set forth in this section are part of the ordinance, but do not have to be specifically set forth in the ordinance. The ordinance must be construed, if possible, to comply with this chapter. If a provision of the ordinance or an application of the ordinance violates this chapter, the invalidity does not affect the other provisions or applications of the ordinance that can be given effect without the invalid provision or application. The provisions of the ordinance are severable.

(i) IC 3-5-10 applies to a plan established under this section.

SECTION 84. IC 36-2-2-5, AS AMENDED BY P.L.201-2023, SECTION 267, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) To be eligible for election to the executive, a person must meet the qualifications prescribed by IC 3-8-1-21.

(b) A member of the executive must reside within:

(1) the county as provided in Article 6, Section 6 of the Constitution of the State of Indiana; and

(2) the district from which the member was elected.

(c) If the person does not remain a resident of the county and district after taking office, the person forfeits the office. The county fiscal body shall declare the office vacant whenever a member of the executive forfeits office under this subsection.

(d) In a county having a population of:

(1) more than ~~four hundred thousand (400,000)~~ **four hundred fifty thousand (450,000)** and less than seven hundred thousand (700,000); or

(2) more than one hundred eighty-five thousand (185,000) and less than three hundred thousand (300,000) that opts in to the system of county government as described in section 4(c) of this chapter;

one (1) member of the executive shall be elected by the voters of each of the three (3) single-member districts established under section 4(b) or 4(c) of this chapter. In other counties, all three (3) members of the executive shall be elected by the voters of the whole county.

SECTION 85. IC 36-2-3.5-1, AS AMENDED BY P.L.201-2023, SECTION 270, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. This chapter applies to the following counties:

(1) A county having a population of more than ~~four hundred thousand (400,000)~~ **four hundred fifty thousand (450,000)** and



less than seven hundred thousand (700,000).

(2) A county having a population of more than one hundred eighty-five thousand (185,000) and less than three hundred thousand (300,000) that opts in to the system of county government as described in IC 36-2-2-4(c).

(3) Any other county not having a consolidated city, if both the county executive and the county fiscal body adopt identical ordinances providing for the county to be governed by this chapter beginning on a specified effective date.

SECTION 86. IC 36-2-6-18, AS AMENDED BY P.L.244-2017, SECTION 125, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 18. (a) The county fiscal body may, by ordinance:

(1) make loans for the purpose of procuring money to be used in the exercise of county powers and for the payment of county debts other than current running expenses, and, subject to IC 5-1-11.5 and IC 5-11-1-4(c), issue bonds or other county obligations to refund those loans;

(2) make temporary loans to meet current running expenses, in anticipation of and not in excess of county revenues for the current fiscal year, which shall be evidenced by tax anticipation warrants of the county; and

(3) make loans and issue notes under subsection (d).

(b) An ordinance authorizing the issuance of bonds under this section must state the purpose for which the bonds are issued and may provide that the bonds:

(1) are or are not negotiable;

(2) bear interest at any rate;

(3) run not longer than twenty (20) years; and

(4) mature by installments payable annually or otherwise.

(c) An ordinance authorizing the issuance of tax anticipation warrants under this section must:

(1) state the total amount of the issue;

(2) state the denomination of the warrants;

(3) state the time and place payable;

(4) state the rate of interest;

(5) state the funds and revenues in anticipation of which the warrants are issued and out of which they are payable; and

(6) appropriate and pledge a sufficient amount of those revenues to the punctual payment of the warrants.

The warrants are exempt from taxation for all purposes.

(d) The county fiscal body may, by ordinance, make loans of money



1 for not more than ~~five (5)~~ **ten (10)** years and issue notes for the purpose
 2 of refunding those loans. The loans may be made only for the purpose
 3 of procuring money to be used in the exercise of the powers of the
 4 county, and the total amount of outstanding loans under this subsection
 5 may not exceed five percent (5%) of the county's total tax levy in the
 6 current year (excluding amounts levied to pay debt service and lease
 7 rentals). Loans under this subsection shall be made in the same manner
 8 as loans made under subsection (a)(1), except that:

- 9 (1) the ordinance authorizing the loans must pledge to their
 10 payment a sufficient amount of tax revenues over the ensuing ~~five~~
 11 **(5) ten (10)** years to provide for refunding the loans;
 12 (2) the loans must be evidenced by notes of the county in terms
 13 designating the nature of the consideration, the time and place
 14 payable, and the revenues out of which they will be payable; and
 15 (3) the interest accruing on the notes to the date of maturity may
 16 be added to and included in their face value or be made payable
 17 periodically, as provided in the ordinance.

18 Notes issued under this subsection are not bonded indebtedness for
 19 purposes of IC 6-1.1-18.5.

20 (e) If a deficit is incurred for the current running expenses of the
 21 county because the total of county revenues for the fiscal year is less
 22 than the anticipated total, the county fiscal body shall provide for the
 23 deficit in the next county tax levy.

24 SECTION 87. IC 36-3-5-8, AS AMENDED BY P.L.236-2023,
 25 SECTION 167, IS AMENDED TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) This section applies whenever
 27 a special taxing district of the consolidated city has the power to issue
 28 bonds, notes, or warrants.

29 (b) Before any bonds, notes, or warrants of a special taxing district
 30 may be issued, the issue must be approved by resolution of the
 31 legislative body of the consolidated city.

32 (c) Any bonds of a special taxing district must be issued in the
 33 manner prescribed by statute for that district, and the board of the
 34 department having jurisdiction over the district shall:

- 35 (1) hold all required hearings;
 36 (2) adopt all necessary resolutions; and
 37 (3) appropriate the proceeds of the bonds;

38 in that manner. However, the legislative body shall levy each year the
 39 special tax required to pay the principal of and interest on the bonds
 40 and any bank paying charges.

41 (d) Notwithstanding any other statute, bonds of a special taxing
 42 district may:



1 (1) be dated;
 2 (2) be issued in any denomination;
 3 (3) except as otherwise provided by IC 5-1-14-10, mature at any
 4 time or times not exceeding fifty (50) years after their date; and
 5 (4) be payable at any bank or banks;
 6 as determined by the board. If the bonds are sold at a public sale, the
 7 interest rate or rates that the bonds will bear must be determined by
 8 bidding, notwithstanding IC 5-1-11-3.

9 (e) Bonds of a special taxing district are subject to the provisions of
 10 IC 5-1 and IC 6-1.1-20 relating to the following:

11 (1) The filing of a petition requesting the issuance of bonds and
 12 giving notice of the petition.

13 (2) The giving of notice of a hearing on the appropriation of the
 14 proceeds of bonds.

15 (3) The right of taxpayers to appear and be heard on the proposed
 16 appropriation.

17 (4) The approval of the appropriation by the department of local
 18 government finance.

19 (5) The right of:

20 (A) taxpayers and voters to remonstrate against the issuance of
 21 bonds in the case of a proposed bond issue described by
 22 IC 6-1.1-20-3.1(a); or

23 (B) voters to vote on the issuance of bonds in the case of a
 24 proposed bond issue described by IC 6-1.1-20-3.5(a).

25 (6) The sale of bonds at a public sale or at a negotiated sale. ~~after~~
 26 ~~June 30, 2018; and before July 1, 2025.~~

27 (7) The maximum term or repayment period provided by
 28 IC 5-1-14-10.

29 SECTION 88. IC 36-7-14-57, AS AMENDED BY P.L.135-2022,
 30 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2025]: Sec. 57. (a) This section does not apply to a parcel that
 32 is included in more than one (1) allocation area established by:

33 (1) a resolution establishing an allocation provision under section
 34 39 of this chapter that is adopted and approved under sections 15
 35 through 17 of this chapter;

36 (2) a resolution adopted under IC 6-1.1-39-2 and confirmed under
 37 IC 6-1.1-39-3;

38 (3) a resolution adopted under IC 8-22-3.5-5 and confirmed under
 39 IC 8-22-3.5-6;

40 (4) a resolution establishing an allocation provision under
 41 IC 36-7-15.1-26 that is adopted and approved under
 42 IC 36-7-15.1-8, IC 36-7-15.1-9, and IC 36-7-15.1-10;



(5) a resolution establishing an allocation provision under IC 36-7-30-25 that is adopted and approved under IC 36-7-30-10, IC 36-7-30-11, and IC 36-7-30-12;

(6) a resolution establishing an allocation provision under IC 36-7-30.5-30 that is adopted and approved under IC 36-7-30.5-16, IC 36-7-30.5-17, and IC 36-7-30.5-18; or

(7) a resolution designating a certified technology park as an allocation area that is approved and adopted under IC 36-7-32-15; on or before May 1, 2021. ~~In addition,~~ **Except as provided in section 57.1 of this chapter,** a new allocation area may not be established under this chapter that includes a parcel that is located in an allocation area described in this subsection.

(b) Except as provided in subsection (a) **or section 57.1 of this chapter,** but notwithstanding any other provision, for the purpose of the allocation of property taxes under this chapter, a parcel may not be included in more than one (1) allocation area established under this chapter or under:

(1) IC 6-1.1-39;

(2) IC 8-22-3.5;

(3) IC 36-7-15.1;

(4) IC 36-7-30;

(5) IC 36-7-30.5;

(6) IC 36-7-32; or

(7) IC 36-7-32.5.

SECTION 89. IC 36-7-14-57.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 57.1. (a) A new allocation area may be established over an existing allocation area if the fiscal bodies of each unit enter into an interlocal agreement.**

(b) Upon entering into an interlocal agreement under subsection (a), in order to subsequently establish an overlapping allocation area the following shall occur:

(1) The redevelopment commissions of each unit must adopt substantially similar declaratory resolutions.

(2) The fiscal bodies of each unit must adopt substantially similar confirmatory resolutions.

(c) The interlocal agreement entered into under subsection (a) must include the following provisions:

(1) The base amount of the new allocation area.

(2) A provision prohibiting the city, county, town, or other entity that established the applicable existing allocation area from incurring any additional obligations that require a



pledge of future incremental property tax revenue to be paid from the applicable existing allocation area.

(3) A provision requiring the maintenance of all applicable property tax records for the parcel or parcels located within the existing allocation area and the new allocation area.

(d) Subject to subsection (e), if a new allocation area:

(1) is established over an existing allocation area under this section; and

(2) issues bonds or enters into a lease payable by incremental property tax revenues allocated under section 39 of this chapter;

the county auditor shall continue to allocate to the existing allocation area any incremental property tax revenues that would otherwise be allocated to the existing allocation area as if the overlapping allocation area had not been established under this section until all of the bonds or other obligations incurred by the existing allocation area are no longer outstanding.

(e) To the extent this section conflicts with section 1.5 or section 1.7 of this chapter, the provisions of section 1.5 or section 1.7 of this chapter, as applicable, control with respect to the allocation of incremental property tax revenues under this section.

(f) The distribution of property taxes described in section 39(b)(2) of this chapter does not apply to the allocation of incremental property tax revenues to an existing allocation area or an overlapping allocation area under subsection (c).

SECTION 90. IC 36-7-15.1-63, AS AMENDED BY P.L.135-2022, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 63. (a) This section does not apply to a parcel that is included in more than one (1) allocation area established by:

(1) a resolution establishing an allocation provision under section 26 of this chapter that is adopted and approved under sections 8 through 10 of this chapter;

(2) a resolution adopted under IC 6-1.1-39-2 and confirmed under IC 6-1.1-39-3;

(3) a resolution adopted under IC 8-22-3.5-5 and confirmed under IC 8-22-3.5-6;

(4) a resolution establishing an allocation provision under IC 36-7-14-39 that is adopted and approved under IC 36-7-14-15, IC 36-7-14-16, and IC 36-7-14-17;

(5) a resolution establishing an allocation provision under IC 36-7-30-25 that is adopted and approved under IC 36-7-30-10, IC 36-7-30-11, and IC 36-7-30-12;



(6) a resolution establishing an allocation provision under IC 36-7-30.5-30 that is adopted and approved under IC 36-7-30.5-16, IC 36-7-30.5-17, and IC 36-7-30.5-18; or

(7) a resolution designating a certified technology park as an allocation area that is approved and adopted under IC 36-7-32-15; on or before May 1, 2021. ~~In addition,~~ **Except as provided in section 63.1 of this chapter,** a new allocation area may not be established under this chapter that includes a parcel that is located in an allocation area described in this subsection.

(b) Except as provided in subsection (a) **or section 63.1 of this chapter,** but notwithstanding any other provision, for the purpose of the allocation of property taxes under this chapter, a parcel may not be included in more than one (1) allocation area established under this chapter or under:

- (1) IC 6-1.1-39;
- (2) IC 8-22-3.5;
- (3) IC 36-7-14;
- (4) IC 36-7-30;
- (5) IC 36-7-30.5;
- (6) IC 36-7-32; or
- (7) IC 36-7-32.5.

SECTION 91. IC 36-7-15.1-63.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 63.1. (a) A new allocation area may be established over an existing allocation area if the fiscal bodies of each unit enter into an interlocal agreement.**

(b) Upon entering into an interlocal agreement under subsection (a), in order to subsequently establish an overlapping allocation area the following shall occur:

- (1) The redevelopment commissions of each unit must adopt substantially similar declaratory resolutions.**
- (2) The fiscal bodies of each unit must adopt substantially similar confirmatory resolutions.**

(c) The interlocal agreement entered into under subsection (a) must include the following provisions:

- (1) The base amount of the new allocation area.**
- (2) A provision prohibiting the city, county, town, or other entity that established the applicable existing allocation area from incurring any additional obligations that require a pledge of future incremental property tax revenue to be paid from the applicable existing allocation area.**
- (3) A provision requiring the maintenance of all applicable**



property tax records for the parcel or parcels located within the existing allocation area and the new allocation area.

(d) If a new allocation area:

(1) is established over an existing allocation area under this section; and

(2) issues bonds or enters into a lease that is payable by incremental property tax revenues allocated under section 26 of this chapter;

the county auditor shall continue to allocate to the existing allocation area any incremental property tax revenues that would otherwise be allocated to the existing allocation area as if the overlapping allocation area had not been established under this section until all of the bonds or other obligations incurred by the existing allocation area are no longer outstanding.

SECTION 92. IC 36-7-18-31, AS AMENDED BY P.L.236-2023, SECTION 187, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 31. (a) Issues of bonds, notes, or warrants of a housing authority must be approved by the fiscal body of the unit after a public hearing, with notice of the time, place, and purpose of the hearing given by publication in accordance with IC 5-3-1. The bonds, notes, or warrants must then be authorized by resolution of the authority.

(b) After the bonds, notes, or warrants have been approved under subsection (a), they may be issued in one (1) or more series, with the:

- (1) dates;
- (2) maturities;
- (3) denominations;
- (4) form, either coupon or registered;
- (5) conversion or registration privileges;
- (6) rank or priority;
- (7) manner of execution;
- (8) medium of payment;
- (9) places of payment; and
- (10) terms of redemption, with or without premium;

provided by the resolution or its trust indenture or mortgage.

(c) The bonds, notes, or warrants shall be sold at a public sale under IC 5-1-11, for not less than par value, after notice published in accordance with IC 5-3-1. However, they may be sold at not less than par value to the federal government:

- (1) at private sale without any public advertisement; or
- (2) alternatively, at a negotiated sale. ~~after July 1, 2018, and before June 30, 2025.~~



(d) If any of the commissioners or officers of the housing authority whose signatures appear on any bonds, notes, or warrants or coupons cease to be commissioners or officers before the delivery, exchange, or substitution of the bonds, notes, or warrants, their signatures remain valid and sufficient for all purposes, as if they had remained in office until the delivery, exchange, or substitution.

(e) Subject to provision for registration and notwithstanding any other law, any bonds, notes, or warrants issued under this chapter are fully negotiable.

(f) In any proceedings involving the validity or enforceability of any bond, note, or warrant of a housing authority or of its security, if the instrument states that it has been issued by the authority to aid in financing a housing project to provide dwelling accommodations for persons of low income, it shall be conclusively presumed to have been issued for that purpose and the project shall be conclusively presumed to have been planned, located, and constructed in accordance with this chapter.

SECTION 93. IC 36-7-31.3-5.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 5.9. As used in this chapter, "qualified city" means a city located in a county that contains at least four (4) cities each with a population greater than forty thousand (40,000), as determined by the most recent federal decennial census. However, the term does not include a city that has established a tax area before January 1, 2026.**

SECTION 94. IC 36-7-31.3-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. As used in this chapter, "tax area" means a geographic area established as a:

(1) professional sports and convention development area; or

(2) **sports and convention development area in the case of a qualified city;**

under section 10 of this chapter.

SECTION 95. IC 36-7-31.3-8, AS AMENDED BY P.L.183-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) A designating body may designate as part of a professional sports and convention development area **or a sports and convention development area, as applicable**, any facility that is:

(1) owned by the city, the county, a school corporation, or a board under IC 36-9-13, IC 36-10-8, IC 36-10-10, or IC 36-10-11, and used by a professional sports franchise for practice or competitive sporting events;

(2) owned by the city, the county, or a board under IC 36-9-13,



1 IC 36-10-8, IC 36-10-10, or IC 36-10-11, and used as one (1) of
2 the following:

3 (A) A facility used principally for convention or tourism
4 related events serving national or regional markets.

5 (B) An airport.

6 (C) A museum.

7 (D) A zoo.

8 (E) A facility used for public attractions of national
9 significance.

10 (F) A performing arts venue.

11 (G) A county courthouse registered on the National Register
12 of Historic Places; or

13 (3) a hotel.

14 Notwithstanding section 9 of this chapter or any other law, a
15 designating body may by resolution approve the expansion of a
16 professional sports and convention development area after June 30,
17 2009, to include a hotel designated by the designating body. A
18 resolution for such an expansion must be reviewed by the budget
19 committee and approved by the budget agency in the same manner as
20 a resolution establishing a professional sports and convention
21 development area is reviewed and approved. A facility may not include
22 a private golf course or related improvements. The tax area may
23 include only facilities described in this section and any parcel of land
24 on which a facility is located. An area may contain noncontiguous
25 tracts of land within the city, county, or school corporation.

26 (b) Except for a tax area that is located in:

27 (1) the city of Fort Wayne; ~~or~~

28 (2) the city of Gary; ~~or~~

29 **(3) a qualified city;**

30 a tax area must include at least one (1) facility described in subsection
31 (a)(1).

32 (c) A tax area may contain other facilities not owned by the
33 designating body if:

34 (1) the facility is owned by a city, the county, a school
35 corporation, or a board established under IC 36-9-13, IC 36-10-8,
36 IC 36-10-10, or IC 36-10-11; and

37 (2) an agreement exists between the designating body and the
38 owner of the facility specifying the distribution and uses of the
39 covered taxes to be allocated under this chapter.

40 (d) This subsection applies to all tax areas located in Allen County.
41 The facilities located at an Indiana University Fort Wayne and Purdue
42 University Fort Wayne campus are added to the tax area designated by



the county. For state fiscal years:

- (1) beginning before July 1, 2021, the maximum amount of covered taxes that may be captured in all tax areas located in the county is three million dollars (\$3,000,000) per year; and
- (2) beginning after June 30, 2021, the maximum amount of covered taxes that may be captured in all tax areas located in the county is five million dollars (\$5,000,000) per year;

regardless of the designating body that established the tax area. The revenue from the local income tax imposed under IC 6-3.6 that is captured must be counted first toward this maximum.

(e) This subsection applies to a tax area located in the city of Evansville. Notwithstanding any other provision of this chapter, for state fiscal years beginning after July 1, 2021, any facility in the city of Evansville that:

- (1) consists of a hotel; and
- (2) is located in the north part of an area bounded on the northwest by Walnut Street, on the northeast by SE Martin Luther King Jr. Boulevard, on the southwest by SE 6th Street, and on the southeast by Cherry Street, as those streets were located on July 1, 2021;

is added to the tax area. The provisions in sections 11 and 12 of this chapter are not applicable to the area described in this subsection.

(f) This subsection applies to a tax area located in the city of South Bend. Notwithstanding any other provision of this chapter, for state fiscal years in which the tax area is renewed under section 10(e) of this chapter after June 30, 2021, the tax area shall also include any facility or complex of facilities as follows:

- (1) That consists of hotels located in the following areas in the city of South Bend:
 - (A) In the east quadrant of an area bounded on the north by Columbus Court, on the east by North Main Street, and on the south by West Washington Street, as those streets were located on July 1, 2021.
 - (B) An area bounded on the north by East Colfax Avenue, on the east by Doctor Martin Luther King, Jr. Boulevard, on the south by East Washington Street, and on the west by North Michigan Street, as those streets were located on July 1, 2021.
 - (C) In the southeast quadrant of an area bounded on the north by East Washington Street, on the east by Doctor Martin Luther King, Jr. Boulevard, and on the south by East Jefferson Boulevard, as those streets were located on July 1, 2021.
- (2) That consists of a sports, recreational and event facility or



complex of facilities located in the city of South Bend, in the northeast quadrant of an area bounded on the north by East Jefferson Boulevard, on the east by South St. Louis Boulevard, as those streets were located on July 1, 2021, and on the west by the St. Joseph River.

(3) Located at an Indiana University South Bend campus.

(4) That is within the boundaries of the city of South Bend and:

(A) owned by the city of South Bend through a board established under IC 36-9-6;

(B) titled in the name of the city of South Bend or an entity established to assist the city of South Bend to exercise its corporate powers;

(C) occupied by the city of South Bend; and

(D) used to exercise power under IC 36-1-4 to provide services pursuant to IC 36-4-4-3, IC 36-4-4-4, IC 36-8-2, and IC 36-9-2.

The provisions in sections 11 and 12 of this chapter are not applicable to the renewal of the tax areas described in this subsection.

SECTION 96. IC 36-7-31.3-9, AS AMENDED BY P.L.183-2023, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. (a) A tax area must be initially established by resolution:

(1) before January 1, 2013, in the case of:

(A) a second class city; **or**

(B) the city of Marion; **or**

~~(C) the city of Westfield;~~

(2) before January 1, 2024, in the case of the city of Fishers; **or**

(3) before January 1, 2028, in the case of a qualified city; or

~~(3) (4)~~ before July 1, 1999, if subdivision (1), **or** (2), **or** (3) does not apply;

according to the procedures set forth for the establishment of an economic development area under IC 36-7-14. **If a qualified city does not establish a tax area by resolution before January 1, 2028, the qualified city is prohibited from establishing a tax area under this chapter. Except as otherwise provided in this chapter and subject to section 9.1 of this chapter, only one (1) tax area may be created in each county.**

(b) In establishing the tax area, the designating body must make the following findings instead of the findings required for the establishment of economic development areas:

(1) Except for a tax area in:

(A) the city of Fort Wayne; **or**



(B) the city of Gary; **or**

(C) a qualified city;

there is a capital improvement that will be undertaken or has been undertaken in the tax area for a facility that is used by a professional sports franchise for practice or competitive sporting events. A tax area to which this subdivision applies may also include a capital improvement that will be undertaken or has been undertaken in the tax area for a facility that is used for any purpose specified in section 8(a)(2) of this chapter.

(2) For a tax area in the city of Fort Wayne, there is a capital improvement that will be undertaken or has been undertaken in the tax area for a facility that is used for any purpose specified in section 8(a) of this chapter.

(3) For a tax area in the city of Gary, there is a capital improvement that will be undertaken or has been undertaken in the tax area for a facility that is used for any purpose specified in section 8(a)(2) of this chapter.

(4) For a tax area in a qualified city, there is a capital improvement that will be undertaken or has been undertaken within the preceding thirty-six (36) months in the tax area for a facility that is used for any purpose specified in section 8(a) of this chapter.

~~(4)~~ (5) The capital improvement that will be undertaken or that has been undertaken in the tax area will benefit the public health and welfare and will be of public utility and benefit.

~~(5)~~ (6) The capital improvement that will be undertaken or that has been undertaken in the tax area will protect or increase state and local tax bases and tax revenues.

(7) For a tax area in a qualified city, the capital improvement that will be undertaken or that has been undertaken will generate an amount equal to at least four hundred million dollars (\$400,000,000) in revenue over the duration of the tax area to the state.

(c) The tax area established under this chapter is a special taxing district authorized by the general assembly to enable the designating body to provide special benefits to taxpayers in the tax area by promoting economic development that is of public use and benefit.

SECTION 97. IC 36-7-31.3-9.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 9.1. The designating body of a qualified city may not establish more than one (1) tax area within the qualified city.**



SECTION 98. IC 36-7-31.3-10, AS AMENDED BY P.L.183-2023, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. (a) A tax area must be established by resolution. A resolution establishing a tax area must provide for the allocation of covered taxes attributable to a taxable event or covered taxes earned in the tax area to the professional sports and convention development area fund **or the sports and convention development area fund** established for the city or county. The allocation provision must apply to the entire tax area. The following apply to Allen County:

(1) The fund required by this subsection is the coliseum professional sports and convention development area fund. This fund shall be administered by the Allen County Memorial Coliseum board of trustees.

(2) The allocation each year must be as follows:

(A) The following for state fiscal years ending before July 1, 2021:

(i) The first two million six hundred thousand dollars (\$2,600,000) shall be transferred to the county treasurer for deposit in the coliseum professional sports and convention development area fund.

(ii) The remaining amount shall be transferred to the treasurer of the joint county-city capital improvement board in the county.

(B) The following for state fiscal years beginning after June 30, 2021:

(i) The first two million six hundred thousand dollars (\$2,600,000) shall be transferred to the county treasurer for deposit in the coliseum professional sports and convention development area fund.

(ii) After the allocation under item (i), the next four hundred thousand dollars (\$400,000) shall be transferred to the joint county-city capital improvement board in the county for the Grand Wayne Center.

(iii) After the allocations under items (i) and (ii), any remaining amount shall be transferred to the joint county-city capital improvement board in the county to be split evenly between the Allen County War Memorial Coliseum and the Grand Wayne Center.

A tax area located in Allen County terminates not later than December 31, 2038. Any bonds that were issued before January 1, 2015, to finance the facility or proposed facility must have a maturity of less than twenty-five (25) years.



(b) In addition to subsection (a), all of the salary, wages, bonuses, and other compensation that are:

- (1) paid during a taxable year to a professional athlete for professional athletic services;
- (2) taxable in Indiana; and
- (3) earned in the tax area;

shall be allocated to the tax area if the professional athlete is a member of a team that plays the majority of the professional athletic events that the team plays in Indiana in the tax area.

(c) Except as provided in subsection (d), for a tax area that is:

- (1) not located in Allen County;
- (2) not located in the city of Fishers; **and**
- (3) not located in the city of South Bend; **and**
- (4) not located in a qualified city;**

the total amount of state revenue captured by the tax area may not exceed ten dollars (\$10) per resident of the city or county per year for twenty (20) consecutive years.

(d) This subsection applies to a tax area established in the city of Evansville that expired before July 1, 2021. The tax area described in this subsection is renewed beginning after June 30, 2021, for an additional twenty (20) consecutive years, and shall include:

- (1) the boundaries of the tax area before its expiration; plus
- (2) the additional tax area added under section 8(e) of this chapter.

The provisions in sections 11 and 12 of this chapter are not applicable to the renewal of the tax area described in this subsection.

(e) This subsection applies to a tax area established in the city of South Bend that expired before July 1, 2021. The following apply:

- (1) The tax area described in this subsection is renewed beginning after June 30, 2021, and shall include:

- (A) the boundaries of the tax area before its expiration; plus
- (B) the additional tax areas added under section 8(f) of this chapter.

The provisions in sections 11 and 12 of this chapter are not applicable to the renewal of the tax area described in this subsection.

- (2) The maximum amount of covered taxes that may be captured in the tax area under this subsection is:

- (A) before July 1, 2023, two million dollars (\$2,000,000) per year; and
- (B) after June 30, 2023, five million dollars (\$5,000,000) per year.



(3) For state fiscal years beginning after June 30, 2023, the first two million five hundred thousand dollars (\$2,500,000) captured in the tax area each year shall be transferred to the city of South Bend to be used for a capital improvement that will construct or equip a facility owned by the city and used by a professional sports franchise for practice or competitive sporting events.

(4) After the allocations under subdivision (3), any remaining amount shall be transferred to the city of South Bend to be used consistent with section 19(1) of this chapter.

The tax area renewed in the city of South Bend under this subsection terminates not later than June 30, 2044.

(f) This subsection applies to a tax area established in the city of Fishers. The following apply:

(1) The maximum amount of covered taxes that may be captured in the tax area is two million dollars (\$2,000,000) per year.

(2) The tax revenue captured in the tax area each year shall be transferred to the city of Fishers to be used for a capital improvement that will construct or equip a facility owned by the city and used by a professional sports franchise for practice or competitive sporting events.

The tax area located in the city of Fishers terminates not later than June 30, 2044.

(g) This subsection applies to a tax area established in a qualified city. The following apply:

(1) The maximum amount of covered taxes that may be captured in the tax area under this subsection is two million dollars (\$2,000,000) per year.

(2) The tax revenue captured in the tax area each year shall be transferred to the qualified city to be used for capital improvements that will equip a facility owned by the qualified city and used for practice or competitive sporting events.

(3) In addition to the contents required under subsection (h), the resolution establishing the tax area must include each of the following components:

(A) The geographic boundaries of the tax area.

(B) The amount of revenue that the tax area will generate in thirty (30) years for the state, which must be an amount equal to at least four hundred million dollars (\$400,000,000) over the duration of the tax area.

The tax area located in a qualified city terminates not later than June 30, 2058. The provisions of this chapter that apply to a tax area established as professional sports and convention



1 **development area also apply to a tax area established as a sports**
 2 **and convention development area.**

3 ~~(g)~~ **(h)** The resolution establishing the tax area must designate the
 4 facility or proposed facility and the facility site for which the tax area
 5 is established.

6 ~~(h)~~ **(i)** The department may adopt rules under IC 4-22-2 and
 7 guidelines to govern the allocation of covered taxes to a tax area.

8 SECTION 99. IC 36-7-31.3-14 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14. If a tax area is
 10 established under section 10 of this chapter, a state fund known as the
 11 professional sports and convention development area fund **or the**
 12 **sports and convention development area fund in the case of a**
 13 **qualified city** is established for that tax area. The fund shall be
 14 administered by the department. Money in the fund does not revert to
 15 the state general fund at the end of a state fiscal year.

16 SECTION 100. IC 36-7-31.3-15 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. Covered taxes
 18 attributable to a taxing area under section 10 of this chapter shall be
 19 deposited in the professional sports and convention development area
 20 fund **or the sports and convention development area fund, as**
 21 **applicable.**

22 SECTION 101. IC 36-7-31.3-16 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 16. On or before the
 24 twentieth day of each month, all amounts held in the professional
 25 sports and convention development area fund **or the sports and**
 26 **convention development area fund** shall be distributed to the county
 27 treasurer.

28 SECTION 102. IC 36-7-31.3-18, AS AMENDED BY P.L.9-2024,
 29 SECTION 552, IS AMENDED TO READ AS FOLLOWS
 30 [EFFECTIVE JULY 1, 2025]: Sec. 18. All distributions from the
 31 professional sports and convention development area fund **or the**
 32 **sports and convention development area fund** for the county shall be
 33 made by warrants issued by the state comptroller to the treasurer of
 34 state ordering those payments to the county treasurer.

35 SECTION 103. IC 36-7-31.3-20 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 20. The designating
 37 body shall repay to the professional sports development area fund **or**
 38 **the sports and convention development area fund** any amount that
 39 is distributed to the designating body and used for:

- 40 (1) a purpose that is not described in this chapter; or
 41 (2) a facility or facility site other than the facility and facility site
 42 to which covered taxes are designated under the resolution



described in section 10 of this chapter.

The department shall distribute the covered taxes repaid to the professional sports development area fund **or the sports and convention development area fund, as applicable**, under this section proportionately to the funds and the political subdivisions that would have received the covered taxes if the covered taxes had not been allocated to the tax area under this chapter.

SECTION 104. IC 36-7-31.3-21, AS AMENDED BY P.L.183-2023, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 21. This chapter expires December 31, ~~2044~~ **2058**.

SECTION 105. IC 36-7-32-13, AS AMENDED BY P.L.4-2005, SECTION 146, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 13. (a) **Subject to subsection (c)**, if the Indiana economic development corporation determines that a sale price or rental value at below market rate will assist in increasing employment or private investment in a certified technology park, the redevelopment commission and the legislative body of the unit may determine the sale price or rental value for public facilities owned or developed by the redevelopment commission and the unit in the certified technology park at below market rate.

(b) **Subject to subsection (c)**, if public facilities developed under an agreement entered into under this chapter are conveyed or leased at less than fair market value or at below market rates, the terms of the conveyance or lease shall include legal and equitable remedies and rights to assure that the public facilities are used for high technology activities or as a business incubator. Legal and equitable remedies and rights may include penalties and actual or liquidated damages.

(c) **After June 30, 2025, an agreement entered into under this section for the lease of public facilities owned or developed by the redevelopment commission and the unit in the certified technology park to a nonprofit corporation may not be below market rate.**

SECTION 106. IC 36-7-40-6.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6.5. A person who is:

(1) engaged in the business of renting or furnishing, for periods of less than thirty (30) days, any lodgings:

(A) in any hotel, motel, inn, tourist camp, tourist cabin, or any other place in which lodgings are regularly furnished for a consideration; and

(B) that are located in an economic enhancement district established under this chapter; and



1 **(2) liable for a special benefits assessment under this chapter**
 2 **for the property described in subdivision (1);**
 3 **may charge a fee of not more than one dollar (\$1) to each person**
 4 **who rents the lodgings described in subdivision (1) to be used**
 5 **toward payment of the special benefits assessment.**

6 SECTION 107. IC 36-7.5-6-5, AS ADDED BY P.L.195-2023,
 7 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2025]: Sec. 5. (a) In each state fiscal year beginning after June
 9 30, 2023, the city of Gary shall transfer up to three million dollars
 10 (\$3,000,000) to the development authority for deposit in the fund.

11 (b) In each state fiscal year beginning after June 30, 2023, and
 12 ending before July 1, 2025, the development authority shall deposit
 13 three million dollars (\$3,000,000) in the fund from reserve amounts
 14 held by the development authority.

15 (c) After June 30, 2025, but not later than July 1, ~~2026~~, **2027**, the
 16 development authority shall be reimbursed for all amounts deposited
 17 under subsection (b) using money in the fund. Budget committee
 18 review is not required for reimbursement under this subsection.

19 SECTION 108. IC 36-10-3-24, AS AMENDED BY P.L.236-2023,
 20 SECTION 212, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2025]: Sec. 24. (a) In order to raise money to
 22 pay for land to be acquired for any of the purposes named in this
 23 chapter, to pay for an improvement authorized by this chapter, or both,
 24 and in anticipation of the special benefit tax to be levied as provided in
 25 this chapter, the board shall cause to be issued, in the name of the unit,
 26 the bonds of the district. The bonds may not exceed in amount the total
 27 cost of all land to be acquired and all improvements described in the
 28 resolution, including all expenses necessarily incurred in connection
 29 with the proceedings, together with a sum sufficient to pay the costs of
 30 supervision and inspection during the period of construction of a work.
 31 The expenses to be covered in the bond issue include all expenses of
 32 every kind actually incurred preliminary to acquiring the land and the
 33 construction of the work, such as the cost of the necessary record,
 34 engineering expenses, publication of notices, preparation of bonds, and
 35 other necessary expenses. If more than one (1) resolution or proceeding
 36 of the board under section 23 of this chapter is confirmed whereby
 37 different parcels of land are to be acquired, or more than one (1)
 38 contract for work is let by the board at approximately the same time,
 39 the cost involved under all of the resolutions and proceedings may be
 40 included in one (1) issue of bonds.

41 (b) The bonds may be issued in any denomination not less than one
 42 thousand dollars (\$1,000) each, in not less than five (5) nor more than



forty (40) annual series. The bonds are payable one (1) series each year, beginning at a date after the receipt of taxes from a levy made for that purpose. The bonds are negotiable. The bonds may bear interest at any rate, payable semiannually. After adopting a resolution ordering bonds, the board shall certify a copy of the resolution to the unit's fiscal officer. The fiscal officer shall prepare the bonds, and the unit's executive shall execute them, attested by the fiscal officer.

(c) The bonds and the interest on them are exempt from taxation as prescribed by IC 6-8-5-1. Bonds issued under this section are subject to the provisions of IC 5-1 and IC 6-1.1-20 relating to:

- (1) the filing of a petition requesting the issuance of bonds;
- (2) the right of:
 - (A) taxpayers and voters to remonstrate against the issuance of bonds in the case of a proposed bond issue described by IC 6-1.1-20-3.1(a); or
 - (B) voters to vote on the issuance of bonds in the case of a proposed bond issue described by IC 6-1.1-20-3.5(a);
- (3) the appropriation of the proceeds of the bonds and approval by the department of local government finance; and
- (4) the sale of bonds at:
 - (A) a public sale for not less than their par value; or
 - (B) a negotiated sale. ~~after June 30, 2018, and before July 1, 2025.~~

(d) The board may not have bonds of the district issued under this section that are payable by special taxation when the total issue for that purpose, including the bonds already issued or to be issued, exceeds two percent (2%) of the adjusted value of the taxable property in the district as determined under IC 36-1-15. All bonds or obligations issued in violation of this subsection are void. The bonds are not obligations or indebtedness of the unit, but constitute an indebtedness of the district as a special taxing district. The bonds and interest are payable only out of a special tax levied upon all the property of the district as prescribed by this chapter. The bonds must recite the terms upon their face, together with the purposes for which they are issued.

SECTION 109. IC 36-10-8-16, AS AMENDED BY P.L.236-2023, SECTION 213, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 16. (a) A capital improvement may be financed in whole or in part by the issuance of general obligation bonds of the county or, if the board was created under IC 18-7-18 (before its repeal on February 24, 1982), also of the city, if the board determines that the estimated annual net income of the capital improvement, plus the estimated annual tax revenues to be derived



1 from any tax revenues made available for this purpose, will not be
 2 sufficient to satisfy and pay the principal of and interest on all bonds
 3 issued under this chapter, including the bonds then proposed to be
 4 issued.

5 (b) If the board desires to finance a capital improvement in whole
 6 or in part as provided in this section, it shall have prepared a resolution
 7 to be adopted by the county executive authorizing the issuance of
 8 general obligation bonds, or, if the board was created under IC 18-7-18
 9 (before its repeal on February 24, 1982), by the fiscal body of the city
 10 authorizing the issuance of general obligation bonds. The resolution
 11 must set forth an itemization of the funds and assets received by the
 12 board, together with the board's valuation and certification of the cost.
 13 The resolution must state the date or dates on which the principal of the
 14 bonds is payable, the maximum interest rate to be paid, and the other
 15 terms upon which the bonds shall be issued. The board shall submit the
 16 proposed resolution to the proper officers, together with a certificate to
 17 the effect that the issuance of bonds in accordance with the resolution
 18 will be in compliance with this section. The certificate must also state
 19 the estimated annual net income of the capital improvement to be
 20 financed by the bonds, the estimated annual tax revenues, and the
 21 maximum amount payable in any year as principal and interest on the
 22 bonds issued under this chapter, including the bonds proposed to be
 23 issued, at the maximum interest rate set forth in the resolution. The
 24 bonds issued may mature over a period not exceeding forty (40) years
 25 from the date of issue.

26 (c) Upon receipt of the resolution and certificate, the proper officers
 27 may adopt them and take all action necessary to issue the bonds in
 28 accordance with the resolution. An action to contest the validity of
 29 bonds issued under this section and sold at a public sale may not be
 30 brought after the fifteenth day following the receipt of bids for the
 31 bonds.

32 (d) The provisions of all general statutes relating to:

33 (1) the filing of a petition requesting the issuance of bonds and
 34 giving notice;

35 (2) the right of:

36 (A) taxpayers and voters to remonstrate against the issuance of
 37 bonds in the case of a proposed bond issue described by
 38 IC 6-1.1-20-3.1(a); or

39 (B) voters to vote on the issuance of bonds in the case of a
 40 proposed bond issue described by IC 6-1.1-20-3.5(a);

41 (3) the giving of notice of the determination to issue bonds;

42 (4) the giving of notice of a hearing on the appropriation of the



1 proceeds of bonds;

2 (5) the right of taxpayers to appear and be heard on the proposed
3 appropriation;

4 (6) the approval of the appropriation by the department of local
5 government finance; and

6 (7) the sale of bonds at a public sale or at a negotiated sale; ~~after~~
7 ~~June 30, 2018, and before July 1, 2025;~~

8 apply to the issuance of bonds under this section.

9 SECTION 110. IC 36-10-9-15, AS AMENDED BY P.L.236-2023,
10 SECTION 214, IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2025]: Sec. 15. (a) A capital improvement may
12 be financed in whole or in part by the issuance of general obligation
13 bonds of the county.

14 (b) If the board desires to finance a capital improvement in whole
15 or in part as provided in this section, it shall have prepared a resolution
16 to be adopted by the board of commissioners of the county authorizing
17 the issuance of general obligation bonds. The resolution must state the
18 date or dates on which the principal of the bonds is payable, the
19 maximum interest rate to be paid, and the other terms upon which the
20 bonds shall be issued. The board shall submit the proposed resolution
21 to the city-county legislative body for approval under IC 36-3-6-9,
22 together with a certificate to the effect that the issuance of bonds in
23 accordance with the resolution will be in compliance with this section.
24 The certificate must also state the estimated annual net income of the
25 capital improvement to be financed by the bonds, the estimated annual
26 tax revenues, and the maximum amount payable in any year as
27 principal and interest on the bonds issued under this chapter, including
28 the bonds proposed to be issued, at the maximum interest rate set forth
29 in the resolution. The bonds issued may mature over a period not
30 exceeding forty (40) years from the date of issue.

31 (c) If the city-county legislative body approves the issuance of
32 bonds under IC 36-3-6-9, the board shall submit the resolution to the
33 executive of the consolidated city, who shall review the resolution. If
34 the executive approves the resolution, the board shall take all action
35 necessary to issue the bonds in accordance with the resolution. An
36 action to contest the validity of bonds issued under this section and sold
37 at a public sale may not be brought after the fifteenth day following the
38 receipt of bids for the bonds.

39 (d) The provisions of all general statutes relating to:

40 (1) the filing of a petition requesting the issuance of bonds and
41 giving notice;

42 (2) the right of:



- 1 (A) taxpayers and voters to remonstrate against the issuance of
- 2 bonds in the case of a proposed bond issue described by
- 3 IC 6-1.1-20-3.1(a); or
- 4 (B) voters to vote on the issuance of bonds in the case of a
- 5 proposed bond issue described by IC 6-1.1-20-3.5(a);
- 6 (3) the giving of notice of the determination to issue bonds;
- 7 (4) the giving of notice of a hearing on the appropriation of the
- 8 proceeds of bonds;
- 9 (5) the right of taxpayers to appear and be heard on the proposed
- 10 appropriation;
- 11 (6) the approval of the appropriation by the department of local
- 12 government finance; and
- 13 (7) the sale of bonds at a public sale for not less than par value or
- 14 at a negotiated sale; ~~after June 30, 2018, and before July 1, 2025;~~

15 are applicable to the issuance of bonds under this section.

16 SECTION 111. IC 36-10-10-20, AS AMENDED BY P.L.236-2023,
 17 SECTION 215, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2025]: Sec. 20. (a) The bonds shall be executed
 19 by the president of the board, and the corporate seal of the authority
 20 shall be affixed and attested by the secretary of the board. The interest
 21 coupons attached to the bonds shall be executed by placing the
 22 facsimile signature of the treasurer on them. The bonds shall be sold by
 23 the board:

- 24 (1) at a public sale for not less than the par value; or
- 25 (2) alternatively, at a negotiated sale. ~~after June 30, 2018, and~~
- 26 ~~before July 1, 2025.~~

27 Notice of sale shall be published in accordance with IC 5-3-1.

28 (b) If the bonds are sold at a public sale, the board shall award the
 29 bonds to the highest bidder as determined by computing the total
 30 interest on the bonds from the date of issue to the dates of maturity and
 31 deducting the premium bid, if any, unless the board determines that no
 32 acceptable bid has been received. In that case the sale may be
 33 continued from day to day, not to exceed thirty (30) days. A bid may
 34 not be accepted that is lower than the highest bid received at the time
 35 fixed for sale in the bond sale notice.

36 (c) Any premium received from the sale of the bonds shall be used
 37 solely for the payment of principal and interest on the bonds. The board
 38 may also issue refunding bonds under IC 5-1-5.

39 SECTION 112. IC 36-10-11-21, AS AMENDED BY P.L.236-2023,
 40 SECTION 216, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2025]: Sec. 21. (a) The bonds shall be executed
 42 by the president of the board, and the corporate seal of the authority



shall be affixed and attested by the secretary of the board. The interest coupons attached to the bonds shall be executed by placing the facsimile signature of the treasurer on them. The bonds shall be sold by the board:

- (1) at public sale for not less than the par value; or
- (2) alternatively, at a negotiated sale. ~~after June 30, 2018, and before July 1, 2025.~~

Notice of sale shall be published in accordance with IC 5-3-1.

(b) If the bonds are sold at a public sale, the board shall award the bonds to the highest bidder as determined by computing the total interest on the bonds from the date of issue to the dates of maturity and deducting the premium bid, if any. If the bonds are not sold on the date fixed for the sale, the sale may be continued from day to day until a satisfactory bid has been received.

(c) Any premium received from the sale of the bonds shall be used solely for the payment of principal and interest on the bonds.

(d) Before the preparation of definitive bonds, temporary bonds may under like restrictions be issued with or without coupons, exchangeable for definitive bonds upon the issuance of the latter. The total amount of bonds issued by the authority under this section, when added to any loan or loans negotiated under section 22 of this chapter, may not exceed three million dollars (\$3,000,000).

SECTION 113. IC 36-10-13-8, AS AMENDED BY P.L.11-2023, SECTION 134, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) This section applies to school corporations in a county:

- (1) containing a consolidated city; or
- (2) **as of the 2020 federal decennial census**, having a population of more than ~~four hundred thousand (400,000)~~ **one hundred seventy five thousand (175,000)** and less than seven hundred thousand (700,000).

(b) Subject to subsection (c), the governing body of a school corporation may annually appropriate sums to be paid to cultural institutions that are reasonably commensurate with the educational and cultural contributions made by the institutions to the school corporation and the school corporation's students.

(c) Before a cultural institution may receive payments under this section, the president and secretary of the cultural institution must file with the school corporation an affidavit stating that the cultural institution meets the following requirements:

- (1) The governing ~~board~~ **body** has adopted a resolution that entitles a representative of the school corporation to attend and



1 speak at all meetings of the governing body.

2 (2) The cultural institution:

3 (A) admits the public to galleries, museums, and facilities at
4 reasonable times and allows public use of those facilities free
5 of charge; or

6 (B) provides alternative services free of charge to the public
7 instead of admission to those facilities.

8 The governing body of the school corporation shall judge whether
9 the alternative services are conducive to the education or cultural
10 development of the public.

11 (3) The cultural institution has a permanent location in the
12 municipality where the cultural institution conducts the cultural
13 institution's principal educational or cultural purpose.

14 (4) The cultural institution has no general taxing authority.

15 The affidavit must be filed at least thirty (30) days before a request for
16 an appropriation under this section.

17 **(d) To provide for a cultural institution under this section, the**
18 **governing body of a school corporation may impose a tax of not**
19 **more than five tenths of one cent (\$0.005) on each one hundred**
20 **dollars (\$100) of assessed valuation in the school corporation and**
21 **do the following:**

22 **(1) The school corporation shall deposit the proceeds of the**
23 **tax in a cultural institution fund. The cultural institution fund**
24 **shall be separate and distinct from the school corporation's**
25 **operation and education funds and may be used only to**
26 **provide funds for a cultural institution under this section.**

27 **(2) Subject to section 6 of this chapter, the governing body of**
28 **a school corporation may annually appropriate money in the**
29 **cultural institution fund to be paid in semiannual installments**
30 **to a cultural institution having facilities in the county.**

31 ~~(d)~~ (e) A cultural institution that complies with this section may
32 continue to receive payments under this section as long as the school
33 corporation appropriates sums for that purpose.

34 **(f) In the case of a school corporation with territory in more**
35 **than one (1) county, the governing body of the school corporation**
36 **may impose the property tax levy under this section only on real**
37 **and personal property in the school corporation's territory that is**
38 **located in the county described in subsection (a).**

39 **(g) The property tax rate and levy imposed under this chapter:**

40 **(1) must be certified by the department of local government**
41 **finance under IC 6-1.1-17-16; and**

42 **(2) are not considered part of the maximum permissible ad**



1 valorem property tax levy under IC 20-46-8-1 for the school
2 corporation's operations fund.

3 SECTION 114. [EFFECTIVE JANUARY 1, 2026] (a)
4 IC 6-1.1-8-24.5, IC 6-1.1-10-16, IC 6-1.1-10-18.5, and
5 IC 6-1.1-10-46, all as amended by this act, apply to assessment
6 dates after December 31, 2025.

7 (b) IC 6-1.1-10-51, as added by this act, applies to assessment
8 dates after December 31, 2025.

9 (c) This SECTION expires July 1, 2028.

10 SECTION 115. [EFFECTIVE JULY 1, 2025] (a) IC 36-7-40-6.5,
11 as added by this act, applies only to transactions occurring after
12 June 30, 2025.

13 (b) Except as provided in subsection (c), a transaction is
14 considered to have occurred after June 30, 2025, if the renting of
15 the property or payment furnished in the transaction is made after
16 June 30, 2025.

17 (c) Notwithstanding subsection (b), a transaction is considered
18 to have occurred before July 1, 2025, to the extent that:

19 (1) the agreement of the parties to the transaction is entered
20 into before July 1, 2025; and

21 (2) payment furnished in the transaction is made before July
22 1, 2025.

23 (d) This SECTION expires January 1, 2028.

24 SECTION 116. An emergency is declared for this act.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1427, 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:

Replace the effective dates in SECTIONS 1 through 2 with "[EFFECTIVE JANUARY 1, 2026]".

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 5-1-11-1, AS AMENDED BY P.L.236-2023, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. (a) Except as otherwise provided in this chapter or in the statute authorizing their issuance, all bonds issued by or in the name of counties, townships, cities, towns, school corporations, and special taxing districts, agencies or instrumentalities thereof, or by entities required to sell bonds pursuant to this chapter, whether the bonds are general obligations or issued in anticipation of the collection of special taxes or are payable out of revenues, may be sold:

- (1) at a public sale; or
- (2) alternatively, at a negotiated sale after June 30, 2018, and before July 1, ~~2025~~, **2027**, in the case of:
 - (A) counties;
 - (B) townships;
 - (C) cities;
 - (D) towns;
 - (E) taxing districts;
 - (F) special taxing districts; and
 - (G) school corporations.

(b) The word "bonds" as used in this chapter means any obligations issued by or in the name of any of the political subdivisions or bodies referred to in subsection (a), except obligations payable in the year in which they are issued, obligations issued in anticipation of the collection of delinquent taxes, and obligations issued in anticipation of the collection of frozen bank deposits.

(c) Notwithstanding any of the provisions of subsection (a) or any of the provisions of section 2 of this chapter, any bonds may be sold to the federal government or any agency thereof, at private sale and without a public offering.

SECTION 2. IC 5-1-11-6, AS AMENDED BY P.L.236-2023, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) In cases where other statutes authorize the



issuance and exchange of new bonds for the purpose of refunding or redeeming outstanding bonds for the payment of which no funds are available, it shall be the duty of the officers charged with issuance and exchange of the new bonds to cause the bonds to be offered:

- (1) at a public sale as provided in this chapter; or
- (2) alternatively, at a negotiated sale after June 30, 2018, and before July 1, ~~2025~~, **2027**, in the case of:
 - (A) counties;
 - (B) townships;
 - (C) cities;
 - (D) towns;
 - (E) taxing districts;
 - (F) special taxing districts; and
 - (G) school corporations.

(b) In cases where it is necessary to provide for the refunding of bonds or interest coupons maturing at various times over a period not exceeding six (6) months, the bodies and officials charged with the duty of issuing and selling the refunding bonds may, for the purpose of reducing the cost of issuance of the bonds, issue and sell one (1) issue of bonds in an amount sufficient to provide for the refunding of all of the bonds and interest coupons required to be refunded during the six (6) month period.

SECTION 3. IC 5-14-3.8-3.5, AS AMENDED BY P.L.156-2024, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3.5. (a) This section applies only to contracts that a political subdivision that is a taxing unit (as defined in IC 6-1.1-1-21) enters into after June 30, 2016.

(b) As used in this section, "contract" means a contract, agreement, or similar arrangement by any other name. The term includes all pages of a contract, any attachments to the contract, and any amendments, addendums, or extensions.

(c) **This subsection applies to a contract entered into before January 1, 2026.** Subject to subsection (d), a political subdivision shall upload a digital copy of a contract to the Indiana transparency website one (1) time if the total cost of the contract to the political subdivision exceeds fifty thousand dollars (\$50,000) during the term of the contract. This subsection applies to all contracts for any subject, purpose, or term, except that a political subdivision is not required to upload a copy of an employment contract between the political subdivision and an employee of the political subdivision. In the case of a collective bargaining agreement, the political subdivision shall upload a copy of the collective bargaining agreement and a copy of a



blank or sample individual employment contract. A political subdivision shall upload the contract not later than sixty (60) days after the date the contract is executed. If a political subdivision enters into a contract that the political subdivision reasonably expects when entered into will not exceed fifty thousand dollars (\$50,000) in cost to the political subdivision but at a later date determines or expects the contract to exceed fifty thousand dollars (\$50,000) in cost to the political subdivision, the political subdivision shall upload a copy of the contract within sixty (60) days after the date on which the political subdivision makes the determination or realizes the expectation that the contract will exceed fifty thousand dollars (\$50,000) in cost to the political subdivision.

(d) This subsection applies to a contract entered into before January 1, 2026. The **executive fiscal officer** of a political subdivision shall upload a digital copy to the Indiana transparency website of any contract, regardless of the total cost, that is:

- (1) related to the provision of fire services or emergency medical services; or
- (2) entered into with another unit or entity that provides fire services or emergency medical services.

A political subdivision shall upload the contract not later than sixty (60) days after the date the contract is executed. If a participating unit of a fire protection territory submits the agreement to establish the fire protection territory as required under this subsection, each of the participating units of the fire protection territory shall be considered to have complied with the requirements of this subsection.

(e) The executive body of a political subdivision may, by ordinance or resolution, identify ~~another an~~ individual **other than the fiscal officer of the political subdivision** ~~that is required~~ to upload contracts **as required** under ~~subsection (d)~~ **this section** and complete the attestation required under IC 6-1.1-17-5.4.

(f) Any ordinance or resolution adopted by the executive body of a political subdivision shall be submitted to the department of local government finance not later than five (5) days after the ordinance or resolution is passed.

(g) Nothing in this section prohibits the political subdivision from withholding any information in the contract that the political subdivision shall or may withhold from disclosure under IC 5-14-3. A political subdivision may redact or obscure signatures on a contract. The political subdivision is solely responsible for redacting information in the contract.

(h) This subsection applies to a contract entered into after



December 31, 2026. A political subdivision shall upload a digital copy of a contract to the Indiana transparency website one (1) time. This subsection applies to all contracts for any subject, purpose, or term, except that a political subdivision is not required to upload a copy of an employment contract between the political subdivision and an employee of the political subdivision. In the case of a collective bargaining agreement, the political subdivision shall upload a copy of the collective bargaining agreement and a copy of a blank or sample individual employment contract. A political subdivision shall upload the contract not later than sixty (60) days after the date the contract is executed.

SECTION 4. IC 5-14-3.8-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 10. Not later than December 31, 2026, the department shall develop and implement an application programming interface that would allow a political subdivision to upload multiple contracts at once directly from the political subdivision's network to the Indiana transparency website."**

Page 11, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 14. IC 6-1.1-17-5.4, AS ADDED BY P.L.156-2024, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5.4. (a) Not later than March 2 of each year, the **executive fiscal officer** of a political subdivision shall submit a statement to the department of local government finance attesting that the political subdivision uploaded any contract entered into during the immediately preceding year ~~related to the provision of fire services or emergency medical services~~ to the Indiana transparency website as required by ~~IC 5-14-3.8-3.5(d)~~. **IC 5-14-3.8-3.5.**

(b) The department of local government finance may not approve the budget of a political subdivision or a supplemental appropriation for a political subdivision until the political subdivision files the attestation under subsection (a).

SECTION 15. IC 6-1.1-17-20, AS AMENDED BY P.L.257-2013, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 20. (a) This section applies to each governing body of a taxing unit that is not comprised of a majority of officials who are elected to serve on the governing body. For purposes of this section, an individual who qualifies to be appointed to a governing body or serves on a governing body because of the individual's status as an elected official of another taxing unit shall be treated as an official who was not elected to serve on the governing body.

(b) As used in this section, "taxing unit" has the meaning set forth



in IC 6-1.1-1-21, except that the term does not include a public library or an entity whose tax levies are subject to review and modification by a city-county legislative body under IC 36-3-6-9.

(c) If:

(1) the assessed valuation of a taxing unit is entirely contained within a city or town; or

(2) the assessed valuation of a taxing unit is not entirely contained within a city or town but:

(A) the taxing unit was originally established by the city or town; or

(B) the majority of the individuals serving on the governing body of the taxing unit are appointed by the city or town;

the governing body shall submit its proposed budget and property tax levy to the city or town fiscal body. The proposed budget and levy shall be submitted to the city or town fiscal body in the manner prescribed by the department of local government finance before September 2 of a year.

(d) If subsection (c) does not apply, the governing body of the taxing unit shall submit its proposed budget and property tax levy to the county fiscal body in the county where the taxing unit has the most assessed valuation. The proposed budget and levy shall be submitted to the county fiscal body in the manner prescribed by the department of local government finance before September 2 of a year.

(e) The fiscal body of the city, town, or county (whichever applies) shall review each budget and proposed tax levy and adopt a final budget and tax levy for the taxing unit. The fiscal body may reduce or modify but not increase the proposed budget or tax levy.

(f) If a taxing unit fails to file the information required in subsection (c) or (d), whichever applies, with the appropriate fiscal body by the time prescribed by this section, ~~the most recent annual appropriations and annual tax levy of that taxing unit are continued for the ensuing budget year; when calculating the maximum ad valorem property tax levy under IC 6-1.1-18.5-3(a) for the taxing unit for the ensuing budget year, instead of multiplying the maximum levy growth quotient determined under IC 6-1.1-18.5-2(b) or IC 6-1.1-18.5-2(e) (as applicable) for the year by the taxing unit's maximum permissible ad valorem property tax levy for the preceding calendar year as prescribed in STEP TWO of IC 6-1.1-18.5-3(a), for purposes of STEP TWO of IC 6-1.1-18.5-3(a), the taxing unit's maximum permissible ad valorem property tax levy for the preceding calendar year must instead be multiplied by the result of the following:~~



STEP ONE: Determine:

- (A) the result of STEP FOUR of IC 6-1.1-18.5-2(b) or STEP FIVE of IC 6-1.1-18.5-2(e) (as applicable); minus
- (B) one (1).

STEP TWO: Multiply:

- (A) the STEP ONE result; by
- (B) eight-tenths (0.8).

STEP THREE: Add one (1) to the STEP TWO result.

However, if the taxing unit files the information as required in subsection (c) or (d), whichever applies, for the budget year immediately following the budget year for which the formula under this subsection is applied, when calculating the maximum ad valorem property tax levy under IC 6-1.1-18.5-3(a) for the taxing unit for the subsequent budget year, the taxing unit's maximum permissible ad valorem property tax levy must be calculated as if the formula under this subsection had not been applied for the affected budget year.

(g) If the appropriate fiscal body fails to complete the requirements of subsection (e) before the adoption deadline in section 5 of this chapter for any taxing unit subject to this section, ~~the most recent annual appropriations and annual tax levy of the city, town, or county, whichever applies, are continued for the ensuing budget year. when calculating the maximum ad valorem property tax levy under IC 6-1.1-18.5-3(a) for the city, town, or county for the ensuing budget year, instead of multiplying the maximum levy growth quotient determined under IC 6-1.1-18.5-2(b) or IC 6-1.1-18.5-2(e) (as applicable) for the year by the city's, town's, or county's maximum permissible ad valorem property tax levy for the preceding calendar year as prescribed in STEP TWO of IC 6-1.1-18.5-3(a), for purposes of STEP TWO of IC 6-1.1-18.5-3(a), the city's, town's, or county's maximum permissible ad valorem property tax levy for the preceding calendar year must instead be multiplied by the result of the following:~~

STEP ONE: Determine:

- (A) the result of STEP FOUR of IC 6-1.1-18.5-2(b) or STEP FIVE of IC 6-1.1-18.5-2(e) (as applicable); minus
- (B) one (1).

STEP TWO: Multiply:

- (A) the STEP ONE result; by
- (B) eight-tenths (0.8).

STEP THREE: Add one (1) to the STEP TWO result.

However, if the city, town, or county files the information as required in subsection (e) for the budget year immediately following the budget year for which the formula under this subsection is applied, when calculating the maximum ad valorem property tax levy under IC 6-1.1-18.5-3(a) for the city, town, or county for the subsequent budget year, the unit's maximum permissible ad valorem property tax levy must be calculated as if the formula under this subsection had not been applied for the affected budget year.

SECTION 16. IC 6-1.1-17-20.3, AS AMENDED BY P.L.38-2021, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 20.3. (a) Except as provided in section 20.4 of this chapter, this section applies only to the governing body of a public library that:

- (1) is not comprised of a majority of officials who are elected to serve on the governing body; and
- (2) has a percentage increase in the proposed budget for the taxing unit for the ensuing calendar year that is more than the result of:
 - (A) the maximum levy growth quotient determined under IC 6-1.1-18.5-2 for the ensuing calendar year, rounded to the nearest thousandth (0.001); minus
 - (B) one (1).

For purposes of this section, an individual who qualifies to be appointed to a governing body or serves on a governing body because of the individual's status as an elected official of another taxing unit shall be treated as an official who was not elected to serve on the governing body.

(b) This section does not apply to an entity whose tax levies are subject to review and modification by a city-county legislative body under IC 36-3-6-9.

(c) If:

- (1) the assessed valuation of a public library's territory is entirely contained within a city or town; or
- (2) the assessed valuation of a public library's territory is not entirely contained within a city or town but more than fifty percent (50%) of the assessed valuation of the public library's territory is contained within the city or town;

the governing body shall submit its proposed budget and property tax levy to the city or town fiscal body in the manner prescribed by the department of local government finance before September 2 of a year. However, the governing body shall submit its proposed budget and



property tax levy to the county fiscal body in the manner provided in subsection (d), rather than to the city or town fiscal body, if more than fifty percent (50%) of the parcels of real property within the jurisdiction of the public library are located outside the city or town.

(d) If subsection (c) does not apply or the public library's territory covers more than one (1) county, the governing body of the public library shall submit its proposed budget and property tax levy to the county fiscal body in the county where the public library has the most assessed valuation. The proposed budget and levy shall be submitted to the county fiscal body in the manner prescribed by the department of local government finance before September 2 of a year.

(e) The fiscal body of the city, town, or county (whichever applies) shall review each budget and proposed tax levy and adopt a final budget and tax levy for the public library. The fiscal body may reduce or modify but not increase the proposed budget or tax levy.

(f) If a public library fails to file the information required in subsection (c) or (d), whichever applies, with the appropriate fiscal body by the time prescribed by this section, ~~the most recent annual appropriations and annual tax levy of that public library are continued for the ensuing budget year.~~ **when calculating the maximum ad valorem property tax levy under IC 6-1.1-18.5-3(a) for the public library for the ensuing budget year, instead of multiplying the maximum levy growth quotient determined under IC 6-1.1-18.5-2(b) or IC 6-1.1-18.5-2(e) (as applicable) for the year by the public library's maximum permissible ad valorem property tax levy for the preceding calendar year as prescribed in STEP TWO of IC 6-1.1-18.5-3(a), for purposes of STEP TWO of IC 6-1.1-18.5-3(a), the public library's maximum permissible ad valorem property tax levy for the preceding calendar year must instead be multiplied by the result of the following:**

STEP ONE: Determine:

- (A) the result of STEP FOUR of IC 6-1.1-18.5-2(b) or STEP FIVE of IC 6-1.1-18.5-2(e) (as applicable); minus**
- (B) one (1).**

STEP TWO: Multiply:

- (A) the STEP ONE result; by**
- (B) eight-tenths (0.8).**

STEP THREE: Add one (1) to the STEP TWO result.

However, if the public library files the information as required in subsection (c) or (d), whichever applies, for the budget year immediately following the budget year for which the formula under this subsection is applied, when calculating the maximum ad



valorem property tax levy under IC 6-1.1-18.5-3(a) for the public library for the subsequent budget year, the public library's maximum permissible ad valorem property tax levy must be calculated as if the formula under this subsection had not been applied for the affected budget year.

(g) If the appropriate fiscal body fails to complete the requirements of subsection (e) before the adoption deadline in section 5 of this chapter for any public library subject to this section, ~~the most recent annual appropriations and annual tax levy of the city, town, or county, whichever applies;~~ are continued for the ensuing budget year: **when calculating the maximum ad valorem property tax levy under IC 6-1.1-18.5-3(a) for the city, town, or county for the ensuing budget year, instead of multiplying the maximum levy growth quotient determined under IC 6-1.1-18.5-2(b) or IC 6-1.1-18.5-2(e) (as applicable) for the year by the city's, town's, or county's maximum permissible ad valorem property tax levy for the preceding calendar year as prescribed in STEP TWO of IC 6-1.1-18.5-3(a), for purposes of STEP TWO of IC 6-1.1-18.5-3(a), the city's, town's, or county's maximum permissible ad valorem property tax levy for the preceding calendar year must instead be multiplied by the result of the following:**

STEP ONE: Determine:

- (A) the result of STEP FOUR of IC 6-1.1-18.5-2(b) or STEP FIVE of IC 6-1.1-18.5-2(e) (as applicable); minus**
- (B) one (1).**

STEP TWO: Multiply:

- (A) the STEP ONE result; by**
- (B) eight-tenths (0.8).**

STEP THREE: Add one (1) to the STEP TWO result.

However, if the city, town, or county files the information as required in subsection (e) for the budget year immediately following the budget year for which the formula under this subsection is applied, when calculating the maximum ad valorem property tax levy under IC 6-1.1-18.5-3(a) for the city, town, or county for the subsequent budget year, the unit's maximum permissible ad valorem property tax levy must be calculated as if the formula under this subsection had not been applied for the affected budget year.

SECTION 17. IC 6-1.1-18.5-31.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 31.5. (a) This section applies



only to Shelby County.

(b) The executive of the county may, after approval by the fiscal body of the county, submit a petition to the department of local government finance requesting an increase in the county's maximum permissible ad valorem property tax levy for property taxes first due and payable in 2026. A petition must be submitted not later than September 1, 2025.

(c) If the executive of the county submits a petition under subsection (b), the department of local government finance shall increase the county's maximum permissible ad valorem property tax levy for property taxes first due and payable in 2026. The amount of the increase under this section is equal to the difference between:

(1) the lesser of:

(A) the county's maximum permissible ad valorem property tax levy for property taxes first due and payable in 2025; or

(B) the ad valorem property tax levy adopted by the county fiscal body for property taxes first due and payable in 2025; and

(2) the county's ad valorem property tax levy as certified by the department of local government finance for property taxes first due and payable in 2025.

(d) The adjustment under this section is a temporary, one (1) time increase to the county's maximum permissible ad valorem property tax levy for purposes of this chapter.

(e) This section expires June 30, 2028.

SECTION 18. IC 6-1.1-18.5-32 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 32. (a) This section applies only to the Shelby County solid waste management district.**

(b) The board of directors of the solid waste management district may, upon approval by the county executive, submit a petition to the department of local government finance for an increase in the solid waste management district's maximum permissible ad valorem property tax levy for property taxes due and payable in 2026. A petition must be submitted not later than September 1, 2025.

(c) If a petition is submitted under subsection (b), the department of local government finance shall increase the solid waste management district's maximum permissible ad valorem property tax levy for property taxes due and payable in 2026. The



amount of the increase under this section is equal to the difference between:

(1) the lesser of:

(A) the solid waste management district's maximum permissible ad valorem property tax levy for property taxes first due and payable in 2025; or

(B) the ad valorem property tax levy adopted for the solid waste management district by the county fiscal body for property taxes first due and payable in 2025; and

(2) the solid waste management district's ad valorem property tax levy as certified by the department of local government finance for property taxes first due and payable in 2025.

(d) The adjustment under this section is a temporary, one (1) time increase to the solid waste management district's maximum permissible ad valorem property tax levy.

(e) This section expires June 30, 2028.

SECTION 19. IC 6-1.1-22-8.1, AS AMENDED BY P.L.159-2020, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8.1. (a) The county treasurer shall:

(1) except as provided in subsection (h), mail to the last known address of each person liable, **as described in subsection (o)**, for any property taxes or special assessment, as shown on the tax duplicate or special assessment records, or to the last known address of the most recent owner shown in the transfer book; and

(2) transmit by written, electronic, or other means to a mortgagee maintaining an escrow account for a person who is liable for any property taxes or special assessments, as shown on the tax duplicate or special assessment records;

a statement in the form required under subsection (b).

(b) The department of local government finance shall prescribe a form, subject to the approval of the state board of accounts, for the statement under subsection (a) that includes at least the following:

(1) A statement of the taxpayer's current and delinquent taxes and special assessments.

(2) A breakdown showing the total property tax and special assessment liability and the amount of the taxpayer's liability that will be distributed to each taxing unit in the county.

(3) An itemized listing for each property tax levy, including:

(A) the amount of the tax rate;

(B) the entity levying the tax owed; and

(C) the dollar amount of the tax owed.

(4) Information designed to show the manner in which the taxes



and special assessments billed in the tax statement are to be used.

(5) Information regarding how a taxpayer can obtain information regarding the taxpayer's notice of assessment or reassessment under IC 6-1.1-4-22.

(6) A comparison showing any change in the assessed valuation for the property as compared to the previous year.

(7) A comparison showing any change in the property tax and special assessment liability for the property as compared to the previous year. The information required under this subdivision must identify:

(A) the amount of the taxpayer's liability distributable to each taxing unit in which the property is located in the current year and in the previous year; and

(B) the percentage change, if any, in the amount of the taxpayer's liability distributable to each taxing unit in which the property is located from the previous year to the current year.

(8) An explanation of the following:

(A) Homestead credits under IC 6-1.1-20.4, IC 6-3.6-5, or another law that are available in the taxing district where the property is located.

(B) All property tax deductions that are available in the taxing district where the property is located.

(C) The procedure and deadline for filing for any available homestead credits under IC 6-1.1-20.4, IC 6-3.6-5, or another law and each deduction.

(D) The procedure that a taxpayer must follow to:

(i) appeal a current assessment; or

(ii) petition for the correction of an error related to the taxpayer's property tax and special assessment liability.

(E) The forms that must be filed for an appeal or a petition described in clause (D).

(F) The procedure and deadline that a taxpayer must follow and the forms that must be used if a credit or deduction has been granted for the property and the taxpayer is no longer eligible for the credit or deduction.

(G) Notice that an appeal described in clause (D) requires evidence relevant to the true tax value of the taxpayer's property as of the assessment date that is the basis for the taxes payable on that property.

The department of local government finance shall provide the explanation required by this subdivision to each county treasurer.



(9) A checklist that shows:

(A) homestead credits under IC 6-1.1-20.4, IC 6-3.6-5, or another law and all property tax deductions; and

(B) whether each homestead credit and property tax deduction applies in the current statement for the property transmitted under subsection (a).

(10) A remittance coupon indicating the payment amounts due at each payment due date and other information determined by the department of local government finance.

(c) The county treasurer shall mail or transmit the statement one (1) time each year on or before April 15. Whenever a person's tax liability for a year is due in one (1) installment under IC 6-1.1-7-7 or section 9 of this chapter, a statement that is mailed must include the date on which the installment is due and denote the amount of money to be paid for the installment. Whenever a person's tax liability is due in two (2) installments, a statement that is mailed must contain the dates on which the first and second installments are due and denote the amount of money to be paid for each installment. If a statement is returned to the county treasurer as undeliverable and the forwarding order is expired, the county treasurer shall notify the county auditor of this fact. Upon receipt of the county treasurer's notice, the county auditor may, at the county auditor's discretion, treat the property as not being eligible for any deductions under IC 6-1.1-12 or any homestead credits under IC 6-1.1-20.4 and IC 6-3.6-5.

(d) All payments of property taxes and special assessments shall be made to the county treasurer. The county treasurer, when authorized by the board of county commissioners, may open temporary offices for the collection of taxes in cities and towns in the county other than the county seat.

(e) The county treasurer, county auditor, and county assessor shall cooperate to generate the information to be included in the statement under subsection (b).

(f) The information to be included in the statement under subsection (b) must be simply and clearly presented and understandable to the average individual.

(g) After December 31, 2007, a reference in a law or rule to IC 6-1.1-22-8 (expired January 1, 2008, and repealed) shall be treated as a reference to this section.

(h) Transmission of statements and other information under this subsection applies in a county only if the county legislative body adopts an authorizing ordinance. Subject to subsection (i), in a county in which an ordinance is adopted under this subsection for property taxes



and special assessments, a person may, in any manner permitted by subsection (n), direct the county treasurer and county auditor to transmit the following to the person by electronic mail:

- (1) A statement that would otherwise be sent by the county treasurer to the person by regular mail under subsection (a)(1), including a statement that reflects installment payment due dates under section 9.5 or 9.7 of this chapter.
- (2) A provisional tax statement that would otherwise be sent by the county treasurer to the person by regular mail under IC 6-1.1-22.5-6.
- (3) A reconciling tax statement that would otherwise be sent by the county treasurer to the person by regular mail under any of the following:
 - (A) Section 9 of this chapter.
 - (B) Section 9.7 of this chapter.
 - (C) IC 6-1.1-22.5-12, including a statement that reflects installment payment due dates under IC 6-1.1-22.5-18.5.
- (4) Any other information that:
 - (A) concerns the property taxes or special assessments; and
 - (B) would otherwise be sent:
 - (i) by the county treasurer or the county auditor to the person by regular mail; and
 - (ii) before the last date the property taxes or special assessments may be paid without becoming delinquent.

The information listed in this subsection may be transmitted to a person by using electronic mail that provides a secure Internet link to the information.

(i) For property with respect to which more than one (1) person is liable for property taxes and special assessments, subsection (h) applies only if all the persons liable for property taxes and special assessments designate the electronic mail address for only one (1) individual authorized to receive the statements and other information referred to in subsection (h).

(j) The department of local government finance shall create a form to be used to implement subsection (h). The county treasurer and county auditor shall:

- (1) make the form created under this subsection available to the public;
- (2) transmit a statement or other information by electronic mail under subsection (h) to a person who files, on or before March 15, the form created under this subsection:
 - (A) with the county treasurer; or



- (B) with the county auditor; and
- (3) publicize the availability of the electronic mail option under this subsection through appropriate media in a manner reasonably designed to reach members of the public.
- (k) The form referred to in subsection (j) must:
 - (1) explain that a form filed as described in subsection (j)(2) remains in effect until the person files a replacement form to:
 - (A) change the person's electronic mail address; or
 - (B) terminate the electronic mail option under subsection (h);
 and
 - (2) allow a person to do at least the following with respect to the electronic mail option under subsection (h):
 - (A) Exercise the option.
 - (B) Change the person's electronic mail address.
 - (C) Terminate the option.
 - (D) For a person other than an individual, designate the electronic mail address for only one (1) individual authorized to receive the statements and other information referred to in subsection (h).
 - (E) For property with respect to which more than one (1) person is liable for property taxes and special assessments, designate the electronic mail address for only one (1) individual authorized to receive the statements and other information referred to in subsection (h).
- (l) The form created under subsection (j) is considered filed with the county treasurer or the county auditor on the postmark date or on the date it is electronically submitted. If the postmark is missing or illegible, the postmark is considered to be one (1) day before the date of receipt of the form by the county treasurer or the county auditor.
- (m) The county treasurer shall maintain a record that shows at least the following:
 - (1) Each person to whom a statement or other information is transmitted by electronic mail under this section.
 - (2) The information included in the statement.
 - (3) Whether the county treasurer received a notice that the person's electronic mail was undeliverable.
- (n) A person may direct the county treasurer and county auditor to transmit information by electronic mail under subsection (h) on a form prescribed by the department submitted:
 - (1) in person;
 - (2) by mail; or
 - (3) in an online format developed by the county and approved by



the department.

(o) **Liability, for purposes of subsection (a), means property taxes or special assessments that are greater than zero dollars (\$0).**

(p) **The county treasurer is not required to mail or transmit a statement for property that is exempt from taxation and does not have a reported assessed value.**

SECTION 20. IC 6-1.1-22-19 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 19. (a) This section applies to real property tax statements provided to taxpayers after December 31, 2025.**

(b) **In a manner determined by the department of local government finance, the department of local government finance shall include on the coupon page of the property tax statement prescribed by the department of local government finance educational information regarding the eligibility and procedures for the following deductions available to certain eligible taxpayers:**

(1) **The deduction for a person sixty-five (65) years of age or older under IC 6-1.1-12-9.**

(2) **The deduction for a veteran with a partial disability under IC 6-1.1-12-13.**

(3) **The deduction for a totally disabled veteran or a veteran who is at least sixty-two (62) years of age who is partially disabled under IC 6-1.1-12-14.**

(4) **The deduction for a disabled veteran under IC 6-1.1-12-14.5.**

(5) **The deduction for a surviving spouse of a veteran under IC 6-1.1-12-16.**

SECTION 21. IC 6-1.1-24-0.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 0.9. A tract or item of real property that a political subdivision owns may not be sold at a tax sale conducted under this chapter."**

Page 13, delete lines 38 through 42.

Delete pages 14 through 15.

Page 16, delete line 1, begin a new paragraph and insert:

"SECTION 23. IC 14-27-6-40, AS AMENDED BY P.L.236-2023, SECTION 127, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 40. The provisions of IC 5-1 and IC 6-1.1-20 relating to the following apply to proceedings under this chapter:**

(1) **The filing of a petition requesting the issuance of bonds and**



giving notice of the petition.

(2) The giving of notice of determination to issue bonds.

(3) The giving of notice of hearing on the appropriation of the proceeds of bonds and the right of taxpayers to appeal and be heard on the proposed appropriation.

(4) The approval of the appropriation by the department of local government finance.

(5) The right of:

(A) taxpayers and voters to remonstrate against the issuance of bonds in the case of a proposed bond issue described by IC 6-1.1-20-3.1(a); or

(B) voters to vote on the issuance of bonds in the case of a proposed bond issue described by IC 6-1.1-20-3.5(a).

(6) The sale of bonds at:

(A) a public sale for not less than the par value; or

(B) alternatively, a negotiated sale after June 30, 2018, and before July 1, ~~2025~~: **2027**.

SECTION 24. IC 20-48-1-4, AS AMENDED BY P.L.236-2023, SECTION 157, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) Bonds issued by a school corporation shall be sold:

(1) at a public sale; or

(2) alternatively, at a negotiated sale after June 30, 2018, and before July 1, ~~2025~~: **2027**.

(b) If the bonds are sold at a public sale, the bonds must be sold at:

(1) not less than par value;

(2) a public sale as provided by IC 5-1-11; and

(3) any rate or rates of interest determined by the bidding.

(c) This subsection does not apply to bonds for which a school corporation:

(1) after June 30, 2008, makes a preliminary determination as described in IC 6-1.1-20-3.1 or IC 6-1.1-20-3.5 or a decision as described in IC 6-1.1-20-5; or

(2) in the case of bonds not subject to IC 6-1.1-20-3.1, IC 6-1.1-20-3.5, or IC 6-1.1-20-5, adopts a resolution or ordinance authorizing the bonds after June 30, 2008.

If the net interest cost exceeds eight percent (8%) per year, the bonds must not be issued until the issuance is approved by the department of local government finance.

SECTION 25. IC 36-2-2-4, AS AMENDED BY P.L.201-2023, SECTION 265, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) This subsection does not



apply to the following counties:

- (1) A county having a population of more than ~~four hundred thousand (400,000)~~ **four hundred fifty thousand (450,000)** and less than seven hundred thousand (700,000).
- (2) A county having a population of more than one hundred eighty-five thousand (185,000) and less than three hundred thousand (300,000).

The executive shall divide the county into three (3) districts that are composed of contiguous territory and are reasonably compact. The district boundaries drawn by the executive must not cross precinct boundary lines and must divide townships only when a division is clearly necessary to accomplish redistricting under this section. If necessary, the county auditor shall call a special meeting of the executive to establish or revise districts.

(b) This subsection applies to a county having a population of more than ~~four hundred thousand (400,000)~~ **four hundred fifty thousand (450,000)** and less than seven hundred thousand (700,000). A county redistricting commission shall divide the county into three (3) single-member districts that comply with subsection (d). The commission is composed of:

- (1) the members of the Indiana election commission;
- (2) two (2) members of the senate selected by the president pro tempore, one (1) from each political party; and
- (3) two (2) members of the house of representatives selected by the speaker, one (1) from each political party.

The legislative members of the commission have no vote and may act only in an advisory capacity. A majority vote of the voting members is required for the commission to take action. The commission may meet as frequently as necessary to perform its duty under this subsection. The commission's members serve without additional compensation above that provided for them as members of the Indiana election commission, the senate, or the house of representatives.

(c) This subsection applies to a county having a population of more than one hundred eighty-five thousand (185,000) and less than three hundred thousand (300,000) that opts in to the system of county government described in subsection (d), sections 4.7(c) and 5(d)(2) of this chapter, IC 36-2-3-2(b), IC 36-2-3-4(c), and IC 36-2-3.5-1(2) by passing a resolution by a majority vote of its executive body not later than September 1, 2023. In the event the executive body of a county described in this subsection does not opt in by September 1, 2023, the county shall be governed by the general provisions of this chapter. The executive shall divide the county into three (3) single-member districts



that comply with subsection (d).

(d) Single-member districts established under subsection (b) or (c) must:

- (1) be compact, subject only to natural boundary lines (such as railroads, major highways, rivers, creeks, parks, and major industrial complexes);
- (2) contain, as nearly as is possible, equal population; and
- (3) not cross precinct lines.

(e) Except as provided by subsection (f), a division under subsection (a), (b), or (c) shall be made only at times permitted under IC 3-5-10.

(f) If the county executive or county redistricting commission determines that a division under subsection (e) is not required, the county executive or county redistricting commission shall adopt an ordinance recertifying that the districts as drawn comply with this section.

(g) Each time there is a division under subsection (e) or a recertification under subsection (f), the county executive or county redistricting commission shall file with the circuit court clerk of the county, not later than thirty (30) days after the division or recertification occurs, a map of the district boundaries:

- (1) adopted under subsection (e); or
- (2) recertified under subsection (f).

(h) The limitations set forth in this section are part of the ordinance, but do not have to be specifically set forth in the ordinance. The ordinance must be construed, if possible, to comply with this chapter. If a provision of the ordinance or an application of the ordinance violates this chapter, the invalidity does not affect the other provisions or applications of the ordinance that can be given effect without the invalid provision or application. The provisions of the ordinance are severable.

(i) IC 3-5-10 applies to a plan established under this section.

SECTION 26. IC 36-2-2-5, AS AMENDED BY P.L.201-2023, SECTION 267, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) To be eligible for election to the executive, a person must meet the qualifications prescribed by IC 3-8-1-21.

(b) A member of the executive must reside within:

- (1) the county as provided in Article 6, Section 6 of the Constitution of the State of Indiana; and
- (2) the district from which the member was elected.

(c) If the person does not remain a resident of the county and district after taking office, the person forfeits the office. The county fiscal body



shall declare the office vacant whenever a member of the executive forfeits office under this subsection.

(d) In a county having a population of:

- (1) more than ~~four hundred thousand (400,000)~~ **four hundred fifty thousand (450,000)** and less than seven hundred thousand (700,000); or
- (2) more than one hundred eighty-five thousand (185,000) and less than three hundred thousand (300,000) that opts in to the system of county government as described in section 4(c) of this chapter;

one (1) member of the executive shall be elected by the voters of each of the three (3) single-member districts established under section 4(b) or 4(c) of this chapter. In other counties, all three (3) members of the executive shall be elected by the voters of the whole county.

SECTION 27. IC 36-2-3.5-1, AS AMENDED BY P.L.201-2023, SECTION 270, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 1. This chapter applies to the following counties:

- (1) A county having a population of more than ~~four hundred thousand (400,000)~~ **four hundred fifty thousand (450,000)** and less than seven hundred thousand (700,000).
- (2) A county having a population of more than one hundred eighty-five thousand (185,000) and less than three hundred thousand (300,000) that opts in to the system of county government as described in IC 36-2-2-4(c).
- (3) Any other county not having a consolidated city, if both the county executive and the county fiscal body adopt identical ordinances providing for the county to be governed by this chapter beginning on a specified effective date.

SECTION 28. IC 36-3-5-8, AS AMENDED BY P.L.236-2023, SECTION 167, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) This section applies whenever a special taxing district of the consolidated city has the power to issue bonds, notes, or warrants.

(b) Before any bonds, notes, or warrants of a special taxing district may be issued, the issue must be approved by resolution of the legislative body of the consolidated city.

(c) Any bonds of a special taxing district must be issued in the manner prescribed by statute for that district, and the board of the department having jurisdiction over the district shall:

- (1) hold all required hearings;
- (2) adopt all necessary resolutions; and



(3) appropriate the proceeds of the bonds; in that manner. However, the legislative body shall levy each year the special tax required to pay the principal of and interest on the bonds and any bank paying charges.

(d) Notwithstanding any other statute, bonds of a special taxing district may:

- (1) be dated;
- (2) be issued in any denomination;
- (3) except as otherwise provided by IC 5-1-14-10, mature at any time or times not exceeding fifty (50) years after their date; and
- (4) be payable at any bank or banks;

as determined by the board. If the bonds are sold at a public sale, the interest rate or rates that the bonds will bear must be determined by bidding, notwithstanding IC 5-1-11-3.

(e) Bonds of a special taxing district are subject to the provisions of IC 5-1 and IC 6-1.1-20 relating to the following:

- (1) The filing of a petition requesting the issuance of bonds and giving notice of the petition.
- (2) The giving of notice of a hearing on the appropriation of the proceeds of bonds.
- (3) The right of taxpayers to appear and be heard on the proposed appropriation.
- (4) The approval of the appropriation by the department of local government finance.
- (5) The right of:
 - (A) taxpayers and voters to remonstrate against the issuance of bonds in the case of a proposed bond issue described by IC 6-1.1-20-3.1(a); or
 - (B) voters to vote on the issuance of bonds in the case of a proposed bond issue described by IC 6-1.1-20-3.5(a).
- (6) The sale of bonds at a public sale or at a negotiated sale after June 30, 2018, and before July 1, ~~2025~~ **2027**.
- (7) The maximum term or repayment period provided by IC 5-1-14-10.

SECTION 29. IC 36-7-18-31, AS AMENDED BY P.L.236-2023, SECTION 187, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 31. (a) Issues of bonds, notes, or warrants of a housing authority must be approved by the fiscal body of the unit after a public hearing, with notice of the time, place, and purpose of the hearing given by publication in accordance with IC 5-3-1. The bonds, notes, or warrants must then be authorized by resolution of the authority.



(b) After the bonds, notes, or warrants have been approved under subsection (a), they may be issued in one (1) or more series, with the:

- (1) dates;
- (2) maturities;
- (3) denominations;
- (4) form, either coupon or registered;
- (5) conversion or registration privileges;
- (6) rank or priority;
- (7) manner of execution;
- (8) medium of payment;
- (9) places of payment; and
- (10) terms of redemption, with or without premium;

provided by the resolution or its trust indenture or mortgage.

(c) The bonds, notes, or warrants shall be sold at a public sale under IC 5-1-11, for not less than par value, after notice published in accordance with IC 5-3-1. However, they may be sold at not less than par value to the federal government:

- (1) at private sale without any public advertisement; or
- (2) alternatively, at a negotiated sale after July 1, 2018, and before June 30, ~~2025~~ **2027**.

(d) If any of the commissioners or officers of the housing authority whose signatures appear on any bonds, notes, or warrants or coupons cease to be commissioners or officers before the delivery, exchange, or substitution of the bonds, notes, or warrants, their signatures remain valid and sufficient for all purposes, as if they had remained in office until the delivery, exchange, or substitution.

(e) Subject to provision for registration and notwithstanding any other law, any bonds, notes, or warrants issued under this chapter are fully negotiable.

(f) In any proceedings involving the validity or enforceability of any bond, note, or warrant of a housing authority or of its security, if the instrument states that it has been issued by the authority to aid in financing a housing project to provide dwelling accommodations for persons of low income, it shall be conclusively presumed to have been issued for that purpose and the project shall be conclusively presumed to have been planned, located, and constructed in accordance with this chapter.

SECTION 30. IC 36-7-40-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 6.5. A person who is:**

- (1) engaged in the business of renting or furnishing, for periods of less than thirty (30) days, any lodgings:



(A) in any hotel, motel, inn, tourist camp, tourist cabin, or any other place in which lodgings are regularly furnished for a consideration; and

(B) that are located in an economic enhancement district established under this chapter; and

(2) liable for a special benefits assessment under this chapter for the property described in subdivision (1);

may charge a fee of not more than one dollar (\$1) to each person who rents the lodgings described in subdivision (1) to be used toward payment of the special benefits assessment.

SECTION 31. IC 36-7.5-6-5, AS ADDED BY P.L.195-2023, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. (a) In each state fiscal year beginning after June 30, 2023, the city of Gary shall transfer up to three million dollars (\$3,000,000) to the development authority for deposit in the fund.

(b) In each state fiscal year beginning after June 30, 2023, and ending before July 1, 2025, the development authority shall deposit three million dollars (\$3,000,000) in the fund from reserve amounts held by the development authority.

(c) After June 30, 2025, but not later than July 1, ~~2026~~, **2027**, the development authority shall be reimbursed for all amounts deposited under subsection (b) using money in the fund. Budget committee review is not required for reimbursement under this subsection.

SECTION 32. IC 36-10-3-24, AS AMENDED BY P.L.236-2023, SECTION 212, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 24. (a) In order to raise money to pay for land to be acquired for any of the purposes named in this chapter, to pay for an improvement authorized by this chapter, or both, and in anticipation of the special benefit tax to be levied as provided in this chapter, the board shall cause to be issued, in the name of the unit, the bonds of the district. The bonds may not exceed in amount the total cost of all land to be acquired and all improvements described in the resolution, including all expenses necessarily incurred in connection with the proceedings, together with a sum sufficient to pay the costs of supervision and inspection during the period of construction of a work. The expenses to be covered in the bond issue include all expenses of every kind actually incurred preliminary to acquiring the land and the construction of the work, such as the cost of the necessary record, engineering expenses, publication of notices, preparation of bonds, and other necessary expenses. If more than one (1) resolution or proceeding of the board under section 23 of this chapter is confirmed whereby different parcels of land are to be acquired, or more than one (1)



contract for work is let by the board at approximately the same time, the cost involved under all of the resolutions and proceedings may be included in one (1) issue of bonds.

(b) The bonds may be issued in any denomination not less than one thousand dollars (\$1,000) each, in not less than five (5) nor more than forty (40) annual series. The bonds are payable one (1) series each year, beginning at a date after the receipt of taxes from a levy made for that purpose. The bonds are negotiable. The bonds may bear interest at any rate, payable semiannually. After adopting a resolution ordering bonds, the board shall certify a copy of the resolution to the unit's fiscal officer. The fiscal officer shall prepare the bonds, and the unit's executive shall execute them, attested by the fiscal officer.

(c) The bonds and the interest on them are exempt from taxation as prescribed by IC 6-8-5-1. Bonds issued under this section are subject to the provisions of IC 5-1 and IC 6-1.1-20 relating to:

- (1) the filing of a petition requesting the issuance of bonds;
- (2) the right of:
 - (A) taxpayers and voters to remonstrate against the issuance of bonds in the case of a proposed bond issue described by IC 6-1.1-20-3.1(a); or
 - (B) voters to vote on the issuance of bonds in the case of a proposed bond issue described by IC 6-1.1-20-3.5(a);
- (3) the appropriation of the proceeds of the bonds and approval by the department of local government finance; and
- (4) the sale of bonds at:
 - (A) a public sale for not less than their par value; or
 - (B) a negotiated sale after June 30, 2018, and before July 1, 2025: **2027.**

(d) The board may not have bonds of the district issued under this section that are payable by special taxation when the total issue for that purpose, including the bonds already issued or to be issued, exceeds two percent (2%) of the adjusted value of the taxable property in the district as determined under IC 36-1-15. All bonds or obligations issued in violation of this subsection are void. The bonds are not obligations or indebtedness of the unit, but constitute an indebtedness of the district as a special taxing district. The bonds and interest are payable only out of a special tax levied upon all the property of the district as prescribed by this chapter. The bonds must recite the terms upon their face, together with the purposes for which they are issued.

SECTION 33. IC 36-10-8-16, AS AMENDED BY P.L.236-2023, SECTION 213, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 16. (a) A capital improvement may



be financed in whole or in part by the issuance of general obligation bonds of the county or, if the board was created under IC 18-7-18 (before its repeal on February 24, 1982), also of the city, if the board determines that the estimated annual net income of the capital improvement, plus the estimated annual tax revenues to be derived from any tax revenues made available for this purpose, will not be sufficient to satisfy and pay the principal of and interest on all bonds issued under this chapter, including the bonds then proposed to be issued.

(b) If the board desires to finance a capital improvement in whole or in part as provided in this section, it shall have prepared a resolution to be adopted by the county executive authorizing the issuance of general obligation bonds, or, if the board was created under IC 18-7-18 (before its repeal on February 24, 1982), by the fiscal body of the city authorizing the issuance of general obligation bonds. The resolution must set forth an itemization of the funds and assets received by the board, together with the board's valuation and certification of the cost. The resolution must state the date or dates on which the principal of the bonds is payable, the maximum interest rate to be paid, and the other terms upon which the bonds shall be issued. The board shall submit the proposed resolution to the proper officers, together with a certificate to the effect that the issuance of bonds in accordance with the resolution will be in compliance with this section. The certificate must also state the estimated annual net income of the capital improvement to be financed by the bonds, the estimated annual tax revenues, and the maximum amount payable in any year as principal and interest on the bonds issued under this chapter, including the bonds proposed to be issued, at the maximum interest rate set forth in the resolution. The bonds issued may mature over a period not exceeding forty (40) years from the date of issue.

(c) Upon receipt of the resolution and certificate, the proper officers may adopt them and take all action necessary to issue the bonds in accordance with the resolution. An action to contest the validity of bonds issued under this section and sold at a public sale may not be brought after the fifteenth day following the receipt of bids for the bonds.

(d) The provisions of all general statutes relating to:

- (1) the filing of a petition requesting the issuance of bonds and giving notice;
- (2) the right of:
 - (A) taxpayers and voters to remonstrate against the issuance of bonds in the case of a proposed bond issue described by



IC 6-1.1-20-3.1(a); or

(B) voters to vote on the issuance of bonds in the case of a proposed bond issue described by IC 6-1.1-20-3.5(a);

(3) the giving of notice of the determination to issue bonds;

(4) the giving of notice of a hearing on the appropriation of the proceeds of bonds;

(5) the right of taxpayers to appear and be heard on the proposed appropriation;

(6) the approval of the appropriation by the department of local government finance; and

(7) the sale of bonds at a public sale or at a negotiated sale after June 30, 2018, and before July 1, ~~2025~~; **2027**;

apply to the issuance of bonds under this section.

SECTION 34. IC 36-10-9-15, AS AMENDED BY P.L.236-2023, SECTION 214, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. (a) A capital improvement may be financed in whole or in part by the issuance of general obligation bonds of the county.

(b) If the board desires to finance a capital improvement in whole or in part as provided in this section, it shall have prepared a resolution to be adopted by the board of commissioners of the county authorizing the issuance of general obligation bonds. The resolution must state the date or dates on which the principal of the bonds is payable, the maximum interest rate to be paid, and the other terms upon which the bonds shall be issued. The board shall submit the proposed resolution to the city-county legislative body for approval under IC 36-3-6-9, together with a certificate to the effect that the issuance of bonds in accordance with the resolution will be in compliance with this section. The certificate must also state the estimated annual net income of the capital improvement to be financed by the bonds, the estimated annual tax revenues, and the maximum amount payable in any year as principal and interest on the bonds issued under this chapter, including the bonds proposed to be issued, at the maximum interest rate set forth in the resolution. The bonds issued may mature over a period not exceeding forty (40) years from the date of issue.

(c) If the city-county legislative body approves the issuance of bonds under IC 36-3-6-9, the board shall submit the resolution to the executive of the consolidated city, who shall review the resolution. If the executive approves the resolution, the board shall take all action necessary to issue the bonds in accordance with the resolution. An action to contest the validity of bonds issued under this section and sold at a public sale may not be brought after the fifteenth day following the



receipt of bids for the bonds.

(d) The provisions of all general statutes relating to:

- (1) the filing of a petition requesting the issuance of bonds and giving notice;
- (2) the right of:
 - (A) taxpayers and voters to remonstrate against the issuance of bonds in the case of a proposed bond issue described by IC 6-1.1-20-3.1(a); or
 - (B) voters to vote on the issuance of bonds in the case of a proposed bond issue described by IC 6-1.1-20-3.5(a);
- (3) the giving of notice of the determination to issue bonds;
- (4) the giving of notice of a hearing on the appropriation of the proceeds of bonds;
- (5) the right of taxpayers to appear and be heard on the proposed appropriation;
- (6) the approval of the appropriation by the department of local government finance; and
- (7) the sale of bonds at a public sale for not less than par value or at a negotiated sale after June 30, 2018, and before July 1, ~~2025~~; **2027**;

are applicable to the issuance of bonds under this section.

SECTION 35. IC 36-10-10-20, AS AMENDED BY P.L.236-2023, SECTION 215, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 20. (a) The bonds shall be executed by the president of the board, and the corporate seal of the authority shall be affixed and attested by the secretary of the board. The interest coupons attached to the bonds shall be executed by placing the facsimile signature of the treasurer on them. The bonds shall be sold by the board:

- (1) at a public sale for not less than the par value; or
- (2) alternatively, at a negotiated sale after June 30, 2018, and before July 1, ~~2025~~; **2027**.

Notice of sale shall be published in accordance with IC 5-3-1.

(b) If the bonds are sold at a public sale, the board shall award the bonds to the highest bidder as determined by computing the total interest on the bonds from the date of issue to the dates of maturity and deducting the premium bid, if any, unless the board determines that no acceptable bid has been received. In that case the sale may be continued from day to day, not to exceed thirty (30) days. A bid may not be accepted that is lower than the highest bid received at the time fixed for sale in the bond sale notice.

(c) Any premium received from the sale of the bonds shall be used



solely for the payment of principal and interest on the bonds. The board may also issue refunding bonds under IC 5-1-5.

SECTION 36. IC 36-10-11-21, AS AMENDED BY P.L.236-2023, SECTION 216, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 21. (a) The bonds shall be executed by the president of the board, and the corporate seal of the authority shall be affixed and attested by the secretary of the board. The interest coupons attached to the bonds shall be executed by placing the facsimile signature of the treasurer on them. The bonds shall be sold by the board:

- (1) at public sale for not less than the par value; or
- (2) alternatively, at a negotiated sale after June 30, 2018, and before July 1, ~~2025~~: **2027**.

Notice of sale shall be published in accordance with IC 5-3-1.

(b) If the bonds are sold at a public sale, the board shall award the bonds to the highest bidder as determined by computing the total interest on the bonds from the date of issue to the dates of maturity and deducting the premium bid, if any. If the bonds are not sold on the date fixed for the sale, the sale may be continued from day to day until a satisfactory bid has been received.

(c) Any premium received from the sale of the bonds shall be used solely for the payment of principal and interest on the bonds.

(d) Before the preparation of definitive bonds, temporary bonds may under like restrictions be issued with or without coupons, exchangeable for definitive bonds upon the issuance of the latter. The total amount of bonds issued by the authority under this section, when added to any loan or loans negotiated under section 22 of this chapter, may not exceed three million dollars (\$3,000,000)."

Page 16, line 7, after "(2)" insert "**as of the 2020 federal decennial census**".

Page 17, after line 11, begin a new paragraph and insert:

"(f) In the case of a school corporation with territory in more than one (1) county, the governing body of the school corporation may impose the property tax levy under this section only on real and personal property in the school corporation's territory that is located in the county described in subsection (a).

(g) The property tax rate and levy imposed under this chapter:

- (1) must be certified by the department of local government finance under IC 6-1.1-17-16; and**
- (2) are not considered part of the maximum permissible ad valorem property tax levy under IC 20-46-8-1 for the school corporation's operations fund.**



SECTION 38. [EFFECTIVE JULY 1, 2025] (a) IC 36-7-40-6.5, as added by this act, applies only to transactions occurring after June 30, 2025.

(b) Except as provided in subsection (c), a transaction is considered to have occurred after June 30, 2025, if the renting of the property or payment furnished in the transaction is made after June 30, 2025.

(c) Notwithstanding subsection (b), a transaction is considered to have occurred before July 1, 2025, to the extent that:

- (1) the agreement of the parties to the transaction is entered into before July 1, 2025; and**
- (2) payment furnished in the transaction is made before July 1, 2025.**

(d) This SECTION expires January 1, 2028.

SECTION 39. An emergency is declared for this act."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1427 as introduced.)

THOMPSON

Committee Vote: yeas 23, nays 0.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1427 be amended to read as follows:

Page 26, between lines 35 and 36, begin a new paragraph and insert:
"SECTION 22. IC 6-1.1-24-17.5, AS AMENDED BY P.L.159-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 17.5. (a) This section does not apply to real property:

- (1) used as a principal place of residence and receiving a homestead standard deduction under IC 6-1.1-12-37 for the most recent assessment date; or**
- (2) for which a set off has been obtained under IC 6-8.1-9.5 against the delinquent debt owed on the real property.**

This subsection includes any real property adjacent to and under the

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same ownership as the homestead real property described in subdivision (1).

(b) This section applies only to real property that has been offered for sale by the county at two (2) or more public tax sales held under this chapter.

(c) For purposes of this section, "county executive" refers to:

- (1) in a county containing a consolidated city, the board of commissioners as provided in IC 36-3-3-10; and
- (2) in all other counties, the board of commissioners.

(d) For purposes of this section, "eligible nonprofit entity" means an organization exempt from federal income tax under 26 U.S.C. 501(c)(3) that is either:

- (1) an entity that:
 - (A) acquires real property to stabilize and provide future home ownership opportunities to those who would not otherwise be financially capable of purchasing a home;
 - (B) has the organizational capacity and community experience necessary to successfully undertake community development projects;
 - (C) has been organized and in operation for at least five (5) years; and
 - (D) has each year of the immediately preceding two (2) years, rehabilitated and transferred at least one (1) single family dwelling to a low or moderate income household for use as a residence; or
- (2) a community development corporation (as defined in IC 4-4-28-2).

(e) For purposes of this section, "low or moderate income household" means a household having an income equal to or less than the Section 8 low income limit established by the United States Department of Housing and Urban Development.

(f) A county treasurer may, as a separate part of a regularly scheduled sale conducted under section 5 of this chapter, offer for sale a tract or item of real property, subject to the right of redemption, to an eligible nonprofit entity for purposes of a project for the development of low or moderate income housing, using either:

- (1) the sale process under section 5 of this chapter; or
- (2) a procedure developed and implemented by resolution of the county executive that conforms in all material respects to the procedures under section 5 of this chapter.

(g) Not more than five percent (5%) of the number of parcels listed for sale under section 5 of this chapter may be made available for sale



to eligible nonprofit entities under subsection (f). However, an eligible nonprofit entity may acquire not more than ten (10) parcels made available for sale under subsection (f).

(h) To participate in a sale under subsection (f), an eligible nonprofit entity must file, not later than forty-five (45) days prior to the advertised date of the sale under section 5 of this chapter:

(1) an application to the county executive, signed by an officer or member of the eligible nonprofit entity, that includes:

(A) the address or parcel number of the tract or item of real property the entity desires to acquire;

(B) the intended use of the tract or item of real property;

(C) the time period anticipated for implementation of the intended use; and

(D) any additional information required by the county executive and communicated to potential applicants in advance that demonstrates the entity meets the definition of an eligible nonprofit entity under subsection (d); and

(2) documentation verifying:

(A) the entity's federal tax exempt status; and

(B) the entity's good standing in Indiana as determined by the secretary of state.

(i) If an eligible nonprofit entity takes possession of a tax sale certificate under this section, the eligible nonprofit entity acquires the same rights and obligations as a purchaser under section 6.1 of this chapter. However, if an eligible nonprofit entity obtains a tax deed after the expiration of the redemption period specified under IC 6-1.1-25, the eligible nonprofit entity shall first offer an occupant of the parcel the opportunity to purchase the parcel.

(j) If an eligible nonprofit entity uses a tract or item of real property obtained under this section for a purpose other than the development of low or moderate income housing, the tract or item of real property is subject to forfeiture.

~~(k) Before January 1, 2023, and before each January 1 thereafter, the county executive shall provide an annual report to the legislative council in an electronic format under IC 5-14-6 concerning the tax sale program established by this section."~~

Renumber all SECTIONS consecutively.

(Reference is to HB 1427 as printed February 13, 2025.)

GORE



HOUSE MOTION

Mr. Speaker: I move that House Bill 1427 be amended to read as follows:

Page 29, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 23. IC 6-3.6-7-21, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2025 (RETROACTIVE)]: Sec. 21. (a) This section applies only to Starke County.

(b) Starke County possesses unique governmental and economic development challenges due to:

- (1) the county's predominantly rural geography, demography, and economy;
- (2) the county's relatively low tax base and relatively high property tax rates;
- (3) the current maximum capacity of the county jail, which was constructed in 1976; and
- (4) pending federal class action litigation seeking a mandate to address capacity and living conditions in the county jail.

The use of a tax under this section is necessary for the county to address jail capacity and appropriate inmate living conditions and to maintain low property tax rates essential to economic development. The use of a tax under this section for the purposes described in this section promotes these purposes.

(c) The county fiscal body may impose a tax on the adjusted gross income of local taxpayers at a tax rate that does not exceed the lesser of the following:

- (1) Sixty-five hundredths percent (0.65%).
- (2) The rate necessary to carry out the purposes described in this section.

(d) Revenue from a tax under this section may be used only for the following purposes:

- (1) To finance, construct, acquire, and equip the county jail and related buildings and parking facilities, including costs related to the demolition of existing buildings, the acquisition of land, and any other reasonably related costs.
- (2) To repay bonds issued or leases entered into for constructing, acquiring, and equipping the county jail and related buildings and parking facilities, including costs related to the demolition of existing buildings, the acquisition of land, and any other reasonably related costs.
- (3) **To operate and maintain the facilities described in**



subdivision (1).

(e) The tax imposed under this section may be imposed only until the last of the following dates:

(1) The date on which the purposes described in subsection (d)(1) are completed.

(2) The date on which the last of any bonds issued (including any refunding bonds) or leases described in subsection (d)(2) are fully paid.

The term of the bonds issued (including any refunding bonds) or a lease entered into under subsection (d)(2) may not exceed twenty-five (25) years."

Renumber all SECTIONS consecutively.

(Reference is to HB 1427 as printed February 13, 2025.)

PRESSEL

COMMITTEE REPORT

Mr. President: The Senate Committee on Tax and Fiscal Policy, to which was referred House Bill No. 1427, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

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

Replace the effective dates in SECTIONS 10 through 11 with "[EFFECTIVE JANUARY 1, 2026]".

Page 1, line 11, after "sale" insert ",".

Page 1, line 11, strike "after June 30, 2018, and".

Page 1, line 12, strike "before July 1,".

Page 1, line 12, delete "2027,".

Page 2, line 21, after "sale" insert ",".

Page 2, line 21, strike "after June 30, 2018, and".

Page 2, line 22, strike "before July 1,".

Page 2, line 22, delete "2027,".

Page 3, line 5, delete "This subsection applies to a contract entered into before".

Page 3, line 6, delete "January 1, 2026.".

Page 3, line 28, delete "This subsection applies to a contract entered into before".

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Page 3, line 29, delete "January 1, 2026."

Page 4, delete lines 15 through 33.

Page 7, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 10. IC 6-1.1-8-24.5, AS ADDED BY P.L.191-2021, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2026]: Sec. 24.5. The department of local government finance shall annually determine and release a solar land base rate for the north region, the central region, and the south region of the state as follows:

(1) For each region, the department shall determine the median true tax value per acre of all land in the region classified under the utility property class codes of the department of local government finance for the immediately preceding assessment date. **For purposes of these determinations, the department shall exclude any land classified under the department's utility property class codes that is assessed using the agricultural base rate for the immediately preceding assessment date.**

(2) The department shall release the department's annual determination of the solar land base rates on or before December 1 of each year."

Page 11, delete lines 40 through 42, begin a new paragraph and insert:

"(p) **Property used by** a for-profit provider of early childhood education services to children who are ~~at least four (4)~~ but less than six (6) years of age on the annual assessment date may receive the exemption provided by this section for property used for educational purposes only if all the requirements of section 46 of this chapter are satisfied. ~~A for-profit provider of early childhood education services that provides the services only to children younger than four (4) years of age may not receive the exemption provided by this section for property used for educational purposes.~~"

Page 12, delete lines 1 through 6.

Page 12, line 9, after "entity" insert **"that charges an entry fee of not more than five hundred thousand dollars (\$500,000)".**

Page 12, line 13, delete "or".

Page 12, line 15, after "IC 16-28" delete "." and insert "; or

(4) licensed under IC 31-27 and designated as a qualified residential treatment provider that provides services under a contract with the department of child services."

Page 12, line 41, after "IC 16-18-2-331.9," insert **"a qualified residential treatment provider listed in section 16(q)(4) of this chapter,"**



Page 13, between lines 15 and 16, begin a new paragraph and insert:
 "SECTION 16. IC 6-1.1-10-46, AS AMENDED BY P.L.130-2018, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2026]: Sec. 46. ~~(a)~~ Tangible property owned, occupied, or used by a for-profit provider of early childhood education services to children who are ~~at least four (4)~~ but less than six (6) years of age is exempt from property taxation under section 16 of this chapter only if all the following requirements are satisfied:

- ~~(1) The primary purpose of the provider is educational.~~
- ~~(2) (1) The provider, or a parent company, subsidiary, or affiliate company of the provider, is the property owner. and~~
- ~~(2) The provider also~~ predominantly occupies and uses the tangible property for providing early childhood education services to children who are ~~at least four (4)~~ but less than six (6) years of age.
- (3) The provider meets the standards of quality recognized by a Level 3 or Level 4 Paths to QUALITY program rating under IC 12-17.2-2-14.2 or has a comparable rating from a nationally recognized accrediting body.
- (4) The provider offers age appropriate curriculum for all children who are less than six (6) years of age, including infants, who attend the child care facility. The curriculum offered must include reading to the children.**

However, the exemption provided by this section does not apply to tangible property that has been granted a homestead standard deduction under IC 6-1.1-12-37.

If the property owner provides early childhood education services to children who are ~~at least four (4)~~ but less than six (6) years of age and to children younger than four (4) years of age, the amount of the exemption must be on that part of the assessment of the property that bears the same proportion to the total assessment of the property as the percentage of the property owner's enrollment count of children who are ~~at least four (4)~~ but less than six (6) years of age compared to the property owner's total enrollment count of children of all ages:

(b) For purposes of this section, the annual assessment date or, if the annual assessment date is not a business day for the property owner, the business day closest to the annual assessment date, must be used for the enrollment count under this section. However, a property owner that believes that the enrollment count on this date for a particular year does not accurately represent the property owner's normal enrollment count for that year may appeal to the county assessor for a change in the date to be used under this section for that year. The appeal must be filed on



or before the deadline for filing an exemption under section 16 of this chapter. If the county assessor finds that the property owner's appeal substantiates that the property owner's normal enrollment count is not accurately represented by using the required date, the assessor shall establish an alternate date to be used for that year that represents the property owner's normal enrollment count for that year.

SECTION 17. IC 6-1.1-10-51 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2026]: **Sec. 51. (a) As used in this section, "child care" has the meaning set forth in IC 12-7-2-28.2.**

(b) As used in this section, "early learning advisory committee" refers to the early learning advisory committee established by IC 12-17.2-3.8-5.

(c) As used in this section, "employer" means any person, corporation, limited liability company, partnership, or other entity with employees employed at a physical location in Indiana. The term includes a pass through entity. However, the term does not include an employer who is in the business of operating a child care facility.

(d) As used in this section, "office" refers to the office of the secretary of family and social services established by IC 12-8-1.5-1.

(e) The part of the gross assessed value of tangible property that is attributable to tangible property owned and used by an employer, or a parent company, subsidiary, or affiliate company of an employer, to provide child care for children of the employer's employees and children of the employees of another business in accordance with an agreement entered into under subsection (g) is exempt from property taxation if the following conditions are met:

- (1) The child care is provided in a facility located on the employer's property.**
- (2) Subject to subsection (g), the child care is provided only for children of the employer's employees.**
- (3) The child care facility is licensed by the division of family resources under IC 12-17.2.**
- (4) The part of the employer's property used to provide child care meets standards established by the office and the early learning advisory committee for the number of children to be served by the child care facility.**

(f) The child care facility may be operated by the employer or under a contract described in Section 45F(c)(1)(A)(iii) of the Internal Revenue Code to provide child care services to the employer's employees.



(g) An employer may provide child care in a facility described in subsection (e)(1) for the children of the employees of another business if the employer and the other business enter into an agreement that outlines the terms under which the child care is to be provided to the children of the employees of the other business.

SECTION 19. IC 6-1.1-15-3, AS AMENDED BY P.L.154-2020, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. (a) A taxpayer may obtain a review by the Indiana board of:

- (1) a county board's action with respect to a claim under section 1.1 of this chapter; or
- (2) a denial by the county auditor, the county assessor, or the county treasurer of a claim for refund under IC 6-1.1-9-10(c)(2) that is appealed to the Indiana board as authorized in IC 6-1.1-26-2.1(d)(2).

(b) The county assessor is the party to a review under subsection (a)(1) to defend the determination of the county board. The county auditor may appear as an additional party to the review if the determination concerns a matter that is in the discretion of the county auditor. At the time the notice of that determination is given to the taxpayer, the taxpayer shall also be informed in writing of:

- (1) the taxpayer's opportunity for review under subsection (a)(1); and
- (2) the procedures the taxpayer must follow in order to obtain review under this section.

(c) A county assessor who dissents from the determination of the county board may obtain a review by the Indiana board. A county auditor who dissents from the determination of the county board concerning a matter that is in the discretion of the county auditor may obtain a review by the Indiana board.

(d) In order to obtain a review by the Indiana board under subsection (a)(1), the party must, not later than forty-five (45) days after the date of the notice given to the party or parties of the determination of the county board:

- (1) file a petition for review with the Indiana board; and
- (2) ~~mail serve~~ **serve** a copy of the petition ~~to on~~ the other party.

(e) The Indiana board shall prescribe the form of the petition for review under this chapter. The Indiana board shall issue instructions for completion of the form. The form and the instructions must be clear, simple, and understandable to the average individual. A petition for review of such a determination must be made on the form prescribed by the Indiana board. The form must require the petitioner to specify



the reasons why the petitioner believes that the determination by the county board is erroneous.

(f) If the action for which a taxpayer seeks review under this section is the assessment of tangible property, the taxpayer is not required to have an appraisal of the property in order to do the following:

- (1) Initiate the review.
- (2) Prosecute the review.

(g) If an owner petitions the Indiana board under IC 6-1.1-11-7(d), the Indiana board is authorized to approve or disapprove an exemption application:

- (1) previously submitted to a county board under IC 6-1.1-11-6; and
- (2) that is not approved or disapproved by the county board within one hundred eighty (180) days after the owner filed the application for exemption under IC 6-1.1-11.

The county assessor is a party to a petition to the Indiana board under IC 6-1.1-11-7(d).

(h) This subsection applies only to the review by the Indiana board of a denial of a refund claim described in subsection (a)(2). The county assessor is the party to a review under subsection (a)(2) to defend the denial of the refund under IC 6-1.1-26-2.1. In order to obtain a review by the Indiana board under subsection (a)(2), the taxpayer must, within forty-five (45) days of the notice of denial under IC 6-1.1-26-2.1(d):

- (1) file a petition for review with the Indiana board; and
- (2) ~~mail serve~~ a copy of the petition ~~to~~ **on** the county auditor.

SECTION 20. IC 6-1.1-15-4, AS AMENDED BY P.L.156-2020, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 4. (a) After receiving a petition for review which is filed under section 3 of this chapter, the Indiana board shall conduct a hearing at its earliest opportunity. The Indiana board may correct any errors related to a claim under section 1.1 of this chapter that is within the jurisdiction of the Indiana board under IC 6-1.5-4-1.

(b) If the Indiana board conducts a site inspection of the property as part of its review of the petition, the Indiana board shall give notice to all parties of the date and time of the site inspection. The Indiana board is not required to assess the property in question. The Indiana board shall give notice of the date fixed for the hearing, by mail, to the parties or a party's representative. The Indiana board shall give these notices at least thirty (30) days before the day fixed for the hearing unless the parties agree to a shorter period. With respect to a petition for review filed by a county assessor, the county board that made the determination under review under this section may file an amicus



curiae brief in the review proceeding under this section. The expenses incurred by the county board in filing the amicus curiae brief shall be paid from the property reassessment fund under IC 6-1.1-4-27.5 of the county in which the property is located. The executive of a taxing unit may file an amicus curiae brief in the review proceeding under this section if the property that is the subject of the appeal is subject to assessment by that taxing unit.

(c) If a petition for review does not comply with the Indiana board's instructions for completing the form prescribed under section 3 of this chapter, the Indiana board shall ~~return the petition to the petitioner and include~~ serve a notice describing the defect in the petition. The petitioner then has thirty (30) days from the date on the notice to cure the defect and file a corrected petition. The Indiana board shall deny a corrected petition for review if it does not substantially comply with the Indiana board's instructions for completing the form prescribed under section 3 of this chapter.

(d) After the hearing, the Indiana board shall give the parties and any entity that filed an amicus curiae brief, or their representatives:

- (1) notice ~~by mail~~; of its final determination; and
- (2) for parties entitled to appeal the final determination, notice of the procedures they must follow in order to obtain court review under section 5 of this chapter.

(e) The Indiana board shall conduct a hearing not later than one (1) year after a petition in proper form is filed with the Indiana board.

(f) The Indiana board shall issue a determination not later than the later of:

- (1) ninety (90) days after the hearing; or
- (2) the date set in an extension order issued by the Indiana board. The board may not extend the date by more than one hundred eighty (180) days.

(g) The time periods described in subsections (e) and (f) do not include any period of time that is attributable to a party's:

- (1) request for a continuance, stay, extension, or summary disposition;
- (2) consent to a case management order, stipulated record, or proposed hearing date;
- (3) failure to comply with the board's orders or rules; or
- (4) waiver of a deadline.

(h) If the Indiana board fails to take action required under subsection (e) or (f), the entity that initiated the petition may:

- (1) take no action and wait for the Indiana board to hear the matter and issue a final determination; or



(2) petition for judicial review under section 5 of this chapter.

(i) This subsection applies when the board has not held a hearing. A person may not seek judicial review under subsection (h)(2) until:

- (1) the person requests a hearing in writing; and
- (2) sixty (60) days have passed after the person requests a hearing under subdivision (1) and the matter has not been heard or otherwise extended under subsection (g).

(j) A final determination must include separately stated findings of fact for all aspects of the determination. Findings of ultimate fact must be accompanied by a concise statement of the underlying basic facts of record to support the findings. Findings must be based exclusively upon the evidence on the record in the proceeding and on matters officially noticed in the proceeding. Findings must be based upon a preponderance of the evidence.

(k) The Indiana board may limit the scope of the appeal to the issues raised in the petition and the evaluation of the evidence presented to the county board in support of those issues only if all parties participating in the hearing required under subsection (a) agree to the limitation. A party participating in the hearing required under subsection (a) is entitled to introduce evidence that is otherwise proper and admissible without regard to whether that evidence has previously been introduced at a hearing before the county board.

(l) The Indiana board may require the parties to the appeal:

- (1) to file not more than five (5) business days before the date of the hearing required under subsection (a) documentary evidence or summaries of statements of testimonial evidence; and
- (2) to file not more than fifteen (15) business days before the date of the hearing required under subsection (a) lists of witnesses and exhibits to be introduced at the hearing.

(m) A party to a proceeding before the Indiana board shall provide to all other parties to the proceeding the information described in subsection (l) if the other party requests the information in writing at least ten (10) days before the deadline for filing of the information under subsection (l).

(n) The Indiana board may base its final determination on a stipulation between the respondent and the petitioner. If the final determination is based on a stipulated assessed valuation of tangible property, the Indiana board may order the placement of a notation on the permanent assessment record of the tangible property that the assessed valuation was determined by stipulation. The Indiana board may:

- (1) order that a final determination under this subsection has no



precedential value; or

(2) specify a limited precedential value of a final determination under this subsection.

(o) If a party to a proceeding, or a party's authorized representative, elects to receive any notice under this section ~~by electronic mail;~~ **electronically**, the notice is considered effective in the same manner as if the notice had been sent by United States mail, with postage prepaid, to the party's or representative's mailing address of record.

(p) At a hearing under this section, the Indiana board shall admit into evidence an appraisal report, prepared by an appraiser, unless the appraisal report is ruled inadmissible on grounds besides a hearsay objection. This exception to the hearsay rule shall not be construed to limit the discretion of the Indiana board, as trier of fact, to review the probative value of an appraisal report."

Page 14, line 28, reset in roman "related to the provision of fire services or".

Page 14, line 29, reset in roman "emergency medical services".

Page 14, line 30, reset in roman "IC 5-14-3.8-3.5(d)".

Page 14, line 30, delete "IC 5-14-3.8-3.5".

Page 19, between lines 41 and 42, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-18.5-31 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 31. (a) This section applies only to counties that contain at least four (4) municipalities each with a population greater than forty thousand (40,000), as determined by the most recent federal decennial census.**

(b) As used in this section, "maximum levy to assessed value comparison" refers to the maximum property tax levy to property assessed value comparison determined under subsection (e).

(c) As used in this section, "municipality" means a city or town.

(d) As used in this section, "qualifying municipality" means a municipality that meets the condition set forth in subsection (f).

(e) The department of local government finance shall, before August 1, determine a maximum property tax levy to property assessed value comparison for all municipalities statewide using the following formula:

STEP ONE: For each municipality, determine the municipality's maximum permissible ad valorem property tax levy for taxes first due and payable in 2024.

STEP TWO: For each municipality, determine the total property assessed value of the municipality, as certified by the county auditor, for taxes first due and payable in 2024.



STEP THREE: For each municipality, determine the quotient of:

(A) STEP ONE; divided by

(B) STEP TWO;

expressed as a percentage.

(f) This section applies only to a municipality in which for taxes first due and payable in 2025, the municipality has a maximum levy to assessed value comparison that is in the lowest twentieth percentile of municipalities under STEP THREE of subsection (e) when compared to all municipalities statewide.

(g) If this section applies, the executive of a qualified municipality may, not later than July 1, 2025, and after receiving approval by the legislative body, submit a petition to the department of local government finance to increase the maximum permissible ad valorem property tax levy of a qualified municipality under this subsection. If a petition is submitted under this subsection, the department of local government finance shall increase the maximum permissible ad valorem property tax levy of the qualifying municipality for property taxes first due and payable in 2025 to include all debt service levies of the qualifying municipality for property taxes first due and payable in 2025.

(h) An adjustment under this section is a one (1) time and permanent increase. The qualifying municipality's ad valorem property tax levy for property taxes first due and payable in 2025, as adjusted under this section, shall be used in the determination of the qualifying municipality's maximum permissible ad valorem property tax levy under this chapter for property taxes first due and payable in 2026 and thereafter.

(i) Notwithstanding STEP ONE of section 3(a) of this chapter, for purposes of determining a qualified municipality's maximum permissible ad valorem property tax levy for property taxes first due and payable in 2026, the amount determined in STEP ONE of section 3(a) of this chapter shall be the result determined in STEP TWO of the following calculation:

STEP ONE: Determine a qualified municipality's maximum permissible ad valorem property tax levy for property taxes first due and payable in 2025 without regard to the adjustment under this section.

STEP TWO: Determine the sum of:

(A) STEP ONE; plus

(B) the amount of the adjustment under this section.

This calculation only applies to determining a qualified



municipality's maximum ad valorem property tax levy for property taxes first due and payable in 2026 and not to a determination for any other tax year.

(j) This section expires June 30, 2030."

Page 31, between lines 21 and 22, begin a new paragraph and insert:
 "SECTION 1. IC 6-1.1-30-18, AS ADDED BY P.L.236-2023, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 18. (a) Before March 1, 2024, and before March 1 of every year thereafter, each local unit that imposes a food and beverage tax under IC 6-9 shall provide a report to the state board of accounts that includes:

(1) a consolidated financial statement that at a minimum contains total collections, total expenditures, the beginning year fund balance, and the end of year fund balance;

~~(1)~~ **(2)** every expenditure of funds by the local unit;

~~(2)~~ **(3)** each local governmental entity, or instrumentality of a local governmental entity, that received a distribution; and

~~(3)~~ **(4)** every expenditure of funds by each local governmental entity described in subdivision ~~(2)~~; **(3)**;

from amounts received from the food and beverage tax imposed by the local unit during the previous calendar year.

(b) The report required under subsection (a) must include for each check, expenditure, distribution, or payment:

(1) the date and amount of the check, expenditure, distribution, or payment;

(2) the payee or recipient;

(3) the specific purpose, including whether the check, expenditure, distribution, or payment was for an employee salary or a capital project; ~~and~~

(4) if applicable, a description of the project for which the check, expenditure, distribution, or payment was made; **and**

(5) a consolidated financial statement for the previous calendar year that at a minimum contains total collections, total expenditures, the beginning year fund balance, and the end of year fund balance.

(c) The report required under subsection (a) must be in a format and on a form prescribed by the state board of accounts.

(d) The state board of accounts shall post a report received under subsection (a) on the department of local government finance's computer gateway.

(e) The requirements under subsection (a) do not apply to taxes collected under:



- (1) IC 6-9-12 that are distributed to the capital improvement board of managers created by IC 36-10-9-3;
- (2) IC 6-9-35 that are distributed to the capital improvement board of managers created by IC 36-10-9-3; and
- (3) IC 6-9-33 that are distributed to the capital improvement board of managers created by IC 36-10-8.

SECTION 2. IC 6-1.1-30-18.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 18.5. (a) The state board of accounts shall, for each local unit that imposes a food and beverage tax under IC 6-9 and is subject to the reporting requirement in section 18(a) of this chapter, determine the following:**

- (1) Whether or not the local unit has provided a report to the state board of accounts as required under section 18(a) of this chapter before March 1, 2025.**
- (2) Whether or not:**
 - (A) the local unit; and**
 - (B) each local governmental entity, or instrumentality of a local governmental entity, that receives a distribution of food and beverage tax revenue;**

is or has been making expenditures of the food and beverage tax revenue in compliance with the applicable statutory requirements under IC 6-9 and according to the report submitted under section 18(a) of this chapter, if a report has been submitted.

(b) If the state board of accounts concludes that a local unit has not provided a report as required under section 18(a) of this chapter, the state board of accounts shall make a finding of noncompliance by the local unit based on that fact.

(c) If the state board of accounts concludes that a local unit, local governmental entity, or instrumentality of a local governmental entity has not complied with the applicable statutory requirements under IC 6-9 for the expenditure of the food and beverage tax revenue or has failed to make the expenditures contained in the report under section 18(a) of this chapter, the state board of accounts shall make a finding of noncompliance by the local unit, local governmental entity, or instrumentality of a local governmental entity (as applicable), based on that fact.

(d) The state board of accounts shall compile and submit a report containing all of its conclusions and findings under this section to the legislative council, in an electronic format under IC 5-14-6, before October 1, 2025.



SECTION 32. IC 6-1.1-37-10, AS AMENDED BY P.L.95-2021, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. (a) If property taxes due and payable are not completely paid on or before the due date, a penalty shall be added to the unpaid portion in the year of the initial delinquency. The penalty is equal to an amount determined as follows:

(1) If:

(A) subject to subsection (g), the real property taxes due and payable are completely paid on or before the date thirty (30) days after the due date; and

(B) the taxpayer is not liable for:

(i) delinquent property taxes first due and payable in a previous tax payment for the same parcel; or

(ii) a penalty that is owed from a previous tax payment for the same parcel;

the amount of the penalty is equal to five percent (5%) of the amount of delinquent taxes.

(2) If:

(A) subject to subsection (g), personal property taxes due and payable are not completely paid on or before the date thirty (30) days after the due date; and

(B) the taxpayer is not liable for:

(i) delinquent property taxes first due and payable in a previous tax payment for a personal property tax return for property in the same taxing district; or

(ii) a penalty that is owed from a previous tax payment;

the amount of the penalty is equal to five percent (5%) of the amount of delinquent taxes.

(3) If subdivision (1) or (2) does not apply, the amount of the penalty is equal to ten percent (10%) of the amount due and payable as of the tax date.

A payment received under this subsection shall be applied first to the delinquent tax amount and then to any associated penalties.

(b) With respect to property taxes due in two (2) equal installments under IC 6-1.1-22-9(a), on the day immediately following the due dates of the first and second installments in each year following the year of the initial delinquency, an additional penalty equal to ten percent (10%) of any taxes remaining unpaid shall be added. With respect to property taxes due in installments under IC 6-1.1-22-9.5, an additional penalty equal to ten percent (10%) of any taxes remaining unpaid shall be added on the day immediately following each date that succeeds the last installment due date by:



- (1) six (6) months; or
- (2) a multiple of six (6) months.

(c) The penalties under subsection (b) are imposed only on the principal amount of the delinquent taxes.

(d) If the department of local government finance determines that an emergency has occurred which precludes the mailing of the tax statement in any county at the time set forth in IC 6-1.1-22-8.1, the department shall establish by order a new date on which the installment of taxes in that county is due and no installment is delinquent if paid by the date so established.

(e) If any due date falls on a Saturday, a Sunday, a national legal holiday recognized by the federal government, or a statewide holiday, the act that must be performed by that date is timely if performed by the next succeeding day that is not a Saturday, a Sunday, or one (1) of those holidays.

(f) Subject to subsections (h) and (i), a payment to the county treasurer is considered to have been paid by the due date if the payment is:

- (1) received on or before the due date by the county treasurer or a collecting agent appointed by the county treasurer;
- (2) deposited in United States first class mail:
 - (A) properly addressed to the principal office of the county treasurer;
 - (B) with sufficient postage; and
 - (C) postmarked by the United States Postal Service as mailed on or before the due date;
- (3) deposited with a nationally recognized express parcel carrier and is:
 - (A) properly addressed to the principal office of the county treasurer; and
 - (B) verified by the express parcel carrier as:
 - (i) paid in full for final delivery; and
 - (ii) received by the express parcel carrier on or before the due date;
- (4) deposited to be mailed through United States registered mail, United States certified mail, or United States certificate of mailing:
 - (A) properly addressed to the principal office of the county treasurer;
 - (B) with sufficient postage; and
 - (C) with a date of registration, certification, or certificate, as evidenced by any record authenticated by the United States



- Postal Service, on or before the due date;
- (5) deposited in United States first class mail:
- (A) properly addressed to the principal office of the county treasurer;
 - (B) with sufficient metered postage from a meter postage provider approved by the United States Postal Service; and
 - (C) with a postage meter stamp affixed to the envelope that must bear the actual date the postage meter stamp was affixed to the envelope, which must be on or before the due date;
- and the payment is received by the county treasurer not later than five (5) business days after the due date; ~~or~~
- (6) made by an electronic funds transfer and the taxpayer's bank account is charged on or before the due date; **or**
- (7) made by a check processing company without:**
- (A) a postmark; or**
 - (B) another method of verification;**
- allowed under subdivisions (1) through (6) but for which the taxpayer provides the county treasurer with reasonable evidence that the payment was made for the taxpayer on or before the due date.**

For purposes of subdivision (7), reasonable evidence includes a statement from a ledger of payments maintained by the check processing company showing the date the payment was made for the taxpayer.

(g) As used in this subsection, "initial penalty period" means the period after the due date and not later than thirty (30) days after the due date. A person who makes a payment within the initial penalty period is subject to a penalty equal to five percent (5%) of the amount of the delinquent taxes as provided in subsection (a)(1) or (a)(2). A payment to the county treasurer is considered to have been paid within the initial penalty period and subject to the five percent (5%) penalty if the payment is:

- (1) received within the penalty period by the county treasurer or a collecting agent appointed by the county treasurer;
- (2) deposited in United States first class mail:
 - (A) properly addressed to the principal office of the county treasurer;
 - (B) with sufficient postage; and
 - (C) postmarked by the United States Postal Service as mailed on or before the thirtieth day after the due date;
- (3) deposited with a nationally recognized express parcel carrier and is:



- (A) properly addressed to the principal office of the county treasurer; and
- (B) verified by the express parcel carrier as:
 - (i) paid in full for final delivery; and
 - (ii) received by the express parcel carrier on or before the thirtieth day after the due date;
- (4) deposited to be mailed through United States registered mail, United States certified mail, or United States certificate of mailing:

- (A) properly addressed to the principal office of the county treasurer;
- (B) with sufficient postage; and
- (C) with a date of registration, certification, or certificate, as evidenced by any record authenticated by the United States Postal Service, on or before the thirtieth day after the due date; or

- (5) deposited in United States first class mail:
 - (A) properly addressed to the principal office of the county treasurer;
 - (B) with sufficient metered postage from a meter postage provider approved by the United States Postal Service; and
 - (C) with a postage meter stamp affixed to the envelope that must bear the actual date the postage meter stamp was affixed to the envelope, which must be on or before the thirtieth day after the due date;

and the payment is received by the county treasurer not later than five (5) business days after the thirtieth day after the due date.

(h) As used in this subsection, "initial penalty period" has the meaning set forth in subsection (g). If a payment is mailed through the United States mail and is physically received after the due date or after the initial penalty period without a legible correct postmark, the person who mailed the payment is considered to have made the payment:

- (1) on or before the due date if the person can show by reasonable evidence that the payment was deposited in the United States mail on or before the due date; or
- (2) within the initial penalty period, if the person can show by reasonable evidence that the payment was deposited in the United States mail on or before the thirtieth day after the due date.

(i) As used in this subsection, "initial penalty period" has the meaning set forth in subsection (g). This section applies if a payment is sent via the United States mail or a nationally recognized express parcel carrier but is not received by the designated recipient, the person



who sent the payment is considered to have made the payment:

- (1) on or before the due date if the person:
 - (A) can show by reasonable evidence that the payment was deposited in the United States mail, or with the express parcel carrier, on or before the due date; and
 - (B) makes a duplicate payment within thirty (30) days after the date the person is notified that the payment was not received;
 or
- (2) within the initial penalty period, if the person:
 - (A) can show by reasonable evidence that the payment was deposited in the United States mail, or with the express parcel carrier, on or before the thirtieth day after the due date; and
 - (B) makes a duplicate payment within thirty (30) days after the date the person is notified that the payment was not received.

SECTION 32. IC 6-1.5-5-2, AS AMENDED BY P.L.146-2008, SECTION 308, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) After receiving a petition for review that is filed under a statute listed in section 1(a) of this chapter, the Indiana board shall, at its earliest opportunity:

- (1) conduct a hearing; or
- (2) cause a hearing to be conducted by an administrative law judge.

The Indiana board may determine to conduct the hearing under subdivision (1) on its own motion or on request of a party to the appeal.

(b) In its resolution of a petition, the Indiana board may correct any errors that may have been made and adjust the assessment in accordance with the correction.

(c) The Indiana board shall give notice of the date fixed for the hearing ~~by mail~~ to:

- (1) the taxpayer;
- (2) the department of local government finance; and
- (3) the appropriate:
 - (A) township assessor (if any);
 - (B) county assessor; and
 - (C) county auditor.

(d) With respect to an appeal of the assessment of real property or personal property filed after June 30, 2005, the notices required under subsection (c) must include the following:

- (1) The action of the department of local government finance with respect to the appealed items.
- (2) A statement that a taxing unit receiving the notice from the county auditor under subsection (e) may:



- (A) attend the hearing;
- (B) offer testimony; and
- (C) file an amicus curiae brief in the proceeding.

(e) If, after receiving notice of a hearing under subsection (c), the county auditor determines that the assessed value of the appealed items constitutes at least one percent (1%) of the total gross certified assessed value of a particular taxing unit for the assessment date immediately preceding the assessment date for which the appeal was filed, the county auditor shall send a copy of the notice to the affected taxing unit. A taxing unit that receives a notice from the county auditor under this subsection is not a party to the appeal. Failure of the county auditor to send a copy of the notice to the affected taxing unit does not affect the validity of the appeal or delay the appeal.

(f) The Indiana board shall give the notices required under subsection (c) at least thirty (30) days before the day fixed for the hearing.

SECTION 33. IC 6-1.5-5-5, AS AMENDED BY P.L.146-2008, SECTION 309, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. After the hearing, the Indiana board shall give the petitioner, the township assessor (if any), the county assessor, the county auditor, and the department of local government finance:

- (1) notice ~~by mail~~ of its final determination, findings of fact, and conclusions of law; and
- (2) notice of the procedures the petitioner or the department of local government finance must follow in order to obtain court review of the final determination of the Indiana board.

The county auditor shall provide copies of the documents described in subdivisions (1) and (2) to the taxing units entitled to notice under section 2(e) of this chapter.

SECTION 34. IC 6-3.6-6-8, AS AMENDED BY P.L.101-2024, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) This section applies to the allocation of additional revenue from a tax under this chapter to public safety purposes. Funding dedicated for a PSAP under a former tax continues to apply under this chapter until it is rescinded or modified. If funding was not dedicated for a PSAP under a former tax, the adopting body may adopt a resolution providing that all or part of the additional revenue allocated to public safety is to be dedicated for a PSAP. The resolution first applies in the following year and then thereafter until it is rescinded or modified. Funding dedicated for a PSAP shall be allocated and distributed as provided in IC 6-3.6-11-4.



(b) Except as provided in subsections (c) and (d), the amount of the certified distribution that is allocated to public safety purposes, and after making allocations under IC 6-3.6-11, shall be allocated to the county and to each municipality in the county that is carrying out or providing at least one (1) public safety purpose. For purposes of this subsection, in the case of a consolidated city, the total property taxes imposed by the consolidated city include the property taxes imposed by the consolidated city and all special taxing districts (except for a public library district, a public transportation corporation, and a health and hospital corporation), and all special service districts. The amount allocated under this subsection to a county or municipality is equal to the result of:

(1) the amount of the remaining certified distribution that is allocated to public safety purposes; multiplied by

(2) a fraction equal to:

(A) in the case of a county that initially imposed a rate for public safety under IC 6-3.5-6 (repealed), the result of the total property taxes imposed in the county by the county or municipality for the calendar year preceding the distribution year, divided by the sum of the total property taxes imposed in the county by the county and each municipality in the county that is entitled to a distribution under this section for that calendar year; or

(B) in the case of a county that initially imposed a rate for public safety under IC 6-3.5-1.1 (repealed) or a county that did not impose a rate for public safety under either IC 6-3.5-1.1 (repealed) or IC 6-3.5-6 (repealed), the result of the attributed allocation amount of the county or municipality for the calendar year preceding the distribution year, divided by the sum of the attributed allocation amounts of the county and each municipality in the county that is entitled to a distribution under this section for that calendar year.

(c) A fire department, volunteer fire department, or emergency medical services provider that:

(1) provides fire protection or emergency medical services within the county; and

(2) is operated by or serves a political subdivision that is not otherwise entitled to receive a distribution of tax revenue under this section;

may, before July 1 of a year, apply to the adopting body for a distribution of tax revenue under this section during the following calendar year. The adopting body shall review an application submitted



under this subsection. However, after giving notice under IC 5-3-1, the adopting body shall review an application by a township that provided fire protection or emergency medical services in the most recent calendar year and imposed a property tax levy for the provision of fire protection or emergency medical services within the county in the most recent calendar year at a public hearing. The adopting body may review multiple applications submitted under this subsection at one (1) public hearing. If applicable, a township shall present and explain its application at the public hearing. Not later than ten (10) days after the public hearing, if applicable, but before September 1 of a year, the adopting body may adopt a resolution requiring that one (1) or more of the applicants shall receive a specified amount of the tax revenue to be distributed under this section during the following calendar year. The adopting body shall provide a copy of the resolution to the county auditor and the department of local government finance not more than fifteen (15) days after the resolution is adopted. A resolution adopted under this subsection and provided in a timely manner to the county auditor and the department applies only to distributions in the following calendar year. Any amount of tax revenue distributed under this subsection to a fire department, volunteer fire department, or emergency medical services provider shall be distributed before the remainder of the tax revenue is allocated under subsection (b).

(d) A township fire department, volunteer fire department, fire protection territory, or fire protection district that:

(1) provides fire protection or emergency medical services within a county; and

(2) is operated by or serves a political subdivision;

may, before July 1 of a year, apply to the adopting body for a distribution of tax revenue under this section during the following calendar year. The adopting body shall review an application submitted under this subsection. However, after giving notice under IC 5-3-1, the adopting body shall review an application submitted by a township that provided fire protection or emergency medical services in the most recent calendar year and that imposed a property tax levy for the provision of fire protection or emergency medical services within the county in the most recent calendar year at a public hearing. The adopting body may review multiple applications submitted under this subsection at one (1) public hearing. If applicable, a township shall present and explain its application at the public hearing. From the amount of the certified distribution that is allocated to public safety purposes, and after making allocations under IC 6-3.6-11, the adopting body may adopt a resolution that one (1) or more township fire



departments, volunteer fire departments, fire protection territories, or fire protection districts shall receive an amount of the tax revenue to be distributed under this section during the following calendar year up to one hundred percent (100%) of the revenue collected from that portion of the tax rate imposed for allocations for public safety purposes that does not exceed a rate of five one-hundredths of one percent (0.05%). A resolution adopted under this subsection must include information on the service area for each township fire department, volunteer fire department, fire protection territory, or fire protection district, as applicable. Any distribution under this subsection must be based on the assessed value of real property, not including land, that is served by each township fire department, volunteer fire department, fire protection territory, or fire protection district, as applicable. The adopting body shall provide a copy of the resolution to the county auditor and the department of local government finance not more than fifteen (15) days after the resolution is adopted. A resolution adopted under this subsection and provided in a timely manner to the county auditor and the department applies only to distributions in the following calendar year. Any amount of tax revenue distributed under this subsection to a township fire department, volunteer fire department, fire protection territory, or fire protection district, as applicable, shall be distributed before the remainder of the tax revenue is allocated under subsection (b). **In the case of a volunteer fire department, the application under this subsection must be made to the adopting body by the fiscal officer of the unit served by the volunteer fire department.**

SECTION 34. IC 6-3.6-6-12, AS AMENDED BY P.L.247-2017, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) Except as provided in this chapter and IC 6-3.6-11, this section applies to an allocation of certified shares in all counties.

(b) The allocation amount of a civil taxing unit during a calendar year must be based on the amounts for the calendar year preceding the distribution year and is equal to the amount determined using the following formula:

STEP ONE: Determine the sum of the total property taxes being imposed by the civil taxing unit.

STEP TWO: Determine the sum of the following:

(A) Amounts appropriated from property taxes to pay the principal of or interest on any debenture or other debt obligation issued after June 30, 2005, other than an obligation described in subsection (c).



(B) Amounts appropriated from property taxes to make payments on any lease entered into after June 30, 2005, other than a lease described in subsection (d).

STEP THREE: Subtract the STEP TWO amount from the STEP ONE amount.

STEP FOUR: In the case of a qualifying municipality as defined in IC 6-1.1-18.5-31(d) that is located in a county described in IC 6-1.1-18.5-31(a), and only for the allocation of certified shares in 2027 and 2028, STEP THREE multiplied by seventy percent (70%).

~~STEP FOUR:~~ **FIVE:** Determine the sum of:

(A) the:

(i) STEP THREE amount; or

(ii) **STEP FOUR amount in the case of a qualifying municipality as defined in IC 6-1.1-18.5-31(d) that is located in a county described in IC 6-1.1-18.5-31(a); plus**

(B) the civil taxing unit's certified shares plus the amount distributed under section 3(a)(2) of this chapter for the previous calendar year; **plus**

(C) in the case of a qualifying municipality as defined in IC 6-1.1-18.5-31(d) that is located in a county described in IC 6-1.1-18.5-31(a), and only for the allocation of certified shares in 2026, the amount of the levy for the municipality's debt service and lease rental funds that was certified in 2025 multiplied by fifty-four and five-tenths percent (54.5%). This clause expires January 1, 2027.

The allocation amount is subject to adjustment as provided in IC 36-8-19-7.5.

(c) Except as provided in this subsection, an appropriation for the calendar year preceding the distribution year from property taxes to repay interest and principal of a debt obligation is not deducted from the allocation amount for a civil taxing unit if:

(1) the debt obligation was issued; and

(2) the proceeds were appropriated from property taxes;

to refund or otherwise refinance a debt obligation or a lease issued before July 1, 2005. However, an appropriation from property taxes related to a debt obligation issued after June 30, 2005, is deducted if the debt extends payments on a debt or lease beyond the time in which the debt or lease would have been payable if the debt or lease had not been refinanced or increases the total amount that must be paid on a debt or lease in excess of the amount that would have been paid if the debt or lease had not been refinanced. The amount of the deduction is



the annual amount for each year of the extension period or the annual amount of the increase over the amount that would have been paid.

(d) Except as provided in this subsection, an appropriation for the calendar year preceding the distribution year from property taxes to make payments on a lease is not deducted from the allocation amount for a civil taxing unit if:

(1) the lease was issued; and

(2) the proceeds were appropriated from property taxes; to refinance a debt obligation or lease issued before July 1, 2005. However, an appropriation from property taxes related to a lease entered into after June 30, 2005, is deducted if the lease extends payments on a debt or lease beyond the time in which the debt or lease would have been payable if the debt or lease had not been refinanced or increases the total amount that must be paid on a debt or lease in excess of the amount that would have been paid if the debt or lease had not been refinanced. The amount of the deduction is the annual amount for each year of the extension period or the annual amount of the increase over the amount that would have been paid."

Page 32, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 25. IC 6-3.6-9-15, AS AMENDED BY P.L.239-2023, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) If the budget agency determines that the balance in a county trust account exceeds fifteen percent (15%) **(or the percentage set forth in subsection (g), if applicable)** of the certified distributions to be made to the county in the determination year, the budget agency shall make a supplemental distribution to the county from the county's trust account. The budget agency shall use the trust account balance as of December 31 of the year that precedes the determination year by two (2) years (referred to as the "trust account balance year" in this section).

(b) A supplemental distribution described in subsection (a) must be:

- (1) made at the same time as the determinations are provided to the county auditor under subsection (d)(3); and
- (2) allocated in the same manner as certified distributions for the purposes described in this article.

(c) The amount of a supplemental distribution described in subsection (a) is equal to the amount by which:

- (1) the balance in the county trust account; minus
- (2) the amount of any supplemental or special distribution that has not yet been accounted for in the last known balance of the county's trust account;

exceeds fifteen percent (15%) **(or the percentage set forth in**



subsection (g), if applicable) of the certified distributions to be made to the county in the determination year.

(d) For a county that qualifies for a supplemental distribution under this section in a year, the following apply:

(1) Before February 15, the budget agency shall update the information described in section 9 of this chapter to include the excess account balances to be distributed under this section.

(2) Before May 2, the budget agency shall provide the amount of the supplemental distribution for the county to the department of local government finance and to the county auditor.

(3) The department of local government finance shall determine for the county and each taxing unit within the county:

(A) the amount and allocation of the supplemental distribution attributable to the taxes that were imposed as of December 31 of the trust account balance year, including any specific distributions for that year; and

(B) the amount of the allocation for each of the purposes set forth in this article, using the allocation percentages in effect in the trust account balance year.

The department of local government finance shall provide these determinations to the county auditor before May 16 of the determination year.

(4) Before June 1, the county auditor shall distribute to each taxing unit the amount of the supplemental distribution that is allocated to the taxing unit under subdivision (3). However, for a county with a former tax to provide for a levy freeze under IC 6-3.6-11-1, the supplemental distribution shall first be distributed as determined in any resolution adopted under IC 6-3.6-11-1(d).

For determinations before 2019, the tax rates in effect under and the allocation methods specified in the former income tax laws shall be used for the determinations under subdivision (3).

(e) For any part of a supplemental distribution attributable to property tax credits under a former income tax or IC 6-3.6-5, the adopting body for the county may allocate the supplemental distribution to property tax credits for not more than the three (3) years after the year the supplemental distribution is received.

(f) Any income earned on money held in a trust account established for a county under this chapter shall be deposited in that trust account.

(g) This subsection applies only to counties that contain at least four (4) municipalities (cities or towns) each with a population greater than forty thousand (40,000), as determined by the most



recent federal decennial census, in which at least one (1) of those municipalities meets the definition of a qualifying municipality under IC 6-1.1-18.5-31(d). The following percentages apply for purposes of the determinations under subsections (a) and (c):

- (1) For the determination year beginning after December 31, 2025, and ending before January 1, 2027, twelve and five-tenths percent (12.5%).
- (2) For the determination year beginning after December 31, 2026, and ending before January 1, 2028, ten percent (10%).
- (3) For a determination year beginning after December 31, 2027, and ending before January 1, 2029, seven and five-tenths percent (7.5%).
- (4) For the determination year beginning after December 31, 2028, and ending before January 1, 2030, five percent (5%).
- (5) For the determination year beginning after December 31, 2029, and ending before January 1, 2031, two and one-half percent (2.5%).
- (6) For the determination year beginning after December 31, 2030, one percent (1%).

SECTION 26. IC 6-3.6-9-17.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 17.6. (a) Notwithstanding any other provision, funds from the state general fund shall not be used to make up a shortfall in the:**

- (1) reserve account; or
- (2) certified distribution.

(b) If a county reserve account runs out of funds for making a certified distribution, funds may not be transferred from the state general fund to the reserve account.

SECTION 27. IC 6-8.1-10-2.1, AS AMENDED BY P.L.137-2022, SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 2.1. (a) Except as provided in IC 6-3-4-12(k) and IC 6-3-4-13(l), a person that:**

- (1) fails to file a return for any of the listed taxes;
- (2) fails to pay the full amount of tax shown on the person's return on or before the due date for the return or payment;
- (3) incurs, upon examination by the department, a deficiency that is due to negligence;
- (4) fails to timely remit any tax held in trust for the state;
- (5) fails to file a return in the electronic manner required by the department if such return is required to be filed electronically; or
- (6) is required to make a payment by electronic funds transfer (as



defined in IC 4-8.1-2-7), overnight courier, personal delivery, or any other electronic means and the payment is not received by the department by the due date in such manner and in funds acceptable to the department;

is subject to a penalty.

(b) Except as provided in subsection (g), the penalty described in subsection (a) is ten percent (10%) of:

- (1) the full amount of the tax due if the person failed to file the return or, in the case of a return required to be filed electronically, the return is not filed in the electronic manner required by the department;
- (2) the amount of the tax not paid, if the person filed the return but failed to pay the full amount of the tax shown on the return;
- (3) the amount of the tax held in trust that is not timely remitted;
- (4) the amount of deficiency as finally determined by the department; or
- (5) the amount of tax due if a person failed to make payment required to be made by electronic funds transfer, overnight courier, personal delivery, or any other electronic means by the due date in such manner.

(c) For purposes of this section, the filing of a substantially blank or unsigned return does not constitute a return.

(d) If a person subject to the penalty imposed under this section can show that the failure to file a return, pay the full amount of tax shown on the person's return, timely remit tax held in trust, or pay the deficiency determined by the department was due to reasonable cause and not due to willful neglect, the department shall waive the penalty.

(e) A person who wishes to avoid the penalty imposed under this section must make an affirmative showing of all facts alleged as a reasonable cause for the person's failure to file the return, pay the amount of tax shown on the person's return, pay the deficiency, or timely remit tax held in trust, in a written statement containing a declaration that the statement is made under penalty of perjury. The statement must be filed with the return or payment within the time prescribed for protesting departmental assessments. A taxpayer may also avoid the penalty imposed under this section by obtaining a ruling from the department before the end of a particular tax period on the amount of tax due for that tax period.

(f) The department shall adopt rules under IC 4-22-2 to prescribe the circumstances that constitute reasonable cause and negligence for purposes of this section.

(g) A person who fails to file a return for a listed tax that shows no



tax liability for a taxable year, other than an information return (as defined in section 6 of this chapter), on or before the due date of the return shall pay a penalty of ten dollars (\$10) for each day that the return is past due, up to a maximum of two hundred fifty dollars (\$250).

(h) A:

- (1) corporation which otherwise qualifies under IC 6-3-2-2.8(2);
- (2) partnership; or
- (3) trust;

that fails to withhold and pay any amount of tax required to be withheld under IC 6-3-4-12, IC 6-3-4-13, or IC 6-3-4-15 shall pay a penalty equal to twenty percent (20%) of the amount of tax required to be withheld under IC 6-3-4-12, IC 6-3-4-13, or IC 6-3-4-15. This penalty shall be in addition to any penalty imposed by section 6 of this chapter.

(i) Subsections (a) through (c) do not apply to a motor carrier fuel tax return.

(j) If a pass through entity (as defined in IC 6-3-1-35) fails to include all nonresident partners, nonresident shareholders, or nonresident beneficiaries in a composite return as required by IC 6-3-4-12(i), IC 6-3-4-13(j), or IC 6-3-4-15(h), a penalty of five hundred dollars (\$500) per pass through entity is imposed on the pass through entity.

(k) If a person subject to the penalty imposed under this section provides the department with documentation showing that the person is or has been subject to incarceration for a period of a least one hundred eighty (180) days, the department shall waive any penalty under this section and interest that accrues during the time the person was incarcerated, but not to an extent greater than the penalty or interest relief to which a person would otherwise have been entitled under the federal Servicemembers Civil Relief Act (50 U.S.C. 3901-4043), if the person was in military service. Nothing in this subsection shall preclude the department from issuing a proposed assessment, demand notice, jeopardy proposed assessment, jeopardy demand notice, or warrant otherwise permitted by law.

(l) Beginning after December 31, 2024, reasonable cause under this section for failure to file a timely and complete form IT-65 partnership return will be presumed if the partnership (or any of its partners) is able to show that all of the following conditions have been met:

- (1) The partnership had no more than ten (10) partners for the taxable year. (A husband and wife filing a joint return count as one (1) partner.)**



(2) Each partner during the tax year was a natural person (other than a nonresident alien), or the estate of a natural person.

(3) Each partner's proportionate share of any partnership item is the same as the partner's proportionate share of any other partnership item.

(4) The partnership did not elect to be subject to the rules for federal consolidated audit proceedings under Sections 6221 through 6234 of the Internal Revenue Code.

(5) All partners reported their distributive share of partnership items on their timely filed income tax returns.

SECTION 29. IC 6-8.1-10-6, AS AMENDED BY P.L.234-2019, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) As used in this section, "information return" means the following when a statute or rule requires the following to be filed with the department:

(1) Schedule K-1 of form IT-20S, IT-41, or IT-65.

(2) Any form, statement, or schedule required to be filed with the department with respect to an amount from which tax is required to be deducted and withheld under IC 6 or from which tax would be required to be deducted and withheld but for an exemption under IC 6.

(3) Any form, statement, or schedule required to be filed with the Internal Revenue Service under 26 C.F.R. 301.6721-1(g) (1993).

The term does not include form IT-20FIT, IT-20S, IT-20SC, IT-41, or IT-65.

(b) If a person fails to file an information return required by the department, or fails to electronically file an information return that is required by the department to be filed in an electronic format, a penalty of ten dollars (\$10) for:

(1) each failure to file a timely return; or

(2) each failure to electronically file a timely return required by the department to be in an electronic format;

not to exceed twenty-five thousand dollars (\$25,000) in any one (1) calendar year, is imposed.

(c) For purposes of this section, the filing of a substantially blank or unsigned return does not constitute a return.

(d) Beginning after December 31, 2024, a person that has been granted penalty relief under section 2.1(l) of this chapter for failure to file a timely and complete form IT-65 partnership return shall not be subject to a penalty under this section for failure to file the information return Schedule K-1 of form IT-65 for which penalty



relief was granted.

SECTION 2. IC 6-9-2.5-7, AS AMENDED BY P.L.168-2005, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7. (a) The county treasurer shall establish a convention and visitor promotion fund.

(b) The county treasurer shall deposit in the convention and visitor promotion fund the amount of money received under section 6 of this chapter **as follows:**

(1) Before January 1, 2026, the county treasurer shall deposit in the convention and visitor promotion fund the amount of money received under section 6 of this chapter that is generated by a two and one-half percent (2.5%) rate.

(2) After December 31, 2025, the county treasurer shall deposit in the convention and visitor promotion fund the amount of money received under section 6 of this chapter that is generated by a three percent (3%) rate.

(c) Money in this fund shall be expended only as provided in this chapter.

(d) The commission may transfer money in the convention and visitor promotion fund to any Indiana nonprofit corporation for the purpose of promotion and encouragement in the county of conventions, trade shows, visitors, or special events. The commission may transfer money under this section only after approving the transfer. Transfers shall be made quarterly or less frequently under this section.

SECTION 3. IC 6-9-2.5-7.5, AS AMENDED BY P.L.290-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7.5. (a) The county treasurer shall establish a tourism capital improvement fund.

(b) The county treasurer shall deposit money in the tourism capital improvement fund as follows:

(1) Before January 1, 2026, the county treasurer shall deposit in the tourism capital improvement fund the amount of money received under section 6 of this chapter that is generated by a three and one-half percent (3.5%) rate.

(2) After December 31, 2025, **and before January 1, 2029**, the county treasurer shall deposit in the tourism capital improvement fund the amount of money received under section 6 of this chapter that is generated by a ~~four and one-half percent (4.5%)~~ **three percent (3%)** rate.

(3) After December 31, 2028, the county treasurer shall deposit in the tourism capital improvement fund the amount of money received under section 6 of this chapter that is



generated by a four percent (4%) rate.

(c) The commission may transfer money in the tourism capital improvement fund to:

- (1) the county government, a city government, or a separate body corporate and politic in a county described in section 1 of this chapter; or
- (2) any Indiana nonprofit corporation;

for the purpose of making capital improvements in the county that promote conventions, tourism, or recreation. The commission may transfer money under this section only after approving the transfer. Transfers shall be made quarterly or less frequently under this section.

SECTION 4. IC 6-9-2.5-7.7, AS AMENDED BY P.L.290-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 7.7. (a) As used in this section, "fund" refers to the convention center operating, capital improvement, and financial incentive fund established under subsection (b).

(b) The county treasurer shall establish a convention center operating, capital improvement, and financial incentive fund.

(c) Before January 1, ~~2026~~, **2029**, the county treasurer shall deposit in the fund the amount of money received under section 6 of this chapter that is generated by a two percent (2%) rate.

(d) After December 31, ~~2025~~, **2028**, the county treasurer shall deposit in the fund the amount of money received under section 6 of this chapter that is generated by a one percent (1%) rate.

(e) Money in the fund may be expended only for the following:

- (1) Operating expenses of a convention center located in the county.
- (2) Capital improvements to a convention center located in the county.
- (3) Financial incentives to attract, promote, or encourage new business conventions, trade shows, or special events held at a convention center located in the county.

(f) A financial incentive described in subsection (e)(3) may not be distributed to a new business for at least thirty (30) days after the conclusion of a convention, trade show, or special event that is held by the new business at a convention center located in the county.

SECTION 5. IC 6-9-14-6, AS AMENDED BY P.L.9-2024, SECTION 232, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) The county council may levy a tax on every person engaged in the business of renting or furnishing, for periods of less than thirty (30) days, any room or rooms, lodgings or accommodations in any hotel, motel, inn, conference center, retreat



center, or tourist cabin located in the county. However, the county council may not levy the tax on a person for engaging in the business of providing campsites within a state or federal park or forest. The tax may be imposed at any rate ~~up to and including five percent~~ **that does not exceed eight percent (8%)**. The tax shall be imposed on the gross retail income derived from lodging income only and shall be in addition to the state gross retail tax imposed on those persons by IC 6-2.5.

(b) The county fiscal body may adopt an ordinance to require that the tax shall be paid monthly to the county treasurer. If such an ordinance is adopted, the tax shall be paid to the county treasurer not more than twenty (20) days after the end of the month the tax is collected. If such an ordinance is not adopted, the tax shall be imposed, paid and collected in exactly the same manner as the state gross retail tax is imposed, paid, and collected pursuant to IC 6-2.5.

(c) All of the provisions of IC 6-2.5 relating to rights, duties, liabilities, procedures, penalties, definitions, exemptions, and administration apply to the imposition and administration of the tax imposed under this section, except to the extent those provisions are in conflict or inconsistent with the specific provisions of this chapter or the requirements of the county treasurer. Specifically and not in limitation of the foregoing sentence, the terms "person" and "gross retail income" shall have the same meaning in this section as they have in IC 6-2.5. If the tax is paid to the department of state revenue, the returns to be filed for the payment of the tax under this section may be either a separate return or may be combined with the return filed for the payment of the state gross retail tax as the department of state revenue may, by rule or regulation, determine.

(d) If the tax is paid to the department of state revenue, the amounts received from the tax shall be paid quarterly by the treasurer of state to the county treasurer upon warrants issued by the state comptroller.

(e) The tax imposed under subsection (a) does not apply to the renting or furnishing of rooms, lodgings, or accommodations to a person for a period of thirty (30) days or more.

SECTION 6. IC 6-9-14-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 9. This chapter expires January 1, 2047.**

SECTION 7. IC 6-9-18-3, AS AMENDED BY P.L.136-2024, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The fiscal body of a county may levy a tax on every person engaged in the business of renting or furnishing, for periods of less than thirty (30) days, any room or rooms, lodgings,



or accommodations in any:

- (1) hotel;
- (2) motel;
- (3) boat motel;
- (4) inn;
- (5) college or university memorial union;
- (6) college or university residence hall or dormitory; or
- (7) tourist cabin;

located in the county.

(b) The tax does not apply to gross income received in a transaction in which:

- (1) a student rents lodgings in a college or university residence hall while that student participates in a course of study for which the student receives college credit from a college or university located in the county; or
- (2) a person rents a room, lodging, or accommodations for a period of thirty (30) days or more.

(c) The tax may not exceed:

- (1) the rate of five percent (5%) in a county other than a county subject to subdivision (2), (3), or (4);
- (2) after June 30, 2019, and except as provided in section 6.7 of this chapter, the rate of eight percent (8%) in Howard County;
- (3) after June 30, 2021, the rate of nine percent (9%) in Daviess County; or
- ~~(4) after June 30, 2023, the rate of eight percent (8%) in Parke County;~~
- (4) after June 30, 2025, and before January 1, 2047, the rate of eight percent (8%) in Delaware County. This subdivision expires January 1, 2047.**

The tax is imposed on the gross retail income derived from lodging income only and is in addition to the state gross retail tax imposed under IC 6-2.5.

(d) The county fiscal body may adopt an ordinance to require that the tax shall be paid monthly to the county treasurer. If such an ordinance is adopted, the tax shall be paid to the county treasurer not more than twenty (20) days after the end of the month the tax is collected. If such an ordinance is not adopted, the tax shall be imposed, paid, and collected in exactly the same manner as the state gross retail tax is imposed, paid, and collected under IC 6-2.5.

(e) All of the provisions of IC 6-2.5 relating to rights, duties, liabilities, procedures, penalties, definitions, exemptions, and administration are applicable to the imposition and administration of



the tax imposed under this section except to the extent those provisions are in conflict or inconsistent with the specific provisions of this chapter or the requirements of the county treasurer. If the tax is paid to the department of state revenue, the return to be filed for the payment of the tax under this section may be either a separate return or may be combined with the return filed for the payment of the state gross retail tax as the department of state revenue may, by rule, determine.

(f) If the tax is paid to the department of state revenue, the amounts received from the tax imposed under this section shall be paid monthly by the treasurer of state to the county treasurer upon warrants issued by the state comptroller.

SECTION 8. IC 6-9-18-6, AS AMENDED BY P.L.122-2021, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. (a) The commission may:

- (1) accept and use gifts, grants, and contributions from any public or private source, under terms and conditions that the commission considers necessary and desirable;
- (2) sue and be sued;
- (3) enter into contracts and agreements;
- (4) make rules necessary for the conduct of its business and the accomplishment of its purposes;
- (5) receive and approve, alter, or reject requests and proposals for funding by corporations qualified under subdivision (6);
- (6) after its approval of a proposal, transfer money, quarterly or less frequently, from the fund established under section 4(a) of this chapter, or from money transferred from that fund to the commission's treasurer under section 4(b) of this chapter, to any Indiana not-for-profit corporation to promote and encourage conventions, visitors, or tourism in the county; and
- (7) require financial or other reports from any corporation that receives funds under this chapter.

(b) ~~This subsection applies only to Boone County. In addition to the powers of the commission under subsection (a); and subject to adoption of a resolution by the county fiscal body under section 6.5 of this chapter, the commission may enter into an agreement under which amounts deposited in, or to be deposited in, the fund established under section 4(a) of this chapter are pledged toward the payment of obligations (including bonds and leases) issued or entered into by any political subdivision located in the county to finance the construction, acquisition, enlargement, and equipping of a sports and recreation facility to promote and encourage conventions, trade shows, tourism, visitors, or special events within the county.~~



(c) (b) All expenses of the commission shall be paid from the fund established under section 4(a) of this chapter or from money transferred from that fund to the commission's treasurer under section 4(b) of this chapter. The commission shall annually prepare a budget, taking into consideration the recommendations made by a corporation qualified under subsection (a)(6) and submit it to the county fiscal body for its review and approval. Except for payments made under an agreement that is authorized in a resolution adopted by the county fiscal body under section 6.5 of this chapter, An expenditure may not be made under this chapter unless it is in accordance with an appropriation made by the county fiscal body in the manner provided by law.

SECTION 9. IC 6-9-18-6.5 IS REPEALED [EFFECTIVE JULY 1, 2025]. Sec. 6.5: (a) This section applies only to Boone County:

(b) The county fiscal body may adopt a resolution authorizing an agreement described in section (6)(b) of this chapter that pledges all or part of the amounts received from the tax imposed under section 3 of this chapter toward the payment of obligations of a political subdivision located in the county only after a public hearing:

(1) for which notice has been given in accordance with IC 5-3-1; and

(2) at which all interested parties are provided the opportunity to be heard.

Upon adoption of a resolution under this subsection, the county fiscal body shall publish notice of the adoption of the resolution in accordance with IC 5-3-1. An action to contest the validity of the resolution or agreement described in section (6)(b) of this chapter must be brought not later than thirty (30) days after notice of the adoption of the resolution.

(c) With respect to obligations to which amounts received from a tax imposed under section 3 of this chapter have been pledged in an agreement described in section (6)(b) of this chapter, the general assembly covenants with the commission and the purchasers or owners of the obligations that this chapter will not be repealed or amended in any manner that will adversely affect the collection of the tax imposed under section 3 of this chapter, or the money deposited in the fund established under section 4(a) of this chapter, as long as the obligations are unpaid.

SECTION 10. IC 6-9-27-3, AS AMENDED BY P.L.214-2005, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 3. (a) The fiscal body of the municipality may adopt an ordinance to impose an excise tax, known as the municipal food and beverage tax, on transactions described in section 4 of this



chapter. **The fiscal body of a municipality described in section 1(2) of this chapter may adopt an ordinance under section 5(b) of this chapter to increase the tax rate of the municipality's food and beverage tax.**

(b) If a fiscal body adopts an ordinance under subsection (a), the fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If a fiscal body adopts an ordinance under subsection (a), the municipal food and beverage tax applies to transactions that occur after the last day of the month that succeeds the month in which the ordinance was adopted.

SECTION 11. IC 6-9-27-5, AS AMENDED BY P.L.214-2005, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5. **(a) Except as provided in subsection (b), the municipal food and beverage tax imposed on a food or beverage transaction described in section 4 of this chapter equals one percent (1%) of the gross retail income received by the merchant from the transaction.**

(b) This subsection applies to a municipality described in section 1(2) of this chapter. The fiscal body of the municipality may adopt an ordinance to increase the rate of the municipality's food and beverage tax to a rate that may not exceed two percent (2%) of the gross retail income received by a retail merchant from a taxable transaction. An ordinance adopted under this subsection to increase the rate of the municipality's food and beverage tax rate expires January 1, 2047.

(c) For purposes of this chapter, the gross retail income received by ~~the~~ a retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

SECTION 12. IC 6-9-27-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5.5. **(a) This section applies to a municipality described in section 1(2) of this chapter.**

(b) If a fiscal body adopts an ordinance under section 5(b) of this chapter, the fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) A municipal food and beverage tax rate increase imposed by an ordinance adopted under section 5(b) of this chapter applies to transactions that occur after the last day of the month that succeeds the month in which the ordinance was adopted.

SECTION 13. IC 6-9-29-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY



1, 2025]: **Sec. 8. (a) As used in this section, "innkeeper's tax fund" refers to any fund established pursuant to an innkeeper's tax chapter of this article regardless of its title.**

(b) Each county that imposes an innkeeper's tax may not:

(1) deposit or transfer money in its innkeeper's tax fund into any other fund; or

(2) deposit or transfer money in any other fund into its innkeeper's tax fund.

SECTION 14. IC 6-9-29.5-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 5. (a) As used in this section, "food and beverage tax fund" refers to any fund established pursuant to a food and beverage tax chapter of this article regardless of its title.**

(b) Each political subdivision that imposes a food and beverage tax may not:

(1) deposit or transfer money in its food and beverage tax fund into any other fund; or

(2) deposit or transfer money in any other fund into its food and beverage tax fund.

SECTION 15. IC 6-9-38 IS REPEALED [EFFECTIVE JULY 1, 2025]. (Food and Beverage Taxes in Wayne County).

SECTION 16. IC 6-9-47.5-4, AS ADDED BY P.L.254-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:**

(1) for consumption at a location or on equipment provided by a retail merchant;

(2) in the county; and

(3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

(1) served by a retail merchant off the merchant's premises;

(2) food sold in a heated state or heated by a retail merchant;

(3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or



(4) food sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport the food).

(c) The county food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in the following transactions:

(1) a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

(2) A transaction that occurs at a historic hotel (as defined in IC 4-33-2-11.1); the riverboat operated under IC 4-33-6.5; and other properties operated in conjunction with the historic hotel enterprise located in Orange County; including golf courses.

SECTION 17. IC 6-9-47.5-9, AS ADDED BY P.L.254-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. Money in the food and beverage tax receipts fund must be used by the county only for the following purposes:

(1) For economic development purposes, including the pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations for economic development purposes.

(2) For the following purposes:

(A) Storm water, sidewalk, street, park, Parks and parking improvements necessary to support tourism in the county.

(B) Public safety.

(C) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in clauses (A) through (B).

Revenue derived from the imposition of a tax under this chapter may be treated by the county as additional revenue for the purpose of fixing its budget for the budget year during which the revenues are to be distributed to the county.

SECTION 18. IC 6-9-60 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 60. LaGrange County Innkeeper's Tax

Sec. 1. (a) This chapter applies to LaGrange County, if the county had adopted an innkeeper's tax under IC 6-9-18 before July 1, 2025.

(b) The:

(1) convention, visitor, and tourism promotion fund;

(2) convention and visitor commission;

(3) innkeeper's tax rate; and



(4) tax collection procedures; established under IC 6-9-18 before July 1, 2025, remain in effect and govern the county's innkeeper's tax until amended under this chapter.

(c) A member of the convention and visitor commission established under IC 6-9-18 before July 1, 2025, shall serve a full term of office. If a vacancy occurs, the appointing authority shall appoint a qualified replacement as provided under this chapter. The appointing authority shall make other subsequent appointments to the commission as provided under this chapter.

Sec. 2. As used in this chapter:

- (1) "executive" and "fiscal body" have the meanings set forth in IC 36-1-2; and
- (2) "gross retail income" and "person" have the meanings set forth in IC 6-2.5-1.

Sec. 3. (a) The fiscal body of the county may levy a tax on every person engaged in the business of renting or furnishing, for periods of less than thirty (30) days, any room or rooms, lodgings, or accommodations in any:

- (1) hotel;
- (2) motel;
- (3) boat motel;
- (4) inn;
- (5) college or university memorial union;
- (6) college or university residence hall or dormitory; or
- (7) tourist cabin;

located in the county.

(b) The tax does not apply to gross income received in a transaction in which:

- (1) a student rents lodgings in a college or university residence hall while that student participates in a course of study for which the student receives college credit from a college or university located in the county; or
- (2) a person rents a room, lodging, or accommodations for a period of thirty (30) days or more.

(c) Subject to section 4 of this chapter, the tax may not exceed the rate of eight percent (8%) on the gross retail income derived from lodging income only and is in addition to the state gross retail tax imposed under IC 6-2.5.

(d) The county fiscal body may adopt an ordinance to require that the tax shall be paid monthly to the county treasurer. If such an ordinance is adopted, the tax shall be paid to the county



treasurer not more than twenty (20) days after the end of the month the tax is collected. If such an ordinance is not adopted, the tax shall be imposed, paid, and collected in exactly the same manner as the state gross retail tax is imposed, paid, and collected under IC 6-2.5.

(e) All of the provisions of IC 6-2.5 relating to rights, duties, liabilities, procedures, penalties, definitions, exemptions, and administration are applicable to the imposition and administration of the tax imposed under this section except to the extent those provisions are in conflict or inconsistent with the specific provisions of this chapter or the requirements of the county treasurer. If the tax is paid to the department of state revenue, the return to be filed for the payment of the tax under this section may be either a separate return or may be combined with the return filed for the payment of the state gross retail tax as the department of state revenue may, by rule, determine.

(f) If the tax is paid to the department of state revenue, the amounts received from the tax imposed under this section shall be paid monthly by the treasurer of state to the county treasurer upon warrants issued by the state comptroller.

Sec. 4. (a) After June 30, 2025, the county fiscal body may adopt an ordinance to increase the tax rate imposed under section 3 of this chapter to a tax rate that exceeds five percent (5%) but does not exceed eight percent (8%). If the county imposes a tax rate that exceeds five percent (5%), the portion that exceeds five percent (5%) terminates January 1, 2047.

(b) If the county fiscal body adopts an ordinance for an increase under this section:

- (1) it shall immediately send a certified copy of the ordinance to the department of state revenue; and
- (2) the increase applies to transactions after the last day of the month in which the ordinance is adopted, if the county fiscal body adopts the ordinance on or before the fifteenth day of a month. If the county fiscal body adopts the ordinance after the fifteenth day of a month, the tax applies to transactions after the last day of the month following the month in which the ordinance is adopted.

Sec. 5. (a) The county treasurer shall establish a convention, visitor, and tourism promotion fund. The county treasurer shall deposit in this fund all amounts the county treasurer receives under this chapter.

(b) The county auditor shall issue a warrant directing the



county treasurer to transfer money from the convention, visitor, and tourism promotion fund to the treasurer of the commission established under section 6 of this chapter if the commission submits a written request for the transfer.

(c) Money in a convention, visitor, and tourism promotion fund, or money transferred from such a fund under subsection (b), may be expended to promote and encourage conventions, visitors, and tourism within the county. Expenditures may include, but are not limited to, expenditures for advertising, promotional activities, trade shows, special events, and recreation.

Sec. 6. (a) The county executive shall create a commission to promote the development and growth of the convention, visitor, and tourism industry in the county. If two (2) or more adjoining counties desire to establish a joint commission, the counties shall enter into an agreement under IC 36-1-7.

(b) The county executive shall determine the number of members, which must be an odd number, to be appointed to the commission. Each of the members must be:

- (1) engaged in a convention, visitor, or tourism business; or
- (2) involved in or promoting conventions, visitors, or tourism.

A member who is an owner or an executive level employee of a convention, visitor, or tourism related business located in the county is not required to reside in the county but must reside in Indiana. A member who is not an owner or an executive level employee of a convention, visitor, or tourism related business located in the county must reside in the county. If available and willing to serve, at least two (2) of the members must be engaged in the business of renting or furnishing rooms, lodging, or accommodations (as described in section 3 of this chapter). The county executive shall also determine who will make the appointments to the commission.

(c) All terms of office of commission members begin on January 1. Initial appointments must be for staggered terms, with subsequent appointments for three (3) year terms. A member whose term expires may be reappointed to serve another term. If a vacancy occurs, the appointing authority shall appoint a qualified person to serve for the remainder of the term. If an initial appointment is not made by February 1 or a vacancy is not filled within thirty (30) days, the commission shall appoint a member by majority vote.

(d) A member of the commission may be removed for cause by the member's appointing authority.



(e) Members of the commission may not receive a salary. However, commission members are entitled to reimbursement for necessary expenses incurred in the performance of their respective duties.

(f) Each commission member, before entering the member's duties, shall take an oath of office in the usual form, to be endorsed upon the member's certificate of appointment and promptly filed with the clerk of the circuit court of the county.

(g) The commission shall meet after January 1 each year for the purpose of organization. It shall elect one (1) of its members president, another vice president, another secretary, and another treasurer. The members elected to those offices shall perform the duties pertaining to the offices. The first officers chosen shall serve from the date of their election until their successors are elected and qualified. A majority of the commission constitutes a quorum, and the concurrence of a majority of the commission is necessary to authorize any action.

Sec. 7. (a) The commission may:

- (1) accept and use gifts, grants, and contributions from any public or private source, under terms and conditions that the commission considers necessary and desirable;
- (2) sue and be sued;
- (3) enter into contracts and agreements; and
- (4) make rules necessary for the conduct of its business and the accomplishment of its purposes.

(b) All expenses of the commission shall be paid from the fund established under section 5(a) of this chapter or from money transferred from that fund to the commission's treasurer under section 5(b) of this chapter. The commission shall annually prepare a budget and submit it to the county fiscal body for its review and approval. An expenditure may not be made under this chapter unless it is in accordance with an appropriation made by the county fiscal body in the manner provided by law.

Sec. 8. All money coming into possession of the commission shall be deposited, held, secured, invested, and paid in accordance with statutes relating to the handling of public funds. The handling and expenditure of money coming into possession of the commission is subject to audit and supervision by the state board of accounts.

Sec. 9. (a) A member of the commission who knowingly:

- (1) approves the transfer of money to any person or corporation not qualified under law for that transfer; or
- (2) approves a transfer for a purpose not permitted under



law;
commits a Level 6 felony.

(b) A person who receives a transfer of money under this chapter and knowingly uses that money for any purpose not permitted under this chapter commits a Level 6 felony.

Sec. 10. (a) If the county imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 19. IC 6-9-61 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 61. Marion Food and Beverage Tax

Sec. 1. This chapter applies to the city of Marion.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the city may adopt an ordinance to impose an excise tax, known as the city food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the city may adopt an ordinance under this subsection only after the city fiscal body has previously:

- (1) adopted a resolution in support of the proposed city food and beverage tax; and
- (2) held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the city food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the city fiscal body adopts an ordinance under subsection (a), the city fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the city fiscal body adopts an ordinance under subsection (a), the city food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

- (1) for consumption at a location or on equipment provided by a retail merchant;
- (2) in the city; and
- (3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:



- (1) served by a retail merchant off the merchant's premises;
- (2) food sold in a heated state or heated by a retail merchant;
- (3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or
- (4) food sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport the food).

(c) The city food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The city food and beverage tax rate:

- (1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and
- (2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the city fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by a city, the city fiscal officer shall establish a food and beverage tax receipts fund.

(b) The city fiscal officer shall deposit in the fund all amounts



received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the city only for the following purposes:

(1) For economic development purposes, including the pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations for economic development purposes.

(2) For park and recreation purposes, including the purchase of land for park and recreation purposes.

(3) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivision (2).

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the city imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 20. IC 6-9-62 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 62. Shelbyville Food and Beverage Tax

Sec. 1. This chapter applies to the city of Shelbyville.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the city may adopt an ordinance to impose an excise tax, known as the city food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the city may adopt an ordinance under this subsection only after the fiscal body has previously held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the city food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the city fiscal body adopts an ordinance under subsection (a), the city fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the city fiscal body adopts an ordinance under subsection (a), the city food and beverage tax applies to transactions that



occur after the later of the following:

- (1) The day specified in the ordinance.
- (2) The last day of the month that succeeds the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

- (1) for consumption at a location or on equipment provided by a retail merchant;
- (2) in the city; and
- (3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

- (1) served by a retail merchant off the merchant's premises;
- (2) sold in a heated state or heated by a retail merchant;
- (3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or
- (4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The city food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The city food and beverage tax rate:

- (1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and
- (2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter is imposed, paid, and collected in the same manner that the state gross retail tax is



imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the city fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the city, the city fiscal officer shall establish a food and beverage tax receipts fund.

(b) The city fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the city only for the following purposes:

- (1)** Rehabilitation, renovation, repurposing, improvement, or maintenance of historic property.
- (2)** Park and recreation purposes, including the purchase of land for park and recreation purposes.
- (3)** Economic development purposes.
- (4)** The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivisions (1) through (3).

Revenue derived from the imposition of a tax under this chapter may be treated by the city as additional revenue for the purpose of fixing its budget for the budget year during which the revenues are to be distributed to the city.

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the city imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 21. IC 6-9-63 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 63. New Haven Food and Beverage Tax



Sec. 1. This chapter applies to the city of New Haven.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the city may adopt an ordinance to impose an excise tax, known as the city food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the city may adopt an ordinance under this subsection only after the fiscal body has previously held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the city food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the city fiscal body adopts an ordinance under subsection (a), the city fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the city fiscal body adopts an ordinance under subsection (a), the city food and beverage tax applies to transactions that occur after the later of the following:

- (1) The day specified in the ordinance.**
- (2) The last day of the month that succeeds the month in which the ordinance is adopted.**

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

- (1) for consumption at a location or on equipment provided by a retail merchant;**
- (2) in the city; and**
- (3) by a retail merchant for consideration.**

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

- (1) served by a retail merchant off the merchant's premises;**
- (2) sold in a heated state or heated by a retail merchant;**
- (3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or**
- (4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not**



include a container or package used to transport food).

(c) The city food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The city food and beverage tax rate:

- (1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and
- (2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the city fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the city, the city fiscal officer shall establish a food and beverage tax receipts fund.

(b) The city fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the city only for the following purposes:

- (1) Park and recreation purposes, including the purchase of land for park and recreation purposes.
- (2) Tourism related purposes or facilities, including the purchase of land for tourism related purposes.
- (3) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivisions (1) and (2).

Revenue derived from the imposition of a tax under this chapter may be treated by the city as additional revenue for the purpose of



fixing its budget for the budget year during which the revenues are to be distributed to the city.

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the city imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 22. IC 6-9-64 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 64. Richmond Food and Beverage Tax

Sec. 1. This chapter applies to the city of Richmond.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the city may adopt an ordinance to impose an excise tax, known as the city food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the city may adopt an ordinance under this subsection only after the city fiscal body has previously:

- (1) adopted a resolution in support of the proposed city food and beverage tax; and
- (2) held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the city food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the city fiscal body adopts an ordinance under subsection (a), the city fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the city fiscal body adopts an ordinance under subsection (a), the city food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

- (1) for consumption at a location or on equipment provided by a retail merchant;
- (2) in the city; and



(3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

- (1) served by a retail merchant off the merchant's premises;
- (2) sold in a heated state or heated by a retail merchant;
- (3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or
- (4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The city food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The city food and beverage tax rate:

- (1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and
- (2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the city fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the city, the city fiscal officer shall establish a food and beverage



tax receipts fund.

(b) The city fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the city only for the following purposes:

- (1) Parks and recreation, including trails.
- (2) Activation of the Whitewater Gorge.
- (3) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivision (1) or (2).

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the city imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 23. IC 6-9-65 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 65. Centerville Food and Beverage Tax

Sec. 1. This chapter applies to the town of Centerville.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the town may adopt an ordinance to impose an excise tax, known as the town food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the town may adopt an ordinance under this subsection only after the town fiscal body has previously:

- (1) adopted a resolution in support of the proposed town food and beverage tax; and
- (2) held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the town food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the town fiscal body adopts an ordinance under subsection (a), the town fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.



(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

- (1) for consumption at a location or on equipment provided by a retail merchant;
- (2) in the town; and
- (3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

- (1) served by a retail merchant off the merchant's premises;
- (2) sold in a heated state or heated by a retail merchant;
- (3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or
- (4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The town food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The town food and beverage tax rate:

- (1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and
- (2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is



imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the town fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the town, the town fiscal officer shall establish a food and beverage tax receipts fund.

(b) The town fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the town only for the following purposes:

(1) Community and economic development projects that are listed in the Wayne County Strategic Plan, excluding infrastructure.

(2) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivision (1).

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the town imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 24. IC 6-9-66 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 66. Cambridge City Food and Beverage Tax

Sec. 1. This chapter applies to the town of Cambridge City.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the town may adopt an ordinance to impose an excise tax, known as the town food and beverage tax, on transactions described in section 4 of this chapter. The fiscal



body of the town may adopt an ordinance under this subsection only after the town fiscal body has previously:

(1) adopted a resolution in support of the proposed town food and beverage tax; and

(2) held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the town food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the town fiscal body adopts an ordinance under subsection (a), the town fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

(1) for consumption at a location or on equipment provided by a retail merchant;

(2) in the town; and

(3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

(1) served by a retail merchant off the merchant's premises;

(2) sold in a heated state or heated by a retail merchant;

(3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or

(4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The town food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.



Sec. 5. The town food and beverage tax rate:

- (1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and
- (2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the town fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the town, the town fiscal officer shall establish a food and beverage tax receipts fund.

(b) The town fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the town only for the following purposes:

- (1) Community and economic development projects that are listed in the Wayne County Strategic Plan, excluding infrastructure.
- (2) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivision (1).

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the town imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.



(b) This chapter expires January 1, 2047.

SECTION 25. IC 6-9-67 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 67. Hagerstown Food and Beverage Tax

Sec. 1. This chapter applies to the town of Hagerstown.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the town may adopt an ordinance to impose an excise tax, known as the town food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the town may adopt an ordinance under this subsection only after the town fiscal body has previously:

- (1) adopted a resolution in support of the proposed town food and beverage tax; and**
- (2) held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the town food and beverage tax is the only substantive issue on the agenda for the public hearing.**

(b) If the town fiscal body adopts an ordinance under subsection (a), the town fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

- (1) for consumption at a location or on equipment provided by a retail merchant;**
- (2) in the town; and**
- (3) by a retail merchant for consideration.**

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

- (1) served by a retail merchant off the merchant's premises;**
- (2) sold in a heated state or heated by a retail merchant;**
- (3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as**



recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or

(4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The town food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The town food and beverage tax rate:

(1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and

(2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the town fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the town, the town fiscal officer shall establish a food and beverage tax receipts fund.

(b) The town fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the town only for the following purposes:

(1) Community and economic development projects that are listed in the Wayne County Strategic Plan, excluding infrastructure.



(2) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivision (1).

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the town imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 26. IC 6-9-68 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 68. Fountain City Food and Beverage Tax

Sec. 1. This chapter applies to the town of Fountain City.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the town may adopt an ordinance to impose an excise tax, known as the town food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the town may adopt an ordinance under this subsection only after the town fiscal body has previously:

- (1) adopted a resolution in support of the proposed town food and beverage tax; and
- (2) held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the town food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the town fiscal body adopts an ordinance under subsection (a), the town fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

- (1) for consumption at a location or on equipment provided by a retail merchant;



(2) in the town; and

(3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

(1) served by a retail merchant off the merchant's premises;

(2) sold in a heated state or heated by a retail merchant;

(3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or

(4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The town food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The town food and beverage tax rate:

(1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and

(2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the town fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by



the town, the town fiscal officer shall establish a food and beverage tax receipts fund.

(b) The town fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the town only for the following purposes:

(1) Community and economic development projects that are listed in the Wayne County Strategic Plan, excluding infrastructure.

(2) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivision (1).

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the town imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 27. IC 6-9-69 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 69. Greens Fork Food and Beverage Tax

Sec. 1. This chapter applies to the town of Greens Fork.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the town may adopt an ordinance to impose an excise tax, known as the town food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the town may adopt an ordinance under this subsection only after the town fiscal body has previously:

(1) adopted a resolution in support of the proposed town food and beverage tax; and

(2) held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the town food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the town fiscal body adopts an ordinance under subsection



(a), the town fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

- (1) for consumption at a location or on equipment provided by a retail merchant;
- (2) in the town; and
- (3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

- (1) served by a retail merchant off the merchant's premises;
- (2) sold in a heated state or heated by a retail merchant;
- (3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or
- (4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The town food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The town food and beverage tax rate:

- (1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and
- (2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.



Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the town fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the town, the town fiscal officer shall establish a food and beverage tax receipts fund.

(b) The town fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the town only for the following purposes:

(1) Community and economic development projects that are listed in the Wayne County Strategic Plan, excluding infrastructure.

(2) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivision (1).

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the town imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 28. IC 6-9-70 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 70. Milton Food and Beverage Tax

Sec. 1. This chapter applies to the town of Milton.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the town may adopt an ordinance



to impose an excise tax, known as the town food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the town may adopt an ordinance under this subsection only after the town fiscal body has previously:

- (1) adopted a resolution in support of the proposed town food and beverage tax; and
- (2) held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the town food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the town fiscal body adopts an ordinance under subsection (a), the town fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

- (1) for consumption at a location or on equipment provided by a retail merchant;
- (2) in the town; and
- (3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

- (1) served by a retail merchant off the merchant's premises;
- (2) sold in a heated state or heated by a retail merchant;
- (3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or
- (4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The town food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a



transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The town food and beverage tax rate:

- (1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and
- (2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the town fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the town, the town fiscal officer shall establish a food and beverage tax receipts fund.

(b) The town fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the town only for the following purposes:

- (1) Community and economic development projects that are listed in the Wayne County Strategic Plan, excluding infrastructure.
- (2) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivision (1).

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.



Sec. 11. (a) If the town imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 29. IC 6-9-71 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 71. Dublin Food and Beverage Tax

Sec. 1. This chapter applies to the town of Dublin.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the town may adopt an ordinance to impose an excise tax, known as the town food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the town may adopt an ordinance under this subsection only after the town fiscal body has previously:

- (1) adopted a resolution in support of the proposed town food and beverage tax; and**
- (2) held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the town food and beverage tax is the only substantive issue on the agenda for the public hearing.**

(b) If the town fiscal body adopts an ordinance under subsection (a), the town fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

- (1) for consumption at a location or on equipment provided by a retail merchant;**
- (2) in the town; and**
- (3) by a retail merchant for consideration.**

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

- (1) served by a retail merchant off the merchant's premises;**
- (2) sold in a heated state or heated by a retail merchant;**
- (3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the**



seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or

(4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The town food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The town food and beverage tax rate:

(1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and

(2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the town fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the town, the town fiscal officer shall establish a food and beverage tax receipts fund.

(b) The town fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the town only for the following purposes:

(1) Community and economic development projects that are



listed in the Wayne County Strategic Plan, excluding infrastructure.

(2) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivision (1).

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the town imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 30. IC 6-9-72 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 72. Mount Auburn Food and Beverage Tax

Sec. 1. This chapter applies to the town of Mount Auburn.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the town may adopt an ordinance to impose an excise tax, known as the town food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the town may adopt an ordinance under this subsection only after the town fiscal body has previously:

(1) adopted a resolution in support of the proposed town food and beverage tax; and

(2) held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the town food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the town fiscal body adopts an ordinance under subsection (a), the town fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the last day of the month following the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:



- (1) for consumption at a location or on equipment provided by a retail merchant;
- (2) in the town; and
- (3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

- (1) served by a retail merchant off the merchant's premises;
- (2) sold in a heated state or heated by a retail merchant;
- (3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or
- (4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The town food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The town food and beverage tax rate:

- (1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and
- (2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the town



fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the town, the town fiscal officer shall establish a food and beverage tax receipts fund.

(b) The town fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the town only for the following purposes:

(1) Community and economic development projects that are listed in the Wayne County Strategic Plan, excluding infrastructure.

(2) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivision (1).

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the town imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 31. IC 6-9-73 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 73. Madison Food and Beverage Tax

Sec. 1. This chapter applies to the city of Madison.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the city may adopt an ordinance to impose an excise tax, known as the city food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the city may adopt an ordinance under this subsection only after the fiscal body has previously held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the city food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the city fiscal body adopts an ordinance under subsection (a), the city fiscal body shall immediately send a certified copy of



the ordinance to the department of state revenue.

(c) If the city fiscal body adopts an ordinance under subsection (a), the city food and beverage tax applies to transactions that occur after the later of the following:

- (1) The day specified in the ordinance.
- (2) The last day of the month that succeeds the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

- (1) for consumption at a location or on equipment provided by a retail merchant;
- (2) in the city; and
- (3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

- (1) served by a retail merchant off the merchant's premises;
- (2) sold in a heated state or heated by a retail merchant;
- (3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or
- (4) sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport food).

(c) The city food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The city food and beverage tax rate:

- (1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and
- (2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of



tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the city fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the city, the city fiscal officer shall establish a food and beverage tax receipts fund.

(b) The city fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the city only for the following purposes:

(1) Park and recreation purposes, including the purchase of land for park and recreation purposes.

(2) Economic development and tourism related purposes or facilities, including the purchase of land for economic development or tourism related purposes.

(3) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivisions (1) and (2).

Revenue derived from the imposition of a tax under this chapter may be treated by the city as additional revenue for the purpose of fixing its budget for the budget year during which the revenues are to be distributed to the city.

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the city imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 32. IC 6-9-74 IS ADDED TO THE INDIANA CODE AS



A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 74. Boone County Innkeeper's Tax

Sec. 1. (a) This chapter applies to Boone County, if the county had adopted an innkeeper's tax under IC 6-9-18 before July 1, 2025.

(b) The:

- (1)** convention, visitor, and tourism promotion fund;
- (2)** convention and visitor commission;
- (3)** innkeeper's tax rate; and
- (4)** tax collection procedures;

established under IC 6-9-18 before July 1, 2025, remain in effect and govern the county's innkeeper's tax until amended under this chapter.

(c) A member of the convention and visitor commission established under IC 6-9-18 before July 1, 2025, shall serve a full term of office. If a vacancy occurs, the appointing authority shall appoint a qualified replacement as provided under this chapter. The appointing authority shall make other subsequent appointments to the commission as provided under this chapter.

Sec. 2. As used in this chapter:

- (1)** "executive" and "fiscal body" have the meanings set forth in IC 36-1-2; and
- (2)** "gross retail income" and "person" have the meanings set forth in IC 6-2.5-1.

Sec. 3. (a) The fiscal body of the county may levy a tax on every person engaged in the business of renting or furnishing, for periods of less than thirty (30) days, any room or rooms, lodgings, or accommodations in any:

- (1)** hotel;
- (2)** motel;
- (3)** boat motel;
- (4)** inn;
- (5)** college or university memorial union;
- (6)** college or university residence hall or dormitory; or
- (7)** tourist cabin;

located in the county.

(b) The tax does not apply to gross income received in a transaction in which:

- (1)** a student rents lodgings in a college or university residence hall while that student participates in a course of study for which the student receives college credit from a college or



university located in the county; or

(2) a person rents a room, lodging, or accommodations for a period of thirty (30) days or more.

(c) Subject to section 4 of this chapter, the tax may not exceed the rate of eight percent (8%) on the gross retail income derived from lodging income only and is in addition to the state gross retail tax imposed under IC 6-2.5.

(d) The county fiscal body may adopt an ordinance to require that the tax shall be paid monthly to the county treasurer. If such an ordinance is adopted, the tax shall be paid to the county treasurer not more than twenty (20) days after the end of the month the tax is collected. If such an ordinance is not adopted, the tax shall be imposed, paid, and collected in exactly the same manner as the state gross retail tax is imposed, paid, and collected under IC 6-2.5.

(e) All of the provisions of IC 6-2.5 relating to rights, duties, liabilities, procedures, penalties, definitions, exemptions, and administration are applicable to the imposition and administration of the tax imposed under this section except to the extent those provisions are in conflict or inconsistent with the specific provisions of this chapter or the requirements of the county treasurer. If the tax is paid to the department of state revenue, the return to be filed for the payment of the tax under this section may be either a separate return or may be combined with the return filed for the payment of the state gross retail tax as the department of state revenue may, by rule, determine.

(f) If the tax is paid to the department of state revenue, the amounts received from the tax imposed under this section shall be paid monthly by the treasurer of state to the county treasurer upon warrants issued by the state comptroller.

Sec. 4. (a) After June 30, 2025, the county fiscal body may adopt an ordinance to increase the tax rate imposed under section 3 of this chapter to a tax rate that exceeds five percent (5%) but does not exceed eight percent (8%). If the county imposes a tax rate that exceeds five percent (5%), the portion that exceeds five percent (5%) terminates January 1, 2047.

(b) If the county fiscal body adopts an ordinance for an increase under this section:

(1) it shall immediately send a certified copy of the ordinance to the department of state revenue; and

(2) the increase applies to transactions after the last day of the month in which the ordinance is adopted, if the county fiscal



body adopts the ordinance on or before the fifteenth day of a month. If the county fiscal body adopts the ordinance after the fifteenth day of a month, the tax applies to transactions after the last day of the month following the month in which the ordinance is adopted.

Sec. 5. (a) The county treasurer shall establish a convention, visitor, and tourism promotion fund. The county treasurer shall deposit in this fund all amounts the county treasurer receives under section 3 of this chapter that are attributable to a rate that does not exceed eight percent (8%).

(b) The county auditor shall issue a warrant directing the county treasurer to transfer money from the convention, visitor, and tourism promotion fund to the commission's treasurer if the commission submits a written request for the transfer.

(c) Money in a convention, visitor, and tourism promotion fund, or money transferred from such a fund under subsection (b), may be expended only to promote and encourage conventions, visitors, and tourism within the county. Expenditures under this subsection may include expenditures for advertising, promotional activities, trade shows, special events, and recreation.

(d) If before July 1, 2025, the county:

- (1)** issued a bond with a pledge of revenues from the tax imposed under IC 6-9-18-3; or
- (2)** pledged all or part of the amounts received from the tax imposed under IC 6-9-18-3 in accordance with a resolution adopted under IC 6-9-18-6.5 (before its repeal) to the payment of obligations (including bonds and leases) of a political subdivision located in the county;

the county shall continue to expend money from the fund for that purpose until any bonds, leases, or other obligations are paid.

Sec. 6. (a) The county executive shall create a commission to promote the development and growth of the convention, visitor, and tourism industry in the county. If two (2) or more adjoining counties desire to establish a joint commission, the counties shall enter into an agreement under IC 36-1-7.

(b) The county executive shall determine the number of members, which must be an odd number, to be appointed to the commission. A simple majority of the members must be:

- (1)** engaged in a convention, visitor, or tourism business; or
- (2)** involved in or promoting conventions, visitors, or tourism.

A member appointed to the commission under subdivision (1) or (2) need not be a resident of the county if the member is an owner



or an executive level employee of a convention, visitor, or tourism business that is located within the county. However, the member must be a resident of Indiana. If available and willing to serve, at least two (2) of the members must be engaged in the business of renting or furnishing rooms, lodging, or accommodations (as described in section 3 of this chapter). Not more than one (1) member may be affiliated with the same business entity. Except as otherwise provided in this subsection, each member must reside in the county. The county executive shall also determine who will make the appointments to the commission, except that the executive of the largest municipality in the county shall appoint a number of the members of the commission, which number shall be in the same ratio to the total size of the commission (rounded off to the nearest whole number) that the population of the largest municipality bears to the total population of the county.

(c) All terms of office of commission members begin on January 1. Initial appointments must be for staggered terms, with subsequent appointments for two (2) year terms. A member whose term expires may be reappointed to serve another term. If a vacancy occurs, the appointing authority shall appoint a qualified person to serve for the remainder of the term. If an initial appointment is not made by February 1 or a vacancy is not filled within thirty (30) days, the commission shall appoint a member by majority vote.

(d) A member of the commission may be removed for cause by the member's appointing authority.

(e) Members of the commission may not receive a salary. However, commission members are entitled to reimbursement for necessary expenses incurred in the performance of their respective duties.

(f) Each commission member, before entering the member's duties, shall take an oath of office in the usual form, to be endorsed upon the member's certificate of appointment and promptly filed with the clerk of the circuit court of the county.

(g) The commission shall meet after January 1 each year for the purpose of organization. It shall elect one (1) of its members president, another vice president, another secretary, and another treasurer. The members elected to those offices shall perform the duties pertaining to the offices. The first officers chosen shall serve from the date of their election until their successors are elected and qualified. A majority of the commission constitutes a quorum, and the concurrence of a majority of the commission is necessary to



authorize any action.

Sec. 7. (a) The commission may:

- (1) accept and use gifts, grants, and contributions from any public or private source, under terms and conditions that the commission considers necessary and desirable;**
- (2) sue and be sued;**
- (3) enter into contracts and agreements; and**
- (4) make rules necessary for the conduct of its business and the accomplishment of its purposes.**

(b) In addition to the powers of the commission under subsection (a), and subject to adoption of a resolution by the county fiscal body under section 8 of this chapter, the commission may enter into an agreement under which amounts deposited in, or to be deposited in, the fund established under section 5(a) of this chapter are pledged toward the payment of obligations (including bonds and leases) issued or entered into by any political subdivision located in the county to finance the construction, acquisition, enlargement, and equipping of a sports and recreation facility to promote and encourage conventions, trade shows, tourism, visitors, or special events within the county.

(c) All expenses of the commission shall be paid from the fund established under section 5 of this chapter or from money transferred from that fund to the commission's treasurer under section 5(b) of this chapter. The commission shall annually prepare a budget and submit it to the county fiscal body for its review and approval. Except for payments made under an agreement that is authorized in a resolution adopted by the county fiscal body under section 8 of this chapter, an expenditure may not be made under this chapter unless it is in accordance with an appropriation made by the county fiscal body in the manner provided by law.

Sec. 8. (a) The county fiscal body may adopt a resolution authorizing an agreement described in section 7(b) of this chapter that pledges all or part of the amounts received from the tax imposed under section 3 of this chapter toward the payment of obligations of a political subdivision located in the county only after a public hearing:

- (1) for which notice has been given in accordance with IC 5-3-1; and**
- (2) at which all interested parties are provided the opportunity to be heard.**

Upon adoption of a resolution under this subsection, the county fiscal body shall publish notice of the adoption of the resolution in



accordance with IC 5-3-1. An action to contest the validity of the resolution or agreement described in section 7(b) of this chapter must be brought not later than thirty (30) days after notice of the adoption of the resolution.

(b) With respect to obligations to which amounts received from a tax imposed under section 3 of this chapter have been pledged in an agreement described in section 7(b) of this chapter, the general assembly covenants with the commission and the purchasers or owners of the obligations that this chapter will not be repealed or amended in any manner that will adversely affect the collection of the tax imposed under section 3 of this chapter, or the money deposited in the fund established under section 5 of this chapter, as long as the obligations are unpaid.

Sec. 9. All money coming into possession of the commission shall be deposited, held, secured, invested, and paid in accordance with statutes relating to the handling of public funds. The handling and expenditure of money coming into possession of the commission is subject to audit and supervision by the state board of accounts.

Sec. 10. (a) A member of the commission who knowingly:

- (1) approves the transfer of money to any person or corporation not qualified under law for that transfer; or
- (2) approves a transfer for a purpose not permitted under law;

commits a Level 6 felony.

(b) A person who receives a transfer of money under this chapter and knowingly uses that money for any purpose not permitted under this chapter commits a Level 6 felony.

Sec. 11. (a) If the county imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 33. IC 6-9-75 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 75. Parke County Innkeeper's Tax

Sec. 1. (a) This chapter applies to Parke County, if the county had adopted an innkeeper's tax under IC 6-9-18 before July 1, 2025.

(b) The:

- (1) convention, visitor, and tourism promotion fund;
- (2) convention and visitor commission;
- (3) innkeeper's tax rate; and
- (4) tax collection procedures;



established under IC 6-9-18 before July 1, 2025, remain in effect and govern the county's innkeeper's tax until amended under this chapter.

(c) A member of the convention and visitor commission established under IC 6-9-18 before July 1, 2025, shall serve a full term of office. If a vacancy occurs, the appointing authority shall appoint a qualified replacement as provided under this chapter. The appointing authority shall make other subsequent appointments to the commission as provided under this chapter.

Sec. 2. As used in this chapter:

- (1) "executive" and "fiscal body" have the meanings set forth in IC 36-1-2; and
- (2) "gross retail income" and "person" have the meanings set forth in IC 6-2.5-1.

Sec. 3. (a) The fiscal body of the county may levy a tax on every person engaged in the business of renting or furnishing, for periods of less than thirty (30) days, any room or rooms, lodgings, or accommodations in any:

- (1) hotel;
- (2) motel;
- (3) boat motel;
- (4) inn;
- (5) college or university memorial union;
- (6) college or university residence hall or dormitory; or
- (7) tourist cabin;

located in the county.

(b) The tax does not apply to gross income received in a transaction in which:

- (1) a student rents lodgings in a college or university residence hall while that student participates in a course of study for which the student receives college credit from a college or university located in the county; or
- (2) a person rents a room, lodging, or accommodations for a period of thirty (30) days or more.

Sec. 4. (a) The tax may not exceed the rate of eight percent (8%) on the gross retail income derived from lodging income only and is in addition to the state gross retail tax imposed under IC 6-2.5.

(b) The county fiscal body may adopt an ordinance to require that the tax shall be paid monthly to the county treasurer. If such an ordinance is adopted, the tax shall be paid to the county treasurer not more than twenty (20) days after the end of the month the tax is collected. If such an ordinance is not adopted, the



tax shall be imposed, paid, and collected in exactly the same manner as the state gross retail tax is imposed, paid, and collected under IC 6-2.5.

(c) All of the provisions of IC 6-2.5 relating to rights, duties, liabilities, procedures, penalties, definitions, exemptions, and administration are applicable to the imposition and administration of the tax imposed under this section except to the extent those provisions are in conflict or inconsistent with the specific provisions of this chapter or the requirements of the county treasurer. If the tax is paid to the department of state revenue, the return to be filed for the payment of the tax under this section may be either a separate return or may be combined with the return filed for the payment of the state gross retail tax as the department of state revenue may, by rule, determine.

(d) If the tax is paid to the department of state revenue, the amounts received from the tax imposed under this section shall be paid monthly by the treasurer of state to the county treasurer upon warrants issued by the state comptroller.

Sec. 5. (a) The county treasurer shall establish a convention, visitor, and tourism promotion fund. The county treasurer shall deposit in this fund all amounts the county treasurer receives under this chapter.

(b) The county auditor shall issue a warrant directing the county treasurer to transfer money from the convention, visitor, and tourism promotion fund to the treasurer of the commission established under section 6 of this chapter if the commission submits a written request for the transfer.

(c) Money in a convention, visitor, and tourism promotion fund, or money transferred from such a fund under subsection (b), may be expended to:

- (1) promote and encourage conventions, visitors, and tourism within the county; and
- (2) pay for public safety related to tourism.

Expenditures may include, but are not limited to, expenditures for advertising, promotional activities, trade shows, special events, recreation, and public safety related to tourism.

(d) If before July 1, 2025, the county issued a bond with a pledge of revenues from the tax imposed under IC 6-9-18-3, the county shall continue to expend money from the fund for that purpose until the bond is paid.

Sec. 6. (a) The county executive shall create a commission to promote the development and growth of the convention, visitor,



and tourism industry in the county. If two (2) or more adjoining counties desire to establish a joint commission, the counties shall enter into an agreement under IC 36-1-7.

(b) The county executive shall determine the number of members, which must be an odd number, to be appointed to the commission. Each of the members must be:

- (1) engaged in a convention, visitor, or tourism business; or
- (2) involved in or promoting conventions, visitors, or tourism.

A member who is an owner or an executive level employee of a convention, visitor, or tourism related business located in the county is not required to reside in the county but must reside in Indiana. A member who is not an owner or an executive level employee of a convention, visitor, or tourism related business located in the county must reside in the county. If available and willing to serve, at least two (2) of the members must be engaged in the business of renting or furnishing rooms, lodging, or accommodations (as described in section 3 of this chapter). The county executive shall also determine who will make the appointments to the commission.

(c) All terms of office of commission members begin on January 1. Initial appointments must be for staggered terms, with subsequent appointments for three (3) year terms. A member whose term expires may be reappointed to serve another term. If a vacancy occurs, the appointing authority shall appoint a qualified person to serve for the remainder of the term. If an initial appointment is not made by February 1 or a vacancy is not filled within thirty (30) days, the commission shall appoint a member by majority vote.

(d) A member of the commission may be removed for cause by the member's appointing authority.

(e) Members of the commission may not receive a salary. However, commission members are entitled to reimbursement for necessary expenses incurred in the performance of their respective duties.

(f) Each commission member, before entering the member's duties, shall take an oath of office in the usual form, to be endorsed upon the member's certificate of appointment and promptly filed with the clerk of the circuit court of the county.

(g) The commission shall meet after January 1 each year for the purpose of organization. It shall elect one (1) of its members president, another vice president, another secretary, and another treasurer. The members elected to those offices shall perform the



duties pertaining to the offices. The first officers chosen shall serve from the date of their election until their successors are elected and qualified. A majority of the commission constitutes a quorum, and the concurrence of a majority of the commission is necessary to authorize any action.

Sec. 7. (a) The commission may:

- (1) accept and use gifts, grants, and contributions from any public or private source, under terms and conditions that the commission considers necessary and desirable;**
- (2) sue and be sued;**
- (3) enter into contracts and agreements; and**
- (4) make rules necessary for the conduct of its business and the accomplishment of its purposes.**

(b) All expenses of the commission shall be paid from the fund established under section 5(a) of this chapter or from money transferred from that fund to the commission's treasurer under section 5(b) of this chapter. The commission shall annually prepare a budget and submit it to the county fiscal body for its review and approval. An expenditure may not be made under this chapter unless it is in accordance with an appropriation made by the county fiscal body in the manner provided by law.

Sec. 8. All money coming into possession of the commission shall be deposited, held, secured, invested, and paid in accordance with statutes relating to the handling of public funds. The handling and expenditure of money coming into possession of the commission is subject to audit and supervision by the state board of accounts.

Sec. 9. (a) A member of the commission who knowingly:

- (1) approves the transfer of money to any person or corporation not qualified under law for that transfer; or**
- (2) approves a transfer for a purpose not permitted under law;**

commits a Level 6 felony.

(b) A person who receives a transfer of money under this chapter and knowingly uses that money for any purpose not permitted under this chapter commits a Level 6 felony.

Sec. 10. (a) If the county imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 34. IC 6-9-76 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]:

Chapter 76. Switzerland County Innkeeper's Tax



Sec. 1. (a) This chapter applies to Switzerland County, if the county had adopted an innkeeper's tax under IC 6-9-18 before July 1, 2025.

(b) The:

- (1) convention, visitor, and tourism promotion fund;**
- (2) convention and visitor commission;**
- (3) innkeeper's tax rate; and**
- (4) tax collection procedures;**

established under IC 6-9-18 before July 1, 2025, remain in effect and govern the county's innkeeper's tax until amended under this chapter.

(c) A member of the convention and visitor commission established under IC 6-9-18 before July 1, 2025, shall serve a full term of office. If a vacancy occurs, the appointing authority shall appoint a qualified replacement as provided under this chapter. The appointing authority shall make other subsequent appointments to the commission as provided under this chapter.

Sec. 2. As used in this chapter:

- (1) "executive" and "fiscal body" have the meanings set forth in IC 36-1-2; and**
- (2) "gross retail income" and "person" have the meanings set forth in IC 6-2.5-1.**

Sec. 3. (a) The fiscal body of the county may levy a tax on every person engaged in the business of renting or furnishing, for periods of less than thirty (30) days, any room or rooms, lodgings, or accommodations in any:

- (1) hotel;**
- (2) motel;**
- (3) boat motel;**
- (4) inn;**
- (5) college or university memorial union;**
- (6) college or university residence hall or dormitory; or**
- (7) tourist cabin;**

located in the county.

(b) The tax does not apply to gross income received in a transaction in which:

- (1) a student rents lodgings in a college or university residence hall while that student participates in a course of study for which the student receives college credit from a college or university located in the county; or**
- (2) a person rents a room, lodging, or accommodations for a period of thirty (30) days or more.**



(c) Subject to section 4 of this chapter, the tax may not exceed the rate of eight percent (8%) on the gross retail income derived from lodging income only and is in addition to the state gross retail tax imposed under IC 6-2.5.

(d) The county fiscal body may adopt an ordinance to require that the tax shall be paid monthly to the county treasurer. If such an ordinance is adopted, the tax shall be paid to the county treasurer not more than twenty (20) days after the end of the month the tax is collected. If such an ordinance is not adopted, the tax shall be imposed, paid, and collected in exactly the same manner as the state gross retail tax is imposed, paid, and collected under IC 6-2.5.

(e) All of the provisions of IC 6-2.5 relating to rights, duties, liabilities, procedures, penalties, definitions, exemptions, and administration are applicable to the imposition and administration of the tax imposed under this section except to the extent those provisions are in conflict or inconsistent with the specific provisions of this chapter or the requirements of the county treasurer. If the tax is paid to the department of state revenue, the return to be filed for the payment of the tax under this section may be either a separate return or may be combined with the return filed for the payment of the state gross retail tax as the department of state revenue may, by rule, determine.

(f) If the tax is paid to the department of state revenue, the amounts received from the tax imposed under this section shall be paid monthly by the treasurer of state to the county treasurer upon warrants issued by the state comptroller.

Sec. 4. (a) After June 30, 2025, the county fiscal body may adopt an ordinance to increase the tax rate imposed under section 3 of this chapter to a tax rate that exceeds five percent (5%) but does not exceed eight percent (8%). If the county imposes a tax rate that exceeds five percent (5%), the portion that exceeds five percent (5%) terminates January 1, 2047.

(b) If the county fiscal body adopts an ordinance for an increase under this section:

- (1) it shall immediately send a certified copy of the ordinance to the department of state revenue; and
- (2) the increase applies to transactions after the last day of the month in which the ordinance is adopted, if the county fiscal body adopts the ordinance on or before the fifteenth day of a month. If the county fiscal body adopts the ordinance after the fifteenth day of a month, the tax applies to transactions



after the last day of the month following the month in which the ordinance is adopted.

Sec. 5. (a) The county treasurer shall establish a convention, visitor, and tourism promotion fund. The county treasurer shall deposit in this fund all amounts the county treasurer receives under section 3 of this chapter that are attributable to a rate that does not exceed five percent (5%).

(b) The county auditor shall issue a warrant directing the county treasurer to transfer money from the convention, visitor, and tourism promotion fund to the treasurer of the commission established under section 7 of this chapter if the commission submits a written request for the transfer.

(c) Money in a convention, visitor, and tourism promotion fund, or money transferred from such a fund under subsection (b), may be expended to promote and encourage conventions, visitors, and tourism within the county. Expenditures may include, but are not limited to, expenditures for advertising, promotional activities, trade shows, special events, and recreation.

(d) If before July 1, 2025, the county issued a bond with a pledge of revenues from the tax imposed under IC 6-9-18-3, the county shall continue to expend money from the fund for that purpose until the bond is paid.

Sec. 6. (a) If the county fiscal body adopts an ordinance to increase the tax rate to a rate that exceeds five percent (5%), the county treasurer shall establish a tourism capital fund. The county treasurer shall deposit in the tourism capital fund the amount of money received under section 3 of this chapter attributable to a tax rate that exceeds five percent (5%).

(b) The county auditor shall issue a warrant directing the county treasurer to transfer money from the tourism capital fund to the commission's treasurer if the commission submits a written request for the transfer.

(c) Money deposited in the tourism capital fund shall be transferred or expended only as provided in this section and may be used as follows:

- (1)** To fund a riverfront park and festival grounds.
- (2)** Economic development and tourism related purposes.
- (3)** The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivisions (1) and (2).

Sec. 7. (a) The county executive shall create a commission to promote the development and growth of the convention, visitor,



and tourism industry in the county. If two (2) or more adjoining counties desire to establish a joint commission, the counties shall enter into an agreement under IC 36-1-7.

(b) The county executive shall determine the number of members, which must be an odd number, to be appointed to the commission. Each of the members must be:

- (1) engaged in a convention, visitor, or tourism business; or
- (2) involved in or promoting conventions, visitors, or tourism.

A member who is an owner or an executive level employee of a convention, visitor, or tourism related business located in the county is not required to reside in the county but must reside in Indiana. A member who is not an owner or an executive level employee of a convention, visitor, or tourism related business located in the county must reside in the county. If available and willing to serve, at least two (2) of the members must be engaged in the business of renting or furnishing rooms, lodging, or accommodations (as described in section 3 of this chapter). The county executive shall also determine who will make the appointments to the commission.

(c) All terms of office of commission members begin on January 1. Initial appointments must be for staggered terms, with subsequent appointments for three (3) year terms. A member whose term expires may be reappointed to serve another term. If a vacancy occurs, the appointing authority shall appoint a qualified person to serve for the remainder of the term. If an initial appointment is not made by February 1 or a vacancy is not filled within thirty (30) days, the commission shall appoint a member by majority vote.

(d) A member of the commission may be removed for cause by the member's appointing authority.

(e) Members of the commission may not receive a salary. However, commission members are entitled to reimbursement for necessary expenses incurred in the performance of their respective duties.

(f) Each commission member, before entering the member's duties, shall take an oath of office in the usual form, to be endorsed upon the member's certificate of appointment and promptly filed with the clerk of the circuit court of the county.

(g) The commission shall meet after January 1 each year for the purpose of organization. It shall elect one (1) of its members president, another vice president, another secretary, and another treasurer. The members elected to those offices shall perform the



duties pertaining to the offices. The first officers chosen shall serve from the date of their election until their successors are elected and qualified. A majority of the commission constitutes a quorum, and the concurrence of a majority of the commission is necessary to authorize any action.

Sec. 8. (a) The commission may:

- (1) accept and use gifts, grants, and contributions from any public or private source, under terms and conditions that the commission considers necessary and desirable;**
- (2) sue and be sued;**
- (3) enter into contracts and agreements; and**
- (4) make rules necessary for the conduct of its business and the accomplishment of its purposes.**

(b) All expenses of the commission shall be paid from the fund established under section 5(a) of this chapter or from money transferred from that fund to the commission's treasurer under section 5(b) of this chapter. The commission shall annually prepare a budget and submit it to the county fiscal body for its review and approval. An expenditure may not be made under this chapter unless it is in accordance with an appropriation made by the county fiscal body in the manner provided by law.

Sec. 9. All money coming into possession of the commission shall be deposited, held, secured, invested, and paid in accordance with statutes relating to the handling of public funds. The handling and expenditure of money coming into possession of the commission is subject to audit and supervision by the state board of accounts.

Sec. 10. (a) A member of the commission who knowingly:

- (1) approves the transfer of money to any person or corporation not qualified under law for that transfer; or**
- (2) approves a transfer for a purpose not permitted under law;**

commits a Level 6 felony.

(b) A person who receives a transfer of money under this chapter and knowingly uses that money for any purpose not permitted under this chapter commits a Level 6 felony.

Sec. 11. (a) If the county imposes the tax authorized by this chapter, the tax terminates on January 1, 2047.

(b) This chapter expires January 1, 2047.

SECTION 35. IC 6-9-77 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 77. Ellettsville Food and Beverage Tax



Sec. 1. This chapter applies to the town of Ellettsville.

Sec. 2. The definitions in IC 6-9-12-1 and IC 36-1-2 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the town may adopt an ordinance to impose an excise tax, known as the town food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the town may adopt an ordinance under this subsection only after the fiscal body has previously held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the town food and beverage tax is the only substantive issue on the agenda for the public hearing.

(b) If the town fiscal body adopts an ordinance under subsection (a), the town fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the later of the following:

- (1)** The day specified in the ordinance.
- (2)** The last day of the month that succeeds the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which food or beverage is furnished, prepared, or served:

- (1)** for consumption at a location or on equipment provided by a retail merchant;
- (2)** in the town; and
- (3)** by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

- (1)** served by a retail merchant off the merchant's premises;
- (2)** sold in a heated state or heated by a retail merchant;
- (3)** made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or
- (4)** sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not



include a container or package used to transport food).

(c) The town food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The town food and beverage tax rate:

- (1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and
- (2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5 and IC 6-9-41.

Sec. 6. A tax imposed under this chapter is imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the town fiscal officer upon warrants issued by the state comptroller.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the town, the town fiscal officer shall establish a food and beverage tax receipts fund.

(b) The town fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money deposited in the town food and beverage tax receipts fund may be used only for:

- (1) transit related purposes;
- (2) tourism and infrastructure related purposes; and
- (3) the pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivisions (1) and (2).

Revenue derived from the imposition of a tax under this chapter may be treated by the town as additional revenue for the purpose of fixing its budget for the budget year during which the revenues are to be distributed to the town.



Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. (a) If the town imposes the tax authorized by this chapter, the tax terminates on July 1, 2047.

(b) This chapter expires July 1, 2047.

SECTION 38. IC 8-1-34-24, AS AMENDED BY P.L.6-2012, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 24. (a) Subject to subsection ~~(e)~~; **(f)**, not later than forty-five (45) days after the end of each calendar quarter, the holder shall pay to each unit included in the holder's service area under a certificate issued under this chapter a franchise fee equal to:

(1) the amount of gross revenue received from providing video service in the unit during the most recent calendar quarter, as determined under section 23 of this chapter; multiplied by

(2) except as provided in subsection (c) or (d), whichever applies, a percentage equal to one (1) of the following:

(A) If a local franchise has never been in effect in the unit before July 1, 2006, five percent (5%).

(B) If no local franchise is in effect in the unit on July 1, 2006, but one (1) or more local franchises have been in effect in the unit before July 1, 2006, the percentage of gross revenue paid by the holder of the most recent local franchise in effect in the unit, unless the unit elects to impose a different percentage, which may not exceed five percent (5%).

(C) If there is one (1) local franchise in effect in the unit on July 1, 2006, the percentage of gross revenue paid by the holder of that local franchise as a franchise fee to the unit, unless the unit elects to impose a different percentage, which may not exceed five percent (5%). Upon the expiration of a local franchise described in this clause, the percentage shall be determined by the unit but may not exceed five percent (5%).

(D) If there is more than one (1) local franchise in effect with respect to the unit on July 1, 2006, a percentage determined by the unit, which may not exceed the greater of:

(i) five percent (5%); or

(ii) the percentage paid by a holder of any local franchise in effect in the unit on July 1, 2006.

(b) If the holder provides video service to an unincorporated area in



Indiana, as described in section 23(e) of this chapter, the holder shall:

- (1) calculate the franchise fee with respect to the unincorporated area in accordance with subsection (a); and
- (2) remit the franchise fee to the county in which the unincorporated area is located.

If an unincorporated area served by the provider is located in one (1) or more contiguous counties, the provider shall remit part of the franchise fee calculated under subdivision (1) to each county having territory in the unincorporated area served. The part of the franchise fee remitted to a county must bear the same proportion to the total franchise fee for the area, as calculated under subdivision (1), that the number of subscribers in the county bears to the total number of subscribers in the unincorporated area served.

(c) In the case of a franchise issued before January 1, 2026, the percentage applied under subsection (a)(2) to the holder's gross revenue for calendar years beginning on or after January 1, 2026, shall be the percentage that applied under subsection (a)(2) on December 31, 2025, less one percent (1%). However, the percentage applied to the gross revenue of a holder subject to this subsection may not be reduced to an amount that is less than one percent (1%).

(d) In the case of a franchise that is initially issued by the commission after December 31, 2025, the percentage applied under subsection (a)(2) to the gross revenue of a holder subject to this subsection may not exceed four percent (4%).

~~(e)~~ (e) With each payment of a franchise fee to a unit under this section, the holder shall include a statement explaining the basis for the calculation of the franchise fee. A unit may review the books and records of:

- (1) the holder; or
- (2) an affiliate of the holder, if appropriate;

to the extent necessary to ensure the holder's compliance with section 23 of this chapter in calculating the gross revenue upon which the remitted franchise fee is based. Each party shall bear the party's own costs of an examination under this subsection. If the holder and the unit cannot agree on the amount of gross revenue on which the franchise fee should be based, either party may petition the commission to determine the amount of gross revenue on which the franchise fee should be based. A determination of the commission under this subsection is final, subject to the right of direct appeal by either party.

~~(f)~~ (f) A franchise fee owed by a holder to a unit under this section may be passed through to, and collected from, the holder's subscribers



in the unit. To the extent allowed under 47 U.S.C. 542(c), the holder may identify as a separate line item on each regular bill issued to a subscriber:

- (1) the amount of the total bill assessed as a franchise fee under this section; and
- (2) the identity of the unit to which the franchise fee is paid.

~~(e)~~ (g) A holder that elects under section 21(b)(1) of this chapter to continue providing video service under a local franchise is not required to pay the franchise fee prescribed under this section, but shall pay any franchise fee imposed under the terms of the local franchise."

Page 33, line 7, after "sale" insert ".".

Page 33, line 7, strike "after June 30, 2018, and".

Page 33, line 8, strike "before July 1,".

Page 33, line 8, delete "2027.".

Page 33, between lines 8 and 9, begin a new paragraph and insert:
"SECTION 41. IC 20-46-8-11.2, AS AMENDED BY P.L.36-2024, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2025 (RETROACTIVE)]: Sec. 11.2. (a) This section applies only to revenue collected after June 30, 2024, from a tax levy imposed under this chapter by a school corporation located in:

- (1) Lake County;
- (2) Marion County;
- (3) St. Joseph County; or
- (4) Vanderburgh County.

However, this section does not apply to, and distributions are not required for, a school corporation that is designated as a distressed political subdivision under IC 6-1.1-20.3.

(b) Beginning in calendar year 2025, **for distributions made beginning in 2026**, and each year thereafter, and subject to subsections (c), ~~and (h), and (i)~~, the county auditor shall distribute **to each charter school that is eligible for a distribution under subsection (d) and** as provided under subsection (f), an amount of revenue received from a tax levy imposed by a school corporation under this chapter **that is attributable to the part of the school corporation that is within the boundaries of the county listed in subsection (a).** ~~to each charter school that is eligible for a distribution under subsection (d) and as set forth in subsection (f).~~

(c) The following schools are not eligible to receive a distribution under this section:

- (1) A virtual charter school.
- (2) An adult high school.
- (d) Not later than ~~thirty (30) days before the date that the county~~



auditor distributes money for a school corporation's operations fund (~~IC 20-40-18~~) under ~~IC 6-1.1-27~~; **March 1, 2025, and not later than January 1 of each year thereafter**, the department, in consultation with the department of local government finance, shall determine the corresponding percentages of revenue received from the tax levy **raised from the property taxes attributable to a county listed in subsection (a)** that must be distributed among the school corporation and each eligible charter school according to the following formula:

STEP ONE: Determine each charter school that:

- (A) is located in the same county as the school corporation; and
- (B) provides not more than fifty percent (50%) virtual instruction for its students.

STEP TWO: Determine, for each charter school described in STEP ONE, the number of students who:

- (A) have legal settlement within the school corporation;
- (B) are currently included in the fall ADM for the charter school; and
- (C) receive not more than fifty percent (50%) virtual instruction.

STEP THREE: Determine the sum of:

- (A) the aggregate of the STEP TWO results for all applicable charter schools; plus
- (B) the fall ADM count for the school corporation for students receiving not more than fifty percent (50%) virtual instruction.

STEP FOUR: For each charter school described in STEP ONE, determine the result of:

- (A) the applicable STEP TWO amount; divided by
- (B) the STEP THREE amount;

expressed as a percentage.

STEP FIVE: Determine the sum of all the amounts computed under STEP FOUR and subtract the result from one hundred percent (100%).

(e) The department shall provide to the county auditor, immediately after calculation under subsection (d): ~~and in the form prescribed by the county auditor:~~

- (1) each charter school determined under STEP ONE of subsection (d) and the charter school's corresponding percentage calculated under STEP FOUR of subsection (d); and
 - (2) the percentage calculated under STEP FIVE of subsection (d) for the school corporation.
- (f) The county auditor shall distribute to the school corporation and



each applicable charter school the amount determined in the last STEP of the following STEPS:

STEP ONE: For each school corporation, determine a base property tax levy amount calculated as:

(A) the sum of the school corporation's operations fund property tax levies collected under this chapter **that is attributable to the part of the school corporation located in a county listed in subsection (a)** in calendar years 2021, 2022, and 2023; divided by

(B) three (3).

STEP TWO: For each school corporation, determine an incremental property tax levy amount calculated as:

(A) **subject to subsection (i)**, the school corporation's operations fund property tax levy collections for the current calendar year **that is attributable to the part of the school corporation located in a county listed in subsection (a)**; minus

(B) the school corporation's base property tax levy collections determined under STEP ONE.

STEP THREE: For the school corporation and each applicable charter school, determine the result of:

(A) the incremental amount determined under STEP TWO; multiplied by

(B) the following percentage:

(i) In the case of an applicable charter school, the charter school's percentage under STEP FOUR of subsection (d).

(ii) In the case of the school corporation, the school corporation's percentage under STEP FIVE of subsection (d).

(g) Before ~~October 1, 2024~~, **August 1, 2025**, and before ~~October 1~~ **August 1** of each year thereafter, the department shall provide to each school corporation and each eligible charter school an estimate of the amount of property tax levy revenue the school corporation and charter school are expected to receive under this section **based upon the most recent spring ADM**.

(h) **Beginning with property tax distributions made in 2026**, in order to receive a distribution under this section, the governing body of an eligible charter school shall, before November 1, ~~2024~~, **2025**, and before November 1 of each year thereafter, adopt a budget for the **ensuing** school year. Not later than ten (10) days before its adoption, the budget must be fixed and presented to the charter board in a public meeting in the county in which the charter school is incorporated. A



budget that is adopted under this subsection must be submitted to the charter authorizer for review and to the department of local government finance to be posted publicly on the computer gateway under IC 6-1.1-17-3 **not later than five (5) business days after adopting a budget for the school year. The submitted budget must include:**

- (1) the date on which the public meeting occurred;**
- (2) the date when the budget was adopted;**
- (3) the date when the budget was submitted to the charter authorizer for review; and**
- (4) a statement of the charter board attesting that the:**
 - (A) public meeting was held;**
 - (B) budget was adopted;**
 - (C) budget was submitted to the charter authorizer; and**
 - (D) dates described in subdivisions (1) through (3) are accurate.**

(i) If an eligible charter school does not perform all the actions required by subsection (h) to receive a distribution for the ensuing school year, the county auditor shall distribute the amount of the eligible charter school's distribution for the ensuing school year determined under subsection (f) to all remaining eligible charter schools and the school corporation from where the levy was raised according to the formula under subsection (f).

(i) Before April 1, 2025, and before April 1 of each year thereafter, the county auditor shall provide each school corporation and each eligible charter school the actual amount of property tax levy revenue the school corporation and charter school are expected to receive under this section."

Page 33, line 14, after "sale" insert ".".

Page 33, line 14, strike "after June 30, 2018, and".

Page 33, line 15, strike "before July 1,".

Page 33, line 15, delete "2027.".

Page 33, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 34. IC 35-52-6-85 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 85. IC 6-9-60-9 defines a crime concerning innkeeper's taxes.

SECTION 80. IC 35-52-6-85.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 85.5. IC 6-9-74-10 defines a crime concerning innkeeper's taxes.

SECTION 81. IC 35-52-6-85.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2025]: **Sec. 85.6. IC 6-9-75-9 defines a crime concerning innkeeper's taxes.**

SECTION 82. IC 35-52-6-85.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 85.7. IC 6-9-76-10 defines a crime concerning innkeeper's taxes."**

Page 36, between lines 20 and 21, begin a new paragraph and insert:
"SECTION 46. IC 36-2-6-18, AS AMENDED BY P.L.244-2017, SECTION 125, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 18. (a) The county fiscal body may, by ordinance:

(1) make loans for the purpose of procuring money to be used in the exercise of county powers and for the payment of county debts other than current running expenses, and, subject to IC 5-1-11.5 and IC 5-11-1-4(c), issue bonds or other county obligations to refund those loans;

(2) make temporary loans to meet current running expenses, in anticipation of and not in excess of county revenues for the current fiscal year, which shall be evidenced by tax anticipation warrants of the county; and

(3) make loans and issue notes under subsection (d).

(b) An ordinance authorizing the issuance of bonds under this section must state the purpose for which the bonds are issued and may provide that the bonds:

(1) are or are not negotiable;

(2) bear interest at any rate;

(3) run not longer than twenty (20) years; and

(4) mature by installments payable annually or otherwise.

(c) An ordinance authorizing the issuance of tax anticipation warrants under this section must:

(1) state the total amount of the issue;

(2) state the denomination of the warrants;

(3) state the time and place payable;

(4) state the rate of interest;

(5) state the funds and revenues in anticipation of which the warrants are issued and out of which they are payable; and

(6) appropriate and pledge a sufficient amount of those revenues to the punctual payment of the warrants.

The warrants are exempt from taxation for all purposes.

(d) The county fiscal body may, by ordinance, make loans of money for not more than ~~five (5)~~ **ten (10)** years and issue notes for the purpose of refunding those loans. The loans may be made only for the purpose



of procuring money to be used in the exercise of the powers of the county, and the total amount of outstanding loans under this subsection may not exceed five percent (5%) of the county's total tax levy in the current year (excluding amounts levied to pay debt service and lease rentals). Loans under this subsection shall be made in the same manner as loans made under subsection (a)(1), except that:

- (1) the ordinance authorizing the loans must pledge to their payment a sufficient amount of tax revenues over the ensuing ~~five~~ **ten (10)** years to provide for refunding the loans;
- (2) the loans must be evidenced by notes of the county in terms designating the nature of the consideration, the time and place payable, and the revenues out of which they will be payable; and
- (3) the interest accruing on the notes to the date of maturity may be added to and included in their face value or be made payable periodically, as provided in the ordinance.

Notes issued under this subsection are not bonded indebtedness for purposes of IC 6-1.1-18.5.

(e) If a deficit is incurred for the current running expenses of the county because the total of county revenues for the fiscal year is less than the anticipated total, the county fiscal body shall provide for the deficit in the next county tax levy."

Page 37, line 22, after "negotiated sale" insert ".".

Page 37, line 22, strike "after".

Page 37, line 23, strike "June 30, 2018, and before July 1,".

Page 37, line 23, delete "2027.".

Page 37, between lines 25 and 26, begin a new paragraph and insert:
 "SECTION 54. IC 36-7-14-57, AS AMENDED BY P.L.135-2022, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 57. (a) This section does not apply to a parcel that is included in more than one (1) allocation area established by:

- (1) a resolution establishing an allocation provision under section 39 of this chapter that is adopted and approved under sections 15 through 17 of this chapter;
- (2) a resolution adopted under IC 6-1.1-39-2 and confirmed under IC 6-1.1-39-3;
- (3) a resolution adopted under IC 8-22-3.5-5 and confirmed under IC 8-22-3.5-6;
- (4) a resolution establishing an allocation provision under IC 36-7-15.1-26 that is adopted and approved under IC 36-7-15.1-8, IC 36-7-15.1-9, and IC 36-7-15.1-10;
- (5) a resolution establishing an allocation provision under IC 36-7-30-25 that is adopted and approved under IC 36-7-30-10,



IC 36-7-30-11, and IC 36-7-30-12;

(6) a resolution establishing an allocation provision under IC 36-7-30.5-30 that is adopted and approved under IC 36-7-30.5-16, IC 36-7-30.5-17, and IC 36-7-30.5-18; or

(7) a resolution designating a certified technology park as an allocation area that is approved and adopted under IC 36-7-32-15; on or before May 1, 2021. ~~In addition,~~ **Except as provided in section 57.1 of this chapter**, a new allocation area may not be established under this chapter that includes a parcel that is located in an allocation area described in this subsection.

(b) Except as provided in subsection (a) **or section 57.1 of this chapter**, but notwithstanding any other provision, for the purpose of the allocation of property taxes under this chapter, a parcel may not be included in more than one (1) allocation area established under this chapter or under:

- (1) IC 6-1.1-39;
- (2) IC 8-22-3.5;
- (3) IC 36-7-15.1;
- (4) IC 36-7-30;
- (5) IC 36-7-30.5;
- (6) IC 36-7-32; or
- (7) IC 36-7-32.5.

SECTION 55. IC 36-7-14-57.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 57.1. (a) A new allocation area may be established over an existing allocation area if the fiscal bodies of each unit enter into an interlocal agreement.**

(b) Upon entering into an interlocal agreement under subsection (a), in order to subsequently establish an overlapping allocation area the following shall occur:

- (1) The redevelopment commissions of each unit must adopt substantially similar declaratory resolutions.**
- (2) The fiscal bodies of each unit must adopt substantially similar confirmatory resolutions.**

(c) The interlocal agreement entered into under subsection (a) must include the following provisions:

- (1) The base amount of the new allocation area.**
- (2) A provision prohibiting the city, county, town, or other entity that established the applicable existing allocation area from incurring any additional obligations that require a pledge of future incremental property tax revenue to be paid from the applicable existing allocation area.**



(3) A provision requiring the maintenance of all applicable property tax records for the parcel or parcels located within the existing allocation area and the new allocation area.

(d) Subject to subsection (e), if a new allocation area:

(1) is established over an existing allocation area under this section; and

(2) issues bonds or enters into a lease payable by incremental property tax revenues allocated under section 39 of this chapter;

the county auditor shall continue to allocate to the existing allocation area any incremental property tax revenues that would otherwise be allocated to the existing allocation area as if the overlapping allocation area had not been established under this section until all of the bonds or other obligations incurred by the existing allocation area are no longer outstanding.

(e) To the extent this section conflicts with section 1.5 or section 1.7 of this chapter, the provisions of section 1.5 or section 1.7 of this chapter, as applicable, control with respect to the allocation of incremental property tax revenues under this section.

(f) The distribution of property taxes described in section 39(b)(2) of this chapter does not apply to the allocation of incremental property tax revenues to an existing allocation area or an overlapping allocation area under subsection (c).

SECTION 56. IC 36-7-15.1-63, AS AMENDED BY P.L.135-2022, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 63. (a) This section does not apply to a parcel that is included in more than one (1) allocation area established by:

(1) a resolution establishing an allocation provision under section 26 of this chapter that is adopted and approved under sections 8 through 10 of this chapter;

(2) a resolution adopted under IC 6-1.1-39-2 and confirmed under IC 6-1.1-39-3;

(3) a resolution adopted under IC 8-22-3.5-5 and confirmed under IC 8-22-3.5-6;

(4) a resolution establishing an allocation provision under IC 36-7-14-39 that is adopted and approved under IC 36-7-14-15, IC 36-7-14-16, and IC 36-7-14-17;

(5) a resolution establishing an allocation provision under IC 36-7-30-25 that is adopted and approved under IC 36-7-30-10, IC 36-7-30-11, and IC 36-7-30-12;

(6) a resolution establishing an allocation provision under IC 36-7-30.5-30 that is adopted and approved under



IC 36-7-30.5-16, IC 36-7-30.5-17, and IC 36-7-30.5-18; or
 (7) a resolution designating a certified technology park as an allocation area that is approved and adopted under IC 36-7-32-15; on or before May 1, 2021. ~~In addition,~~ **Except as provided in section 63.1 of this chapter,** a new allocation area may not be established under this chapter that includes a parcel that is located in an allocation area described in this subsection.

(b) Except as provided in subsection (a) **or section 63.1 of this chapter,** but notwithstanding any other provision, for the purpose of the allocation of property taxes under this chapter, a parcel may not be included in more than one (1) allocation area established under this chapter or under:

- (1) IC 6-1.1-39;
- (2) IC 8-22-3.5;
- (3) IC 36-7-14;
- (4) IC 36-7-30;
- (5) IC 36-7-30.5;
- (6) IC 36-7-32; or
- (7) IC 36-7-32.5.

SECTION 57. IC 36-7-15.1-63.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 63.1. (a) A new allocation area may be established over an existing allocation area if the fiscal bodies of each unit enter into an interlocal agreement.**

(b) Upon entering into an interlocal agreement under subsection (a), in order to subsequently establish an overlapping allocation area the following shall occur:

- (1) The redevelopment commissions of each unit must adopt substantially similar declaratory resolutions.**
- (2) The fiscal bodies of each unit must adopt substantially similar confirmatory resolutions.**

(c) The interlocal agreement entered into under subsection (a) must include the following provisions:

- (1) The base amount of the new allocation area.**
- (2) A provision prohibiting the city, county, town, or other entity that established the applicable existing allocation area from incurring any additional obligations that require a pledge of future incremental property tax revenue to be paid from the applicable existing allocation area.**
- (3) A provision requiring the maintenance of all applicable property tax records for the parcel or parcels located within the existing allocation area and the new allocation area.**



(d) If a new allocation area:

- (1) is established over an existing allocation area under this section; and**
- (2) issues bonds or enters into a lease that is payable by incremental property tax revenues allocated under section 26 of this chapter;**

the county auditor shall continue to allocate to the existing allocation area any incremental property tax revenues that would otherwise be allocated to the existing allocation area as if the overlapping allocation area had not been established under this section until all of the bonds or other obligations incurred by the existing allocation area are no longer outstanding."

Page 38, line 10, after "sale" insert ".".

Page 38, line 10, strike "after July 1, 2018, and before".

Page 38, line 11, strike "June 30,".

Page 38, line 11, delete "2027.".

Page 38, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 59. IC 36-7-31.3-5.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 5.9. As used in this chapter, "qualified city" means a city located in a county that contains at least four (4) cities each with a population greater than forty thousand (40,000), as determined by the most recent federal decennial census. However, the term does not include a city that has established a tax area before January 1, 2026.

SECTION 60. IC 36-7-31.3-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 6. As used in this chapter, "tax area" means a geographic area established as a:

- (1) professional sports and convention development area; or**
- (2) sports and convention development area in the case of a qualified city;**

under section 10 of this chapter.

SECTION 61. IC 36-7-31.3-8, AS AMENDED BY P.L.183-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 8. (a) A designating body may designate as part of a professional sports and convention development area **or a sports and convention development area, as applicable, any facility that is:**

- (1) owned by the city, the county, a school corporation, or a board under IC 36-9-13, IC 36-10-8, IC 36-10-10, or IC 36-10-11, and used by a professional sports franchise for practice or competitive sporting events;**
- (2) owned by the city, the county, or a board under IC 36-9-13,**



IC 36-10-8, IC 36-10-10, or IC 36-10-11, and used as one (1) of the following:

- (A) A facility used principally for convention or tourism related events serving national or regional markets.
- (B) An airport.
- (C) A museum.
- (D) A zoo.
- (E) A facility used for public attractions of national significance.
- (F) A performing arts venue.
- (G) A county courthouse registered on the National Register of Historic Places; or
- (3) a hotel.

Notwithstanding section 9 of this chapter or any other law, a designating body may by resolution approve the expansion of a professional sports and convention development area after June 30, 2009, to include a hotel designated by the designating body. A resolution for such an expansion must be reviewed by the budget committee and approved by the budget agency in the same manner as a resolution establishing a professional sports and convention development area is reviewed and approved. A facility may not include a private golf course or related improvements. The tax area may include only facilities described in this section and any parcel of land on which a facility is located. An area may contain noncontiguous tracts of land within the city, county, or school corporation.

(b) Except for a tax area that is located in:

- (1) the city of Fort Wayne; ~~or~~
- (2) the city of Gary; ~~or~~

(3) a qualified city;

a tax area must include at least one (1) facility described in subsection (a)(1).

(c) A tax area may contain other facilities not owned by the designating body if:

- (1) the facility is owned by a city, the county, a school corporation, or a board established under IC 36-9-13, IC 36-10-8, IC 36-10-10, or IC 36-10-11; and
- (2) an agreement exists between the designating body and the owner of the facility specifying the distribution and uses of the covered taxes to be allocated under this chapter.

(d) This subsection applies to all tax areas located in Allen County. The facilities located at an Indiana University Fort Wayne and Purdue University Fort Wayne campus are added to the tax area designated by



the county. For state fiscal years:

- (1) beginning before July 1, 2021, the maximum amount of covered taxes that may be captured in all tax areas located in the county is three million dollars (\$3,000,000) per year; and
- (2) beginning after June 30, 2021, the maximum amount of covered taxes that may be captured in all tax areas located in the county is five million dollars (\$5,000,000) per year;

regardless of the designating body that established the tax area. The revenue from the local income tax imposed under IC 6-3.6 that is captured must be counted first toward this maximum.

(e) This subsection applies to a tax area located in the city of Evansville. Notwithstanding any other provision of this chapter, for state fiscal years beginning after July 1, 2021, any facility in the city of Evansville that:

- (1) consists of a hotel; and
- (2) is located in the north part of an area bounded on the northwest by Walnut Street, on the northeast by SE Martin Luther King Jr. Boulevard, on the southwest by SE 6th Street, and on the southeast by Cherry Street, as those streets were located on July 1, 2021;

is added to the tax area. The provisions in sections 11 and 12 of this chapter are not applicable to the area described in this subsection.

(f) This subsection applies to a tax area located in the city of South Bend. Notwithstanding any other provision of this chapter, for state fiscal years in which the tax area is renewed under section 10(e) of this chapter after June 30, 2021, the tax area shall also include any facility or complex of facilities as follows:

- (1) That consists of hotels located in the following areas in the city of South Bend:
 - (A) In the east quadrant of an area bounded on the north by Columbus Court, on the east by North Main Street, and on the south by West Washington Street, as those streets were located on July 1, 2021.
 - (B) An area bounded on the north by East Colfax Avenue, on the east by Doctor Martin Luther King, Jr. Boulevard, on the south by East Washington Street, and on the west by North Michigan Street, as those streets were located on July 1, 2021.
 - (C) In the southeast quadrant of an area bounded on the north by East Washington Street, on the east by Doctor Martin Luther King, Jr. Boulevard, and on the south by East Jefferson Boulevard, as those streets were located on July 1, 2021.
- (2) That consists of a sports, recreational and event facility or



complex of facilities located in the city of South Bend, in the northeast quadrant of an area bounded on the north by East Jefferson Boulevard, on the east by South St. Louis Boulevard, as those streets were located on July 1, 2021, and on the west by the St. Joseph River.

- (3) Located at an Indiana University South Bend campus.
- (4) That is within the boundaries of the city of South Bend and:
 - (A) owned by the city of South Bend through a board established under IC 36-9-6;
 - (B) titled in the name of the city of South Bend or an entity established to assist the city of South Bend to exercise its corporate powers;
 - (C) occupied by the city of South Bend; and
 - (D) used to exercise power under IC 36-1-4 to provide services pursuant to IC 36-4-4-3, IC 36-4-4-4, IC 36-8-2, and IC 36-9-2.

The provisions in sections 11 and 12 of this chapter are not applicable to the renewal of the tax areas described in this subsection.

SECTION 62. IC 36-7-31.3-9, AS AMENDED BY P.L.183-2023, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. (a) A tax area must be initially established by resolution:

- (1) before January 1, 2013, in the case of:
 - (A) a second class city; **or**
 - (B) the city of Marion; **or**
 - ~~(C) the city of Westfield;~~
- (2) before January 1, 2024, in the case of the city of Fishers; **or**
- (3) before January 1, 2028, in the case of a qualified city; or**
- ~~(3)~~ **(4) before July 1, 1999, if subdivision (1), or (2), or (3) does not apply;**

according to the procedures set forth for the establishment of an economic development area under IC 36-7-14. **If a qualified city does not establish a tax area by resolution before January 1, 2028, the qualified city is prohibited from establishing a tax area under this chapter. Except as otherwise provided in this chapter and subject to section 9.1 of this chapter, only one (1) tax area may be created in each county.**

(b) In establishing the tax area, the designating body must make the following findings instead of the findings required for the establishment of economic development areas:

- (1) Except for a tax area in:
 - (A) the city of Fort Wayne; **or**



(B) the city of Gary; **or**

(C) a qualified city;

there is a capital improvement that will be undertaken or has been undertaken in the tax area for a facility that is used by a professional sports franchise for practice or competitive sporting events. A tax area to which this subdivision applies may also include a capital improvement that will be undertaken or has been undertaken in the tax area for a facility that is used for any purpose specified in section 8(a)(2) of this chapter.

(2) For a tax area in the city of Fort Wayne, there is a capital improvement that will be undertaken or has been undertaken in the tax area for a facility that is used for any purpose specified in section 8(a) of this chapter.

(3) For a tax area in the city of Gary, there is a capital improvement that will be undertaken or has been undertaken in the tax area for a facility that is used for any purpose specified in section 8(a)(2) of this chapter.

(4) For a tax area in a qualified city, there is a capital improvement that will be undertaken or has been undertaken within the preceding thirty-six (36) months in the tax area for a facility that is used for any purpose specified in section 8(a) of this chapter.

~~(4)~~ **(5)** The capital improvement that will be undertaken or that has been undertaken in the tax area will benefit the public health and welfare and will be of public utility and benefit.

~~(5)~~ **(6)** The capital improvement that will be undertaken or that has been undertaken in the tax area will protect or increase state and local tax bases and tax revenues.

(7) For a tax area in a qualified city, the capital improvement that will be undertaken or that has been undertaken will generate an amount equal to at least four hundred million dollars (\$400,000,000) in revenue over the duration of the tax area to the state.

(c) The tax area established under this chapter is a special taxing district authorized by the general assembly to enable the designating body to provide special benefits to taxpayers in the tax area by promoting economic development that is of public use and benefit.

SECTION 63. IC 36-7-31.3-9.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: **Sec. 9.1. The designating body of a qualified city may not establish more than one (1) tax area within the qualified city.**



SECTION 64. IC 36-7-31.3-10, AS AMENDED BY P.L.183-2023, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 10. (a) A tax area must be established by resolution. A resolution establishing a tax area must provide for the allocation of covered taxes attributable to a taxable event or covered taxes earned in the tax area to the professional sports and convention development area fund **or the sports and convention development area fund** established for the city or county. The allocation provision must apply to the entire tax area. The following apply to Allen County:

(1) The fund required by this subsection is the coliseum professional sports and convention development area fund. This fund shall be administered by the Allen County Memorial Coliseum board of trustees.

(2) The allocation each year must be as follows:

(A) The following for state fiscal years ending before July 1, 2021:

(i) The first two million six hundred thousand dollars (\$2,600,000) shall be transferred to the county treasurer for deposit in the coliseum professional sports and convention development area fund.

(ii) The remaining amount shall be transferred to the treasurer of the joint county-city capital improvement board in the county.

(B) The following for state fiscal years beginning after June 30, 2021:

(i) The first two million six hundred thousand dollars (\$2,600,000) shall be transferred to the county treasurer for deposit in the coliseum professional sports and convention development area fund.

(ii) After the allocation under item (i), the next four hundred thousand dollars (\$400,000) shall be transferred to the joint county-city capital improvement board in the county for the Grand Wayne Center.

(iii) After the allocations under items (i) and (ii), any remaining amount shall be transferred to the joint county-city capital improvement board in the county to be split evenly between the Allen County War Memorial Coliseum and the Grand Wayne Center.

A tax area located in Allen County terminates not later than December 31, 2038. Any bonds that were issued before January 1, 2015, to finance the facility or proposed facility must have a maturity of less than twenty-five (25) years.



(b) In addition to subsection (a), all of the salary, wages, bonuses, and other compensation that are:

- (1) paid during a taxable year to a professional athlete for professional athletic services;
- (2) taxable in Indiana; and
- (3) earned in the tax area;

shall be allocated to the tax area if the professional athlete is a member of a team that plays the majority of the professional athletic events that the team plays in Indiana in the tax area.

(c) Except as provided in subsection (d), for a tax area that is:

- (1) not located in Allen County;
- (2) not located in the city of Fishers; **and**
- (3) not located in the city of South Bend; **and**
- (4) not located in a qualified city;**

the total amount of state revenue captured by the tax area may not exceed ten dollars (\$10) per resident of the city or county per year for twenty (20) consecutive years.

(d) This subsection applies to a tax area established in the city of Evansville that expired before July 1, 2021. The tax area described in this subsection is renewed beginning after June 30, 2021, for an additional twenty (20) consecutive years, and shall include:

- (1) the boundaries of the tax area before its expiration; plus
- (2) the additional tax area added under section 8(e) of this chapter.

The provisions in sections 11 and 12 of this chapter are not applicable to the renewal of the tax area described in this subsection.

(e) This subsection applies to a tax area established in the city of South Bend that expired before July 1, 2021. The following apply:

- (1) The tax area described in this subsection is renewed beginning after June 30, 2021, and shall include:
 - (A) the boundaries of the tax area before its expiration; plus
 - (B) the additional tax areas added under section 8(f) of this chapter.

The provisions in sections 11 and 12 of this chapter are not applicable to the renewal of the tax area described in this subsection.

(2) The maximum amount of covered taxes that may be captured in the tax area under this subsection is:

- (A) before July 1, 2023, two million dollars (\$2,000,000) per year; and
- (B) after June 30, 2023, five million dollars (\$5,000,000) per year.



(3) For state fiscal years beginning after June 30, 2023, the first two million five hundred thousand dollars (\$2,500,000) captured in the tax area each year shall be transferred to the city of South Bend to be used for a capital improvement that will construct or equip a facility owned by the city and used by a professional sports franchise for practice or competitive sporting events.

(4) After the allocations under subdivision (3), any remaining amount shall be transferred to the city of South Bend to be used consistent with section 19(1) of this chapter.

The tax area renewed in the city of South Bend under this subsection terminates not later than June 30, 2044.

(f) This subsection applies to a tax area established in the city of Fishers. The following apply:

(1) The maximum amount of covered taxes that may be captured in the tax area is two million dollars (\$2,000,000) per year.

(2) The tax revenue captured in the tax area each year shall be transferred to the city of Fishers to be used for a capital improvement that will construct or equip a facility owned by the city and used by a professional sports franchise for practice or competitive sporting events.

The tax area located in the city of Fishers terminates not later than June 30, 2044.

(g) This subsection applies to a tax area established in a qualified city. The following apply:

(1) The maximum amount of covered taxes that may be captured in the tax area under this subsection is two million dollars (\$2,000,000) per year.

(2) The tax revenue captured in the tax area each year shall be transferred to the qualified city to be used for capital improvements that will equip a facility owned by the qualified city and used for practice or competitive sporting events.

(3) In addition to the contents required under subsection (h), the resolution establishing the tax area must include each of the following components:

(A) The geographic boundaries of the tax area.

(B) The amount of revenue that the tax area will generate in thirty (30) years for the state, which must be an amount equal to at least four hundred million dollars (\$400,000,000) over the duration of the tax area.

The tax area located in a qualified city terminates not later than June 30, 2058. The provisions of this chapter that apply to a tax area established as professional sports and convention



development area also apply to a tax area established as a sports and convention development area.

~~(g)~~ **(h)** The resolution establishing the tax area must designate the facility or proposed facility and the facility site for which the tax area is established.

~~(h)~~ **(i)** The department may adopt rules under IC 4-22-2 and guidelines to govern the allocation of covered taxes to a tax area.

SECTION 65. IC 36-7-31.3-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 14. If a tax area is established under section 10 of this chapter, a state fund known as the professional sports and convention development area fund **or the sports and convention development area fund in the case of a qualified city** is established for that tax area. The fund shall be administered by the department. Money in the fund does not revert to the state general fund at the end of a state fiscal year.

SECTION 66. IC 36-7-31.3-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 15. Covered taxes attributable to a taxing area under section 10 of this chapter shall be deposited in the professional sports and convention development area fund **or the sports and convention development area fund, as applicable.**

SECTION 67. IC 36-7-31.3-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 16. On or before the twentieth day of each month, all amounts held in the professional sports and convention development area fund **or the sports and convention development area fund** shall be distributed to the county treasurer.

SECTION 68. IC 36-7-31.3-18, AS AMENDED BY P.L.9-2024, SECTION 552, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 18. All distributions from the professional sports and convention development area fund **or the sports and convention development area fund** for the county shall be made by warrants issued by the state comptroller to the treasurer of state ordering those payments to the county treasurer.

SECTION 69. IC 36-7-31.3-20 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 20. The designating body shall repay to the professional sports development area fund **or the sports and convention development area fund** any amount that is distributed to the designating body and used for:

- (1) a purpose that is not described in this chapter; or
- (2) a facility or facility site other than the facility and facility site to which covered taxes are designated under the resolution



described in section 10 of this chapter.

The department shall distribute the covered taxes repaid to the professional sports development area fund **or the sports and convention development area fund, as applicable**, under this section proportionately to the funds and the political subdivisions that would have received the covered taxes if the covered taxes had not been allocated to the tax area under this chapter.

SECTION 70. IC 36-7-31.3-21, AS AMENDED BY P.L.183-2023, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 21. This chapter expires December 31, ~~2044~~ **2058**.

SECTION 71. IC 36-7-32-13, AS AMENDED BY P.L.4-2005, SECTION 146, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 13. (a) **Subject to subsection (c)**, if the Indiana economic development corporation determines that a sale price or rental value at below market rate will assist in increasing employment or private investment in a certified technology park, the redevelopment commission and the legislative body of the unit may determine the sale price or rental value for public facilities owned or developed by the redevelopment commission and the unit in the certified technology park at below market rate.

(b) **Subject to subsection (c)**, if public facilities developed under an agreement entered into under this chapter are conveyed or leased at less than fair market value or at below market rates, the terms of the conveyance or lease shall include legal and equitable remedies and rights to assure that the public facilities are used for high technology activities or as a business incubator. Legal and equitable remedies and rights may include penalties and actual or liquidated damages.

(c) After June 30, 2025, an agreement entered into under this section for the lease of public facilities owned or developed by the redevelopment commission and the unit in the certified technology park to a nonprofit corporation may not be below market rate."

Page 40, line 18, after "sale" insert ".".

Page 40, line 18, strike "after June 30, 2018, and before July 1,".

Page 40, line 19, delete "2027."

Page 42, line 2, after "negotiated sale" insert ";".

Page 42, line 2, strike "after".

Page 42, line 3, strike "June 30, 2018, and before July 1,".

Page 42, line 3, delete "2027;".

Page 43, line 10, after "negotiated sale" insert ";".

Page 43, line 10, strike "after June 30, 2018, and before July 1,".

Page 43, line 11, delete "2027;".



Page 43, line 22, after "sale" insert ".".

Page 43, line 22, strike "after June 30, 2018, and".

Page 43, line 23, strike "before July 1,".

Page 43, line 23, delete "2027.".

Page 44, line 3, after "sale" insert ".".

Page 44, line 3, strike "after June 30, 2018, and".

Page 44, line 4, strike "before July 1,".

Page 44, line 4, delete "2027.".

Page 45, between lines 41 and 42, begin a new paragraph and insert:

"SECTION 80. [EFFECTIVE JANUARY 1, 2026] (a)

IC 6-1.1-8-24.5, IC 6-1.1-10-16, IC 6-1.1-10-18.5, and IC 6-1.1-10-46, all as amended by this act, apply to assessment dates after December 31, 2025.

(b) IC 6-1.1-10-51, as added by this act, applies to assessment dates after December 31, 2025.

(c) This SECTION expires July 1, 2028."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1427 as reprinted February 18, 2025.)

HOLDMAN, Chairperson

Committee Vote: Yeas 8, Nays 5.

