

Updated April 2, 2023 (12:12pm)

SENATE BILL No. 434

AM043410 has been incorporated into February 28, 2023 printing.

Synopsis: Economic development in Lake County.

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SB 434—LS 7313/DI 125



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Reprinted

February 28, 2023

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

SENATE BILL No. 434

A BILL FOR AN ACT to amend the Indiana Code concerning local government and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 4-33-13-2.5 IS ADDED TO THE INDIANA
- 2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 3 [EFFECTIVE JULY 1, 2023]: **Sec. 2.5. (a) This section applies only**
- 4 **to tax revenue:**
- 5 **(1) remitted by a licensed owner operating a riverboat sited**
- 6 **at a location approved under IC 4-33-6-4.5; and**
- 7 **(2) collected under this chapter after June 30, 2025.**
- 8 **(b) Notwithstanding section 3 of this chapter, the department**
- 9 **shall deposit from the tax revenue remitted under this chapter by**
- 10 **a licensed owner operating a riverboat sited at a location approved**
- 11 **under IC 4-33-6-4.5 amounts as follows:**
- 12 **(1) In each state fiscal year beginning after June 30, 2025,**
- 13 **and ending before July 1, 2027, an amount equal to the**
- 14 **amount deposited under IC 36-7.5-6-5(a) by the city of Gary**
- 15 **in the blighted property demolition fund established by**

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1 **IC 36-7.5-6-4.**

2 **(2) In each state fiscal year beginning after June 30, 2025,**
 3 **and ending before July 1, 2045, an amount equal to the**
 4 **amount deposited under IC 36-7.5-7-5(c) by an entity in the**
 5 **Lake County convention and economic development**
 6 **convention fund established by IC 36-7.5-7-5.**

7 **(3) In each state fiscal year beginning after June 30, 2025,**
 8 **and ending before July 1, 2050, an amount equal to the**
 9 **amount deposited under IC 36-7.5-8-4 by the city of Gary in**
 10 **the Gary metro center station revitalization fund established**
 11 **by IC 36-7.5-8-3.**

12 **Any amount of tax revenue remitted under this chapter by a**
 13 **licensed owner operating a riverboat sited at a location approved**
 14 **under IC 4-33-6-4.5 in a state fiscal year that exceeds the amount**
 15 **required for the deposits in this subsection for the state fiscal year**
 16 **must be deposited in the state gaming fund under section 3 of this**
 17 **chapter.**

18 **(c) The northwest Indiana regional development authority**
 19 **established by IC 36-7.5-2-1 shall provide any information to the**
 20 **department that the department determines is necessary for the**
 21 **department to carry out this section.**

22 **(d) This section expires July 1, 2050.**

23 **SECTION 2. IC 4-33-13-3 IS AMENDED TO READ AS**
 24 **FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3. Except as provided**
 25 **in section 2.5 of this chapter, the department shall deposit tax revenue**
 26 **collected under this chapter in the state gaming fund.**

27 **SECTION 3. IC 6-9-2-1, AS AMENDED BY THE TECHNICAL**
 28 **CORRECTIONS BILL OF THE 2023 GENERAL ASSEMBLY, IS**
 29 **AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:**
 30 **Sec. 1. (a) A county having a population of more than four hundred**
 31 **thousand (400,000) but and less than seven hundred thousand**
 32 **(700,000) that establishes a medical center development agency**
 33 **pursuant to IC 16-23.5-2 may levy each year a tax on every person**
 34 **engaged in the business of renting or furnishing, for periods of less than**
 35 **thirty (30) days by the same party in the same room, any room or**
 36 **rooms, lodgings, or accommodations, in any hotel, motel, inn, tourist**
 37 **camp, tourist cabin, or any other place in which rooms, lodgings, or**
 38 **accommodations are regularly furnished for a consideration.**

39 **(b) Except as provided in section 1.5 of this chapter, such tax**
 40 **shall be at a rate of five percent (5%) on the gross retail income derived**
 41 **therefrom and is in addition to the state gross retail tax imposed on the**
 42 **retail transaction.**

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(c) The county fiscal body may adopt an ordinance to require that the tax shall be paid monthly to the county treasurer. **Except as provided in section 1.5 of this chapter**, if such an ordinance is ~~adopted~~, **the 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.

(d) All of the provisions of the state gross retail tax (IC 6-2.5) relating to rights, duties, liabilities, procedures, penalties, definitions, exemptions, and administration shall be applicable to the imposition and administration of the tax imposed by this section except to the extent such 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 the state gross retail tax (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, determine.

(e) If the tax is paid to the department of state revenue, the amounts received from the tax shall be paid by the end of the next succeeding month by the treasurer of state to the county treasurer upon warrants issued by the auditor of state. **Except as provided in section 1.5(c) of this chapter**, the county treasurer shall deposit the revenue received under this chapter as provided in section 2 of this chapter.

SECTION 4. IC 6-9-2-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: **Sec. 1.5. (a) After June 30, 2023, the county fiscal body may adopt an ordinance to increase the tax rate imposed under section 1 of this chapter by not more than an additional five percent (5%). If the county imposes the additional tax rate authorized by this section, the additional tax rate terminates on July 1, 2050.**

(b) If the county fiscal body adopts an ordinance 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

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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.

The increase in the tax imposed under this section continues in effect unless the increase is rescinded.

(c) The amounts received from an increase adopted under this section shall be deposited in the Lake County convention and event center reserve fund established by IC 36-7.5-7-10 to be used for the purposes of the Lake County convention and event center reserve fund.

(d) This section expires July 1, 2050.

SECTION 5. IC 6-9-2-2, AS AMENDED BY P.L.104-2022, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 2. (a) **This section does not apply to any revenue received from an increase adopted under section 1.5 of this chapter.**

(b) The revenue received by the county treasurer under this chapter shall be allocated to the Lake County convention and visitor bureau, Indiana University-Northwest, Purdue University Northwest, municipal public safety departments, municipal physical and economic development divisions, and the cities and towns in the county as provided in this section. Subsections ~~(b) through (g)~~ **(c) through (h)** do not apply to the distribution of revenue received under section 1 of this chapter from hotels, motels, inns, tourist camps, tourist cabins, and other lodgings or accommodations built or refurbished after June 30, 1993, that are located in the city of Gary.

~~(b)~~ **(c)** The Lake County convention and visitor bureau shall establish a convention, tourism, and visitor promotion fund (referred to in this chapter as the "promotion fund"). The county treasurer shall transfer to the Lake County convention and visitor bureau for deposit in the promotion fund thirty-five percent (35%) of the first one million two hundred thousand dollars (\$1,200,000) of revenue received from the tax imposed under this chapter in each year. The promotion fund consists of:

- (1) money in the promotion fund on June 30, 2005;
- (2) revenue deposited in the promotion fund under this subsection after June 30, 2005; and
- (3) investment income earned on the promotion fund's assets.

Money in the funds established by the bureau may be expended to promote and encourage conventions, trade shows, special events,



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recreation, and visitors. Money may be paid from the funds established by the bureau, by claim in the same manner as municipalities may pay claims under IC 5-11-10-1.6.

~~(c)~~ **(d)** This subsection applies to the first one million two hundred thousand dollars (\$1,200,000) of revenue received from the tax imposed under this chapter in each year. During each year, the county treasurer shall transfer to Indiana University-Northwest forty-four and thirty-three hundredths percent (44.33%) of the revenue received under this chapter for that year to be used as follows:

(1) Seventy-five percent (75%) of the revenue received under this subsection may be used only for the university's medical education programs.

(2) Twenty-five percent (25%) of the revenue received under this subsection may be used only for the university's allied health education programs.

~~(d)~~ **(e)** This subsection applies to the first one million two hundred thousand dollars (\$1,200,000) of revenue received from the tax imposed under this chapter in each year. During each year, the county treasurer shall allocate among the cities and towns throughout the county nine percent (9%) of the revenue received under this chapter for that year as follows:

(1) Ten percent (10%) of the revenue covered by this subsection shall be distributed to the city of Gary.

(2) Ten percent (10%) of the revenue covered by this subsection shall be distributed to the city of Hammond.

(3) Ten percent (10%) of the revenue covered by this subsection shall be distributed to the city of East Chicago.

(4) Seventy percent (70%) of the revenue covered by this subsection shall be distributed in equal amounts to each town and each city not receiving a distribution under subdivisions (1) through (3).

The money distributed under this subsection may be used only for tourism and economic development projects. The county treasurer shall make the distributions on or before December 1 of each year.

~~(e)~~ **(f)** This subsection applies to the first one million two hundred thousand dollars (\$1,200,000) of revenue received from the tax imposed under this chapter in each year. During each year, the county treasurer shall transfer to Purdue University Northwest nine percent (9%) of the revenue received under this chapter for that year. The money received by Purdue University Northwest may be used by the university only for nursing education programs.

~~(f)~~ **(g)** This subsection applies to the first one million two hundred



thousand dollars (\$1,200,000) of revenue received from the tax imposed under this chapter in each year. During each year, the county treasurer shall transfer two and sixty-seven hundredths percent (2.67%) of the revenue received under this chapter for that year to the following cities:

(1) Fifty percent (50%) of the revenue covered by this subsection shall be transferred to the city of Gary.

(2) Fifty percent (50%) of the revenue covered by this subsection shall be transferred to the city of Hammond.

Money transferred under this subsection may be used only for convention facilities located within the city. In addition, the money may be used only for facility marketing, sales, **capital expenditures**, and public relations programs. Money transferred under this subsection may not be used for salaries ~~or~~ facility operating costs ~~or capital expenditures~~ related to the convention facilities. The county treasurer shall make the transfers on or before December 1 of each year.

~~(g)~~ **(h)** This subsection applies to the revenue received from the tax imposed under this chapter in each year that exceeds one million two hundred thousand dollars (\$1,200,000). During each year, the county treasurer shall distribute money in the promotion fund as follows:

(1) Eighty-five percent (85%) of the revenue covered by this subsection shall be deposited in the convention, tourism, and visitor promotion fund. The money deposited in the fund under this subdivision may be used only for the purposes for which other money in the fund may be used.

(2) Five percent (5%) of the revenue covered by this subsection shall be transferred to Purdue University Northwest. The money received by Purdue University Northwest under this subdivision may be used by the university only for nursing education programs.

(3) Five percent (5%) of the revenue covered by this subsection shall be transferred to Indiana University-Northwest. The money received by Indiana University-Northwest under this subdivision may be used only for the university's medical education programs.

(4) Five percent (5%) of the revenue covered by this subsection shall be transferred to Indiana University-Northwest. The money received by Indiana University-Northwest under this subdivision may be used only for the university's allied health education programs.

~~(h)~~ **(i)** This subsection applies only to the distribution of revenue

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received from the tax imposed under section 1 of this chapter from hotels, motels, inns, tourist camps, tourist cabins, and other lodgings or accommodations built or refurbished after June 30, 1993, that are located in the city of Gary. During each year, the county treasurer shall transfer:

(1) seventy-five percent (75%) of the revenues under this subsection to the department of public safety; and

(2) twenty-five percent (25%) of the revenues under this subsection to the division of physical and economic development;

of the city of Gary.

†(j) The Lake County convention and visitor bureau shall assist the county treasurer, as needed, with the calculation of the amounts that must be deposited and transferred under this section.

SECTION 6. IC 36-7.5-6 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:

Chapter 6. Blighted Property Demolition Fund

Sec. 1. As used in this chapter, "blighted" means real property, including a building or structure on the real property, that is no longer in acceptable or beneficial condition to its community and has lost its value as a social good or economic commodity or its functional status as a livable space. The term includes a vacant lot.

Sec. 2. As used in this chapter, "fund" refers to the blighted property demolition fund established by section 4 of this chapter.

Sec. 3. As used in this chapter, "qualified property" means commercial or residential real property, including a structure or building located on the real property, that:

(1) is the subject of an order for demolition and removal issued under IC 36-7-9-5(a)(6) or IC 36-7-9-5(a)(7);

(2) is:

(A) vacant or abandoned;

(B) blighted; or

(C) otherwise structurally damaged; and

(3) poses a public health or safety risk in the community, including by contributing to crime.

Sec. 4. (a) The blighted property demolition fund is established to provide grants to the city of Gary to demolish qualified properties.

(b) The fund consists of:

(1) appropriations from the general assembly;



- (2) available federal funds;
- (3) transfers of money under IC 4-33-13-2.5(b)(1);
- (4) deposits required under section 5(a) and 5(b) of this chapter; and
- (5) gifts, grants, donations, or other contributions from any other public or private source.

(c) The development authority shall administer the fund.

(d) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(e) The money remaining in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) Money in the fund is continuously appropriated for the purposes of this chapter.

(g) Subject to budget committee review, but except as provided in section 5(c) of this chapter, the development authority may receive reimbursement for expenses incurred and a reasonable and customary amount for providing administrative services from money in the fund.

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, 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.

Sec. 6. (a) The development authority shall use the money in the fund to provide grants to the city of Gary for use in paying the reasonable and necessary costs associated with demolishing a qualified property located in the territory of a current or future transit development district or in the area surrounding the Gary Metro Center, including:

- (1) demolition costs;
- (2) permit fees;
- (3) abatement of any hazardous materials;
- (4) air monitoring at demolition sites;
- (5) site grading; or

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(6) replacement of damaged sidewalk, including any associated work.

(b) If the amount of money in the fund is greater than the amount needed for the purpose described in subsection (a), as determined by the development authority, the development authority may use money in the fund:

(1) to provide grants to the city of Gary for paying reasonable and necessary costs, as described in subsection (a), that are associated with demolishing a qualified property located in an area that is contiguous to the territory of a current or future transit development district; or

(2) for purposes of preliminary planning and design of the Gary Metro Center revitalization project.

(c) Money in the fund may not be used for any of the following purposes:

(1) Project administration, including project management.

(2) Property acquisition or redevelopment.

Sec. 7. The city of Gary may apply to the development authority for a grant from the fund in the manner prescribed by the development authority. The city of Gary shall submit to the development authority any information that the development authority determines is necessary.

Sec. 8. The city of Gary shall provide reports to the development authority concerning the work completed, a detailed accounting of projects, project milestones, and other relevant information. The development authority may determine the frequency of the reporting required under this section.

Sec. 9. The development authority shall quarterly report to the budget committee on all uses of money in the fund, including grants provided and grant amounts.

Sec. 10. This chapter expires July 1, 2050.

SECTION 7. IC 36-7.5-7 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:

Chapter 7. Lake County Convention and Economic Development Fund

Sec. 1. As used in this chapter, "commuter transportation district" means the northern Indiana commuter transportation district established under IC 8-5-15.

Sec. 2. As used in this chapter, "convention center authority" refers to the Lake County convention center authority established under section 9 of this chapter.

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1 **Sec. 3.** As used in this chapter, "convention fund" means the
 2 Lake County convention and economic development convention
 3 fund established by section 5 of this chapter.

4 **Sec. 4.** As used in this chapter, "reserve fund" means the Lake
 5 County convention and event center reserve fund established by
 6 section 10 of this chapter.

7 **Sec. 5.** (a) The Lake County convention and economic
 8 development convention fund is established. The fund shall be
 9 administered by the development authority.

10 (b) The convention fund consists of:

11 (1) deposits under IC 4-33-13-2.5(b)(2);

12 (2) deposits under subsection (c);

13 (3) appropriations to the fund;

14 (4) gifts, grants, loans, bond proceeds, and other money
 15 received for deposit in the fund; and

16 (5) other deposits or transfers of funds from local units
 17 located in Lake County.

18 (c) If a proposal is approved as provided under this chapter,
 19 each state fiscal year, beginning with the first state fiscal year that
 20 begins after the proposal is approved, the approved entity shall
 21 deposit up to five million dollars (\$5,000,000) in the convention
 22 fund.

23 (d) The development authority shall administer money,
 24 including determining amounts to be used and the specific
 25 purposes, from the convention fund.

26 (e) Except as provided in section 8(d) of this chapter, the
 27 money remaining in the convention fund at the end of a state fiscal
 28 year does not revert to the state general fund.

29 (f) Money in the convention fund is continuously appropriated
 30 for the purposes of this chapter.

31 (g) Subject to budget committee review, but except as provided
 32 in subsection (i), the development authority may receive
 33 reimbursement for expenses incurred and a reasonable and
 34 customary amount for providing administrative services from
 35 money in the convention fund.

36 (h) The development authority shall quarterly report to the
 37 budget committee on all uses of money in the convention fund and
 38 the status of the convention and event center project.

39 (i) The development authority shall conduct an updated
 40 feasibility study related to a potential convention and event center
 41 located in Lake County. The development authority shall be
 42 reimbursed for the costs of obtaining the updated feasibility study



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1 from money in the fund. Budget committee review is not required
2 for reimbursement under this subsection.

3 Sec. 6. (a) Money in the convention fund may be used only for
4 the following:

5 (1) To acquire, improve, prepare, modernize, construct,
6 repair, demolish, and equip a convention center located in
7 Lake County.

8 (2) To pay the principal and interest on any obligations,
9 including bonds or leases and development costs, incurred by
10 the development authority for the purpose of financing or
11 refinancing the development of a convention center located
12 in Lake County.

13 (3) To establish, augment, or restore a debt service reserve
14 for obligations described in this subsection.

15 (4) If the development authority determines excess money
16 exists in the convention fund, for improvements to the
17 convention center and around the convention center.

18 (b) Money in the convention fund may not be used to pay
19 operating expenses.

20 (c) A public-private agreement may be entered into for
21 purposes of operating and maintaining a convention center located
22 in Lake County.

23 Sec. 7. The commuter transportation district shall pursue
24 federal funding for the purposes of modernizing the Gary metro
25 train platform.

26 Sec. 8. (a) Beginning July 1, 2023, the Lake County board of
27 commissioners shall begin accepting proposals for the
28 development, operation, and an ownership share in a Lake County
29 convention and event center from any entity qualified to fund and
30 operate a convention and event center, including local political
31 subdivisions. Subject to subsection (d), timely proposals shall be
32 submitted not later than May 31, 2024. A proposal must include at
33 least the following:

34 (1) Any variance in the entity's proposal from what is
35 described in the updated feasibility study prepared under
36 section 5(i) of this chapter as the variance is related to a
37 return on investment analysis, including anticipated income
38 generated countywide, peripheral investment anticipated to
39 result from the project, or anticipated gross retail tax
40 revenue to be generated from the project.

41 (2) The uses that the convention and event center will
42 accommodate.

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(3) Acknowledgment that in order to secure money from the convention fund and reserve fund, the Lake County convention center authority, as described in section 9 of this chapter, will share in ownership of the convention and event center.

(4) An operating plan, including information concerning:

(A) any third party entity expected to manage and operate the facility;

(B) any professional experience with convention center operations;

(C) any professional experience with facility management; and

(D) any experience with efficiency programs used for managing operating costs and capital expenditures.

(5) An anticipated operating budget for the facility, including the financing of any operational shortfall and pro forma operating statements for the first five (5) years of operations.

(6) Any documents related to vendor agreements, leases, partnerships, and financing plans and commitments.

(7) Any proposed or available hotel accommodations that may be dedicated for the promotion and sales of the convention and event center, and not for promotional uses for any other associated facility.

(8) Any other information considered necessary by the Lake County board of commissioners.

(b) Proposals shall be submitted to the Lake County board of commissioners and reviewed for completeness, adherence to the requirements under this section, and evaluation of the materials submitted.

(c) The Lake County board of commissioners shall hold public hearings concerning proposals submitted and for the selection of any professional advisers to be used in approval of a proposal.

(d) If a proposal is approved, the Lake County board of commissioners shall adopt a resolution to that effect not later than December 1, 2024. If no proposal is approved before December 1, 2024, proposals may continue to be submitted to the Lake County board of commissioners for review. However, if no proposal is approved before January 1, 2028, no additional proposals may be accepted, and any money in the fund reverts to the state general fund.

Sec. 9. (a) If a proposal is approved under section 8 of this chapter, following the approval of the proposal, the Lake County



1 convention center authority is established for the purpose of
 2 holding an equal share of ownership of the Lake County
 3 convention and event center with the entity whose proposal is
 4 approved and for providing oversight of the maintenance and
 5 operation of the facility. Subject to subsection (e), the convention
 6 center authority consists of seven (7) members, appointed as
 7 follows:

8 (1) Three (3) members appointed by the entity whose
 9 proposal is approved under section 8 of this chapter.

10 (2) Three (3) members appointed by the Lake County board
 11 of commissioners.

12 (3) One (1) member appointed by the governor.

13 (b) The term of office for a member of the board is two (2)
 14 years. The term begins July 1 of the year in which the member is
 15 appointed and ends on June 30 of the second year following the
 16 member's appointment. A member may be reappointed after the
 17 member's term has expired.

18 (c) A vacancy in membership must be filled in the same
 19 manner as the original appointment. Appointments made to fill a
 20 vacancy that occurs before the expiration of a term are for the
 21 remainder of the unexpired term.

22 (d) The member appointed under subsection (a)(3) shall serve
 23 as the chairperson of the convention center authority. The
 24 convention center authority shall meet at the call of the
 25 chairperson.

26 (e) An individual may not be appointed to the convention
 27 center authority if the individual is a party to a contract or
 28 agreement with the entity whose proposal is approved, is employed
 29 by the entity whose proposal is approved, or otherwise has a direct
 30 or indirect financial interest in the entity whose proposal is
 31 approved under this chapter.

32 Sec. 10. (a) The Lake County convention and event center
 33 reserve fund is established to pay for:

34 (1) additions;

35 (2) refurbishment; and

36 (3) any other costs deemed necessary by the convention
 37 center authority;

38 of a convention and event center that is constructed using money
 39 from the convention fund under this chapter.

40 (b) The reserve fund consists of:

41 (1) appropriations from the general assembly;

42 (2) transfers under IC 6-9-2-1.5(c); and

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(3) gifts, grants, donations, or other contributions from any other public or private source.

(c) The convention center authority shall administer the reserve fund.

(d) The money remaining in the reserve fund at the end of a state fiscal year does not revert to the state general fund.

(e) Money in the reserve fund is continuously appropriated for the purposes of this chapter.

Sec. 11. (a) With respect to projects undertaken by the development authority under this chapter, the development authority shall set a goal for participation by minority business enterprises of fifteen percent (15%) and women's business enterprises of five percent (5%), consistent with the goals of delivering the project on time and within the budgeted amount and, insofar as possible, using Indiana businesses for employees, goods, and services. In fulfilling the goal, the development authority shall take into account historical precedents in the same market.

(b) In addition to the provisions of subsection (a), with respect to construction and demolition projects undertaken by the development authority under this chapter, the development authority shall set a goal for hiring at least twenty percent (20%) of employees from local units:

(1) located within the boundaries of the development authority; and

(2) with an unemployment rate that exceeds the statewide unemployment rate by more than twenty percent (20%).

Sec. 12. This chapter expires July 1, 2050.

SECTION 8. IC 36-7.5-8 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:

Chapter 8. Gary Metro Center Station Revitalization Fund

Sec. 1. As used in this chapter, "board" refers to the Gary Metro Center station revitalization project board established by section 7 of this chapter.

Sec. 2. As used in this chapter, "fund" refers to the Gary Metro Center station revitalization fund established by section 3 of this chapter.

Sec. 3. (a) The Gary Metro Center station revitalization fund is established to provide funding for the Gary Metro Center revitalization project.

(b) The fund consists of:

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- (1) appropriations from the general assembly;
- (2) available federal funds;
- (3) transfers of money under IC 4-33-13-2.5(b)(3);
- (4) deposits required under section 4 of this chapter; and
- (5) gifts, grants, donations, or other contributions from any other public or private source.

(c) The development authority shall administer the fund.

(d) The money remaining in the fund at the end of a state fiscal year does not revert to the state general fund.

(e) Money in the fund is continuously appropriated for the purposes of this chapter.

(f) Subject to budget committee review, the development authority may receive reimbursement for expenses incurred and a reasonable and customary amount for providing administrative services from money in the fund.

Sec. 4. In each state fiscal year beginning after June 30, 2025, the city of Gary shall transfer up to three million dollars (\$3,000,000) to the development authority for deposit in the fund.

Sec. 5. (a) The city of Gary shall enter into an agreement with the licensed owner operating a riverboat sited at a location approved under IC 4-33-6-4.5 for a term of twenty (20) years, approving the use of revenue received under the local development agreement from the local development agreement lakefront fund for the purpose of funding and issuance of bonds for the Gary metro center station revitalization project.

(b) The city of Gary and the development authority shall apply for all available federal grants to defer the cost of construction for the Gary metro center station revitalization project.

Sec. 6. (a) The development authority shall use the money in the fund for planning costs, design costs, engineering costs, and architectural costs, and to provide matching funds needed for federal matching grants for the reconstruction of the Gary Metro Center station.

(b) If the amount of money in the fund is greater than the amount needed for the purposes described in subsection (a), as determined by the development authority, the development authority may use money in the fund:

- (1) to provide grants to the city of Gary for paying reasonable and necessary costs associated with demolishing a qualified property (as defined in IC 36-7.5-6-3) located in an area that is contiguous to the territory of a current or future transit development district;

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- 1 (2) for purposes of revitalizing property contiguous to the
 2 territory of a current or future transit development district;
 3 (3) for other costs related to expansion of the Gary Metro
 4 Center station; and
 5 (4) for purposes of paying expenses for enhancing public
 6 safety related to the Gary Metro Center station and current
 7 or future transit development district.

8 Sec. 7. (a) The Gary Metro Center station revitalization
 9 project board is established.

10 (b) Subject to subsection (f), the board consists of the following
 11 seven (7) members:

- 12 (1) Three (3) members appointed by the executive of the city
 13 of Gary.
 14 (2) Three (3) members appointed by the development
 15 authority.
 16 (3) One (1) member appointed by the governor.

17 (c) Ownership of the Gary Metro Center station shall be held
 18 by the board.

19 (d) The board shall provide oversight of the ongoing
 20 maintenance and operation of the Gary Metro Center station.

21 (e) The member appointed under subsection (a)(3) shall serve
 22 as the chairperson of the board. The board shall meet at the call of
 23 the chairperson.

24 (f) An individual may not be appointed to the board if the
 25 individual is a party to a contract or agreement with an entity
 26 involved in the reconstruction of the Gary Metro Center station, is
 27 employed by an entity involved in the reconstruction of the Gary
 28 Metro Center station, or otherwise has a direct or indirect
 29 financial interest in an entity involved in the reconstruction of the
 30 Gary Metro Center station.

31 Sec. 8. (a) The term of office for a member of the board is two
 32 (2) years. The term begins July 1 of the year in which the member
 33 is appointed and ends on June 30 of the second year following the
 34 member's appointment. A member may be reappointed after the
 35 member's term has expired.

36 (b) A vacancy in membership must be filled in the same
 37 manner as the original appointment. Appointments made to fill a
 38 vacancy that occurs before the expiration of a term are for the
 39 remainder of the unexpired term.

40 Sec. 9. The city of Gary may apply to the development
 41 authority for a grant from the fund in the manner prescribed by
 42 the development authority for a use described in section 6 of this

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1 chapter. The city of Gary shall submit to the development
2 authority any information that the development authority
3 determines is necessary.

4 Sec. 10. The city of Gary shall provide reports to the
5 development authority concerning the work completed, a detailed
6 accounting of projects, project milestones, and other relevant
7 information. The development authority may determine the
8 frequency of the reporting required under this section.

9 Sec. 11. The development authority shall quarterly report to
10 the budget committee on all uses of money in the fund, including
11 grants provided and grant amounts.

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