



PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 330 be amended to read as follows:

- 1 Page 6, delete lines 28 through 42, begin a new paragraph and
- 2 insert:
- 3 "SECTION 7. IC 36-4-3-4.2 IS ADDED TO THE INDIANA CODE
- 4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 5 1, 2015]: **Sec. 4.2. (a) As used in this section, "infrastructure"**
- 6 **means the capital improvements that comprise:**
- 7 (1) a sanitary sewer system or wastewater treatment facility;
- 8 (2) a building and appurtenances;
- 9 (3) a park or recreational facility;
- 10 (4) a road, street, highway, or bridge; or
- 11 (5) a water treatment, water storage, or water distribution
- 12 facility.
- 13 (b) This section applies:
- 14 (1) only to an annexation for which an annexation ordinance
- 15 is adopted after June 30, 2015; and
- 16 (2) if there is debt, evidenced by bonds, leases, or other
- 17 obligations, that is outstanding on infrastructure on the date
- 18 that the annexation becomes effective.
- 19 (c) This subsection applies if:
- 20 (1) the municipality takes ownership of infrastructure located
- 21 within the annexation territory, or part of an item of
- 22 infrastructure, owned by the county; and

(2) the outstanding debt is payable from property taxes or from revenue bonds or obligations.

The annexing municipality is liable to the county for reimbursements only if the municipality assumes ownership or partial ownership of the infrastructure. If the municipality assumes ownership or partial ownership of the infrastructure, the municipality shall reimburse the county for the appropriate share of the remaining debt that is payable by the county from property taxes or revenues. The county and the annexing municipality shall enter into an interlocal agreement under IC 36-1-7 regarding the allocation of the debt and reimbursement terms.

(d) This subsection applies if a local income tax under IC 6-3.5 has been pledged by the county to pay outstanding debt on infrastructure located within the county. To offset the change in local income tax distributions that will occur after the annexation, the annexing municipality is liable to the county for reimbursements in the amount that represents part of the outstanding debt on the infrastructure until the debt is fully paid. The amount that the municipality is required to reimburse the county is the lesser of:

(1) the amount of local income tax revenue for the distribution year that is shifted from the county to the municipality as a result of the annexation; or

(2) the amount needed to produce one and twenty-five hundredths (1.25) times the total of the highest annual debt service obligation for which the local income tax revenue was pledged.

(e) Reimbursements received by a county under this section shall be deposited in the appropriate debt service fund."

Page 7, delete lines 1 through 7.

Page 14, line 7, delete "The" and insert "Except as provided in subsection (e), the".

Page 15, between lines 9 and 10, begin a new paragraph and insert:

"(e) An annexation may be appealed to the court under section 11 of this chapter if all of the following requirements are met:

(1) A written remonstrance is signed that meets the requirements of subsection (c) or (d).

(2) The annexation territory is contiguous to:

(A) the municipality; and

(B) property that is the site of an economic development project.

(3) The economic development project site described in subdivision (2)(B) needs the municipality to provide:

(A) water;

(B) sewer;

(C) gas; or

(D) any combination of the capital services described in

- 1 **clauses (A) through (C).**
 - 2 **(4) The municipality finds that it is in the municipality's best**
 - 3 **interest to annex the annexation territory in order to extend,**
 - 4 **construct, or operate the capital services that are provided to**
 - 5 **the economic development project site described in**
 - 6 **subdivision (2)(B)."**
 - 7 Page 18, line 13, delete "This clause applies only to an annexation
 - 8 for which an".
 - 9 Page 18, line 14, delete "annexation ordinance was adopted before
 - 10 July 1, 2015."
 - 11 Page 18, delete lines 19 through 33.
 - 12 Page 18, line 34, reset in roman "(B)".
 - 13 Page 18, line 34, delete "(C)".
 - 14 Page 19, line 1, reset in roman "(C)".
 - 15 Page 19, line 1, delete "(D)".
 - 16 Page 19, line 4, reset in roman "(D)".
 - 17 Page 19, line 4, delete "(E)".
 - 18 Page 19, line 14, delete "(F)" and insert "(E)".
 - 19 Page 19, line 27, delete "(G)" and insert "(F)".
 - 20 Page 19, line 36, reset in roman "(e)(2)(C)" and delete "(e)(2)(D)".
 - 21 Page 25, line 24, after "works" insert ".".
- (Reference is to ESB 330 as printed April 7, 2015.)

Representative Truitt