



January 22, 2020

SENATE BILL No. 366

DIGEST OF SB 366 (Updated January 21, 2020 12:20 pm - DI 125)

Citations Affected: IC 14-13.

Synopsis: Kankakee River and Yellow River development. Provides that the auditor of state shall deduct amounts due from distributions of local income taxes allocated to (as opposed to payable to) the county when a county fails to pay direct support or special assessments to the Kankakee River basin and Yellow River basin development commission.

Effective: July 1, 2020.

Niemeyer

January 13, 2020, read first time and referred to Committee on Tax and Fiscal Policy.
January 21, 2020, amended, reported favorably — Do Pass.

SB 366—LS 6991/DI 129



January 22, 2020

Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

SENATE BILL No. 366

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

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

1 SECTION 1. IC 14-13-9-23, AS ADDED BY P.L.282-2019,
2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 23. (a) If:
4 (1) a county fails to pay direct support or special assessments to
5 the commission when due under section 21 or 22 of this chapter;
6 and
7 (2) more than thirty (30) days have elapsed since the due date;
8 the commission shall notify the auditor of state of the county's failure
9 to pay and the amount due from the county. The commission may
10 request that the auditor of state pay the amount due from local income
11 taxes otherwise distributable to the county under IC 6-3.6. The auditor
12 of state shall immediately contact the county auditor and the
13 commission to confirm whether the county is unable to make the
14 required payment. Upon confirming the county's inability to make the
15 payment, the auditor of state shall deduct the amount due from the next
16 distribution of local income taxes ~~payable~~ **allocated** to the county
17 under IC 6-3.6.

SB 366—LS 6991/DI 129



1 (b) This section must be interpreted liberally to ensure that the
2 obligations of the commission are paid to the extent legally valid.
3 However, this section does not create a debt of the state.



COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill No. 366, 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:

Page 2, delete lines 4 through 20.

and when so amended that said bill do pass.

(Reference is to SB 366 as introduced.)

HOLDMAN, Chairperson

Committee Vote: Yeas 13, Nays 0.

