ORDINANCE NO. 04-13-2026-C

AN ORDINANCE AMENDING ORDINANCE NO. 07-14-25-A

WHEREAS, Hamilton County (the "County") imposed a County Innkeepers Tax for the establishment of a tourism capital fund (the "Tourism Capital Fund") pursuant to Indiana Code 6-9-56-4(a)(2); and

WHEREAS, the County previously established the Hamilton County Convention Visitor and Tourism Commission ("the Commission") under Hamilton County Code 6-9-18-5 which was later amended by Hamilton County Ordinance 12-10-18 A; and

WHEREAS, the County superseded and replaced Hamilton County Ordinance 12-10-18-A with Ordinance No. 09-21-23-B; and,

WHEREAS, superseded and replaced the language of Hamilton County Ordinance No. 09-21-23-B, with Ordinance No. 07-14-25-A; and,

WHEREAS the 124th General Assembly of the State of Indiana has amended I.C. 6-9-56, to revise provisions for appointment of members, financing, and other general matters related to the governance of the Commission which shall become effective July 1, 2026, and,

WHEREAS, the Board of Commissioners of Hamilton County, exercising the authority granted by the State of Indiana, does hereby wish to supersede Ordinance No. 07-14-25-A and amend Hamilton County Code 6-9-18-5, to conform with new legislation and to promote the development and growth of the convention, visitor, and tourism industry in the County.

IT IS THEREBY ORDAINED by the Board of Commissioners of Hamilton County that Hamilton County Code 6-9-18-5 is amended as follows:

1. On July 1, 2026, Hamilton County Code Section 6-9-18-5 shall be amended to conform to state law and be replaced and read as follows:

   (a) The Hamilton County Convention, Visitor and Tourism Commission shall serve henceforth as the commission for the purposes previously established and also is hereby established as the Commission to carry out the duties and responsibilities as mentioned per I.C. 6-9-56.

   (b) The Commission shall consist of 15 members in accordance with I.C. 6-9-56-5(b), who shall be appointed as follows:

      (1) The Board of Commissioners shall appoint ten (10) members.

      (2) The County Council shall appoint one (1) member.

      (3) Pursuant to I.C. 6-9-56-5(h), the city executive of each city within the County, shall each appoint one (1) member to the commission.

      (4) If available and willing to serve, an appointed member by a city executive shall be engaged in the business of renting or furnishing of rooms, lodging or accommodations.

      (5) Not more than one member may be affiliated with the same business entity.

      (6) Pursuant to I.C. 6-9-56-5(b), a simple majority of the

members must not represent the hospitality industry or be engaged in a convention, visitor, or tourism business, or involved in or promoting conventions, visitors, or tourism.

(7) Appointed members shall be residents of Hamilton County, except for members who are an owner or an executive level employee of a convention, visitor or tourism business that is located within Hamilton County, so long as they are residents of Indiana.

(c) All terms of office of commission members shall 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) Five percent (5%) of the tax assessment collected pursuant to the county innkeepers tax shall be transferred to the convention, visitor, tourism promotion, and capital fund. Money contained within this fund shall be distributed as follows:

(1) One-fifth (1/5) shall be distributed to Hamilton County, up to one-fourth (1/4) of which may be used at the sole discretion of the County for municipalities not receiving funds from the municipal capital fund.

(2) Four-fifths (4/5) shall be available for use by the Commission, so long as said use has been reviewed and approved by the Board of Commissioners. Any and all administrative costs related to the administration of the convention, visitor, tourism promotion, and capital fund must be paid from this distribution.

Money in the convention, visitor, tourism promotion, and capital fund, shall be expended only as provided in I.C. 6-9-56-4(c).

(g) Three percent (3%) of the tax assessment collected pursuant to the county innkeepers tax shall be transferred to a municipal tourism capital fund. Money contained within this fund shall be distributed in accordance with I.C. 6-9-56-8.5.

2. Any provisions of Hamilton County Code Sections 6-9-18-2 and 6-9-18-3 that are in direct conflict with this Ordinance are hereby repealed.

3. All tourism capital funds governed by I.C. 6-9-56-8 before July 1, 2026 that are either unobligated, not approved, not disbursed, related to projects that have not met due diligence requirements by the Commission, or have not completed the Commission's processes for release as of the date of the execution of this ordinance shall be distributed to the County for 1) its use in the development or maintenance of qualifying and approved capital projects, or 2) any use permitted under I.C. 6-9-56-7.5 after June 30, 2026.
4. The Auditor's office is hereby directed to update the relevant portions of Hamilton County Code governed by this Ordinance.

ALL OF WHICH IS ORDAINED by the Board of Commissioners of Hamilton County this 13th day of April, 2026.

BOARD OF COMMISSIONERS
OF HAMILTON COUNTY

_____
Christine Altman

_____
Mark E. Heirbrandt

_____
Steven C. Dillinger

ATTEST:

_____
Todd Clevenger, Auditor