

# P3 Legislative Snapshot

## INDIANA

**State P3 Legislative Status:** Broadly-enabled P3 authority.

### 1. Does this state have broadly-enabling P3 legislation?

The State, political subdivisions and higher education institutions are broadly authorized to enter into P3 agreements.

### 2. Does this state allow for Unsolicited Proposals?

No. Any public-private agreement contemplated by this chapter must require the governmental body to request proposals before entering into the agreement.

### 3. What is this state's P3 Review Process (i.e., multi-step: RFI, RFQ, RFP – even for unsolicited proposals)?

Indiana Finance Authority (IFA) and Indiana Department of Transportation (INDOT) review; in some instances, state legislative approval is required.

### 4. Does this state have a Centralized Agency dedicated to P3?

IFA and INDOT.

### 5. Is this a Home Rule state, with limitations or opportunities for P3?

Allowed, but enumerates a long list of restrictions.

### 6. What Projects or Asset Classes are eligible for P3 in this state?

Transportation facilities or transportation projects are eligible for P3 in Indiana.

Transportation facility refers to any new or existing road, highway, toll highway, bridge, tunnel, railroad (other than a hobby, tourist, amusement, and non-freight-carrying railroad), or intermodal facility, located in the jurisdiction of a governmental body.

Transportation project refers to any combination of the development, financing, or operation with respect to all or a portion of any transportation facility located in the jurisdiction of a governmental body.

### 7. Are there Projects where the P3 procurement method has been applied?

Indiana Toll Road Lease; Ohio River Bridges – East End Crossing; Ohio River Bridges – Toll System Provider; I-69 Section 6 Contract 5 Project; Sherman Minton Corridor Project.

### 8. What is the legislative foundation for P3s in this state?

[Ind. Code Ann. §§5-23-1-1 to 5-23-7-2](#) (Public-Private Agreements)  
[§§8-15.5-1-1 to 8-15.5-13-8](#) (Public-Private Agreements for Toll Road Projects)  
[§§8-15.7-1-1 to 8-15.7-16-8](#) (Indiana Department of Transportation)

See the Indiana Private Public Partnerships Implementation Guidelines for more information.