

SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1001(ss) be amended to read as follows:

- 1 Page 223, line 8, delete "For" and insert "**Subject to subsection (I),**
2 **for**".
- 3 Page 223, delete lines 11 through 19, begin a new line block
4 indented and insert:
- 5 **"(1) A taxpayer required to file a personal property return**
6 **under IC 6-1.1-3-7 may make an election to apply 50 IAC 4.2**
7 **to the assessment of its property.**
- 8 **(2) A taxpayer subject to taxation under IC 6-1.1-8 may make**
9 **an election to apply 50 IAC 5.1 to the assessment of its**
10 **property."**
- 11 Page 223, delete lines 22 through 29, begin a new paragraph and
12 insert the following:
- 13 **"(f) A taxpayer required to file a personal property return**
14 **under IC 6-1.1-3-7 must make the election provided by subsection**
15 **(d)(1) by filing not later than August 15, 2002, a special amended**
16 **return on which the assessment of the taxpayer's property is**
17 **determined under 50 IAC 4.2.**
- 18 **(g) A taxpayer subject to taxation under IC 6-1.1-8 must make**
19 **the election provided by subsection (d)(2) by filing not later than**
20 **August 15, 2002:**
- 21 **(1) an amended statement of value under IC 6-1.1-8-19; and**
22 **(2) amended statements under IC 6-1.1-8-23, on which the**
23 **assessment of its property is determined under 50 IAC 5.1.**
- 24 **(h) A taxpayer that fails to timely file a special amended**
25 **personal property return under subsection (f) or amended**
26 **statements under subsection (g) is not entitled to make the election**
27 **provided by subsection (d).**
- 28 **(i) IC 6-1.1-16 applies to a special amended return filed under**
29 **subsection (f).**

1 **(j) IC 6-1.1-8 applies to an amended statement of value or other**
2 **statements filed under subsection (g) except that:**

3 **(1) the department of local government finance shall issue the**
4 **notification required by IC 6-1.1-8-28(a) not later than**
5 **September 15, 2002, and shall issue the notification required**
6 **by IC 6-1.1-8-29 not later than October 1, 2002; and**

7 **(2) a township assessor shall make the certification of value**
8 **required by IC 6-1.1-8-24 not later than September 15, 2002.**

9 **(k) A taxpayer who files a special amended return under**
10 **subsection (f) is entitled to file another amended return under**
11 **IC 6-1.1-3-7.5 within the time permitted by that section. For**
12 **purposes of this section:**

13 **(1) in the case of a taxpayer that makes an election under**
14 **subsection (f), any changes made in an amended return filed**
15 **under IC 6-1.1-3-7.5 must conform to 50 IAC 4.2; and**

16 **(2) in the case of a taxpayer that does not make an election**
17 **under subsection (f), any changes made in an amended return**
18 **filed under IC 6-1.1-3-7.5 must conform to 50 IAC 4.3.**

19 **(l) The thirty percent (30%) of adjusted cost limitations**
20 **contained in 50 IAC 4.2-4-9 and 50 IAC 5.1-6-9 do not apply to the**
21 **determination of an assessment made pursuant to an election**
22 **under subsection (d)(1) or (d)(2)."**

23 Page 223, line 30, delete "(g)" and insert "(m)".

24 Page 223, line 40, delete "(h)" and insert "(n)".

(Reference is to EHB 1001(ss) as printed June 13, 2002.)

Senator WEATHERWAX