

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 217 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 taxation and to make an appropriation.
- 4 Page 2, between lines 15 and 16 begin a new paragraph and insert:
- 5 "SECTION 2. IC 6-1.1-20.5 IS ADDED TO THE INDIANA CODE
- 6 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 7 JULY 1, 1999]:
- 8 **Chapter 20.5 Property Tax Rate Freeze Credits**
- 9 **Sec. 1. (a) A credit against a property taxpayer's net property**
- 10 **tax liability shall be provided under this chapter. The state board**
- 11 **of tax commissioners shall determine the following for each civil**
- 12 **taxing unit:**
- 13 (1) **The ratio of:**
- 14 (A) **the civil unit's 1999 actual levy for all funds subject to**
- 15 **the maximum permissible ad valorem property tax levy**
- 16 **controls under IC 6-1.1-18.5; divided by**
- 17 (B) **the civil unit's 1999 maximum levy for all funds subject**
- 18 **to the maximum permissible ad valorem property tax levy**
- 19 **controls under IC 6-1.1-18.5.**
- 20 (2) **The ratio of:**
- 21 (A) **the civil unit's current year actual levy for all funds**
- 22 **subject to the maximum permissible ad valorem property**
- 23 **tax levy controls under IC 6-1.1-18.5; divided by**
- 24 (B) **the civil unit's current year maximum levy for all funds**

1 subject to the maximum permissible ad valorem property
2 tax levy controls under IC 6-1.1-18.5.

3 (b) If the ratio under subdivision (a)(1) is one (1) or the ratio
4 under subdivision (a)(2) is not greater than the ratio under
5 subdivision (a)(1), the credit is equal to the difference in the net
6 amount of ad valorem property taxes that would be due from the
7 taxpayer for all civil taxing unit funds subject to the maximum
8 permissible ad valorem property tax levy controls under
9 IC 6-1.1-18.5 that exceed the amount that would be due from the
10 taxpayer if the net property tax rates effective for property taxes
11 first due and payable in 1999 were used.

12 (c) If the ratio under subdivision (a)(2) is greater than the ratio
13 under subdivision (a)(1), the credit shall be determined as follows:

14 **STEP ONE:** Determine the net amount of ad valorem
15 property taxes that would be due from the taxpayer for all
16 civil taxing unit funds subject to the maximum permissible ad
17 valorem property tax levy controls under IC 6-1.1-18.5 using
18 an ad valorem property tax levy for the current year that
19 equals:

20 (A) each civil taxing unit's maximum ad valorem property
21 tax levy under IC 6-1.1-18.5 for the current year;
22 multiplied by

23 (B) the ratio under subdivision (a)(1).

24 **STEP TWO:** Determine the net amount of ad valorem
25 property taxes that would be due from the taxpayer for all
26 civil taxing unit funds subject to the maximum permissible ad
27 valorem property tax levy controls under IC 6-1.1-18.5 by
28 applying the net property tax rate effective for property taxes
29 first due and payable in 1999.

30 **STEP THREE:** Determine the result of:

31 (A) the STEP ONE result; minus

32 (B) the STEP TWO result.

33 **Sec. 2.** Before March 1 of each year, each county auditor shall
34 certify to the state board of tax commissioners and provide the
35 amount of property tax rate freeze credits allowed for each
36 property taxpayer in that county for that calendar year. Before
37 March 15, the state board of tax commissioners shall certify the
38 amount of credits allowed to the property tax replacement fund
39 board. The credits shall be certified in the same manner as
40 property tax replacement credits are determined under
41 IC 6-1.1-21.

42 **Sec. 3.** Each year the property tax replacement fund board shall
43 allocate to the department of state revenue an amount equal to the
44 total amount of tax credits that are provided under this chapter for
45 each county for that year in the same manner as the homestead
46 credits are allocated from the property tax replacement fund under

1 **IC 6-1.1-21.**
2 **Sec. 4. (a) The department of state revenue shall distribute to**
3 **each county treasurer from the state general fund the estimated**
4 **distribution for that year for the county at the same time and in the**
5 **same manner as the homestead credit distributions are made under**
6 **IC 6-1.1-21.**
7 **(b) Money in the property tax replacement fund is annually**
8 **appropriated to make the distributions. All distributions provided**
9 **in this section shall be made on warrants issued by the auditor of**
10 **state drawn on the treasurer of state.**
11 **Sec. 5. To the extent it is consistent with this chapter,**
12 **IC 6-1.1-21 applies with respect to the credit under this chapter."**
13 Renumber all SECTIONS consecutively.
 (Reference is to ESB 217 as printed April 6, 1999.)

Representative Thompson