

# SENATE MOTION

**MR. PRESIDENT:**

**I move** that Engrossed House Bill 1005 be amended to read as follows:

- 1           Page 41, line 32, delete "The" and insert "**Subject to subsection (b),**  
2           the".
- 3           Page 41, delete lines 37 through 41, begin a new paragraph and  
4           insert:
- 5           **"(b) A rule adopted under subsection (a) may not:**
- 6                 **(1) restrict the ability of a representative to practice before**  
7                 **the property tax assessment board of appeals or the state**  
8                 **board of tax commissioners based on the fact that the**  
9                 **representative is not an attorney admitted to the Indiana bar;**  
10                **or**
- 11               **(2) restrict the admissibility of the written or oral testimony**  
12               **of a representative or other witness based upon the manner in**  
13               **which the representative or other witness is compensated.**
- 14           **(c) This subsection applies to a petition that is filed with the**  
15           **property tax assessment board of appeals or the state board of tax**  
16           **commissioners before the adoption of a rule under subsection (a)**  
17           **that establishes new standards for:**
- 18                **(1) the presentation of evidence or testimony; or**  
19                **(2) the practice of representatives.**
- 20           **The property tax assessment board of appeals or state board of tax**  
21           **commissioners may not dismiss the petition solely for failure to**  
22           **comply with the new rule without providing the petitioner an**

1 **opportunity to present evidence, testimony, or representation in**  
2 **compliance with the new rule."**

(Reference is to EHB 1005 as printed March 30, 1999.)

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Senator KENLEY