

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**
2 **(b), 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**
10 **bar; or**
- 11 **(2) restrict the admissibility of the written or oral testimony**
12 **of a representative or other witness based upon the manner**
13 **in 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**
23 **opportunity to present evidence, testimony, or representation in**
24 **compliance with the new rule.”.**

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

Senator KENLEY