

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1067 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 6-1.1-18-3, AS AMENDED BY P.L.273-1999,
- 4 SECTION 53 (CURRENT VERSION), IS AMENDED TO READ AS
- 5 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 3. (a) Except as
- 6 provided in subsection (b), the sum of all tax rates for all political
- 7 subdivisions imposed on tangible property within a political
- 8 subdivision may not exceed:
- 9 (1) one dollar and twenty-five cents (\$1.25) on each one hundred
- 10 dollars (\$100) of assessed valuation in territory outside the
- 11 corporate limits of a city or town; or
- 12 (2) two dollars (\$2) on each one hundred dollars (\$100) of
- 13 assessed valuation in territory inside the corporate limits of a city
- 14 or town.
- 15 (b) The proper officers of a political subdivision shall fix tax rates
- 16 which are sufficient to provide funds for the purposes itemized in this
- 17 subsection. The portion of a tax rate fixed by a political subdivision
- 18 shall not be considered in computing the tax rate limits prescribed in
- 19 subsection (a) if that portion is to be used for one (1) of the following
- 20 purposes:
- 21 (1) To pay the principal or interest on a funding, refunding, or
- 22 judgment funding obligation of the political subdivision.
- 23 (2) To pay the principal or interest on an outstanding obligation
- 24 issued by the political subdivision if notice of the sale of the

1 obligation was published before March 9, 1937.

2 (3) To pay the principal or interest upon:

3 (A) an obligation issued by the political subdivision to meet an
4 emergency which results from a flood, fire, pestilence, war, or
5 any other major disaster; or

6 (B) a note issued under IC 36-2-6-18, IC 36-3-4-22,
7 IC 36-4-6-20, or IC 36-5-2-11 to enable a city, town, or county
8 to acquire necessary equipment or facilities for municipal or
9 county government.

10 (4) To pay the principal or interest upon an obligation issued in
11 the manner provided in IC 6-1.1-20-3 (before its repeal) or
12 IC 6-1.1-20-3.1 through IC 6-1.1-20-3.2.

13 (5) To pay a judgment rendered against the political subdivision.

14 (6) To meet the requirements of the family and children's fund for
15 child services (as defined in IC 12-19-7-1).

16 ~~(7) To meet the requirements of the county hospital care for the~~
17 ~~indigent fund.~~

18 (c) Except as otherwise provided in IC 6-1.1-19 or IC 6-1.1-18.5, a
19 county board of tax adjustment, a county auditor, or the state board of
20 tax commissioners may review the portion of a tax rate described in
21 subsection (b) only to determine if it exceeds the portion actually
22 needed to provide for one (1) of the purposes itemized in that
23 subsection.

24 SECTION 2. IC 6-1.1-18-3, AS AMENDED BY P.L.273-1999,
25 SECTION 54 (DELAYED VERSION), IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE MARCH 1, 2001]: Sec. 3. (a) Except as
27 provided in subsection (b), the sum of all tax rates for all political
28 subdivisions imposed on tangible property within a political
29 subdivision may not exceed:

30 (1) forty-one and sixty-seven hundredths cents (\$0.4167) on each
31 one hundred dollars (\$100) of assessed valuation in territory
32 outside the corporate limits of a city or town; or

33 (2) sixty-six and sixty-seven hundredths cents (\$0.6667) on each
34 one hundred dollars (\$100) of assessed valuation in territory
35 inside the corporate limits of a city or town.

36 (b) The proper officers of a political subdivision shall fix tax rates
37 which are sufficient to provide funds for the purposes itemized in this
38 subsection. The portion of a tax rate fixed by a political subdivision
39 shall not be considered in computing the tax rate limits prescribed in
40 subsection (a) if that portion is to be used for one (1) of the following
41 purposes:

42 (1) To pay the principal or interest on a funding, refunding, or
43 judgment funding obligation of the political subdivision.

44 (2) To pay the principal or interest on an outstanding obligation
45 issued by the political subdivision if notice of the sale of the
46 obligation was published before March 9, 1937.

- 1 (3) To pay the principal or interest upon:
 2 (A) an obligation issued by the political subdivision to meet an
 3 emergency which results from a flood, fire, pestilence, war, or
 4 any other major disaster; or
 5 (B) a note issued under IC 36-2-6-18, IC 36-3-4-22,
 6 IC 36-4-6-20, or IC 36-5-2-11 to enable a city, town, or county
 7 to acquire necessary equipment or facilities for municipal or
 8 county government.
- 9 (4) To pay the principal or interest upon an obligation issued in
 10 the manner provided in IC 6-1.1-20-3 (before its repeal) or
 11 IC 6-1.1-20-3.1 through IC 6-1.1-20-3.2.
- 12 (5) To pay a judgment rendered against the political subdivision.
- 13 (6) To meet the requirements of the family and children's fund for
 14 child services (as defined in IC 12-19-7-1).
- 15 ~~(7) To meet the requirements of the county hospital care for the~~
 16 ~~indigent fund.~~
- 17 (c) Except as otherwise provided in IC 6-1.1-19 or IC 6-1.1-18.5, a
 18 county board of tax adjustment, a county auditor, or the state board of
 19 tax commissioners may review the portion of a tax rate described in
 20 subsection (b) only to determine if it exceeds the portion actually
 21 needed to provide for one (1) of the purposes itemized in that
 22 subsection."
- 23 Page 5, between lines 10 and 11, begin a new paragraph and insert:
 24 "SECTION 6. IC 6-3.5-1.1-15, AS AMENDED BY P.L.273-1999,
 25 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JANUARY 1, 2001]: Sec. 15. (a) As used in this section, "attributed
 27 levy" of a civil taxing unit means the sum of:
 28 (1) the ad valorem property tax levy of the civil taxing unit that is
 29 currently being collected at the time the allocation is made; plus
 30 (2) the current ad valorem property tax levy of any special taxing
 31 district, authority, board, or other entity formed to discharge
 32 governmental services or functions on behalf of or ordinarily
 33 attributable to the civil taxing unit; plus
 34 (3) the amount of federal revenue sharing funds and certified
 35 shares that were used by the civil taxing unit (or any special
 36 taxing district, authority, board, or other entity formed to
 37 discharge governmental services or functions on behalf of or
 38 ordinarily attributable to the civil taxing unit) to reduce its ad
 39 valorem property tax levies below the limits imposed by
 40 IC 6-1.1-18.5; plus
 41 (4) in the case of a county, an amount equal to the property taxes
 42 imposed by the county in 1999 for the county's welfare fund and
 43 welfare administration fund; plus
 44 **(5) in the case of a county, an amount equal to the property**
 45 **taxes imposed by the county in 2000 for county hospital care**
 46 **for the indigent.**

1 (b) The part of a county's certified distribution that is to be used as
 2 certified shares shall be allocated only among the county's civil taxing
 3 units. Each civil taxing unit of a county is entitled to receive a
 4 percentage of the certified shares to be distributed in the county equal
 5 to the ratio of its attributed levy to the total attributed levies of all civil
 6 taxing units of the county.

7 (c) The local government tax control board established by
 8 IC 6-1.1-18.5-11 shall determine the attributed levies of civil taxing
 9 units that are entitled to receive certified shares during a calendar year.
 10 If the ad valorem property tax levy of any special taxing district,
 11 authority, board, or other entity is attributed to another civil taxing unit
 12 under subsection (b)(2), then the special taxing district, authority,
 13 board, or other entity shall not be treated as having an attributed levy
 14 of its own. The local government tax control board shall certify the
 15 attributed levy amounts to the appropriate county auditor. The county
 16 auditor shall then allocate the certified shares among the civil taxing
 17 units of his county.

18 (d) Certified shares received by a civil taxing unit shall be treated
 19 as additional revenue for the purpose of fixing its budget for the
 20 calendar year during which the certified shares will be received. The
 21 certified shares may be allocated to or appropriated for any purpose,
 22 including property tax relief or a transfer of funds to another civil
 23 taxing unit whose levy was attributed to the civil taxing unit in the
 24 determination of its attributed levy.

25 SECTION 7. IC 6-3.5-6-17.6, AS AMENDED BY P.L.273-1999,
 26 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JANUARY 1, 2001]: Sec. 17.6. (a) This section applies to a county
 28 containing a consolidated city.

29 (b) On or before July 15 of each year, the budget agency shall make
 30 the following calculation:

31 STEP ONE: Determine the cumulative balance in a county's
 32 account established under section 16 of this chapter as of the end
 33 of the current calendar year.

34 STEP TWO: Divide the amount estimated under section 17(b) of
 35 this chapter before any adjustments are made under section 17(c)
 36 or 17(d) of this chapter by twelve (12).

37 STEP THREE: Multiply the STEP TWO amount by three (3).

38 STEP FOUR: Subtract the amount determined in STEP THREE
 39 from the amount determined in STEP ONE.

40 (c) For 1995, the budget agency shall certify the STEP FOUR
 41 amount to the county auditor on or before July 15, 1994. Not later than
 42 January 31, 1995, the auditor of state shall distribute the STEP FOUR
 43 amount to the county auditor to be used to retire outstanding
 44 obligations for a qualified economic development tax project (as
 45 defined in IC 36-7-27-9).

46 (d) After 1995, the STEP FOUR amount shall be distributed to the

1 county auditor in January of the ensuing calendar year. The STEP
 2 FOUR amount shall be distributed by the county auditor to the civil
 3 taxing units within thirty (30) days after the county auditor receives the
 4 distribution. Each civil taxing unit's share equals the STEP FOUR
 5 amount multiplied by the quotient of:

6 (1) the maximum permissible property tax levy under
 7 IC 6-1.1-18.5 for the civil taxing unit, plus, for a county, an
 8 amount equal to the property taxes imposed by the county in 1999
 9 for the county's welfare administration fund **and an amount**
 10 **equal to the property taxes imposed by the county in 2000 for**
 11 **county hospital care for the indigent;** divided by

12 (2) the sum of the maximum permissible property tax levies under
 13 IC 6-1.1-18.5 for all civil taxing units of the county, plus an
 14 amount equal to the property taxes imposed by the county in 1999
 15 for the county's welfare administration fund **and an amount**
 16 **equal to the property taxes imposed by the county in 2000 for**
 17 **county hospital care for the indigent.**

18 SECTION 8. IC 6-3.5-6-18, AS AMENDED BY P.L.273-1999,
 19 SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JANUARY 1, 2001]: Sec. 18. (a) The revenue a county auditor
 21 receives under this chapter shall be used to:

22 (1) replace the amount, if any, of property tax revenue lost due to
 23 the allowance of an increased homestead credit within the county;

24 (2) fund the operation of a public communications system and
 25 computer facilities district as provided in an election, if any, made
 26 by the county fiscal body under IC 36-8-15-19(b);

27 (3) fund the operation of a public transportation corporation as
 28 provided in an election, if any, made by the county fiscal body
 29 under IC 36-9-4-42;

30 (4) make payments permitted under IC 36-7-15.1-17.5;

31 (5) make payments permitted under subsection ~~(f)~~; **(i)**; and

32 (6) make distributions of distributive shares to the civil taxing
 33 units of a county.

34 (b) The county auditor shall retain from the payments of the county's
 35 certified distribution, an amount equal to the revenue lost, if any, due
 36 to the increase of the homestead credit within the county. This money
 37 shall be distributed to the civil taxing units and school corporations of
 38 the county as though they were property tax collections and in such a
 39 manner that no civil taxing unit or school corporation shall suffer a net
 40 revenue loss due to the allowance of an increased homestead credit.

41 (c) The county auditor shall retain the amount, if any, specified by
 42 the county fiscal body for a particular calendar year under subsection
 43 ~~(f)~~; **(i)**, IC 36-7-15.1-17.5, IC 36-8-15-19(b), and IC 36-9-4-42 from the
 44 county's certified distribution for that same calendar year. The county
 45 auditor shall distribute amounts retained under this subsection to the
 46 county.

1 (d) All certified distribution revenues that are not retained and
 2 distributed under subsections (b) and (c) shall be distributed to the civil
 3 taxing units of the county as distributive shares.

4 (e) The amount of distributive shares that each civil taxing unit in
 5 a county is entitled to receive during a month equals the product of the
 6 following:

7 (1) The amount of revenue that is to be distributed as distributive
 8 shares during that month; multiplied by

9 (2) A fraction. The numerator of the fraction equals the total
 10 property taxes that are first due and payable to the civil taxing
 11 unit during the calendar year in which the month falls, plus, for a
 12 county, an amount equal to the property taxes imposed by the
 13 county in 1999 for the county's welfare fund and welfare
 14 administration fund **and an amount equal to the property taxes**
 15 **imposed by the county in 2000 for county hospital care for the**
 16 **indigent.** The denominator of the fraction equals the sum of the
 17 total property taxes that are first due and payable to all civil taxing
 18 units of the county during the calendar year in which the month
 19 falls, plus an amount equal to the property taxes imposed by the
 20 county in 1999 for the county's welfare fund and welfare
 21 administration fund **and an amount equal to the property taxes**
 22 **imposed by the county in 2000 for county hospital care for the**
 23 **indigent.**

24 (f) The state board of tax commissioners shall provide each county
 25 auditor with the fractional amount of distributive shares that each civil
 26 taxing unit in the auditor's county is entitled to receive monthly under
 27 this section.

28 (g) Notwithstanding subsection (e), if a civil taxing unit of an
 29 adopting county does not impose a property tax levy that is first due
 30 and payable in a calendar year in which distributive shares are being
 31 distributed under this section, that civil taxing unit is entitled to receive
 32 a part of the revenue to be distributed as distributive shares under this
 33 section within the county. The fractional amount such a civil taxing
 34 unit is entitled to receive each month during that calendar year equals
 35 the product of the following:

36 (1) The amount to be distributed as distributive shares during that
 37 month; multiplied by

38 (2) A fraction. The numerator of the fraction equals the budget of
 39 that civil taxing unit for that calendar year. The denominator of
 40 the fraction equals the aggregate budgets of all civil taxing units
 41 of that county for that calendar year.

42 (h) If for a calendar year a civil taxing unit is allocated a part of a
 43 county's distributive shares by subsection (g), then the formula used in
 44 subsection (e) to determine all other civil taxing units' distributive
 45 shares shall be changed each month for that same year by reducing the
 46 amount to be distributed as distributive shares under subsection (e) by

1 the amount of distributive shares allocated under subsection (g) for that
 2 same month. The state board of tax commissioners shall make any
 3 adjustments required by this subsection and provide them to the
 4 appropriate county auditors.

5 (⊕) (i) Notwithstanding any other law, a county fiscal body may
 6 pledge revenues received under this chapter to the payment of bonds
 7 or lease rentals to finance a qualified economic development tax
 8 project under IC 36-7-27 in that county or in any other county if the
 9 county fiscal body determines that the project will promote significant
 10 opportunities for the gainful employment or retention of employment
 11 of the county's residents.

12 SECTION 9. IC 6-3.5-6-18.5, AS AMENDED BY P.L.273-1999,
 13 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JANUARY 1, 2001]: Sec. 18.5. (a) This section applies to a county
 15 containing a consolidated city.

16 (b) Notwithstanding section 18(e) of this chapter, the distributive
 17 shares that each civil taxing unit in a county containing a consolidated
 18 city is entitled to receive during a month equals the following:

19 (1) For the calendar year beginning January 1, 1995, calculate the
 20 total amount of revenues that are to be distributed as distributive
 21 shares during that month multiplied by the following factor:

22	Center Township	.0251
23	Decatur Township	.00217
24	Franklin Township	.0023
25	Lawrence Township	.01177
26	Perry Township	.01130
27	Pike Township	.01865
28	Warren Township	.01359
29	Washington Township	.01346
30	Wayne Township	.01307
31	Lawrence-City	.00858
32	Beech Grove	.00845
33	Southport	.00025
34	Speedway	.00722
35	Indianapolis/Marion County	.86409

36 (2) Notwithstanding subdivision (1), for the calendar year
 37 beginning January 1, 1995, the distributive shares for each civil
 38 taxing unit in a county containing a consolidated city shall be not
 39 less than the following:

40	Center Township	\$1,898,145
41	Decatur Township	\$164,103
42	Franklin Township	\$173,934
43	Lawrence Township	\$890,086
44	Perry Township	\$854,544
45	Pike Township	\$1,410,375
46	Warren Township	\$1,027,721

1	Washington Township	\$1,017,890
2	Wayne Township	\$988,397
3	Lawrence-City	\$648,848
4	Beech Grove	\$639,017
5	Southport	\$18,906
6	Speedway	\$546,000
7	(3) For each year after 1995, calculate the total amount of	
8	revenues that are to be distributed as distributive shares during	
9	that month as follows:	
10	STEP ONE: Determine the total amount of revenues that were	
11	distributed as distributive shares during that month in calendar	
12	year 1995.	
13	STEP TWO: Determine the total amount of revenue that the	
14	department has certified as distributive shares for that month	
15	under section 17 of this chapter for the calendar year.	
16	STEP THREE: Subtract the STEP ONE result from the STEP	
17	TWO result.	
18	STEP FOUR: If the STEP THREE result is less than or equal	
19	to zero (0), multiply the STEP TWO result by the ratio	
20	established under subdivision (1).	
21	STEP FIVE: Determine the ratio of:	
22	(A) the maximum permissible property tax levy under	
23	IC 6-1.1-18.5 and IC 6-1.1-18.6 for each civil taxing unit for	
24	the calendar year in which the month falls, plus, for a	
25	county, an amount equal to the property taxes imposed by	
26	the county in 1999 for the county's welfare fund and welfare	
27	administration fund plus the property taxes imposed by	
28	the county in 2000 for county hospital care for the	
29	indigent; divided by	
30	(B) the sum of the maximum permissible property tax levies	
31	under IC 6-1.1-18.5 and IC 6-1.1-18.6 for all civil taxing	
32	units of the county during the calendar year in which the	
33	month falls, and an amount equal to the property taxes	
34	imposed by the county in 1999 for the county's welfare fund	
35	and welfare administration fund plus the property taxes	
36	imposed by the county in 2000 for county hospital care	
37	for the indigent.	
38	STEP SIX: If the STEP THREE result is greater than zero (0),	
39	the STEP ONE amount shall be distributed by multiplying the	
40	STEP ONE amount by the ratio established under subdivision	
41	(1).	
42	STEP SEVEN: For each taxing unit determine the STEP FIVE	
43	ratio multiplied by the STEP TWO amount.	
44	STEP EIGHT: For each civil taxing unit determine the	
45	difference between the STEP SEVEN amount minus the	
46	product of the STEP ONE amount multiplied by the ratio	

1 established under subdivision (1). The STEP THREE excess
 2 shall be distributed as provided in STEP NINE only to the civil
 3 taxing units that have a STEP EIGHT difference greater than
 4 or equal to zero (0).

5 STEP NINE: For the civil taxing units qualifying for a
 6 distribution under STEP EIGHT, each civil taxing unit's share
 7 equals the STEP THREE excess multiplied by the ratio of:

8 (A) the maximum permissible property tax levy under
 9 IC 6-1.1-18.5 ~~and IC 6-1.1-18.6~~ for the qualifying civil
 10 taxing unit during the calendar year in which the month
 11 falls, plus, for a county, an amount equal to the property
 12 taxes imposed by the county in 1999 for the county's welfare
 13 fund and welfare administration fund **plus the property**
 14 **taxes imposed by the county in 2000 for county hospital**
 15 **care for the indigent;** divided by

16 (B) the sum of the maximum permissible property tax levies
 17 under IC 6-1.1-18.5 ~~and IC 6-1.1-18.6~~ for all qualifying civil
 18 taxing units of the county during the calendar year in which
 19 the month falls, and an amount equal to the property taxes
 20 imposed by the county in 1999 for the county's welfare fund
 21 and welfare administration fund **plus the property taxes**
 22 **imposed by the county in 2000 for county hospital care**
 23 **for the indigent."**

24 Page 7, between lines 6 and 7, begin a new paragraph and insert:

25 "SECTION 11. IC 6-3.5-7-12, AS AMENDED BY P.L.124-1999,
 26 SECTION 1, AND AS AMENDED BY P.L.273-1999, SECTION 74,
 27 IS CORRECTED AND IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JANUARY 1, 2001]: Sec. 12. (a) Except as provided in
 29 section 23 of this chapter, the county auditor shall distribute in the
 30 manner specified in this section the certified distribution to the county.

31 (b) Except as provided in subsections (c) and (h) and section 15 of
 32 this chapter, the amount of the certified distribution that the county and
 33 each city or town in a county is entitled to receive during May and
 34 November of each year equals the product of the following:

35 (1) The amount of the certified distribution for that month;
 36 multiplied by

37 (2) A fraction. The numerator of the fraction equals the sum of the
 38 following:

39 (A) Total property taxes that are first due and payable to the
 40 county, city, or town during the calendar year in which the
 41 month falls; plus

42 (B) For a county, an amount equal to the property taxes
 43 imposed by the county in 1999 for the county's welfare fund
 44 and welfare administration fund **and an amount equal to the**
 45 **property taxes imposed by the county in 2000 for county**
 46 **hospital care for the indigent.**

1 The denominator of the fraction equals the sum of the total
 2 property taxes that are first due and payable to the county and all
 3 cities and towns of the county during the calendar year in which
 4 the month falls, plus an amount equal to the property taxes
 5 imposed by the county in 1999 for the county's welfare fund and
 6 welfare administration fund **and an amount equal to the**
 7 **property taxes imposed by the county in 2000 for county**
 8 **hospital care for the indigent.**

9 (c) This subsection applies to a county council or county income tax
 10 council that imposes a tax under this chapter after June 1, 1992. The
 11 body imposing the tax may adopt an ordinance before July 1 of a year
 12 to provide for the distribution of certified distributions under this
 13 subsection instead of a distribution under subsection (b). The following
 14 apply if an ordinance is adopted under this subsection:

- 15 (1) The ordinance is effective January 1 of the following year.
- 16 (2) The amount of the certified distribution that the county and
- 17 each city and town in the county is entitled to receive during May
- 18 and November of each year equals the product of:

- 19 (A) the amount of the certified distribution for the month;
- 20 multiplied by

- 21 (B) a fraction. For a city or town, the numerator of the fraction
- 22 equals the population of the city or the town. For a county, the
- 23 numerator of the fraction equals the population of the part of
- 24 the county that is not located in a city or town. The
- 25 denominator of the fraction equals the sum of the population
- 26 of all cities and towns located in the county and the population
- 27 of the part of the county that is not located in a city or town.

- 28 (3) The ordinance may be made irrevocable for the duration of
- 29 specified lease rental or debt service payments.

30 (d) The body imposing the tax may not adopt an ordinance under
 31 subsection (c) if, before the adoption of the proposed ordinance, any of
 32 the following have pledged the county economic development income
 33 tax for any purpose permitted by IC 5-1-14 or any other statute:

- 34 (1) The county.
- 35 (2) A city or town in the county.
- 36 (3) A commission, a board, a department, or an authority that is
- 37 authorized by statute to pledge the county economic development
- 38 income tax.

39 (e) The state board of tax commissioners shall provide each county
 40 auditor with the fractional amount of the certified distribution that the
 41 county and each city or town in the county is entitled to receive under
 42 this section.

43 (f) Money received by a county, city, or town under this section
 44 shall be deposited in the unit's economic development income tax fund.

45 (g) Except as provided in subsection (b)(2)(B), in determining the
 46 fractional amount of the certified distribution the county and its cities

1 and towns are entitled to receive under subsection (b) during a calendar
2 year, the state board of tax commissioners shall consider only property
3 taxes imposed on tangible property subject to assessment in that
4 county.

5 (h) In a county having a consolidated city, only the consolidated city
6 is entitled to the certified distribution, subject to the requirements of
7 section 15 of this chapter."

8 Page 11, between lines 41 and 42, begin a new paragraph and insert:

9 "SECTION 13. IC 12-15-15-9 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 9. (a) For each
11 state fiscal year beginning on or after July 1, 1997, a hospital is entitled
12 to a payment under this section.

13 (b) Total payments to hospitals under this section for a state fiscal
14 year shall be equal to all amounts transferred from the hospital care for
15 the indigent fund for Medicaid current obligations during the state
16 fiscal year, including amounts of the fund appropriated for Medicaid
17 current obligations.

18 (c) The payment due to a hospital under this section must be based
19 on a policy developed by the office. The policy:

20 (1) is not required to provide for equal payments to all hospitals;
21 ~~(2) must attempt, to the extent practicable as determined by the~~
22 ~~office, to establish a payment rate that minimizes the difference~~
23 ~~between the aggregate amount paid under this section to all~~
24 ~~hospitals in a county for a state fiscal year and the amount of the~~
25 ~~county's hospital care for the indigent property tax levy for that~~
26 ~~state fiscal year; and~~

27 ~~(3) (2) must provide that no hospital will receive a payment under~~
28 ~~this section less than the amount the hospital received under~~
29 ~~IC 12-15-15-8 section 8 of this chapter (repealed) for the state~~
30 ~~fiscal year ending June 30, 1997.~~

31 (d) Following the transfer of funds under subsection (b), an amount
32 equal to the amount determined in the following STEPS shall be
33 deposited in the Medicaid indigent care trust fund under
34 IC 12-15-20-2(1) and used to pay the state's share of the enhanced
35 disproportionate share payments to providers for the state fiscal year:

36 STEP ONE: Determine the difference between:
37 (A) the amount transferred from the state hospital care for the
38 indigent fund under subsection (b); and
39 (B) thirty-five million dollars (\$35,000,000).

40 STEP TWO: Multiply the amount determined under STEP ONE
41 by the federal medical assistance percentage for the state fiscal
42 year.

43 SECTION 14. IC 12-16-7-2 IS AMENDED TO READ AS
44 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 2. (a) Except as
45 provided in section 5 of this chapter, claims for payment shall be
46 segregated by year using the patient's admission date.

1 (b) Each year the division shall pay claims as provided in section 4
 2 of this chapter, without regard to the county of admission. ~~or that~~
 3 ~~county's transfer to the state fund:~~

4 SECTION 15. IC 12-16-7-3 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 3. A payment
 6 made to a hospital under the hospital care for the indigent program
 7 must be on a warrant drawn on the state ~~hospital care for the indigent~~
 8 ~~fund established by IC 12-16-14:~~ **general fund.**

9 SECTION 16. IC 12-16-7-4 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 4. (a) Each year
 11 the division shall pay two-thirds (2/3) of each claim upon submission
 12 and approval of the claim.

13 (b) If the amount of money in the state hospital care for the indigent
 14 fund in a year is insufficient to pay two-thirds (2/3) of each approved
 15 claim for patients admitted in that year, the state's ~~and a county's~~
 16 liability to providers under the hospital care for the indigent program
 17 for claims approved for patients admitted in that year is limited to ~~the~~
 18 ~~sum of the following:~~

19 (1) ~~The amount transferred to the state hospital care for the~~
 20 ~~indigent fund from county hospital care for the indigent funds in~~
 21 ~~that year under IC 12-16-14:~~

22 (2) any contribution to the fund in that year

23 (3) ~~and~~ any amount that was appropriated to the state hospital
 24 care for the indigent ~~fund~~ **program** for that year by the general
 25 assembly.

26 (4) ~~Any amount that was carried over to the state hospital care for~~
 27 ~~the indigent fund from a preceding year:~~

28 (c) ~~This section does not obligate the general assembly to~~
 29 ~~appropriate money to the state hospital care for the indigent fund:~~

30 SECTION 17. IC 12-16-7-5 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 5. Before the end
 32 of each state fiscal year, the division shall, to the extent there is money
 33 ~~in appropriated to the state hospital care for the indigent fund;~~
 34 **program**, pay each provider under the hospital care for the indigent
 35 program a pro rata part of the one-third (1/3) balance on each approved
 36 claim for patients admitted during the preceding year.

37 SECTION 18. IC 12-19-1-21, AS ADDED BY P.L.273-1999,
 38 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JANUARY 1, 2001]: Sec. 21. (a) Notwithstanding any other law, after
 40 December 31, 1999, a county may not impose any of the following:

41 (1) A property tax levy for a county welfare fund.

42 (2) A property tax levy for a county welfare administration fund.

43 (b) **Notwithstanding any other law, after December 31, 2000, a**
 44 **county may not impose a property tax levy for the county hospital**
 45 **care for the indigent fund.**

46 SECTION 19. IC 12-19-1-23 IS ADDED TO THE INDIANA

1 CODE AS A NEW SECTION TO READ AS FOLLOWS
2 [EFFECTIVE JANUARY 1, 2001]: **Sec. 23. Notwithstanding any**
3 **other law, after December 31, 2000, the state shall fund one**
4 **hundred percent (100%) of hospital care for the indigent**
5 **programs, services, and activities paid from property tax levies for**
6 **the hospital care for the indigent fund before January 1, 2001.**

7 SECTION 20. IC 12-19-1.5-6, AS ADDED BY P.L.273-1999,
8 SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2000]: Sec. 6. As used in this chapter, "replacement amount"
10 means the sum of:

11 (1) the property taxes imposed on the assessed value of property
12 in the allocation area in excess of the base assessed value in 1999
13 for:

- 14 (1) ~~(A)~~ (A) the county welfare fund; and
- 15 ~~(2)~~ (B) the county welfare administration fund; **and**
- 16 **(2) the property taxes imposed on the assessed value of**
17 **property in the allocation area in excess of the base assessed**
18 **value in 2000 for county hospital care for the indigent.**

19 SECTION 21. IC 12-19-1.5-8, AS ADDED BY P.L.273-1999,
20 SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2000]: Sec. 8. (a) This chapter applies to an allocation area:

- 22 (1) in which:
 - 23 ~~(1)~~ (A) the holders of obligations received a pledge before July
 - 24 1, 1999, of tax increment revenues to repay any part of the
 - 25 obligations due after December 31, 1999; and
 - 26 ~~(2)~~ (B) the elimination of a county welfare fund property tax
 - 27 levy or a county welfare administration fund property tax levy
 - 28 adversely affects the ability of the governing body to repay the
 - 29 obligations described in ~~subdivision (1):~~ **clause (A); or**

- 30 (2) in which:
 - 31 **(A) the holders of obligations received a pledge before July**
 - 32 **1, 2000, of tax increment revenues to repay any part of the**
 - 33 **obligations due after December 31, 2000; and**
 - 34 **(B) the elimination of a county hospital care for the**
 - 35 **indigent tax levy adversely affects the ability of the**
 - 36 **governing body to repay the obligations described in clause**
 - 37 **(A).**

38 (b) A governing body may use one (1) or more of the procedures
39 described in sections 9 through 11 of this chapter to provide sufficient
40 funds to repay the obligations described in subsection (a). The amount
41 raised each year may not exceed the replacement amount.

42 SECTION 22. IC 12-19-1.5-9, AS ADDED BY P.L.273-1999,
43 SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
44 JANUARY 1, 2001]: Sec. 9. (a) A governing body may, after a public
45 hearing, impose a special assessment on the owners of property that is
46 located in an allocation area to repay:

1 (1) a bond or an obligation described in ~~section 8~~ **section 8(a)(1)**
 2 of this chapter that comes due after December 31, 1999; **or**
 3 **(2) a bond or an obligation described in section 8(a)(2) of this**
 4 **chapter that comes due after December 31, 2000.**

5 The amount of a special assessment for a taxpayer shall be determined
 6 by multiplying the replacement amount by a fraction, the denominator
 7 of which is the total incremental assessed value in the allocation area,
 8 and the numerator of which is the incremental assessed value of the
 9 taxpayer's property in the allocation area.

10 (b) Before a public hearing under subsection (a) may be held, the
 11 governing body must publish notice of the hearing under IC 5-3-1. The
 12 notice must state that the governing body will meet to consider whether
 13 a special assessment should be imposed under this chapter and whether
 14 the special assessment will help the governing body realize the
 15 redevelopment or economic development objectives for the allocation
 16 area or honor its obligations related to the allocation area. The notice
 17 must also name a date when the governing body will receive and hear
 18 remonstrances and objections from persons affected by the special
 19 assessment. All persons affected by the hearing, including all taxpayers
 20 within the allocation area, shall be considered notified of the pendency
 21 of the hearing and of subsequent acts, hearings, and orders of the
 22 governing body by the notice. At the hearing, which may be adjourned
 23 from time to time, the governing body shall hear all persons affected by
 24 the proceedings and shall consider all written remonstrances and
 25 objections that have been filed. The only grounds for remonstrance or
 26 objection are that the special assessment will not help the governing
 27 body realize the redevelopment or economic development objectives
 28 for the allocation area or honor its obligations related to the allocation
 29 area. After considering the evidence presented, the governing body
 30 shall take final action concerning the proposed special assessment. The
 31 final action taken by the governing body shall be recorded and is final
 32 and conclusive, except that an appeal may be taken in the manner
 33 prescribed by subsection (c).

34 (c) A person who filed a written remonstrance with a governing
 35 body under subsection (b) and is aggrieved by the final action taken
 36 may, within ten (10) days after that final action, file in the office of the
 37 clerk of the circuit or superior court a copy of the order of the
 38 governing body and the person's remonstrance or objection against that
 39 final action, together with a bond conditioned to pay the costs of appeal
 40 if the appeal is determined against the person. The only ground of
 41 remonstrance or objection that the court may hear is whether the
 42 proposed assessment will help achieve the redevelopment of economic
 43 development objectives for the allocation area or honor its obligations
 44 related to the allocation area. An appeal under this subsection shall be
 45 promptly heard by the court without a jury. All remonstrances or
 46 objections upon which an appeal has been taken must be consolidated,

1 heard, and determined within thirty (30) days after the time of the filing
2 of the appeal. The court shall hear evidence on the remonstrances or
3 objections, and may confirm the final action of the governing body or
4 sustain the remonstrances or objections. The judgment of the court is
5 final and conclusive, unless an appeal is taken as in other civil actions.

6 (d) The maximum amount of a special assessment under this section
7 may not exceed the replacement amount.

8 (e) A special assessment shall be imposed and collected in the same
9 manner as ad valorem property taxes are imposed and collected.

10 SECTION 23. THE FOLLOWING ARE REPEALED [EFFECTIVE
11 JANUARY 1, 2001]: IC 12-16-14; IC 12-16-15.

12 SECTION 24. [EFFECTIVE JANUARY 1, 2001] (a)
13 **Notwithstanding any other law, after December 31, 2000, the state**
14 **shall fund one hundred percent (100%) of hospital care for the**
15 **indigent programs, services, and activities paid before January 1,**
16 **2001, from property tax levies for the county hospital care for the**
17 **indigent fund.**

18 (c) **Notwithstanding any other law, after December 31, 2000, a**
19 **county may not impose a property tax levy for the county hospital**
20 **care for the indigent fund."**

21 Renumber all SECTIONS consecutively.
(Reference is to HB 1067 as printed January 28, 2000.)

Representative Dumezich