
HOUSE BILL No. 1017

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-1.1-21-5.2.

Synopsis: Property tax credit for unused farm property. Provides a property tax credit to a person engaged in farming operations. Provides that the credit is equal to the property taxes otherwise payable on structures, buildings, equipment, and other personal property that are designed for use in connection with farming operations if the property has not been used for business or personal purposes during the preceding calendar year. Provides that the credit is payable from the property tax replacement fund. Appropriates money from the property tax replacement fund to pay for the property tax credits.

Effective: Upon passage.

Duncan, Lytle, Grubb, Friend

January 10, 2000, read first time and referred to Committee on Agriculture, Natural Resources and Rural Development.

C
O
P
Y



Second Regular Session 111th General Assembly (2000)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1999 General Assembly.

C
O
P
Y

HOUSE BILL No. 1017



A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-1.1-21-5.2 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE UPON PASSAGE]: **Sec. 5.2. (a) The following**
4 **definitions apply throughout this section:**
5 (1) "Eligible farm property" means:
6 (A) structures;
7 (B) buildings;
8 (C) equipment, including farm machinery (as defined in
9 IC 9-13-2-55); and
10 (D) other personal property;
11 that are designed for use in connection with farming
12 operations.
13 (2) "Net property tax bill" means the amount of property
14 taxes currently due and payable by a taxpayer for a
15 particular calendar year after the application of all
16 deductions and credits, except for the credit allowed under
17 this section, as evidenced by the tax statements prepared and



1 mailed under IC 6-1.1-22-8.

2 (b) Each year a taxpayer may receive a credit against the
3 taxpayer's net property tax bill equal to the property taxes assessed
4 on the taxpayer's eligible farm property if:

- 5 (1) the taxpayer is engaged in farming operations; and
6 (2) the eligible farm property has not been used for business
7 or personal purposes during the preceding calendar year.

8 (c) A taxpayer who desires to claim the credit provided by this
9 section must file a certified statement on forms prescribed by the
10 state board of tax commissioners with the auditor of the county in
11 which the eligible farm property is located. The statement must be
12 filed before February 1 of the year for which the taxpayer wishes
13 to claim the credit. The statement must contain the following
14 information:

- 15 (1) The individual's full name and complete address.
16 (2) A description of the eligible farm property.
17 (3) Any other information requested by the state board of tax
18 commissioners.

19 (d) Upon receiving a proper credit statement, the county auditor
20 shall allow the credit and shall apply the credit equally against
21 each installment of property taxes payable in that calendar year.
22 The county auditor shall include the amount of the credit applied
23 against each installment of taxes on the tax statement required
24 under IC 6-1.1-22-8.

25 (e) After January 31 and before March 1 of each year, each
26 county auditor shall certify to the state board of tax commissioners
27 the number and amounts of the credits allowed under this section
28 for that calendar year. Upon receiving the certifications, the state
29 board of tax commissioners shall determine the total amount of the
30 credits allowed in each county under this section and shall certify
31 the totals to the department when the state board of tax
32 commissioners certifies the total county tax levies. The department
33 shall distribute to each county from the property tax replacement
34 fund the amount of credits certified for that county by the state
35 board of tax commissioners at the same time and in the same
36 manner as the department distributes the county's estimated
37 distribution under section 4 of this chapter. Money is appropriated
38 from the property tax replacement fund to make the distributions.

39 (f) If an individual knowingly or intentionally files a false
40 statement under this section, the individual must pay the amount
41 of credit the individual received because of that false statement,
42 plus interest, to the department of state revenue for deposit in the

C
O
P
Y



1 **property tax replacement fund established by section 1 of this**
2 **chapter.**

3 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) **IC 6-1.1-21-5.2,**
4 **as added by this act, applies to credit claims filed for property**
5 **taxes first due and payable after December 31, 1999.**

6 (b) **IC 6-1.1-21-5.2, as added by this act, applies to property**
7 **taxes first due and payable after December 31, 1999.**

8 SECTION 3. **An emergency is declared for this act.**

C
o
p
y

