

SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1902 be amended to read as follows:

- 1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
2 "SECTION 1. IC 6-1.1-4-32 IS ADDED TO THE INDIANA CODE
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
4 1, 2001]: **Sec. 32. (a) As used in this section, "qualifying county"**
5 **means a county having a population of more than four hundred**
6 **thousand (400,000) but less than seven hundred thousand**
7 **(700,000).**
8 **(b) Notwithstanding IC 6-1.1-4-15 and IC 6-1.1-4-17, a township**
9 **assessor in a qualifying county may not appraise property, or have**
10 **property appraised, for the general reassessment of real property**
11 **to be completed for the March 1, 2002, assessment date.**
12 **Completion of that general reassessment in a qualifying county is**
13 **instead governed by this section.**
14 **(c) The state board of tax commissioners shall select and**
15 **contract with a nationally recognized appraisal firm to appraise**
16 **property for the general reassessment of real property in a**
17 **qualifying county to be completed for the March 1, 2002,**
18 **assessment date. The contract must include:**
19 **(1) a fixed date by which the appraisal firm must complete all**
20 **responsibilities under the contract;**
21 **(2) a provision requiring the appraisal firm to use the land**
22 **values determined for the qualifying county under**
23 **IC 6-1.1-4-13.6;**
24 **(3) a penalty clause under which the amount to be paid for**
25 **appraisal services is decreased for failure to complete**
26 **specified services within the specified time;**
27 **(4) a provision requiring the appraisal firm to make periodic**
28 **reports to the state board of tax commissioners;**
29 **(5) a provision stipulating the manner in which, and the time**
30 **intervals at which, the periodic reports referred to in**
31 **subdivision (4) are to be made;**

1 (6) a precise stipulation of what service or services are to be
2 provided;

3 (7) a provision requiring the appraisal firm to deliver a report
4 of the assessed value of each parcel in a township in the
5 qualifying county to the state board of tax commissioners; and

6 (8) any other provisions required by the state board of tax
7 commissioners.

8 (d) After receiving the report of assessed values from the
9 appraisal firm, the state board of tax commissioners shall give
10 notice to the taxpayer and the county assessor, by mail, of the
11 amount of the reassessment. The notice of reassessment is subject
12 to appeal by the taxpayer to the state board of tax commissioners.
13 Except as provided in subsection (e), the procedures and time
14 limitations that apply to an appeal to the state board of tax
15 commissioners of a determination of the county property tax
16 assessment board of appeals under IC 6-1.1-15 apply to an appeal
17 under this subsection. A determination by the state board of tax
18 commissioners of an appeal under this subsection is subject to
19 appeal to the tax court under IC 6-1.1-15.

20 (e) In order to obtain a review by the state board of tax
21 commissioners under subsection (d), the taxpayer must file a
22 petition for review with the appropriate county assessor within
23 forty-five (45) days after the notice of the state board of tax
24 commissioners is given to the taxpayer under subsection (d).

25 (f) The state board of tax commissioners shall mail the notice
26 required by subsection (d) within ninety (90) days after the board
27 receives the report for a parcel from the professional appraisal
28 firm.

29 (g) The cost of a contract under this section shall be paid from
30 the property reassessment fund of the qualifying county
31 established under IC 6-1.1-4-27.

32 (h) The state board of tax commissioners may begin the process
33 of selecting a contractor under this section before January 1, 2002,
34 but may not execute a written contract until after that date.

35 SECTION 2. IC 6-1.1-6.8 IS ADDED TO THE INDIANA CODE
36 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
37 JANUARY 1, 2002]:

38 **Chapter 6.8. Residential Assessments, Deductions, and**
39 **Exemptions in Qualifying Counties**

40 **Sec. 1. As used in this chapter, "agreed to procedures report"**
41 **means a report based on procedures agreed to by an independent**
42 **nationally recognized certified public accounting firm and the state**
43 **board of tax commissioners on the accuracy of the implementation:**

44 (1) of minimum assessed values under sections 7 and 8 of this
45 chapter in a qualifying county by:

46 (A) the township assessors of the townships in the
47 qualifying county; and

48 (B) the county property tax assessment board of appeals of

- 1 the qualifying county;
- 2 (2) by the county auditor of the qualifying county of
- 3 maximum combined deductions under section 10 of this
- 4 chapter;
- 5 (3) of the limitation on net assessed value under section 11 of
- 6 this chapter by:
- 7 (A) the township assessors of the townships in the
- 8 qualifying county;
- 9 (B) the county auditor of the qualifying county; and
- 10 (C) the county property tax assessment board of appeals of
- 11 the qualifying county;
- 12 (4) by the county auditor of the qualifying county of the
- 13 limitations under IC 6-1.1-12 on the application against the
- 14 assessed values of multiple parcels of deductions under a
- 15 section in an amount that exceeds the maximum deduction
- 16 amount stated in the section; and
- 17 (5) by the county property tax assessment board of appeals of
- 18 the qualifying county of the exemption limitation under
- 19 IC 6-1.1-10-16(d)(3).

20 Sec. 2. As used in this chapter, "legislative body" has the
 21 meaning set forth in IC 36-1-2-9.

22 Sec. 3. As used in this chapter, "net assessed value" means the
 23 remainder of:

- 24 (1) the combined assessed value of a single family residence
- 25 and the single family residence land upon which the residence
- 26 is located; minus
- 27 (2) the combined deductions under IC 6-1.1-12 applicable to
- 28 the combined assessed value of the single family residence and
- 29 the single family residence land upon which the residence is
- 30 located.

31 Sec. 4. As used in this chapter, "qualifying county" means a
 32 county having a population of more than four hundred thousand
 33 (400,000) but less than seven hundred thousand (700,000).

34 Sec. 5. As used in this chapter, "single family residence" means
 35 a building designed to house one (1) family.

36 Sec. 6. As used in this chapter, "single family residence land"
 37 means the parcel of land on which a single family residence:

- 38 (1) is located; or
- 39 (2) has been located within the ten (10) years immediately
- 40 preceding the assessment date for which a minimum assessed
- 41 value is determined under this chapter.

42 Sec. 7. The minimum assessed value of a single family residence
 43 located in a qualifying county is seventeen thousand dollars
 44 (\$17,000).

45 Sec. 8. The minimum assessed value of single family residence
 46 land located in a qualifying county is three thousand dollars
 47 (\$3,000).

48 Sec. 9. A minimum assessed value under this chapter is

1 presumed to be accurate unless the inaccuracy of the minimum
2 assessment is established by clear and convincing evidence.

3 **Sec. 10.** The maximum combined deductions under IC 6-1.1-12
4 applicable to the combined assessed value of a single family
5 residence and the single family residence land upon which the
6 residence is located in a qualifying county is twelve thousand
7 dollars (\$12,000).

8 **Sec. 11.** The application of deductions under IC 6-1.1-12 may
9 not reduce the net assessed value of a single family residence and
10 the single family residence land upon which the residence is located
11 in a qualifying county to an amount less than eight thousand
12 dollars (\$8,000).

13 **Sec. 12.** With respect to each year in which a general
14 reassessment of real property is completed, the state board of tax
15 commissioners shall contract for an independent nationally
16 recognized certified public accounting firm to:

- 17 (1) conduct a review of the accuracy of the implementations
- 18 referred to in section 1(1) through 1(5) of this chapter; and
- 19 (2) prepare an agreed to procedures report.

20 **Sec. 13.** The state board of tax commissioners shall contract
21 under section 12 of this chapter with the same firm that contracts
22 with the board under IC 6-1.1-4-32(c).

23 **Sec. 14.** The firm that prepares the agreed to procedures report
24 shall submit the report to:

- 25 (1) the legislative body of the qualifying county;
- 26 (2) the prosecuting attorney of the qualifying county;
- 27 (3) the state board of tax commissioners; and
- 28 (4) the attorney general.

29 **Sec. 15.** If the state board of tax commissioners determines from
30 the agreed to procedures report that the minimum assessed values
31 established in this chapter were not accurately applied in the
32 qualifying county, or in any part of the qualifying county, the state
33 board shall implement the minimum assessed values using its
34 authority to reassess property under IC 6-1.1-14-10.

35 **Sec. 16.** If the state board of tax commissioners determines from
36 the agreed to procedures report that the implementations referred
37 to in section 1(2) through 1(5) of this chapter were not accurate in
38 the qualifying county, or in any part of the qualifying county, the
39 state board shall correct the implementations. The state board of
40 tax commissioners may correct the implementations subject to the
41 same authority and limitations that apply to the reassessment of
42 property by the state board under IC 6-1.1-14-10."

43 Delete pages 2 through 11.

44 Page 12, delete lines 1 through 8.

45 Page 12, line 31, delete "IC 6-1.1-6.9-7 and IC 6-1.1-6.9-8" and
46 insert "**IC 6-1.1-6.8-10 and IC 6-1.1-6.8-11**".

47 Page 14, line 29, delete "IC 6-1.1-6.9-7 and IC 6-1.1-6.9-8" and
48 insert "**IC 6-1.1-6.8-10 and IC 6-1.1-6.8-11**".

- 1 Page 15, line 28, delete "IC 6-1.1-6.9-7 and IC 6-1.1-6.9-8" and
 2 insert "**IC 6-1.1-6.8-10 and IC 6-1.1-6.8-11**".
- 3 Page 16, line 23, delete "IC 6-1.1-6.9-7 and IC 6-1.1-6.9-8" and
 4 insert "**IC 6-1.1-6.8-10 and IC 6-1.1-6.8-11**".
- 5 Page 17, line 19, delete "IC 6-1.1-6.9-7 and IC 6-1.1-6.9-8" and
 6 insert "**IC 6-1.1-6.8-10 and IC 6-1.1-6.8-11**".
- 7 Page 17, line 41, delete "IC 6-1.1-6.9-7 and IC 6-1.1-6.9-8" and
 8 insert "**IC 6-1.1-6.8-10 and IC 6-1.1-6.8-11**".
- 9 Page 18, line 28, delete "IC 6-1.1-6.9-7 and IC 6-1.1-6.9-8" and
 10 insert "**IC 6-1.1-6.8-10 and IC 6-1.1-6.8-11**".
- 11 Page 19, line 24, delete "IC 6-1.1-6.9-7 and IC 6-1.1-6.9-8" and
 12 insert "**IC 6-1.1-6.8-10 and IC 6-1.1-6.8-11**".
- 13 Page 20, line 11, delete "IC 6-1.1-6.9-7 and IC 6-1.1-6.9-8" and
 14 insert "**IC 6-1.1-6.8-10 and IC 6-1.1-6.8-11**".
- 15 Page 20, line 31, delete "IC 6-1.1-6.9-7 and IC 6-1.1-6.9-8" and
 16 insert "**IC 6-1.1-6.8-10 and IC 6-1.1-6.8-11**".
- 17 Page 21, line 5, delete "IC 6-1.1-6.9-7 and IC 6-1.1-6.9-8" and insert
 18 "**IC 6-1.1-6.8-10 and IC 6-1.1-6.8-11**".
- 19 Page 21, line 21, delete "IC 6-1.1-6.9-7 and IC 6-1.1-6.9-8" and
 20 insert "**IC 6-1.1-6.8-10 and IC 6-1.1-6.8-11**".
- 21 Page 21, line 37, delete "IC 6-1.1-6.9-7 and IC 6-1.1-6.9-8" and
 22 insert "**IC 6-1.1-6.8-10 and IC 6-1.1-6.8-11**".
- 23 Page 22, line 14, delete "IC 6-1.1-6.9-7 and IC 6-1.1-6.9-8" and
 24 insert "**IC 6-1.1-6.8-10 and IC 6-1.1-6.8-11**".
- 25 Page 22, delete lines 15 through 42.
- 26 Delete pages 23 through 44.
- 27 Page 45, delete lines 1 through 41.
- 28 Page 46, line 2, delete "2001" and insert "2002".
- 29 Page 46, line 3, delete "IC 6-1.1-6.9" and insert "**IC 6-1.1-6.8**".
- 30 Page 46, line 18, delete "2003" and insert "2004".
- 31 Page 46, delete lines 19 through 33.
- 32 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1902 as printed April 6, 2001.)

Senator LANDSKE