

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 213 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 6-1.1-18-12, AS ADDED BY P.L.1-2004,
4 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 DECEMBER 12, 2003 (RETROACTIVE)]: Sec. 12. (a) For purposes
6 of this section, "maximum rate" refers to the maximum:
7 (1) property tax rate or rates; or
8 (2) special benefits tax rate or rates;
9 referred to in the statutes listed in subsection (d).
10 (b) The maximum rate for taxes first due and payable after 2003 is
11 the maximum rate that would have been determined under subsection
12 (e) for taxes first due and payable in 2003 if subsection (e) had applied
13 for taxes first due and payable in 2003.
14 (c) The maximum rate must be adjusted:
15 (1) each time an annual adjustment of the assessed value of real
16 property takes effect under IC 6-1.1-4-4.5; and
17 (2) each time a general reassessment of real property takes effect
18 under IC 6-1.1-4-4.
19 (d) The statutes to which subsection (a) refers are:
20 (1) IC 8-10-5-17;
21 (2) IC 8-22-3-11;
22 (3) IC 8-22-3-25;
23 (4) IC 12-29-1-1;
24 (5) IC 12-29-1-2;

1 (6) IC 12-29-1-3;
 2 ~~(7) IC 12-29-2-13;~~
 3 ~~(8) (7) IC 12-29-3-6;~~
 4 ~~(9) (8) IC 13-21-3-12;~~
 5 ~~(10) (9) IC 13-21-3-15;~~
 6 ~~(11) (10) IC 14-27-6-30;~~
 7 ~~(12) (11) IC 14-33-7-3;~~
 8 ~~(13) (12) IC 14-33-21-5;~~
 9 ~~(14) (13) IC 15-1-6-2;~~
 10 ~~(15) (14) IC 15-1-8-1;~~
 11 ~~(16) (15) IC 15-1-8-2;~~
 12 ~~(17) (16) IC 16-20-2-18;~~
 13 ~~(18) (17) IC 16-20-4-27;~~
 14 ~~(19) (18) IC 16-20-7-2;~~
 15 ~~(20) (19) IC 16-23-1-29;~~
 16 ~~(21) (20) IC 16-23-3-6;~~
 17 ~~(22) (21) IC 16-23-4-2;~~
 18 ~~(23) (22) IC 16-23-5-6;~~
 19 ~~(24) (23) IC 16-23-7-2;~~
 20 ~~(25) (24) IC 16-23-8-2;~~
 21 ~~(26) (25) IC 16-23-9-2;~~
 22 ~~(27) (26) IC 16-41-15-5;~~
 23 ~~(28) (27) IC 16-41-33-4;~~
 24 ~~(29) (28) IC 20-5-17.5-2;~~
 25 ~~(30) (29) IC 20-5-17.5-3;~~
 26 ~~(31) (30) IC 20-5-37-4;~~
 27 ~~(32) (31) IC 20-14-7-5.1;~~
 28 ~~(33) (32) IC 20-14-7-6;~~
 29 ~~(34) (33) IC 20-14-13-12;~~
 30 ~~(35) (34) IC 21-1-11-3;~~
 31 ~~(36) (35) IC 21-2-17-2;~~
 32 ~~(37) (36) IC 23-13-17-1;~~
 33 ~~(38) (37) IC 23-14-66-2;~~
 34 ~~(39) (38) IC 23-14-67-3;~~
 35 ~~(40) (39) IC 36-7-13-4;~~
 36 ~~(41) (40) IC 36-7-14-28;~~
 37 ~~(42) (41) IC 36-7-15.1-16;~~
 38 ~~(43) (42) IC 36-8-19-8.5;~~
 39 ~~(44) (43) IC 36-9-6.1-2;~~
 40 ~~(45) (44) IC 36-9-17.5-4;~~
 41 ~~(46) (45) IC 36-9-27-73;~~
 42 ~~(47) (46) IC 36-9-29-31;~~
 43 ~~(48) (47) IC 36-9-29.1-15;~~

- 1 ~~(49)~~ **(48)** IC 36-10-6-2;
 2 ~~(50)~~ **(49)** IC 36-10-7-7;
 3 ~~(51)~~ **(50)** IC 36-10-7-8;
 4 ~~(52)~~ **(51)** IC 36-10-7.5-19; and
 5 ~~(53)~~ **(52)** any statute enacted after December 31, 2003, that:
 6 (A) establishes a maximum rate for any part of the:
 7 (i) property taxes; or
 8 (ii) special benefits taxes;
 9 imposed by a political subdivision; and
 10 (B) does not exempt the maximum rate from the adjustment
 11 under this section.
 12 (e) The new maximum rate under a statute listed in subsection (d)
 13 is the tax rate determined under STEP SEVEN of the following STEPS:
 14 STEP ONE: Determine the maximum rate for the political
 15 subdivision levying a property tax or special benefits tax under the
 16 statute for the year preceding the year in which the annual
 17 adjustment or general reassessment takes effect.
 18 STEP TWO: Determine the actual percentage increase (rounded
 19 to the nearest one-hundredth percent (0.01%)) in the assessed
 20 value (before the adjustment, if any, under IC 6-1.1-4-4.5) of the
 21 taxable property from the year preceding the year the annual
 22 adjustment or general reassessment takes effect to the year that
 23 the annual adjustment or general reassessment takes effect.
 24 STEP THREE: Determine the three (3) calendar years that
 25 immediately precede the ensuing calendar year and in which a
 26 statewide general reassessment of real property does not first take
 27 effect.
 28 STEP FOUR: Compute separately, for each of the calendar years
 29 determined in STEP THREE, the actual percentage increase
 30 (rounded to the nearest one-hundredth percent (0.01%)) in the
 31 assessed value (before the adjustment, if any, under
 32 IC 6-1.1-4-4.5) of the taxable property from the preceding year.
 33 STEP FIVE: Divide the sum of the three (3) quotients computed
 34 in STEP FOUR by three (3).
 35 STEP SIX: Determine the greater of the following:
 36 (A) Zero (0).
 37 (B) The result of the STEP TWO percentage minus the STEP
 38 FIVE percentage.
 39 STEP SEVEN: Determine the quotient of the STEP ONE tax rate
 40 divided by the sum of one (1) plus the STEP SIX percentage
 41 increase.
 42 (f) The department of local government finance shall compute the
 43 maximum rate allowed under subsection (e) and provide the rate to each
 44 political subdivision with authority to levy a tax under a statute listed in
 45 subsection (d).

1 SECTION 2. IC 6-1.1-18.5-10 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JANUARY 1, 2004 (RETROACTIVE)]: Sec.
 3 10. (a) The ad valorem property tax levy limits imposed by section 3 of
 4 this chapter do not apply to ad valorem property taxes imposed by a
 5 civil taxing unit to be used to fund:

6 (1) community mental health centers under ~~IC 12-29-2-1~~
 7 **IC 12-29-2-2** through ~~IC 12-29-2-6~~; **IC 12-29-2-5**; or

8 (2) community mental retardation and other developmental
 9 disabilities centers under IC 12-29-1-1;

10 to the extent that those property taxes are attributable to any increase in
 11 the assessed value of the civil taxing unit's taxable property caused by
 12 a general reassessment of real property that took effect after February
 13 28, 1979.

14 (b) For purposes of computing the ad valorem property tax levy
 15 limits imposed on a civil taxing unit by section 3 of this chapter, the
 16 civil taxing unit's ad valorem property tax levy for a particular calendar
 17 year does not include that part of the levy described in subsection (a).

18 SECTION 3. IC 12-29-1-1 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JANUARY 1, 2004 (RETROACTIVE)]: Sec.

20 1. (a) The county executive of a county may authorize the furnishing
 21 of financial assistance to ~~the following~~:

22 ~~(1) A community mental health center that is located or will be~~
 23 ~~located in the county.~~

24 ~~(2) a community mental retardation and other developmental~~
 25 ~~disabilities center that is located or will be located in the county.~~

26 (b) Assistance authorized under this section shall be used for the
 27 following purposes:

28 (1) Constructing a center.

29 (2) Operating a center.

30 (c) Upon request of the county executive, the county fiscal body
 31 may appropriate annually from the county's general fund the money to
 32 provide financial assistance for the purposes described in subsection
 33 (b). The appropriation may not exceed the amount that could be
 34 collected from an annual tax levy of not more than three and thirty-three
 35 hundredths cents (\$0.0333) on each one hundred dollars (\$100) of
 36 taxable property within the county.

37 SECTION 4. IC 12-29-1-2 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JANUARY 1, 2004 (RETROACTIVE)]: Sec.

39 2. (a) If ~~a community mental health center or~~ a community mental
 40 retardation and other developmental disabilities center is organized to
 41 provide services to at least two (2) counties, the county executive of
 42 each county may authorize the furnishing of financial assistance for the
 43 purposes described in section 1(b) of this chapter.

44 (b) Upon the request of the county executive of the county, the
 45 county fiscal body of each county may appropriate annually from the

1 county's general fund the money to provide financial assistance for the
 2 purposes described in section 1(b) of this chapter. The appropriation of
 3 each county may not exceed the amount that could be collected from
 4 an annual tax levy of three and thirty-three hundredths cents (\$.0333)
 5 on each one hundred dollars (\$100) of taxable property within the
 6 county.

7 SECTION 5. IC 12-29-1-3 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JANUARY 1, 2004 (RETROACTIVE)]: Sec.

9 3. (a) The county executive of each county whose residents may
 10 receive services from ~~a community mental health center~~ or a
 11 community mental retardation and other developmental disabilities
 12 center may authorize the furnishing of a share of financial assistance for
 13 the purposes described in section 1(b) of this chapter if the following
 14 conditions are met:

15 (1) The facilities for the center are located in a state adjacent to
 16 Indiana.

17 (2) The center is organized to provide services to Indiana
 18 residents.

19 (b) Upon the request of the county executive of a county, the county
 20 fiscal body of the county may appropriate annually from the county's
 21 general fund the money to provide financial assistance for the purposes
 22 described in section 1(b) of this chapter. The appropriations of the
 23 county may not exceed the amount that could be collected from an
 24 annual tax levy of three and thirty-three hundredths cents (\$.0333) on
 25 each one hundred dollars (\$100) of taxable property within the county.

26 SECTION 6. IC 12-29-1-4 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JANUARY 1, 2004 (RETROACTIVE)]: Sec.

28 4. (a) Bonds of a county may be issued for the construction and
 29 equipment or the improvement of a building to house ~~the following~~:

30 ~~(1) A community mental health center.~~

31 ~~(2) a community mental retardation and other developmental~~
 32 ~~disabilities center.~~

33 (b) If services are provided to at least two (2) counties:

34 (1) bonds of the counties involved may be issued to pay the
 35 proportionate cost of the project in the proportion determined and
 36 agreed upon by the fiscal bodies of the counties involved; or

37 (2) bonds of one (1) county may be issued and the remaining
 38 counties may annually appropriate to the county issuing the bonds
 39 amounts to be applied to the payment of the bonds and interest on
 40 the bonds in the proportion agreed upon by the county fiscal
 41 bodies of the counties involved.

42 SECTION 7. IC 12-29-1-7, AS AMENDED BY P.L.215-2001,
 43 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

44 JANUARY 1, 2004 (RETROACTIVE)]: Sec. 7. (a) On the first Monday
 45 in October, the county auditor shall certify to:

46 ~~(1) the division of mental health and addiction; for a community~~

1 ~~mental health center;~~

2 ~~(2) (1) the division of disability, aging, and rehabilitative services,~~
3 ~~for a community mental retardation and other developmental~~
4 ~~disabilities center; and~~

5 ~~(3) (2) the president of the board of directors of each center;~~

6 the amount of money that will be provided to the center under this
7 chapter.

8 (b) The county payment to the center shall be paid by the county
9 treasurer to the treasurer of each center's board of directors in the
10 following manner:

11 (1) One-half (1/2) of the county payment to the center shall be
12 made on the second Monday in July.

13 (2) One-half (1/2) of the county payment to the center shall be
14 made on the second Monday in December.

15 ~~A county making a payment under this subsection or from other county~~
16 ~~sources to a community mental health center that qualifies as a~~
17 ~~community mental health center disproportionate share provider under~~
18 ~~IC 12-15-16-1 shall certify that the payment represents expenditures~~
19 ~~eligible for financial participation under 42 U.S.C. 1396b(w)(6)(A) and~~
20 ~~42 CFR 433.51. The office shall assist a county in making this~~
21 ~~certification.~~

22 (c) Payments by the county fiscal body

23 ~~(1) must be in the amounts:~~

24 ~~(A) determined by IC 12-29-2-1 through IC 12-29-2-6; and~~

25 ~~(B) authorized by section 1 of this chapter; and~~

26 ~~(2) are in place of grants from agencies supported within the~~
27 ~~county solely by county tax money.~~

28 SECTION 8. IC 12-29-2-1.2 IS ADDED TO THE INDIANA CODE
29 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
30 JANUARY 1, 2004 (RETROACTIVE)]: **Sec. 1.2. (a) The county**
31 **executive of a county may authorize the furnishing of financial**
32 **assistance for the purposes described in subsection (b) to a**
33 **community mental health center that is located or will be located:**

34 **(1) in the county;**

35 **(2) anywhere in Indiana, if the community mental health**
36 **center is organized to provide services to at least two (2)**
37 **counties, including the county executive's county; or**

38 **(3) in an adjacent state, if the center is organized to provide**
39 **services to Indiana residents, including residents in the**
40 **county executive's county.**

41 **If a community mental health center is organized to serve more**
42 **than one (1) county, upon request of the county executive, each**
43 **county fiscal body may appropriate money annually from the**
44 **county's general fund to provide financial assistance for the**

1 community mental health center.

2 (b) Assistance authorized under this section shall be used for
3 the following purposes:

4 (1) Constructing a community mental health center.

5 (2) Operating a community mental health center.

6 (c) The appropriation from a county authorized under
7 subsection (a) may not exceed the following:

8 (1) For 2004, the product of the amount determined under
9 section 2(b)(1) of this chapter multiplied by two and five
10 hundred four thousandths (2.504).

11 (2) For 2005 and each year thereafter, the product of the
12 amount determined under section 2(b)(2) of this chapter for
13 that year multiplied by two and five hundred four
14 thousandths (2.504).

15 SECTION 9. IC 12-29-2-2, AS AMENDED BY P.L.1-2004,
16 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JANUARY 1, 2004 (RETROACTIVE)]: Sec. 2. (a) ~~Subject to~~
18 ~~subsections (b), (c), and (d);~~ A county shall fund the operation of
19 community mental health centers in ~~an the~~ amount ~~not less than the~~
20 ~~amount that would be raised by an annual tax rate of one and~~
21 ~~thirty-three hundredths cents (\$0.0133) on each one hundred dollars~~
22 ~~(\$100) of taxable property within the county;~~ **determined under**
23 **subsection (b),** unless a lower tax **rate levy amount** will be adequate
24 to fulfill the county's financial obligations under this chapter in any of
25 the following situations:

26 (1) If the total population of the county is served by one (1)
27 center.

28 (2) If the total population of the county is served by more than
29 one (1) center.

30 (3) If the partial population of the county is served by one (1)
31 center.

32 (4) If the partial population of the county is served by more than
33 one (1) center.

34 (b) ~~This subsection applies only to a property tax that is imposed in~~
35 ~~a county containing a consolidated city. The tax rate permitted under~~
36 ~~subsection (a) for taxes first due and payable after 1995 is the tax rate~~
37 ~~permitted under subsection (a) as adjusted under this subsection. For~~
38 ~~each year in which an annual adjustment of the assessed value of real~~
39 ~~property will take effect under IC 6-1.1-4-4.5 or a general reassessment~~
40 ~~of property will take effect; the department of local government finance~~
41 ~~shall compute the maximum rate permitted under subsection (a) as~~
42 ~~follows:~~

43 ~~STEP ONE: Determine the maximum rate for the year preceding~~
44 ~~the year in which the annual adjustment or general reassessment~~
45 ~~takes effect.~~

1 STEP TWO: Determine the actual percentage increase (rounded
2 to the nearest one-hundredth percent (0.01%)) in the assessed
3 value (before the adjustment, if any, under IC 6-1.1-4-4.5) of the
4 taxable property from the year preceding the year the annual
5 adjustment or general reassessment takes effect to the year that
6 the annual adjustment or general reassessment is effective.

7 STEP THREE: Determine the three (3) calendar years that
8 immediately precede the ensuing calendar year and in which a
9 statewide general reassessment of real property does not first
10 become effective.

11 STEP FOUR: Compute separately, for each of the calendar years
12 determined in STEP THREE, the actual percentage increase
13 (rounded to the nearest one-hundredth percent (0.01%)) in the
14 assessed value (before the adjustment, if any, under
15 IC 6-1.1-4-4.5) of the taxable property from the preceding year.

16 STEP FIVE: Divide the sum of the three (3) quotients computed
17 in STEP FOUR by three (3).

18 STEP SIX: Determine the greater of the following:

19 (A) Zero (0);

20 (B) The result of the STEP TWO percentage minus the STEP
21 FIVE percentage.

22 STEP SEVEN: Determine the quotient of:

23 (A) the STEP ONE tax rate; divided by

24 (B) one (1) plus the STEP SIX percentage increase.

25 This maximum rate is the maximum rate under this section until a new
26 maximum rate is computed under this subsection for the next year in
27 which an annual adjustment under IC 6-1.1-4-4.5 or a general
28 reassessment of property will take effect.

29 (c) With respect to a county to which subsection (b) does not apply,
30 the maximum tax rate permitted under subsection (a) for taxes first due
31 and payable in a calendar year 2004 and calendar year 2005 is the
32 maximum tax rate that would have been determined under subsection
33 (d) for taxes first due and payable in 2003 if subsection (d) had applied
34 to the county for taxes first due and payable in 2003.

35 (d) This subsection applies only to a county to which subsection (b)
36 does not apply. The tax rate permitted under subsection (a) for taxes
37 first due and payable after calendar year 2005 is the tax rate permitted
38 under subsection (c) as adjusted under this subsection. For each year
39 in which an annual adjustment of the assessed value of real property
40 will take effect under IC 6-1.1-4-4.5 or a general reassessment of
41 property will take effect, the department of local government finance
42 shall compute the maximum rate permitted under subsection (a) as
43 follows:

44 STEP ONE: Determine the maximum rate for the year preceding
45 the year in which the annual adjustment or general reassessment
46 takes effect.

1 STEP TWO: Determine the actual percentage increase (rounded
2 to the nearest one-hundredth percent (0.01%)) in the assessed
3 value (before the adjustment, if any, under IC 6-1.1-4-4.5) of the
4 taxable property from the year preceding the year the annual
5 adjustment or general reassessment takes effect to the year that
6 the annual adjustment or general reassessment is effective.

7 STEP THREE: Determine the three (3) calendar years that
8 immediately precede the ensuing calendar year and in which a
9 statewide general reassessment of real property does not first
10 become effective.

11 STEP FOUR: Compute separately, for each of the calendar years
12 determined under STEP THREE, the actual percentage increase
13 (rounded to the nearest one-hundredth percent (0.01%)) in the
14 assessed value (before the adjustment, if any, under
15 IC 6-1.1-4-4.5) of the taxable property from the preceding year.

16 STEP FIVE: Divide the sum of the three (3) quotients computed
17 under STEP FOUR by three (3).

18 STEP SIX: Determine the greater of the following:

19 (A) Zero (0);

20 (B) The result of the STEP TWO percentage minus the STEP
21 FIVE percentage.

22 STEP SEVEN: Determine the quotient of:

23 (A) the STEP ONE tax rate; divided by

24 (B) one (1) plus the STEP SIX percentage increase.

25 This maximum rate is the maximum rate under this section until a new
26 maximum rate is computed under this subsection for the next year in
27 which an annual adjustment under IC 6-1.1-4-4.5 or a general
28 reassessment of property will take effect.

29 (b) The amount of funding under subsection (a) for taxes first
30 due and payable in a calendar year is the following:

31 (1) For 2004, the amount is the amount determined under
32 STEP THREE of the following formula:

33 STEP ONE: Determine the amount that was levied within
34 the county to comply with this section from property taxes
35 first due and payable in 2002.

36 STEP TWO: Multiply the STEP ONE result by the county's
37 assessed value growth quotient for the ensuing year 2003,
38 as determined under IC 6-1.1-18.5-2.

39 STEP THREE: Multiply the STEP TWO result by the
40 county's assessed value growth quotient for the ensuing
41 year 2004, as determined under IC 6-1.1-18.5-2.

42 (2) For 2005 and each year thereafter, the result equal to:

43 (A) the amount that was levied in the county to comply
44 with this section from property taxes first due and payable
45 in the calendar year immediately preceding the ensuing

1 **calendar year; multiplied by**
 2 **(B) the county's assessed value growth quotient for the**
 3 **ensuing calendar year, as determined under**
 4 **IC 6-1.1-18.5-2.**

5 SECTION 10. IC 12-29-2-13, AS AMENDED BY P.L.215-2001,
 6 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JANUARY 1, 2004 (RETROACTIVE)]: Sec. 13. (a) This section
 8 applies to ~~a Lake County. having a population of not less than four~~
 9 ~~hundred thousand (400,000) but not more than seven hundred thousand~~
 10 ~~(700,000).~~

11 (b) In addition to any other appropriation under this article, ~~a the~~
 12 county annually may fund each center serving the county from the
 13 county's general fund in an amount not exceeding ~~the amount that~~
 14 ~~would be raised by a tax rate of one cent (\$0.01) on each one hundred~~
 15 ~~dollars (\$100) of taxable property within the county the following:~~

16 **(1) For 2004, the product of the amount determined under**
 17 **section 2(b)(1) of this chapter multiplied by seven hundred**
 18 **fifty-two thousandths (0.752).**

19 **(2) For 2005 and each year thereafter, the product of the**
 20 **amount determined under section 2(b)(2) of this chapter for**
 21 **that year multiplied by seven hundred fifty-two thousandths**
 22 **(0.752).**

23 (c) The receipts from the tax levied under this section shall be used
 24 for the leasing, purchasing, constructing, or operating of community
 25 residential facilities for the chronically mentally ill (as defined in
 26 IC 12-7-2-167).

27 (d) Money appropriated under this section must be:

28 (1) budgeted under IC 6-1.1-17; and

29 (2) included in the center's budget submitted to the division of
 30 mental health and addiction.

31 (e) Permission for a levy increase in excess of the levy limitations
 32 may be ordered under IC 6-1.1-18.5-15 only if the levy increase is
 33 approved by the division of mental health and addiction for a
 34 community mental health center.

35 SECTION 11. IC 12-29-2-17 IS ADDED TO THE INDIANACODE
 36 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
 37 JANUARY 1, 2004 (RETROACTIVE)]: **Sec. 17. (a) Bonds of a county**
 38 **may be issued for the construction and equipment or the**
 39 **improvement of a building to house a community mental health**
 40 **center.**

41 **(b) If services are provided to at least two (2) counties:**

42 **(1) bonds of the counties involved may be issued to pay the**
 43 **proportionate cost of the project in the proportion**
 44 **determined and agreed upon by the fiscal bodies of the**

1 **counties involved; or**

2 **(2) bonds of one (1) county may be issued and the remaining**
 3 **counties may annually appropriate to the county issuing the**
 4 **bonds amounts to be applied to the payment of the bonds and**
 5 **interest on the bonds in the proportion agreed upon by the**
 6 **county fiscal bodies of the counties involved.**

7 SECTION 12. IC 12-29-2-18 IS ADDED TO THE INDIANA CODE
 8 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
 9 JANUARY 1, 2004 (RETROACTIVE)]: **Sec. 18. All general Indiana**
 10 **statutes relating to the following apply to the issuance of county**
 11 **bonds under this chapter:**

12 **(1) The filing of a petition requesting the issuance of bonds.**

13 **(2) The giving of notice of the following:**

14 **(A) The filing of the petition requesting the issuance of**
 15 **the bonds.**

16 **(B) The determination to issue bonds.**

17 **(C) A hearing on the appropriation of the proceeds of the**
 18 **bonds.**

19 **(3) The right of taxpayers to appear and be heard on the**
 20 **proposed appropriation.**

21 **(4) The approval of the appropriation by the department of**
 22 **local government finance.**

23 **(5) The right of taxpayers to remonstrate against the**
 24 **issuance of bonds.**

25 SECTION 13. IC 12-29-2-19 IS ADDED TO THE INDIANA CODE
 26 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
 27 JANUARY 1, 2004 (RETROACTIVE)]: **Sec. 19. If bonds are issued**
 28 **under this chapter:**

29 **(1) the building that is constructed, equipped, or improved**
 30 **with proceeds of the bonds is:**

31 **(A) the property of the county issuing the bonds; or**

32 **(B) the joint property of the counties involved if the bonds**
 33 **are issued by at least two (2) counties; and**

34 **(2) the tax limitations in this chapter do not apply to the levy**
 35 **of taxes to pay the bonds and the interest on the bonds.**

36 SECTION 14. IC 12-29-2-20 IS ADDED TO THE INDIANA CODE
 37 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
 38 JANUARY 1, 2004 (RETROACTIVE)]: **Sec. 20. (a) On the first**
 39 **Monday in October, the county auditor shall certify to:**

40 **(1) the division of mental health and addiction, for a**
 41 **community mental health center; and**

42 **(2) the president of the board of directors of each community**
 43 **mental health center;**

1 the amount of money that will be provided to the community
2 mental health center under this chapter.

3 (b) The county payment to the community mental health center
4 shall be paid by the county treasurer to the treasurer of each
5 community mental health center's board of directors in the
6 following manner:

7 (1) One-half (1/2) of the county payment to the community
8 mental health center shall be made on the second Monday in
9 July.

10 (2) One-half (1/2) of the county payment to the community
11 mental health center shall be made on the second Monday in
12 December.

13 (c) A county making a payment under this section or from
14 other county sources to a community mental health center that
15 qualifies as a community mental health center disproportionate
16 share provider under IC 12-15-16-1 shall certify that the payment
17 represents expenditures eligible for financial participation under
18 42 U.S.C. 1396b(w)(6)(A) and 42 CFR 433.51. The office shall
19 assist a county in making this certification.

20 (d) Payments by the county fiscal body:

21 (1) must be in the amounts:

22 (A) determined by sections 2 through 5 of this chapter;
23 and

24 (B) authorized by sections 1.2 and 13 of this chapter; and

25 (2) are in place of grants from agencies supported within the
26 county solely by county tax money."

27 Page 2, after line 10, begin a new paragraph and insert:

28 "SECTION 16. IC 12-29-2-6 IS REPEALED [EFFECTIVE
29 JANUARY 1, 2004 (RETROACTIVE)].

30 SECTION 17. [EFFECTIVE JANUARY 1, 2004 (RETROACTIVE)]

31 (a) IC 12-29-1 and IC 12-29-2, both as amended by this act, apply
32 to property taxes first due and payable after December 31, 2003.

33 (b) If the department of local government finance determines
34 that compliance with this act would cause an unreasonable delay
35 in the certification of budgets, tax rates, and tax levies in a
36 county, the department of local government finance may certify
37 budgets, tax rates, and tax levies for the county under
38 IC 6-1.1-18-12, IC 12-29-1, and IC 12-29-2 as if this act had not
39 been passed. However, if the department of local government
40 finance takes this action, the affected county and the department
41 of local government finance shall provide for an additional
42 shortfall property tax levy and an additional budgeted amount in
43 2005 to replace the revenue lost in 2004 to community mental

1 health centers as a result of certifying budgets, tax rates, and tax
 2 levies for the county under IC 6-1.1-18-12, IC 12-29-1, and
 3 IC 12-29-2 as if this act had not been passed.

4 (c) The amount of the shortfall levy under subsection (b) shall
 5 be treated as an addition to the amount allowed in 2005 under
 6 IC 12-29-2, as amended by this act. The ad valorem property tax
 7 levy limits imposed by IC 12-29-2, as amended by this act, do not
 8 apply to ad valorem property taxes imposed under subsection (b).
 9 The shortfall levy imposed under this SECTION may not be
 10 considered in computing ad valorem property tax levies under
 11 IC 12-29-2, as amended by this act, for property taxes first due
 12 and payable after 2005.

13 SECTION 18. [EFFECTIVE JULY 1, 2004] (a) In addition to the
 14 duties specified under IC 2-5-26, the select joint commission on
 15 Medicaid oversight established by IC 2-5-26-3 shall, to the extent
 16 the commission determines is feasible after consultation with the
 17 office of Medicaid policy and planning established by IC 12-8-6-1,
 18 study the following effects of the repeal of continuous eligibility
 19 for children under the Indiana Medicaid program and the
 20 children's health insurance program established under
 21 IC 12-17.6-2:

22 (1) Effects on government, including the following:

23 (A) Costs to Medicaid and the division of family and
 24 children established by IC 12-13-1-1 due to more frequent
 25 recertification requirements.

26 (B) Loss of revenue from federal matching funds that
 27 could not be obtained because of the repeal of continuous
 28 eligibility.

29 (2) Effects on the economy, including the following:

30 (A) Indirect cost shifting to providers due to increased
 31 charity care because recipients have lapses in eligibility.

32 (B) Increased burdens on township assistance (poor
 33 relief).

34 (3) Effects on children, including the following:

35 (A) Increases in the level of uninsured children in
 36 Indiana.

37 (B) Decreases in wellness and the effects on the
 38 educational abilities of sicker children.

39 (4) Effects on families, including the following:

40 (A) Effects on family income due to the burden of sicker
 41 children.

42 (B) Effects on the ability of parents to maintain stable
 43 employment due to sicker children or more burdensome

1 **recertification procedures.**
2 **(b) The select joint commission on Medicaid oversight shall**
3 **submit to the legislative council before November 1, 2004, a report**
4 **of its findings and recommendations concerning the study under**
5 **subsection (a). The report must be submitted in an electronic**
6 **format under IC 5-14-6.**
7 **(c) The office of the secretary of family and social services shall**
8 **cooperate with the select joint commission on Medicaid oversight**
9 **and provide the commission with information and data necessary**
10 **for the commission to carry out this SECTION.**
11 **(d) This SECTION expires January 1, 2005.**
12 **SECTION 19. An emergency is declared for this act."**
13 Renumber all SECTIONS consecutively.
 (Reference is to ESB 213 as printed February 13, 2004.)

Representative Brown C