



April 6, 2005

**ENGROSSED  
HOUSE BILL No. 1525**

DIGEST OF HB 1525 (Updated April 5, 2005 12:47 pm - DI 44)

**Citations Affected:** IC 4-20.5.

**Synopsis:** POW/MIA flag at state capitol. Requires the department of administration to fly the POW/MIA flag over the state capitol building at all times with the flags of the United States and Indiana for as long as the Indiana department of veterans' affairs determines that there are residents of Indiana listed as missing in action from the Vietnam conflict.

**Effective:** July 1, 2005.

**Alderman**

(SENATE SPONSOR — YOUNG R MICHAEL)

January 18, 2005, read first time and referred to Committee on Public Policy and Veterans Affairs.

February 14, 2005, amended, reported — Do Pass.

February 17, 2005, read second time, ordered engrossed.

February 18, 2005, engrossed.

February 21, 2005, read third time, passed. Yeas 85, nays 7.

SENATE ACTION

February 24, 2005, read first time and referred to Committee on Homeland Security, Utilities, and Public Policy.

March 24, 2005, amended, reported favorably — Do Pass.

March 28, 2005, read second time, amended, ordered engrossed.

March 29, 2005, engrossed.

April 3, 2005, pursuant to Senate Rule 65(b) reassigned to Committee on Tax and Fiscal Policy.

April 5, 2005, amended, reported favorably — Do Pass.

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April 6, 2005

First Regular Session 114th General Assembly (2005)

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 2004 Regular Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1525

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A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

1       SECTION 1. IC 4-20.5-6-2.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2005]: **Sec. 2.5. The department shall fly the**  
4 **POW/MIA flag, as approved under 36 U.S.C. 902, at the state**  
5 **capitol building at all times with the flags of the United States and**  
6 **Indiana in the manner provided under 4 U.S.C. 7 for as long as the**  
7 **Indiana department of veterans' affairs determines that there are**  
8 **residents of Indiana listed as missing in action from the Vietnam**  
9 **conflict.**

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EH 1525—LS 6092/DI 14+



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Policy and Veterans Affairs, to which was referred House Bill 1525, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 2. IC 6-1.1-10-25 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2005 (RETROACTIVE)]:  
Sec. 25. (a) Subject to the limitations contained in subsection (b), ~~of this section~~, tangible property is exempt from property taxation if it is owned by any of the following organizations:

- (1) The Young Men's Christian Association.
- (2) The Salvation Army, Inc.
- (3) The Knights of Columbus.
- (4) The Young Men's Hebrew Association.
- (5) The Young Women's Christian Association.
- ~~(6) A chapter or post of Disabled American Veterans of World War I or II.~~
- ~~(7) A chapter or post of the Veterans of Foreign Wars.~~
- ~~(8) A post of the American Legion.~~
- ~~(9) A post of the American War Veterans.~~
- ~~(10) A camp of United States Spanish War Veterans.~~
- ~~(11) (6) The Boy Scouts of America, one (1) or more of its incorporated local councils, or a bank or trust company in trust for the benefit of one (1) or more of its local councils.~~
- ~~(12) (7) The Girl Scouts of the U.S.A., one (1) or more of its incorporated local councils, or a bank or trust company in trust for the benefit of one (1) or more of its local councils.~~

(b) This exemption does not apply unless the property is exclusively used, and in the case of real property actually occupied, for the purposes and objectives of the organization.

SECTION 3. IC 6-1.1-10-44 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2005 (RETROACTIVE)]: **Sec. 44. Tangible property is exempt from property taxation if it is owned by any of the following organizations:**

- (1) A chapter or post of the Disabled American Veterans of World War I or II.**
- (2) A chapter or post of the Veterans of Foreign Wars.**
- (3) A post of the American Legion.**
- (4) A post of the American War Veterans.**
- (5) A camp of United States Spanish War Veterans."**

EH 1525—LS 6092/DI 14+



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Page 2, after line 34, begin a paragraph and insert:

"SECTION 4. [EFFECTIVE UPON PASSAGE] (a) **IC 6-1.1-10-44, as added by this act, applies only to property taxes first due and payable after December 31, 2005.**

(b) **An owner of tangible property who wishes to obtain an exemption from property taxation under IC 6-1.1-10-44, as added by this act, for property taxes first due and payable in 2006 may file an application for exemption under IC 6-1.1-11 before August 1, 2005.**

SECTION 5. **An emergency is declared for this act."**

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1525 as introduced.)

ALDERMAN, Chair

Committee Vote: yeas 10, nays 0.

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COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security, Utilities, and Public Policy, to which was referred House Bill No. 1525, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, between lines 31 and 32, begin a new line block indented and insert:

**"(6) A chapter of AMVETS."**

and when so amended that said bill do pass.

(Reference is to HB 1525 as printed February 15, 2005.)

WYSS, Chairperson

Committee Vote: Yeas 8, Nays 1.

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SENATE MOTION

Madam President: I move that Engrossed House Bill 1525 be amended to read as follows:

Page 2, line 23, delete "Tangible" and insert "**(a) Subject to this section, tangible**".

Page 2, between lines 32 and 33, begin a new paragraph and insert:

**"(b) Not more than fifteen (15) acres of real property owned by an organization described in subsection (a) is exempt from property taxation under this section.**

**(c) Tangible property owned by an organization that violates, or permits the violation of:**

- (1) IC 4-31;**
- (2) IC 4-32;**
- (3) IC 4-33; or**
- (4) IC 35-45-5;**

**on real property owned by the organization is not exempt from property taxation under this section.**

**(d) Property referred to in this section shall be assessed to the extent required under IC 6-1.1-11-9."**

(Reference is to EHB 1525 as printed March 25, 2005.)

HERSHMAN

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REPORT OF THE PRESIDENT  
PRO TEMPORE

Madam President: Pursuant to Senate Rule 65(b), I hereby report that, Engrossed House Bill 1525 which is eligible for third reading, be reassigned to the Committee on Tax and Fiscal Policy.

GARTON

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COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred House Bill No. 1525, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 3, delete "(a) This section applies to a".



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Page 1, delete lines 4 through 8.

Page 1, line 9, delete "(b) At each property described in subsection (a), the" and insert "**The**".

Page 1, run in lines 3 through 9.

Page 1, line 10, after "at" insert "**the state capitol building at**".

Page 1, line 12, delete "7." and insert "**7 for as long as the Indiana department of veterans' affairs determines that there are residents of Indiana listed as missing in action from the Vietnam conflict.**".

Page 1, delete lines 13 through 17.

Delete pages 2 through 4.

and when so amended that said bill do pass.

(Reference is to EHB 1525 as reprinted March 29, 2005.)

KENLEY, Chairperson

Committee Vote: Yeas 8, Nays 2.

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