
HOUSE BILL No. 1554

DIGEST OF INTRODUCED BILL

Citations Affected: IC 12-29-1; IC 12-29-3-6.

Synopsis: Funding for developmental disability centers. Requires counties to provide a minimum level of funding to community mental retardation and other developmental disabilities centers serving the county. Reduces the maximum permissible appropriation for community mental retardation and other developmental disabilities centers. Authorizes the county council to determine how to apportion funding among more than one center serving the same county.

Effective: July 1, 2005.

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January 18, 2005, read first time and referred to Committee on Public Health.

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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.

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HOUSE BILL No. 1554



A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

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

1 SECTION 1. IC 12-29-1-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 1. (a) ~~The county~~
3 ~~executive of~~ A county ~~may authorize the furnishing of~~ **shall furnish**
4 financial assistance to a community mental retardation and other
5 developmental disabilities center that is located or will be located in
6 the county **in the amount determined under subsection (c), unless a**
7 **lower amount will be adequate to fulfill the county's financial**
8 **obligations under this chapter.**

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

- 11 (1) Constructing a center.
- 12 (2) Operating a center.

13 (c) ~~Upon request of the county executive, the county fiscal body~~
14 ~~may appropriate annually from the county's general fund the money to~~
15 ~~provide financial assistance for the purposes described in subsection~~
16 ~~(b): The appropriation may not exceed~~ **The amount of financial**
17 **assistance required under subsection (a) for taxes first due and**



1 **payable in a calendar year** is the amount that could be collected from
2 an annual tax levy of ~~not more than three and thirty-three hundredths~~
3 cents ~~(\$0.0333)~~ **(\$0.0033)** on each one hundred dollars (\$100) of
4 taxable property within the county.

5 SECTION 2. IC 12-29-1-2 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 2. (a) If a community
7 mental retardation and other developmental disabilities center is
8 ~~organized~~ **certified by the division of disability, aging, and**
9 **rehabilitative services** to provide services to at least two (2) counties,
10 ~~the county executive of each county may authorize the furnishing of~~
11 **shall furnish** financial assistance for the purposes described in section
12 1(b) of this chapter **in the amount determined under subsection (b),**
13 **unless a lower amount will be adequate to fulfill the county's**
14 **financial obligations under this chapter.**

15 (b) ~~Upon the request of the county executive of the county, the~~
16 ~~county fiscal body of each county may appropriate annually from the~~
17 ~~county's general fund the money to provide financial assistance for the~~
18 ~~purposes described in section 1(b) of this chapter. The appropriation of~~
19 ~~each county may not exceed~~ **The amount of financial assistance**
20 **required under subsection (a) for taxes first due and payable in a**
21 **calendar year** is the amount that could be collected from an annual tax
22 levy of ~~three and thirty-three hundredths cents (\$0.0333)~~ **(\$0.0033)** on
23 each one hundred dollars (\$100) of taxable property within the county.

24 SECTION 3. IC 12-29-1-3 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 3. (a) ~~The county~~
26 ~~executive of~~ Each county whose residents may receive services from
27 a community mental retardation and other developmental disabilities
28 center ~~may authorize the furnishing of~~ **shall furnish** a share of
29 financial assistance for the purposes described in section 1(b) of this
30 chapter **in the amount determined under subsection (b), unless a**
31 **lower amount will be adequate to fulfill the county's financial**
32 **obligations under this chapter,** if the following conditions are met:

33 (1) The facilities for the **community mental retardation and**
34 **other developmental disabilities** center are located in a state
35 adjacent to Indiana.

36 (2) The **community mental retardation and other**
37 **developmental disabilities** center is ~~organized~~ **certified by the**
38 **division of disability, aging, and rehabilitative services** to
39 provide services to Indiana residents **in the county.**

40 (b) ~~Upon the request of the county executive of a county, the county~~
41 ~~fiscal body of the county may appropriate annually from the county's~~
42 ~~general fund the money to provide financial assistance for the purposes~~

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1 described in section ~~1(b)~~ of this chapter. The appropriations of the
2 county may not exceed **The amount of financial assistance required**
3 **under subsection (a) for taxes first due and payable in a calendar**
4 **year is** the amount that could be collected from an annual tax levy of
5 ~~three and~~ thirty-three hundredths cents (~~\$0.0333~~) (**\$0.0033**) on each
6 one hundred dollars (\$100) of taxable property within the county.

7 SECTION 4. IC 12-29-1-3.5 IS ADDED TO THE INDIANA CODE
8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
9 1, 2005]: **Sec. 3.5. The amount of the financial assistance**
10 **determined under section 1, 2, or 3 of this chapter represents the**
11 **combined maximum appropriation to all community mental**
12 **retardation and other developmental disabilities centers serving**
13 **the particular county that the county is required to make. The**
14 **county council shall establish a formula for apportioning the**
15 **financial assistance among community mental retardation and**
16 **other developmental disabilities centers when more than one (1)**
17 **community mental retardation and other developmental**
18 **disabilities center is certified by the division of disability, aging,**
19 **and rehabilitative services to serve any part of the county.**

20 SECTION 5. IC 12-29-1-7 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 7. (a) The county**
22 **fiscal body shall appropriate and approve the money necessary to**
23 **carry out this chapter.**

24 ~~(a)~~ **(b)** On the first Monday in October, the county auditor shall
25 certify to:

- 26 (1) the division of disability, aging, and rehabilitative services, for
27 a community mental retardation and other developmental
28 disabilities center; and

- 29 (2) the president of the board of directors of each center;
30 the amount of money that will be provided to the center under this
31 chapter.

32 ~~(b)~~ **(c)** The county payment to the center shall be paid by the county
33 treasurer to the treasurer of each center's board of directors in the
34 following manner:

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

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

39 ~~(c)~~ **(d)** Payments by the county fiscal body are in place of grants
40 from agencies supported within the county solely by county tax money.

41 SECTION 6. IC 12-29-3-6 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2005]: **Sec. 6. (a) As used in this**

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1 section, "community mental retardation and other developmental
2 disabilities center" means a community center that is:

3 (1) incorporated under IC 23-7-1.1 (before its repeal August 1,
4 1991) or IC 23-17;

5 (2) organized for the purpose of providing services for mentally
6 retarded and other individuals with a developmental disability;

7 (3) approved by the division of disability, aging, and rehabilitative
8 services; and

9 (4) accredited for the services provided by one (1) of the
10 following organizations:

11 (A) The Commission on Accreditation of Rehabilitation
12 Facilities (CARF), or its successor.

13 (B) The Council on Quality and Leadership in Supports for
14 People with Disabilities, or its successor.

15 (C) The Joint Commission on Accreditation of Healthcare
16 Organizations (JCAHO), or its successor.

17 (D) The National Commission on Quality Assurance, or its
18 successor.

19 (E) An independent national accreditation organization
20 approved by the secretary.

21 (b) **In addition to financial assistance required under IC 12-29-1,**
22 **the county executive of a county may authorize the furnishing of**
23 **financial assistance to a community mental retardation and other**
24 **developmental disabilities center serving the county.**

25 (c) Upon the request of the county executive, the county fiscal body
26 may appropriate annually, from the general fund of the county, money
27 to provide financial assistance in an amount not to exceed the amount
28 that could be collected from the annual tax levy of sixty-seven
29 hundredths of one cent (\$0.0067) on each one hundred dollars (\$100)
30 of taxable property.

31 SECTION 7. [EFFECTIVE JULY 1, 2005] **IC 12-29-1-1,**
32 **IC 12-29-1-2, IC 12-29-1-3, IC 12-29-1-7, and IC 12-29-3-6, all as**
33 **amended by this act, and IC 12-29-1-3.5, as added by this act, apply**
34 **only to:**

35 (1) **property taxes; and**

36 (2) **appropriations for obligations;**

37 **first due and payable after December 31, 2005.**

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