

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1656 be amended to read as follows:

- 1 Delete the title and insert the following:
2 A BILL FOR AN ACT to amend the Indiana Code concerning
3 taxation.
4 Page 1, between the enacting clause and line 1, begin a new
5 paragraph and insert:
6 "SECTION 1. IC 6-1.1-3-7.5 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JANUARY 1, 2007 (RETROACTIVE)]:
8 Sec. 7.5. (a) A taxpayer may file an amended personal property tax
9 return, in conformity with the rules adopted by the department of local
10 government finance, not more than ~~six (6) months~~ **one (1) year** after
11 the later of the following:
12 (1) The filing date for the original personal property tax return, if
13 the taxpayer is not granted an extension in which to file under
14 section 7 of this chapter.
15 (2) The extension date for the original personal property tax
16 return, if the taxpayer is granted an extension under section 7 of
17 this chapter.
18 (b) A tax adjustment related to an amended personal property tax
19 return shall be made in conformity with rules adopted under IC 4-22-2
20 by the department of local government finance.
21 (c) If a taxpayer wishes to correct an error made by the taxpayer on
22 the taxpayer's original personal property tax return, the taxpayer must
23 file an amended personal property tax return under this section within
24 the time required by subsection (a). A taxpayer may claim on an

1 amended personal property tax return any adjustment or exemption that
2 would have been allowable under any statute or rule adopted by the
3 department of local government finance if the adjustment or exemption
4 had been claimed on the original personal property tax return.

5 (d) Notwithstanding any other provision, if:

6 (1) a taxpayer files an amended personal property tax return under
7 this section in order to correct an error made by the taxpayer on
8 the taxpayer's original personal property tax return; and

9 (2) the taxpayer is entitled to a refund of personal property taxes
10 paid by the taxpayer under the original personal property tax
11 return;

12 the taxpayer is not entitled to interest on the refund.

13 (e) If a taxpayer files an amended personal property tax return for
14 a year before July 16 of that year, the taxpayer shall pay taxes payable
15 in the immediately succeeding year based on the assessed value
16 reported on the amended return.

17 (f) If a taxpayer files an amended personal property tax return for a
18 year after July 15 of that year, the taxpayer shall pay taxes payable in
19 the immediately succeeding year based on the assessed value reported
20 on the taxpayer's original personal property tax return. A taxpayer that
21 paid taxes under this subsection is entitled to a credit in the amount of
22 taxes paid by the taxpayer on the remainder of:

23 (1) the assessed value reported on the taxpayer's original personal
24 property tax return; minus

25 (2) the finally determined assessed value that results from the
26 filing of the taxpayer's amended personal property tax return.

27 Except as provided in subsection (k), the county auditor shall apply the
28 credit against the taxpayer's property taxes on personal property
29 payable in the year that immediately succeeds the year in which the
30 taxes were paid.

31 (g) If the amount of the credit to which the taxpayer is entitled under
32 subsection (f) exceeds the amount of the taxpayer's property taxes on
33 personal property payable in the year that immediately succeeds the
34 year in which the taxes were paid, the county auditor shall apply the
35 amount of the excess credit against the taxpayer's property taxes on
36 personal property in the next succeeding year.

37 (h) Not later than December 31 of the year in which a credit is
38 applied under subsection (g), the county auditor shall refund to the
39 taxpayer the amount of any excess credit that remains after application
40 of the credit under subsection (g).

41 (i) The taxpayer is not required to file an application for:

42 (1) a credit under subsection (f) or (g); or

43 (2) a refund under subsection (h).

44 (j) Before August 1 of each year, the county auditor shall provide to
45 each taxing unit in the county an estimate of the total amount of the
46 credits under subsection (f) or (g) that will be applied against taxes

1 imposed by the taxing unit that are payable in the immediately
2 succeeding year.

3 (k) A county auditor may refund a credit amount to a taxpayer
4 before the time the credit would otherwise be applied against property
5 tax payments under this section."

6 Renumber all SECTIONS consecutively.

(Reference is to HB 1656 as printed February 16, 2007.)

Representative Leonard