

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 19 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 6-1.1-12-11, AS AMENDED BY P.L.99-2007,
4 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JANUARY 1, 2008 (RETROACTIVE)]: Sec. 11. (a) Except as
6 provided in section 40.5 of this chapter, an individual may have the
7 sum of twelve thousand four hundred eighty dollars (\$12,480) deducted
8 from the assessed value of real property, mobile home not assessed as
9 real property, or manufactured home not assessed as real property that
10 the individual owns, or that the individual is buying under a contract
11 that provides that the individual is to pay property taxes on the real
12 property, mobile home, or manufactured home, if the contract or a
13 memorandum of the contract is recorded in the county recorder's office,
14 and if:
15 (1) the individual is blind or the individual has a disability;
16 (2) the real property, mobile home, or manufactured home is
17 principally used and occupied by the individual as the individual's
18 residence; and
19 (3) the individual's taxable gross income for the calendar year
20 preceding the year in which the deduction is claimed did not
21 exceed ~~seventeen~~ **twenty** thousand **six hundred ten** dollars
22 ~~(\$17,000): (\$20,610).~~
23 (b) For purposes of this section, taxable gross income does not
24 include income which is not taxed under the federal income tax laws.

1 (c) For purposes of this section, "blind" has the same meaning as the
2 definition contained in IC 12-7-2-21(1).

3 (d) For purposes of this section, "individual with a disability" means
4 a person unable to engage in any substantial gainful activity by reason
5 of a medically determinable physical or mental impairment which:

6 (1) can be expected to result in death; or

7 (2) has lasted or can be expected to last for a continuous period of
8 not less than twelve (12) months.

9 (e) An individual with a disability filing a claim under this section
10 shall submit proof of disability in such form and manner as the
11 department shall by rule prescribe. Proof that a claimant is eligible to
12 receive disability benefits under the federal Social Security Act (42
13 U.S.C. 301 et seq.) shall constitute proof of disability for purposes of
14 this section.

15 (f) An individual with a disability not covered under the federal
16 Social Security Act shall be examined by a physician and the
17 individual's status as an individual with a disability determined by
18 using the same standards as used by the Social Security Administration.
19 The costs of this examination shall be borne by the claimant.

20 (g) An individual who has sold real property, a mobile home not
21 assessed as real property, or a manufactured home not assessed as real
22 property to another person under a contract that provides that the
23 contract buyer is to pay the property taxes on the real property, mobile
24 home, or manufactured home may not claim the deduction provided
25 under this section against that real property, mobile home, or
26 manufactured home."

27 Page 77, between lines 39 and 40, begin a new paragraph and insert:
28 "SECTION 69. [EFFECTIVE JANUARY 1, 2008
29 (RETROACTIVE)] **IC 6-1.1-12-11, as amended by this act, applies
30 to property taxes first due and payable after December 31, 2008.**".

31 Renumber all SECTIONS consecutively.

(Reference is to ESB 19 as printed February 22, 2008.)

Representative Avery