

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 105 be amended to read as follows:

- 1           Page 8, between lines 9 and 10, begin a new paragraph and insert:  
2           "**(d) Upon receiving notice under subsection (c), the treasurer of**  
3           **state shall enforce the lien created under IC 5-1-14-4(d) in the**  
4           **following manner:**  
5           **(1) after any reductions required by IC 5-1.5-8-5,**  
6           **IC 6-1.1-20.6-10, or IC 20-48-1-11, reduce the amount of any**  
7           **revenues or other money or property held, possessed,**  
8           **maintained, or controlled by, or otherwise in the custody of,**  
9           **the state or any department, agency, or instrumentality of the**  
10           **state, which would otherwise be available for distribution to**  
11           **the distressed political subdivision under any other law, by an**  
12           **amount equal to the aggregate amount determined to be**  
13           **necessary by the board, or its designee, to ensure payment of**  
14           **the distressed political subdivision's obligations as the these**  
15           **become due, which amount must be set forth in a monthly**  
16           **accounting to be provided to the treasurer of state by the**  
17           **board, or its designee, at the end of each calendar month**  
18           **following the receipt of the notice described in this section;**  
19           **(2) pay the amount by which the revenues or other money or**  
20           **property are reduced under subdivision (1) to the board or its**  
21           **designee; and**  
22           **(3) notify the distressed political subdivision that these**  
23           **revenues or other money or property, which would otherwise**  
24           **be available for distribution to the distressed political**  
25           **subdivision, have been reduced by an amount necessary to**  
26           **satisfy all or a part of the distressed political subdivision's**  
27           **obligations as the these become due.**  
28           **(e) The statutory lien created under IC 5-1-14-4(d), upon the**  
29           **revenues or other money or property held, possessed, maintained,**  
30           **or controlled by, or otherwise in the custody of the state, the**

1        **county, or any department, agency, or instrumentality thereof,**  
2        **which would otherwise be available for distribution to the**  
3        **distressed political subdivision under any other law, shall be**  
4        **enforced immediately upon the receipt of the notice described in**  
5        **subsection (c), and subsection (d) continue in full force and effect,**  
6        **irrespective of any other state or federal law, until the board**  
7        **terminates control of the distressed political subdivision under**  
8        **IC 6-1.1-20.3-14."**

(Reference is to SB 105 as printed January 28, 2011.)

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Senator CHARBONNEAU