

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 303 be amended to read as follows:

- 1 Page 6, between lines 13 and 14, begin a new paragraph and insert:
2 "SECTION 5. IC 6-1.1-24-6.8, AS ADDED BY P.L.98-2010,
3 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2011]: Sec. 6.8. (a) For purposes of this section, in a county
5 containing a consolidated city "county executive" refers to the ~~board of~~
6 ~~commissioners of the county as provided in IC 36-3-3-10:~~ **county**
7 **auditor.**
8 (b) As used in this section, "vacant parcel" refers to a parcel that
9 satisfies all the following:
10 (1) A lien has been acquired on the parcel under section 6(a) of
11 this chapter.
12 (2) The parcel is unimproved on the date the parcel is offered for
13 sale under this chapter.
14 (3) The construction of a structure intended for residential use on
15 the parcel is permitted by law.
16 (4) On the date the parcel is offered for sale under this chapter,
17 the parcel is contiguous to one (1) or more parcels that satisfy the
18 following:
19 (A) One (1) or more of the following are located on the
20 contiguous parcel:
21 (i) A structure occupied for residential use.
22 (ii) A structure used in conjunction with a structure
23 occupied for residential use.
24 (B) The contiguous parcel is eligible for the standard
25 deduction under IC 6-1.1-12-37.
26 (c) The county legislative body may, by ordinance, establish criteria
27 for the identification of vacant parcels to be offered for sale under this
28 section. The criteria may include the following:
29 (1) Limitations on the use of the parcel under local zoning and
30 land use requirements.

1 (2) Minimum parcel area sufficient for construction of
2 improvements.

3 (3) Any other factor considered appropriate by the county
4 legislative body.

5 In a county containing a consolidated city, the county legislative body
6 may adopt an ordinance under this subsection only upon
7 recommendation by the ~~board of commissioners provided in~~
8 ~~IC 36-3-3-10:~~ **county auditor.**

9 (d) If the county legislative body adopts an ordinance under
10 subsection (c), the county executive shall for each tax sale:

11 (1) by resolution, identify each vacant parcel that the county
12 executive desires to sell under this section; and

13 (2) subject to subsection (e), give written notice to the owner of
14 record of each parcel referred to in subsection (b)(4) that is
15 contiguous to the vacant parcel.

16 (e) The notice under subsection (d)(2) with respect to each vacant
17 parcel must include at least the following:

18 (1) A description of the vacant parcel by:

19 (A) legal description; and

20 (B) parcel number or street address, or both.

21 (2) Notice that the county executive will accept written
22 applications from owners of parcels described in subsection (b)(4)
23 as provided in subsection (f).

24 (3) Notice of the deadline for applications referred to in
25 subdivision (2) and of the information to be included in the
26 applications.

27 (4) Notice that the vacant parcel will be sold to the successful
28 applicant for one dollar (\$1).

29 (5) Notice of the exemption provisions of subsection (l).

30 (f) To be eligible to purchase a vacant parcel under this section, the
31 owner of a contiguous parcel referred to in subsection (b)(4) must file
32 a written application with the county executive. The application must:

33 (1) identify the vacant parcel that the applicant desires to
34 purchase; and

35 (2) include any other information required by the county
36 executive.

37 (g) If more than one (1) application to purchase a single vacant
38 parcel is filed with the county executive, the county executive shall
39 conduct a drawing between or among the applicants in which each
40 applicant has an equal chance to be selected as the transferee of the
41 vacant parcel.

42 (h) The county executive shall by resolution make a final
43 determination concerning the vacant parcels that are to be sold under
44 this section.

45 (i) After the final determination of vacant parcels to be sold under
46 subsection (h), the county executive shall:

- 1 (1) on behalf of the county, cause all delinquent taxes, special
 2 assessments, penalties, interest, and costs of sale with respect to
 3 the vacant parcels to be removed from the tax duplicate;
 4 (2) give notice of the final determination to:
 5 (A) the successful applicant;
 6 (B) the county auditor; and
 7 (C) the township assessor, or the county assessor if there is no
 8 township assessor for the township.
- 9 (j) Upon receipt of notice under subsection (i)(2):
 10 (1) the county auditor shall:
 11 (A) collect the purchase price from each successful applicant;
 12 and
 13 (B) subject to subsection (k), prepare a deed transferring each
 14 vacant parcel to the successful applicant; and
 15 (2) the township assessor or county assessor shall consolidate
 16 each vacant parcel sold and the contiguous parcel owned by the
 17 successful applicant into a single parcel.
- 18 (k) The county auditor shall include in the deed prepared under
 19 subsection (j)(1)(B) reference to the exemption under subsection (l).
- 20 (l) Except as provided in subsection (m), each consolidated parcel
 21 referred to in subsection (j)(2) is entitled to an exemption from property
 22 taxation beginning on the assessment date that next succeeds the
 23 consolidation in the amount of the assessed value at the time of
 24 consolidation of the vacant parcel that was subject to the consolidation.
- 25 (m) The exemption under subsection (l) is terminated as of the
 26 assessment date that next succeeds the earlier of the following:
 27 (1) Five (5) years after the transfer of title to the successful
 28 applicant.
 29 (2) The first transfer of title to the consolidated parcel that occurs
 30 after the consolidation."
 31 Renumber all SECTIONS consecutively.
 (Reference is to SB 303 as printed February 18, 2011.)

Senator LAWSON C