



Reprinted
February 28, 2012

ENGROSSED SENATE BILL No. 19

DIGEST OF SB 19 (Updated February 27, 2012 5:46 pm - DI 92)

Citations Affected: IC 6-1.1; IC 33-26; IC 36-2; IC 36-6; IC 36-7.

Synopsis: Real property reassessment. Requires the county assessor of each county before July 1, 2013, and before July 1 of every fourth year thereafter to prepare and submit to the department of local government finance (DLGF) a reassessment plan for the county. Specifies that the reassessment plan is subject to approval by the DLGF. Requires the DLGF to complete its review and approval of the reassessment plan before March 1 of the year following the year in which the reassessment plan is submitted by the county. Provides that subject to review and approval by the DLGF, the county assessor may modify a reassessment plan. Provides that the reassessment plan must divide all parcels of real property in the county into different groups of parcels.
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Effective: Upon passage; February 29, 2012 (retroactive); July 1, 2012; January 1, 2013.

**Boots, Hershman, Delph, Holdman,
Smith J, Broden, Buck, Randolph,
Charbonneau**

(HOUSE SPONSOR — RICHARDSON)

January 4, 2012, read first time and referred to Committee on Tax and Fiscal Policy.
January 10, 2012, amended, reported favorably — Do Pass.
January 17, 2012, read second time, ordered engrossed.
January 18, 2012, engrossed.
January 19, 2012, read third time, passed. Yeas 48, nays 0.

HOUSE ACTION

January 31, 2012, read first time and referred to Committee on Ways and Means.
February 23, 2012, amended, reported — Do Pass.
February 27, 2012, read second time, amended, ordered engrossed.

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Digest Continued

Requires that each group of parcels must contain at least 25% of the parcels within each class of real property in the county. Requires the assessor to submit land values to the county property tax assessment board of appeals by the dates specified in the county's reassessment plan. Requires the reassessment of the first group of parcels under a county's reassessment plan to begin July 1, 2014, and be completed on or before March 1, 2015. Specifies procedures for taxpayers to petition the DLGF for reassessment of parcels in a group and a schedule for completion of reassessment of parcels in a group. Provides that the notice of assessment that must be sent to taxpayers by assessing officials is in addition to any required notice of assessment included in a property tax statement. Specifies that the assessing official may provide the notice by mail or by using electronic mail that includes a secure Internet link to the information in the notice. Specifies that the soil productivity factors used for March 1, 2011, shall be used for the March 1, 2012, assessment date, instead of the new values determined by the DLGF for March 1, 2012. Specifies procedures for resolving multi-year delays in the issuance of tax bills for counties that are at least three years behind in issuing tax bills. Specifies additional reporting requirements for redevelopment commissions. Requires redevelopment commissions to submit copies of the required reports to the DLGF.

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February 28, 2012

Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 19

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 6-1.1-4-4, AS AMENDED BY P.L.182-2009(ss),
2 SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2012]: Sec. 4. (a) A general reassessment, involving a
4 physical inspection of all real property in Indiana, shall begin July 1,
5 2010. ~~and each fifth year thereafter.~~ **Each** The reassessment under this
6 subsection:
7 (1) shall be completed on or before March 1 of the year that
8 succeeds by two (2) years the year in which the general
9 reassessment begins; and
10 (2) shall be the basis for taxes payable in the year following the
11 year in which the general assessment is to be completed.
12 (b) In order to ensure that assessing officials are prepared for a
13 general reassessment of real property, the department of local
14 government finance shall give adequate advance notice of the general
15 reassessment to the assessing officials of each county.
16 (c) ~~For a general reassessment that begins on or after July 1, 2010;~~
17 ~~the assessed value of real property shall be based on the estimated true~~

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1 tax value of the property on the assessment date that is the basis for
 2 taxes payable in the year following the year in which the general
 3 reassessment is to be completed.

4 SECTION 2. IC 6-1.1-4-4.2 IS ADDED TO THE INDIANA CODE
 5 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 6 1, 2012]: Sec. 4.2. (a) The county assessor of each county shall,
 7 before July 1, 2013, and before July 1 of every fourth year
 8 thereafter, prepare and submit to the department of local
 9 government finance a reassessment plan for the county. The
 10 following apply to a reassessment plan prepared and submitted
 11 under this section:

12 (1) The reassessment plan is subject to approval by the
 13 department of local government finance. The department of
 14 local government finance shall complete its review and
 15 approval of the reassessment plan before March 1 of the year
 16 following the year in which the reassessment plan is submitted
 17 by the county.

18 (2) The department of local government finance shall
 19 determine the classes of real property to be used for purposes
 20 of this section.

21 (3) Except as provided in subsection (b), the reassessment plan
 22 must divide all parcels of real property in the county into four
 23 (4) different groups of parcels. Each group of parcels must
 24 contain approximately twenty-five percent (25%) of the
 25 parcels within each class of real property in the county.

26 (4) Except as provided in subsection (b), all real property in
 27 each group of parcels shall be reassessed under the county's
 28 reassessment plan once during each four (4) year cycle.

29 (5) The reassessment of a group of parcels in a particular
 30 class of real property shall begin on July 1 of a year.

31 (6) The reassessment of parcels:

32 (A) must include a physical inspection of each parcel of
 33 real property in the group of parcels that is being
 34 reassessed; and

35 (B) shall be completed on or before March 1 of the year
 36 after the year in which the reassessment of the group of
 37 parcels begins.

38 (7) For real property included in a group of parcels that is
 39 reassessed, the reassessment is the basis for taxes payable in
 40 the year following the year in which the reassessment is to be
 41 completed.

42 (8) The reassessment plan must specify the dates by which the

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1 assessor must submit land values under section 13.6 of this
2 chapter to the county property tax assessment board of
3 appeals.

4 **(9) Subject to review and approval by the department of local**
5 **government finance, the county assessor may modify the**
6 **reassessment plan.**

7 **(b) A county may submit a reassessment plan that provides for**
8 **reassessing more than twenty-five percent (25%) of all parcels of**
9 **real property in the county in a particular year. A plan may**
10 **provide that all parcels are to be reassessed in one (1) year.**
11 **However, a plan must cover a four (4) year period. All real**
12 **property in each group of parcels shall be reassessed under the**
13 **county's reassessment plan once during each reassessment cycle.**

14 **(c) The reassessment of the first group of parcels under a**
15 **county's reassessment plan shall begin on July 1, 2014, and shall be**
16 **completed on or before March 1, 2015.**

17 SECTION 3. IC 6-1.1-4-4.5, AS AMENDED BY P.L.112-2010,
18 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JANUARY 1, 2013]: Sec. 4.5. (a) The department of local government
20 finance shall adopt rules establishing a system for annually adjusting
21 the assessed value of real property to account for changes in value in
22 those years since a ~~general~~ reassessment of **under section 4 or 4.2 of**
23 **this chapter for the** property last took effect.

24 (b) Subject to subsection (e), the system must be applied to adjust
25 assessed values beginning with the 2006 assessment date and each year
26 thereafter that is not a year in which a reassessment **under section 4 or**
27 **4.2 of this chapter for the property** becomes effective.

28 (c) The rules adopted under subsection (a) must include the
29 following characteristics in the system:

30 (1) Promote uniform and equal assessment of real property within
31 and across classifications.

32 (2) Require that assessing officials:
33 (A) reevaluate the factors that affect value;
34 (B) express the interactions of those factors mathematically;
35 (C) use mass appraisal techniques to estimate updated property
36 values within statistical measures of accuracy; and
37 (D) provide notice to taxpayers of an assessment increase that
38 results from the application of annual adjustments.

39 (3) Prescribe procedures that permit the application of the
40 adjustment percentages in an efficient manner by assessing
41 officials.

42 (d) The department of local government finance must review and

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1 certify each annual adjustment determined under this section.

2 (e) In making the annual determination of the base rate to satisfy the
3 requirement for an annual adjustment under subsection (c) for current
4 property taxes first due and payable in 2011 and thereafter, the
5 department of local government finance shall determine the base rate
6 using the methodology reflected in Table 2-18 of Book 1, Chapter 2 of
7 the department of local government finance's Real Property Assessment
8 Guidelines (as in effect on January 1, 2005), except that the department
9 shall adjust the methodology to:

- 10 (1) use a six (6) year rolling average adjusted under subdivision
11 (2) instead of a four (4) year rolling average; and
12 (2) eliminate in the calculation of the rolling average the year
13 among the six (6) years for which the highest market value in use
14 of agricultural land is determined.

15 (f) For assessment dates after December 31, 2009, an adjustment in
16 the assessed value of real property under this section shall be based on
17 the estimated true tax value of the property on the assessment date that
18 is the basis for taxes payable on that real property.

19 SECTION 4. IC 6-1.1-4-5, AS AMENDED BY P.L.113-2010,
20 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JANUARY 1, 2013]: Sec. 5. (a) A petition for the reassessment of a
22 real property **that is subject to reassessment under section 4 of this**
23 **chapter and** situated within a township may be filed with the
24 department of local government finance on or before March 31st of any
25 year which is not a general election year and in which no general
26 reassessment of real property is made. A petition for reassessment of
27 real property applies only to the most recent real property assessment
28 date.

29 (b) The petition for reassessment must be signed by not less than the
30 following percentage of all the owners of taxable real property who
31 reside in the township:

- 32 (1) fifteen percent (15%) for a township which does not contain
33 an incorporated city or town;
34 (2) five percent (5%) for a township containing all or part of an
35 incorporated city or town which has a population of five thousand
36 (5,000) or less;
37 (3) four percent (4%) for a township containing all or part of an
38 incorporated city which has a population of more than five
39 thousand (5,000) but not exceeding ten thousand (10,000);
40 (4) three percent (3%) for a township containing all or part of an
41 incorporated city which has a population of more than ten
42 thousand (10,000) but not exceeding fifty thousand (50,000);



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- 1 (5) two percent (2%) for a township containing all or part of an
- 2 incorporated city which has a population of more than fifty
- 3 thousand (50,000) but not exceeding one hundred fifty thousand
- 4 (150,000); or
- 5 (6) one percent (1%) for a township containing all or part of an
- 6 incorporated city which has a population of more than one
- 7 hundred fifty thousand (150,000).

8 The signatures on the petition must be verified by the oath of one (1)
 9 or more of the signers. A certificate of the county auditor stating that
 10 the signers constitute the required number of resident owners of taxable
 11 real property of the township must accompany the petition.

12 (c) Upon receipt of a petition under subsection (a), the department
 13 of local government finance may order a reassessment under section 9
 14 of this chapter or conduct a reassessment under section 31.5 of this
 15 chapter.

16 SECTION 5. IC 6-1.1-4-5.5 IS ADDED TO THE INDIANA CODE
 17 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE
 18 JANUARY 1, 2013]: **Sec. 5.5. (a) A petition for the reassessment of**
 19 **a real property group designated under a county's reassessment**
 20 **plan prepared under section 4.2 of this chapter may be filed with**
 21 **the department of local government finance not later than**
 22 **forty-five (45) days after notice of assessment. A petition for**
 23 **reassessment of real property applies only to the most recent real**
 24 **property assessment date.**

25 (b) **The petition for reassessment must be signed by the lesser of**
 26 **one hundred (100) owners of parcels in the group or five percent**
 27 **(5%) of owners of parcels in the group. The signatures on the**
 28 **petition must be verified by the oath of one (1) or more of the**
 29 **signers. A certificate of the county auditor stating that the signers**
 30 **constitute the required number of owners of taxable real property**
 31 **in the group of parcels must accompany the petition.**

32 (c) **Upon receipt of a petition under subsection (a), the**
 33 **department of local government finance may order a reassessment**
 34 **under section 9 of this chapter or conduct a reassessment under**
 35 **section 31.5 of this chapter.**

36 SECTION 6. IC 6-1.1-4-6 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JANUARY 1, 2013]: Sec. 6. If the
 38 department of local government finance determines that a petition filed
 39 under section 5 **or 5.5** of this chapter has been signed by the required
 40 number of petitioners and that the present assessed value of any real
 41 property is inequitable, the department of local government finance
 42 shall order a reassessment of the real property ~~which has been~~

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1 ~~inequitably assessed. for which the petition was filed.~~ The order shall
 2 specify the time within which the reassessment shall be completed and
 3 the date on which the reassessment shall become effective.

4 SECTION 7. IC 6-1.1-4-9 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JANUARY 1, 2013]: Sec. 9. In order to
 6 maintain a just and equitable valuation of real property, the department
 7 of local government finance may adopt a resolution declaring its belief
 8 that it is necessary to reassess all or a portion of the real property
 9 located within this state. If the department of local government finance
 10 adopts a reassessment resolution and if either a township or a larger
 11 area is involved (**for assessments before March 1, 2015) or one (1)**
 12 **or more groups of parcels under the county's reassessment plan**
 13 **are involved (for assessments after February 28, 2015),** the
 14 department shall hold a hearing concerning the necessity for the
 15 reassessment at the courthouse of the county in which the property is
 16 located. The department of local government finance shall give notice
 17 of the time and place of the hearing in the manner provided in section
 18 10 of this chapter. After the hearing, or if the area involved is less than
 19 a township (**for assessments before March 1, 2015) or is less than**
 20 **one (1) group of parcels under the county's reassessment plan (for**
 21 **assessments after February 28, 2015),** after the adoption of the
 22 resolution of the department of local government finance, the
 23 department may order any reassessment it deems necessary. The order
 24 shall specify the time within which the reassessment must be
 25 completed and the date the reassessment will become effective.

26 SECTION 8. IC 6-1.1-4-12.4, AS AMENDED BY P.L.146-2008,
 27 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JANUARY 1, 2013]: Sec. 12.4. (a) For purposes of this section, the
 29 term "oil or gas interest" includes but is not limited to:

- 30 (1) royalties;
- 31 (2) overriding royalties;
- 32 (3) mineral rights; or
- 33 (4) working interest;

34 in any oil or gas located on or beneath the surface of land which lies
 35 within this state.

36 (b) Oil or gas interest is subject to assessment and taxation as real
 37 property. Notwithstanding section 4 **or 4.2** of this chapter, each oil or
 38 gas interest shall be assessed annually by the assessor of the township
 39 in which the oil or gas is located, or the county assessor if there is no
 40 township assessor for the township. The township or county assessor
 41 shall assess the oil or gas interest to the person who owns or operates
 42 the interest.

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1 (c) A piece of equipment is an appurtenance to land if it is incident
 2 to and necessary for the production of oil and gas from the land
 3 covered by the oil or gas interest. This equipment includes but is not
 4 limited to wells, pumping units, lines, treaters, separators, tanks, and
 5 secondary recovery facilities. These appurtenances are subject to
 6 assessment as real property. Notwithstanding section 4 or 4.2 of this
 7 chapter, each of these appurtenances shall be assessed annually by the
 8 assessor of the township in which the appurtenance is located, or the
 9 county assessor if there is no township assessor for the township. The
 10 township or county assessor shall assess the appurtenance to the person
 11 who owns or operates the working interest in the oil or gas interest.

12 SECTION 9. IC 6-1.1-4-13 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE FEBRUARY 29, 2012 (RETROACTIVE)]:
 14 Sec. 13. (a) In assessing or reassessing land, the land shall be assessed
 15 as agricultural land only when it is devoted to agricultural use.

16 (b) The department of local government finance shall give written
 17 notice to each county assessor of:

18 (1) the availability of the United States Department of
 19 Agriculture's soil survey data; and

20 (2) the appropriate soil productivity factor for each type or
 21 classification of soil shown on the United States Department of
 22 Agriculture's soil survey map.

23 All assessing officials and the property tax assessment board of appeals
 24 shall use the data in determining the true tax value of agricultural land.

25 **However, notwithstanding the availability of new soil productivity**
 26 **factors and the department of local government finance's notice of**
 27 **the appropriate soil productivity factor for each type or**
 28 **classification of soil shown on the United States Department of**
 29 **Agriculture's soil survey map for the March 1, 2012, assessment**
 30 **date, the soil productivity factors used for the March 1, 2011,**
 31 **assessment date shall be used for the March 1, 2012, assessment**
 32 **date. New soil productivity factors shall be used for assessment**
 33 **dates occurring after March 1, 2012.**

34 (c) The department of local government finance shall by rule
 35 provide for the method for determining the true tax value of each parcel
 36 of agricultural land.

37 (d) This section does not apply to land purchased for industrial,
 38 commercial, or residential uses.

39 SECTION 10. IC 6-1.1-4-13.6, AS AMENDED BY P.L.113-2010,
 40 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JANUARY 1, 2013]: Sec. 13.6. (a) The county assessor shall determine
 42 the values of all classes of commercial, industrial, and residential land

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1 (including farm homesites) in the county using guidelines determined
 2 by the department of local government finance. ~~Not later than July 1,~~
 3 ~~2011, and every fourth year thereafter,~~ The assessor determining the
 4 values of land shall submit the values to the county property tax
 5 assessment board of appeals **by the dates specified in the county's**
 6 **reassessment plan under section 4.2 of this chapter.**

7 (b) If the county assessor fails to determine land values under
 8 subsection (a) before the ~~July 1 deadline,~~ **deadlines in the county's**
 9 **reassessment plan under section 4.2 of this chapter,** the county
 10 property tax assessment board of appeals shall determine the values. If
 11 the county property tax assessment board of appeals fails to determine
 12 the values before the land values become effective, the department of
 13 local government finance shall determine the values.

14 (c) The county assessor shall notify all township assessors in the
 15 county (if any) of the values. Assessing officials shall use the values
 16 determined under this section.

17 (d) A petition for the review of the land values determined by a
 18 county assessor under this section may be filed with the department of
 19 local government finance not later than forty-five (45) days after the
 20 county assessor makes the determination of the land values. The
 21 petition must be signed by at least the lesser of:

- 22 (1) one hundred (100) property owners in the county; or
- 23 (2) five percent (5%) of the property owners in the county.

24 (e) Upon receipt of a petition for review under subsection (d), the
 25 department of local government finance:

- 26 (1) shall review the land values determined by the county
- 27 assessor; and
- 28 (2) after a public hearing, shall:
 - 29 (A) approve;
 - 30 (B) modify; or
 - 31 (C) disapprove;
- 32 the land values.

33 SECTION 11. IC 6-1.1-4-16, AS AMENDED BY P.L.146-2008,
 34 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JANUARY 1, 2013]: Sec. 16. (a) For purposes of making a ~~general~~
 36 reassessment of real property **under section 4 or 4.2 of this chapter**
 37 or annual adjustments under section 4.5 of this chapter, a township
 38 assessor (if any) and a county assessor may employ:

- 39 (1) deputies;
- 40 (2) employees; and
- 41 (3) technical advisors who are:
 - 42 (A) qualified to determine real property values;

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1 (B) professional appraisers certified under 50 IAC 15; and
2 (C) employed either on a full-time or a part-time basis, subject
3 to sections 18.5 and 19.5 of this chapter.

4 (b) The county council of each county shall appropriate the funds
5 necessary for the employment of deputies, employees, or technical
6 advisors employed under subsection (a) of this section.

7 SECTION 12. IC 6-1.1-4-17, AS AMENDED BY P.L.182-2009(ss),
8 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JANUARY 1, 2013]: Sec. 17. (a) Subject to the approval of the
10 department of local government finance and the requirements of
11 section 18.5 of this chapter, a county assessor may employ professional
12 appraisers as technical advisors for assessments in all townships in the
13 county. The department of local government finance may approve
14 employment under this subsection only if the department is a party to
15 the employment contract and any addendum to the employment
16 contract.

17 (b) A decision by a county assessor to not employ a professional
18 appraiser as a technical advisor in a ~~general~~ reassessment **under**
19 **section 4 or 4.2 of this chapter** is subject to approval by the
20 department of local government finance.

21 (c) As used in this chapter, "professional appraiser" means an
22 individual or firm that is certified under IC 6-1.1-31.7.

23 SECTION 13. IC 6-1.1-4-20, AS AMENDED BY P.L.146-2008,
24 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JANUARY 1, 2013]: Sec. 20. The department of local government
26 finance may establish a period, with respect to each ~~general~~
27 reassessment **under section 4 or 4.2 of this chapter**, that is the only
28 time during which a county assessor may enter into a contract with a
29 professional appraiser. ~~The period set by the department of local~~
30 ~~government finance may not begin before January 1 of the year the~~
31 ~~general reassessment begins. If no period is established by the~~
32 ~~department of local government finance, a county assessor may enter~~
33 ~~into such a contract only on or after January 1 and before April 16 of~~
34 ~~the year in which the general reassessment is to commence.~~

35 SECTION 14. IC 6-1.1-4-21, AS AMENDED BY P.L.146-2008,
36 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2012]: Sec. 21. (a) If during a period of general reassessment
38 **under section 4 of this chapter** a county assessor personally makes
39 the real property appraisals, the appraisals of the parcels subject to
40 taxation must be completed as follows:

41 (1) The appraisal of one-fourth (1/4) of the parcels shall be
42 completed before December 1 of the year in which the general

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- reassessment begins.
- (2) The appraisal of one-half (1/2) of the parcels shall be completed before May 1 of the year following the year in which the general reassessment begins.
- (3) The appraisal of three-fourths (3/4) of the parcels shall be completed before October 1 of the year following the year in which the general reassessment begins.
- (4) The appraisal of all the parcels shall be completed before March 1 of the second year following the year in which the general reassessment begins.

(b) If a county assessor employs a professional appraiser or a professional appraisal firm to make real property appraisals during a period of general reassessment, the professional appraiser or appraisal firm must file appraisal reports with the county assessor as follows:

- (1) The appraisals for one-fourth (1/4) of the parcels shall be reported before December 1 of the year in which the general reassessment begins.
- (2) The appraisals for one-half (1/2) of the parcels shall be reported before May 1 of the year following the year in which the general reassessment begins.
- (3) The appraisals for three-fourths (3/4) of the parcels shall be reported before October 1 of the year following the year in which the general reassessment begins.
- (4) The appraisals for all the parcels shall be reported before March 1 of the second year following the year in which the general reassessment begins.

However, the reporting requirements prescribed in this subsection do not apply if the contract under which the professional appraiser, or appraisal firm, is employed prescribes different reporting procedures.

SECTION 15. IC 6-1.1-4-21.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 21.4. (a) The appraisals of the parcels in a group under a county's reassessment plan prepared under section 4.2 of this chapter that are subject to taxation must be completed as follows:**

- (1) The appraisal of one-third (1/3) of the parcels shall be completed before October 1 of the year in which the group's reassessment under the county reassessment plan begins.**
- (2) The appraisal of two-thirds (2/3) of the parcels shall be completed before January 1 of the year following the year in which the group's reassessment under the county reassessment plan begins.**

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1 **(3) The appraisal of all the parcels shall be completed before**
2 **March 1 of the year following the year in which the group's**
3 **reassessment under the county reassessment plan begins.**

4 **(b) If a county assessor employs a professional appraiser or a**
5 **professional appraisal firm to make real property appraisals of a**
6 **group of parcels under a county's reassessment plan, the**
7 **professional appraiser or appraisal firm must file appraisal reports**
8 **with the county assessor by the dates set forth in subsection (a).**

9 SECTION 16. IC 6-1.1-4-22, AS AMENDED BY P.L.136-2009,
10 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JANUARY 1, 2013]: Sec. 22. (a) If any assessing official assesses or
12 reassesses any real property under this article **(including an annual**
13 **adjustment under section 4.5 of this chapter)** the official shall give
14 notice to the taxpayer and the county assessor, by mail **or by using**
15 **electronic mail that includes a secure Internet link to the**
16 **information in the notice,** of the amount of the assessment or
17 reassessment.

18 (b) ~~During a period of general reassessment,~~ Each township or
19 county assessor shall ~~mail~~ **provide** the notice required by this section
20 **within by the earlier of:**

- 21 (1) ninety (90) days after the assessor:
 - 22 (+) **(A)** completes the appraisal of a parcel; or
 - 23 (2) **(B)** receives a report for a parcel from a professional
 - 24 appraiser or professional appraisal firm; **or**
- 25 (2) **April 10 of the year containing the assessment date for**
- 26 **which the assessment or reassessment first applies.**

27 (c) **The notice required by this section is in addition to any**
28 **required notice of assessment or reassessment included in a**
29 **property tax statement under IC 6-1.1-22 or IC 6-1.1-22.5.**

30 ~~(e)~~ (d) The notice required by this section must include notice to the
31 person of the opportunity to appeal the assessed valuation under
32 IC 6-1.1-15-1.

33 ~~(d)~~ (e) Notice of the opportunity to appeal the assessed valuation
34 required under subsection ~~(e)~~ (d) must include the following:

- 35 (1) The procedure that a taxpayer must follow to appeal the
- 36 assessment or reassessment.
- 37 (2) The forms that must be filed for an appeal of the assessment
- 38 or reassessment.
- 39 (3) Notice that an appeal of the assessment or reassessment
- 40 requires evidence relevant to the true tax value of the taxpayer's
- 41 property as of the assessment date.

42 SECTION 17. IC 6-1.1-4-27.5, AS AMENDED BY P.L.172-2011,

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1 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JANUARY 1, 2013]: Sec. 27.5. (a) The auditor of each county shall
3 establish a property reassessment fund. The county treasurer shall
4 deposit all collections resulting from the property taxes that the county
5 levies for the county's property reassessment fund.

6 ~~(b) With respect to the general reassessment of real property that is
7 to commence on July 1, 2010, the county council of each county shall,
8 for property taxes due in 2006, 2007, 2008, and 2009, levy in each year
9 against all the taxable property in the county an amount equal to
10 one-fourth (1/4) of the remainder of:~~

11 ~~(1) the estimated costs referred to in section 28.5(a) of this
12 chapter; minus~~

13 ~~(2) the amount levied under this section by the county council for
14 property taxes due in 2004 and 2005.~~

15 ~~(c) (b) With respect to a general reassessment of real property that
16 is to commence on July 1, 2015, and each fifth year thereafter, under
17 a county's reassessment plan under section 4.2 of this chapter, the
18 county council of each county shall, for property taxes due in the year
19 that the general reassessment is to commence and the four (4) years
20 preceding that each year, levy against all the taxable property in the
21 county an amount equal to one-fifth (1/5) of the estimated costs of the
22 general reassessment under section 28.5 of this chapter for the group
23 of parcels to be reassessed in that year.~~

24 ~~(d) (c) The department of local government finance shall give to
25 each county council notice, before January 1 in a year, of the tax levies
26 required by this section for that year.~~

27 ~~(e) (d) The department of local government finance may raise or
28 lower the property tax levy under this section for a year if the
29 department determines it is appropriate because the estimated cost of:~~

30 ~~(1) a general reassessment of one (1) or more groups of parcels
31 under a county's reassessment plan prepared under section
32 4.2 of this chapter; or~~

33 ~~(2) making annual adjustments under section 4.5 of this chapter;
34 has changed.~~

35 ~~(f) (e) The county assessor may petition the county fiscal body to
36 increase the levy under subsection (b) or (c) to pay for the costs of:~~

37 ~~(1) a general reassessment of one (1) or more groups of parcels
38 under a county's reassessment plan prepared under section
39 4.2 of this chapter;~~

40 ~~(2) verification under 50 IAC 21-3-2 of sales disclosure forms
41 forwarded to the county assessor under IC 6-1.1-5.5-3; or~~

42 ~~(3) processing annual adjustments under section 4.5 of this~~

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1 chapter.
 2 The assessor must document the needs and reasons for the increased
 3 funding.
 4 ~~(g)~~ **(f)** If the county fiscal body denies a petition under subsection
 5 ~~(f)~~; **(e)**, the county assessor may appeal to the department of local
 6 government finance. The department of local government finance shall:
 7 (1) hear the appeal; and
 8 (2) determine whether the additional levy is necessary.
 9 SECTION 18. IC 6-1.1-4-28.5, AS AMENDED BY P.L.146-2008,
 10 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JANUARY 1, 2013]: Sec. 28.5. (a) Money assigned to a property
 12 reassessment fund under section 27.5 of this chapter may be used only
 13 to pay the costs of:
 14 (1) the general reassessment of real property **under section 4 of**
 15 **this chapter or reassessment of one (1) or more groups of**
 16 **parcels under a county's reassessment plan prepared under**
 17 **section 4.2 of this chapter**, including the computerization of
 18 assessment records;
 19 (2) payments to assessing officials and hearing officers for county
 20 property tax assessment boards of appeals under IC 6-1.1-35.2;
 21 (3) the development or updating of detailed soil survey data by
 22 the United States Department of Agriculture or its successor
 23 agency;
 24 (4) the updating of plat books;
 25 (5) payments for the salary of permanent staff or for the
 26 contractual services of temporary staff who are necessary to assist
 27 assessing officials;
 28 (6) making annual adjustments under section 4.5 of this chapter;
 29 and
 30 (7) the verification under 50 IAC 21-3-2 of sales disclosure forms
 31 forwarded to:
 32 (A) the county assessor; or
 33 (B) township assessors (if any);
 34 under IC 6-1.1-5.5-3.
 35 Money in a property tax reassessment fund may not be transferred or
 36 reassigned to any other fund and may not be used for any purposes
 37 other than those set forth in this section.
 38 (b) All counties shall use modern, detailed soil maps in the ~~general~~
 39 reassessment of agricultural land.
 40 (c) The county treasurer of each county shall, in accordance with
 41 IC 5-13-9, invest any money accumulated in the property reassessment
 42 fund. Any interest received from investment of the money shall be paid

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1 into the property reassessment fund.
 2 (d) An appropriation under this section must be approved by the
 3 fiscal body of the county after the review and recommendation of the
 4 county assessor. However, in a county with a township assessor in
 5 every township, the county assessor does not review an appropriation
 6 under this section, and only the fiscal body must approve an
 7 appropriation under this section.
 8 SECTION 19. IC 6-1.1-4-29, AS AMENDED BY P.L.146-2008,
 9 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JANUARY 1, 2013]: Sec. 29. (a) The expenses of a reassessment,
 11 except those incurred by the department of local government finance
 12 in performing its normal functions, shall be paid by the county in which
 13 the reassessed property is situated. These expenses, except for the
 14 expenses of:
 15 (1) a general reassessment of real property under section 4 of
 16 this chapter; or
 17 (2) reassessments of a group of parcels under a county's
 18 reassessment plan prepared under section 4.2 of this chapter;
 19 shall be paid from county funds. The county auditor shall issue
 20 warrants for the payment of reassessment expenses. No prior
 21 appropriations are required in order for the auditor to issue warrants.
 22 (b) An order of the department of local government finance
 23 directing the reassessment of property shall contain an estimate of the
 24 cost of making the reassessment. The assessing officials in the county,
 25 the county property tax assessment board of appeals, and the county
 26 auditor may not exceed the amount so estimated by the department of
 27 local government finance.
 28 SECTION 20. IC 6-1.1-4-30 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JANUARY 1, 2013]: Sec. 30. (a) In making
 30 any assessment or reassessment of real property in the interim between
 31 general reassessments **under section 4 of this chapter**, the rules,
 32 regulations, and standards for assessment are the same as those used in
 33 the preceding general reassessment.
 34 (b) **In making any assessment or reassessment of real property**
 35 **between reassessments of that real property under a county's**
 36 **reassessment plan prepared under section 4.2 of this chapter, the**
 37 **rules, regulations, and standards for assessment are the same as**
 38 **those used for that real property in the preceding reassessment of**
 39 **that group of parcels under a county's reassessment plan.**
 40 SECTION 21. IC 6-1.1-4-31, AS AMENDED BY P.L.113-2010,
 41 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JANUARY 1, 2013]: Sec. 31. (a) The department of local government

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1 finance shall periodically check the conduct of:
2 (1) a general reassessment of property **under section 4 of this**
3 **chapter;**
4 **(2) reassessments of a group of parcels under a county's**
5 **reassessment plan prepared under section 4.2 of this chapter;**
6 ~~(2) (3)~~ (3) work required to be performed by local officials under 50
7 IAC 21; and
8 ~~(3) (4)~~ (4) other property assessment activities in the county, as
9 determined by the department.
10 The department of local government finance may inform township
11 assessors (if any), county assessors, and the presidents of county
12 councils in writing if its check reveals that the general reassessment,
13 **the reassessment of a group of parcels under a county's**
14 **reassessment plan prepared under section 4.2 of this chapter,** or
15 other property assessment activities are not being properly conducted,
16 work required to be performed by local officials under 50 IAC 21 is not
17 being properly conducted, or property assessments are not being
18 properly made.
19 (b) The failure of the department of local government finance to
20 inform local officials under subsection (a) shall not be construed as an
21 indication by the department that:
22 (1) the general reassessment **under section 4 of this chapter, a**
23 **reassessment of a group of parcels under a county's**
24 **reassessment plan prepared under section 4.2 of this chapter,**
25 or other property assessment activities are being properly
26 conducted;
27 (2) work required to be performed by local officials under 50
28 IAC 21 is being properly conducted; or
29 (3) property assessments are being properly made.
30 (c) If the department of local government finance:
31 (1) determines under subsection (a) that a general reassessment
32 **under section 4 of this chapter, a reassessment of a group of**
33 **parcels under a county's reassessment plan prepared under**
34 **section 4.2 of this chapter,** or other assessment activities ~~for a~~
35 ~~general reassessment year or any other year~~ are not being properly
36 conducted; and
37 (2) informs:
38 (A) the township assessor (if any) of each affected township;
39 (B) the county assessor; and
40 (C) the president of the county council;
41 in writing under subsection (a);
42 the department may order a state conducted assessment or reassessment

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1 under section 31.5 of this chapter to begin not less than sixty (60) days
2 after the date of the notice under subdivision (2).

3 (d) If the department of local government finance:

4 (1) determines under subsection (a) that work required to be
5 performed by local officials under 50 IAC 21 is not being
6 properly conducted; and

7 (2) informs:

8 (A) the township assessor of each affected township (if any);

9 (B) the county assessor; and

10 (C) the president of the county council;

11 in writing under subsection (a);

12 the department may conduct the work or contract to have the work
13 conducted to begin not less than sixty (60) days after the date of the
14 notice under subdivision (2). If the department determines during the
15 period between the date of the notice under subdivision (2) and the
16 proposed date for beginning the work or having the work conducted
17 that work required to be performed by local officials under 50 IAC 21
18 is being properly conducted, the department may rescind the order.

19 (e) If the department of local government finance contracts to have
20 work conducted under subsection (d), the department shall forward the
21 bill for the services to the county and the county shall pay the bill under
22 the same procedures that apply to county payments of bills for
23 assessment or reassessment services under section 31.5 of this chapter.

24 (f) A county council president who is informed by the department
25 of local government finance under subsection (a) shall provide the
26 information to the board of county commissioners. A board of county
27 commissioners that receives information under this subsection may
28 adopt an ordinance to do either or both of the following:

29 (1) Determine that:

30 (A) the information indicates that the county assessor has
31 failed to perform adequately the duties of county assessor; and

32 (B) by that failure the county assessor forfeits the office of
33 county assessor and is subject to removal from office by an
34 information filed under IC 34-17-2-1(b).

35 (2) Determine that:

36 (A) the information indicates that one (1) or more township
37 assessors in the county have failed to perform adequately the
38 duties of township assessor; and

39 (B) by that failure the township assessor or township assessors
40 forfeit the office of township assessor and are subject to
41 removal from office by an information filed under
42 IC 34-17-2-1(b).



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1 (g) A city-county council that is informed by the department of local
2 government finance under subsection (a) may adopt an ordinance
3 making the determination or determinations referred to in subsection
4 (f).

5 SECTION 22. IC 6-1.1-4-31.5, AS AMENDED BY P.L.146-2008,
6 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JANUARY 1, 2013]: Sec. 31.5. (a) As used in this section,
8 "department" refers to the department of local government finance.

9 (b) If the department makes a determination and informs local
10 officials under section 31(c) of this chapter, the department may order
11 a state conducted assessment or reassessment in the county subject to
12 the time limitation in that subsection.

13 (c) If the department orders a state conducted assessment or
14 reassessment in a county, the department shall assume the duties of the
15 county assessor. Notwithstanding sections 15 and 17 of this chapter, a
16 county assessor subject to an order issued under this section may not
17 assess property or have property assessed for the assessment or general
18 reassessment **under section 4 of this chapter or under a county's**
19 **reassessment plan prepared under section 4.2 of this chapter.** Until
20 the state conducted assessment or reassessment is completed under this
21 section, the assessment or reassessment duties of the county assessor
22 are limited to providing the department or a contractor of the
23 department the support and information requested by the department
24 or the contractor.

25 (d) Before assuming the duties of a county assessor, the department
26 shall transmit a copy of the department's order requiring a state
27 conducted assessment or reassessment to the county assessor, the
28 county fiscal body, the county auditor, and the county treasurer. Notice
29 of the department's actions must be published one (1) time in a
30 newspaper of general circulation published in the county. The
31 department is not required to conduct a public hearing before taking
32 action under this section.

33 (e) A county assessor subject to an order issued under this section
34 shall, at the request of the department or the department's contractor,
35 make available and provide access to all:

- 36 (1) data;
- 37 (2) records;
- 38 (3) maps;
- 39 (4) parcel record cards;
- 40 (5) forms;
- 41 (6) computer software systems;
- 42 (7) computer hardware systems; and

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1 (8) other information;
 2 related to the assessment or reassessment of real property in the county.
 3 The information described in this subsection must be provided at no
 4 cost to the department or the contractor of the department. A failure to
 5 provide information requested under this subsection constitutes a
 6 failure to perform a duty related to an assessment or a general
 7 reassessment **under section 4 of this chapter or under a county's**
 8 **reassessment plan prepared under section 4.2 of this chapter** and
 9 is subject to IC 6-1.1-37-2.

10 (f) The department may enter into a contract with a professional
 11 appraising firm to conduct an assessment or reassessment under this
 12 section. If a county entered into a contract with a professional
 13 appraising firm to conduct the county's assessment or reassessment
 14 before the department orders a state conducted assessment or
 15 reassessment in the county under this section, the contract:
 16 (1) is as valid as if it had been entered into by the department; and
 17 (2) shall be treated as the contract of the department.

18 (g) After receiving the report of assessed values from the appraisal
 19 firm acting under a contract described in subsection (f), the department
 20 shall give notice to the taxpayer and the county assessor, by mail, of the
 21 amount of the assessment or reassessment. The notice of assessment or
 22 reassessment:
 23 (1) is subject to appeal by the taxpayer under section 31.7 of this
 24 chapter; and
 25 (2) must include a statement of the taxpayer's rights under section
 26 31.7 of this chapter.

27 (h) The department shall forward a bill for services provided under
 28 a contract described in subsection (f) to the auditor of the county in
 29 which the state conducted reassessment occurs. The county shall pay
 30 the bill under the procedures prescribed by subsection (i).

31 (i) A county subject to an order issued under this section shall pay
 32 the cost of a contract described in subsection (f), without appropriation,
 33 from the county property reassessment fund. A contractor may
 34 periodically submit bills for partial payment of work performed under
 35 the contract. Notwithstanding any other law, a contractor is entitled to
 36 payment under this subsection for work performed under a contract if
 37 the contractor:
 38 (1) submits to the department a fully itemized, certified bill in the
 39 form required by IC 5-11-10-1 for the costs of the work performed
 40 under the contract;
 41 (2) obtains from the department:
 42 (A) approval of the form and amount of the bill; and

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- 1 (B) a certification that the billed goods and services have been
- 2 received and comply with the contract; and
- 3 (3) files with the county auditor:
- 4 (A) a duplicate copy of the bill submitted to the department;
- 5 (B) proof of the department's approval of the form and amount
- 6 of the bill; and
- 7 (C) the department's certification that the billed goods and
- 8 services have been received and comply with the contract.

9 The department's approval and certification of a bill under subdivision
 10 (2) shall be treated as conclusively resolving the merits of a contractor's
 11 claim. Upon receipt of the documentation described in subdivision (3),
 12 the county auditor shall immediately certify that the bill is true and
 13 correct without further audit and submit the claim to the county
 14 executive. The county executive shall allow the claim, in full, as
 15 approved by the department, without further examination of the merits
 16 of the claim in a regular or special session that is held not less than
 17 three (3) days and not more than seven (7) days after the date the claim
 18 is certified by the county fiscal officer if the procedures in IC 5-11-10-2
 19 are used to approve the claim or the date the claim is placed on the
 20 claim docket under IC 36-2-6-4 if the procedures in IC 36-2-6-4 are
 21 used to approve the claim. Upon allowance of the claim by the county
 22 executive, the county auditor shall immediately issue a warrant or
 23 check for the full amount of the claim approved by the department.
 24 Compliance with this subsection constitutes compliance with
 25 IC 5-11-6-1, IC 5-11-10, and IC 36-2-6. The determination and
 26 payment of a claim in compliance with this subsection is not subject to
 27 remonstrance and appeal. IC 36-2-6-4(f) and IC 36-2-6-9 do not apply
 28 to a claim submitted under this subsection. IC 5-11-10-1.6(d) applies
 29 to a fiscal officer who pays a claim in compliance with this subsection.

30 (j) Notwithstanding IC 4-13-2, a period of seven (7) days is
 31 permitted for each of the following to review and act under IC 4-13-2
 32 on a contract of the department entered into under this section:

- 33 (1) The commissioner of the Indiana department of
- 34 administration.
- 35 (2) The director of the budget agency.
- 36 (3) The attorney general.

37 (k) If money in the county's property reassessment fund is
 38 insufficient to pay for an assessment or reassessment conducted under
 39 this section, the department may increase the tax rate and tax levy of
 40 the county's property reassessment fund to pay the cost and expenses
 41 related to the assessment or reassessment.

42 (l) The department or the contractor of the department shall use the

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1 land values determined under section 13.6 of this chapter for a county
 2 subject to an order issued under this section to the extent that the
 3 department or the contractor finds that the land values reflect the true
 4 tax value of land, as determined under this article and the rules of the
 5 department. If the department or the contractor finds that the land
 6 values determined for the county under section 13.6 of this chapter do
 7 not reflect the true tax value of land, the department or the contractor
 8 shall determine land values for the county that reflect the true tax value
 9 of land, as determined under this article and the rules of the
 10 department. Land values determined under this subsection shall be
 11 used to the same extent as if the land values had been determined under
 12 section 13.6 of this chapter. The department or the contractor of the
 13 department shall notify the county's assessing officials of the land
 14 values determined under this subsection.

15 (m) A contractor of the department may notify the department if:

16 (1) a county auditor fails to:

17 (A) certify the contractor's bill;

18 (B) publish the contractor's claim;

19 (C) submit the contractor's claim to the county executive; or

20 (D) issue a warrant or check for payment of the contractor's
 21 bill;

22 as required by subsection (i) at the county auditor's first legal
 23 opportunity to do so;

24 (2) a county executive fails to allow the contractor's claim as
 25 legally required by subsection (i) at the county executive's first
 26 legal opportunity to do so; or

27 (3) a person or an entity authorized to act on behalf of the county
 28 takes or fails to take an action, including failure to request an
 29 appropriation, and that action or failure to act delays or halts
 30 progress under this section for payment of the contractor's bill.

31 (n) The department, upon receiving notice under subsection (m)
 32 from a contractor of the department, shall:

33 (1) verify the accuracy of the contractor's assertion in the notice
 34 that:

35 (A) a failure occurred as described in subsection (m)(1) or
 36 (m)(2); or

37 (B) a person or an entity acted or failed to act as described in
 38 subsection (m)(3); and

39 (2) provide to the treasurer of state the department's approval
 40 under subsection (i)(2)(A) of the contractor's bill with respect to
 41 which the contractor gave notice under subsection (m).

42 (o) Upon receipt of the department's approval of a contractor's bill

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1 under subsection (n), the treasurer of state shall pay the contractor the
 2 amount of the bill approved by the department from money in the
 3 possession of the state that would otherwise be available for
 4 distribution to the county, including distributions of admissions taxes
 5 or wagering taxes.

6 (p) The treasurer of state shall withhold from the money that would
 7 be distributed under IC 4-33-12-6, IC 4-33-13-5, or any other law to a
 8 county described in a notice provided under subsection (m) the amount
 9 of a payment made by the treasurer of state to the contractor of the
 10 department under subsection (o). Money shall be withheld from any
 11 source payable to the county.

12 (q) Compliance with subsections (m) through (p) constitutes
 13 compliance with IC 5-11-10.

14 (r) IC 5-11-10-1.6(d) applies to the treasurer of state with respect to
 15 the payment made in compliance with subsections (m) through (p).
 16 This subsection and subsections (m) through (p) must be interpreted
 17 liberally so that the state shall, to the extent legally valid, ensure that
 18 the contractual obligations of a county subject to this section are paid.
 19 Nothing in this section shall be construed to create a debt of the state.

20 (s) The provisions of this section are severable as provided in
 21 IC 1-1-1-8(b).

22 SECTION 23. IC 6-1.1-8.5-8, AS AMENDED BY P.L.154-2006,
 23 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JANUARY 1, 2013]: Sec. 8. (a) For purposes of: ~~the~~

25 (1) a general reassessment under IC 6-1.1-4-4;

26 (2) **a reassessment of a group of parcels under a county's**
 27 **reassessment plan prepared under IC 6-1.1-4-4.2;** or

28 (3) a new assessment;

29 the department of local government finance shall assess each industrial
 30 facility in a qualifying county.

31 (b) The following may not assess an industrial facility in a
 32 qualifying county:

33 (1) A county assessor.

34 (2) An assessing official.

35 (3) A county property tax assessment board of appeals.

36 SECTION 24. IC 6-1.1-8.7-3, AS AMENDED BY P.L.113-2010,
 37 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JANUARY 1, 2013]: Sec. 3. (a) ~~Before January 1 of each year that a~~
 39 ~~general reassessment commences under IC 6-1.1-4-4;~~ Two hundred
 40 fifty (250) or more owners of real property in a township may petition
 41 the department to assess the real property of an industrial facility in the
 42 township. ~~for that general reassessment.~~

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1 (b) An industrial company may at any time petition the department
2 to assess the real property of an industrial facility owned or used by the
3 company.

4 (c) Before January 1 of any year, the county assessor of the county
5 in which an industrial facility is located may petition the department to
6 assess the real property of the industrial facility for the assessment date
7 in the following year.

8 SECTION 25. IC 6-1.1-12-19 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JANUARY 1, 2013]: Sec. 19. The deduction
10 from assessed value provided by section 18 of this chapter is first
11 available in the year in which the increase in assessed value resulting
12 from the rehabilitation occurs and shall continue for the following four
13 (4) years. In the sixth (6th) year, the county auditor shall add the
14 amount of the deduction to the assessed value of the real property. A:

- 15 (1) general reassessment of real property **under IC 6-1.1-4-4; or**
16 (2) **reassessment under a county's reassessment plan prepared**
17 **under IC 6-1.1-4-4.2;**

18 which occurs within the five (5) year period of the deduction does not
19 affect the amount of the deduction.

20 SECTION 26. IC 6-1.1-12-23 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JANUARY 1, 2013]: Sec. 23. The deduction
22 from assessed value provided by section 22 of this chapter is first
23 available after the first assessment date following the rehabilitation and
24 shall continue for the taxes first due and payable in the following five
25 (5) years. In the sixth (6th) year, the county auditor shall add the
26 amount of the deduction to the assessed value of the property. Any:

- 27 (1) general reassessment of real property **under IC 6-1.1-4-4; or**
28 (2) **reassessment under a county's reassessment plan prepared**
29 **under IC 6-1.1-4-4.2;**

30 which occurs within the five (5) year period of the deduction does not
31 affect the amount of the deduction.

32 SECTION 27. IC 6-1.1-12.1-4, AS AMENDED BY HEA
33 1009-2012, SECTION 40, IS AMENDED TO READ AS FOLLOWS
34 [EFFECTIVE JANUARY 1, 2013]: Sec. 4. (a) Except as provided in
35 section 2(i)(4) of this chapter, and subject to section 15 of this chapter,
36 the amount of the deduction which the property owner is entitled to
37 receive under section 3 of this chapter for a particular year equals the
38 product of:

- 39 (1) the increase in the assessed value resulting from the
40 rehabilitation or redevelopment; multiplied by
41 (2) either of the following:
42 (A) The percentage prescribed in the table set forth in

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1 subsection (d).
 2 (B) A percentage determined under section 17 of this chapter
 3 if the designating body elects to use an alternative abatement
 4 schedule provided under section 17 of this chapter.

5 (b) The amount of the deduction determined under subsection (a)
 6 shall be adjusted in accordance with this subsection in the following
 7 circumstances:

- 8 (1) If:
 9 (A) a general reassessment of real property **under**
 10 **IC 6-1.1-4-4; or**
 11 (B) a reassessment under a county's reassessment plan
 12 **prepared under IC 6-1.1-4-4.2;**

13 occurs within the particular period of the deduction, the amount
 14 determined under subsection (a)(1) shall be adjusted to reflect the
 15 percentage increase or decrease in assessed valuation that resulted
 16 from the ~~general~~ reassessment.

17 (2) If an appeal of an assessment is approved that results in a
 18 reduction of the assessed value of the redeveloped or rehabilitated
 19 property, the amount of any deduction shall be adjusted to reflect
 20 the percentage decrease that resulted from the appeal.

21 The department of local government finance shall adopt rules under
 22 IC 4-22-2 to implement this subsection.

23 (c) Property owners who had an area designated an urban
 24 development area pursuant to an application filed prior to January 1,
 25 1979, are only entitled to the deduction for the first through the fifth
 26 years as provided in subsection (d)(10). In addition, property owners
 27 who are entitled to a deduction under this chapter pursuant to an
 28 application filed after December 31, 1978, and before January 1, 1986,
 29 are entitled to a deduction for the first through the tenth years, as
 30 provided in subsection (d)(10).

31 (d) The percentage that may be used in calculating the deduction
 32 under subsection (a)(2)(A) is as follows:

- 33 (1) For deductions allowed over a one (1) year period:
 34 YEAR OF DEDUCTION PERCENTAGE
 35 1st 100%
- 36 (2) For deductions allowed over a two (2) year period:
 37 YEAR OF DEDUCTION PERCENTAGE
 38 1st 100%
 39 2nd 50%
- 40 (3) For deductions allowed over a three (3) year period:
 41 YEAR OF DEDUCTION PERCENTAGE
 42 1st 100%

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1	2nd	66%
2	3rd	33%
3	(4) For deductions allowed over a four (4) year period:	
4	YEAR OF DEDUCTION	PERCENTAGE
5	1st	100%
6	2nd	75%
7	3rd	50%
8	4th	25%
9	(5) For deductions allowed over a five (5) year period:	
10	YEAR OF DEDUCTION	PERCENTAGE
11	1st	100%
12	2nd	80%
13	3rd	60%
14	4th	40%
15	5th	20%
16	(6) For deductions allowed over a six (6) year period:	
17	YEAR OF DEDUCTION	PERCENTAGE
18	1st	100%
19	2nd	85%
20	3rd	66%
21	4th	50%
22	5th	34%
23	6th	17%
24	(7) For deductions allowed over a seven (7) year period:	
25	YEAR OF DEDUCTION	PERCENTAGE
26	1st	100%
27	2nd	85%
28	3rd	71%
29	4th	57%
30	5th	43%
31	6th	29%
32	7th	14%
33	(8) For deductions allowed over an eight (8) year period:	
34	YEAR OF DEDUCTION	PERCENTAGE
35	1st	100%
36	2nd	88%
37	3rd	75%
38	4th	63%
39	5th	50%
40	6th	38%
41	7th	25%
42	8th	13%

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1 (9) For deductions allowed over a nine (9) year period:
 2 YEAR OF DEDUCTION PERCENTAGE
 3 1st 100%
 4 2nd 88%
 5 3rd 77%
 6 4th 66%
 7 5th 55%
 8 6th 44%
 9 7th 33%
 10 8th 22%
 11 9th 11%

12 (10) For deductions allowed over a ten (10) year period:
 13 YEAR OF DEDUCTION PERCENTAGE
 14 1st 100%
 15 2nd 95%
 16 3rd 80%
 17 4th 65%
 18 5th 50%
 19 6th 40%
 20 7th 30%
 21 8th 20%
 22 9th 10%
 23 10th 5%

24 SECTION 28. IC 6-1.1-12.1-4.8, AS AMENDED BY P.L.219-2007,
 25 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JANUARY 1, 2013]: Sec. 4.8. (a) A property owner that is an applicant
 27 for a deduction under this section must provide a statement of benefits
 28 to the designating body.

29 (b) If the designating body requires information from the property
 30 owner for the designating body's use in deciding whether to designate
 31 an economic revitalization area, the property owner must provide the
 32 completed statement of benefits form to the designating body before
 33 the hearing required by section 2.5(c) of this chapter. Otherwise, the
 34 property owner must submit the completed statement of benefits form
 35 to the designating body before the occupation of the eligible vacant
 36 building for which the property owner desires to claim a deduction.

37 (c) The department of local government finance shall prescribe a
 38 form for the statement of benefits. The statement of benefits must
 39 include the following information:

- 40 (1) A description of the eligible vacant building that the property
 41 owner or a tenant of the property owner will occupy.
 42 (2) An estimate of the number of individuals who will be

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1 employed or whose employment will be retained by the property
2 owner or the tenant as a result of the occupation of the eligible
3 vacant building, and an estimate of the annual salaries of those
4 individuals.

5 (3) Information regarding efforts by the owner or a previous
6 owner to sell, lease, or rent the eligible vacant building during the
7 period the eligible vacant building was unoccupied.

8 (4) Information regarding the amount for which the eligible
9 vacant building was offered for sale, lease, or rent by the owner
10 or a previous owner during the period the eligible vacant building
11 was unoccupied.

12 (d) With the approval of the designating body, the statement of
13 benefits may be incorporated in a designation application. A statement
14 of benefits is a public record that may be inspected and copied under
15 IC 5-14-3.

16 (e) The designating body must review the statement of benefits
17 required by subsection (a). The designating body shall determine
18 whether an area should be designated an economic revitalization area
19 or whether a deduction should be allowed, after the designating body
20 has made the following findings:

21 (1) Whether the estimate of the number of individuals who will be
22 employed or whose employment will be retained can be
23 reasonably expected to result from the proposed occupation of the
24 eligible vacant building.

25 (2) Whether the estimate of the annual salaries of those
26 individuals who will be employed or whose employment will be
27 retained can be reasonably expected to result from the proposed
28 occupation of the eligible vacant building.

29 (3) Whether any other benefits about which information was
30 requested are benefits that can be reasonably expected to result
31 from the proposed occupation of the eligible vacant building.

32 (4) Whether the occupation of the eligible vacant building will
33 increase the tax base and assist in the rehabilitation of the
34 economic revitalization area.

35 (5) Whether the totality of benefits is sufficient to justify the
36 deduction.

37 A designating body may not designate an area an economic
38 revitalization area or approve a deduction under this section unless the
39 findings required by this subsection are made in the affirmative.

40 (f) Except as otherwise provided in this section, the owner of an
41 eligible vacant building located in an economic revitalization area is
42 entitled to a deduction from the assessed value of the building if the

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1 property owner or a tenant of the property owner occupies the eligible
2 vacant building and uses it for commercial or industrial purposes. The
3 property owner is entitled to the deduction:

4 (1) for the first year in which the property owner or a tenant of the
5 property owner occupies the eligible vacant building and uses it
6 for commercial or industrial purposes; and

7 (2) for subsequent years determined under subsection (g).

8 (g) The designating body shall determine the number of years for
9 which a property owner is entitled to a deduction under this section.
10 However, subject to section 15 of this chapter, the deduction may not
11 be allowed for more than two (2) years. This determination shall be
12 made:

13 (1) as part of the resolution adopted under section 2.5 of this
14 chapter; or

15 (2) by a resolution adopted not more than sixty (60) days after the
16 designating body receives a copy of the property owner's
17 deduction application from the county auditor.

18 A certified copy of a resolution under subdivision (2) shall be sent to
19 the county auditor, who shall make the deduction as provided in section
20 5.3 of this chapter. A determination concerning the number of years the
21 deduction is allowed that is made under subdivision (1) is final and
22 may not be changed by using the procedure under subdivision (2).

23 (h) Except as provided in section 2(i)(5) of this chapter and
24 subsection (k), and subject to section 15 of this chapter, the amount of
25 the deduction the property owner is entitled to receive under this
26 section for a particular year equals the product of:

27 (1) the assessed value of the building or part of the building that
28 is occupied by the property owner or a tenant of the property
29 owner; multiplied by

30 (2) the percentage set forth in the table in subsection (i).

31 (i) The percentage to be used in calculating the deduction under
32 subsection (h) is as follows:

33 (1) For deductions allowed over a one (1) year period:

34 YEAR OF DEDUCTION	PERCENTAGE
35 1st	100%

36 (2) For deductions allowed over a two (2) year period:

37 YEAR OF DEDUCTION	PERCENTAGE
38 1st	100%
39 2nd	50%

40 (j) The amount of the deduction determined under subsection (h)
41 shall be adjusted in accordance with this subsection in the following
42 circumstances:

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1 (1) If:
2 (A) a general reassessment of real property **under**
3 **IC 6-1.1-4-4; or**
4 **(B) a reassessment under a county's reassessment plan**
5 **prepared under IC 6-1.1-4-4.2;**
6 occurs within the period of the deduction, the amount of the
7 assessed value determined under subsection (h)(1) shall be
8 adjusted to reflect the percentage increase or decrease in assessed
9 valuation that resulted from the ~~general~~ reassessment.
10 (2) If an appeal of an assessment is approved and results in a
11 reduction of the assessed value of the property, the amount of a
12 deduction under this section shall be adjusted to reflect the
13 percentage decrease that resulted from the appeal.
14 (k) The maximum amount of a deduction under this section may not
15 exceed the lesser of:
16 (1) the annual amount for which the eligible vacant building was
17 offered for lease or rent by the owner or a previous owner during
18 the period the eligible vacant building was unoccupied; or
19 (2) an amount, as determined by the designating body in its
20 discretion, that is equal to the annual amount for which similar
21 buildings in the county or contiguous counties were leased or
22 rented or offered for lease or rent during the period the eligible
23 vacant building was unoccupied.
24 (l) The department of local government finance may adopt rules
25 under IC 4-22-2 to implement this section.
26 SECTION 29. IC 6-1.1-12.4-2, AS AMENDED BY P.L.146-2008,
27 SECTION 130, IS AMENDED TO READ AS FOLLOWS
28 [EFFECTIVE JANUARY 1, 2013]: Sec. 2. (a) For purposes of this
29 section, an increase in the assessed value of real property is determined
30 in the same manner that an increase in the assessed value of real
31 property is determined for purposes of IC 6-1.1-12.1.
32 (b) This subsection applies only to a development, redevelopment,
33 or rehabilitation that is first assessed after March 1, 2005, and before
34 March 2, 2007. Except as provided in subsection (h) and sections 4, 5,
35 and 8 of this chapter, an owner of real property that:
36 (1) develops, redevelops, or rehabilitates the real property; and
37 (2) creates or retains employment from the development,
38 redevelopment, or rehabilitation;
39 is entitled to a deduction from the assessed value of the real property.
40 (c) Subject to section 14 of this chapter, the deduction under this
41 section is first available in the year in which the increase in assessed
42 value resulting from the development, redevelopment, or rehabilitation

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1 occurs and continues for the following two (2) years. The amount of the
 2 deduction that a property owner may receive with respect to real
 3 property located in a county for a particular year equals the lesser of:

4 (1) two million dollars (\$2,000,000); or

5 (2) the product of:

6 (A) the increase in assessed value resulting from the
 7 development, rehabilitation, or redevelopment; multiplied by

8 (B) the percentage from the following table:

9 YEAR OF DEDUCTION	PERCENTAGE
10 1st	75%
11 2nd	50%
12 3rd	25%

13 (d) A property owner that qualifies for the deduction under this
 14 section must file a notice to claim the deduction in the manner
 15 prescribed by the department of local government finance under rules
 16 adopted by the department of local government finance under
 17 IC 4-22-2 to implement this chapter. The township assessor, or the
 18 county assessor if there is no township assessor for the township, shall:

19 (1) inform the county auditor of the real property eligible for the
 20 deduction as contained in the notice filed by the taxpayer under
 21 this subsection; and

22 (2) inform the county auditor of the deduction amount.

23 (e) The county auditor shall:

24 (1) make the deductions; and

25 (2) notify the county property tax assessment board of appeals of
 26 all deductions approved;

27 under this section.

28 (f) The amount of the deduction determined under subsection (c)(2)
 29 is adjusted to reflect the percentage increase or decrease in assessed
 30 valuation that results from:

31 (1) a general reassessment of real property **under IC 6-1.1-4-4;**

32 **(2) a reassessment under a county's reassessment plan**
 33 **prepared under ~~IC 6-1.1-4-4~~; IC 6-1.1-4-4.2;** or

34 ~~(2)~~ **(3) an annual adjustment under IC 6-1.1-4-4.5.**

35 (g) If an appeal of an assessment is approved that results in a
 36 reduction of the assessed value of the real property, the amount of the
 37 deduction under this section is adjusted to reflect the percentage
 38 decrease that results from the appeal.

39 (h) The deduction under this section does not apply to a facility
 40 listed in IC 6-1.1-12.1-3(e).

41 SECTION 30. IC 6-1.1-13-6 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JANUARY 1, 2013]: Sec. 6. (a) A county

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1 assessor shall inquire into the assessment of the classes of tangible
 2 property in the various townships of the county after March 1 in the
 3 year in which ~~the a~~ general reassessment **under IC 6-1.1-4-4** becomes
 4 effective. The county assessor shall make any changes, whether
 5 increases or decreases, in the assessed values which are necessary in
 6 order to equalize these values in and between the various townships of
 7 the county. In addition, the county assessor shall determine the percent
 8 to be added to or deducted from the assessed values in order to make
 9 a just, equitable, and uniform equalization of assessments in and
 10 between the townships of the county.

11 **(b) A county assessor shall inquire into the assessment of the**
 12 **classes of tangible property in the group of parcels under a**
 13 **county's reassessment plan prepared under IC 6-1.1-4-4.2 after**
 14 **March 1 in the year in which the reassessment of tangible property**
 15 **in that group of parcels becomes effective. The county assessor**
 16 **shall make any changes, whether increases or decreases, in the**
 17 **assessed values that are necessary in order to equalize these values**
 18 **in that group. In addition, the county assessor shall determine the**
 19 **percent to be added to or deducted from the assessed values in**
 20 **order to make a just, equitable, and uniform equalization of**
 21 **assessments in that group.**

22 SECTION 31. IC 6-1.1-13-7 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JANUARY 1, 2013]: Sec. 7. If a county
 24 assessor proposes to change assessments under section 6 of this
 25 chapter, the property tax assessment board of appeals shall hold a
 26 hearing on the proposed changes before July 15 in the year in which a
 27 ~~general assessment~~ **the reassessment** is to commence. It is sufficient
 28 notice of the hearing and of any changes in assessments ordered by the
 29 board subsequent to the hearing if the board gives notice by publication
 30 once either in:

- 31 (1) two (2) newspapers which represent different political parties
- 32 and which are published in the county; or
- 33 (2) one (1) newspaper only, if two (2) newspapers which
- 34 represent different political parties are not published in the
- 35 county.

36 SECTION 32. IC 6-1.1-15-4, AS AMENDED BY P.L.219-2007,
 37 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JANUARY 1, 2013]: Sec. 4. (a) After receiving a petition for review
 39 which is filed under section 3 of this chapter, the Indiana board shall
 40 conduct a hearing at its earliest opportunity. The Indiana board may
 41 correct any errors that may have been made and adjust the assessment
 42 or exemption in accordance with the correction.

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1 (b) If the Indiana board conducts a site inspection of the property as
 2 part of its review of the petition, the Indiana board shall give notice to
 3 all parties of the date and time of the site inspection. The Indiana board
 4 is not required to assess the property in question. The Indiana board
 5 shall give notice of the date fixed for the hearing, by mail, to the
 6 taxpayer and to the county assessor. The Indiana board shall give these
 7 notices at least thirty (30) days before the day fixed for the hearing
 8 unless the parties agree to a shorter period. With respect to a petition
 9 for review filed by a county assessor, the county board that made the
 10 determination under review under this section may file an amicus
 11 curiae brief in the review proceeding under this section. The expenses
 12 incurred by the county board in filing the amicus curiae brief shall be
 13 paid from the property reassessment fund under IC 6-1.1-4-27.5. The
 14 executive of a taxing unit may file an amicus curiae brief in the review
 15 proceeding under this section if the property whose assessment or
 16 exemption is under appeal is subject to assessment by that taxing unit.

17 (c) If a petition for review does not comply with the Indiana board's
 18 instructions for completing the form prescribed under section 3 of this
 19 chapter, the Indiana board shall return the petition to the petitioner and
 20 include a notice describing the defect in the petition. The petitioner
 21 then has thirty (30) days from the date on the notice to cure the defect
 22 and file a corrected petition. The Indiana board shall deny a corrected
 23 petition for review if it does not substantially comply with the Indiana
 24 board's instructions for completing the form prescribed under section
 25 3 of this chapter.

26 (d) After the hearing, the Indiana board shall give the taxpayer, the
 27 county assessor, and any entity that filed an amicus curiae brief:

- 28 (1) notice, by mail, of its final determination; and
- 29 (2) for parties entitled to appeal the final determination, notice of
 30 the procedures they must follow in order to obtain court review
 31 under section 5 of this chapter.

32 (e) Except as provided in subsection (f), the Indiana board shall
 33 conduct a hearing not later than nine (9) months after a petition in
 34 proper form is filed with the Indiana board, excluding any time due to
 35 a delay reasonably caused by the petitioner.

36 (f) With respect to an appeal of a real property assessment that takes
 37 effect on the assessment date on which a ~~general~~ reassessment of real
 38 property takes effect under IC 6-1.1-4-4 or **IC 6-1.1-4-4.2**, the Indiana
 39 board shall conduct a hearing not later than one (1) year after a petition
 40 in proper form is filed with the Indiana board, excluding any time due
 41 to a delay reasonably caused by the petitioner.

42 (g) Except as provided in subsection (h), the Indiana board shall

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1 make a determination not later than the later of:

2 (1) ninety (90) days after the hearing; or

3 (2) the date set in an extension order issued by the Indiana board.

4 (h) With respect to an appeal of a real property assessment that
5 takes effect on the assessment date on which a ~~general~~ reassessment of
6 real property takes effect under IC 6-1.1-4-4 or **IC 6-1.1-4-4.2**, the
7 Indiana board shall make a determination not later than the later of:

8 (1) one hundred eighty (180) days after the hearing; or

9 (2) the date set in an extension order issued by the Indiana board.

10 (i) The Indiana board may not extend the final determination date
11 under subsection (g) or (h) by more than one hundred eighty (180)
12 days. If the Indiana board fails to make a final determination within the
13 time allowed by this section, the entity that initiated the petition may:

14 (1) take no action and wait for the Indiana board to make a final
15 determination; or

16 (2) petition for judicial review under section 5 of this chapter.

17 (j) A final determination must include separately stated findings of
18 fact for all aspects of the determination. Findings of ultimate fact must
19 be accompanied by a concise statement of the underlying basic facts of
20 record to support the findings. Findings must be based exclusively
21 upon the evidence on the record in the proceeding and on matters
22 officially noticed in the proceeding. Findings must be based upon a
23 preponderance of the evidence.

24 (k) The Indiana board may limit the scope of the appeal to the issues
25 raised in the petition and the evaluation of the evidence presented to
26 the county board in support of those issues only if all parties
27 participating in the hearing required under subsection (a) agree to the
28 limitation. A party participating in the hearing required under
29 subsection (a) is entitled to introduce evidence that is otherwise proper
30 and admissible without regard to whether that evidence has previously
31 been introduced at a hearing before the county board.

32 (l) The Indiana board may require the parties to the appeal:

33 (1) to file not more than five (5) business days before the date of
34 the hearing required under subsection (a) documentary evidence
35 or summaries of statements of testimonial evidence; and

36 (2) to file not more than fifteen (15) business days before the date
37 of the hearing required under subsection (a) lists of witnesses and
38 exhibits to be introduced at the hearing.

39 (m) A party to a proceeding before the Indiana board shall provide
40 to all other parties to the proceeding the information described in
41 subsection (l) if the other party requests the information in writing at
42 least ten (10) days before the deadline for filing of the information

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- 1 under subsection (l).
- 2 (n) The Indiana board may base its final determination on a
- 3 stipulation between the respondent and the petitioner. If the final
- 4 determination is based on a stipulated assessed valuation of tangible
- 5 property, the Indiana board may order the placement of a notation on
- 6 the permanent assessment record of the tangible property that the
- 7 assessed valuation was determined by stipulation. The Indiana board
- 8 may:
- 9 (1) order that a final determination under this subsection has no
- 10 precedential value; or
- 11 (2) specify a limited precedential value of a final determination
- 12 under this subsection.
- 13 SECTION 33. IC 6-1.1-17-1, AS AMENDED BY P.L.1-2010,
- 14 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 15 JANUARY 1, 2013]: Sec. 1. (a) On or before August 1 of each year,
- 16 the county auditor shall send a certified statement, under the seal of the
- 17 board of county commissioners, to the fiscal officer of each political
- 18 subdivision of the county and the department of local government
- 19 finance. The statement shall contain:
- 20 (1) information concerning the assessed valuation in the political
- 21 subdivision for the next calendar year;
- 22 (2) an estimate of the taxes to be distributed to the political
- 23 subdivision during the last six (6) months of the current calendar
- 24 year;
- 25 (3) the current assessed valuation as shown on the abstract of
- 26 charges;
- 27 (4) the average growth in assessed valuation in the political
- 28 subdivision over the preceding three (3) budget years, ~~excluding~~
- 29 ~~years in which a general reassessment occurs, determined~~
- 30 **adjusted** according to procedures established by the department
- 31 of local government finance **to account for reassessment under**
- 32 **IC 6-1.1-4-4 or IC 6-1.1-4-4.2;**
- 33 (5) the amount of the political subdivision's assessed valuation
- 34 reduction determined under section 0.5(d) of this chapter;
- 35 (6) for counties with taxing units that cross into or intersect with
- 36 other counties, the assessed valuation as shown on the most
- 37 current abstract of property; and
- 38 (7) any other information at the disposal of the county auditor that
- 39 might affect the assessed value used in the budget adoption
- 40 process.
- 41 (b) The estimate of taxes to be distributed shall be based on:
- 42 (1) the abstract of taxes levied and collectible for the current

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1 calendar year, less any taxes previously distributed for the
2 calendar year; and
3 (2) any other information at the disposal of the county auditor
4 which might affect the estimate.

5 (c) The fiscal officer of each political subdivision shall present the
6 county auditor's statement to the proper officers of the political
7 subdivision.

8 (d) Subject to subsection (e), after the county auditor sends a
9 certified statement under subsection (a) or an amended certified
10 statement under this subsection with respect to a political subdivision
11 and before the department of local government finance certifies its
12 action with respect to the political subdivision under section 16(f) of
13 this chapter, the county auditor may amend the information concerning
14 assessed valuation included in the earlier certified statement. The
15 county auditor shall send a certified statement amended under this
16 subsection, under the seal of the board of county commissioners, to:

- 17 (1) the fiscal officer of each political subdivision affected by the
18 amendment; and
- 19 (2) the department of local government finance.

20 (e) Except as provided in subsection (f), before the county auditor
21 makes an amendment under subsection (d), the county auditor must
22 provide an opportunity for public comment on the proposed
23 amendment at a public hearing. The county auditor must give notice of
24 the hearing under IC 5-3-1. If the county auditor makes the amendment
25 as a result of information provided to the county auditor by an assessor,
26 the county auditor shall give notice of the public hearing to the
27 assessor.

28 (f) The county auditor is not required to hold a public hearing under
29 subsection (e) if:

- 30 (1) the amendment under subsection (d) is proposed to correct a
31 mathematical error made in the determination of the amount of
32 assessed valuation included in the earlier certified statement;
- 33 (2) the amendment under subsection (d) is proposed to add to the
34 amount of assessed valuation included in the earlier certified
35 statement assessed valuation of omitted property discovered after
36 the county auditor sent the earlier certified statement; or
- 37 (3) the county auditor determines that the amendment under
38 subsection (d) will not result in an increase in the tax rate or tax
39 rates of the political subdivision.

40 SECTION 34. IC 6-1.1-18-12, AS AMENDED BY P.L.172-2011,
41 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JANUARY 1, 2013]: Sec. 12. (a) For purposes of this section,

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- 1 "maximum rate" refers to the maximum:
- 2 (1) property tax rate or rates; or
- 3 (2) special benefits tax rate or rates;
- 4 referred to in the statutes listed in subsection (d).
- 5 (b) The maximum rate for taxes first due and payable after 2003 is
- 6 the maximum rate that would have been determined under subsection
- 7 (e) for taxes first due and payable in 2003 if subsection (e) had applied
- 8 for taxes first due and payable in 2003.
- 9 (c) The maximum rate must be adjusted each year to account for the
- 10 change in assessed value of real property that results from:
- 11 (1) an annual adjustment of the assessed value of real property
- 12 under IC 6-1.1-4-4.5; ~~or~~
- 13 (2) a general reassessment of real property under IC 6-1.1-4-4; **or**
- 14 **(3) a reassessment under a county's reassessment plan**
- 15 **prepared under IC 6-1.1-4-4.2.**
- 16 (d) The statutes to which subsection (a) refers are:
- 17 (1) IC 8-10-5-17;
- 18 (2) IC 8-22-3-11;
- 19 (3) IC 8-22-3-25;
- 20 (4) IC 12-29-1-1;
- 21 (5) IC 12-29-1-2;
- 22 (6) IC 12-29-1-3;
- 23 (7) IC 12-29-3-6;
- 24 (8) IC 13-21-3-12;
- 25 (9) IC 13-21-3-15;
- 26 (10) IC 14-27-6-30;
- 27 (11) IC 14-33-7-3;
- 28 (12) IC 14-33-21-5;
- 29 (13) IC 15-14-7-4;
- 30 (14) IC 15-14-9-1;
- 31 (15) IC 15-14-9-2;
- 32 (16) IC 16-20-2-18;
- 33 (17) IC 16-20-4-27;
- 34 (18) IC 16-20-7-2;
- 35 (19) IC 16-22-14;
- 36 (20) IC 16-23-1-29;
- 37 (21) IC 16-23-3-6;
- 38 (22) IC 16-23-4-2;
- 39 (23) IC 16-23-5-6;
- 40 (24) IC 16-23-7-2;
- 41 (25) IC 16-23-8-2;
- 42 (26) IC 16-23-9-2;

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- 1 (27) IC 16-41-15-5;
- 2 (28) IC 16-41-33-4;
- 3 (29) IC 20-46-2-3 (before its repeal on January 1, 2009);
- 4 (30) IC 20-46-6-5;
- 5 (31) IC 20-49-2-10;
- 6 (32) IC 36-1-19-1;
- 7 (33) IC 23-14-66-2;
- 8 (34) IC 23-14-67-3;
- 9 (35) IC 36-7-13-4;
- 10 (36) IC 36-7-14-28;
- 11 (37) IC 36-7-15.1-16;
- 12 (38) IC 36-8-19-8.5;
- 13 (39) IC 36-9-6.1-2;
- 14 (40) IC 36-9-17.5-4;
- 15 (41) IC 36-9-27-73;
- 16 (42) IC 36-9-29-31;
- 17 (43) IC 36-9-29.1-15;
- 18 (44) IC 36-10-6-2;
- 19 (45) IC 36-10-7-7;
- 20 (46) IC 36-10-7-8;
- 21 (47) IC 36-10-7.5-19;
- 22 (48) IC 36-10-13-5;
- 23 (49) IC 36-10-13-7;
- 24 (50) IC 36-10-14-4;
- 25 (51) IC 36-12-7-7;
- 26 (52) IC 36-12-7-8;
- 27 (53) IC 36-12-12-10; and
- 28 (54) any statute enacted after December 31, 2003, that:
- 29 (A) establishes a maximum rate for any part of the:
- 30 (i) property taxes; or
- 31 (ii) special benefits taxes;
- 32 imposed by a political subdivision; and
- 33 (B) does not exempt the maximum rate from the adjustment
- 34 under this section.
- 35 (e) The new maximum rate under a statute listed in subsection (d)
- 36 is the tax rate determined under STEP SEVEN of the following STEPS:
- 37 STEP ONE: Determine the maximum rate for the political
- 38 subdivision levying a property tax or special benefits tax under
- 39 the statute for the year preceding the year in which the annual
- 40 adjustment or ~~general~~ **the reassessment under IC 6-1.1-4-4 or**
- 41 **IC 6-1.1-4-4.2** takes effect.
- 42 STEP TWO: Except as provided in subsection (g), determine the

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1 actual percentage change (rounded to the nearest one-hundredth
 2 percent (0.01%)) in the assessed value (before the adjustment, if
 3 any, under IC 6-1.1-4-4.5) of the taxable property from the year
 4 preceding the year the annual adjustment or ~~general the~~
 5 reassessment **under IC 6-1.1-4-4 or IC 6-1.1-4-4.2** takes effect
 6 to the year that the annual adjustment or ~~general the~~ reassessment
 7 **under IC 6-1.1-4-4 or IC 6-1.1-4-4.2** takes effect.

8 STEP THREE: Determine the three (3) calendar years that
 9 immediately precede the ensuing calendar year and in which a
 10 statewide general reassessment of real property **under**
 11 **IC 6-1.1-4-4** does not first take effect.

12 STEP FOUR: Except as provided in subsection (g), compute
 13 separately, for each of the calendar years determined in STEP
 14 THREE, the actual percentage change (rounded to the nearest
 15 one-hundredth percent (0.01%)) in the assessed value (before the
 16 adjustment, if any, under IC 6-1.1-4-4.5) of the taxable property
 17 from the preceding year.

18 STEP FIVE: Divide the sum of the three (3) quotients computed
 19 in STEP FOUR by three (3).

20 STEP SIX: Determine the greater of the following:

21 (A) Zero (0).

22 (B) The result of the STEP TWO percentage minus the STEP
 23 FIVE percentage.

24 STEP SEVEN: Determine the quotient of the STEP ONE tax rate
 25 divided by the sum of one (1) plus the STEP SIX percentage
 26 increase.

27 (f) The department of local government finance shall compute the
 28 maximum rate allowed under subsection (e) and provide the rate to
 29 each political subdivision with authority to levy a tax under a statute
 30 listed in subsection (d).

31 (g) This subsection applies to STEP TWO and STEP FOUR of
 32 subsection (e) for taxes first due and payable after 2011. If the assessed
 33 value change used in the STEPS was not an increase, the STEPS are
 34 applied using instead:

35 (1) the actual percentage decrease (rounded to the nearest
 36 one-hundredth percent (0.01%)) in the assessed value (before the
 37 adjustment, if any, under IC 6-1.1-4-4.5) of the taxable property;
 38 or

39 (2) zero (0) if the assessed value did not increase or decrease.

40 SECTION 35. IC 6-1.1-18-13, AS AMENDED BY P.L.219-2007,
 41 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JANUARY 1, 2013]: Sec. 13. (a) The maximum property tax rate

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1 levied under IC 20-46-6 by each school corporation for the school
 2 corporation's capital projects fund must be adjusted each year to
 3 account for the change in assessed value of real property that results
 4 from:

5 (1) an annual adjustment of the assessed value of real property
 6 under IC 6-1.1-4-4.5; or

7 (2) a general reassessment of real property under IC 6-1.1-4-4; or

8 **(3) a reassessment under a county's reassessment plan**
 9 **prepared under IC 6-1.1-4-4.2.**

10 (b) The new maximum rate under this section is the tax rate
 11 determined under STEP SEVEN of the following formula:

12 STEP ONE: Determine the maximum rate for the school
 13 corporation for the year preceding the year in which the annual
 14 adjustment or ~~general the~~ reassessment **under IC 6-1.1-4-4 or**
 15 **IC 6-1.1-4-4.2** takes effect.

16 STEP TWO: Determine the actual percentage increase (rounded
 17 to the nearest one-hundredth percent (0.01%)) in the assessed
 18 value (before the adjustment, if any, under IC 6-1.1-4-4.5) of the
 19 taxable property from the year preceding the year the annual
 20 adjustment or ~~general the~~ reassessment **under IC 6-1.1-4-4 or**
 21 **IC 6-1.1-4-4.2** takes effect to the year that the annual adjustment
 22 or ~~general the~~ reassessment is effective.

23 STEP THREE: Determine the three (3) calendar years that
 24 immediately precede the ensuing calendar year and in which a
 25 statewide general reassessment of real property **under**
 26 **IC 6-1.1-4-4** does not first become effective.

27 STEP FOUR: Compute separately, for each of the calendar years
 28 determined in STEP THREE, the actual percentage increase
 29 (rounded to the nearest one-hundredth percent (0.01%)) in the
 30 assessed value (before the adjustment, if any, under
 31 IC 6-1.1-4-4.5) of the taxable property from the preceding year.

32 STEP FIVE: Divide the sum of the three (3) quotients computed
 33 in STEP FOUR by three (3).

34 STEP SIX: Determine the greater of the following:

35 (A) Zero (0).

36 (B) The result of the STEP TWO percentage minus the STEP
 37 FIVE percentage.

38 STEP SEVEN: Determine the quotient of the STEP ONE tax rate
 39 divided by the sum of one (1) plus the STEP SIX percentage
 40 increase.

41 (c) The department of local government finance shall compute the
 42 maximum rate allowed under subsection (b) and provide the rate to

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1 each school corporation.
 2 SECTION 36. IC 6-1.1-18.5-9.8, AS AMENDED BY P.L.172-2011,
 3 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JANUARY 1, 2013]: Sec. 9.8. (a) For purposes of determining the
 5 property tax levy limit imposed on a city, town, or county under section
 6 3 of this chapter, the city, town, or county's ad valorem property tax
 7 levy for a particular calendar year does not include an amount equal to
 8 the lesser of:
 9 (1) the amount of ad valorem property taxes that would be first
 10 due and payable to the city, town, or county during the ensuing
 11 calendar year if the taxing unit imposed the maximum permissible
 12 property tax rate per one hundred dollars (\$100) of assessed
 13 valuation that the civil taxing unit may impose for the particular
 14 calendar year under the authority of IC 36-9-14.5 (in the case of
 15 a county) or IC 36-9-15.5 (in the case of a city or town); or
 16 (2) the excess, if any, of:
 17 (A) the property taxes imposed by the city, town, or county
 18 under the authority of:
 19 IC 3-11-6-9;
 20 IC 8-16-3;
 21 IC 8-16-3.1;
 22 IC 8-22-3-25;
 23 IC 14-27-6-48;
 24 IC 14-33-9-3;
 25 IC 16-22-8-41;
 26 IC 16-22-5-2 through IC 16-22-5-15;
 27 IC 16-23-1-40;
 28 IC 36-8-14;
 29 IC 36-9-4-48;
 30 IC 36-9-14;
 31 IC 36-9-14.5;
 32 IC 36-9-15;
 33 IC 36-9-15.5;
 34 IC 36-9-16;
 35 IC 36-9-16.5;
 36 IC 36-9-17;
 37 IC 36-9-26;
 38 IC 36-9-27-100;
 39 IC 36-10-3-21; or
 40 IC 36-10-4-36;
 41 that are first due and payable during the ensuing calendar year;
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1 (B) the property taxes imposed by the city, town, or county
 2 under the authority of the citations listed in clause (A) that
 3 were first due and payable during calendar year 1984.
 4 (b) The maximum property tax rate levied under the statutes listed
 5 in subsection (a) must be adjusted each year to account for the change
 6 in assessed value of real property that results from:
 7 (1) an annual adjustment of the assessed value of real property
 8 under IC 6-1.1-4-4.5; ~~or~~
 9 (2) a general reassessment of real property under IC 6-1.1-4-4; **or**
 10 **(3) a reassessment under a county's reassessment plan**
 11 **prepared under IC 6-1.1-4-4.2.**
 12 (c) The new maximum rate under a statute listed in subsection (a)
 13 is the tax rate determined under STEP SEVEN of the following
 14 formula:
 15 STEP ONE: Determine the maximum rate for the political
 16 subdivision levying a property tax under the statute for the year
 17 preceding the year in which the annual adjustment or ~~general the~~
 18 ~~reassessment under IC 6-1.1-4-4 or IC 6-1.1-4-4.2~~ takes effect.
 19 STEP TWO: Subject to subsection (e), determine the actual
 20 percentage change (rounded to the nearest one-hundredth percent
 21 (0.01%)) in the assessed value (before the adjustment, if any,
 22 under IC 6-1.1-4-4.5) of the taxable property from the year
 23 preceding the year the annual adjustment or ~~general the~~
 24 ~~reassessment under IC 6-1.1-4-4 or IC 6-1.1-4-4.2~~ takes effect
 25 to the year that the annual adjustment or ~~general the~~ reassessment
 26 is effective.
 27 STEP THREE: Determine the three (3) calendar years that
 28 immediately precede the ensuing calendar year and in which a
 29 statewide general reassessment of real property ~~under~~
 30 ~~IC 6-1.1-4-4~~ does not first become effective.
 31 STEP FOUR: Subject to subsection (e), compute separately, for
 32 each of the calendar years determined in STEP THREE, the actual
 33 percentage change (rounded to the nearest one-hundredth percent
 34 (0.01%)) in the assessed value (before the adjustment, if any,
 35 under IC 6-1.1-4-4.5) of the taxable property from the preceding
 36 year.
 37 STEP FIVE: Divide the sum of the three (3) quotients computed
 38 in STEP FOUR by three (3).
 39 STEP SIX: Determine the greater of the following:
 40 (A) Zero (0).
 41 (B) The result of the STEP TWO percentage minus the STEP
 42 FIVE percentage.

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- 1 STEP SEVEN: Determine the quotient of the STEP ONE tax rate
 2 divided by the sum of one (1) plus the STEP SIX percentage
 3 increase.
- 4 (d) The department of local government finance shall compute the
 5 maximum rate allowed under subsection (c) and provide the rate to
 6 each political subdivision with authority to levy a tax under a statute
 7 listed in subsection (a).
- 8 (e) This subsection applies to STEP TWO and STEP FOUR of
 9 subsection (c) for taxes first due and payable after 2011. If the assessed
 10 value change used in the STEPS was not an increase, the STEPS are
 11 applied using instead:
- 12 (1) the actual percentage decrease (rounded to the nearest
 13 one-hundredth percent (0.01%)) in the assessed value (before the
 14 adjustment, if any, under IC 6-1.1-4-4.5) of the taxable property;
 15 or
- 16 (2) zero (0) if the assessed value did not increase or decrease.
- 17 SECTION 37. IC 6-1.1-18.5-10, AS AMENDED BY
 18 P.L.182-2009(ss), SECTION 128, IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JANUARY 1, 2013]: Sec. 10. (a) The ad
 20 valorem property tax levy limits imposed by section 3 of this chapter
 21 do not apply to ad valorem property taxes imposed by a civil taxing
 22 unit to be used to fund:
- 23 (1) community mental health centers under:
- 24 (A) IC 12-29-2-1.2, for only those civil taxing units that
 25 authorized financial assistance under IC 12-29-1 before 2002
 26 for a community mental health center as long as the tax levy
 27 under this section does not exceed the levy authorized in 2002;
 28 (B) IC 12-29-2-2 through IC 12-29-2-5; and
 29 (C) IC 12-29-2-13; or
- 30 (2) community mental retardation and other developmental
 31 disabilities centers under IC 12-29-1-1;
- 32 to the extent that those property taxes are attributable to any increase
 33 in the assessed value of the civil taxing unit's taxable property caused
 34 by a general reassessment of real property **under IC 6-1.1-4-4 or a**
 35 **reassessment of real property under a reassessment plan prepared**
 36 **under IC 6-1.1-4-4.2** that took effect after February 28, 1979.
- 37 (b) For purposes of computing the ad valorem property tax levy
 38 limits imposed on a civil taxing unit by section 3 of this chapter, the
 39 civil taxing unit's ad valorem property tax levy for a particular calendar
 40 year does not include that part of the levy described in subsection (a).
- 41 (c) This subsection applies to property taxes first due and payable
 42 after December 31, 2008. Notwithstanding subsections (a) and (b) or

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1 any other law, any property taxes imposed by a civil taxing unit that are
2 exempted by this section from the ad valorem property tax levy limits
3 imposed by section 3 of this chapter may not increase annually by a
4 percentage greater than the result of:

5 (1) the assessed value growth quotient determined under section
6 2 of this chapter; minus

7 (2) one (1).

8 (d) For a county that:

9 (1) did not impose an ad valorem property tax levy in 2008 for the
10 county general fund to provide financial assistance under
11 IC 12-29-1 (community mental retardation and other
12 developmental disabilities center) or IC 12-29-2 (community
13 mental health center); and

14 (2) determines for 2009 or a later calendar year to impose a levy
15 as described in subdivision (1);

16 the ad valorem property tax levy limits imposed under section 3 of this
17 chapter do not apply to the part of the county's general fund levy that
18 is used in the first calendar year for which a determination is made
19 under subdivision (2) to provide financial assistance under IC 12-29-1
20 or IC 12-29-2. The department of local government finance shall
21 review a county's proposed budget that is submitted under IC 12-29-1-1
22 or IC 12-29-2-1.2 and make a final determination of the amount to
23 which the levy limits do not apply under this subsection for the first
24 calendar year for which a determination is made under subdivision (2).

25 (e) The ad valorem property tax levy limits imposed under section
26 3 of this chapter do not apply to the county's general fund levy in the
27 amount determined by the department of local government finance
28 under subsection (d) in each calendar year following the calendar year
29 for which the determination under subsection (b) is made.

30 SECTION 38. IC 6-1.1-18.5-13, AS AMENDED BY P.L.172-2011,
31 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JANUARY 1, 2013]: Sec. 13. (a) With respect to an appeal filed under
33 section 12 of this chapter, the department may find that a civil taxing
34 unit should receive any one (1) or more of the following types of relief:

35 (1) Permission to the civil taxing unit to increase its levy in excess
36 of the limitations established under section 3 of this chapter, if in
37 the judgment of the department the increase is reasonably
38 necessary due to increased costs of the civil taxing unit resulting
39 from annexation, consolidation, or other extensions of
40 governmental services by the civil taxing unit to additional
41 geographic areas or persons. With respect to annexation,
42 consolidation, or other extensions of governmental services in a

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1 calendar year, if those increased costs are incurred by the civil
 2 taxing unit in that calendar year and more than one (1)
 3 immediately succeeding calendar year, the unit may appeal under
 4 section 12 of this chapter for permission to increase its levy under
 5 this subdivision based on those increased costs in any of the
 6 following:

7 (A) The first calendar year in which those costs are incurred.

8 (B) One (1) or more of the immediately succeeding four (4)
 9 calendar years.

10 (2) A levy increase may not be granted under this subdivision for
 11 property taxes first due and payable after December 31, 2008.
 12 Permission to the civil taxing unit to increase its levy in excess of
 13 the limitations established under section 3 of this chapter, if the
 14 local government tax control board finds that the civil taxing unit
 15 needs the increase to meet the civil taxing unit's share of the costs
 16 of operating a court established by statute enacted after December
 17 31, 1973. Before recommending such an increase, the local
 18 government tax control board shall consider all other revenues
 19 available to the civil taxing unit that could be applied for that
 20 purpose. The maximum aggregate levy increases that the local
 21 government tax control board may recommend for a particular
 22 court equals the civil taxing unit's estimate of the unit's share of
 23 the costs of operating a court for the first full calendar year in
 24 which it is in existence. For purposes of this subdivision, costs of
 25 operating a court include:

26 (A) the cost of personal services (including fringe benefits);

27 (B) the cost of supplies; and

28 (C) any other cost directly related to the operation of the court.

29 (3) Permission to the civil taxing unit to increase its levy in excess
 30 of the limitations established under section 3 of this chapter, if the
 31 department finds that the quotient determined under STEP SIX of
 32 the following formula is equal to or greater than one and
 33 two-hundredths (1.02):

34 STEP ONE: Determine the three (3) calendar years that most
 35 immediately precede the ensuing calendar year and in which
 36 a statewide general reassessment of real property ~~or the initial~~
 37 ~~annual adjustment of the assessed value of real property under~~
 38 ~~IC 6-1.1-4-4.5~~ **under IC 6-1.1-4-4** does not first become
 39 effective.

40 STEP TWO: Compute separately, for each of the calendar
 41 years determined in STEP ONE, the quotient (rounded to the
 42 nearest ten-thousandth (0.0001)) of the sum of the civil taxing

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1 unit's total assessed value of all taxable property and:
 2 (i) for a particular calendar year before 2007, the total
 3 assessed value of property tax deductions in the unit under
 4 IC 6-1.1-12-41 or IC 6-1.1-12-42 in the particular calendar
 5 year; or
 6 (ii) for a particular calendar year after 2006, the total
 7 assessed value of property tax deductions that applied in the
 8 unit under IC 6-1.1-12-42 in 2006 plus for a particular
 9 calendar year after 2009, the total assessed value of property
 10 tax deductions that applied in the unit under
 11 IC 6-1.1-12-37.5 in 2008;
 12 divided by the sum determined under this STEP for the
 13 calendar year immediately preceding the particular calendar
 14 year.
 15 STEP THREE: Divide the sum of the three (3) quotients
 16 computed in STEP TWO by three (3).
 17 STEP FOUR: Compute separately, for each of the calendar
 18 years determined in STEP ONE, the quotient (rounded to the
 19 nearest ten-thousandth (0.0001)) of the sum of the total
 20 assessed value of all taxable property in all counties and:
 21 (i) for a particular calendar year before 2007, the total
 22 assessed value of property tax deductions in all counties
 23 under IC 6-1.1-12-41 or IC 6-1.1-12-42 in the particular
 24 calendar year; or
 25 (ii) for a particular calendar year after 2006, the total
 26 assessed value of property tax deductions that applied in all
 27 counties under IC 6-1.1-12-42 in 2006 plus for a particular
 28 calendar year after 2009, the total assessed value of property
 29 tax deductions that applied in the unit under
 30 IC 6-1.1-12-37.5 in 2008;
 31 divided by the sum determined under this STEP for the
 32 calendar year immediately preceding the particular calendar
 33 year.
 34 STEP FIVE: Divide the sum of the three (3) quotients
 35 computed in STEP FOUR by three (3).
 36 STEP SIX: Divide the STEP THREE amount by the STEP
 37 FIVE amount.
 38 The civil taxing unit may increase its levy by a percentage not
 39 greater than the percentage by which the STEP THREE amount
 40 exceeds the percentage by which the civil taxing unit may
 41 increase its levy under section 3 of this chapter based on the
 42 assessed value growth quotient determined under section 2 of this

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1 chapter.
2 (4) A levy increase may not be granted under this subdivision for
3 property taxes first due and payable after December 31, 2008.
4 Permission to the civil taxing unit to increase its levy in excess of
5 the limitations established under section 3 of this chapter, if the
6 local government tax control board finds that the civil taxing unit
7 needs the increase to pay the costs of furnishing fire protection for
8 the civil taxing unit through a volunteer fire department. For
9 purposes of determining a township's need for an increased levy,
10 the local government tax control board shall not consider the
11 amount of money borrowed under IC 36-6-6-14 during the
12 immediately preceding calendar year. However, any increase in
13 the amount of the civil taxing unit's levy recommended by the
14 local government tax control board under this subdivision for the
15 ensuing calendar year may not exceed the lesser of:
16 (A) ten thousand dollars (\$10,000); or
17 (B) twenty percent (20%) of:
18 (i) the amount authorized for operating expenses of a
19 volunteer fire department in the budget of the civil taxing
20 unit for the immediately preceding calendar year; plus
21 (ii) the amount of any additional appropriations authorized
22 during that calendar year for the civil taxing unit's use in
23 paying operating expenses of a volunteer fire department
24 under this chapter; minus
25 (iii) the amount of money borrowed under IC 36-6-6-14
26 during that calendar year for the civil taxing unit's use in
27 paying operating expenses of a volunteer fire department.
28 (5) A levy increase may not be granted under this subdivision for
29 property taxes first due and payable after December 31, 2008.
30 Permission to a civil taxing unit to increase its levy in excess of
31 the limitations established under section 3 of this chapter in order
32 to raise revenues for pension payments and contributions the civil
33 taxing unit is required to make under IC 36-8. The maximum
34 increase in a civil taxing unit's levy that may be recommended
35 under this subdivision for an ensuing calendar year equals the
36 amount, if any, by which the pension payments and contributions
37 the civil taxing unit is required to make under IC 36-8 during the
38 ensuing calendar year exceeds the product of one and one-tenth
39 (1.1) multiplied by the pension payments and contributions made
40 by the civil taxing unit under IC 36-8 during the calendar year that
41 immediately precedes the ensuing calendar year. For purposes of
42 this subdivision, "pension payments and contributions made by a

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civil taxing unit" does not include that part of the payments or contributions that are funded by distributions made to a civil taxing unit by the state.

(6) A levy increase may not be granted under this subdivision for property taxes first due and payable after December 31, 2008. Permission to increase its levy in excess of the limitations established under section 3 of this chapter if the local government tax control board finds that:

(A) the township's township assistance ad valorem property tax rate is less than one and sixty-seven hundredths cents (\$0.0167) per one hundred dollars (\$100) of assessed valuation; and

(B) the township needs the increase to meet the costs of providing township assistance under IC 12-20 and IC 12-30-4.

The maximum increase that the board may recommend for a township is the levy that would result from an increase in the township's township assistance ad valorem property tax rate of one and sixty-seven hundredths cents (\$0.0167) per one hundred dollars (\$100) of assessed valuation minus the township's ad valorem property tax rate per one hundred dollars (\$100) of assessed valuation before the increase.

(7) A levy increase may not be granted under this subdivision for property taxes first due and payable after December 31, 2008. Permission to a civil taxing unit to increase its levy in excess of the limitations established under section 3 of this chapter if:

(A) the increase has been approved by the legislative body of the municipality with the largest population where the civil taxing unit provides public transportation services; and

(B) the local government tax control board finds that the civil taxing unit needs the increase to provide adequate public transportation services.

The local government tax control board shall consider tax rates and levies in civil taxing units of comparable population, and the effect (if any) of a loss of federal or other funds to the civil taxing unit that might have been used for public transportation purposes. However, the increase that the board may recommend under this subdivision for a civil taxing unit may not exceed the revenue that would be raised by the civil taxing unit based on a property tax rate of one cent (\$0.01) per one hundred dollars (\$100) of assessed valuation.

(8) A levy increase may not be granted under this subdivision for property taxes first due and payable after December 31, 2008.

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1 Permission to a civil taxing unit to increase the unit's levy in
 2 excess of the limitations established under section 3 of this
 3 chapter if the local government tax control board finds that:

4 (A) the civil taxing unit is:

5 (i) a county having a population of more than one hundred
 6 forty-eight thousand (148,000) but less than one hundred
 7 seventy thousand (170,000);

8 (ii) a city having a population of more than fifty-five
 9 thousand (55,000) but less than fifty-nine thousand (59,000);

10 (iii) a city having a population of more than twenty-eight
 11 thousand seven hundred (28,700) but less than twenty-nine
 12 thousand (29,000);

13 (iv) a city having a population of more than fifteen thousand
 14 four hundred (15,400) but less than sixteen thousand six
 15 hundred (16,600); or

16 (v) a city having a population of more than seven thousand
 17 (7,000) but less than seven thousand three hundred (7,300);
 18 and

19 (B) the increase is necessary to provide funding to undertake
 20 removal (as defined in IC 13-11-2-187) and remedial action
 21 (as defined in IC 13-11-2-185) relating to hazardous
 22 substances (as defined in IC 13-11-2-98) in solid waste
 23 disposal facilities or industrial sites in the civil taxing unit that
 24 have become a menace to the public health and welfare.

25 The maximum increase that the local government tax control
 26 board may recommend for such a civil taxing unit is the levy that
 27 would result from a property tax rate of six and sixty-seven
 28 hundredths cents (\$0.0667) for each one hundred dollars (\$100)
 29 of assessed valuation. For purposes of computing the ad valorem
 30 property tax levy limit imposed on a civil taxing unit under
 31 section 3 of this chapter, the civil taxing unit's ad valorem
 32 property tax levy for a particular year does not include that part of
 33 the levy imposed under this subdivision. In addition, a property
 34 tax increase permitted under this subdivision may be imposed for
 35 only two (2) calendar years.

36 (9) A levy increase may not be granted under this subdivision for
 37 property taxes first due and payable after December 31, 2008.

38 Permission for a county:

39 (A) having a population of more than eighty thousand (80,000)
 40 but less than ninety thousand (90,000) to increase the county's
 41 levy in excess of the limitations established under section 3 of
 42 this chapter, if the local government tax control board finds

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- 1 that the county needs the increase to meet the county's share of
- 2 the costs of operating a jail or juvenile detention center,
- 3 including expansion of the facility, if the jail or juvenile
- 4 detention center is opened after December 31, 1991;
- 5 (B) that operates a county jail or juvenile detention center that
- 6 is subject to an order that:
 - 7 (i) was issued by a federal district court; and
 - 8 (ii) has not been terminated;
- 9 (C) that operates a county jail that fails to meet:
 - 10 (i) American Correctional Association Jail Construction
 - 11 Standards; and
 - 12 (ii) Indiana jail operation standards adopted by the
 - 13 department of correction; or
- 14 (D) that operates a juvenile detention center that fails to meet
- 15 standards equivalent to the standards described in clause (C)
- 16 for the operation of juvenile detention centers.

17 Before recommending an increase, the local government tax
 18 control board shall consider all other revenues available to the
 19 county that could be applied for that purpose. An appeal for
 20 operating funds for a jail or a juvenile detention center shall be
 21 considered individually, if a jail and juvenile detention center are
 22 both opened in one (1) county. The maximum aggregate levy
 23 increases that the local government tax control board may
 24 recommend for a county equals the county's share of the costs of
 25 operating the jail or a juvenile detention center for the first full
 26 calendar year in which the jail or juvenile detention center is in
 27 operation.

28 (10) A levy increase may not be granted under this subdivision for
 29 property taxes first due and payable after December 31, 2008.
 30 Permission for a township to increase its levy in excess of the
 31 limitations established under section 3 of this chapter, if the local
 32 government tax control board finds that the township needs the
 33 increase so that the property tax rate to pay the costs of furnishing
 34 fire protection for a township, or a portion of a township, enables
 35 the township to pay a fair and reasonable amount under a contract
 36 with the municipality that is furnishing the fire protection.
 37 However, for the first time an appeal is granted the resulting rate
 38 increase may not exceed fifty percent (50%) of the difference
 39 between the rate imposed for fire protection within the
 40 municipality that is providing the fire protection to the township
 41 and the township's rate. A township is required to appeal a second
 42 time for an increase under this subdivision if the township wants

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1 to further increase its rate. However, a township's rate may be
 2 increased to equal but may not exceed the rate that is used by the
 3 municipality. More than one (1) township served by the same
 4 municipality may use this appeal.

5 (11) A levy increase may not be granted under this subdivision for
 6 property taxes first due and payable after December 31, 2008.
 7 Permission for a township to increase its levy in excess of the
 8 limitations established under section 3 of this chapter, if the local
 9 government tax control board finds that the township has been
 10 required, for the three (3) consecutive years preceding the year for
 11 which the appeal under this subdivision is to become effective, to
 12 borrow funds under IC 36-6-6-14 to furnish fire protection for the
 13 township or a part of the township. However, the maximum
 14 increase in a township's levy that may be allowed under this
 15 subdivision is the least of the amounts borrowed under
 16 IC 36-6-6-14 during the preceding three (3) calendar years. A
 17 township may elect to phase in an approved increase in its levy
 18 under this subdivision over a period not to exceed three (3) years.
 19 A particular township may appeal to increase its levy under this
 20 section not more frequently than every fourth calendar year.

21 (12) Permission to a city having a population of more than
 22 twenty-nine thousand (29,000) but less than thirty-one thousand
 23 (31,000) to increase its levy in excess of the limitations
 24 established under section 3 of this chapter if:

25 (A) an appeal was granted to the city under this section to
 26 reallocate property tax replacement credits under IC 6-3.5-1.1
 27 in 1998, 1999, and 2000; and

28 (B) the increase has been approved by the legislative body of
 29 the city, and the legislative body of the city has by resolution
 30 determined that the increase is necessary to pay normal
 31 operating expenses.

32 The maximum amount of the increase is equal to the amount of
 33 property tax replacement credits under IC 6-3.5-1.1 that the city
 34 petitioned under this section to have reallocated in 2001 for a
 35 purpose other than property tax relief.

36 (13) A levy increase may be granted under this subdivision only
 37 for property taxes first due and payable after December 31, 2008.
 38 Permission to a civil taxing unit to increase its levy in excess of
 39 the limitations established under section 3 of this chapter if the
 40 civil taxing unit cannot carry out its governmental functions for
 41 an ensuing calendar year under the levy limitations imposed by
 42 section 3 of this chapter due to a natural disaster, an accident, or

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1 another unanticipated emergency.
 2 (14) Permission to Jefferson County to increase its levy in excess
 3 of the limitations established under section 3 of this chapter if the
 4 department finds that the county experienced a property tax
 5 revenue shortfall that resulted from an erroneous estimate of the
 6 effect of the supplemental deduction under IC 6-1.1-12-37.5 on
 7 the county's assessed valuation. An appeal for a levy increase
 8 under this subdivision may not be denied because of the amount
 9 of cash balances in county funds. The maximum increase in the
 10 county's levy that may be approved under this subdivision is three
 11 hundred thousand dollars (\$300,000).

12 (b) The department of local government finance shall increase the
 13 maximum permissible ad valorem property tax levy under section 3 of
 14 this chapter for the city of Goshen for 2012 and thereafter by an
 15 amount equal to the greater of zero (0) or the result of:

16 (1) the city's total pension costs in 2009 for the 1925 police
 17 pension fund (IC 36-8-6) and the 1937 firefighters' pension fund
 18 (IC 36-8-7); minus

19 (2) the sum of:
 20 (A) the total amount of state funds received in 2009 by the city
 21 and used to pay benefits to members of the 1925 police
 22 pension fund (IC 36-8-6) or the 1937 firefighters' pension fund
 23 (IC 36-8-7); plus

24 (B) any previous permanent increases to the city's levy that
 25 were authorized to account for the transfer to the state of the
 26 responsibility to pay benefits to members of the 1925 police
 27 pension fund (IC 36-8-6) and the 1937 firefighters' pension
 28 fund (IC 36-8-7).

29 SECTION 39. IC 6-1.1-22.5-20, AS AMENDED BY
 30 P.L.182-2009(ss), SECTION 164, IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 20. For purposes
 32 of a provisional statement under section 6 of this chapter, the
 33 department of local government finance may adopt emergency rules
 34 under IC 4-22-2-37.1 to **do any of the following:**

35 (1) Provide a methodology for a county treasurer to issue
 36 provisional statements with respect to real property, taking into
 37 account new construction of improvements placed on the real
 38 property, damage, and other losses related to the real property:

39 (1) (A) after March 1 of the year preceding the assessment
 40 date to which the provisional statement applies; and

41 (2) (B) before the assessment date to which the provisional
 42 statement applies.

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(2) Carry out IC 6-1.1-22.6.
SECTION 40. IC 6-1.1-22.6 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 22.6. Resolution of Multi-Year Delay in Issuance of Tax Bills

Sec. 1. As used in this chapter, "covered county" refers to a county that is subject to this chapter.

Sec. 2. As used in this chapter, "delayed property taxes" refers to the following:

- (1) Property taxes imposed for a year for which a reconciliation statement becomes due in a year that the county qualifies as a covered county.
- (2) Property taxes for which a covered county is behind in issuing property tax bills on February 1 in at least one (1) year that the county qualifies as a covered county.
- (3) Property taxes imposed for an assessment date that occurs before the county ceases to be a covered county under section 15 of this chapter.

Sec. 3. As used in this chapter, "eligible taxing unit" refers to the following:

- (1) A city.
- (2) A town.
- (3) A school corporation.
- (4) A library district.

Sec. 4. As used in this chapter, "executive" has the meaning set forth in IC 36-1-2-5.

Sec. 5. As used in this chapter, "department" refers to the department of local government finance.

Sec. 6. As used in this chapter, "property tax bill" refers to:
(1) a property tax statement required by IC 6-1.1-22-8.1; or
(2) a reconciling statement;
that conforms to law.

Sec. 7. As used in this chapter, "property taxes" has the meaning set forth in IC 6-1.1-22.5-3.

Sec. 8. As used in this chapter, "provisional statement" has the meaning set forth in IC 6-1.1-22.5-2.

Sec. 9. As used in this chapter, "reconciling statement" has the meaning set forth in IC 6-1.1-22.5-4.

Sec. 10. As used in this chapter, "settlement date" refers to a settlement date specified in IC 6-1.1-27-1.

Sec. 11. As used in this chapter, "special master" refers to an

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1 individual or entity employed under this chapter to carry out
 2 substantially all of the duties of the county auditor necessary to
 3 issue property tax bills in each year that the county is a covered
 4 county, including the year in which the county ceases to be a
 5 covered county.

6 **Sec. 12.** As used in this chapter, "tax anticipation warrant or
 7 obligation" refers to a loan or other evidence of indebtedness
 8 issued by a taxing unit in anticipation of the collection of delayed
 9 property taxes due to the taxing unit, including evidences of
 10 indebtedness with a term of more than one (1) year and debt
 11 refunding loans or other evidences of indebtedness issued by a
 12 taxing unit in anticipation of the collection of delayed property
 13 taxes due to the taxing unit.

14 **Sec. 13.** A county becomes subject to this chapter if, in a year
 15 after December 31, 2011, the county is at least three (3) years
 16 behind in issuing property tax bills on February 1 of that year.

17 **Sec. 14.** The general assembly finds that LaPorte County
 18 qualified as a county subject to this chapter on February 1, 2012.

19 **Sec. 15.** Subject to section 16 of this chapter, a county ceases to
 20 be subject to this chapter in the year after the county:

21 (1) ceases to be behind in issuing property tax bills for all
 22 previous years; and

23 (2) issues a property tax bill for property taxes due that would
 24 ordinarily be due in the current year before April 26 of the
 25 current year.

26 **Sec. 16.** The termination of a county's status as a covered county
 27 does not relieve the county from making the payments required
 28 under section 18 of this chapter.

29 **Sec. 17. (a)** The county treasurer of a covered county shall
 30 accept payment of property taxes and special assessments made by
 31 debit card, bank card, credit card, or electronic transfer.

32 (b) The county treasurer of a covered county, or another
 33 appropriate official of the covered county, shall contract with a
 34 debit card, bank card, credit card, or electronic transfer vendor for
 35 acceptance of debit cards, bank cards, credit cards, or electronic
 36 transfers for the receipt of tax collections for delayed property
 37 taxes. However, if there is a vendor transaction charge, discount
 38 fee, or other charge, whether billed to the covered county or
 39 charged directly to an account of the covered county, the covered
 40 county or the card or electronic payment service vendor may
 41 collect from the person using the card or electronic payment
 42 service a fee that may not exceed the highest transaction charge or



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1 discount fee charged to the covered county by the card or
 2 electronic payment service vendor during the most recent
 3 collection period. This fee may be collected regardless of any
 4 agreement between the bank and a card or electronic payment
 5 service vendor or regardless of any internal policy of the card or
 6 electronic payment service vendor that may prohibit this type of
 7 fee. The fee is a permitted additional charge under IC 24-4.5-3-202.

8 (c) This section shall not be construed as limiting the authority
 9 of a county to accept payment by debit card, bank card, credit
 10 card, or electronic transfer.

11 Sec. 18. (a) Subject to subsection (b), a covered county shall set
 12 aside in a separate fund on the schedule specified by the
 13 department from the funds specified by the department, one
 14 million dollars (\$1,000,000) for each consecutive year that the
 15 county experienced delayed property taxes before the year in
 16 which the county qualifies as a covered county.

17 (b) The amount that must be set aside under subsection (a) for
 18 a particular year that the county experienced delayed property
 19 taxes is reduced:

20 (1) to zero (0), if all reconciliation statements for the delayed
 21 property taxes covered by subsection (a) and not previously
 22 billed are mailed or otherwise transmitted to taxpayers before
 23 January 16 of the year immediately following the year that
 24 the county becomes a covered county; and

25 (2) by twenty-five percent (25%), if all reconciliation
 26 statements for delayed property taxes covered by subsection
 27 (a) and not previously billed are mailed or otherwise
 28 transmitted to taxpayers before March 1 of the year
 29 immediately following the year that the county becomes a
 30 covered county.

31 (c) The amount set aside under this section for a particular year
 32 in which eligible taxing units experienced delayed property taxes
 33 shall be used to compensate eligible taxing units for:

34 (1) interest and other costs incurred by an eligible taxing unit
 35 for issuing anticipation warrants or other obligations to fund
 36 the eligible taxing unit's operating and capital requirements
 37 during a period in which the eligible taxing unit experienced
 38 delayed property tax collections; and

39 (2) interest, at the adjusted rate for the period determined
 40 under IC 6-8.1-10-1, on the amount of the delayed property
 41 taxes not received by the eligible taxing unit, if the eligible
 42 taxing unit self-funded its operating and capital requirements

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1 during a period in which the eligible taxing unit experienced
2 delayed property tax collections rather than issue anticipation
3 warrants or other obligations.
4 (d) The Indiana bond bank or a person or entity designated by
5 the Indiana bond bank shall establish a procedure for determining
6 the amount that is to be distributed to each eligible taxing unit
7 under this section. The procedure must include at least one (1)
8 public hearing in the covered county.
9 (e) The county auditor of a covered county shall distribute the
10 amount set aside under this section for a particular year among
11 eligible taxing units according to a formula or amount prescribed
12 by the Indiana bond bank or the person or entity designated by the
13 Indiana bond bank.
14 (f) The amount due to an eligible taxing unit under this section
15 to compensate the eligible taxing unit for delayed property tax
16 collections in a particular year shall be distributed in eight (8)
17 equal installments. Each installment shall be paid on a consecutive
18 settlement date following the date the Indiana bond bank or the
19 person or entity designated by the Indiana bond bank determines
20 the amount to be distributed to the eligible taxing unit.
21 (g) Any amount set aside under this section that exceeds the
22 amount that the Indiana bond bank or a person or entity
23 designated by the Indiana bond bank requires the covered county
24 to distribute to eligible taxing units shall be transferred back to the
25 funds from which the money was set aside in accordance with the
26 directions of the Indiana bond bank or a person or entity
27 designated by the Indiana bond bank.
28 (h) An eligible taxing unit, the county auditor and county
29 treasurer of a covered county, and any special master appointed
30 under this chapter shall provide the Indiana bond bank or a person
31 or entity designated by the Indiana bond bank with the
32 information required by the Indiana bond bank or a person or
33 entity designated by the Indiana bond bank to carry out this
34 section.
35 Sec. 19. An eligible taxing unit shall apply interest received
36 under section 18 of this chapter:
37 (1) first, to pay or reimburse a fund for the payment of costs
38 and interest incurred on tax anticipation warrants or
39 obligations issued in anticipation of delayed property taxes;
40 and
41 (2) thereafter, to obligations that would otherwise require the
42 eligible taxing unit to impose a property tax to pay, as

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- 1 required by the Indiana bond bank or a person or entity
2 designated by the Indiana bond bank.
- 3 **Sec. 20. (a)** Subject to the approval of the department, a county
4 executive of a covered county may employ one (1) or more special
5 masters and the number of deputy special masters needed by the
6 special masters to carry out substantially all of the duties of:
7 (1) the county auditor; or
8 (2) the county treasurer;
9 or both, as is necessary to issue property tax bills in each year that
10 the county is a covered county, including the year that the county
11 ceases to be a covered county.
- 12 **(b)** The department may:
13 (1) as a condition of approving the contract, require that the
14 department must be a party to the employment contract and
15 any addendum to the employment contract;
16 (2) specify the scope of a special master's duties; and
17 (3) set standards for the selection and conduct of the special
18 master.
- 19 **(c)** If the duties of both the county auditor and the county
20 treasurer are assigned to one (1) or more special masters under
21 this section, the assignment of duties shall be delegated among
22 different individuals in such a manner as to maintain adequate
23 accounting internal controls.
- 24 **Sec. 21.** No contract shall be made with any special master
25 before the giving of notice and the receiving of bids from anyone
26 desiring to furnish this service. Notice of the time and place for
27 receiving bids for the contract shall be given by publication by one
28 (1) insertion in two (2) newspapers of general circulation published
29 in the county and representing each of the two (2) leading political
30 parties in the county. If only one (1) newspaper is published in the
31 county, notice in that one (1) newspaper is sufficient to comply with
32 the requirements of this section. The contract shall be awarded to
33 the lowest and best bidder who meets all requirements under law
34 and all standards specified by the department for entering a
35 contract to serve as special master. However, any and all bids may
36 be rejected, and new bids may be asked.
- 37 **Sec. 22.** The county executive of a covered county shall
38 appropriate the funds and provide the space and all necessary
39 supplies needed to meet the obligations created by a special
40 master's contract.
- 41 **Sec. 23.** A special master has the powers of a county auditor
42 within the scope of the special master's duties, including the power

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to employ deputy special masters and terminate employment.

Sec. 24. The county auditor, the county treasurer, the county assessor, and all other officials and employees of a covered county shall provide assistance to a special master, as requested by the special master or the special master's deputies.

Sec. 25. The county council of a covered county may grant a tax credit not exceeding two percent (2%) of delayed property taxes due on a reconciliation statement on any amount of delayed property taxes paid within thirty (30) regular business days after the county treasurer mails or otherwise transmits the property tax bill for the delayed property taxes to the taxpayer or other person authorized to receive the property tax bill. The amount of the credit reduces the amount to be distributed to each taxing unit that imposed the delayed property taxes in proportion to the amount due to each taxing unit. A taxing unit shall allocate the amount of the lost revenue to every fund in proportion to the delayed property taxes due from the property tax bill, other than a debt service fund.

Sec. 26. (a) The department may prescribe forms, adopt emergency rules under IC 6-1.1-22.5-20, issue administrative orders, set deadlines and other timetables for required activities, and issue interpretive bulletins to carry out this chapter, including rules, orders, and bulletins related to the scope of the duties to be performed by a special master under this chapter.

(b) Notwithstanding any other law, the department shall require that:

(1) trending and other adjustments to the assessed value of real property under IC 6-1.1-4-4.5 be applied separately to each assessment date subject to this chapter with the resulting assessments rolled over to be used as the valuation that is adjusted for the following assessment date;

(2) the information required to be submitted to the department or the legislative services agency, or both, under IC 6-1.1-4-18.5, IC 6-1.1-4-19.5, IC 6-1.1-4-25, IC 6-1.1-5.5-3, IC 6-1.1-11-8, IC 6-1.1-31.5-3.5, IC 6-1.1-33.5-3, or IC 36-2-9-20 be submitted separately for each assessment date subject to this chapter not later than sixty (60) days after the information becomes available to the local official possessing the information;

(3) penalties and interest on delinquent payments on a reconciliation statement subject to this chapter are waived for six (6) months after the payment, including an installment

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1 payment under IC 6-1.1-22.5-18.5, is otherwise due;
 2 (4) a homestead eligible for a standard deduction under
 3 IC 6-1.1-12-37 on which payments on a reconciliation
 4 statement subject to this section are delinquent, including an
 5 installment payment under IC 6-1.1-22.5-18.5, may not be
 6 placed on a list for tax sale for at least twelve (12) months
 7 after the payment, including an installment payment under
 8 IC 6-1.1-22.5-18.5, is otherwise due;

9 (5) the period in which property eligible for a deduction or
 10 credit provided by law for an assessment date for which
 11 delayed property taxes are imposed is extended to a date that
 12 is forty-five (45) days after the reconciliation statement for
 13 those taxes is mailed or otherwise transmitted under
 14 IC 6-1.1-22.5-12; and

15 (6) require that the covered county establish an installment
 16 payment plan in accordance with IC 6-1.1-22.5-18.5 under
 17 which taxpayers are required to pay delayed property taxes.

18 (c) Subject to the requirements of this chapter, the department
 19 may set schedules and take other actions necessary or appropriate
 20 to provide for the earliest possible issuance of property tax bills for
 21 the collection of delayed property taxes and a return to a normal
 22 collection cycle for property taxes in covered counties.

23 SECTION 41. IC 6-1.1-28-8 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JANUARY 1, 2013]: Sec. 8. (a) The county
 25 property tax assessment board shall remain in session until the board's
 26 duties are complete.

27 (b) All expenses and per diem compensation resulting from a
 28 session of a county property tax assessment board that is called by the
 29 department of local government finance under subsection (c) shall be
 30 paid by the county auditor, who shall, without an appropriation being
 31 required, draw warrants on county funds not otherwise appropriated.

32 (c) The department of local government finance may also call a
 33 session of the county property tax assessment board after completion
 34 of a general reassessment of real property **under IC 6-1.1-4-4 or a**
 35 **reassessment under a reassessment plan prepared under**
 36 **IC 6-1.1-4-4.2.** The department of local government finance shall fix
 37 the time for and duration of the session.

38 SECTION 42. IC 6-1.1-30-17, AS ADDED BY P.L.146-2008,
 39 SECTION 268, IS AMENDED TO READ AS FOLLOWS
 40 [EFFECTIVE UPON PASSAGE]: Sec. 17. (a) Except as provided in
 41 subsection (c) and subject to subsection (d), the department of state
 42 revenue and the auditor of state shall, when requested by the

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1 department of local government finance, withhold a percentage of the
2 distributions of county adjusted gross income tax distributions under
3 IC 6-3.5-1.1, county option income tax distributions under IC 6-3.5-6,
4 or county economic development income tax distributions under
5 IC 6-3.5-7 that would otherwise be distributed to the county under the
6 schedules in IC 6-3.5-1.1-10, IC 6-3.5-1.1-21.1, IC 6-3.5-6-17,
7 IC 6-3.5-6-17.3, IC 6-3.5-7-16, and IC 6-3.5-7-17.3, if:

8 (1) local assessing officials have not provided information to the
9 department of local government finance in a timely manner under
10 IC 4-10-13-5(b);

11 (2) the county assessor has not transmitted to the department of
12 local government finance by October 1 of the year in which the
13 distribution is scheduled to be made the data for all townships in
14 the county required to be transmitted under IC 6-1.1-4-25;

15 (3) the county auditor has not paid a bill for services under
16 IC 6-1.1-4-31.5 to the department of local government finance in
17 a timely manner;

18 (4) the county assessor has not forwarded to the department of
19 local government finance in a timely manner sales disclosure
20 form data under IC 6-1.1-5.5-3;

21 (5) the county auditor has not forwarded to the department of
22 local government finance the duplicate copies of all approved
23 exemption applications required to be forwarded by that date
24 under IC 6-1.1-11-8(a);

25 (6) by the date the distribution is scheduled to be made, the
26 county auditor has not sent a certified statement required to be
27 sent by that date under IC 6-1.1-17-1 to the department of local
28 government finance;

29 (7) the county does not maintain a certified computer system that
30 meets the requirements of IC 6-1.1-31.5-3.5;

31 (8) the county auditor has not transmitted the data described in
32 IC 36-2-9-20 to the department of local government finance in the
33 form and on the schedule specified by IC 36-2-9-20;

34 (9) the county has not established a parcel index numbering
35 system under 50 IAC 23-8-1 in a timely manner; ~~or~~

36 (10) a county official has not provided other information to the
37 department of local government finance in a timely manner as
38 required by the department of local government finance; ~~or~~

39 **(11) the department of local government finance incurs**
40 **additional costs to assist a covered county (as defined in**
41 **IC 6-1.1-22.6-1) to issue tax statements within the time frame**
42 **specified in IC 6-1.1-22.6-18(b) for each year that the county**

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1 **experienced delayed property taxes (as defined in**
 2 **IC 6-1.1-22.6-2) before the year in which the county qualifies**
 3 **as a covered county.**

4 The percentage to be withheld is the percentage determined by the
 5 department of local government finance. **However, the percentage**
 6 **withheld for a reason stated in subdivision (11) may not exceed the**
 7 **percentage needed to reimburse the department of local**
 8 **government finance for the costs incurred by the department of**
 9 **local government finance.**

10 (b) Except as provided in subsection (e), money not distributed for
 11 the reasons stated in subsection (a) shall be distributed to the county
 12 when the department of local government finance determines that the
 13 failure to:

- 14 (1) provide information; or
 15 (2) pay a bill for services;

16 has been corrected.

17 (c) The restrictions on distributions under subsection (a) do not
 18 apply if the department of local government finance determines that the
 19 failure to:

- 20 (1) provide information; or
 21 (2) pay a bill for services;

22 in a timely manner is justified by unusual circumstances.

23 (d) The department of local government finance shall give the
 24 county auditor at least thirty (30) days notice in writing before the
 25 department of state revenue or the auditor of state withholds a
 26 distribution under subsection (a).

27 (e) Money not distributed for the reason stated in subsection (a)(3)
 28 may be deposited in the fund established by IC 6-1.1-5.5-4.7(a). Money
 29 deposited under this subsection is not subject to distribution under
 30 subsection (b).

31 (f) This subsection applies to a county that will not receive a
 32 distribution under IC 6-3.5-1.1, IC 6-3.5-6, or IC 6-3.5-7. At the request
 33 of the department of local government finance, an amount permitted to
 34 be withheld under subsection (a) may be withheld from any state
 35 revenues that would otherwise be distributed to the county or one (1)
 36 or more taxing units in the county.

37 SECTION 43. IC 6-1.1-31-9 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JANUARY 1, 2013]: Sec. 9. (a) Except as
 39 provided in subsection (b), the department of local government finance
 40 may not adopt rules for the appraisal of real property:

- 41 **(1) in a general reassessment under IC 6-1.1-4-4; or**
 42 **(2) in a reassessment under a county's reassessment plan**



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1 **prepared under IC 6-1.1-4-4.2;**
2 after July 1 of the year before the year in which the ~~general~~
3 reassessment is scheduled to begin.
4 (b) If rules for the appraisal of real property in a general
5 **reassessment described in subsection (a)** are timely adopted under
6 subsection (a) and are then disapproved by the attorney general for any
7 reason under IC 4-22-2-32, the department of local government finance
8 may modify the rules to cure the defect that resulted in disapproval by
9 the attorney general, and may then take all actions necessary under
10 IC 4-22-2 to readopt and to obtain approval of the rules. This process
11 may be repeated as necessary until the rules are approved.
12 SECTION 44. IC 6-1.1-33.5-6 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JANUARY 1, 2013]: Sec. 6. (a) With
14 respect to any township or county for any year, the department of local
15 government finance may initiate a review to determine whether to order
16 a special reassessment under this chapter. The review may apply to real
17 property or personal property, or both.
18 (b) If the department of local government finance determines under
19 subsection (a) ~~of this chapter~~ to initiate a review with respect to the real
20 property **subject to reassessment under IC 6-1.1-4-4** within a
21 township or county, or a portion of the real property within a township
22 or county, the division of data analysis of the department shall
23 determine for the real property under consideration and for the
24 township or county the variance between:
25 (1) the total assessed valuation of the real property within the
26 township or county; and
27 (2) the total assessed valuation that would result if the real
28 property within the township or county were valued in the manner
29 provided by law.
30 (c) **If the department of local government finance determines**
31 **under subsection (a) to initiate a review with respect to the real**
32 **property within a particular cycle under a county's reassessment**
33 **plan prepared under IC 6-1.1-4-4.2 or a part of the real property**
34 **within a cycle, the division of data analysis of the department shall**
35 **determine for the real property under consideration and for all**
36 **groups of parcels within a particular cycle the variance between:**
37 (1) **the total assessed valuation of the real property within all**
38 **groups of parcels within a particular cycle; and**
39 (2) **the total assessed valuation that would result if the real**
40 **property within all groups of parcels within a particular cycle**
41 **were valued in the manner provided by law.**
42 (e) (d) If the department of local government finance determines

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1 under subsection (a) ~~of this chapter~~ to initiate a review with respect to
 2 personal property within a township or county, or a part of the personal
 3 property within a township or county, the division of data analysis of
 4 the department shall determine for the personal property under
 5 consideration and for the township or county the variance between:

6 (1) the total assessed valuation of the personal property within the
 7 township or county; and

8 (2) the total assessed valuation that would result if the personal
 9 property within the township or county were valued in the manner
 10 provided by law.

11 ~~(d)~~ **(e)** The determination of the department of local government
 12 finance under section 2 or 3 of this chapter must be based on a
 13 statistically valid assessment ratio study.

14 ~~(e)~~ **(f)** If a determination of the department of local government
 15 finance to order a special reassessment under this chapter is based on
 16 a coefficient of dispersion study, the department shall publish the
 17 coefficient of dispersion study for the township or county in accordance
 18 with IC 5-3-1-2(j).

19 ~~(f)~~ **(g)** If:

20 (1) the variance determined under subsection (b), ~~or~~ (c), **or** (d)
 21 exceeds twenty percent (20%); and

22 (2) the department of local government finance determines after
 23 holding hearings on the matter that a special reassessment should
 24 be conducted;

25 the department shall contract for a special reassessment to be
 26 conducted to correct the valuation of the property.

27 ~~(g)~~ **(h)** If the variance determined under subsection (b), ~~or~~ (c), **or** (d)
 28 is twenty percent (20%) or less, the department of local government
 29 finance shall determine whether to correct the valuation of the property
 30 under:

31 (1) IC 6-1.1-4-9 and IC 6-1.1-4-10; or

32 (2) IC 6-1.1-14.

33 ~~(h)~~ **(i)** The department of local government finance shall give notice
 34 to a taxpayer, by individual notice or by publication at the discretion of
 35 the department, of a hearing concerning the department's intent to
 36 cause the assessment of the taxpayer's property to be adjusted under
 37 this section. The time fixed for the hearing must be at least ten (10)
 38 days after the day the notice is mailed or published. The department
 39 may conduct a single hearing under this section with respect to
 40 multiple properties. The notice must state:

41 (1) the time of the hearing;

42 (2) the location of the hearing; and



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1 (3) that the purpose of the hearing is to hear taxpayers' comments
 2 and objections with respect to the department's intent to adjust the
 3 assessment of property under this chapter.

4 ~~(j)~~ (j) If the department of local government finance determines
 5 after the hearing that the assessment of property should be adjusted
 6 under this chapter, the department shall:

- 7 (1) cause the assessment of the property to be adjusted;
 8 (2) mail a certified notice of its final determination to the county
 9 auditor of the county in which the property is located; and
 10 (3) notify the taxpayer as required under IC 6-1.1-14.

11 ~~(j)~~ (k) A reassessment or adjustment may be made under this section
 12 only if the notice of the final determination is given to the taxpayer
 13 within the same period prescribed in IC 6-1.1-9-3 or IC 6-1.1-9-4.

14 ~~(l)~~ (l) If the department of local government finance contracts for
 15 a special reassessment of property under this chapter, the department
 16 shall forward the bill for services of the reassessment contractor to the
 17 county auditor, and the county shall pay the bill from the county
 18 reassessment fund.

19 SECTION 45. IC 6-1.1-34-1, AS AMENDED BY P.L.182-2009(ss),
 20 SECTION 170, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE JANUARY 1, 2013]: Sec. 1. In the year after:

- 22 (1) a general assessment of real property **under IC 6-1.1-4-4**
 23 becomes effective; or
 24 (2) a reassessment cycle of real property under a county's
 25 reassessment plan prepared under IC 6-1.1-4-4.2 is
 26 completed;

27 the department of local government finance shall compute a new
 28 assessment ratio for each school corporation located in a county in
 29 which a supplemental county levy is imposed under IC 20-45-7 or
 30 IC 20-45-8. In all other years, the department shall compute a new
 31 assessment ratio for such a school corporation if the department finds
 32 that there has been sufficient reassessment or adjustment of one (1) or
 33 more classes of property in the school district. When the department of
 34 local government finance computes a new assessment ratio for a school
 35 corporation, the department shall publish the new ratio.

36 SECTION 46. IC 6-1.1-34-7, AS AMENDED BY P.L.182-2009(ss),
 37 SECTION 171, IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE JANUARY 1, 2013]: Sec. 7. (a) Each year in which the
 39 department of local government finance computes a new assessment
 40 ratio for a school corporation, the department shall also compute a new
 41 adjustment factor for the school corporation. If the school corporation's
 42 assessment ratio for a year is more than ninety-nine percent (99%) but

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1 less than one hundred one percent (101%) of the state average
2 assessment ratio for that year, the school corporation's adjustment
3 factor is the number one (1). In all other cases, the school corporation's
4 adjustment factor equals:

- 5 (1) the state average assessment ratio for a year; divided by
- 6 (2) the school corporation's assessment ratio for that year.

7 The department of local government finance shall notify the school
8 corporation of its new adjustment factor before March 2 of the year in
9 which the department calculates the new adjustment factor.

- 10 (b) This subsection applies in a calendar year after which:
- 11 (1) a general reassessment **under IC 6-1.1-4-4** takes effect; **or**
- 12 (2) **a cycle under a county's reassessment plan prepared under**
- 13 **IC 6-1.1-4-4.2 is completed.**

14 If the department of local government finance has not computed a new
15 assessment ratio for a school corporation, the school corporation's
16 adjustment factor is the number one (1) until the department of local
17 government finance notifies the school corporation of the school
18 corporation's new adjustment factor.

19 SECTION 47. IC 6-1.1-39-5, AS AMENDED BY P.L.146-2008,
20 SECTION 296, IS AMENDED TO READ AS FOLLOWS
21 [EFFECTIVE JANUARY 1, 2013]: Sec. 5. (a) A declaratory ordinance
22 adopted under section 2 of this chapter and confirmed under section 3
23 of this chapter must include a provision with respect to the allocation
24 and distribution of property taxes for the purposes and in the manner
25 provided in this section. The allocation provision must apply to the
26 entire economic development district. The allocation provisions must
27 require that any property taxes subsequently levied by or for the benefit
28 of any public body entitled to a distribution of property taxes on taxable
29 property in the economic development district be allocated and
30 distributed as follows:

- 31 (1) Except as otherwise provided in this section, the proceeds of
- 32 the taxes attributable to the lesser of:
- 33 (A) the assessed value of the property for the assessment date
- 34 with respect to which the allocation and distribution is made;
- 35 or
- 36 (B) the base assessed value;
- 37 shall be allocated to and, when collected, paid into the funds of
- 38 the respective taxing units. However, if the effective date of the
- 39 allocation provision of a declaratory ordinance is after March 1,
- 40 1985, and before January 1, 1986, and if an improvement to
- 41 property was partially completed on March 1, 1985, the unit may
- 42 provide in the declaratory ordinance that the taxes attributable to

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1 the assessed value of the property as finally determined for March
2 1, 1984, shall be allocated to and, when collected, paid into the
3 funds of the respective taxing units.
4 (2) Except as otherwise provided in this section, part or all of the
5 property tax proceeds in excess of those described in subdivision
6 (1), as specified in the declaratory ordinance, shall be allocated to
7 the unit for the economic development district and, when
8 collected, paid into a special fund established by the unit for that
9 economic development district that may be used only to pay the
10 principal of and interest on obligations owed by the unit under
11 IC 4-4-8 (before its repeal) or IC 5-28-9 for the financing of
12 industrial development programs in, or serving, that economic
13 development district. The amount not paid into the special fund
14 shall be paid to the respective units in the manner prescribed by
15 subdivision (1).
16 (3) When the money in the fund is sufficient to pay all
17 outstanding principal of and interest (to the earliest date on which
18 the obligations can be redeemed) on obligations owed by the unit
19 under IC 4-4-8 (before its repeal) or IC 5-28-9 for the financing
20 of industrial development programs in, or serving, that economic
21 development district, money in the special fund in excess of that
22 amount shall be paid to the respective taxing units in the manner
23 prescribed by subdivision (1).
24 (b) Property tax proceeds allocable to the economic development
25 district under subsection (a)(2) must, subject to subsection (a)(3), be
26 irrevocably pledged by the unit for payment as set forth in subsection
27 (a)(2).
28 (c) For the purpose of allocating taxes levied by or for any taxing
29 unit or units, the assessed value of taxable property in a territory in the
30 economic development district that is annexed by any taxing unit after
31 the effective date of the allocation provision of the declaratory
32 ordinance is the lesser of:
33 (1) the assessed value of the property for the assessment date with
34 respect to which the allocation and distribution is made; or
35 (2) the base assessed value.
36 (d) Notwithstanding any other law, each assessor shall, upon
37 petition of the fiscal body, reassess the taxable property situated upon
38 or in, or added to, the economic development district effective on the
39 next assessment date after the petition.
40 (e) Notwithstanding any other law, the assessed value of all taxable
41 property in the economic development district, for purposes of tax
42 limitation, property tax replacement, and formulation of the budget, tax

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1 rate, and tax levy for each political subdivision in which the property
2 is located, is the lesser of:

3 (1) the assessed value of the property as valued without regard to
4 this section; or

5 (2) the base assessed value.

6 (f) The state board of accounts and department of local government
7 finance shall make the rules and prescribe the forms and procedures
8 that they consider expedient for the implementation of this chapter.
9 After each:

10 (1) general reassessment under ~~IC 6-1.1-4~~, **IC 6-1.1-4-4**; or

11 (2) **reassessment of a group of parcels under a reassessment**
12 **plan prepared under IC 6-1.1-4-4.2;**

13 the department of local government finance shall adjust the base
14 assessed value one (1) time to neutralize any effect of the ~~general~~
15 reassessment on the property tax proceeds allocated to the district
16 under this section. After each annual adjustment under IC 6-1.1-4-4.5,
17 the department of local government finance shall adjust the base
18 assessed value to neutralize any effect of the annual adjustment on the
19 property tax proceeds allocated to the district under this section.
20 However, the adjustments under this subsection may not include the
21 effect of property tax abatements under IC 6-1.1-12.1.

22 (g) As used in this section, "property taxes" means:

23 (1) taxes imposed under this article on real property; and

24 (2) any part of the taxes imposed under this article on depreciable
25 personal property that the unit has by ordinance allocated to the
26 economic development district. However, the ordinance may not
27 limit the allocation to taxes on depreciable personal property with
28 any particular useful life or lives.

29 If a unit had, by ordinance adopted before May 8, 1987, allocated to an
30 economic development district property taxes imposed under IC 6-1.1
31 on depreciable personal property that has a useful life in excess of eight
32 (8) years, the ordinance continues in effect until an ordinance is
33 adopted by the unit under subdivision (2).

34 (h) As used in this section, "base assessed value" means:

35 (1) the net assessed value of all the property as finally determined
36 for the assessment date immediately preceding the effective date
37 of the allocation provision of the declaratory resolution, as
38 adjusted under subsection (f); plus

39 (2) to the extent that it is not included in subdivision (1), the net
40 assessed value of property that is assessed as residential property
41 under the rules of the department of local government finance, as
42 finally determined for any assessment date after the effective date

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1 of the allocation provision.
 2 Subdivision (2) applies only to economic development districts
 3 established after June 30, 1997, and to additional areas established
 4 after June 30, 1997.

5 SECTION 48. IC 6-1.1-42-28, AS AMENDED BY P.L.219-2007,
 6 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JANUARY 1, 2013]: Sec. 28. (a) Subject to this section and section 34
 8 of this chapter, the amount of the deduction which the property owner
 9 is entitled to receive under this chapter for a particular year equals the
 10 product of:

11 (1) the increase in the assessed value resulting from the
 12 remediation and redevelopment in the zone or the location of
 13 personal property in the zone, or both; multiplied by
 14 (2) the percentage determined under subsection (b).

15 (b) The percentage to be used in calculating the deduction under
 16 subsection (a) is as follows:

17 (1) For deductions allowed over a three (3) year period:

18 YEAR OF DEDUCTION	PERCENTAGE
19 1st	100%
20 2nd	66%
21 3rd	33%

22 (2) For deductions allowed over a six (6) year period:

23 YEAR OF DEDUCTION	PERCENTAGE
24 1st	100%
25 2nd	85%
26 3rd	66%
27 4th	50%
28 5th	34%
29 6th	17%

30 (3) For deductions allowed over a ten (10) year period:

31 YEAR OF DEDUCTION	PERCENTAGE
32 1st	100%
33 2nd	95%
34 3rd	80%
35 4th	65%
36 5th	50%
37 6th	40%
38 7th	30%
39 8th	20%
40 9th	10%
41 10th	5%

42 (c) The amount of the deduction determined under subsection (a)

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1 shall be adjusted in accordance with this subsection in the following
2 circumstances:

- 3 (1) If a:
- 4 (A) general reassessment of real property **under IC 6-1.1-4-4;**
- 5 **or**
- 6 (B) **reassessment under a county's reassessment plan**
- 7 **prepared under IC 6-1.1-4-4.2;**

8 occurs within the particular period of the deduction, the amount
9 determined under subsection (a)(1) shall be adjusted to reflect the
10 percentage increase or decrease in assessed valuation that resulted
11 from the ~~general~~ reassessment.

12 (2) If an appeal of an assessment is approved that results in a
13 reduction of the assessed value of the redeveloped or rehabilitated
14 property, the amount of any deduction shall be adjusted to reflect
15 the percentage decrease that resulted from the appeal.

16 (3) The amount of the deduction may not exceed the limitations
17 imposed by the designating body under section 23 of this chapter.

18 (4) The amount of the deduction must be proportionally reduced
19 by the proportionate ownership of the property by a person that:

- 20 (A) has an ownership interest in an entity that contributed; or
- 21 (B) has contributed;
- 22 a contaminant (as defined in IC 13-11-2-42) that is the subject of
- 23 the voluntary remediation, as determined under the written
- 24 standards adopted by the department of environmental
- 25 management.

26 The department of local government finance shall adopt rules under
27 IC 4-22-2 to implement this subsection.

28 SECTION 49. IC 33-26-8-1, AS AMENDED BY P.L.1-2007,
29 SECTION 213, IS AMENDED TO READ AS FOLLOWS
30 [EFFECTIVE JANUARY 1, 2013]: Sec. 1. As used in this chapter,
31 "contractor" means a ~~general~~ reassessment, ~~general~~ reassessment
32 review, or special reassessment contractor of the department of local
33 government finance under IC 6-1.1-4-32 (repealed).

34 SECTION 50. IC 33-26-8-3, AS AMENDED BY P.L.1-2007,
35 SECTION 214, IS AMENDED TO READ AS FOLLOWS
36 [EFFECTIVE JANUARY 1, 2013]: Sec. 3. As used in this chapter,
37 "qualifying official" refers to any of the following:

- 38 (1) A county assessor of a qualifying county.
- 39 (2) A township assessor of a qualifying county.
- 40 (3) The county auditor of a qualifying county.
- 41 (4) The treasurer of a qualifying county.
- 42 (5) The county surveyor of a qualifying county.

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- 1 (6) A member of the land valuation committee in a qualifying
- 2 county.
- 3 (7) Any other township or county official in a qualifying county
- 4 who has possession or control of information necessary or useful
- 5 for a ~~general~~ reassessment, ~~general~~ reassessment review, or
- 6 special reassessment of property to which IC 6-1.1-4-32
- 7 (repealed) applies, including information in the possession or
- 8 control of an employee or a contractor of the official.
- 9 (8) Any county official in a qualifying county who has control,
- 10 review, or other responsibilities related to paying claims of a
- 11 contractor submitted for payment under IC 6-1.1-4-32 (repealed).

12 SECTION 51. IC 36-2-7-13, AS AMENDED BY P.L.146-2008,
 13 SECTION 691, IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE JANUARY 1, 2013]: Sec. 13. The county fiscal body
 15 may grant to the county assessor, in addition to the compensation fixed
 16 under IC 36-2-5, a per diem for each day that the assessor is engaged
 17 in ~~general~~ reassessment activities **under IC 6-1.1-4-4 or under a**
 18 **reassessment plan prepared under IC 6-1.1-4-4.2.** This section
 19 applies regardless of whether professional assessing services are
 20 provided under a contract to one (1) or more townships in the county.

21 SECTION 52. IC 36-6-8-5, AS AMENDED BY P.L.146-2008,
 22 SECTION 717, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JANUARY 1, 2013]: Sec. 5. (a) When performing the
 24 real property reassessment duties ~~prescribed by IC 6-1.1-4,~~ **under**
 25 **IC 6-1.1-4-4 or a county's reassessment plan prepared under**
 26 **IC 6-1.1-4-4.2,** a township assessor may receive per diem
 27 compensation, in addition to salary, at a rate fixed by the county fiscal
 28 body, for each day that the assessor is engaged in reassessment
 29 activities.

30 (b) Subsection (a) applies regardless of whether professional
 31 assessing services are provided to a township under contract.

32 SECTION 53. IC 36-7-14-13 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. (a) Within thirty
 34 (30) days after the close of each calendar year, the redevelopment
 35 commissioners shall file with the unit's executive a report setting out
 36 their activities during the preceding calendar year.

37 (b) The report of the commissioners of a municipal redevelopment
 38 commission must show the names of the then qualified and acting
 39 commissioners, the names of the officers of that body, the number of
 40 regular employees and their fixed salaries or compensation, the amount
 41 of the expenditures made during the preceding year and their general
 42 purpose, **an accounting of the tax increment revenues expended by**

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1 **any entity receiving the tax increment revenues as a grant or loan**
2 **from the commission**, the amount of funds on hand at the close of the
3 calendar year, and other information necessary to disclose the activities
4 of the commissioners and the results obtained.

5 (c) The report of the commissioners of a county redevelopment
6 commission must show all the information required by subsection (b),
7 plus the names of any commissioners appointed to or removed from
8 office during the preceding calendar year.

9 **(d) A copy of each report filed under this section must be**
10 **submitted to the department of local government finance in an**
11 **electronic format under IC 5-14-6.**

12 SECTION 54. IC 36-7-14-39, AS AMENDED BY P.L.203-2011,
13 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JANUARY 1, 2013]: Sec. 39. (a) As used in this section:

15 "Allocation area" means that part of a redevelopment project area
16 to which an allocation provision of a declaratory resolution adopted
17 under section 15 of this chapter refers for purposes of distribution and
18 allocation of property taxes.

19 "Base assessed value" means the following:

20 (1) If an allocation provision is adopted after June 30, 1995, in a
21 declaratory resolution or an amendment to a declaratory
22 resolution establishing an economic development area:

23 (A) the net assessed value of all the property as finally
24 determined for the assessment date immediately preceding the
25 effective date of the allocation provision of the declaratory
26 resolution, as adjusted under subsection (h); plus

27 (B) to the extent that it is not included in clause (A), the net
28 assessed value of property that is assessed as residential
29 property under the rules of the department of local government
30 finance, as finally determined for any assessment date after the
31 effective date of the allocation provision.

32 (2) If an allocation provision is adopted after June 30, 1997, in a
33 declaratory resolution or an amendment to a declaratory
34 resolution establishing a redevelopment project area:

35 (A) the net assessed value of all the property as finally
36 determined for the assessment date immediately preceding the
37 effective date of the allocation provision of the declaratory
38 resolution, as adjusted under subsection (h); plus

39 (B) to the extent that it is not included in clause (A), the net
40 assessed value of property that is assessed as residential
41 property under the rules of the department of local government
42 finance, as finally determined for any assessment date after the

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1 effective date of the allocation provision.
 2 (3) If:
 3 (A) an allocation provision adopted before June 30, 1995, in
 4 a declaratory resolution or an amendment to a declaratory
 5 resolution establishing a redevelopment project area expires
 6 after June 30, 1997; and
 7 (B) after June 30, 1997, a new allocation provision is included
 8 in an amendment to the declaratory resolution;
 9 the net assessed value of all the property as finally determined for
 10 the assessment date immediately preceding the effective date of
 11 the allocation provision adopted after June 30, 1997, as adjusted
 12 under subsection (h).
 13 (4) Except as provided in subdivision (5), for all other allocation
 14 areas, the net assessed value of all the property as finally
 15 determined for the assessment date immediately preceding the
 16 effective date of the allocation provision of the declaratory
 17 resolution, as adjusted under subsection (h).
 18 (5) If an allocation area established in an economic development
 19 area before July 1, 1995, is expanded after June 30, 1995, the
 20 definition in subdivision (1) applies to the expanded part of the
 21 area added after June 30, 1995.
 22 (6) If an allocation area established in a redevelopment project
 23 area before July 1, 1997, is expanded after June 30, 1997, the
 24 definition in subdivision (2) applies to the expanded part of the
 25 area added after June 30, 1997.
 26 Except as provided in section 39.3 of this chapter, "property taxes"
 27 means taxes imposed under IC 6-1.1 on real property. However, upon
 28 approval by a resolution of the redevelopment commission adopted
 29 before June 1, 1987, "property taxes" also includes taxes imposed
 30 under IC 6-1.1 on depreciable personal property. If a redevelopment
 31 commission adopted before June 1, 1987, a resolution to include within
 32 the definition of property taxes taxes imposed under IC 6-1.1 on
 33 depreciable personal property that has a useful life in excess of eight
 34 (8) years, the commission may by resolution determine the percentage
 35 of taxes imposed under IC 6-1.1 on all depreciable personal property
 36 that will be included within the definition of property taxes. However,
 37 the percentage included must not exceed twenty-five percent (25%) of
 38 the taxes imposed under IC 6-1.1 on all depreciable personal property.
 39 (b) A declaratory resolution adopted under section 15 of this chapter
 40 on or before the allocation deadline determined under subsection (i)
 41 may include a provision with respect to the allocation and distribution
 42 of property taxes for the purposes and in the manner provided in this

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1 section. A declaratory resolution previously adopted may include an
 2 allocation provision by the amendment of that declaratory resolution on
 3 or before the allocation deadline determined under subsection (i) in
 4 accordance with the procedures required for its original adoption. A
 5 declaratory resolution or an amendment that establishes an allocation
 6 provision after June 30, 1995, must specify an expiration date for the
 7 allocation provision. For an allocation area established before July 1,
 8 2008, the expiration date may not be more than thirty (30) years after
 9 the date on which the allocation provision is established. For an
 10 allocation area established after June 30, 2008, the expiration date may
 11 not be more than twenty-five (25) years after the date on which the first
 12 obligation was incurred to pay principal and interest on bonds or lease
 13 rentals on leases payable from tax increment revenues. However, with
 14 respect to bonds or other obligations that were issued before July 1,
 15 2008, if any of the bonds or other obligations that were scheduled when
 16 issued to mature before the specified expiration date and that are
 17 payable only from allocated tax proceeds with respect to the allocation
 18 area remain outstanding as of the expiration date, the allocation
 19 provision does not expire until all of the bonds or other obligations are
 20 no longer outstanding. The allocation provision may apply to all or part
 21 of the redevelopment project area. The allocation provision must
 22 require that any property taxes subsequently levied by or for the benefit
 23 of any public body entitled to a distribution of property taxes on taxable
 24 property in the allocation area be allocated and distributed as follows:

25 (1) Except as otherwise provided in this section, the proceeds of
 26 the taxes attributable to the lesser of:

27 (A) the assessed value of the property for the assessment date
 28 with respect to which the allocation and distribution is made;
 29 or

30 (B) the base assessed value;

31 shall be allocated to and, when collected, paid into the funds of
 32 the respective taxing units.

33 (2) The excess of the proceeds of the property taxes imposed for
 34 the assessment date with respect to which the allocation and
 35 distribution is made that are attributable to taxes imposed after
 36 being approved by the voters in a referendum or local public
 37 question conducted after April 30, 2010, not otherwise included
 38 in subdivision (1) shall be allocated to and, when collected, paid
 39 into the funds of the taxing unit for which the referendum or local
 40 public question was conducted.

41 (3) Except as otherwise provided in this section, property tax
 42 proceeds in excess of those described in subdivisions (1) and (2)

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1 shall be allocated to the redevelopment district and, when
2 collected, paid into an allocation fund for that allocation area that
3 may be used by the redevelopment district only to do one (1) or
4 more of the following:

5 (A) Pay the principal of and interest on any obligations
6 payable solely from allocated tax proceeds which are incurred
7 by the redevelopment district for the purpose of financing or
8 refinancing the redevelopment of that allocation area.

9 (B) Establish, augment, or restore the debt service reserve for
10 bonds payable solely or in part from allocated tax proceeds in
11 that allocation area.

12 (C) Pay the principal of and interest on bonds payable from
13 allocated tax proceeds in that allocation area and from the
14 special tax levied under section 27 of this chapter.

15 (D) Pay the principal of and interest on bonds issued by the
16 unit to pay for local public improvements that are physically
17 located in or physically connected to that allocation area.

18 (E) Pay premiums on the redemption before maturity of bonds
19 payable solely or in part from allocated tax proceeds in that
20 allocation area.

21 (F) Make payments on leases payable from allocated tax
22 proceeds in that allocation area under section 25.2 of this
23 chapter.

24 (G) Reimburse the unit for expenditures made by it for local
25 public improvements (which include buildings, parking
26 facilities, and other items described in section 25.1(a) of this
27 chapter) that are physically located in or physically connected
28 to that allocation area.

29 (H) Reimburse the unit for rentals paid by it for a building or
30 parking facility that is physically located in or physically
31 connected to that allocation area under any lease entered into
32 under IC 36-1-10.

33 (I) For property taxes first due and payable before January 1,
34 2009, pay all or a part of a property tax replacement credit to
35 taxpayers in an allocation area as determined by the
36 redevelopment commission. This credit equals the amount
37 determined under the following STEPS for each taxpayer in a
38 taxing district (as defined in IC 6-1.1-1-20) that contains all or
39 part of the allocation area:

40 STEP ONE: Determine that part of the sum of the amounts
41 under IC 6-1.1-21-2(g)(1)(A), IC 6-1.1-21-2(g)(2),
42 IC 6-1.1-21-2(g)(3), IC 6-1.1-21-2(g)(4), and

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1 IC 6-1.1-21-2(g)(5) (before their repeal) that is attributable to
 2 the taxing district.
 3 STEP TWO: Divide:
 4 (i) that part of each county's eligible property tax
 5 replacement amount (as defined in IC 6-1.1-21-2 (before its
 6 repeal)) for that year as determined under IC 6-1.1-21-4
 7 (before its repeal) that is attributable to the taxing district;
 8 by
 9 (ii) the STEP ONE sum.
 10 STEP THREE: Multiply:
 11 (i) the STEP TWO quotient; times
 12 (ii) the total amount of the taxpayer's taxes (as defined in
 13 IC 6-1.1-21-2 (before its repeal)) levied in the taxing district
 14 that have been allocated during that year to an allocation
 15 fund under this section.
 16 If not all the taxpayers in an allocation area receive the credit
 17 in full, each taxpayer in the allocation area is entitled to
 18 receive the same proportion of the credit. A taxpayer may not
 19 receive a credit under this section and a credit under section
 20 39.5 of this chapter (before its repeal) in the same year.
 21 (J) Pay expenses incurred by the redevelopment commission
 22 for local public improvements that are in the allocation area or
 23 serving the allocation area. Public improvements include
 24 buildings, parking facilities, and other items described in
 25 section 25.1(a) of this chapter.
 26 (K) Reimburse public and private entities for expenses
 27 incurred in training employees of industrial facilities that are
 28 located:
 29 (i) in the allocation area; and
 30 (ii) on a parcel of real property that has been classified as
 31 industrial property under the rules of the department of local
 32 government finance.
 33 However, the total amount of money spent for this purpose in
 34 any year may not exceed the total amount of money in the
 35 allocation fund that is attributable to property taxes paid by the
 36 industrial facilities described in this clause. The
 37 reimbursements under this clause must be made within three
 38 (3) years after the date on which the investments that are the
 39 basis for the increment financing are made.
 40 (L) Pay the costs of carrying out an eligible efficiency project
 41 (as defined in IC 36-9-41-1.5) within the unit that established
 42 the redevelopment commission. However, property tax

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proceeds may be used under this clause to pay the costs of carrying out an eligible efficiency project only if those property tax proceeds exceed the amount necessary to do the following:

- (i) Make, when due, any payments required under clauses (A) through (K), including any payments of principal and interest on bonds and other obligations payable under this subdivision, any payments of premiums under this subdivision on the redemption before maturity of bonds, and any payments on leases payable under this subdivision.
- (ii) Make any reimbursements required under this subdivision.
- (iii) Pay any expenses required under this subdivision.
- (iv) Establish, augment, or restore any debt service reserve under this subdivision.

The allocation fund may not be used for operating expenses of the commission.

(4) Except as provided in subsection (g), before July 15 of each year, the commission shall do the following:

- (A) Determine the amount, if any, by which the assessed value of the taxable property in the allocation area for the most recent assessment date minus the base assessed value, when multiplied by the estimated tax rate of the allocation area, will exceed the amount of assessed value needed to produce the property taxes necessary to make, when due, principal and interest payments on bonds described in subdivision (3), plus the amount necessary for other purposes described in subdivision (3).
- (B) Provide a written notice to the county auditor, the fiscal body of the county or municipality that established the department of redevelopment, and the officers who are authorized to fix budgets, tax rates, and tax levies under IC 6-1.1-17-5 for each of the other taxing units that is wholly or partly located within the allocation area. The notice must:
 - (i) state the amount, if any, of excess assessed value that the commission has determined may be allocated to the respective taxing units in the manner prescribed in subdivision (1); or
 - (ii) state that the commission has determined that there is no excess assessed value that may be allocated to the respective taxing units in the manner prescribed in subdivision (1).

The county auditor shall allocate to the respective taxing units

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1 the amount, if any, of excess assessed value determined by the
 2 commission. The commission may not authorize an allocation
 3 of assessed value to the respective taxing units under this
 4 subdivision if to do so would endanger the interests of the
 5 holders of bonds described in subdivision (3) or lessors under
 6 section 25.3 of this chapter.

7 (c) For the purpose of allocating taxes levied by or for any taxing
 8 unit or units, the assessed value of taxable property in a territory in the
 9 allocation area that is annexed by any taxing unit after the effective
 10 date of the allocation provision of the declaratory resolution is the
 11 lesser of:

- 12 (1) the assessed value of the property for the assessment date with
 13 respect to which the allocation and distribution is made; or
 14 (2) the base assessed value.

15 (d) Property tax proceeds allocable to the redevelopment district
 16 under subsection (b)(3) may, subject to subsection (b)(4), be
 17 irrevocably pledged by the redevelopment district for payment as set
 18 forth in subsection (b)(3).

19 (e) Notwithstanding any other law, each assessor shall, upon
 20 petition of the redevelopment commission, reassess the taxable
 21 property situated upon or in, or added to, the allocation area, effective
 22 on the next assessment date after the petition.

23 (f) Notwithstanding any other law, the assessed value of all taxable
 24 property in the allocation area, for purposes of tax limitation, property
 25 tax replacement, and formulation of the budget, tax rate, and tax levy
 26 for each political subdivision in which the property is located is the
 27 lesser of:

- 28 (1) the assessed value of the property as valued without regard to
 29 this section; or
 30 (2) the base assessed value.

31 (g) If any part of the allocation area is located in an enterprise zone
 32 created under IC 5-28-15, the unit that designated the allocation area
 33 shall create funds as specified in this subsection. A unit that has
 34 obligations, bonds, or leases payable from allocated tax proceeds under
 35 subsection (b)(3) shall establish an allocation fund for the purposes
 36 specified in subsection (b)(3) and a special zone fund. Such a unit
 37 shall, until the end of the enterprise zone phase out period, deposit each
 38 year in the special zone fund any amount in the allocation fund derived
 39 from property tax proceeds in excess of those described in subsection
 40 (b)(1) and (b)(2) from property located in the enterprise zone that
 41 exceeds the amount sufficient for the purposes specified in subsection
 42 (b)(3) for the year. The amount sufficient for purposes specified in

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1 subsection (b)(3) for the year shall be determined based on the pro rata
 2 portion of such current property tax proceeds from the part of the
 3 enterprise zone that is within the allocation area as compared to all
 4 such current property tax proceeds derived from the allocation area. A
 5 unit that has no obligations, bonds, or leases payable from allocated tax
 6 proceeds under subsection (b)(3) shall establish a special zone fund
 7 and deposit all the property tax proceeds in excess of those described
 8 in subsection (b)(1) and (b)(2) in the fund derived from property tax
 9 proceeds in excess of those described in subsection (b)(1) and (b)(2)
 10 from property located in the enterprise zone. The unit that creates the
 11 special zone fund shall use the fund (based on the recommendations of
 12 the urban enterprise association) for programs in job training, job
 13 enrichment, and basic skill development that are designed to benefit
 14 residents and employers in the enterprise zone or other purposes
 15 specified in subsection (b)(3), except that where reference is made in
 16 subsection (b)(3) to allocation area it shall refer for purposes of
 17 payments from the special zone fund only to that part of the allocation
 18 area that is also located in the enterprise zone. Those programs shall
 19 reserve at least one-half (1/2) of their enrollment in any session for
 20 residents of the enterprise zone.

21 (h) The state board of accounts and department of local government
 22 finance shall make the rules and prescribe the forms and procedures
 23 that they consider expedient for the implementation of this chapter.
 24 After each general reassessment of **real property in an area under**
 25 **IC 6-1.1-4-4 and after each reassessment in an area under a**
 26 **reassessment plan prepared** under ~~IC 6-1.1-4~~, **IC 6-1.1-4-4.2**, the
 27 department of local government finance shall adjust the base assessed
 28 value one (1) time to neutralize any effect of the ~~general~~ **the**
 29 **reassessment of the real property in the area** on the property tax
 30 proceeds allocated to the redevelopment district under this section.
 31 After each annual adjustment under IC 6-1.1-4-4.5, the department of
 32 local government finance shall adjust the base assessed value one (1)
 33 time to neutralize any effect of the annual adjustment on the property
 34 tax proceeds allocated to the redevelopment district under this section.
 35 However, the adjustments under this subsection may not include the
 36 effect of property tax abatements under IC 6-1.1-12.1, and these
 37 adjustments may not produce less property tax proceeds allocable to
 38 the redevelopment district under subsection (b)(3) than would
 39 otherwise have been received if the general reassessment, **the**
 40 **reassessment under the reassessment plan**, or the annual adjustment
 41 had not occurred. The department of local government finance may
 42 prescribe procedures for county and township officials to follow to

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1 assist the department in making the adjustments.

2 (i) The allocation deadline referred to in subsection (b) is
3 determined in the following manner:

4 (1) The initial allocation deadline is December 31, 2011.

5 (2) Subject to subdivision (3), the initial allocation deadline and
6 subsequent allocation deadlines are automatically extended in
7 increments of five (5) years, so that allocation deadlines
8 subsequent to the initial allocation deadline fall on December 31,
9 2016, and December 31 of each fifth year thereafter.

10 (3) At least one (1) year before the date of an allocation deadline
11 determined under subdivision (2), the general assembly may enact
12 a law that:

13 (A) terminates the automatic extension of allocation deadlines
14 under subdivision (2); and

15 (B) specifically designates a particular date as the final
16 allocation deadline.

17 SECTION 55. IC 36-7-15.1-26, AS AMENDED BY P.L.203-2011,
18 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JANUARY 1, 2013]: Sec. 26. (a) As used in this section:

20 "Allocation area" means that part of a redevelopment project area
21 to which an allocation provision of a resolution adopted under section
22 8 of this chapter refers for purposes of distribution and allocation of
23 property taxes.

24 "Base assessed value" means the following:

25 (1) If an allocation provision is adopted after June 30, 1995, in a
26 declaratory resolution or an amendment to a declaratory
27 resolution establishing an economic development area:

28 (A) the net assessed value of all the property as finally
29 determined for the assessment date immediately preceding the
30 effective date of the allocation provision of the declaratory
31 resolution, as adjusted under subsection (h); plus

32 (B) to the extent that it is not included in clause (A), the net
33 assessed value of property that is assessed as residential
34 property under the rules of the department of local government
35 finance, as finally determined for any assessment date after the
36 effective date of the allocation provision.

37 (2) If an allocation provision is adopted after June 30, 1997, in a
38 declaratory resolution or an amendment to a declaratory
39 resolution establishing a redevelopment project area:

40 (A) the net assessed value of all the property as finally
41 determined for the assessment date immediately preceding the
42 effective date of the allocation provision of the declaratory

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- 1 resolution, as adjusted under subsection (h); plus
 2 (B) to the extent that it is not included in clause (A), the net
 3 assessed value of property that is assessed as residential
 4 property under the rules of the department of local government
 5 finance, as finally determined for any assessment date after the
 6 effective date of the allocation provision.
- 7 (3) If:
 8 (A) an allocation provision adopted before June 30, 1995, in
 9 a declaratory resolution or an amendment to a declaratory
 10 resolution establishing a redevelopment project area expires
 11 after June 30, 1997; and
 12 (B) after June 30, 1997, a new allocation provision is included
 13 in an amendment to the declaratory resolution;
 14 the net assessed value of all the property as finally determined for
 15 the assessment date immediately preceding the effective date of
 16 the allocation provision adopted after June 30, 1997, as adjusted
 17 under subsection (h).
- 18 (4) Except as provided in subdivision (5), for all other allocation
 19 areas, the net assessed value of all the property as finally
 20 determined for the assessment date immediately preceding the
 21 effective date of the allocation provision of the declaratory
 22 resolution, as adjusted under subsection (h).
- 23 (5) If an allocation area established in an economic development
 24 area before July 1, 1995, is expanded after June 30, 1995, the
 25 definition in subdivision (1) applies to the expanded part of the
 26 area added after June 30, 1995.
- 27 (6) If an allocation area established in a redevelopment project
 28 area before July 1, 1997, is expanded after June 30, 1997, the
 29 definition in subdivision (2) applies to the expanded part of the
 30 area added after June 30, 1997.
- 31 Except as provided in section 26.2 of this chapter, "property taxes"
 32 means taxes imposed under IC 6-1.1 on real property. However, upon
 33 approval by a resolution of the redevelopment commission adopted
 34 before June 1, 1987, "property taxes" also includes taxes imposed
 35 under IC 6-1.1 on depreciable personal property. If a redevelopment
 36 commission adopted before June 1, 1987, a resolution to include within
 37 the definition of property taxes taxes imposed under IC 6-1.1 on
 38 depreciable personal property that has a useful life in excess of eight
 39 (8) years, the commission may by resolution determine the percentage
 40 of taxes imposed under IC 6-1.1 on all depreciable personal property
 41 that will be included within the definition of property taxes. However,
 42 the percentage included must not exceed twenty-five percent (25%) of

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1 the taxes imposed under IC 6-1.1 on all depreciable personal property.

2 (b) A resolution adopted under section 8 of this chapter on or before
 3 the allocation deadline determined under subsection (i) may include a
 4 provision with respect to the allocation and distribution of property
 5 taxes for the purposes and in the manner provided in this section. A
 6 resolution previously adopted may include an allocation provision by
 7 the amendment of that resolution on or before the allocation deadline
 8 determined under subsection (i) in accordance with the procedures
 9 required for its original adoption. A declaratory resolution or an
 10 amendment that establishes an allocation provision after June 30, 1995,
 11 must specify an expiration date for the allocation provision. For an
 12 allocation area established before July 1, 2008, the expiration date may
 13 not be more than thirty (30) years after the date on which the allocation
 14 provision is established. For an allocation area established after June
 15 30, 2008, the expiration date may not be more than twenty-five (25)
 16 years after the date on which the first obligation was incurred to pay
 17 principal and interest on bonds or lease rentals on leases payable from
 18 tax increment revenues. However, with respect to bonds or other
 19 obligations that were issued before July 1, 2008, if any of the bonds or
 20 other obligations that were scheduled when issued to mature before the
 21 specified expiration date and that are payable only from allocated tax
 22 proceeds with respect to the allocation area remain outstanding as of
 23 the expiration date, the allocation provision does not expire until all of
 24 the bonds or other obligations are no longer outstanding. The allocation
 25 provision may apply to all or part of the redevelopment project area.
 26 The allocation provision must require that any property taxes
 27 subsequently levied by or for the benefit of any public body entitled to
 28 a distribution of property taxes on taxable property in the allocation
 29 area be allocated and distributed as follows:

30 (1) Except as otherwise provided in this section, the proceeds of
 31 the taxes attributable to the lesser of:

32 (A) the assessed value of the property for the assessment date
 33 with respect to which the allocation and distribution is made;
 34 or

35 (B) the base assessed value;

36 shall be allocated to and, when collected, paid into the funds of
 37 the respective taxing units.

38 (2) The excess of the proceeds of the property taxes imposed for
 39 the assessment date with respect to which the allocation and
 40 distribution is made that are attributable to taxes imposed after
 41 being approved by the voters in a referendum or local public
 42 question conducted after April 30, 2010, not otherwise included

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- 1 in subdivision (1) shall be allocated to and, when collected, paid
- 2 into the funds of the taxing unit for which the referendum or local
- 3 public question was conducted.
- 4 (3) Except as otherwise provided in this section, property tax
- 5 proceeds in excess of those described in subdivisions (1) and (2)
- 6 shall be allocated to the redevelopment district and, when
- 7 collected, paid into a special fund for that allocation area that may
- 8 be used by the redevelopment district only to do one (1) or more
- 9 of the following:
- 10 (A) Pay the principal of and interest on any obligations
- 11 payable solely from allocated tax proceeds that are incurred by
- 12 the redevelopment district for the purpose of financing or
- 13 refinancing the redevelopment of that allocation area.
- 14 (B) Establish, augment, or restore the debt service reserve for
- 15 bonds payable solely or in part from allocated tax proceeds in
- 16 that allocation area.
- 17 (C) Pay the principal of and interest on bonds payable from
- 18 allocated tax proceeds in that allocation area and from the
- 19 special tax levied under section 19 of this chapter.
- 20 (D) Pay the principal of and interest on bonds issued by the
- 21 consolidated city to pay for local public improvements that are
- 22 physically located in or physically connected to that allocation
- 23 area.
- 24 (E) Pay premiums on the redemption before maturity of bonds
- 25 payable solely or in part from allocated tax proceeds in that
- 26 allocation area.
- 27 (F) Make payments on leases payable from allocated tax
- 28 proceeds in that allocation area under section 17.1 of this
- 29 chapter.
- 30 (G) Reimburse the consolidated city for expenditures for local
- 31 public improvements (which include buildings, parking
- 32 facilities, and other items set forth in section 17 of this
- 33 chapter) that are physically located in or physically connected
- 34 to that allocation area.
- 35 (H) Reimburse the unit for rentals paid by it for a building or
- 36 parking facility that is physically located in or physically
- 37 connected to that allocation area under any lease entered into
- 38 under IC 36-1-10.
- 39 (I) Reimburse public and private entities for expenses incurred
- 40 in training employees of industrial facilities that are located:
- 41 (i) in the allocation area; and
- 42 (ii) on a parcel of real property that has been classified as

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1 industrial property under the rules of the department of local
 2 government finance.
 3 However, the total amount of money spent for this purpose in
 4 any year may not exceed the total amount of money in the
 5 allocation fund that is attributable to property taxes paid by the
 6 industrial facilities described in this clause. The
 7 reimbursements under this clause must be made within three
 8 (3) years after the date on which the investments that are the
 9 basis for the increment financing are made.
 10 (J) Pay the costs of carrying out an eligible efficiency project
 11 (as defined in IC 36-9-41-1.5) within the unit that established
 12 the redevelopment commission. However, property tax
 13 proceeds may be used under this clause to pay the costs of
 14 carrying out an eligible efficiency project only if those
 15 property tax proceeds exceed the amount necessary to do the
 16 following:
 17 (i) Make, when due, any payments required under clauses
 18 (A) through (I), including any payments of principal and
 19 interest on bonds and other obligations payable under this
 20 subdivision, any payments of premiums under this
 21 subdivision on the redemption before maturity of bonds, and
 22 any payments on leases payable under this subdivision.
 23 (ii) Make any reimbursements required under this
 24 subdivision.
 25 (iii) Pay any expenses required under this subdivision.
 26 (iv) Establish, augment, or restore any debt service reserve
 27 under this subdivision.
 28 The special fund may not be used for operating expenses of the
 29 commission.
 30 (4) Before July 15 of each year, the commission shall do the
 31 following:
 32 (A) Determine the amount, if any, by which the assessed value
 33 of the taxable property in the allocation area for the most
 34 recent assessment date minus the base assessed value, when
 35 multiplied by the estimated tax rate of the allocation area will
 36 exceed the amount of assessed value needed to provide the
 37 property taxes necessary to make, when due, principal and
 38 interest payments on bonds described in subdivision (3) plus
 39 the amount necessary for other purposes described in
 40 subdivision (3) and subsection (g).
 41 (B) Provide a written notice to the county auditor, the
 42 legislative body of the consolidated city, and the officers who

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1 are authorized to fix budgets, tax rates, and tax levies under
 2 IC 6-1.1-17-5 for each of the other taxing units that is wholly
 3 or partly located within the allocation area. The notice must:
 4 (i) state the amount, if any, of excess assessed value that the
 5 commission has determined may be allocated to the
 6 respective taxing units in the manner prescribed in
 7 subdivision (1); or
 8 (ii) state that the commission has determined that there is no
 9 excess assessed value that may be allocated to the respective
 10 taxing units in the manner prescribed in subdivision (1).
 11 The county auditor shall allocate to the respective taxing units
 12 the amount, if any, of excess assessed value determined by the
 13 commission. The commission may not authorize an allocation
 14 to the respective taxing units under this subdivision if to do so
 15 would endanger the interests of the holders of bonds described
 16 in subdivision (3).
 17 (c) For the purpose of allocating taxes levied by or for any taxing
 18 unit or units, the assessed value of taxable property in a territory in the
 19 allocation area that is annexed by any taxing unit after the effective
 20 date of the allocation provision of the resolution is the lesser of:
 21 (1) the assessed value of the property for the assessment date with
 22 respect to which the allocation and distribution is made; or
 23 (2) the base assessed value.
 24 (d) Property tax proceeds allocable to the redevelopment district
 25 under subsection (b)(3) may, subject to subsection (b)(4), be
 26 irrevocably pledged by the redevelopment district for payment as set
 27 forth in subsection (b)(3).
 28 (e) Notwithstanding any other law, each assessor shall, upon
 29 petition of the commission, reassess the taxable property situated upon
 30 or in, or added to, the allocation area, effective on the next assessment
 31 date after the petition.
 32 (f) Notwithstanding any other law, the assessed value of all taxable
 33 property in the allocation area, for purposes of tax limitation, property
 34 tax replacement, and formulation of the budget, tax rate, and tax levy
 35 for each political subdivision in which the property is located is the
 36 lesser of:
 37 (1) the assessed value of the property as valued without regard to
 38 this section; or
 39 (2) the base assessed value.
 40 (g) If any part of the allocation area is located in an enterprise zone
 41 created under IC 5-28-15, the unit that designated the allocation area
 42 shall create funds as specified in this subsection. A unit that has

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1 obligations, bonds, or leases payable from allocated tax proceeds under
 2 subsection (b)(3) shall establish an allocation fund for the purposes
 3 specified in subsection (b)(3) and a special zone fund. Such a unit
 4 shall, until the end of the enterprise zone phase out period, deposit each
 5 year in the special zone fund the amount in the allocation fund derived
 6 from property tax proceeds in excess of those described in subsection
 7 (b)(1) and (b)(2) from property located in the enterprise zone that
 8 exceeds the amount sufficient for the purposes specified in subsection
 9 (b)(3) for the year. A unit that has no obligations, bonds, or leases
 10 payable from allocated tax proceeds under subsection (b)(3) shall
 11 establish a special zone fund and deposit all the property tax proceeds
 12 in excess of those described in subsection (b)(1) and (b)(2) in the fund
 13 derived from property tax proceeds in excess of those described in
 14 subsection (b)(1) and (b)(2) from property located in the enterprise
 15 zone. The unit that creates the special zone fund shall use the fund,
 16 based on the recommendations of the urban enterprise association, for
 17 one (1) or more of the following purposes:

18 (1) To pay for programs in job training, job enrichment, and basic
 19 skill development designed to benefit residents and employers in
 20 the enterprise zone. The programs must reserve at least one-half
 21 (1/2) of the enrollment in any session for residents of the
 22 enterprise zone.

23 (2) To make loans and grants for the purpose of stimulating
 24 business activity in the enterprise zone or providing employment
 25 for enterprise zone residents in the enterprise zone. These loans
 26 and grants may be made to the following:

27 (A) Businesses operating in the enterprise zone.

28 (B) Businesses that will move their operations to the enterprise
 29 zone if such a loan or grant is made.

30 (3) To provide funds to carry out other purposes specified in
 31 subsection (b)(3). However, where reference is made in
 32 subsection (b)(3) to the allocation area, the reference refers for
 33 purposes of payments from the special zone fund only to that part
 34 of the allocation area that is also located in the enterprise zone.

35 (h) The state board of accounts and department of local government
 36 finance shall make the rules and prescribe the forms and procedures
 37 that they consider expedient for the implementation of this chapter.
 38 After each general reassessment **of real property in an area under**
 39 **IC 6-1.1-4-4 and after each reassessment under a reassessment**
 40 **plan prepared under ~~IC 6-1.1-4~~, IC 6-1.1-4-4.2**, the department of
 41 local government finance shall adjust the base assessed value one (1)
 42 time to neutralize any effect of the ~~general~~ reassessment **of the real**

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1 **property in the area** on the property tax proceeds allocated to the
 2 redevelopment district under this section. After each annual adjustment
 3 under IC 6-1.1-4-4.5, the department of local government finance shall
 4 adjust the base assessed value to neutralize any effect of the annual
 5 adjustment on the property tax proceeds allocated to the redevelopment
 6 district under this section. However, the adjustments under this
 7 subsection may not include the effect of property tax abatements under
 8 IC 6-1.1-12.1, and these adjustments may not produce less property tax
 9 proceeds allocable to the redevelopment district under subsection
 10 (b)(3) than would otherwise have been received if the general
 11 reassessment, **reassessment under the reassessment plan**, or annual
 12 adjustment had not occurred. The department of local government
 13 finance may prescribe procedures for county and township officials to
 14 follow to assist the department in making the adjustments.

15 (i) The allocation deadline referred to in subsection (b) is
 16 determined in the following manner:

17 (1) The initial allocation deadline is December 31, 2011.

18 (2) Subject to subdivision (3), the initial allocation deadline and
 19 subsequent allocation deadlines are automatically extended in
 20 increments of five (5) years, so that allocation deadlines
 21 subsequent to the initial allocation deadline fall on December 31,
 22 2016, and December 31 of each fifth year thereafter.

23 (3) At least one (1) year before the date of an allocation deadline
 24 determined under subdivision (2), the general assembly may enact
 25 a law that:

26 (A) terminates the automatic extension of allocation deadlines
 27 under subdivision (2); and

28 (B) specifically designates a particular date as the final
 29 allocation deadline.

30 SECTION 56. IC 36-7-15.1-36.3 IS ADDED TO THE INDIANA
 31 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 32 [EFFECTIVE JULY 1, 2012]: **Sec. 36.3. (a) Within thirty (30) days**
 33 **after the close of each calendar year, the commission shall file with**
 34 **the mayor a report setting out the commission's activities during**
 35 **the preceding calendar year.**

36 (b) The report required by subsection (a) must show the names
 37 of the then qualified and acting commissioners, the names of the
 38 officers of that body, the number of regular employees and their
 39 fixed salaries or compensation, the amount of the expenditures
 40 made during the preceding year and their general purpose, an
 41 accounting of the tax increment revenues expended by any entity
 42 receiving the tax increment revenues as a grant or loan from the



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1 **commission, the amount of funds on hand at the close of the**
 2 **calendar year, and other information necessary to disclose the**
 3 **activities of the commission and the results obtained.**

4 **(c) A copy of each report filed under this section must be**
 5 **submitted to the department of local government finance in an**
 6 **electronic format under IC 5-14-6.**

7 SECTION 57. IC 36-7-15.1-53, AS AMENDED BY P.L.203-2011,
 8 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JANUARY 1, 2013]: Sec. 53. (a) As used in this section:

10 "Allocation area" means that part of a redevelopment project area
 11 to which an allocation provision of a resolution adopted under section
 12 40 of this chapter refers for purposes of distribution and allocation of
 13 property taxes.

14 "Base assessed value" means:

15 (1) the net assessed value of all the property as finally determined
 16 for the assessment date immediately preceding the effective date
 17 of the allocation provision of the declaratory resolution, as
 18 adjusted under subsection (h); plus

19 (2) to the extent that it is not included in subdivision (1), the net
 20 assessed value of property that is assessed as residential property
 21 under the rules of the department of local government finance, as
 22 finally determined for any assessment date after the effective date
 23 of the allocation provision.

24 Except as provided in section 55 of this chapter, "property taxes"
 25 means taxes imposed under IC 6-1.1 on real property.

26 (b) A resolution adopted under section 40 of this chapter on or
 27 before the allocation deadline determined under subsection (i) may
 28 include a provision with respect to the allocation and distribution of
 29 property taxes for the purposes and in the manner provided in this
 30 section. A resolution previously adopted may include an allocation
 31 provision by the amendment of that resolution on or before the
 32 allocation deadline determined under subsection (i) in accordance with
 33 the procedures required for its original adoption. A declaratory
 34 resolution or an amendment that establishes an allocation provision
 35 must be approved by resolution of the legislative body of the excluded
 36 city and must specify an expiration date for the allocation provision.
 37 For an allocation area established before July 1, 2008, the expiration
 38 date may not be more than thirty (30) years after the date on which the
 39 allocation provision is established. For an allocation area established
 40 after June 30, 2008, the expiration date may not be more than
 41 twenty-five (25) years after the date on which the first obligation was
 42 incurred to pay principal and interest on bonds or lease rentals on



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1 leases payable from tax increment revenues. However, with respect to
 2 bonds or other obligations that were issued before July 1, 2008, if any
 3 of the bonds or other obligations that were scheduled when issued to
 4 mature before the specified expiration date and that are payable only
 5 from allocated tax proceeds with respect to the allocation area remain
 6 outstanding as of the expiration date, the allocation provision does not
 7 expire until all of the bonds or other obligations are no longer
 8 outstanding. The allocation provision may apply to all or part of the
 9 redevelopment project area. The allocation provision must require that
 10 any property taxes subsequently levied by or for the benefit of any
 11 public body entitled to a distribution of property taxes on taxable
 12 property in the allocation area be allocated and distributed as follows:

13 (1) Except as otherwise provided in this section, the proceeds of
 14 the taxes attributable to the lesser of:

15 (A) the assessed value of the property for the assessment date
 16 with respect to which the allocation and distribution is made;

17 or

18 (B) the base assessed value;

19 shall be allocated to and, when collected, paid into the funds of
 20 the respective taxing units.

21 (2) The excess of the proceeds of the property taxes imposed for
 22 the assessment date with respect to which the allocation and
 23 distribution is made that are attributable to taxes imposed after
 24 being approved by the voters in a referendum or local public
 25 question conducted after April 30, 2010, not otherwise included
 26 in subdivision (1) shall be allocated to and, when collected, paid
 27 into the funds of the taxing unit for which the referendum or local
 28 public question was conducted.

29 (3) Except as otherwise provided in this section, property tax
 30 proceeds in excess of those described in subdivisions (1) and (2)
 31 shall be allocated to the redevelopment district and, when
 32 collected, paid into a special fund for that allocation area that may
 33 be used by the redevelopment district only to do one (1) or more
 34 of the following:

35 (A) Pay the principal of and interest on any obligations
 36 payable solely from allocated tax proceeds that are incurred by
 37 the redevelopment district for the purpose of financing or
 38 refinancing the redevelopment of that allocation area.

39 (B) Establish, augment, or restore the debt service reserve for
 40 bonds payable solely or in part from allocated tax proceeds in
 41 that allocation area.

42 (C) Pay the principal of and interest on bonds payable from

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1 allocated tax proceeds in that allocation area and from the
 2 special tax levied under section 50 of this chapter.
 3 (D) Pay the principal of and interest on bonds issued by the
 4 excluded city to pay for local public improvements that are
 5 physically located in or physically connected to that allocation
 6 area.
 7 (E) Pay premiums on the redemption before maturity of bonds
 8 payable solely or in part from allocated tax proceeds in that
 9 allocation area.
 10 (F) Make payments on leases payable from allocated tax
 11 proceeds in that allocation area under section 46 of this
 12 chapter.
 13 (G) Reimburse the excluded city for expenditures for local
 14 public improvements (which include buildings, park facilities,
 15 and other items set forth in section 45 of this chapter) that are
 16 physically located in or physically connected to that allocation
 17 area.
 18 (H) Reimburse the unit for rentals paid by it for a building or
 19 parking facility that is physically located in or physically
 20 connected to that allocation area under any lease entered into
 21 under IC 36-1-10.
 22 (I) Reimburse public and private entities for expenses incurred
 23 in training employees of industrial facilities that are located:
 24 (i) in the allocation area; and
 25 (ii) on a parcel of real property that has been classified as
 26 industrial property under the rules of the department of local
 27 government finance.
 28 However, the total amount of money spent for this purpose in
 29 any year may not exceed the total amount of money in the
 30 allocation fund that is attributable to property taxes paid by the
 31 industrial facilities described in this clause. The
 32 reimbursements under this clause must be made within three
 33 (3) years after the date on which the investments that are the
 34 basis for the increment financing are made.
 35 The special fund may not be used for operating expenses of the
 36 commission.
 37 (4) Before July 15 of each year, the commission shall do the
 38 following:
 39 (A) Determine the amount, if any, by which the assessed value
 40 of the taxable property in the allocation area for the most
 41 recent assessment date minus the base assessed value, when
 42 multiplied by the estimated tax rate of the allocation area, will

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1 exceed the amount of assessed value needed to provide the
 2 property taxes necessary to make, when due, principal and
 3 interest payments on bonds described in subdivision (3) plus
 4 the amount necessary for other purposes described in
 5 subdivision (3) and subsection (g).
 6 (B) Provide a written notice to the county auditor, the fiscal
 7 body of the county or municipality that established the
 8 department of redevelopment, and the officers who are
 9 authorized to fix budgets, tax rates, and tax levies under
 10 IC 6-1.1-17-5 for each of the other taxing units that is wholly
 11 or partly located within the allocation area. The notice must:
 12 (i) state the amount, if any, of excess assessed value that the
 13 commission has determined may be allocated to the
 14 respective taxing units in the manner prescribed in
 15 subdivision (1); or
 16 (ii) state that the commission has determined that there is no
 17 excess assessed value that may be allocated to the respective
 18 taxing units in the manner prescribed in subdivision (1).
 19 The county auditor shall allocate to the respective taxing units
 20 the amount, if any, of excess assessed value determined by the
 21 commission. The commission may not authorize an allocation
 22 to the respective taxing units under this subdivision if to do so
 23 would endanger the interests of the holders of bonds described
 24 in subdivision (3).
 25 (c) For the purpose of allocating taxes levied by or for any taxing
 26 unit or units, the assessed value of taxable property in a territory in the
 27 allocation area that is annexed by any taxing unit after the effective
 28 date of the allocation provision of the resolution is the lesser of:
 29 (1) the assessed value of the property for the assessment date with
 30 respect to which the allocation and distribution is made; or
 31 (2) the base assessed value.
 32 (d) Property tax proceeds allocable to the redevelopment district
 33 under subsection (b)(3) may, subject to subsection (b)(4), be
 34 irrevocably pledged by the redevelopment district for payment as set
 35 forth in subsection (b)(3).
 36 (e) Notwithstanding any other law, each assessor shall, upon
 37 petition of the commission, reassess the taxable property situated upon
 38 or in, or added to, the allocation area, effective on the next assessment
 39 date after the petition.
 40 (f) Notwithstanding any other law, the assessed value of all taxable
 41 property in the allocation area, for purposes of tax limitation, property
 42 tax replacement, and formulation of the budget, tax rate, and tax levy

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1 for each political subdivision in which the property is located, is the
 2 lesser of:

- 3 (1) the assessed value of the property as valued without regard to
- 4 this section; or
- 5 (2) the base assessed value.

6 (g) If any part of the allocation area is located in an enterprise zone
 7 created under IC 5-28-15, the unit that designated the allocation area
 8 shall create funds as specified in this subsection. A unit that has
 9 obligations, bonds, or leases payable from allocated tax proceeds under
 10 subsection (b)(3) shall establish an allocation fund for the purposes
 11 specified in subsection (b)(3) and a special zone fund. Such a unit
 12 shall, until the end of the enterprise zone phase out period, deposit each
 13 year in the special zone fund the amount in the allocation fund derived
 14 from property tax proceeds in excess of those described in subsection
 15 (b)(1) and (b)(2) from property located in the enterprise zone that
 16 exceeds the amount sufficient for the purposes specified in subsection
 17 (b)(3) for the year. A unit that has no obligations, bonds, or leases
 18 payable from allocated tax proceeds under subsection (b)(3) shall
 19 establish a special zone fund and deposit all the property tax proceeds
 20 in excess of those described in subsection (b)(1) and (b)(2) in the fund
 21 derived from property tax proceeds in excess of those described in
 22 subsection (b)(1) and (b)(2) from property located in the enterprise
 23 zone. The unit that creates the special zone fund shall use the fund,
 24 based on the recommendations of the urban enterprise association, for
 25 one (1) or more of the following purposes:

- 26 (1) To pay for programs in job training, job enrichment, and basic
- 27 skill development designed to benefit residents and employers in
- 28 the enterprise zone. The programs must reserve at least one-half
- 29 (1/2) of the enrollment in any session for residents of the
- 30 enterprise zone.
- 31 (2) To make loans and grants for the purpose of stimulating
- 32 business activity in the enterprise zone or providing employment
- 33 for enterprise zone residents in an enterprise zone. These loans
- 34 and grants may be made to the following:
- 35 (A) Businesses operating in the enterprise zone.
- 36 (B) Businesses that will move their operations to the enterprise
- 37 zone if such a loan or grant is made.
- 38 (3) To provide funds to carry out other purposes specified in
- 39 subsection (b)(3). However, where reference is made in
- 40 subsection (b)(3) to the allocation area, the reference refers, for
- 41 purposes of payments from the special zone fund, only to that part
- 42 of the allocation area that is also located in the enterprise zone.

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1 (h) The state board of accounts and department of local government
 2 finance shall make the rules and prescribe the forms and procedures
 3 that they consider expedient for the implementation of this chapter.
 4 After each general reassessment of real property in an area under
 5 **IC 6-1.1-4-4 or reassessment under a county's reassessment plan**
 6 **prepared** under ~~IC 6-1.1-4~~, **IC 6-1.1-4-4.2**, the department of local
 7 government finance shall adjust the base assessed value one (1) time
 8 to neutralize any effect of the ~~general~~ reassessment of the **real**
 9 **property in the area** on the property tax proceeds allocated to the
 10 redevelopment district under this section. After each annual adjustment
 11 under IC 6-1.1-4-4.5, the department of local government finance shall
 12 adjust the base assessed value to neutralize any effect of the annual
 13 adjustment on the property tax proceeds allocated to the redevelopment
 14 district under this section. However, the adjustments under this
 15 subsection may not include the effect of property tax abatements under
 16 IC 6-1.1-12.1, and these adjustments may not produce less property tax
 17 proceeds allocable to the redevelopment district under subsection
 18 (b)(3) than would otherwise have been received if the general
 19 reassessment, **reassessment under the county's reassessment plan**,
 20 or annual adjustment had not occurred. The department of local
 21 government finance may prescribe procedures for county and township
 22 officials to follow to assist the department in making the adjustments.

23 (i) The allocation deadline referred to in subsection (b) is
 24 determined in the following manner:

25 (1) The initial allocation deadline is December 31, 2011.

26 (2) Subject to subdivision (3), the initial allocation deadline and
 27 subsequent allocation deadlines are automatically extended in
 28 increments of five (5) years, so that allocation deadlines
 29 subsequent to the initial allocation deadline fall on December 31,
 30 2016, and December 31 of each fifth year thereafter.

31 (3) At least one (1) year before the date of an allocation deadline
 32 determined under subdivision (2), the general assembly may enact
 33 a law that:

34 (A) terminates the automatic extension of allocation deadlines
 35 under subdivision (2); and

36 (B) specifically designates a particular date as the final
 37 allocation deadline.

38 SECTION 58. IC 36-7-30-25, AS AMENDED BY P.L.203-2011,
 39 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JANUARY 1, 2013]: Sec. 25. (a) The following definitions apply
 41 throughout this section:

42 (1) "Allocation area" means that part of a military base reuse area

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1 to which an allocation provision of a declaratory resolution
 2 adopted under section 10 of this chapter refers for purposes of
 3 distribution and allocation of property taxes.
 4 (2) "Base assessed value" means:
 5 (A) the net assessed value of all the property as finally
 6 determined for the assessment date immediately preceding the
 7 adoption date of the allocation provision of the declaratory
 8 resolution, as adjusted under subsection (h); plus
 9 (B) to the extent that it is not included in clause (A) or (C), the
 10 net assessed value of any and all parcels or classes of parcels
 11 identified as part of the base assessed value in the declaratory
 12 resolution or an amendment thereto, as finally determined for
 13 any subsequent assessment date; plus
 14 (C) to the extent that it is not included in clause (A) or (B), the
 15 net assessed value of property that is assessed as residential
 16 property under the rules of the department of local government
 17 finance, as finally determined for any assessment date after the
 18 effective date of the allocation provision.
 19 Clause (C) applies only to allocation areas established in a
 20 military reuse area after June 30, 1997, and to the part of an
 21 allocation area that was established before June 30, 1997, and that
 22 is added to an existing allocation area after June 30, 1997.
 23 (3) "Property taxes" means taxes imposed under IC 6-1.1 on real
 24 property.
 25 (b) A declaratory resolution adopted under section 10 of this chapter
 26 before the date set forth in IC 36-7-14-39(b) pertaining to declaratory
 27 resolutions adopted under IC 36-7-14-15 may include a provision with
 28 respect to the allocation and distribution of property taxes for the
 29 purposes and in the manner provided in this section. A declaratory
 30 resolution previously adopted may include an allocation provision by
 31 the amendment of that declaratory resolution in accordance with the
 32 procedures set forth in section 13 of this chapter. The allocation
 33 provision may apply to all or part of the military base reuse area. The
 34 allocation provision must require that any property taxes subsequently
 35 levied by or for the benefit of any public body entitled to a distribution
 36 of property taxes on taxable property in the allocation area be allocated
 37 and distributed as follows:
 38 (1) Except as otherwise provided in this section, the proceeds of
 39 the taxes attributable to the lesser of:
 40 (A) the assessed value of the property for the assessment date
 41 with respect to which the allocation and distribution is made;
 42 or

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1 (B) the base assessed value;
 2 shall be allocated to and, when collected, paid into the funds of
 3 the respective taxing units.
 4 (2) The excess of the proceeds of the property taxes imposed for
 5 the assessment date with respect to which the allocation and
 6 distribution are made that are attributable to taxes imposed after
 7 being approved by the voters in a referendum or local public
 8 question conducted after April 30, 2010, not otherwise included
 9 in subdivision (1) shall be allocated to and, when collected, paid
 10 into the funds of the taxing unit for which the referendum or local
 11 public question was conducted.
 12 (3) Except as otherwise provided in this section, property tax
 13 proceeds in excess of those described in subdivisions (1) and (2)
 14 shall be allocated to the military base reuse district and, when
 15 collected, paid into an allocation fund for that allocation area that
 16 may be used by the military base reuse district and only to do one
 17 (1) or more of the following:
 18 (A) Pay the principal of and interest and redemption premium
 19 on any obligations incurred by the military base reuse district
 20 or any other entity for the purpose of financing or refinancing
 21 military base reuse activities in or directly serving or
 22 benefiting that allocation area.
 23 (B) Establish, augment, or restore the debt service reserve for
 24 bonds payable solely or in part from allocated tax proceeds in
 25 that allocation area or from other revenues of the reuse
 26 authority, including lease rental revenues.
 27 (C) Make payments on leases payable solely or in part from
 28 allocated tax proceeds in that allocation area.
 29 (D) Reimburse any other governmental body for expenditures
 30 made for local public improvements (or structures) in or
 31 directly serving or benefiting that allocation area.
 32 (E) Pay expenses incurred by the reuse authority, any other
 33 department of the unit, or a department of another
 34 governmental entity for local public improvements or
 35 structures that are in the allocation area or directly serving or
 36 benefiting the allocation area, including expenses for the
 37 operation and maintenance of these local public improvements
 38 or structures if the reuse authority determines those operation
 39 and maintenance expenses are necessary or desirable to carry
 40 out the purposes of this chapter.
 41 (F) Reimburse public and private entities for expenses
 42 incurred in training employees of industrial facilities that are

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located:
(i) in the allocation area; and
(ii) on a parcel of real property that has been classified as industrial property under the rules of the department of local government finance.

However, the total amount of money spent for this purpose in any year may not exceed the total amount of money in the allocation fund that is attributable to property taxes paid by the industrial facilities described in this clause. The reimbursements under this clause must be made not more than three (3) years after the date on which the investments that are the basis for the increment financing are made.

Except as provided in clause (E), the allocation fund may not be used for operating expenses of the reuse authority.

(4) Except as provided in subsection (g), before July 15 of each year the reuse authority shall do the following:

(A) Determine the amount, if any, by which property taxes payable to the allocation fund in the following year will exceed the amount of property taxes necessary to make, when due, principal and interest payments on bonds described in subdivision (3) plus the amount necessary for other purposes described in subdivision (3).

(B) Provide a written notice to the county auditor, the fiscal body of the unit that established the reuse authority, and the officers who are authorized to fix budgets, tax rates, and tax levies under IC 6-1.1-17-5 for each of the other taxing units that is wholly or partly located within the allocation area. The notice must:

- (i) state the amount, if any, of excess property taxes that the reuse authority has determined may be paid to the respective taxing units in the manner prescribed in subdivision (1); or
- (ii) state that the reuse authority has determined that there are no excess property tax proceeds that may be allocated to the respective taxing units in the manner prescribed in subdivision (1).

The county auditor shall allocate to the respective taxing units the amount, if any, of excess property tax proceeds determined by the reuse authority. The reuse authority may not authorize a payment to the respective taxing units under this subdivision if to do so would endanger the interest of the holders of bonds described in subdivision (3) or lessors under section 19 of this chapter.

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1 (c) For the purpose of allocating taxes levied by or for any taxing
 2 unit or units, the assessed value of taxable property in a territory in the
 3 allocation area that is annexed by a taxing unit after the effective date
 4 of the allocation provision of the declaratory resolution is the lesser of:

- 5 (1) the assessed value of the property for the assessment date with
 6 respect to which the allocation and distribution is made; or
 7 (2) the base assessed value.

8 (d) Property tax proceeds allocable to the military base reuse district
 9 under subsection (b)(3) may, subject to subsection (b)(4), be
 10 irrevocably pledged by the military base reuse district for payment as
 11 set forth in subsection (b)(3).

12 (e) Notwithstanding any other law, each assessor shall, upon
 13 petition of the reuse authority, reassess the taxable property situated
 14 upon or in or added to the allocation area, effective on the next
 15 assessment date after the petition.

16 (f) Notwithstanding any other law, the assessed value of all taxable
 17 property in the allocation area, for purposes of tax limitation, property
 18 tax replacement, and the making of the budget, tax rate, and tax levy
 19 for each political subdivision in which the property is located is the
 20 lesser of:

- 21 (1) the assessed value of the property as valued without regard to
 22 this section; or
 23 (2) the base assessed value.

24 (g) If any part of the allocation area is located in an enterprise zone
 25 created under IC 5-28-15, the unit that designated the allocation area
 26 shall create funds as specified in this subsection. A unit that has
 27 obligations, bonds, or leases payable from allocated tax proceeds under
 28 subsection (b)(3) shall establish an allocation fund for the purposes
 29 specified in subsection (b)(3) and a special zone fund. Such a unit
 30 shall, until the end of the enterprise zone phase out period, deposit each
 31 year in the special zone fund any amount in the allocation fund derived
 32 from property tax proceeds in excess of those described in subsection
 33 (b)(1) and (b)(2) from property located in the enterprise zone that
 34 exceeds the amount sufficient for the purposes specified in subsection
 35 (b)(3) for the year. The amount sufficient for purposes specified in
 36 subsection (b)(3) for the year shall be determined based on the pro rata
 37 part of such current property tax proceeds from the part of the
 38 enterprise zone that is within the allocation area as compared to all
 39 such current property tax proceeds derived from the allocation area. A
 40 unit that does not have obligations, bonds, or leases payable from
 41 allocated tax proceeds under subsection (b)(3) shall establish a special
 42 zone fund and deposit all the property tax proceeds in excess of those

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1 described in subsection (b)(1) and (b)(2) that are derived from property
 2 in the enterprise zone in the fund. The unit that creates the special zone
 3 fund shall use the fund (based on the recommendations of the urban
 4 enterprise association) for programs in job training, job enrichment,
 5 and basic skill development that are designed to benefit residents and
 6 employers in the enterprise zone or other purposes specified in
 7 subsection (b)(3), except that where reference is made in subsection
 8 (b)(3) to allocation area it shall refer for purposes of payments from the
 9 special zone fund only to that part of the allocation area that is also
 10 located in the enterprise zone. The programs shall reserve at least
 11 one-half (1/2) of their enrollment in any session for residents of the
 12 enterprise zone.

13 (h) After each general reassessment of real property in an area
 14 under IC 6-1.1-4-4 or reassessment under the county's
 15 reassessment plan under ~~IC 6-1.1-4~~, IC 6-1.1-4-4.2, the department
 16 of local government finance shall adjust the base assessed value one (1)
 17 time to neutralize any effect of the ~~general~~ reassessment of the real
 18 property in the area on the property tax proceeds allocated to the
 19 military base reuse district under this section. After each annual
 20 adjustment under IC 6-1.1-4-4.5, the department of local government
 21 finance shall adjust the base assessed value to neutralize any effect of
 22 the annual adjustment on the property tax proceeds allocated to the
 23 military base reuse district under this section. However, the
 24 adjustments under this subsection may not include the effect of
 25 property tax abatements under IC 6-1.1-12.1, and these adjustments
 26 may not produce less property tax proceeds allocable to the military
 27 base reuse district under subsection (b)(3) than would otherwise have
 28 been received if the general reassessment, **reassessment under the**
 29 **county's reassessment plan**, or annual adjustment had not occurred.
 30 The department of local government finance may prescribe procedures
 31 for county and township officials to follow to assist the department in
 32 making the adjustments.

33 SECTION 59. IC 36-7-30.5-30, AS AMENDED BY P.L.42-2011,
 34 SECTION 80, AND AS AMENDED BY P.L.203-2011, SECTION 20,
 35 IS CORRECTED AND AMENDED TO READ AS FOLLOWS
 36 [EFFECTIVE JANUARY 1, 2013]: Sec. 30. (a) The following
 37 definitions apply throughout this section:

- 38 (1) "Allocation area" means that part of a military base
 39 development area to which an allocation provision of a
 40 declaratory resolution adopted under section 16 of this chapter
 41 refers for purposes of distribution and allocation of property taxes.
 42 (2) "Base assessed value" means:



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1 (A) the net assessed value of all the property as finally
 2 determined for the assessment date immediately preceding the
 3 adoption date of the allocation provision of the declaratory
 4 resolution, as adjusted under subsection (h); plus
 5 (B) to the extent that it is not included in clause (A) or (C), the
 6 net assessed value of any and all parcels or classes of parcels
 7 identified as part of the base assessed value in the declaratory
 8 resolution or an amendment to the declaratory resolution, as
 9 finally determined for any subsequent assessment date; plus
 10 (C) to the extent that it is not included in clause (A) or (B), the
 11 net assessed value of property that is assessed as residential
 12 property under the rules of the department of local government
 13 finance, as finally determined for any assessment date after the
 14 effective date of the allocation provision.

15 (3) "Property taxes" means taxes imposed under IC 6-1.1 on real
 16 property.

17 (b) A declaratory resolution adopted under section 16 of this chapter
 18 before the date set forth in IC 36-7-14-39(b) pertaining to declaratory
 19 resolutions adopted under IC 36-7-14-15 may include a provision with
 20 respect to the allocation and distribution of property taxes for the
 21 purposes and in the manner provided in this section. A declaratory
 22 resolution previously adopted may include an allocation provision by
 23 the amendment of that declaratory resolution in accordance with the
 24 procedures set forth in section 18 of this chapter. The allocation
 25 provision may apply to all or part of the military base development
 26 area. The allocation provision must require that any property taxes
 27 subsequently levied by or for the benefit of any public body entitled to
 28 a distribution of property taxes on taxable property in the allocation
 29 area be allocated and distributed as follows:

30 (1) Except as otherwise provided in this section, the proceeds of
 31 the taxes attributable to the lesser of:

32 (A) the assessed value of the property for the assessment date
 33 with respect to which the allocation and distribution is made;

34 or

35 (B) the base assessed value;

36 shall be allocated to and, when collected, paid into the funds of
 37 the respective taxing units.

38 (2) *The excess of the proceeds of the property taxes imposed for*
 39 *the assessment date with respect to which the allocation and*
 40 *distribution is made that are attributable to taxes imposed after*
 41 *being approved by the voters in a referendum or local public*
 42 *question conducted after April 30, 2010, not otherwise included*

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1 in subdivision (1) shall be allocated to and, when collected, paid
 2 into the funds of the taxing unit for which the referendum or local
 3 public question was conducted.
 4 ~~(2)~~ (3) Except as otherwise provided in this section, property tax
 5 proceeds in excess of those described in ~~subdivision~~ subdivisions
 6 (1) and (2) shall be allocated to the development authority and,
 7 when collected, paid into an allocation fund for that allocation
 8 area that may be used by the development authority and only to do
 9 one (1) or more of the following:
 10 (A) Pay the principal of and interest and redemption premium
 11 on any obligations incurred by the development authority or
 12 any other entity for the purpose of financing or refinancing
 13 military base development or reuse activities in or directly
 14 serving or ~~benefitting~~ benefiting that allocation area.
 15 (B) Establish, augment, or restore the debt service reserve for
 16 bonds payable solely or in part from allocated tax proceeds in
 17 that allocation area or from other revenues of the development
 18 authority, including lease rental revenues.
 19 (C) Make payments on leases payable solely or in part from
 20 allocated tax proceeds in that allocation area.
 21 (D) Reimburse any other governmental body for expenditures
 22 made for local public improvements (or structures) in or
 23 directly serving or ~~benefitting~~ benefiting that allocation area.
 24 (E) For property taxes first due and payable before 2009, pay
 25 all or a part of a property tax replacement credit to taxpayers
 26 in an allocation area as determined by the development
 27 authority. This credit equals the amount determined under the
 28 following STEPS for each taxpayer in a taxing district (as
 29 defined in IC 6-1.1-1-20) that contains all or part of the
 30 allocation area:
 31 STEP ONE: Determine that part of the sum of the amounts
 32 under IC 6-1.1-21-2(g)(1)(A), ~~(repealed)~~, IC 6-1.1-21-2(g)(2),
 33 ~~(repealed)~~, IC 6-1.1-21-2(g)(3), ~~(repealed)~~,
 34 IC 6-1.1-21-2(g)(4), ~~(repealed)~~, and IC 6-1.1-21-2(g)(5)
 35 ~~(repealed)~~ (before their repeal) that is attributable to the
 36 taxing district.
 37 STEP TWO: Divide:
 38 (i) that part of each county's eligible property tax
 39 replacement amount (as defined in IC 6-1.1-21-2 ~~(repealed)~~
 40 (before its repeal)) for that year as determined under
 41 IC 6-1.1-21-4 ~~(repealed)~~ (before its repeal) that is
 42 attributable to the taxing district; by

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(ii) the STEP ONE sum.
STEP THREE: Multiply:
(i) the STEP TWO quotient; by
(ii) the total amount of the taxpayer's taxes (as defined in IC 6-1.1-21-2 ~~(repealed)~~ (before its repeal)) levied in the taxing district that have been allocated during that year to an allocation fund under this section.

If not all the taxpayers in an allocation area receive the credit in full, each taxpayer in the allocation area is entitled to receive the same proportion of the credit. A taxpayer may not receive a credit under this section and a credit under section 32 of this chapter (before its repeal) in the same year.

(F) Pay expenses incurred by the development authority for local public improvements or structures that were in the allocation area or directly serving or ~~benefitting~~ benefiting the allocation area.

(G) Reimburse public and private entities for expenses incurred in training employees of industrial facilities that are located:

- (i) in the allocation area; and
- (ii) on a parcel of real property that has been classified as industrial property under the rules of the department of local government finance.

However, the total amount of money spent for this purpose in any year may not exceed the total amount of money in the allocation fund that is attributable to property taxes paid by the industrial facilities described in this clause. The reimbursements under this clause must be made not more than three (3) years after the date on which the investments that are the basis for the increment financing are made.

The allocation fund may not be used for operating expenses of the development authority.

~~(3)~~ (4) Except as provided in subsection (g), before July 15 of each year the development authority shall do the following:

(A) Determine the amount, if any, by which property taxes payable to the allocation fund in the following year will exceed the amount of property taxes necessary to make, when due, principal and interest payments on bonds described in subdivision ~~(2)~~ (3) plus the amount necessary for other purposes described in ~~subdivision~~ subdivisions (2) and (3).

(B) Provide a written notice to the appropriate county auditors and the fiscal bodies and other officers who are authorized to

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1 fix budgets, tax rates, and tax levies under IC 6-1.1-17-5 for
 2 each of the other taxing units that is wholly or partly located
 3 within the allocation area. The notice must:
 4 (i) state the amount, if any, of the excess property taxes that
 5 the development authority has determined may be paid to
 6 the respective taxing units in the manner prescribed in
 7 subdivision (1); or
 8 (ii) state that the development authority has determined that
 9 there is no excess assessed value that may be allocated to the
 10 respective taxing units in the manner prescribed in
 11 subdivision (1).
 12 The county auditors shall allocate to the respective taxing units
 13 the amount, if any, of excess assessed value determined by the
 14 development authority. The development authority may not
 15 authorize a payment to the respective taxing units under this
 16 subdivision if to do so would endanger the interest of the
 17 holders of bonds described in subdivision ~~(2)~~ (3) or lessors
 18 under section 24 of this chapter. Property taxes received by a
 19 taxing unit under this subdivision before 2009 are eligible for
 20 the property tax replacement credit provided under IC 6-1.1-21
 21 ~~(repealed)~~. *(before its repeal)*.
 22 (c) For the purpose of allocating taxes levied by or for any taxing
 23 unit or units, the assessed value of taxable property in a territory in the
 24 allocation area that is annexed by a taxing unit after the effective date
 25 of the allocation provision of the declaratory resolution is the lesser of:
 26 (1) the assessed value of the property for the assessment date with
 27 respect to which the allocation and distribution is made; or
 28 (2) the base assessed value.
 29 (d) Property tax proceeds allocable to the military base development
 30 district under subsection ~~(b)(2)~~ (b)(3) may, subject to subsection ~~(b)(3)~~;
 31 (b)(4), be irrevocably pledged by the military base development district
 32 for payment as set forth in subsection ~~(b)(2)~~: (b)(3).
 33 (e) Notwithstanding any other law, each assessor shall, upon
 34 petition of the development authority, reassess the taxable property
 35 situated upon or in or added to the allocation area, effective on the next
 36 assessment date after the petition.
 37 (f) Notwithstanding any other law, the assessed value of all taxable
 38 property in the allocation area, for purposes of tax limitation, property
 39 tax replacement, and the making of the budget, tax rate, and tax levy
 40 for each political subdivision in which the property is located is the
 41 lesser of:
 42 (1) the assessed value of the property as valued without regard to

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1 this section; or
 2 (2) the base assessed value.
 3 (g) If any part of the allocation area is located in an enterprise zone
 4 created under IC 5-28-15, the development authority shall create funds
 5 as specified in this subsection. A development authority that has
 6 obligations, bonds, or leases payable from allocated tax proceeds under
 7 subsection ~~(b)(2)~~ (b)(3) shall establish an allocation fund for the
 8 purposes specified in subsection ~~(b)(2)~~ (b)(3) and a special zone fund.
 9 The development authority shall, until the end of the enterprise zone
 10 phase out period, deposit each year in the special zone fund any amount
 11 in the allocation fund derived from property tax proceeds in excess of
 12 those described in subsection (b)(1) and (b)(2) from property located
 13 in the enterprise zone that exceeds the amount sufficient for the
 14 purposes specified in subsection ~~(b)(2)~~ (b)(3) for the year. The amount
 15 sufficient for purposes specified in subsection ~~(b)(2)~~ (b)(3) for the year
 16 shall be determined based on the pro rata part of such current property
 17 tax proceeds from the part of the enterprise zone that is within the
 18 allocation area as compared to all such current property tax proceeds
 19 derived from the allocation area. A development authority that does not
 20 have obligations, bonds, or leases payable from allocated tax proceeds
 21 under subsection ~~(b)(2)~~ (b)(3) shall establish a special zone fund and
 22 deposit all the property tax proceeds in excess of those described in
 23 subsection (b)(1) and (b)(2) that are derived from property in the
 24 enterprise zone in the fund. The development authority that creates the
 25 special zone fund shall use the fund (based on the recommendations of
 26 the urban enterprise association) for programs in job training, job
 27 enrichment, and basic skill development that are designed to benefit
 28 residents and employers in the enterprise zone or for other purposes
 29 specified in subsection ~~(b)(2)~~; (b)(3), except that where reference is
 30 made in subsection ~~(b)(2)~~ (b)(3) to an allocation area it shall refer for
 31 purposes of payments from the special zone fund only to that part of the
 32 allocation area that is also located in the enterprise zone. The programs
 33 shall reserve at least one-half (1/2) of their enrollment in any session
 34 for residents of the enterprise zone.
 35 (h) After each general reassessment **of real property in an area**
 36 **under IC 6-1.1-4-4 or reassessment under a reassessment plan**
 37 **prepared under IC 6-1.1-4, IC 6-1.1-4-4.2**, the department of local
 38 government finance shall adjust the base assessed value one (1) time
 39 to neutralize any effect of the ~~general~~ **reassessment of the real**
 40 **property in the area** on the property tax proceeds allocated to the
 41 military base development district under this section. After each annual
 42 adjustment under IC 6-1.1-4-4.5, the department of local government

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1 finance shall adjust the base assessed value to neutralize any effect of
 2 the annual adjustment on the property tax proceeds allocated to the
 3 military base development district under this section. However, the
 4 adjustments under this subsection may not include the effect of
 5 property tax abatements under IC 6-1.1-12.1, and these adjustments
 6 may not produce less property tax proceeds allocable to the military
 7 base development district under subsection ~~(b)(2)~~ (b)(3) than would
 8 otherwise have been received if the general reassessment,
 9 **reassessment under the county's reassessment plan**, or annual
 10 adjustment had not occurred. The department of local government
 11 finance may prescribe procedures for county and township officials to
 12 follow to assist the department in making the adjustments.

13 SECTION 60. IC 36-7-32-19, AS AMENDED BY P.L.154-2006,
 14 SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JANUARY 1, 2013]: Sec. 19. (a) The state board of accounts and
 16 department of local government finance shall make the rules and
 17 prescribe the forms and procedures that the state board of accounts and
 18 department of local government finance consider appropriate for the
 19 implementation of an allocation area under this chapter.

20 (b) After each general reassessment **of real property in an area**
 21 **under IC 6-1.1-4-4 or reassessment under a reassessment plan**
 22 **prepared under ~~IC 6-1.1-4~~, IC 6-1.1-4-4.2**, the department of local
 23 government finance shall adjust the base assessed value one (1) time
 24 to neutralize any effect of the ~~general~~ **reassessment of the real**
 25 **property in the area** on the property tax proceeds allocated to the
 26 certified technology park fund under section 17 of this chapter. After
 27 each annual adjustment under IC 6-1.1-4-4.5, the department of local
 28 government finance shall adjust the base assessed value to neutralize
 29 any effect of the annual adjustment on the property tax proceeds
 30 allocated to the certified technology park fund under section 17 of this
 31 chapter.

32 SECTION 61. **An emergency is declared for this act.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill No. 19, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 7, delete "January 1, 2013," and insert "**July 1, 2013, and before July 1 of every fourth year thereafter,**".

Page 2, line 12, after "finance." insert "**The department of local government finance shall complete its review and approval of the reassessment plan before March 1 of the year following the year in which the reassessment plan is submitted by the county.**".

Page 2, between lines 36 and 37, begin a new line block indented and insert:

"(8) The reassessment plan must specify the dates by which the assessor must submit land values under section 13.6 of this chapter to the county property tax assessment board of appeals.

(9) Subject to review and approval by the department of local government finance, the county assessor may modify the reassessment plan."

Page 2, line 41, delete "and provide that" and insert ".".

Page 2, delete line 42.

Page 3, delete lines 1 through 2.

Page 3, line 3, delete "within each class of real property in the county."

Page 3, line 7, delete "2013," and insert "**2014,**".

Page 3, line 8, delete "2014." and insert "**2015.**".

Page 6, line 3, delete "2014)" and insert "**2015)**".

Page 6, line 5, delete "2014)," and insert "**2015),**".

Page 6, line 11, delete "2014)" and insert "**2015)**".

Page 6, line 13, delete "2014)," and insert "**2015),**".

Page 7, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 9. IC 6-1.1-4-13.6, AS AMENDED BY P.L.113-2010, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2013]: Sec. 13.6. (a) The county assessor shall determine the values of all classes of commercial, industrial, and residential land (including farm homesites) in the county using guidelines determined by the department of local government finance. ~~Not later than July 1, 2011, and every fourth year thereafter,~~ The assessor determining the values of land shall submit the values to the county property tax assessment board of appeals **by the dates specified in the county's**



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reassessment plan under section 4.2 of this chapter.

(b) If the county assessor fails to determine land values under subsection (a) before the ~~July 1 deadline;~~ **deadlines in the county's reassessment plan under section 4.2 of this chapter,** the county property tax assessment board of appeals shall determine the values. If the county property tax assessment board of appeals fails to determine the values before the land values become effective, the department of local government finance shall determine the values.

(c) The county assessor shall notify all township assessors in the county (if any) of the values. Assessing officials shall use the values determined under this section.

(d) A petition for the review of the land values determined by a county assessor under this section may be filed with the department of local government finance not later than forty-five (45) days after the county assessor makes the determination of the land values. The petition must be signed by at least the lesser of:

- (1) one hundred (100) property owners in the county; or
- (2) five percent (5%) of the property owners in the county.

(e) Upon receipt of a petition for review under subsection (d), the department of local government finance:

- (1) shall review the land values determined by the county assessor; and
- (2) after a public hearing, shall:
 - (A) approve;
 - (B) modify; or
 - (C) disapprove;
 the land values."

Page 9, delete lines 22 through 42, begin a new paragraph and insert:

"SECTION 15. IC 6-1.1-4-22, AS AMENDED BY P.L.136-2009, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2013]: Sec. 22. (a) If any assessing official assesses or reassesses any real property under this article (**including an annual adjustment under section 4.5 of this chapter**) the official shall give notice to the taxpayer and the county assessor, by mail **or by using electronic mail that includes a secure Internet link to the information in the notice,** of the amount of the assessment or reassessment.

(b) ~~During a period of general reassessment,~~ Each township or county assessor shall ~~mail~~ **provide** the notice required by this section **within by the earlier of:**

- (1) ninety (90) days after the assessor:



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- (1) (A) completes the appraisal of a parcel; or
- (2) (B) receives a report for a parcel from a professional appraiser or professional appraisal firm; or
- (2) April 10 of the year containing the assessment date for which the assessment or reassessment first applies.

(c) The notice required by this section is in addition to any required notice of assessment or reassessment included in a property tax statement under IC 6-1.1-22 or IC 6-1.1-22.5.

(d) The notice required by this section must include notice to the person of the opportunity to appeal the assessed valuation under IC 6-1.1-15-1.

(e) Notice of the opportunity to appeal the assessed valuation required under subsection (d) must include the following:

- (1) The procedure that a taxpayer must follow to appeal the assessment or reassessment.
- (2) The forms that must be filed for an appeal of the assessment or reassessment.
- (3) Notice that an appeal of the assessment or reassessment requires evidence relevant to the true tax value of the taxpayer's property as of the assessment date."

Page 10, delete lines 1 through 7.

Page 10, strike lines 14 through 22.

Page 10, line 23, strike "(c)" and insert "(b)".

Page 10, line 32, strike "(d)" and insert "(c)".

Page 10, line 35, strike "(e)" and insert "(d)".

Page 11, line 1, strike "(f)" and insert "(e)".

Page 11, line 2, strike "or (c)".

Page 11, line 12, strike "(g)" and insert "(f)".

Page 11, line 12, strike "(f)," and insert "(e),".

Page 13, line 20, delete "reassessment" and insert "reassessment, the reassessment of a group of parcels under a county's reassessment plan prepared under section 4.2 of this chapter,".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 19 as introduced.)

HERSHMAN, Chairperson

Committee Vote: Yeas 11, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 19, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 7, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 9. IC 6-1.1-4-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE FEBRUARY 29, 2012 (RETROACTIVE)]:
Sec. 13. (a) In assessing or reassessing land, the land shall be assessed as agricultural land only when it is devoted to agricultural use.

(b) The department of local government finance shall give written notice to each county assessor of:

- (1) the availability of the United States Department of Agriculture's soil survey data; and
- (2) the appropriate soil productivity factor for each type or classification of soil shown on the United States Department of Agriculture's soil survey map.

All assessing officials and the property tax assessment board of appeals shall use the data in determining the true tax value of agricultural land.

However, notwithstanding the availability of new soil productivity factors and the department of local government finance's notice of the appropriate soil productivity factor for each type or classification of soil shown on the United States Department of Agriculture's soil survey map for the March 1, 2012, assessment date, the soil productivity factors used for the March 1, 2011, assessment date shall be used for the March 1, 2012, assessment date. New soil productivity factors shall be used for assessment dates occurring after March 1, 2012.

(c) The department of local government finance shall by rule provide for the method for determining the true tax value of each parcel of agricultural land.

(d) This section does not apply to land purchased for industrial, commercial, or residential uses."

Page 22, line 5, delete "P.L.173-2011" and insert "HEA 1009-2012".

Page 22, line 6, delete "5" and insert "40".

Page 22, delete lines 16 through 18, begin a new line double block indented and insert:

"(B) A percentage determined under section 17 of this chapter if the designating body elects to use an alternative abatement schedule provided under section 17 of this chapter."

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Page 91, after line 11, begin a new paragraph and insert:
 "SECTION 56. **An emergency is declared for this act.**".
 Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 19 as printed January 11, 2012.)

ESPICH, Chair

Committee Vote: yeas 18, nays 0.

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 19 be amended to read as follows:

Page 50, between lines 28 and 29, begin a new paragraph and insert:
 "SECTION 39. IC 6-1.1-22.5-20, AS AMENDED BY P.L.182-2009(ss), SECTION 164, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 20. For purposes of a provisional statement under section 6 of this chapter, the department of local government finance may adopt emergency rules under IC 4-22-2-37.1 to **do any of the following**:

(1) Provide a methodology for a county treasurer to issue provisional statements with respect to real property, taking into account new construction of improvements placed on the real property, damage, and other losses related to the real property:

(+) (A) after March 1 of the year preceding the assessment date to which the provisional statement applies; and

(-) (B) before the assessment date to which the provisional statement applies.

(2) **Carry out IC 6-1.1-22.6.**

SECTION 40. IC 6-1.1-22.6 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 22.6. Resolution of Multi-Year Delay in Issuance of Tax Bills

Sec. 1. As used in this chapter, "covered county" refers to a county that is subject to this chapter.

Sec. 2. As used in this chapter, "delayed property taxes" refers to the following:

(1) **Property taxes imposed for a year for which a reconciliation statement becomes due in a year that the county**

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qualifies as a covered county.

(2) Property taxes for which a covered county is behind in issuing property tax bills on February 1 in at least one (1) year that the county qualifies as a covered county.

(3) Property taxes imposed for an assessment date that occurs before the county ceases to be a covered county under section 15 of this chapter.

Sec. 3. As used in this chapter, "eligible taxing unit" refers to the following:

- (1) A city.
- (2) A town.
- (3) A school corporation.
- (4) A library district.

Sec. 4. As used in this chapter, "executive" has the meaning set forth in IC 36-1-2-5.

Sec. 5. As used in this chapter, "department" refers to the department of local government finance.

Sec. 6. As used in this chapter, "property tax bill" refers to:

- (1) a property tax statement required by IC 6-1.1-22-8.1; or
- (2) a reconciling statement;

that conforms to law.

Sec. 7. As used in this chapter, "property taxes" has the meaning set forth in IC 6-1.1-22.5-3.

Sec. 8. As used in this chapter, "provisional statement" has the meaning set forth in IC 6-1.1-22.5-2.

Sec. 9. As used in this chapter, "reconciling statement" has the meaning set forth in IC 6-1.1-22.5-4.

Sec. 10. As used in this chapter, "settlement date" refers to a settlement date specified in IC 6-1.1-27-1.

Sec. 11. As used in this chapter, "special master" refers to an individual or entity employed under this chapter to carry out substantially all of the duties of the county auditor necessary to issue property tax bills in each year that the county is a covered county, including the year in which the county ceases to be a covered county.

Sec. 12. As used in this chapter, "tax anticipation warrant or obligation" refers to a loan or other evidence of indebtedness issued by a taxing unit in anticipation of the collection of delayed property taxes due to the taxing unit, including evidences of indebtedness with a term of more than one (1) year and debt refunding loans or other evidences of indebtedness issued by a taxing unit in anticipation of the collection of delayed property

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taxes due to the taxing unit.

Sec. 13. A county becomes subject to this chapter if, in a year after December 31, 2011, the county is at least three (3) years behind in issuing property tax bills on February 1 of that year.

Sec. 14. The general assembly finds that LaPorte County qualified as a county subject to this chapter on February 1, 2012.

Sec. 15. Subject to section 16 of this chapter, a county ceases to be subject to this chapter in the year after the county:

- (1) ceases to be behind in issuing property tax bills for all previous years; and
- (2) issues a property tax bill for property taxes due that would ordinarily be due in the current year before April 26 of the current year.

Sec. 16. The termination of a county's status as a covered county does not relieve the county from making the payments required under section 18 of this chapter.

Sec. 17. (a) The county treasurer of a covered county shall accept payment of property taxes and special assessments made by debit card, bank card, credit card, or electronic transfer.

(b) The county treasurer of a covered county, or another appropriate official of the covered county, shall contract with a debit card, bank card, credit card, or electronic transfer vendor for acceptance of debit cards, bank cards, credit cards, or electronic transfers for the receipt of tax collections for delayed property taxes. However, if there is a vendor transaction charge, discount fee, or other charge, whether billed to the covered county or charged directly to an account of the covered county, the covered county or the card or electronic payment service vendor may collect from the person using the card or electronic payment service a fee that may not exceed the highest transaction charge or discount fee charged to the covered county by the card or electronic payment service vendor during the most recent collection period. This fee may be collected regardless of any agreement between the bank and a card or electronic payment service vendor or regardless of any internal policy of the card or electronic payment service vendor that may prohibit this type of fee. The fee is a permitted additional charge under IC 24-4.5-3-202.

(c) This section shall not be construed as limiting the authority of a county to accept payment by debit card, bank card, credit card, or electronic transfer.

Sec. 18. (a) Subject to subsection (b), a covered county shall set aside in a separate fund on the schedule specified by the

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department from the funds specified by the department, one million dollars (\$1,000,000) for each consecutive year that the county experienced delayed property taxes before the year in which the county qualifies as a covered county.

(b) The amount that must be set aside under subsection (a) for a particular year that the county experienced delayed property taxes is reduced:

(1) to zero (0), if all reconciliation statements for the delayed property taxes covered by subsection (a) and not previously billed are mailed or otherwise transmitted to taxpayers before January 16 of the year immediately following the year that the county becomes a covered county; and

(2) by twenty-five percent (25%), if all reconciliation statements for delayed property taxes covered by subsection (a) and not previously billed are mailed or otherwise transmitted to taxpayers before March 1 of the year immediately following the year that the county becomes a covered county.

(c) The amount set aside under this section for a particular year in which eligible taxing units experienced delayed property taxes shall be used to compensate eligible taxing units for:

(1) interest and other costs incurred by an eligible taxing unit for issuing anticipation warrants or other obligations to fund the eligible taxing unit's operating and capital requirements during a period in which the eligible taxing unit experienced delayed property tax collections; and

(2) interest, at the adjusted rate for the period determined under IC 6-8.1-10-1, on the amount of the delayed property taxes not received by the eligible taxing unit, if the eligible taxing unit self-funded its operating and capital requirements during a period in which the eligible taxing unit experienced delayed property tax collections rather than issue anticipation warrants or other obligations.

(d) The Indiana bond bank or a person or entity designated by the Indiana bond bank shall establish a procedure for determining the amount that is to be distributed to each eligible taxing unit under this section. The procedure must include at least one (1) public hearing in the covered county.

(e) The county auditor of a covered county shall distribute the amount set aside under this section for a particular year among eligible taxing units according to a formula or amount prescribed by the Indiana bond bank or the person or entity designated by the

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Indiana bond bank.

(f) The amount due to an eligible taxing unit under this section to compensate the eligible taxing unit for delayed property tax collections in a particular year shall be distributed in eight (8) equal installments. Each installment shall be paid on a consecutive settlement date following the date the Indiana bond bank or the person or entity designated by the Indiana bond bank determines the amount to be distributed to the eligible taxing unit.

(g) Any amount set aside under this section that exceeds the amount that the Indiana bond bank or a person or entity designated by the Indiana bond bank requires the covered county to distribute to eligible taxing units shall be transferred back to the funds from which the money was set aside in accordance with the directions of the Indiana bond bank or a person or entity designated by the Indiana bond bank.

(h) An eligible taxing unit, the county auditor and county treasurer of a covered county, and any special master appointed under this chapter shall provide the Indiana bond bank or a person or entity designated by the Indiana bond bank with the information required by the Indiana bond bank or a person or entity designated by the Indiana bond bank to carry out this section.

Sec. 19. An eligible taxing unit shall apply interest received under section 18 of this chapter:

- (1) first, to pay or reimburse a fund for the payment of costs and interest incurred on tax anticipation warrants or obligations issued in anticipation of delayed property taxes; and
- (2) thereafter, to obligations that would otherwise require the eligible taxing unit to impose a property tax to pay, as required by the Indiana bond bank or a person or entity designated by the Indiana bond bank.

Sec. 20. (a) Subject to the approval of the department, a county executive of a covered county may employ one (1) or more special masters and the number of deputy special masters needed by the special masters to carry out substantially all of the duties of:

- (1) the county auditor; or
- (2) the county treasurer;

or both, as is necessary to issue property tax bills in each year that the county is a covered county, including the year that the county ceases to be a covered county.

(b) The department may:

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- (1) as a condition of approving the contract, require that the department must be a party to the employment contract and any addendum to the employment contract;
- (2) specify the scope of a special master's duties; and
- (3) set standards for the selection and conduct of the special master.

(c) If the duties of both the county auditor and the county treasurer are assigned to one (1) or more special masters under this section, the assignment of duties shall be delegated among different individuals in such a manner as to maintain adequate accounting internal controls.

Sec. 21. No contract shall be made with any special master before the giving of notice and the receiving of bids from anyone desiring to furnish this service. Notice of the time and place for receiving bids for the contract shall be given by publication by one (1) insertion in two (2) newspapers of general circulation published in the county and representing each of the two (2) leading political parties in the county. If only one (1) newspaper is published in the county, notice in that one (1) newspaper is sufficient to comply with the requirements of this section. The contract shall be awarded to the lowest and best bidder who meets all requirements under law and all standards specified by the department for entering a contract to serve as special master. However, any and all bids may be rejected, and new bids may be asked.

Sec. 22. The county executive of a covered county shall appropriate the funds and provide the space and all necessary supplies needed to meet the obligations created by a special master's contract.

Sec. 23. A special master has the powers of a county auditor within the scope of the special master's duties, including the power to employ deputy special masters and terminate employment.

Sec. 24. The county auditor, the county treasurer, the county assessor, and all other officials and employees of a covered county shall provide assistance to a special master, as requested by the special master or the special master's deputies.

Sec. 25. The county council of a covered county may grant a tax credit not exceeding two percent (2%) of delayed property taxes due on a reconciliation statement on any amount of delayed property taxes paid within thirty (30) regular business days after the county treasurer mails or otherwise transmits the property tax bill for the delayed property taxes to the taxpayer or other person authorized to receive the property tax bill. The amount of the

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credit reduces the amount to be distributed to each taxing unit that imposed the delayed property taxes in proportion to the amount due to each taxing unit. A taxing unit shall allocate the amount of the lost revenue to every fund in proportion to the delayed property taxes due from the property tax bill, other than a debt service fund.

Sec. 26. (a) The department may prescribe forms, adopt emergency rules under IC 6-1.1-22.5-20, issue administrative orders, set deadlines and other timetables for required activities, and issue interpretive bulletins to carry out this chapter, including rules, orders, and bulletins related to the scope of the duties to be performed by a special master under this chapter.

(b) Notwithstanding any other law, the department shall require that:

- (1) trending and other adjustments to the assessed value of real property under IC 6-1.1-4-4.5 be applied separately to each assessment date subject to this chapter with the resulting assessments rolled over to be used as the valuation that is adjusted for the following assessment date;
- (2) the information required to be submitted to the department or the legislative services agency, or both, under IC 6-1.1-4-18.5, IC 6-1.1-4-19.5, IC 6-1.1-4-25, IC 6-1.1-5.5-3, IC 6-1.1-11-8, IC 6-1.1-31.5-3.5, IC 6-1.1-33.5-3, or IC 36-2-9-20 be submitted separately for each assessment date subject to this chapter not later than sixty (60) days after the information becomes available to the local official possessing the information;
- (3) penalties and interest on delinquent payments on a reconciliation statement subject to this chapter are waived for six (6) months after the payment, including an installment payment under IC 6-1.1-22.5-18.5, is otherwise due;
- (4) a homestead eligible for a standard deduction under IC 6-1.1-12-37 on which payments on a reconciliation statement subject to this section are delinquent, including an installment payment under IC 6-1.1-22.5-18.5, may not be placed on a list for tax sale for at least twelve (12) months after the payment, including an installment payment under IC 6-1.1-22.5-18.5, is otherwise due;
- (5) the period in which property eligible for a deduction or credit provided by law for an assessment date for which delayed property taxes are imposed is extended to a date that is forty-five (45) days after the reconciliation statement for

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those taxes is mailed or otherwise transmitted under IC 6-1.1-22.5-12; and

(6) require that the covered county establish an installment payment plan in accordance with IC 6-1.1-22.5-18.5 under which taxpayers are required to pay delayed property taxes.

(c) Subject to the requirements of this chapter, the department may set schedules and take other actions necessary or appropriate to provide for the earliest possible issuance of property tax bills for the collection of delayed property taxes and a return to a normal collection cycle for property taxes in covered counties."

Page 51, between lines 1 and 2, begin a new paragraph and insert:

"SECTION 42. IC 6-1.1-30-17, AS ADDED BY P.L.146-2008, SECTION 268, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 17. (a) Except as provided in subsection (c) and subject to subsection (d), the department of state revenue and the auditor of state shall, when requested by the department of local government finance, withhold a percentage of the distributions of county adjusted gross income tax distributions under IC 6-3.5-1.1, county option income tax distributions under IC 6-3.5-6, or county economic development income tax distributions under IC 6-3.5-7 that would otherwise be distributed to the county under the schedules in IC 6-3.5-1.1-10, IC 6-3.5-1.1-21.1, IC 6-3.5-6-17, IC 6-3.5-6-17.3, IC 6-3.5-7-16, and IC 6-3.5-7-17.3, if:

- (1) local assessing officials have not provided information to the department of local government finance in a timely manner under IC 4-10-13-5(b);
- (2) the county assessor has not transmitted to the department of local government finance by October 1 of the year in which the distribution is scheduled to be made the data for all townships in the county required to be transmitted under IC 6-1.1-4-25;
- (3) the county auditor has not paid a bill for services under IC 6-1.1-4-31.5 to the department of local government finance in a timely manner;
- (4) the county assessor has not forwarded to the department of local government finance in a timely manner sales disclosure form data under IC 6-1.1-5.5-3;
- (5) the county auditor has not forwarded to the department of local government finance the duplicate copies of all approved exemption applications required to be forwarded by that date under IC 6-1.1-11-8(a);
- (6) by the date the distribution is scheduled to be made, the county auditor has not sent a certified statement required to be

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sent by that date under IC 6-1.1-17-1 to the department of local government finance;

(7) the county does not maintain a certified computer system that meets the requirements of IC 6-1.1-31.5-3.5;

(8) the county auditor has not transmitted the data described in IC 36-2-9-20 to the department of local government finance in the form and on the schedule specified by IC 36-2-9-20;

(9) the county has not established a parcel index numbering system under 50 IAC 23-8-1 in a timely manner; ~~or~~

(10) a county official has not provided other information to the department of local government finance in a timely manner as required by the department of local government finance; ~~or~~

(11) the department of local government finance incurs additional costs to assist a covered county (as defined in IC 6-1.1-22.6-1) to issue tax statements within the time frame specified in IC 6-1.1-22.6-18(b) for each year that the county experienced delayed property taxes (as defined in IC 6-1.1-22.6-2) before the year in which the county qualifies as a covered county.

The percentage to be withheld is the percentage determined by the department of local government finance. **However, the percentage withheld for a reason stated in subdivision (11) may not exceed the percentage needed to reimburse the department of local government finance for the costs incurred by the department of local government finance.**

(b) Except as provided in subsection (e), money not distributed for the reasons stated in subsection (a) shall be distributed to the county when the department of local government finance determines that the failure to:

- (1) provide information; or
- (2) pay a bill for services;

has been corrected.

(c) The restrictions on distributions under subsection (a) do not apply if the department of local government finance determines that the failure to:

- (1) provide information; or
- (2) pay a bill for services;

in a timely manner is justified by unusual circumstances.

(d) The department of local government finance shall give the county auditor at least thirty (30) days notice in writing before the department of state revenue or the auditor of state withholds a distribution under subsection (a).

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(e) Money not distributed for the reason stated in subsection (a)(3) may be deposited in the fund established by IC 6-1.1-5.5-4.7(a). Money deposited under this subsection is not subject to distribution under subsection (b).

(f) This subsection applies to a county that will not receive a distribution under IC 6-3.5-1.1, IC 6-3.5-6, or IC 6-3.5-7. At the request of the department of local government finance, an amount permitted to be withheld under subsection (a) may be withheld from any state revenues that would otherwise be distributed to the county or one (1) or more taxing units in the county."

Renumber all SECTIONS consecutively.

(Reference is to ESB 19 as printed February 24, 2012.)

DERMODY

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 19 be amended to read as follows:

Page 59, between lines 38 and 39, begin a new paragraph and insert:
"SECTION 50. IC 36-7-14-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. (a) Within thirty (30) days after the close of each calendar year, the redevelopment commissioners shall file with the unit's executive a report setting out their activities during the preceding calendar year.

(b) The report of the commissioners of a municipal redevelopment commission must show the names of the then qualified and acting commissioners, the names of the officers of that body, the number of regular employees and their fixed salaries or compensation, the amount of the expenditures made during the preceding year and their general purpose, **an accounting of the tax increment revenues expended by any entity receiving the tax increment revenues as a grant or loan from the commission**, the amount of funds on hand at the close of the calendar year, and other information necessary to disclose the activities of the commissioners and the results obtained.

(c) The report of the commissioners of a county redevelopment commission must show all the information required by subsection (b), plus the names of any commissioners appointed to or removed from office during the preceding calendar year.

(d) A copy of each report filed under this section must be



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submitted to the department of local government finance in an electronic format under IC 5-14-6."

Page 75, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 53. IC 36-7-15.1-36.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 36.3. (a) Within thirty (30) days after the close of each calendar year, the commission shall file with the mayor a report setting out the commission's activities during the preceding calendar year.**

(b) The report required by subsection (a) must show the names of the then qualified and acting commissioners, the names of the officers of that body, the number of regular employees and their fixed salaries or compensation, the amount of the expenditures made during the preceding year and their general purpose, an accounting of the tax increment revenues expended by any entity receiving the tax increment revenues as a grant or loan from the commission, the amount of funds on hand at the close of the calendar year, and other information necessary to disclose the activities of the commission and the results obtained.

(c) A copy of each report filed under this section must be submitted to the department of local government finance in an electronic format under IC 5-14-6."

Renumber all SECTIONS consecutively.

(Reference is to ESB 19 as printed February 24, 2012.)

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