

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 344 be amended to read as follows:

1 Page 4, between lines 7 and 8, begin a new paragraph and insert:
2 "SECTION 5. IC 6-1.1-18.5-3, AS AMENDED BY P.L.172-2011,
3 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2012]: Sec. 3. (a) A civil taxing unit may not impose an ad
5 valorem property tax levy for an ensuing calendar year that exceeds the
6 amount determined in the last STEP of the following STEPS:
7 STEP ONE: Determine the civil taxing unit's maximum
8 permissible ad valorem property tax levy for the preceding
9 calendar year.
10 STEP TWO: Multiply the amount determined in STEP ONE by
11 the amount determined in the last STEP of section 2(b) of this
12 chapter.
13 STEP THREE: Determine the lesser of one and fifteen hundredths
14 (1.15) or the quotient (rounded to the nearest ten-thousandth
15 (0.0001)), of the assessed value of all taxable property subject to
16 the civil taxing unit's ad valorem property tax levy for the ensuing
17 calendar year, divided by the assessed value of all taxable
18 property that is subject to the civil taxing unit's ad valorem
19 property tax levy for the ensuing calendar year and that is
20 contained within the geographic area that was subject to the civil
21 taxing unit's ad valorem property tax levy in the preceding
22 calendar year.
23 STEP FOUR: Determine the greater of the amount determined in
24 STEP THREE or one (1).
25 STEP FIVE: Multiply the amount determined in STEP TWO by
26 the amount determined in STEP FOUR.
27 STEP SIX: Add the amount determined under STEP TWO to the
28 amount of an excessive levy appeal granted under section 13 of
29 this chapter for the ensuing calendar year.

1 STEP SEVEN: Determine the greater of STEP FIVE or STEP
2 SIX.

3 (b) This subsection applies only to property taxes first due and
4 payable after December 31, 2007. This subsection applies only to a
5 civil taxing unit that is located in a county for which a county adjusted
6 gross income tax rate is first imposed or is increased in a particular
7 year under IC 6-3.5-1.1-24 or a county option income tax rate is first
8 imposed or is increased in a particular year under IC 6-3.5-6-30.
9 Notwithstanding any provision in this section, ~~or~~ any other section of
10 this chapter, **or IC 12-20-21-3**, and except as provided in subsection
11 (c), the maximum permissible ad valorem property tax levy calculated
12 under this section for the ensuing calendar year for a civil taxing unit
13 subject to this section is equal to the civil taxing unit's maximum
14 permissible ad valorem property tax levy for the current calendar year.

15 (c) This subsection applies only to property taxes first due and
16 payable after December 31, 2007. In the case of a civil taxing unit that:

17 (1) is partially located in a county for which a county adjusted
18 gross income tax rate is first imposed or is increased in a
19 particular year under IC 6-3.5-1.1-24 or a county option income
20 tax rate is first imposed or is increased in a particular year under
21 IC 6-3.5-6-30; and

22 (2) is partially located in a county that is not described in
23 subdivision (1);

24 the department of local government finance shall, notwithstanding
25 subsection (b), adjust the portion of the civil taxing unit's maximum
26 permissible ad valorem property tax levy that is attributable (as
27 determined by the department of local government finance) to the
28 county or counties described in subdivision (2). The department of
29 local government finance shall adjust this portion of the civil taxing
30 unit's maximum permissible ad valorem property tax levy so that,
31 notwithstanding subsection (b), this portion is allowed to increase as
32 otherwise provided in this section. If the department of local
33 government finance increases the civil taxing unit's maximum
34 permissible ad valorem property tax levy under this subsection, any
35 additional property taxes imposed by the civil taxing unit under the
36 adjustment shall be paid only by the taxpayers in the county or counties
37 described in subdivision (2)."

38 Page 48, line 12, after "(f)" delete ", " and insert "**and**".

39 Page 48, line 12, strike "and (h)",

40 Page 49, strike lines 31 through 37.

41 Page 50, line 14, after "(c)." insert "**However, the assessed value**
42 **growth quotient under IC 6-1.1-18.5 applies in determining the**
43 **maximum levy:**

44 **(1) after 2012, for a township to which subsection (e) does not**
45 **apply; and**

46 **(2) after 2014, for a township to which subsection (e) applies."**

- 1 Page 50, line 36, delete "two (2)." and insert "**four and five-tenths**
- 2 **(4.5)**."
- 3 Renumber all SECTIONS consecutively.
(Reference is to SB 344 as printed January 27, 2012.)

Senator HERSHMAN