February 12, 2013

# ENGROSSED
# SENATE BILL No. 319

DIGEST OF SB 319 (Updated February 11, 2013 12:22 pm - DI 92)

**Citations Affected:** IC 6-1.1; noncode.

**Synopsis:** Soil productivity factors. Provides that the soil productivity factors used for the March 1, 2011, assessment of agricultural land
(Continued next page)

**Effective:** Upon passage; March 1, 2013 (retroactive).

**Leising, Walker, Waterman,**
Young R, Skinner, Arnold J, Landske,
Glick, Hume, Eckerty, Head, Lanane,
Steele, Becker, Nugent,
Paul, Kruse

(HOUSE SPONSORS — LEHE, CHERRY, GOODIN, STEMLER, NIEZGODSKI, ARNOLD L, BACON, BAIRD, BEHNING, BOSMA, BRAUN, BROWN T, BURTON, CLERE, CROUCH, DAVIS, DAVISSON, DERMODY, DEVON, EBERHART, FRIEND, FRIZZELL, FRYE R, GUTWEIN, HAMM, HARMAN, HEATON, HEUER, HUSTON, KARICKHOFF, KIRCHHOFER, KOCH, KUBACKI, LEHMAN, LUCAS, LUTZ, MAHAN, MAYFIELD, MCMILLIN, MCNAMARA, MESSMER, MORRIS, MORRISON, NEESE, NEGELE, NIEMEYER, OBER, POND, PRICE, RHOADS, RICHARDSON, SAUNDERS, SLAGER, SOLIDAY, SPEEDY, STEUERWALD, THOMPSON, TORR, TRUITT, TURNER, UBELHOR, VANNATTER, WASHBURNE, WOLKINS, ZENT, ZIEMKE)

January 8, 2013, read first time and referred to Committee on Appropriations.
January 24, 2013, amended, reported favorably — Do Pass.
January 28, 2013, read second time, ordered engrossed.
January 29, 2013, engrossed. Read third time, passed. Yeas 48, nays 0.

HOUSE ACTION
February 7, 2013, read first time and referred to Committee on Ways and Means.
February 12, 2013, reported — Do Pass.

C o p y

Digest Continued

must be used for the March 1, 2013, assessment date. Requires the department of local government finance, in cooperation with the Purdue University College of Agriculture, to submit the following in 2013 to the commission on state tax and financing policy and to any interim study committee established to study agriculture issues or assigned the topic of studying agriculture issues: (1) Proposed soil productivity factors to be used in the assessment of agricultural land. (2) An explanation of the methodology used to determine the proposed soil productivity factors. (3) Data, from each county, that was used to determine the proposed soil productivity factors. (4) Testimony and comments provided to the department of local government finance by taxpayers and other stakeholders concerning the proposed soil productivity factors.

C o p y

February 12, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

C o p y

# ENGROSSED
# SENATE BILL No. 319

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 6-1.1-4-13, AS AMENDED BY P.L.112-2012, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE MARCH 1, 2013 (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 **and for the March 1, 2013, assessment date.** New soil productivity factors shall be used for assessment dates occurring after March 1, ~~2012.~~ **2013.**

(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.

SECTION 2. [EFFECTIVE UPON PASSAGE] **(a) The department of local government finance, in cooperation with the Purdue University College of Agriculture, shall before November 1, 2013, submit the following to the commission on state tax and financing policy and to any interim study committee established to study agriculture issues or assigned the topic of studying agriculture issues:**

**(1) Proposed soil productivity factors to be used in the assessment of agricultural land under IC 6-1.1-4-13.**

**(2) An explanation of the methodology used to determine the proposed soil productivity factors.**

**(3) Data, from each county, used to determine the proposed soil productivity factors.**

**(4) Evidence of oral testimony and written comments provided to the department of local government finance by taxpayers and other stakeholders concerning the proposed soil productivity factors.**

**(b) This SECTION expires July 1, 2014.**

SECTION 3. **An emergency is declared for this act.**

C o p y

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 319, 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 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-4-13, AS AMENDED BY P.L.112-2012, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE MARCH 1, 2013 (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 **and for the March 1, 2013, assessment date.** New soil productivity factors shall be used for assessment dates occurring after March 1, ~~2012.~~ **2013.**

(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 2, delete lines 1 through 15.

C o p y

Page 2, line 17, after "finance" insert "**, in cooperation with the Purdue University College of Agriculture,**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 319 as introduced.)

KENLEY, Chairperson

Committee Vote: Yeas 12, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 319, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BROWN T, Chair

Committee Vote: yeas 20, nays 0.

C o p y