

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 494 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning state
- 3 and local administration and to make an appropriation.
- 4 Page 15, between lines 37 and 38, begin a new paragraph and insert:
- 5 "SECTION 14. IC 6-1.1-47 IS ADDED TO THE INDIANA CODE
- 6 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 7 JULY 1, 2013]:
- 8 **Chapter 47. Supplemental Homestead Credit for Qualified**
- 9 **Taxpayers**
- 10 **Sec. 1. This chapter applies only to property taxes first due and**
- 11 **payable after December 31, 2013.**
- 12 **Sec. 2. As used in this chapter, "controlled project" has the**
- 13 **meaning set forth in IC 6-1.1-20-1.1.**
- 14 **Sec. 3. (a) As used in this chapter, "homestead" refers to a**
- 15 **homestead that is eligible for a standard deduction under**
- 16 **IC 6-1.1-12-37.**
- 17 **(b) The term includes a house or apartment that is owned or**
- 18 **leased by a cooperative housing corporation (as defined in 26**
- 19 **U.S.C. 216(b)).**
- 20 **Sec. 4. As used in this chapter, "property tax liability" means**
- 21 **liability for the tax imposed on property under this article**
- 22 **determined after application of all credits and deductions under**
- 23 **this article or IC 6-3.5, including the credit granted by**

1 IC 6-1.1-20.6-7.5, but not including any interest or penalty imposed
2 under this article.

3 Sec. 5. As used in this chapter, "qualified capital project" means
4 a controlled project approved for a school corporation under
5 IC 6-1.1-20 after June 30, 2013.

6 Sec. 6. As used in this chapter, "qualified taxpayer" means a
7 taxpayer who:

- 8 (1) is at least sixty-five (65) years of age; and
- 9 (2) has resided on the taxpayer's homestead for at least twenty
10 (20) years.

11 Sec. 7. For purposes of this chapter, a controlled project is
12 considered approved if:

- 13 (1) neither a petition and remonstrance process nor a
14 referendum is initiated under IC 6-1.1-20 with respect to a
15 school corporation's preliminary determination to issue bonds
16 or enter into a lease;
- 17 (2) the number of persons signing a petition exceeds the
18 number of persons signing a remonstrance in a petition and
19 remonstrance process conducted under IC 6-1.1-20-3.2; or
- 20 (3) the majority of the eligible voters voting on a local public
21 question held under IC 6-1.1-20-3.6 vote in favor of the public
22 question.

23 Sec. 8. (a) A qualified taxpayer is entitled to a credit against the
24 property tax liability on the qualified taxpayer's homestead for
25 property taxes first due and payable after 2013. The amount of the
26 credit is equal to the lesser of the following:

- 27 (1) Five hundred dollars (\$500).
- 28 (2) That part of the qualified taxpayer's property tax liability
29 attributable to property taxes imposed to pay debt service or
30 make lease payments for a qualified capital project.

31 (b) Property taxes imposed to:

- 32 (1) pay debt service for bonds issued; or
- 33 (2) make lease payments for leases entered into;

34 for a controlled project approved before July 1, 2013, may not be
35 considered for purposes of calculating a qualified taxpayer's credit
36 under this section.

37 Sec. 9. Except as provided in section 10 of this chapter, a
38 qualified taxpayer is not required to file an application for the
39 credit under this chapter. The county auditor shall:

- 40 (1) identify the property in the county eligible for the credit
41 under this chapter; and
- 42 (2) apply the credit under this chapter to property tax liability
43 on the identified property.

44 Sec. 10. (a) This section applies to an individual who:

- 45 (1) qualified for a standard deduction granted under
46 IC 6-1.1-12-37 for the individual's homestead property in the
47 immediately preceding calendar year (or was married at the

- 1 time of death to a deceased spouse who qualified for a
 2 standard deduction granted under IC 6-1.1-12-37 for the
 3 individual's homestead property in the immediately preceding
 4 calendar year);
 5 (2) qualifies for a standard deduction granted under
 6 IC 6-1.1-12-37 for the same homestead property in the
 7 current calendar year;
 8 (3) is or will be at least sixty-five (65) years of age on or before
 9 December 31 of the calendar year immediately preceding the
 10 current calendar year;
 11 (4) has resided on the taxpayer's homestead for at least twenty
 12 (20) years; and
 13 (5) has not previously applied for an assessed value deduction
 14 under IC 6-1.1-12-9 or an additional credit under
 15 IC 6-1.1-20.6-8.5.

16 (b) An individual described in subsection (a) must file a
 17 application in order to receive the credit provided by this chapter.
 18 Applications for a credit under this chapter must be filed in the
 19 manner provided for an application for a deduction under
 20 IC 6-1.1-12-9. However, an individual who remains eligible for the
 21 credit in the following year is not required to file an application for
 22 the credit in the following year. An individual who receives a credit
 23 under this chapter in a particular year and who becomes ineligible
 24 for the credit in the following year shall notify the auditor of the
 25 county in which the homestead is located of the individual's
 26 ineligibility not later than sixty (60) days after the individual
 27 becomes ineligible.

28 (c) The auditor of each county shall, in a particular year, apply
 29 a credit provided under this chapter to each qualified taxpayer
 30 who received the credit in the preceding year unless the auditor
 31 determines that the taxpayer is no longer eligible for the credit.

32 Sec. 11. Before April 1 of each year, the auditor of each county
 33 shall certify to the department of local government finance the
 34 amount of credits allowed under this chapter in the county for that
 35 calendar year. The department of local government finance shall
 36 verify the amount certified and notify the auditor of state of the
 37 certified amount.

38 Sec. 12. The supplemental homestead credit fund is established.
 39 The fund consists of appropriations from the general assembly.
 40 The department of local government finance shall administer the
 41 fund. Money in the fund must be used to reimburse school
 42 corporations for property tax reductions resulting from the
 43 application of the credit provided by this chapter. There is
 44 annually appropriated to the department of local government
 45 finance an amount sufficient to make the distributions required by
 46 section 13 of this chapter.

47 Sec. 13. Before November 1 of each year, the department of

1 **local government finance shall distribute to each county auditor**
2 **the amount, if any, verified for that county under section 11 of this**
3 **chapter. The county auditor shall distribute the amount received**
4 **under this section to each school corporation imposing property**
5 **taxes subject to the credit provided by this chapter. A school**
6 **corporation is entitled to a distribution equal to the amount of**
7 **credits granted under this chapter for that calendar year on the**
8 **property taxes imposed by the school corporation."**

9 Renumber all SECTIONS consecutively.
(Reference is to ESB 494 as printed April 2, 2013.)

Representative Moseley