

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1568 be amended to read as follows:

- 1 Page 5, delete lines 20 through 42, begin a new paragraph and
2 insert:
3 "SECTION 6. IC 6-1.1-24-6.8, AS ADDED BY P.L.98-2010,
4 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2013]: Sec. 6.8. (a) For purposes of this section, in a county
6 containing a consolidated city "county executive" refers to the board of
7 commissioners of the county as provided in IC 36-3-3-10.
8 (b) As used in this section, "vacant parcel" refers to a parcel that
9 satisfies ~~all~~ the following:
10 (1) A lien has been acquired on the parcel under section 6(a) of
11 this chapter.
12 ~~(2) The parcel is unimproved on the date the parcel is offered for~~
13 ~~sale under this chapter.~~
14 **(3) (2) If the parcel is unimproved on the date the certificate**
15 **of sale for the parcel or the vacant parcel is offered for sale**
16 **under this chapter,** the construction of a structure intended for
17 residential use on the parcel is permitted by law.
18 **(3) If the parcel is improved on the date the certificate of sale**
19 **for the parcel or the vacant parcel is offered for sale under**
20 **this chapter, the following apply:**
21 **(A) One (1) or more of the following are located on the**
22 **parcel:**
23 **(i) A structure that may be lawfully occupied for**
24 **residential use.**
25 **(ii) A structure used in conjunction with a structure that**
26 **may be lawfully occupied for residential use.**
27 **(B) The parcel is:**
28 **(i) on the list of vacant or abandoned properties**
29 **designated under section 1(a)(2) of this chapter; or**
30 **(ii) not occupied by a tenant or a person having a**

- 1 **substantial property interest of public record in the**
 2 **parcel.**
- 3 (4) On the date **the certificate of sale for the parcel or the**
 4 **vacant parcel** is offered for sale under this chapter, the parcel is
 5 contiguous to one (1) or more parcels that satisfy the following:
- 6 (A) One (1) or more of the following are located on the
 7 contiguous parcel:
- 8 (i) A structure occupied for residential use.
 9 (ii) A structure used in conjunction with a structure
 10 occupied for residential use.
- 11 (B) The contiguous parcel is eligible for the standard
 12 deduction under IC 6-1.1-12-37.
- 13 (c) ~~The A~~ county legislative body may **by adopt an** ordinance
 14 ~~establish~~ **authorizing the sale of vacant parcels and certificates of**
 15 **sale for vacant parcels in the county under this section. The**
 16 **ordinance may establish** criteria for the identification of vacant
 17 **parcels and certificates of sale for vacant parcels** to be offered for
 18 sale under this section. The criteria may include the following:
- 19 (1) Limitations on the use of the parcel under local zoning and
 20 land use requirements.
- 21 (2) **If the parcel is unimproved, the** minimum parcel area
 22 sufficient for construction of improvements.
- 23 (3) Any other factor considered appropriate by the county
 24 legislative body.
- 25 In a county containing a consolidated city, the county legislative body
 26 may adopt an ordinance under this subsection only upon
 27 recommendation by the board of commissioners provided in
 28 IC 36-3-3-10.
- 29 (d) If the county legislative body adopts an ordinance under
 30 subsection (c), the county executive shall for each ~~tax~~ sale **under this**
 31 **section:**
- 32 (1) by resolution, **and subject to the criteria adopted by the**
 33 **county legislative body under subsection (c)**, identify each
 34 vacant parcel ~~that for which~~ the county executive desires to sell
 35 **the vacant parcel or the certificate of sale for the vacant**
 36 **parcel** under this section; and
- 37 (2) subject to subsection (e), give written notice to the owner of
 38 record of each parcel referred to in subsection (b)(4) that is
 39 contiguous to the vacant parcel.
- 40 (e) The notice under subsection (d)(2) with respect to each vacant
 41 parcel must include at least the following:
- 42 (1) A description of the vacant parcel by:
- 43 (A) legal description; and
 44 (B) parcel number or street address, or both.
- 45 (2) Notice that the county executive will accept written
 46 applications from owners of parcels described in subsection (b)(4)

- 1 as provided in subsection (f).
 2 (3) Notice of the deadline for applications referred to in
 3 subdivision (2) and of the information to be included in the
 4 applications.
 5 (4) Notice that the vacant parcel **or certificate of sale for the**
 6 **vacant parcel** will be sold to the successful applicant for:
 7 (A) one dollar (\$1); **plus**
 8 (B) **the amounts described in section 5(f)(4) through 5(f)(6)**
 9 **of this chapter.**
 10 (5) ~~Notice of the exemption provisions of subsection (4):~~
 11 (f) To be eligible to purchase a vacant parcel **or the certificate of**
 12 **sale for a vacant parcel** under this section, the owner of a contiguous
 13 parcel referred to in subsection (b)(4) must file a written application
 14 with the county executive. The application must:
 15 (1) identify the vacant parcel **or certificate of sale** that the
 16 applicant desires to purchase; and
 17 (2) include any other information required by the county
 18 executive.
 19 (g) If more than one (1) application to purchase a single vacant
 20 parcel **or the certificate of sale for a single vacant parcel** is filed
 21 with the county executive, the county executive shall conduct a
 22 drawing between or among the applicants in which each applicant has
 23 an equal chance to be selected as the transferee of the vacant parcel **or**
 24 **certificate of sale for the vacant parcel.**
 25 (h) The county executive shall by resolution make a final
 26 determination concerning the vacant parcels **or certificates of sale for**
 27 **vacant parcels** that are to be sold under this section.
 28 (i) After the final determination of **the vacant parcels and**
 29 **certificates of sale for vacant parcels** to be sold under subsection (h),
 30 the county executive shall:
 31 (1) on behalf of the county, cause all delinquent taxes, special
 32 assessments, penalties, **and interest and costs of sale** with respect
 33 to the vacant parcels to be removed from the tax duplicate; **and**
 34 (2) give notice of the final determination to:
 35 (A) the successful applicant;
 36 (B) the county auditor; and
 37 (C) the township assessor, or the county assessor if there is no
 38 township assessor for the township.
 39 (j) Upon receipt of notice under subsection (i)(2):
 40 (1) the county auditor shall:
 41 (A) collect the purchase price from each successful applicant;
 42 and
 43 (B) subject to subsection (k), prepare a deed transferring each
 44 vacant parcel to the successful applicant, **if the conditions of**
 45 **IC 6-1.1-25-4.5 and IC 6-1.1-25-4.6 are satisfied;** and
 46 (2) **if the vacant parcel is unimproved,** the township assessor or

- 1 county assessor shall consolidate each ~~vacant~~ **unimproved** parcel
 2 sold and the contiguous parcel owned by the successful applicant
 3 into a single parcel.
- 4 ~~(k) The~~ **For a deed issued under subsection (j)(1)(B) before July**
 5 **1, 2013, a** county auditor shall include in the deed prepared under
 6 subsection (j)(1)(B) reference to the exemption under subsection (l).
 7 **(l) This subsection applies only to a vacant parcel consolidated**
 8 **with a successful applicant's contiguous parcel under this section**
 9 **before July 1, 2013. Except as provided in Subject to** subsection (m),
 10 each consolidated parcel ~~referred to in subsection (j)(2) to which this~~
 11 **subsection applies** is entitled to an exemption exempt from property
 12 taxation **for the period** beginning on the assessment date that next
 13 succeeds the consolidation in the amount of the assessed value at the
 14 time of consolidation of the vacant parcel that was subject to the
 15 consolidation.
- 16 **(m) This subsection applies only to a vacant parcel consolidated**
 17 **with a successful applicant's contiguous parcel under this section**
 18 **before July 1, 2013.** The exemption under subsection (l) is terminated
 19 as of the assessment date that next succeeds the earlier of the
 20 following:
 21 (1) Five (5) years after the transfer of title to the successful
 22 applicant.
 23 (2) The first transfer of title to the consolidated parcel that occurs
 24 after the consolidation.
- 25 **(n) If a tax deed is issued for an improved vacant parcel after**
 26 **June 30, 2013, under this section or under IC 6-1.1-25-4.6 following**
 27 **the purchase of a certificate of sale under this section, the**
 28 **successful applicant may not sell the improved vacant parcel until**
 29 **after the first anniversary of the date on which the tax deed for the**
 30 **improved vacant parcel is issued to the successful applicant."**
 31 Delete pages 6 through 7.
 32 Page 8, delete lines 1 through 28.
 33 Page 22, line 40, after "notice" insert "**and court petition**".
 34 Page 22, line 41, delete "IC 6-1.1-25-4.5" and insert "**IC**
 35 **6-1.1-25-4.5 and IC 6-1.1-25-4.6**".
 36 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1568 as printed March 19, 2013.)

Senator HOLDMAN