



January 30, 2013

---

---

## SENATE BILL No. 152

---

DIGEST OF SB 152 (Updated January 29, 2013 11:26 am - DI 73)

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

**Synopsis:** Property tax assessments. Provides that in the case of real property that is the subject of a property tax appeal in which the gross assessed value is determined by the property tax assessment board of appeals (PTABOA), if the assessed value is increased above the amount determined by the PTABOA the assessor has the burden of proving that the assessment is correct. Specifies that this provision does not apply to real property that was valued using the income capitalization approach in an appeal. Specifies, however, that the assessed value is to be adjusted for the annual adjustment factor, the general reassessment of real property, and any physical change to the property. Provides that the assessed value may be changed if the ownership of the property changes.

**Effective:** July 1, 2013.

---

---

### Eckerty

---

---

January 7, 2013, read first time and referred to Committee on Tax and Fiscal Policy.  
January 29, 2013, amended, reported favorably — Do Pass.

---

---

C  
O  
P  
Y

SB 152—LS 6143/DI 58+



January 30, 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

## SENATE BILL No. 152

---

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 6-1.1-4-4.3 IS ADDED TO THE INDIANA CODE  
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2013]: **Sec. 4.3. (a) This section applies to real property for which  
4 the gross assessed value of the real property was determined by the  
5 property tax assessment board of appeals as a result of a notice for  
6 review filed by the taxpayer. This section does not apply for an  
7 assessment date if:**  
8 (1) the real property was valued using the income  
9 capitalization approach in the appeal; or  
10 (2) the entire ownership interest or any part of the ownership  
11 interest of the real property changes on or before that  
12 assessment date and after the immediately preceding  
13 assessment date.  
14 (b) This section applies to assessment dates after 2013.  
15 (c) If the gross assessed value of real property for an assessment  
16 date that follows the latest assessment date that was the subject of  
17 an appeal described in subsection (a) is increased above the gross

SB 152—LS 6143/DI 58+



1       **assessed value of the real property for the latest assessment date**  
2       **covered by the appeal, the county assessor or township assessor (if**  
3       **any) making the assessment has the burden of proving that the**  
4       **assessment is correct. However, an adjustment to the gross**  
5       **assessed value of the real property for an assessment date shall be**  
6       **made to reflect:**  
7               **(1) the annual adjustment factor under section 4.5 of this**  
8               **chapter; and**  
9               **(2) any adjustment attributable to:**  
10               **(A) the general reassessment of real property under this**  
11               **chapter; or**  
12               **(B) the recognition of any physical change to the real**  
13               **property.**

C  
o  
p  
y



## COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill No. 152, 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, line 7, after "if" insert ":

**(1) the real property was valued using the income capitalization approach in the appeal; or**

**(2)".**

Page 1, line 12, delete "The" and insert "If the".

Page 1, line 14, after "is" insert "**increased above**".

Page 1, line 16, delete "." and insert ", **the county assessor or township assessor (if any) making the assessment has the burden of proving that the assessment is correct.**".

and when so amended that said bill do pass.

(Reference is to SB 152 as introduced.)

HERSHMAN, Chairperson

Committee Vote: Yeas 10, Nays 0.

C  
o  
p  
y

