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**TITLE 50 DEPARTMENT OF LOCAL GOVERNMENT FINANCE**

**60 Day Requirement ([IC 4-22-2-19](#))**

LSA Document #17-173

September 11, 2017

On behalf of the Department of Local Government Finance (Department), I am submitting this notice to the Indiana Register, pursuant to [IC 4-22-2-19\(c\)](#), that the Department did not begin the rulemaking process to add the captioned rule, establishing procedures for conducting a market segmentation analysis for real property improvements (LSA Document #17-173), within 60 days after the effective date of the statute that authorizes the rule.

The statutory authority for the rule is found in P.L.204-2016, SEC. 13, which became effective retroactive to January 1, 2016. This public law section amends [IC 6-1.1-31-6](#) to provide, among other things, that the rules of the Department, with respect to assessment of real property, must include classification on the basis of market segmentation.

Public Law 204-2016 was signed into law on March 24, 2016. Subsequently, the Department collaborated with stakeholders for purposes of drafting the proposed rule, including holding meetings and soliciting input on pre-rulemaking drafts of the rule. The development of the rule therefore took several months, with a proposed rule completed in March 2017. This proposed rule was then submitted to the Office of Management and Budget in requesting a waiver from the regulatory moratorium under Executive Order #13-03 before the Notice of Intent could be submitted under [IC 4-22-2-23](#). As a result, the Department had not begun promulgating the rule within the 60 day requirement as provided in [IC 4-22-2-19\(c\)](#).

The Department began the rulemaking process by publishing a Notice of Intent on March 29, 2017, and anticipates the rule to be approved or deemed approved by the Governor within the one year deadline under [IC 4-22-2-25\(a\)](#).

David Marusarz  
Deputy General Counsel  
Indiana Department of Local Government Finance

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