

ARTICLE 19. LAKE COUNTY INDUSTRIAL FACILITY; REAL PROPERTY ASSESSMENT

Rule 1. Applicability

50 IAC 19-1-1 Scope

Authority: IC 6-1.1-8.5-12

Affected: IC 6-1.1-8.5

Sec. 1. This article applies to the assessment of industrial facilities in qualifying counties under IC 6-1.1-8.5. (*Department of Local Government Finance; 50 IAC 19-1-1; filed Oct 6, 2003, 4:30 p.m.: 27 IR 450*)

50 IAC 19-1-2 Definitions

Authority: IC 6-1.1-8.5-12

Affected: IC 6-1.1-8.5

Sec. 2. Unless otherwise indicated, the definitions contained in IC 6-1.1-8.5 also apply to this article. (*Department of Local Government Finance; 50 IAC 19-1-2; filed Oct 6, 2003, 4:30 p.m.: 27 IR 450*)

Rule 2. General Provisions

50 IAC 19-2-1 List of industrial facilities provided to the department

Authority: IC 6-1.1-8.5-12

Affected: IC 6-1.1-4-4; IC 6-1.1-8.5-1

Sec. 1. (a) Before January 1, 2004, and before January 1 of each year that a general reassessment commences under IC 6-1.1-4-4, the county assessor shall provide to the department a list of each industrial facility located within the county.

(b) Each building commissioner before January 1 of each year for new construction completed during the prior twelve (12) months shall notify the department of a newly constructed industrial facility potentially exceeding at least twenty-five million dollars (\$25,000,000) in total value located in the jurisdiction that the building commissioner serves.

(c) The township assessor of each township before January 1 of each year for new construction completed during the prior twelve (12) months shall notify the department of a newly constructed industrial facility in a township that the assessor serves potentially exceeding at least twenty-five million dollars (\$25,000,000) in total value. (*Department of Local Government Finance; 50 IAC 19-2-1; filed Oct 6, 2003, 4:30 p.m.: 27 IR 450*)

50 IAC 19-2-2 Assessment by the department

Authority: IC 6-1.1-8.5-12

Affected: IC 6-1.1-4-4; IC 6-1.1-8.5-8; IC 6-1.1-8.5-9; IC 6-1.1-30-13

Sec. 2. (a) The department shall assess each industrial facility located within the county for:

(1) purposes of a general reassessment under IC 6-1.1-4-4; and

(2) a newly constructed industrial facility.

(b) Not less than six (6) months after receiving notice of the new construction from a township assessor or building commissioner under section 1 of this rule, the department shall schedule an assessment.

(c) To determine the true tax value of the industrial facility, the department shall use appraisal methods consistent with the rules pertaining to the assessment of real property under 50 IAC 2.3-1-1(d).

(d) The department may request that the industrial company or the county assessor make available all information necessary or proper to determine the true tax value. If the industrial company or county assessor fails or refuses to provide the information requested, the department may take necessary actions pursuant to IC 6-1.1-30-13. (*Department of Local Government Finance; 50 IAC 19-2-2; filed Oct 6, 2003, 4:30 p.m.: 27 IR 451*)

50 IAC 19-2-3 Certification of values; appeal and review

Authority: IC 6-1.1-8.5-12

Affected: IC 6-1.1-8.5-10; IC 6-1.1-8.5-11

Sec. 3. (a) The department shall certify a preliminary determination of the true tax value of the industrial facility to the county auditor and to the county assessor and the industrial company.

(b) The county assessor and industrial company have thirty (30) days to review the certified value to determine the validity and may present findings to the department. The department may extend this time to review for good cause. The department may make additions or corrections to the assessment.

(c) The department shall provide notice to the county assessor, the county auditor, and the industrial company of its final assessment.

(d) When the department determines the final assessment of an industrial facility, the county auditor shall enter for taxation the assessed valuation certified by the department. (*Department of Local Government Finance; 50 IAC 19-2-3; filed Oct 6, 2003, 4:30 p.m.: 27 IR 451*)

50 IAC 19-2-4 Appeal of assessments

Authority: IC 6-1.1-8.5-12

Affected: IC 6-1.1-8.5-11; IC 6-1.1-15

Sec. 4. (a) The industrial company or the county assessor of the county in which the industrial facility is located may appeal an assessment by the department made under this article to the Indiana board of tax review.

(b) If the industrial company or the county assessor appeals an assessment made by the department, the department must notify the county auditor of the appeal.

(c) An appeal under this section will be conducted in the same manner as an appeal under IC 6-1.1-15-4 through IC 6-1.1-15-8.

(d) An assessment made under this article that is not timely appealed is a final order of the department and is not subject to further appeal. (*Department of Local Government Finance; 50 IAC 19-2-4; filed Oct 6, 2003, 4:30 p.m.: 27 IR 451*)

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