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**TITLE 50 DEPARTMENT OF LOCAL
GOVERNMENT FINANCE**

August 25, 2003

Representative Jerry Denbo, Chair
Administrative Rules Oversight Committee

Re: Notice of Delay in Adoption of Rule governing the procedural requirements to obtain an Economic Revitalization Area abatement under IC 6-1.1-12.1

Dear Chairman Denbo:

Notice of Delay

This is to notify you that pursuant to IC 4-22-2-19, that the Department of Local Government Finance was unable to begin the rulemaking process within (60) sixty days after the effective date of the statute *[sic.]* that authorizes the rule. Sec. 13 of P.L.245-2003 effective July 1, 2003, states that the Department of Local Government Finance shall adopt rules under IC 4-22-2 to carry out the particular chapter.

Reasons for Delay

This rule will establish standards for the Department to utilize when determining whether or not to approve an abatement value on personal property. This rule will also provide instructions to local assessing officials that will assist them with informing the Department whether or not the property does in fact qualify for an abatement, as well as, the reasons the local body denied them. In the past, the determinations that were ultimately issued by the Department were based on recommendations of the assessment division of the DLGF. The assessment division no longer oversees personal property abatement, nor will they be making recommendations. The responsibility of that oversight has transferred to the budget division of the DLGF. The budget division has hired on a new employee to assist with this process as well as training the field staff on the recent change. The Department, and especially the budget division has been bogged down the past sixty (60) days with the 2002 state wide general reassessment, and has been gearing up for the 2003 budget season. It has determined that both the agency and the budget division it will be better equipped to address this rule once the majority of the counties have sought certification of their final budgets, rates and levies for 2002 and assisted those who will be able to bill timely in 2004 for assessment year 2003.

Expected Date to Begin

The Department of Local Government Finance expects to begin the promulgation process in the near future. Once the Department has established its new division and completed most of budget certifications it will be able to proceed forward in the rule making process.

Your understanding of these circumstances is greatly appreciated. If you have any further concerns or require additional information, please do not hesitate to contact me, at 317-232-5895 or by e-mail, hscheel@tcb.state.in.us. Thank you.

Sincerely,

Heather A. Scheel
General Counsel

Copy to: Sen. Luke Kenley

Sarah Burkman, Attorney for the Committee
Chuck Mayfield, Fiscal Analyst for Committee