PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION ____

MR. SPEAKER:

I move that Engrossed Senate Bill 441 be amended to read as follows:

Page 79, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 55. IC 12-19-7-4.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4.5. (a) As used in this section, "department" refers to the department of local government finance.**

(b) Notwithstanding any other provision, for all computations under section 4 of this chapter for ensuing calendar year 2004, a county's "county family and children property tax levy imposed for taxes first due and payable in the preceding year" for purposes of section 4(a)(1) of this chapter is the greater of:

(1) the amount determined under this section; or

(2) the amount determined under section 4(a)(1) of this chapter, without reference to this section.

(c) Except as provided in subsection (b)(2), a county's "county family and children property tax levy imposed for taxes first due and payable in the preceding year" for purposes of section 4(a)(1) of this chapter for ensuing calendar year 2004 is equal to the amount determined under STEP TWO of the following formula:

STEP ONE: Determine the county's county family and children property tax levy for calendar year 2002 as determined under section 4 of this chapter, after eliminating:

(1) the effects of temporary excessive levy appeals and

temporary adjustments; and

(2) the part of the county's county family and children property tax levy for calendar year 2002 that was used to fund children's psychiatric residential treatment services that in 2004 are funded by the levy under IC 12-19-7.5;

as determined by the department.

STEP TWO: Multiply the STEP ONE amount by the assessed value growth quotient determined under IC 6-1.1-18.5-2 for ensuing calendar year 2003.".

Page 88, line 40, after "PASSAGE]" insert "**(a)**".

Page 89, between lines 1 and 2, begin a new paragraph and insert:

"**(b) IC 12-19-7-4.5, as added by this act, applies to the calculation of the maximum ad valorem property tax levies for county family and children property tax levies for ensuing calendar year 2004.**

(c) For property taxes first due and payable in 2004, subject to subsections (d) and (e), the department of local government finance shall make the changes under IC 6-1.1-17-16 that are needed to account for the changes in tax rates that result from IC 12-19-7-6.5, as added by this act. The requirements of IC 6-1.1-17-16(c), IC 6-1.1-17-16(d), and IC 6-1.1-17-16(h) do not apply to an action under this SECTION. The department of local government finance shall certify the results of the changes made under this SECTION in the manner provided in IC 6-1.1-17-16(f).

(d) If the department of local government finance determines that compliance with this act would cause an unreasonable delay in the certification of budgets, tax rates, and tax levies in a county, the department of local government finance may certify budgets, tax rates, and tax levies for the county under IC 12-19-7-4 as if this act had not been passed. However, if the department of local government finance takes this action and this act provides a greater levy for a county than would have been provided under the previously enacted law, the affected county and the department of local government finance shall provide for an additional shortfall property tax levy and an additional budgeted amount in 2005 to replace the revenue lost in 2004 to the county family and children's fund as a result of certifying budgets, tax rates, and tax levies for

the county under as if this act had not been passed.

(e) The amount of a shortfall levy under subsection (d) shall be treated as an additions to the amounts allowed in 2005 under IC 6-1.1-18.6 and IC 12-19-7-4.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 441 as printed February 20, 2004.)

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Representative Crawford