
STATE OF INDIANA

DEPARTMENT OF LOCAL GOVERNMENT FINANCE



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Frequently Asked Questions

Legal Conference Call

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1. Does House Enrolled Act 1345 allow non-taxable status for habitat for humanity?

Yes. House Enrolled Act 1345 restores the property tax exemption for property that is acquired for the purpose of erecting, renovating, or improving a single family residence that is to be given away or sold:

- (1) in a charitable manner;
- (2) by a nonprofit organization; and
- (3) to low income individuals who will use the land as a family residence.

2. Regarding the change in additional appropriations in 1427 for the reporting-only funds: We have always waited for the DLGF response before we posted the additional appropriations in our system. Can we now post those without waiting for the DLGF, since you won't be reviewing these any longer?

Section 49 of House Enrolled Act 1427 changed the scope of the additional appropriations subject to review and approval by the Department of Local Government Finance ("Department"). The Department will only review additional appropriations for those funds for which the budget, rate, or levy is certified by the Department under IC 6-1.1-17-16; additional appropriations for all other funds are "reporting-only" and are not reviewed. It did not make any changes with respect to a unit's actions after submitting a reporting-only additional appropriation to the Department. Hence, the timing of posting an additional appropriation onto the system is left to the discretion of the unit.

3. Just to be clear...when I do an additional appropriation for bond proceeds, I no longer need to send to the DLGF?

House Enrolled Act 1427 specifies that additional appropriation only have to be submitted to the Department for those funds certified by the Department under IC 6-1.1-17-16. Bond and loan monies must be expended in accordance with the bond budget and purpose, but may require the unit to submit an additional appropriation request. If the proceeds from a loan or bond are receipted into a previously-established fund requiring appropriation approval by the Department, the unit must follow the additional appropriation procedures for that fund as outlined in the [Additional Appropriations and Transfer Procedures memo](#) dated February 28, 2019.

4. Any clarifications on HEA 1343?

At this time the Department is still working with stakeholders to outline additional guidance on House Enrolled Act 1343; however, the Department can confirm that no public libraries will be impacted by House Enrolled Act 1343 for the 2020 budget adoptions.

5. I believe there are new items that must be included in the salary ordinance that affects elected officials. What are the new requirements?

Section 101 of House Enrolled Act 1427 specifies that the county fiscal body may establish a salary schedule that includes compensation for a presiding officer or secretary of a body that is greater than the compensation for other member of the body if all of the following are satisfied:

- All applicable requirements IC 36-2-5 are satisfied with respect to the salary schedule that includes the additional compensation.
- The additional compensation is being provided because the individual holding the position of presiding officer or secretary:
 - (A) has additional duties; or
 - (B) attends additional meetings on behalf of the body;
as compared to other members of the body.
- The additional compensation amount applies only for time periods during which the individual serves in the capacity as presiding officer or secretary and:
 - (A) handles additional duties; or
 - (B) attends additional meetings on behalf of the body;
as compared to other members of the body.

6. Are the PP mailers only required to be sent to taxpayers who qualify for the \$40k or less exemption?

Section 1 of Senate Enrolled Act 233 specifies that not later than thirty (30) days prior to the filing date, the appropriate assessing official shall provide notification to each person whose personal property is subject to assessment. This would include all personal property, regardless of whether the taxpayer would be eligible for the \$40k business personal property exemption.

7. Also, are the contract reporting requirements for appraisal services specific to assessment vendors or any appraisal service that is \$50k or greater?

Section 15 of House Enrolled Act 1427 provides that a county assessor who enters into a contract with a professional appraiser must upload the contract to Gateway not later than thirty (30) days after execution of the agreement. The new upload requirements applies to all contracts with professional appraisers, regardless of the contract amount.

- 8. If for some reason we don't send a notice for BPP to a taxpayer and then realize that business didn't file are we allowed to then send a 113? Does not sending the notice allow them to not file without repercussions?**

Yes, and even if a taxpayer does not receive the required notice under Section 1 of Senate Enrolled Act 233, they are still liable for the property taxes owed.