PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type.~~

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~*this style type*~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

HOUSE ENROLLED ACT No. 1450

AN ACT to amend the Indiana Code concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 5-14-3.8-3.5, AS ADDED BY P.L.142-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 30, 2017]: Sec. 3.5. **(a) This section applies only to contracts that a political subdivision enters into after June 30, 2016.**

~~(a)~~ **(b)** As used in this section, "contract" includes all pages of a contract and any attachments to the contract.

~~(b)~~ **(c)** A political subdivision shall ~~scan and~~ upload ~~the~~ **a** digital ~~image~~ **copy** of a contract to the Indiana transparency Internet web site ~~during each year that the contract amount to be paid by the political subdivision for that year exceeds the lesser of:~~

~~(1) ten percent (10%) of the political subdivision's property tax levy for that year; or~~

~~(2)~~ **one (1) time if the total cost of the contract to the political subdivision exceeds** fifty thousand dollars ($50,000) **during the term of the contract. This subsection applies to all contracts for any subject, purpose, or term, except that a political subdivision is not required to upload a copy of an employment contract between the political subdivision and an employee of the political subdivision. In the case of a collective bargaining agreement, the political subdivision shall upload a copy of the collective bargaining agreement and a copy of a blank or**

sample individual employment contract. A political subdivision shall ~~scan and~~ upload the contract not later than sixty (60) days after the date the contract is executed. **If a political subdivision enters into a contract that the political subdivision reasonably expects when entered into will not exceed fifty thousand dollars ($50,000) in cost to the political subdivision but at a later date determines or expects the contract to exceed fifty thousand dollars ($50,000) in cost to the political subdivision, the political subdivision shall upload a copy of the contract within sixty (60) days after the date on which the political subdivision makes the determination or realizes the expectation that the contract will exceed fifty thousand dollars ($50,000) in cost to the political subdivision.**

~~(c)~~ **(d)** Nothing in this section prohibits the political subdivision from withholding any information in the contract that the political subdivision shall or may withhold from disclosure under IC 5-14-3. **A political subdivision may redact or obscure signatures on a contract. The political subdivision is solely responsible for redacting information in the contract.**

SECTION 2. IC 5-22-2-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 23. (a) "Public funds" means money:

(1) derived from the revenue sources of the governmental body; and

(2) deposited into the general or a special fund of the governmental body.

(b) The term does not include either of the following:

(1) Money received by ~~any~~ **a** person ~~managing or operating a public facility~~ under an authorized ~~operating~~ **public-private** agreement under IC 5-23.

(2) Proceeds of bonds payable exclusively by a private entity.

SECTION 3. IC 6-1.1-1-3.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 3.1. "Assisted living services" means the array of services that may be provided to a recipient residing in a facility eligible to provide home and community based services, including any and all of the following:**

(1) Personal care services.

(2) Homemaker services.

(3) Chore services.

(4) Attendant care services.

(5) Companion services.

(6) Medication oversight (to the extent permitted under state law).

(7) Therapeutic, social, and recreational programming.

SECTION 4. IC 6-1.1-1-9, AS AMENDED BY P.L.101-2008, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) For purposes of this article, the "owner" of tangible property shall be determined by using the rules contained in this section.

(b) Except as otherwise provided in this section, the holder of the legal title to personal property, or the legal title in fee to real property, is the owner of that property, **regardless of whether the holder of the legal title holds a fractional interest, a remainder interest, a life estate, or a tenancy for a term of years.**

(c) When title to tangible property passes on the assessment date of any year, only the person obtaining title is the owner of that property on the assessment date.

(d) When the mortgagee of real property is in possession of the mortgaged premises, the mortgagee is the owner of that property.

(e) When personal property is security for a debt and the debtor is in possession of the property, the debtor is the owner of that property.

(f) When a life tenant of real property **or a holder of a tenancy for a term of years in real property** is in possession of the real property, **only** the life tenant **or the holder of a tenancy for a term of years** is the owner of that property.

(g) When the grantor of a qualified personal residence trust created under United States Treasury Regulation 25.2702-5(c)(2) is:

(1) in possession of the real property transferred to the trust; and

(2) entitled to occupy the real property rent free under the terms of the trust;

the grantor is the owner of that real property.

SECTION 5. IC 6-1.1-3-24, AS AMENDED BY P.L.249-2015, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 24. (a) **Except as provided in subsection (b),** in determining the assessed value of various sizes of outdoor advertising signs, ~~for the 2011 through 2018 assessment dates,~~ a taxpayer and assessing official shall use the following table without any adjustments:

Single Pole Structure

Type of Sign	Value Per Structure
At least 48 feet, illuminated	$5,000
At least 48 feet, non-illuminated	$4,000
At least 26 feet and under 48 feet, illuminated	$4,000

At least 26 feet and under 48 feet, non-illuminated	$3,300
Under 26 feet, illuminated	$3,200
Under 26 feet, non-illuminated	$2,600
Other Types of Outdoor Signs	
At least 50 feet, illuminated	$2,500
At least 50 feet, non-illuminated	$1,500
At least 40 feet and under 50 feet, illuminated	$2,000
At least 40 feet and under 50 feet, non-illuminated	$1,300
At least 30 feet and under 40 feet, illuminated	$2,000
At least 30 feet and under 40 feet, non-illuminated	$1,300
At least 20 feet and under 30 feet, illuminated	$1,600
At least 20 feet and under 30 feet, non-illuminated	$1,000
Under 20 feet, illuminated	$1,600
Under 20 feet, non-illuminated	$1,000

(b) ~~This section expires July 1, 2019.~~ **Beginning with the 2018 assessment date for taxes first due and payable in 2019, the assessed values in the table set forth in subsection (a) shall be adjusted on a quadrennial basis by an amount equal to the average of the annual percentage changes in the Core Personal Consumption Expenditures Price Index using the four (4) most recent calendar years for which data is available. However, the adjustment may not result in a change of more than three percent (3%) from the previous assessed values determined under this section.**

SECTION 6. IC 6-1.1-4-4.5, AS AMENDED BY P.L.180-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017 (RETROACTIVE)]: Sec. 4.5. (a) The department of local government finance shall adopt rules establishing a system for annually adjusting the assessed value of real property to account for changes in value in those years since a reassessment under section 4 or 4.2 of this chapter for the property last took effect.

(b) Subject to subsection (e), the system must be applied to adjust assessed values beginning with the 2006 assessment date and each year thereafter that is not a year in which a reassessment under section 4 or 4.2 of this chapter for the property becomes effective.

(c) The rules adopted under subsection (a) must include the following characteristics in the system:

(1) Promote uniform and equal assessment of real property within

and across classifications.

(2) Require that assessing officials:

(A) reevaluate the factors that affect value;

(B) express the interactions of those factors mathematically;

(C) use mass appraisal techniques to estimate updated property values within statistical measures of accuracy; and

(D) provide notice to taxpayers of an assessment increase that results from the application of annual adjustments.

(3) Prescribe procedures that permit the application of the adjustment percentages in an efficient manner by assessing officials.

(d) The department of local government finance must review and certify each annual adjustment determined under this section.

(e) In making the annual determination of the base rate to satisfy the requirement for an annual adjustment under subsection (c) for the January 1, 2016, assessment date and each assessment date thereafter, the department of local government finance shall determine the base rate using the methodology reflected in Table 2-18 of Book 1, Chapter 2 of the department of local government finance's Real Property Assessment Guidelines (as in effect on January 1, 2005), except that the department shall adjust the methodology as follows:

(1) Use a six (6) year rolling average adjusted under subdivision (3) instead of a four (4) year rolling average.

(2) Use ~~the~~ data from the six (6) most recent years preceding the year in which the assessment date occurs, ~~for which data is available,~~ before one (1) of those six (6) years is eliminated under subdivision (3) when determining the rolling average.

(3) Eliminate in the calculation of the rolling average the year among the six (6) years for which the highest market value in use of agricultural land is determined.

(4) After determining a preliminary base rate that would apply for the assessment date without applying the adjustment under this subdivision, the department of local government finance shall adjust the preliminary base rate as follows:

(A) If the preliminary base rate for the assessment date would be at least ten percent (10%) greater than the final base rate determined for the preceding assessment date, a capitalization rate of eight percent (8%) shall be used to determine the final base rate.

(B) If the preliminary base rate for the assessment date would be at least ten percent (10%) less than the final base rate determined for the preceding assessment date, a capitalization

rate of six percent (6%) shall be used to determine the final base rate.

(C) If neither clause (A) nor clause (B) applies, a capitalization rate of seven percent (7%) shall be used to determine the final base rate.

(D) In the case of a market value in use for a year that is used in the calculation of the six (6) year rolling average under subdivision (1) for purposes of determining the base rate for the assessment date:

(i) that market value in use shall be recalculated by using the capitalization rate determined under clauses (A) through (C) for the calculation of the base rate for the assessment date; and

(ii) the market value in use recalculated under item (i) shall be used in the calculation of the six (6) year rolling average under subdivision (1).

(f) For assessment dates after December 31, 2009, an adjustment in the assessed value of real property under this section shall be based on the estimated true tax value of the property on the assessment date that is the basis for taxes payable on that real property.

(g) The department shall release the department's annual determination of the base rate on or before March 1 of each year.

SECTION 7. IC 6-1.1-4-41, AS AMENDED BY P.L.1-2006, SECTION 132, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 41. (a) For purposes of this section,

~~(1)~~ "low income rental property" means real property used to provide low income housing eligible for federal income tax credits awarded under Section 42 of the Internal Revenue Code, ~~and~~ **including during the time period during which the property is subject to an extended low income housing commitment under Section 42(h)(6)(B) of the Internal Revenue Code.**

~~(2) "rental period" means the period during which low income rental property is eligible for federal income tax credits awarded under Section 42 of the Internal Revenue Code.~~

(b) For assessment dates after February 28, 2006, the true tax value of low income rental property is the greater of the true tax value:

(1) determined using the income capitalization approach; or

(2) that results in a gross annual tax liability equal to five percent (5%) of the total gross rent received from the rental of all units in the property for the most recent taxpayer fiscal year that ends before the assessment date.

(c) For assessment dates after December 31, 2017, the total true tax value of low income rental property that offers or is used to provide Medicaid assisted living services is equal to the total true tax value that results in a gross annual tax liability equal to five percent (5%) of the total gross rent received from the rental of all living units in the property for the most recent taxpayer fiscal year that ends before the assessment date. The total true tax value shall not include the gross receipts from, or value of, any assisted living services provided.

~~(c)~~ **(d)** The department of local government finance may adopt rules under IC 4-22-2 to implement this section.

SECTION 8. IC 6-1.1-4-45 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015 (RETROACTIVE)]: **Sec. 45. (a) This section applies to assessment dates after December 31, 2014.**

(b) As used in this section, "sign site" means the land beneath an outdoor sign that accommodates the outdoor sign display structure and foundation under a lease or a grant of an easement.

(c) An outdoor sign, and any associated lease, easement, and income, shall be disregarded for the purpose of determining an assessment of the land on which the outdoor sign is located, if:

(1) the sign site does not exceed the greater of:

(A) one-fourth (1/4) of an acre; or

(B) if the sign site exceeds one-fourth (1/4) of an acre, the area that is reasonably necessary to facilitate display of the outdoor sign; and

(2) the subject matter of the outdoor sign relates to products, services, or activities that are sold, produced, or conducted at a location other than the land for which the assessment is being determined.

SECTION 9. IC 6-1.1-8-20, AS AMENDED BY P.L.183-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 20. (a) If a public utility company does not file a statement with the department of local government finance on or before the date prescribed under section 19 of this chapter, the company shall pay a penalty of one hundred dollars ($100) per day for each day that the statement is late. However, a penalty under this subsection may not exceed one thousand dollars ($1,000). **A public utility company shall remit a penalty for which the public utility company is liable under this subsection to the department of state revenue.**

(b) The department of local government finance shall notify the attorney general **and the department of state revenue** if a public

utility company fails to file a statement on or before the due date. The attorney general shall then bring an action in the name of this state to collect the penalty due under this section.

(c) The state auditor shall deposit amounts collected under this section in the state treasury for credit to the state general fund.

SECTION 10. IC 6-1.1-10-47 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 47. (a) This section applies to an assessment date occurring after December 31, 2017.**

(b) Tangible property owned by a nonprofit corporation is exempt from property taxation if the following apply:

(1) The owner is an organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

(2) The owner is:

(A) a federally-qualified health center (as defined in 42 U.S.C. 1396d(l)(2)(B)); and

(B) a primary medical provider that:

(i) accepts all patients and provides care regardless of a patient's ability to pay;

(ii) is located in a geographically medically underserved area; and

(iii) has received a grant at any time from the Indiana health care trust account under IC 4-12-5.

(3) The owner was granted an exemption under section 16 of this chapter for a comparable facility located in a contiguous county.

(4) The owner applied for an exemption under section 16 of this chapter for a previous assessment date and was denied.

(c) The property that is exempt under this section also includes the following:

(1) Property used in providing storage or parking.

(2) Any part of the property that is leased or rented by the owner to another nonprofit corporation providing services or assistance to participants in the Special Supplemental Nutrition Program for the Women, Infants, and Children Nutrition Program (WIC) under IC 16-35-1.5.

(d) If property is exempt under subsection (b) and part of the property is used by a for-profit enterprise, the exemption under subsection (b) is reduced proportionately.

SECTION 11. IC 6-1.1-12-1, AS AMENDED BY P.L.81-2010, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. **(a) The following definitions apply**

throughout this section:

(1) "Installment loan" means a loan under which:

(A) a lender advances money for the purchase of:

(i) a mobile home that is not assessed as real property; or

(ii) a manufactured home that is not assessed as real property; and

(B) a borrower repays the lender in installments in accordance with the terms of an installment agreement.

(2) "Mortgage" means a lien against property that:

(A) an owner of the property grants to secure an obligation, such as a debt, according to terms set forth in a written instrument, such as a deed or a contract; and

(B) is extinguished upon payment or performance according to the terms of the written instrument.

The term includes a reverse mortgage.

~~(a)~~ **(b)** Each year a person who is a resident of this state may receive a deduction from the assessed value of:

(1) mortgaged real property, an installment loan financed mobile home that is not assessed as real property, or an installment loan financed manufactured home that is not assessed as real property, with the mortgage or installment loan instrument recorded with the county recorder's office, that the person owns;

(2) real property, a mobile home that is not assessed as real property, or a manufactured home that is not assessed as real property that the person is buying under a contract, with the contract or a memorandum of the contract recorded in the county recorder's office, which provides that the person is to pay the property taxes on the real property, mobile home, or manufactured home; or

(3) real property, a mobile home that is not assessed as real property, or a manufactured home that the person owns or is buying on a contract described in subdivision (2) on which the person has a home equity line of credit that is recorded in the county recorder's office.

~~(b)~~ **(c)** Except as provided in section 40.5 of this chapter, the total amount of the deduction which the person may receive under this section for a particular year is:

(1) the balance of the mortgage or contract indebtedness (including a home equity line of credit) on the assessment date of that year;

(2) one-half (1/2) of the assessed value of the real property, mobile home, or manufactured home; or

(3) three thousand dollars ($3,000);

whichever is least.

~~(c)~~ **(d)** A person who has sold real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property to another person under a contract which provides that the contract buyer is to pay the property taxes on the real property, mobile home, or manufactured home may not claim the deduction provided under this section with respect to that real property, mobile home, or manufactured home.

~~(d)~~ **(e)** The person must:

(1) own the real property, mobile home, or manufactured home; or

(2) be buying the real property, mobile home, or manufactured home under contract;

on the date the statement is filed under section 2 of this chapter.

SECTION 12. IC 6-1.1-12-17.8, AS AMENDED BY P.L.250-2015, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 17.8. (a) An individual who receives a deduction provided under section 1, 9, 11, 13, 14, 16, 17.4 (before its expiration), or 37 of this chapter in a particular year and who remains eligible for the deduction in the following year is not required to file a statement to apply for the deduction in the following year. However, for purposes of a deduction under section 37 of this chapter, the county auditor may, in the county auditor's discretion, terminate the deduction for assessment dates after January 15, 2012, if the individual does not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015), as determined by the county auditor, before January 1, 2013. Before the county auditor terminates the deduction because the taxpayer claiming the deduction did not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013, the county auditor shall mail notice of the proposed termination of the deduction to:

(1) the last known address of each person liable for any property taxes or special assessment, as shown on the tax duplicate or special assessment records; or

(2) the last known address of the most recent owner shown in the transfer book.

(b) An individual who receives a deduction provided under section 1, 9, 11, 13, 14, 16, or 17.4 (before its expiration) of this chapter in a particular year and who becomes ineligible for the deduction in the following year shall notify the auditor of the county in which the real property, mobile home, or manufactured home for which the individual

claims the deduction is located of the individual's ineligibility in the year in which the individual becomes ineligible. An individual who becomes ineligible for a deduction under section 37 of this chapter shall notify the county auditor of the county in which the property is located in conformity with section 37 of this chapter.

(c) The auditor of each county shall, in a particular year, apply a deduction provided under section 1, 9, 11, 13, 14, 16, 17.4 (before its expiration), or 37 of this chapter to each individual who received the deduction in the preceding year unless the auditor determines that the individual is no longer eligible for the deduction.

(d) An individual who receives a deduction provided under section 1, 9, 11, 13, 14, 16, 17.4 (before its expiration), or 37 of this chapter for property that is jointly held with another owner in a particular year and remains eligible for the deduction in the following year is not required to file a statement to reapply for the deduction following the removal of the joint owner if:

(1) the individual is the sole owner of the property following the death of the individual's spouse; **or**

(2) the individual is the sole owner of the property following the death of a joint owner who was not the individual's spouse. ~~or~~

~~(3) the individual is awarded sole ownership of the property in a divorce decree.~~

~~However, for purposes of a deduction under section 37 of this chapter, if the removal of the joint owner occurs before the date that a notice described in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) is sent, the county auditor may, in the county auditor's discretion, terminate the deduction for assessment dates after January 15, 2012, if the individual does not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015), as determined by the county auditor, before January 1, 2013. Before the county auditor terminates the deduction because the taxpayer claiming the deduction did not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013, the county auditor shall mail notice of the proposed termination of the deduction to the last known address of each person liable for any property taxes or special assessment, as shown on the tax duplicate or special assessment records or the last known address of the most recent owner shown in the transfer book.~~ **If an unmarried individual who is receiving a deduction under section 37 of this chapter for a property subsequently marries, desires to continue claiming the deduction for the property, and remains eligible for the deduction, the individual must reapply for the deduction for the following assessment date. If a married individual who is receiving**

a deduction under section 37 of this chapter for a property with the individual's spouse subsequently divorces, desires to continue claiming the deduction for the property, and remains eligible for the deduction, the individual must reapply for the deduction for the following assessment date. However, the individual's failure to reapply for the deduction does not make the individual's former spouse ineligible for a deduction under section 37 of this chapter. If a person who is receiving a deduction under section 9 of this chapter for a property subsequently comes to own the property with another person jointly or as a tenant in common, desires to continue claiming the deduction for the property, and remains eligible for the deduction, the person must reapply for the deduction for the following assessment date. If an unmarried individual who is receiving a credit under IC 6-1.1-20.6-8.5 for a property subsequently marries, desires to continue claiming the credit for the property, and remains eligible for the credit, the individual must reapply for the credit for the following assessment date.

(e) A trust entitled to a deduction under section 9, 11, 13, 14, 16, 17.4 (before its expiration), or 37 of this chapter for real property owned by the trust and occupied by an individual in accordance with section 17.9 of this chapter is not required to file a statement to apply for the deduction, if:

(1) the individual who occupies the real property receives a deduction provided under section 9, 11, 13, 14, 16, 17.4 (before its expiration), or 37 of this chapter in a particular year; and

(2) the trust remains eligible for the deduction in the following year.

However, for purposes of a deduction under section 37 of this chapter, the individuals that qualify the trust for a deduction must comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013.

(f) A cooperative housing corporation (as defined in 26 U.S.C. 216) that is entitled to a deduction under section 37 of this chapter in the immediately preceding calendar year for a homestead (as defined in section 37 of this chapter) is not required to file a statement to apply for the deduction for the current calendar year if the cooperative housing corporation remains eligible for the deduction for the current calendar year. However, the county auditor may, in the county auditor's discretion, terminate the deduction for assessment dates after January 15, 2012, if the individual does not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015), as determined by the

county auditor, before January 1, 2013. Before the county auditor terminates a deduction because the taxpayer claiming the deduction did not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013, the county auditor shall mail notice of the proposed termination of the deduction to:

(1) the last known address of each person liable for any property taxes or special assessment, as shown on the tax duplicate or special assessment records; or

(2) the last known address of the most recent owner shown in the transfer book.

(g) An individual who:

(1) was eligible for a homestead credit under IC 6-1.1-20.9 (repealed) for property taxes imposed for the March 1, 2007, or January 15, 2008, assessment date; or

(2) would have been eligible for a homestead credit under IC 6-1.1-20.9 (repealed) for property taxes imposed for the March 1, 2008, or January 15, 2009, assessment date if IC 6-1.1-20.9 had not been repealed;

is not required to file a statement to apply for a deduction under section 37 of this chapter if the individual remains eligible for the deduction in the current year. An individual who filed for a homestead credit under IC 6-1.1-20.9 (repealed) for an assessment date after March 1, 2007 (if the property is real property), or after January 1, 2008 (if the property is personal property), shall be treated as an individual who has filed for a deduction under section 37 of this chapter. However, the county auditor may, in the county auditor's discretion, terminate the deduction for assessment dates after January 15, 2012, if the individual does not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015), as determined by the county auditor, before January 1, 2013. Before the county auditor terminates the deduction because the taxpayer claiming the deduction did not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013, the county auditor shall mail notice of the proposed termination of the deduction to the last known address of each person liable for any property taxes or special assessment, as shown on the tax duplicate or special assessment records, or to the last known address of the most recent owner shown in the transfer book.

(h) If a county auditor terminates a deduction because the taxpayer claiming the deduction did not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013, the county auditor shall reinstate the deduction if the taxpayer provides proof that the taxpayer is eligible for the deduction and is not claiming

the deduction for any other property.

(i) A taxpayer described in section 37(k) of this chapter is not required to file a statement to apply for the deduction provided by section 37 of this chapter for a calendar year beginning after December 31, 2008, if the property owned by the taxpayer remains eligible for the deduction for that calendar year. However, the county auditor may terminate the deduction for assessment dates after January 15, 2012, if the individual residing on the property owned by the taxpayer does not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015), as determined by the county auditor, before January 1, 2013. Before the county auditor terminates a deduction because the individual residing on the property did not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013, the county auditor shall mail notice of the proposed termination of the deduction to:

(1) the last known address of each person liable for any property taxes or special assessment, as shown on the tax duplicate or special assessment records; or

(2) the last known address of the most recent owner shown in the transfer book.

SECTION 13. IC 6-1.1-12-37, AS AMENDED BY SEA 505-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 37. (a) The following definitions apply throughout this section:

(1) "Dwelling" means any of the following:

(A) Residential real property improvements that an individual uses as the individual's residence, including a house or garage.

(B) A mobile home that is not assessed as real property that an individual uses as the individual's residence.

(C) A manufactured home that is not assessed as real property that an individual uses as the individual's residence.

(2) "Homestead" means an individual's principal place of residence:

(A) that is located in Indiana;

(B) that:

(i) the individual owns;

(ii) the individual is buying under a contract recorded in the county recorder's office, or evidenced by a memorandum of contract recorded in the county recorder's office under IC 36-2-11-20, that provides that the individual is to pay the property taxes on the residence, and that obligates the owner to convey title to the individual upon completion of all of the

individual's contract obligations;

(iii) the individual is entitled to occupy as a tenant-stockholder (as defined in 26 U.S.C. 216) of a cooperative housing corporation (as defined in 26 U.S.C. 216); or

(iv) is a residence described in section 17.9 of this chapter that is owned by a trust if the individual is an individual described in section 17.9 of this chapter; and

(C) that consists of a dwelling and the real estate, not exceeding one (1) acre, that immediately surrounds that dwelling.

Except as provided in subsection (k), the term does not include property owned by a corporation, partnership, limited liability company, or other entity not described in this subdivision.

(b) Each year a homestead is eligible for a standard deduction from the assessed value of the homestead for an assessment date. Except as provided in subsection (p), the deduction provided by this section applies to property taxes first due and payable for an assessment date only if an individual has an interest in the homestead described in subsection (a)(2)(B) on:

(1) the assessment date; or

(2) any date in the same year after an assessment date that a statement is filed under subsection (e) or section 44 of this chapter, if the property consists of real property.

If more than one (1) individual or entity qualifies property as a homestead under subsection (a)(2)(B) for an assessment date, only one (1) standard deduction from the assessed value of the homestead may be applied for the assessment date. Subject to subsection (c), the auditor of the county shall record and make the deduction for the individual or entity qualifying for the deduction.

(c) Except as provided in section 40.5 of this chapter, the total amount of the deduction that a person may receive under this section for a particular year is the lesser of:

(1) sixty percent (60%) of the assessed value of the real property, mobile home not assessed as real property, or manufactured home not assessed as real property; or

(2) forty-five thousand dollars ($45,000).

(d) A person who has sold real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property, mobile home, or manufactured home may not claim the deduction provided under this

section with respect to that real property, mobile home, or manufactured home.

(e) Except as provided in sections 17.8 and 44 of this chapter and subject to section 45 of this chapter, an individual who desires to claim the deduction provided by this section must file a certified statement on forms prescribed by the department of local government finance, with the auditor of the county in which the homestead is located. The statement must include:

(1) the parcel number or key number of the property and the name of the city, town, or township in which the property is located;

(2) the name of any other location in which the applicant or the applicant's spouse owns, is buying, or has a beneficial interest in residential real property;

(3) the names of:

(A) the applicant and the applicant's spouse (if any):

(i) as the names appear in the records of the United States Social Security Administration for the purposes of the issuance of a Social Security card and Social Security number; or

(ii) that they use as their legal names when they sign their names on legal documents;

if the applicant is an individual; or

(B) each individual who qualifies property as a homestead under subsection (a)(2)(B) and the individual's spouse (if any):

(i) as the names appear in the records of the United States Social Security Administration for the purposes of the issuance of a Social Security card and Social Security number; or

(ii) that they use as their legal names when they sign their names on legal documents;

if the applicant is not an individual; and

(4) either:

(A) the last five (5) digits of the applicant's Social Security number and the last five (5) digits of the Social Security number of the applicant's spouse (if any); or

(B) if the applicant or the applicant's spouse (if any) does not have a Social Security number, any of the following for that individual:

(i) The last five (5) digits of the individual's driver's license number.

(ii) The last five (5) digits of the individual's state identification card number.

(iii) The last five (5) digits of a preparer tax identification number that is obtained by the individual through the Internal Revenue Service of the United States.

~~(iii)~~ **(iv)** If the individual does not have a driver's license, ~~or~~ a state identification card, **or an Internal Revenue Service preparer tax identification number,** the last five (5) digits of a control number that is on a document issued to the individual by the United States government.

If a form or statement provided to the county auditor under this section, IC 6-1.1-22-8.1, or IC 6-1.1-22.5-12 includes the telephone number or part or all of the Social Security number of a party or other number described in subdivision (4)(B) of a party, the telephone number and the Social Security number or other number described in subdivision (4)(B) included are confidential. The statement may be filed in person or by mail. If the statement is mailed, the mailing must be postmarked on or before the last day for filing. The statement applies for that first year and any succeeding year for which the deduction is allowed. With respect to real property, the statement must be completed and dated in the calendar year for which the person desires to obtain the deduction and filed with the county auditor on or before January 5 of the immediately succeeding calendar year. With respect to a mobile home that is not assessed as real property, the person must file the statement during the twelve (12) months before March 31 of the year for which the person desires to obtain the deduction.

(f) **Except as provided in subsection (n),** if ~~an individual~~ **a person** who is receiving, **or seeks to receive,** the deduction provided by this section ~~or who otherwise qualifies property for a deduction under this section.~~ **in the person's name:**

(1) changes the use of the individual's property so that part or all of the property no longer qualifies for the deduction under this section; or

(2) is ~~no longer~~ **not** eligible for a deduction under this section ~~on another parcel of property~~ because **the person is already receiving:**

(A) ~~the individual would otherwise receive the benefit of more than one (1)~~ **a** deduction under this ~~chapter;~~ **section in the person's name as an individual or a spouse;** or

(B) ~~the individual maintains the individual's principal place of residence with another individual who receives a deduction under this section;~~ **a deduction under the law of another state that is equivalent to the deduction provided by this**

section;

the ~~individual~~ **person** must file a certified statement with the auditor of the county, notifying the auditor of the ~~change of use,~~ **person's ineligibility,** not more than sixty (60) days after the date of ~~that~~ **the** change **in eligibility.** ~~An individual~~ **A person** who fails to file the statement required by this subsection ~~is~~ **may, under IC 6-1.1-36-17, be** liable for any additional taxes that would have been due on the property if the ~~individual~~ **person** had filed the statement as required by this subsection plus a civil penalty equal to ten percent (10%) of the additional taxes due. The civil penalty imposed under this subsection is in addition to any interest and penalties for a delinquent payment that might otherwise be due. One percent (1%) of the total civil penalty collected under this subsection shall be transferred by the county to the department of local government finance for use by the department in establishing and maintaining the homestead property data base under subsection (i) and, to the extent there is money remaining, for any other purposes of the department. This amount becomes part of the property tax liability for purposes of this article.

(g) The department of local government finance may adopt rules or guidelines concerning the application for a deduction under this section.

(h) This subsection does not apply to property in the first year for which a deduction is claimed under this section if the sole reason that a deduction is claimed on other property is that the individual or married couple maintained a principal residence at the other property on the assessment date in the same year in which an application for a deduction is filed under this section or, if the application is for a homestead that is assessed as personal property, on the assessment date in the immediately preceding year and the individual or married couple is moving the individual's or married couple's principal residence to the property that is the subject of the application. Except as provided in subsection (n), the county auditor may not grant an individual or a married couple a deduction under this section if:

(1) the individual or married couple, for the same year, claims the deduction on two (2) or more different applications for the deduction; and

(2) the applications claim the deduction for different property.

(i) The department of local government finance shall provide secure access to county auditors to a homestead property data base that includes access to the homestead owner's name and the numbers required from the homestead owner under subsection (e)(4) for the sole purpose of verifying whether an owner is wrongly claiming a deduction

under this chapter or a credit under IC 6-1.1-20.4, IC 6-1.1-20.6, or IC 6-3.6-5 (after December 31, 2016).

(j) A county auditor may require an individual to provide evidence proving that the individual's residence is the individual's principal place of residence as claimed in the certified statement filed under subsection (e). The county auditor may limit the evidence that an individual is required to submit to a state income tax return, a valid driver's license, or a valid voter registration card showing that the residence for which the deduction is claimed is the individual's principal place of residence. The department of local government finance shall work with county auditors to develop procedures to determine whether a property owner that is claiming a standard deduction or homestead credit is not eligible for the standard deduction or homestead credit because the property owner's principal place of residence is outside Indiana.

(k) As used in this section, "homestead" includes property that satisfies each of the following requirements:

(1) The property is located in Indiana and consists of a dwelling and the real estate, not exceeding one (1) acre, that immediately surrounds that dwelling.

(2) The property is the principal place of residence of an individual.

(3) The property is owned by an entity that is not described in subsection (a)(2)(B).

(4) The individual residing on the property is a shareholder, partner, or member of the entity that owns the property.

(5) The property was eligible for the standard deduction under this section on March 1, 2009.

(l) If a county auditor terminates a deduction for property described in subsection (k) with respect to property taxes that are:

(1) imposed for an assessment date in 2009; and

(2) first due and payable in 2010;

on the grounds that the property is not owned by an entity described in subsection (a)(2)(B), the county auditor shall reinstate the deduction if the taxpayer provides proof that the property is eligible for the deduction in accordance with subsection (k) and that the individual residing on the property is not claiming the deduction for any other property.

(m) For assessment dates after 2009, the term "homestead" includes:

(1) a deck or patio;

(2) a gazebo; or

(3) another residential yard structure, as defined in rules adopted by the department of local government finance (other than a

swimming pool);

that is assessed as real property and attached to the dwelling.

(n) A county auditor shall grant an individual a deduction under this section regardless of whether the individual and the individual's spouse claim a deduction on two (2) different applications and each application claims a deduction for different property if the property owned by the individual's spouse is located outside Indiana and the individual files an affidavit with the county auditor containing the following information:

(1) The names of the county and state in which the individual's spouse claims a deduction substantially similar to the deduction allowed by this section.

(2) A statement made under penalty of perjury that the following are true:

(A) That the individual and the individual's spouse maintain separate principal places of residence.

(B) That neither the individual nor the individual's spouse has an ownership interest in the other's principal place of residence.

(C) That neither the individual nor the individual's spouse has, for that same year, claimed a standard or substantially similar deduction for any property other than the property maintained as a principal place of residence by the respective individuals.

A county auditor may require an individual or an individual's spouse to provide evidence of the accuracy of the information contained in an affidavit submitted under this subsection. The evidence required of the individual or the individual's spouse may include state income tax returns, excise tax payment information, property tax payment information, driver license information, and voter registration information.

(o) If:

(1) a property owner files a statement under subsection (e) to claim the deduction provided by this section for a particular property; and

(2) the county auditor receiving the filed statement determines that the property owner's property is not eligible for the deduction;

the county auditor shall inform the property owner of the county auditor's determination in writing. If a property owner's property is not eligible for the deduction because the county auditor has determined that the property is not the property owner's principal place of residence, the property owner may appeal the county auditor's determination to the county property tax assessment board of appeals

as provided in IC 6-1.1-15. The county auditor shall inform the property owner of the owner's right to appeal to the county property tax assessment board of appeals when the county auditor informs the property owner of the county auditor's determination under this subsection.

(p) An individual is entitled to the deduction under this section for a homestead for a particular assessment date if:

(1) either:

(A) the individual's interest in the homestead as described in subsection (a)(2)(B) is conveyed to the individual after the assessment date, but within the calendar year in which the assessment date occurs; or

(B) the individual contracts to purchase the homestead after the assessment date, but within the calendar year in which the assessment date occurs;

(2) on the assessment date:

(A) the property on which the homestead is currently located was vacant land; or

(B) the construction of the dwelling that constitutes the homestead was not completed; and

(3) either:

(A) the individual files the certified statement required by subsection (e); or

(B) a sales disclosure form that meets the requirements of section 44 of this chapter is submitted to the county assessor on or before December 31 of the calendar year for the individual's purchase of the homestead.

An individual who satisfies the requirements of subdivisions (1) through (3) is entitled to the deduction under this section for the homestead for the assessment date, even if on the assessment date the property on which the homestead is currently located was vacant land or the construction of the dwelling that constitutes the homestead was not completed. The county auditor shall apply the deduction for the assessment date and for the assessment date in any later year in which the homestead remains eligible for the deduction. A homestead that qualifies for the deduction under this section as provided in this subsection is considered a homestead for purposes of section 37.5 of this chapter and IC 6-1.1-20.6.

(q) This subsection applies to an application for the deduction provided by this section that is filed for an assessment date occurring after December 31, 2013. Notwithstanding any other provision of this section, an individual buying a mobile home that is not assessed as real

property or a manufactured home that is not assessed as real property under a contract providing that the individual is to pay the property taxes on the mobile home or manufactured home is not entitled to the deduction provided by this section unless the parties to the contract comply with IC 9-17-6-17.

(r) This subsection:

(1) applies to an application for the deduction provided by this section that is filed for an assessment date occurring after December 31, 2013; and

(2) does not apply to an individual described in subsection (q).

The owner of a mobile home that is not assessed as real property or a manufactured home that is not assessed as real property must attach a copy of the owner's title to the mobile home or manufactured home to the application for the deduction provided by this section.

(s) For assessment dates after 2013, the term "homestead" includes property that is owned by an individual who:

(1) is serving on active duty in any branch of the armed forces of the United States;

(2) was ordered to transfer to a location outside Indiana; and

(3) was otherwise eligible, without regard to this subsection, for the deduction under this section for the property for the assessment date immediately preceding the transfer date specified in the order described in subdivision (2).

For property to qualify under this subsection for the deduction provided by this section, the individual described in subdivisions (1) through (3) must submit to the county auditor a copy of the individual's transfer orders or other information sufficient to show that the individual was ordered to transfer to a location outside Indiana. The property continues to qualify for the deduction provided by this section until the individual ceases to be on active duty, the property is sold, or the individual's ownership interest is otherwise terminated, whichever occurs first. Notwithstanding subsection (a)(2), the property remains a homestead regardless of whether the property continues to be the individual's principal place of residence after the individual transfers to a location outside Indiana. The property continues to qualify as a homestead under this subsection if the property is leased while the individual is away from Indiana and is serving on active duty, if the individual has lived at the property at any time during the past ten (10) years. Otherwise, the property ceases to qualify as a homestead under this subsection if the property is leased while the individual is away from Indiana. Property that qualifies as a homestead under this subsection shall also be construed as a homestead for purposes of section 37.5 of

this chapter.

SECTION 14. IC 6-1.1-12-45, AS AMENDED BY P.L.183-2014, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 45. (a) Subject to subsections (b) and (c), a deduction under this chapter applies for an assessment date and for the property taxes due and payable based on the assessment for that assessment date, regardless of whether with respect to the real property or mobile home or manufactured home not assessed as real property:

(1) the title is conveyed one (1) or more times; or

(2) one (1) or more contracts to purchase are entered into;

after that assessment date and on or before the next succeeding assessment date.

(b) Subsection (a) applies regardless of whether:

(1) one (1) or more grantees of title under subsection (a)(1); or

(2) one (1) or more contract purchasers under subsection (a)(2);

file a statement under this chapter to claim the deduction.

(c) A deduction applies under subsection (a) for only one (1) year. The requirements of this chapter for filing a statement to apply for a deduction under this chapter apply to subsequent years. **A person who fails to apply for a deduction or credit under this article by the deadlines prescribed by this article may not apply for the deduction or credit retroactively.**

(d) If:

(1) a statement is filed under this chapter on or before January 5 of a calendar year to claim a deduction under this chapter with respect to real property; and

(2) the eligibility criteria for the deduction are met;

the deduction applies for the assessment date in the preceding calendar year and for the property taxes due and payable based on the assessment for that assessment date.

(e) If:

(1) a statement is filed under this chapter in a twelve (12) month filing period designated under this chapter to claim a deduction under this chapter with respect to a mobile home or a manufactured home not assessed as real property; and

(2) the eligibility criteria for the deduction are met;

the deduction applies for the assessment date in that twelve (12) month period and for the property taxes due and payable based on the assessment for that assessment date.

(f) If a person who is receiving a deduction under section 1 of this chapter subsequently refinances the property, desires to continue claiming the deduction, and remains eligible for the

deduction, the person must reapply for the deduction for the following assessment date.

(g) A person who is required to record a contract with a county recorder in order to qualify for a deduction under this article must record the contract, or a memorandum of the contract, before, or concurrently with, the filing of the corresponding deduction application.

(h) Before a county auditor terminates a deduction under this article, the county auditor shall give to the person claiming the deduction written notice that states the county auditor's intention to terminate the deduction and the county auditor's reason for terminating the deduction. The county auditor may send the notice to the taxpayer claiming the deduction by first class mail or by electronic mail. A notice issued under this subsection is not appealable under IC 6-1.1-15. However, after a deduction is terminated by a county auditor, the taxpayer may appeal the county auditor's action under IC 6-1.1-15.

SECTION 15. IC 6-1.1-18-24 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 24. (a) This section applies to Jennings Township in Fayette County.**

(b) The executive of the township may, upon approval by the township fiscal body, submit a petition to the department of local government finance for an increase in the maximum permissible ad valorem property tax levy under:

(1) IC 6-1.1-18.5 (for the township's funds that are not used for township fire protection and emergency services); and

(2) IC 36-8-13 (for the township's fire protection and emergency services);

for property taxes first due and payable in 2018.

(c) The department of local government finance shall increase the maximum permissible ad valorem property tax levies specified in subsection (b) for a township that submits a petition under this section by the lesser of:

(1) the amount of the increase for each levy that is requested in the petition; or

(2) the amount necessary to increase each of these levies for 2018 to the amount that each of these levies would be for 2018 if the department had used for each of these levies the maximum permissible levy instead of the certified levy when computing the township's maximum levy amount for 2004 for each of these levies.

(d) A township's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 and IC 36-8-13 for property taxes first due and payable in 2018, as adjusted under this section, shall be used in the determination of the township's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 and IC 36-8-13 for property taxes first due and payable in 2019 and thereafter.

(e) This section expires June 30, 2021.

SECTION 16. IC 6-1.1-20.3-15, AS ADDED BY P.L.84-2014, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 15. (a) ~~After June 30, 2015,~~ The executive of a political subdivision **or a majority of the members of the fiscal body of a political subdivision** may request technical assistance from the board in helping prevent the political subdivision from becoming a distressed political subdivision. The board, by using the health fiscal indicators developed under IC 5-14-3.7-16 or IC 5-14-3.8-8, shall determine whether to provide assistance to the political subdivision.

(b) The board may do any of the following for a political subdivision that receives assistance under subsection (a):

(1) Provide information and technical assistance with respect to the data management, accounting, or other aspects of the fiscal management of the political subdivision.

(2) Assist the political subdivision in obtaining assistance from state agencies and other resources.

SECTION 17. IC 6-1.1-28-12, AS AMENDED BY P.L.149-2016, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. (a) This section applies beginning January 1, 2016.

(b) Each county property tax assessment board of appeals (referred to as the "county PTABOA" in this section) shall submit annually a report of the notices for review filed with the county PTABOA under IC 6-1.1-15-1(c) and IC 6-1.1-15-1(d) in the preceding year to the department of local government finance, the Indiana board of tax review, and the legislative services agency before April 1 of each year. A report submitted to the legislative services agency must be in an electronic format under IC 5-14-6.

(c) The report required by subsection (b) must include the following information:

(1) The total number of notices for review filed with the county PTABOA.

(2) The notices for review, either filed or pending during the year, that were resolved during the year by a preliminary informal meeting under IC 6-1.1-15-1(h)(2) and IC 6-1.1-15-1(j).

(3) The notices for review, either filed or pending during the year, in which a hearing was conducted during the year by the county PTABOA under IC 6-1.1-15-1(k).

(4) The number of written decisions issued during the year by the county PTABOA under IC 6-1.1-15-1(n).

(5) The number of notices for review pending with the county PTABOA on December 31 of the reporting year.

(6) The number of reviews resolved through a preliminary informal meeting under IC 6-1.1-15-1(h)(2) and IC 6-1.1-15-1(j) that were:

(A) resolved in favor of the taxpayer;

(B) resolved in favor of the assessor; or

(C) resolved in some other manner.

(7) The number of reviews resolved through a written decision issued during the year by the county PTABOA under IC 6-1.1-15-1(n) that were:

(A) resolved in favor of the taxpayer;

(B) resolved in favor of the assessor; or

(C) resolved in some other manner.

The report may not include any confidential information.

(d) A multiple county PTABOA shall submit a separate report under this section for each county participating in the multiple county PTABOA. A report filed under this subsection for a county participating in a multiple county PTABOA must provide information on the notices for review that originated within the county.

SECTION 18. IC 6-1.1-30-14.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 14.5. The department of local government finance ~~shall~~ **may** adopt rules under IC 4-22-2 to limit the basis of payment for services provided by all professionals, including but not limited to attorneys, architects, and construction managers, who work on capital projects, to a fee for service agreement and may not adopt a rule authorizing the basis of payment for the services to be a percentage of the cost of the capital project.

SECTION 19. IC 6-1.1-31-9, AS AMENDED BY P.L.112-2012, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016 (RETROACTIVE)]: Sec. 9. (a) Except as provided in subsection (b) **or (c),** the department of local government finance may not adopt rules for the appraisal of real property:

(1) in a general reassessment under IC 6-1.1-4-4; or

(2) in a reassessment under a county's reassessment plan prepared under IC 6-1.1-4-4.2;

after July 1 of the year before the year in which the reassessment is scheduled to begin.

(b) If rules described in subsection (a) are timely adopted under subsection (a) and are then disapproved by the attorney general for any reason under IC 4-22-2-32, the department of local government finance may modify the rules to cure the defect that resulted in disapproval by the attorney general, and may then take all actions necessary under IC 4-22-2 to readopt and to obtain approval of the rules. This process may be repeated as necessary until the rules are approved.

(c) The department of local government finance may adopt rules under IC 4-22-2 after June 30, 2016, and before September 1, 2017, that:

(1) concern or include market segmentation under section 6 of this chapter; and

(2) affect assessments for the January 1, 2018, assessment date.

SECTION 20. IC 6-1.1-31-11.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11.5. (a) Subject to subsection (b), the department of local government finance shall adopt rules under IC 4-22-2 to govern the practice of representatives in proceedings before the property tax assessment board of appeals and the department of local government finance.

(b) Except as provided in subsection (c), a rule adopted under subsection (a) may not:

(1) restrict the ability of a representative to practice before the property tax assessment board of appeals or the department of local government finance based on the fact that the representative is not an attorney admitted to the Indiana bar; ~~or~~

(2) restrict the admissibility of written or oral testimony of a representative or other witness based upon the manner in which the representative or other witness is compensated; **or**

(3) restrict the ability of a certified public accountant to represent a client in a matter that relates only to the taxation of personal property or distributable property (as defined in 50 IAC 5.1-1-9).

(c) A rule adopted under subsection (a) may require a representative in a proceeding before the property tax assessment board of appeals or the department of local government finance to be an attorney admitted to the Indiana bar if the matter under consideration in the proceeding is:

(1) an exemption for which an application is required under IC 6-1.1-11;

(2) a claim that taxes are illegal as a matter of law;

(3) a claim regarding the constitutionality of an assessment; or

(4) any other matter that requires representation that involves the practice of law.

(d) This subsection applies to a petition that is filed with the property tax assessment board of appeals or a matter under consideration by the department of local government finance before the adoption of a rule under subsection (a) that establishes new standards for:

(1) the presentation of evidence or testimony; or

(2) the practice of representatives.

The property tax assessment board of appeals or the department of local government finance may not dismiss a petition or reject consideration of a matter solely for failure to comply with the rule adopted under subsection (a) without providing the petitioner with an opportunity to present evidence, testimony, or representation in compliance with the rule.

SECTION 21. IC 6-1.1-37-15 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 15. (a) The county treasurer and the county auditor may implement a policy to waive, negotiate, or settle penalties that have accrued on delinquent property taxes imposed in the county, if the policy is approved by the fiscal body (as defined in IC 36-1-2-6) of the county.**

(b) A negotiated agreement or a settlement agreement under this section must be an agreement in writing among the county auditor, the county treasurer, and the taxpayer or the taxpayer's authorized representative. After concluding the agreement, the county auditor shall provide a copy of the agreement to the taxpayer or the taxpayer's authorized representative.

(c) A county auditor who waives, negotiates, or settles penalties under this section shall document the action in the manner prescribed by the department.

(d) A county auditor shall provide all documentation related to a waiver, negotiation, or settlement of penalties under this section to the state board of accounts upon request.

SECTION 22. IC 6-1.1-41-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. **(a)** After a political subdivision complies with this chapter, a property tax may be levied annually at the tax rate approved under this chapter without further action under this chapter. The tax levy must be advertised annually as other tax levies are advertised.

(b) If a political subdivision whose tax rate for a cumulative fund governed by this chapter is certified by the department of local government finance under IC 6-1.1-17-16 in an amount less than the political subdivision initially adopted for the cumulative fund under section 3 of this chapter and the political subdivision wishes to impose a greater tax rate for the cumulative fund in a subsequent year, the political subdivision must reestablish the cumulative fund as provided in this chapter.

SECTION 23. IC 6-3.6-5-6, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. (a) This section applies to all counties.

(b) The adopting body may impose a tax rate under this chapter that does not exceed one and twenty-five hundredths percent (1.25%) on the adjusted gross income of local taxpayers in the county served by the adopting body.

(c) Revenues from a tax under this section may be used only for the purpose of funding a property tax credit applied on a percentage basis to reduce the property tax liability of taxpayers with tangible property located in the county as authorized under this section. Property taxes imposed due to a referendum in which a majority of the voters in the taxing unit imposing the property taxes approved the property taxes are not eligible for a credit under this section.

(d) The adopting body shall specify by ordinance how the revenue from the tax shall be applied to provide property tax credits in subsequent years. The ordinance must be adopted before July 1 and first applies in the following year and then thereafter until it is rescinded or modified. The property tax credits may be allocated among any combination of the following categories:

(1) For homesteads eligible for a credit under IC 6-1.1-20.6-7.5 that limits the taxpayer's property tax liability for the property to one percent (1%).

(2) For residential property, long term care property, agricultural land, and other tangible property (if any) eligible for a credit under IC 6-1.1-20.6-7.5 that limits the taxpayer's property tax liability for the property to two percent (2%).

(3) For the following types of property as a single category:

(A) Residential property, as defined in 6-1.1-20.6-4.

(B) Real property, a mobile home, and industrialized housing that would qualify as a homestead if the taxpayer had filed for a homestead credit under IC 6-1.1-20.9 (repealed) or the standard deduction under IC 6-1.1-12-37.

(C) Real property consisting of units that are regularly used to

rent or otherwise furnish residential accommodations for periods of at least thirty (30) days, regardless of whether the tangible property is subject to assessment under rules of the department of local government finance that apply to:

(i) residential property; or

(ii) commercial property.

(4) For nonresidential real property, personal property, and other tangible property (if any) eligible for a credit under IC 6-1.1-20.6-7.5 that limits the taxpayer's property tax liability for the property to three percent (3%). However, IC 6-3.6-11-2 applies in Jasper County.

(e) Within a category described in subsection (d) for which an ordinance grants property tax credits, the property tax credit rate must be a uniform percentage for all qualifying taxpayers with property in that category in the county. The credit percentage may be, but does not have to be, uniform for all categories of property listed in subsection (d). The total of all tax credits granted under this section for a year may not exceed the amount of revenue raised by the tax imposed under this section. If the amount available in a year for property tax credits under this section is less than the amount necessary to provide all the property tax credits authorized by the adopting body, the county auditor shall reduce the property tax credits granted to eliminate the excess. The county auditor shall reduce credits within the categories described in subsection (d)(1) through (d)(4) as follows:

(1) First, against property taxes imposed on property described in subsection (d)(4).

(2) Second, if an excess remains after applying the reduction as described in subdivision (1), against property taxes imposed on property described in subsection (d)(3).

(3) Third, if an excess remains after applying the reduction as described in subdivisions (1) and (2), against property taxes imposed on property described in subsection (d)(2).

(4) Fourth, if an excess remains after applying the reduction as described in subdivisions (1) through (3), against property taxes imposed on property described in subsection (d)(1).

(f) The total of all tax credits granted under this section for a year may not exceed the amount authorized by the adopting body. If the amount available in a year for property tax credits under this section is greater than the amount necessary to provide all the property tax credits authorized by the adopting body, the county auditor shall retain and apply the excess as necessary to provide the property tax credits authorized by the adopting body for the following year. The adopting

body may adopt an ordinance that directs to which categories described in subsection (d) the excess is to be uniformly applied.

(g) The county auditor shall allocate the amount of revenue applied as tax credits under this section to the taxing units that imposed the eligible property taxes against which the credits are applied.

(h) If the adopting body adopts an ordinance to reduce or eliminate the property tax relief credits that are in effect in the county under this chapter, the county auditor shall give notice of the adoption of the ordinance in accordance with IC 5-3-1 not later than thirty (30) days after the date on which the ordinance is adopted.

SECTION 24. IC 6-3.6-7-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 7.5. (a) This section applies to Decatur County.**

(b) The county council may, by ordinance, determine that additional local income tax revenue is needed in the county to do the following:

(1) Finance, construct, acquire, improve, renovate, and equip the county jail and related buildings and parking facilities, including costs related to the demolition of existing buildings, the acquisition of land, and any other reasonably related costs.

(2) Repay bonds issued or leases entered into for the purposes described in subdivision (1).

(3) Operate and maintain the facilities described in subdivision (1).

(c) If the county council makes the determination set forth in subsection (b), the county council may adopt an ordinance to impose a local income tax rate of:

(1) fifteen-hundredths percent (0.15%);
(2) two-tenths percent (0.2%);
(3) twenty-five hundredths percent (0.25%);
(4) three-tenths percent (0.3%);
(5) thirty-five hundredths percent (0.35%);
(6) four-tenths percent (0.4%);
(7) forty-five hundredths percent (0.45%);
(8) five-tenths percent (0.5%);
(9) fifty-five hundredths percent (0.55%);
(10) six-tenths percent (0.6%); or
(11) sixty-five hundredths percent (0.65%).

The tax rate may not be greater than the rate necessary to pay for

the purposes described in subsection (b).

(d) The tax rate used to pay for the purposes described in subsection (b)(1) and (b)(2) may be imposed only until the latest of the following dates:

(1) The date on which the financing, construction, acquisition, improvement, and equipping of the facilities as described in subsection (b) are completed.

(2) The date on which the last of any bonds issued (including refunding bonds) or leases entered into to finance the construction, acquisition, improvement, renovation, and equipping of the facilities described in subsection (b) are fully paid.

(3) The date on which an ordinance adopted under subsection (c) is rescinded.

(e) The tax rate under this section may be imposed beginning in the year following the year the ordinance is adopted and until the date on which the ordinance adopted under this section is rescinded.

(f) The term of a bond issued (including any refunding bond) or a lease entered into under subsection (b) may not exceed twenty-five (25) years.

(g) The county treasurer shall establish a county jail revenue fund to be used only for the purposes described in this section. Local income tax revenues derived from the tax rate imposed under this section shall be deposited in the county jail revenue fund.

(h) Local income tax revenues derived from the tax rate imposed under this section:

(1) may be used only for the purposes described in this section;

(2) may not be considered by the department of local government finance in determining the county's maximum permissible property tax levy limit under IC 6-1.1-18.5; and

(3) may be pledged to the repayment of bonds issued or leases entered into for the purposes described in subsection (b).

(i) Decatur County possesses unique governmental and economic development challenges and opportunities due to the following:

(1) Deficiencies in the current county jail, including the following:

(A) Lack of facilities to adequately provide mental health services and substance abuse treatment.

(B) Lack of facilities space to allow for some inmates to participate in work release and other community based rehabilitation programs.

(C) Lack of facilities to adequately house and supervise violent offenders.

(D) Lack of adequate facilities to accommodate an increased volume of inmates involved in domestic violence and crimes against children.

(E) Lack of adequate facilities to accommodate an increased number of out-of-state offenders.

(F) Increasing maintenance demands and costs resulting from having aging facilities.

(2) An agricultural based economy, with limited industrial and commercial assessed valuation in the county.

The use of local income tax revenues as provided in this section is necessary for the county to provide adequate jail capacity in the county and to maintain low property tax rates essential to economic development. The use of local income tax revenues as provided in this section to pay any bonds issued or leases entered into to finance the construction, acquisition, improvement, renovation, and equipping of the facilities described in subsection (b), rather than the use of property taxes, promotes those purposes.

(j) Money accumulated from the local income tax rate imposed under this section after the termination of the tax under this section shall be transferred to the county rainy day fund under IC 36-1-8-5.1.

SECTION 25. IC 6-3.6-7-8.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 8.5. (a) This section applies to Fountain County.**

(b) The county council may, by ordinance, determine that additional local income tax revenue is needed in the county to do the following:

(1) Finance, construct, acquire, improve, renovate, and equip the county jail and related buildings and parking facilities, including costs related to the demolition of existing buildings, the acquisition of land, and any other reasonably related costs.

(2) Repay bonds issued or leases entered into for the purposes described in subdivision (1).

(c) If the county council makes the determination set forth in subsection (b), the county council may adopt an ordinance to

impose a local income tax rate of not more than fifty-five hundredths percent (0.55%). However, the tax rate may not be greater than the rate necessary to pay for the purposes described in subsection (b).

(d) The tax rate may be imposed only until the later of the following dates:

(1) The date on which the financing, construction, acquisition, improvement, renovation, and equipping of the facilities as described in subsection (b) are completed.

(2) The date on which the last of any bonds issued (including refunding bonds) or leases entered into to finance the construction, acquisition, improvement, renovation, and equipping of the facilities described in subsection (b) are fully paid.

(e) The term of a bond issued (including any refunding bond) or a lease entered into under subsection (b) may not exceed twenty-five (25) years.

(f) The county treasurer shall establish a county jail revenue fund to be used only for the purposes described in this section. Local income tax revenues derived from the tax rate imposed under this section shall be deposited in the county jail revenue fund.

(g) Local income tax revenues derived from the tax rate imposed under this section:

(1) may be used only for the purposes described in this section;

(2) may not be considered by the department of local government finance in determining the county's maximum permissible property tax levy limit under IC 6-1.1-18.5; and

(3) may be pledged to the repayment of bonds issued or leases entered into for the purposes described in subsection (b).

(h) Fountain County possesses unique governmental and economic development challenges and opportunities related to:

(1) the current county jail; and

(2) a limited industrial and commercial assessed valuation in the county.

The use of local income tax revenues as provided in this section is necessary for the county to provide adequate jail capacity in the county and to maintain low property tax rates essential to economic development. The use of local income tax revenues as provided in this section to pay any bonds issued or leases entered into to finance the construction, acquisition, improvement,

renovation, and equipping of the facilities described in subsection (b), rather than the use of property taxes, promotes those purposes.

(i) Money accumulated from the local income tax rate imposed under this section after the termination of the tax under this section shall be transferred to the county rainy day fund under IC 36-1-8-5.1.

SECTION 26. IC 6-3.6-7-15, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 15. (a) This section applies only to Miami County.

(b) Miami County possesses unique economic development challenges due to:

(1) underemployment in relation to similarly situated counties; and

(2) the presence of a United States government military base or other military installation that is completely or partially inactive or closed.

Maintaining low property tax rates is essential to economic development, and the use of a tax under this section ~~to pay any bonds issued or leases entered into~~ to carry out the purposes of this section rather than use of property taxes promotes these purposes.

(c) The county fiscal body may impose a tax rate on the adjusted gross income of local taxpayers that is the lesser of the following:

(1) Twenty-five hundredths percent (0.25%).

(2) The rate necessary to pay the costs of financing, constructing, acquiring, renovating, ~~and~~ equipping, **operating, and maintaining** a county jail.

(d) Revenue raised from a tax imposed under this section may be used only for the purposes of paying the costs of financing, constructing, acquiring, renovating, ~~and~~ equipping, **operating, and maintaining** a county jail, including the repayment of bonds issued, or leases entered into, for financing, constructing, acquiring, renovating, and equipping a county jail.

SECTION 27. IC 6-3.6-9-2 IS REPEALED [EFFECTIVE JANUARY 1, 2017 (RETROACTIVE)]. ~~Sec. 2. The budget agency shall before May 1 of every odd-numbered year publish an estimate of the statewide total amount of certified distributions to be made under this article during the following two (2) calendar years.~~

SECTION 28. IC 6-3.6-9-3 IS REPEALED [EFFECTIVE JANUARY 1, 2017 (RETROACTIVE)]. ~~Sec. 3. The budget agency shall before May 1 of every even-numbered year publish an estimate of the statewide total amount of certified distributions to be made under this article during the following calendar year.~~

SECTION 29. IC 8-22-3-19, AS AMENDED BY P.L.230-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 19. (a) Temporary loans may be made by the board in anticipation of the collection of taxes of the authority actually levied and in course of collection for the fiscal year in which the loans are made. The loans must be authorized by ordinance and evidenced by warrants in the form provided by the authorizing ordinance. The warrants must state the total amount of the issue, the denomination of the warrant, the time and place payable, the rate of interest, the funds in anticipation of which they are issued and out of which they are payable, and a reference to the ordinance authorizing them and the date of its adoption. The ordinance authorizing temporary loans must appropriate and pledge a sufficient amount of the current revenue in anticipation of which they are issued and out of which they are payable. The warrants evidencing the temporary loans must be executed, sold, and delivered as are bonds of the authority.

(b) The board may negotiate terms and borrow money from any source under a loan contract, subject to the following requirements:

(1) The loan contract must be approved by resolution of the board.

(2) The loan contract must provide for the repayment of the loan in not more than forty (40) years.

(3) This subdivision applies only to loan contracts entered into under this subsection before July 1, 2013. The loan contract must state that the indebtedness:

(A) is that of the authority;

(B) is payable solely from revenues of the authority that are derived from either airport operations or from revenue bonds; and

(C) may not be paid by a tax levied on property located within the district.

(4) This subdivision applies only to loan contracts entered into under this subsection after June 30, 2013. The loan contract must state that the indebtedness:

(A) is that of the authority;

(B) is payable solely from:

(i) a cumulative building fund established under section 25 of this chapter;

(ii) revenues of the authority that are derived from either airport operations or from revenue bonds; or

(iii) both items (i) and (ii); and

(C) may not be paid by a general operating fund tax levied on property located within the district.

~~(5) The loan contract must be submitted to the department of local government finance, which may approve, disapprove, or reduce the amount of the proposed loan contract. The department of local government finance must make a decision on the loan contract within thirty (30) days after it is submitted for review. The action taken by the department of local government finance on the proposed loan contract is final.~~

(c) Any loan contract issued under this chapter is issued for essential public and governmental purposes. A loan contract, the interest on it, the proceeds received by a holder from the sale of a loan contract to the extent of the holder's cost of acquisition, proceeds received upon redemption before maturity, proceeds received at maturity, and the receipt of the interest and proceeds are exempt from taxation as provided in IC 6-8-5.

(d) After the board of an authority enters into a loan contract, the board may use funds received from state or federal grants to satisfy the repayment of part or all of the loan contract.

SECTION 30. IC 14-33-5-2, AS AMENDED BY P.L.84-2016, SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. (a) At each annual meeting of the district, directors shall be elected to fill vacancies on the board due to expiration of terms, resignation, or otherwise. The election shall be conducted by written ballots. Except as provided in subsection (c), to be elected an individual must receive a ~~majority~~ **plurality** of the votes of the freeholders of the district who are:

(1) present and voting in person; or

(2) absent but have mailed or delivered a written ballot vote.

(b) A written ballot vote must be signed and mailed or delivered to the district office. A ballot is valid if delivered or received before the scheduled date of the annual meeting.

(c) Upon receipt of a petition from the board of directors of a conservancy district, the court may modify the order establishing the district under IC 14-33-2-27 to provide that each director representing an area established under IC 14-33-2-27 shall be elected by a ~~majority~~ **plurality** of the votes of the freeholders of the respective areas.

SECTION 31. IC 14-33-9-1, AS AMENDED BY P.L.182-2009(ss), SECTION 301, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. (a) Except as provided in IC 6-1.1-17-20, the budget of a district:

(1) must be prepared and submitted:

(A) at the same time;

(B) in the same manner; and

(C) with notice;

as is required by statute for the preparation of budgets by municipalities; and

(2) **if the district imposes a levy,** is subject to the same review by:

(A) the county board of tax adjustment; and

(B) the department of local government finance;

as is required by statute for the budgets of municipalities.

(b) If a district is established in more than one (1) county:

(1) except as provided in subsection (c), the budget shall be certified to the auditor of the county in which is located the court that had exclusive jurisdiction over the establishment of the district; and

(2) notice must be published in each county having land in the district. Any taxpayer in the district is entitled to be heard before the county board of tax adjustment and, after December 31, 2008, the fiscal body of each county having jurisdiction.

(c) If one (1) of the counties in a district contains either a first or second class city located in whole or in part in the district, the budget:

(1) shall be certified to the auditor of that county; and

(2) is subject to review at the county level only by the county board of tax adjustment and, after December 31, 2008, the fiscal body of that county.

SECTION 32. IC 20-46-4-10, AS ADDED BY P.L.2-2006, SECTION 169, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. (a) A school corporation may appeal to the department of local government finance under IC 6-1.1-19 to increase the maximum levy permitted for the school corporation's fund. To be granted an increase by the department of local government finance, the school corporation must establish that the increase is necessary because ~~of a transportation operating cost increase of at least ten percent (10%) over the preceding year as a result~~ of **conditions under both of the following:**

(1) At least one (1) of the following:

(A) Actual transportation related expenditures from all funds of the school corporation in the current year are at least ten percent (10%) greater than actual transportation related expenditures from all funds of the school corporation in the preceding year.

(B) The school corporation is significantly restructuring its transportation service for one (1) or more ensuing years.

(C) The percentage growth in the school corporation's

assessed value for the preceding year compared to the year before the preceding year is at least two (2) times the assessed value growth quotient determined under IC 6-1.1-18.5-2 for the preceding year.

(D) The school corporation's student enrollment increased by at least fifty percent (50%) between the last two (2) decennial censuses.

(E) The average of the school corporation's annual percentage increase in student enrollment for the preceding six (6) years is greater than two percent (2%), but the school corporation's maximum levy under this chapter has grown on average by less than three percent (3%) during the same period.

(2) At least one (1) of the following:

~~(1)~~ **(A)** A fuel expense increase.

~~(2)~~ **(B)** A significant increase in the number of students enrolled in the school corporation that need transportation or a significant increase in the mileage traveled by the school corporation's buses compared with the previous year.

~~(3)~~ **(C)** A significant increase in the number of students enrolled in special education who need transportation or a significant increase in the mileage traveled by the school corporation's buses due to students enrolled in special education as compared with the previous year.

~~(4)~~ **(D)** Increased transportation operating costs due to compliance with a court ordered desegregation plan.

~~(5)~~ **(E)** The closure of a school building within the school corporation that results in a significant increase in the distances that students must be transported to attend another school building.

(F) Restructuring or redesigning transportation services due to a need for additional, expanded, consolidated, or modified routes.

(G) A labor shortage affecting the school corporation's ability to hire qualified transportation employees.

In addition, before the department of local government finance may grant a maximum levy increase, the school corporation must establish that the school corporation will be unable to provide transportation services without an increase. **The school corporation must support its appeal for a maximum levy increase with reasonably detailed statements of fact. A failure to do so despite meeting the mathematical criteria of this subsection may be grounds for denial**

of the appeal.

(b) The department of local government finance may grant a maximum operating costs levy increase that is less than the increase requested by the school corporation. **The department of local government finance shall consider the school corporation's current operating balances, including any rainy day fund the school corporation has, in evaluating the school corporation's appeal under subsection (a) and may approve an increase under this section that accounts for the school corporation's current operating balances. However, the school corporation's rainy day fund balance may serve as the basis for modifying or denying the appeal only if the rainy day fund balance is not otherwise substantially earmarked for use by the school corporation. The school corporation may, as part of its reasonably detailed statements of fact, explain whether the school corporation's rainy day fund balance is substantially earmarked for use by the school corporation.**

~~(b)~~ **(c)** If the department of local government finance determines that a permanent increase in the maximum permissible levy is necessary, the maximum levy after the increase granted under this section becomes the school corporation's maximum permissible levy under this chapter.

(d) An appeal under this section must be filed with the department of local government finance before October 20 of the calendar year immediately preceding the ensuing calendar year.

SECTION 33. IC 33-37-5-15, AS AMENDED BY P.L.165-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 15. (a) The ~~sheriff~~ **clerk** shall collect a service of process fee of ~~twenty-five~~ **twenty-eight** dollars ~~($25)~~ **($28)** from a party requesting service of a writ, an order, a process, a notice, a tax warrant, or any other paper completed by the sheriff. A service of process fee collected under this subsection may be collected only one (1) time per case for the duration of the case. However, a ~~sheriff~~ **clerk** may collect an additional service of process fee of ~~twenty-five~~ **twenty-eight** dollars ~~($25)~~ **($28)** per case for any postjudgment service.

(b) The ~~sheriff~~ **clerk** shall collect from the person who filed the civil action a service of process fee of sixty dollars ($60), in addition to any other fee for service of process, if:

(1) a person files a civil action outside Indiana; and

(2) a sheriff in Indiana is requested to perform a service of process associated with the civil action in Indiana.

(c) A ~~sheriff~~ **clerk** shall transfer fees collected under this section to the county auditor of the county in which the sheriff has jurisdiction.

(d) The county auditor shall deposit fees collected under this section **as follows:**

(1) One dollar ($1) from each service of process fee described in subsection (a) into the clerk's record perpetuation fund established by the clerk under section 2 of this chapter.

(2) Twenty-seven dollars ($27) from each service of process fee described in subsection (a) into either:

~~(1)~~ **(A)** ~~in~~ the pension trust established by the county under IC 36-8-10-12; or

~~(2)~~ **(B)** if the county has not established a pension trust under IC 36-8-10-12, ~~in~~ the county general fund.

SECTION 34. IC 36-1-12-1.2, AS AMENDED BY P.L.91-2014, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.2. The following definitions apply throughout this chapter:

(1) "Board" means the board or officer of a political subdivision or an agency having the power to award contracts for public work.

(2) "Contractor" means a person who is a party to a public work contract with the board.

(3) "Subcontractor" means a person who is a party to a contract with the contractor and furnishes and performs labor on the public work project. The term includes material men who supply contractors or subcontractors.

(4) "Escrowed income" means the value of all property held in an escrow account over the escrowed principal in the account.

(5) "Escrowed principal" means the value of all cash and securities or other property placed in an escrow account.

(6) "Operating agreement" has the meaning set forth in IC 5-23-2-7.

(7) "Person" means any association, corporation, limited liability company, fiduciary, individual, joint venture, partnership, sole proprietorship, or any other legal entity.

(8) "Property" means all:

(A) personal property, fixtures, furnishings, inventory, and equipment; and

(B) real property.

(9) "Public fund" means all funds that are:

(A) derived from the established revenue sources of a political subdivision or an agency of a political subdivision; and

(B) deposited in a general or special fund of a municipal

corporation, or another political subdivision or agency of a political subdivision.

The term does not include funds received by ~~any~~ **a** person ~~managing or operating a public project~~ under a duly authorized ~~operating~~ **public-private** agreement under IC 5-23 or proceeds of bonds payable exclusively by a private entity.

(10) "Retainage" means the amount to be withheld from a payment to the contractor or subcontractor until the occurrence of a specified event.

(11) "Specifications" means a description of the physical characteristics, functional characteristics, extent, or nature of any public work required by the board.

(12) "Substantial completion" refers to the date when the construction of a structure is sufficiently completed, in accordance with the plans and specifications, as modified by any complete change orders agreed to by the parties, so that it can be occupied for the use for which it was intended.

SECTION 35. IC 36-7-14-13, AS AMENDED BY P.L.204-2016, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. (a) Not later than April 15 of each year, the redevelopment commissioners or their designees shall file with the unit's executive and fiscal body a report setting out their activities during the preceding calendar year.

(b) The report of the commissioners of a municipal redevelopment commission must show the names of the then qualified and acting commissioners, the names of the officers of that body, the number of regular employees and their fixed salaries or compensation, the amount of the expenditures made during the preceding year and their general purpose, an accounting of the tax increment revenues expended by any entity receiving the tax increment revenues as a grant or loan from the commission, the amount of funds on hand at the close of the calendar year, and other information necessary to disclose the activities of the commissioners and the results obtained.

(c) The report of the commissioners of a county redevelopment commission must show all the information required by subsection (b), plus the names of any commissioners appointed to or removed from office during the preceding calendar year.

(d) A copy of each report filed under this section must be submitted to the department of local government finance in an electronic format.

(e) The report required under subsection (a) must also include the following information set forth for each tax increment financing district regarding the previous year:

(1) Revenues received.
(2) Expenses paid.
(3) Fund balances.
(4) The amount and maturity date for all outstanding obligations.
(5) The amount paid on outstanding obligations.
(6) A list of all the parcels **and the depreciable personal property of any designated taxpayer** included in each tax increment financing district allocation area and the base assessed value and incremental assessed value for each parcel **and the depreciable personal property of any designated taxpayer** in the list.
(7) To the extent that the following information has not previously been provided to the department of local government finance:
(A) The year in which the tax increment financing district was established.
(B) The section of the Indiana Code under which the tax increment financing district was established.
(C) Whether the tax increment financing district is part of an area needing redevelopment, an economic development area, a redevelopment project area, or an urban renewal project area.
(D) If applicable, the year in which the boundaries of the tax increment financing district were changed and a description of those changes.
(E) The date on which the tax increment financing district will expire.
(F) A copy of each resolution adopted by the redevelopment commission that establishes or alters the tax increment financing district.

(f) A redevelopment commission and a department of redevelopment are subject to the same laws, rules, and ordinances of a general nature that apply to all other commissions or departments of the unit.

SECTION 36. IC 36-7-15.1-36.3, AS AMENDED BY P.L.204-2016, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 36.3. (a) Not later than April 15 of each year, the commission or its designee shall file with the mayor and the fiscal body a report setting out the commission's activities during the preceding calendar year.

(b) The report required by subsection (a) must show the names of the then qualified and acting commissioners, the names of the officers of that body, the number of regular employees and their fixed salaries

or compensation, the amount of the expenditures made during the preceding year and their general purpose, an accounting of the tax increment revenues expended by any entity receiving the tax increment revenues as a grant or loan from the commission, the amount of funds on hand at the close of the calendar year, and other information necessary to disclose the activities of the commission and the results obtained.

(c) A copy of each report filed under this section must be submitted to the department of local government finance in an electronic format.

(d) The report required under subsection (a) must also include the following information set forth for each tax increment financing district regarding the previous year:

(1) Revenues received.

(2) Expenses paid.

(3) Fund balances.

(4) The amount and maturity date for all outstanding obligations.

(5) The amount paid on outstanding obligations.

(6) A list of all the parcels **and the depreciable personal property of any designated taxpayer** included in each tax increment financing district allocation area and the base assessed value and incremental assessed value for each parcel **and the depreciable personal property of any designated taxpayer** in the list.

(7) To the extent that the following information has not previously been provided to the department of local government finance:

(A) The year in which the tax increment financing district was established.

(B) The section of the Indiana Code under which the tax increment financing district was established.

(C) Whether the tax increment financing district is part of an area needing redevelopment, an economic development area, a redevelopment project area, or an urban renewal project area.

(D) If applicable, the year in which the boundaries of the tax increment financing district were changed and a description of those changes.

(E) The date on which the tax increment financing district will expire.

(F) A copy of each resolution adopted by the redevelopment commission that establishes or alters the tax increment financing district.

SECTION 37. IC 36-8-13-3, AS AMENDED BY P.L.110-2010,

SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 3. (a) The executive of a township, with the approval of the legislative body, may do the following:

(1) Purchase firefighting and emergency services apparatus and equipment for the township, provide for the housing, care, maintenance, operation, and use of the apparatus and equipment to provide services within the township but outside the corporate boundaries of municipalities, and employ full-time or part-time personnel to operate the apparatus and equipment and to provide services in that area. Preference in employment under this section shall be given according to the following priority:

(A) A war veteran who has been honorably discharged from the United States armed forces.

(B) A person whose mother or father was a:

(i) firefighter of a unit;

(ii) municipal police officer; or

(iii) county police officer;

who died in the line of duty (as defined in IC 5-10-10-2).

The executive of a township may give a preference for employment under this section to a person who was employed full-time or part-time by another township to provide fire protection and emergency services and has been laid off by the township. The executive of a township may also give a preference for employment to a firefighter laid off by a city under IC 36-8-4-11. A person described in this subdivision may not receive a preference for employment unless the person applies for employment and meets all employment requirements prescribed by law, including physical and age requirements, and all employment requirements prescribed by the fire department.

(2) Contract with a municipality in the township or in a contiguous township that maintains adequate firefighting or emergency services apparatus and equipment to provide fire protection or emergency services for the township in accordance with IC 36-1-7.

(3) Cooperate with a municipality in the township or in a contiguous township in the purchase, maintenance, and upkeep of firefighting or emergency services apparatus and equipment for use in the municipality and township in accordance with IC 36-1-7.

(4) Contract with a volunteer fire department that has been organized to fight fires in the township for the use and operation of firefighting apparatus and equipment that has been purchased

by the township in order to save the private and public property of the township from destruction by fire, including use of the apparatus and equipment in an adjoining township by the department if the department has made a contract with the executive of the adjoining township for the furnishing of firefighting service within the township.

(5) Contract with a volunteer fire department that maintains adequate firefighting service in accordance with IC 36-8-12.

(6) Use money in the township's rainy day fund to pay costs attributable to providing fire protection or emergency services under this chapter.

(b) This subsection applies only to townships that provide fire protection or emergency services or both under subsection (a)(1) and to municipalities that have some part of the municipal territory within a township and do not have a full-time paid fire department. A township may provide fire protection or emergency services or both without contracts inside the corporate boundaries of the municipalities if before July 1 of a year the following occur:

(1) The legislative body of the municipality adopts an ordinance to have the township provide the services without a contract.

(2) The township legislative body passes a resolution approving the township's provision of the services without contracts to the municipality.

In a township providing services to a municipality under this section, the legislative body of either the township or a municipality in the township may opt out of participation under this subsection by adopting an ordinance or a resolution, respectively, before July 1 of a year.

(c) This subsection applies only to a township that:

(1) is located in a county containing a consolidated city;

(2) has at least three (3) included towns (as defined in IC 36-3-1-7) that have all municipal territory completely within the township on January 1, 1996; and

(3) provides fire protection or emergency services, or both, under subsection (a)(1);

and to included towns (as defined in IC 36-3-1-7) that have all the included town's municipal territory completely within the township. A township may provide fire protection or emergency services, or both, without contracts inside the corporate boundaries of the municipalities if before August 1 of the year preceding the first calendar year to which this subsection applies the township legislative body passes a resolution approving the township's provision of the services without contracts to the municipality. The resolution must identify the included

towns to which the resolution applies. In a township providing services to a municipality under this section, the legislative body of the township may opt out of participation under this subsection by ~~adoptinga~~ **adopting a** resolution before July 1 of a year. A copy of a resolution adopted under this subsection shall be submitted to the executive of each included town covered by the resolution, the county auditor, and the department of local government finance.

SECTION 38. IC 36-8-13-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) Each township shall annually establish a township firefighting fund which is to be ~~the exclusive fund~~ used by the township for the payment of costs attributable to providing fire protection or emergency services under the methods prescribed in section 3 of this chapter and for no other purposes. The money in the fund may be paid out by the township executive with the consent of the township legislative body.

(b) Each township may levy, for each year, a tax for the township firefighting fund. Other than a township providing fire protection or emergency services or both to municipalities in the township under section 3(b) or 3(c) of this chapter, the tax levy is on all taxable real and personal property in the township outside the corporate boundaries of municipalities. Subject to the levy limitations contained in IC 6-1.1-18.5, the township levy is to be in an amount sufficient to pay ~~all~~ costs attributable to fire protection and emergency services that are not paid from other revenues available to the fund. The tax rate and levy shall be established in accordance with the procedures set forth in IC 6-1.1-17.

(c) In addition to the tax levy and service charges received under IC 36-8-12-13 and IC 36-8-12-16, the executive may accept donations to the township for the purpose of firefighting and other emergency services and shall place them in the fund, keeping an accurate record of the sums received. A person may also donate partial payment of any purchase of firefighting or other emergency services equipment made by the township.

(d) If a fire department serving a township dispatches fire apparatus or personnel to a building or premises in the township in response to:

(1) an alarm caused by improper installation or improper maintenance; or

(2) a drill or test, if the fire department is not previously notified that the alarm is a drill or test;

the township may impose a fee or service charge upon the owner of the property. However, if the owner of property that constitutes the owner's residence establishes that the alarm is under a maintenance contract

with an alarm company and that the alarm company has been notified of the improper installation or maintenance of the alarm, the alarm company is liable for the payment of the fee or service charge.

(e) The amount of a fee or service charge imposed under subsection (d) shall be determined by the township legislative body. All money received by the township from the fee or service charge must be deposited in the township's firefighting fund.

SECTION 39. IC 36-8-13-4.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4.5. (a) This section applies to a township that provides fire protection or emergency services or both to a municipality in the township under section 3(b) or 3(c) of this chapter.

(b) With the consent of the township legislative body, the township executive ~~shall~~ **may** pay the expenses for fire protection and emergency services in the township, both inside and outside the corporate boundaries of participating municipalities, from any combination of the following township funds, regardless of when the funds were established:

(1) The township firefighting fund under section 4 of this chapter.

(2) The cumulative building and equipment fund under IC 36-8-14.

(3) The debt fund under sections 6 and 6.5 of this chapter.

(4) The rainy day fund established under IC 36-1-8-5.1.

(c) Subject to the levy limitations contained in IC 6-1.1-18.5, the tax rate and levy for the township firefighting fund, the cumulative building and equipment fund, or the debt fund is to be in an amount sufficient to pay all costs attributable to fire protection or emergency services that are provided to the township and the participating municipalities that are not paid from other available revenues. The tax rate and levy for each fund shall be established in accordance with the procedures set forth in IC 6-1.1-17 and apply both inside and outside the corporate boundaries of participating municipalities.

(d) The township executive may accept donations for the purpose of firefighting and emergency services. The township executive shall place donations in the township firefighting fund. A person may donate partial payment of a purchase of firefighting or emergency services equipment made by the township.

SECTION 40. IC 36-8-19-1.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: **Sec. 1.7. As used in this chapter, "fire protection district" means a fire protection district established under IC 36-8-11-4.**

SECTION 41. IC 36-8-19-2, AS AMENDED BY P.L.47-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 2. As used in this chapter, "participating unit" refers to a unit **or fire protection district** that adopts an ordinance or a resolution under section 6 of this chapter.

SECTION 42. IC 36-8-19-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) Subject to subsections (b) and (c), the legislative ~~bodies of at least two (2) contiguous units~~ **body of a unit or fire protection district and the legislative body of at least one (1) other contiguous unit or contiguous fire protection district** may establish a fire protection territory for any of the following purposes:

(1) Fire protection, including the capability for extinguishing all fires that might be reasonably expected because of the types of improvements, personal property, and real property within the boundaries of the territory.

(2) Fire prevention, including identification and elimination of all potential and actual sources of fire hazard.

(3) Other purposes or functions related to fire protection and fire prevention.

(b) Not more than one (1) unit **or fire protection district** within the proposed territory may be designated as the provider unit for the territory.

(c) The boundaries of a territory need not coincide with those of other political subdivisions.

SECTION 43. IC 36-8-19-6, AS AMENDED BY P.L.49-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6. (a) To establish a fire protection territory, the legislative bodies of each unit **or fire protection district** desiring to become a part of the proposed territory must adopt an ordinance ~~(if the unit is~~ **(in the case of** a county or municipality) or a resolution ~~(if the unit is~~ **(in the case of** a township **or a fire protection district)** that meets the following requirements:

(1) The ordinance or resolution is identical to the ordinances and resolutions adopted by the other units **or fire protection districts** desiring to become a part of the proposed territory.

(2) The ordinance or resolution is adopted after January 1 but before April 1.

(3) The ordinance or resolution authorizes the unit **or fire protection district** to become a party to an agreement for the establishment of a fire protection territory.

(4) The ordinance or resolution is adopted after the legislative

body holds a public hearing to receive public comment on the proposed ordinance or resolution. The legislative body must give notice of the hearing under IC 5-3-1.

(b) Before the legislative body of a unit **or fire protection district** may adopt an ordinance or a resolution under this section to form a territory, the legislative body must do the following:

(1) Hold a public hearing, at least thirty (30) days before adopting the ordinance or resolution, at which the legislative body makes available to the public the following information:

(A) The property tax levy, property tax rate, and budget to be imposed or adopted during the first year of the proposed territory for each of the units **or fire protection districts** that would participate in the proposed territory.

(B) The estimated effect of the proposed reorganization in the following years on taxpayers in each of the units **or fire protection districts** that would participate in the proposed territory, including the expected property tax rates, property tax levies, expenditure levels, service levels, and annual debt service payments.

(C) The estimated effect of the proposed reorganization on other units in the county in the following years and on local option income taxes, excise taxes, and property tax circuit breaker credits.

(D) A description of the planned services and staffing levels to be provided in the proposed territory.

(E) A description of any capital improvements to be provided in the proposed territory.

(2) Hold at least one (1) additional public hearing before adopting an ordinance or a resolution to form a territory, to receive public comment on the proposed ordinance or resolution.

The public hearings required under this subsection are in addition to the public hearing required under subsection (a)(4). The legislative body must give notice of the hearings under IC 5-3-1.

(c) The notice required for a hearing under subsection (b)(2) shall include all of the following:

(1) A list of the provider unit and all participating units in the proposed territory.

(2) The date, time, and location of the hearing.

(3) The location where the public can inspect the proposed ordinance or resolution.

(4) A statement as to whether the proposed ordinance or resolution requires uniform tax rates or different tax rates within

the territory.

(5) The name and telephone number of a representative of the unit **or fire protection district** who may be contacted for further information.

(6) The proposed levies and tax rates for each participating unit.

(d) The ordinance or resolution adopted under this section shall include at least the following:

(1) The boundaries of the proposed territory.

(2) The identity of the provider unit and all other participating units desiring to be included within the territory.

(3) An agreement to impose:

(A) a uniform tax rate upon all of the taxable property within the territory for fire protection services; or

(B) different tax rates for fire protection services for the units **or fire protection districts** desiring to be included within the territory, so long as a tax rate applies uniformly to all of a unit's **or fire protection district's** taxable property within the territory.

(4) The contents of the agreement to establish the territory.

(e) An ordinance or a resolution adopted under this section takes effect July 1 of the year the ordinance or resolution is adopted.

SECTION 44. IC 36-8-19-6.3, AS ADDED BY P.L.172-2011, SECTION 159, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6.3. A member of the legislative body of a unit **or fire protection district** may not vote on a proposed ordinance or resolution authorizing the unit **or fire protection district** to become a party to an agreement to join or establish a fire protection territory if that member is also an employee of:

(1) another unit **or fire protection district** that is a participating unit in the fire protection territory; or

(2) another unit **or fire protection district** that is proposing to become a participating unit in the fire protection territory.

SECTION 45. IC 36-8-19-6.5, AS ADDED BY P.L.182-2009(ss), SECTION 441, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 6.5. (a) The legislative bodies of all participating units in a territory may agree to change the provider unit of the territory from one (1) participating unit to another participating unit. To change the provider unit, the legislative body of each participating unit must adopt an ordinance ~~(if the unit is~~ **(in the case of** a county or municipality) or a resolution ~~(if the unit is~~ **(in the case of** a township **or fire protection district)** that agrees to and specifies the new provider unit. The provider unit may not be changed unless all

participating units agree on the participating unit that will become the new provider unit. **However, if the provider unit has adopted an ordinance or resolution under section 13 of this chapter to withdraw from the territory, a majority of the participating units that wish to remain in the territory and do not withdraw in accordance with section 13 of this chapter must agree on the participating unit that will become the new provider unit.** The participating units may not change the provider unit more than one (1) time in any year.

(b) The following apply to an ordinance or a resolution adopted under this section to change the provider unit of the territory:

(1) The ordinance or resolution must be adopted after January 1 but before ~~April~~ **July** 1 of a year.

(2) The ordinance or resolution ~~takes effect~~ **is effective** January 1 of the year following the year in which the ordinance or resolution is adopted.

SECTION 46. IC 36-8-19-7, AS AMENDED BY P.L.172-2011, SECTION 160, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 7. (a) A tax levied under this chapter may be levied at:

(1) a uniform rate upon all taxable property within the territory; or

(2) different rates for the participating units included within the territory, so long as a tax rate applies uniformly to all of a unit's **or fire protection district's** taxable property within the territory.

(b) If a uniform tax rate is levied upon all taxable property within a territory upon the formation of the territory, different tax rates may be levied for the participating units included within the territory in subsequent years.

SECTION 47. IC 36-8-19-8.5, AS AMENDED BY P.L.203-2016, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 8.5. (a) Participating units may agree to establish an equipment replacement fund under this section to be used to purchase fire protection equipment, including housing, that will be used to serve the entire territory. To establish the fund, the legislative bodies of each participating unit must adopt an ordinance ~~(if the unit is~~ **(in the case of** a county or municipality) or a resolution ~~(if the unit is~~ **(in the case of** a township **or fire protection district),** and the following requirements must be met:

(1) The ordinance or resolution is identical to the ordinances and resolutions adopted by the other participating units under this section.

(2) Before adopting the ordinance or resolution, each participating unit must comply with the notice and hearing requirements of IC 6-1.1-41-3.

(3) The ordinance or resolution authorizes the provider unit to establish the fund.

(4) The ordinance or resolution includes at least the following:

(A) The name of each participating unit and the provider unit.

(B) An agreement to impose a uniform tax rate upon all of the taxable property within the territory for the equipment replacement fund.

(C) The contents of the agreement to establish the fund.

An ordinance or a resolution adopted under this section takes effect as provided in IC 6-1.1-41.

(b) If a fund is established, the participating units may agree to:

(1) impose a property tax to provide for the accumulation of money in the fund to purchase fire protection equipment;

(2) incur debt to purchase fire protection equipment and impose a property tax to retire the loan; or

(3) transfer an amount from the fire protection territory fund to the fire equipment replacement fund not to exceed five percent (5%) of the levy for the fire protection territory fund for that year;

or any combination of these options.

(c) The property tax rate for the levy imposed under this section may not exceed three and thirty-three hundredths cents ($0.0333) per one hundred dollars ($100) of assessed value. Before debt may be incurred, the fiscal body of a participating unit must adopt an ordinance ~~(if the unit is~~ **(in the case of** a county or municipality) or a resolution ~~(if the unit is~~ **(in the case of** a township **or fire protection district)** that specifies the amount and purpose of the debt. The ordinance or resolution must be identical to the other ordinances and resolutions adopted by the participating units. Except as provided in subsection (d), if debt is to be incurred for the purposes of a fund, the provider unit shall negotiate for and hold the debt on behalf of the territory. However, the participating units and the provider unit of the territory are jointly liable for any debt incurred by the provider unit for the purposes of the fund. The most recent adjusted value of taxable property for the entire territory must be used to determine the debt limit under IC 36-1-15-6. A provider unit shall comply with all general statutes and rules relating to the incurrence of debt under this subsection.

(d) A participating unit of a territory may, to the extent allowed by law, incur debt in the participating unit's own name to acquire fire

protection equipment or other property that is to be owned by the participating unit. A participating unit that acquires fire protection equipment or other property under this subsection may afterward enter into an interlocal agreement under IC 36-1-7 with the provider unit to furnish the fire protection equipment or other property to the provider unit for the provider unit's use or benefit in accomplishing the purposes of the territory. A participating unit shall comply with all general statutes and rules relating to the incurrence of debt under this subsection.

(e) Money in the fund may be used by the provider unit only for those purposes set forth in the agreement among the participating units that permits the establishment of the fund.

(f) The requirements and procedures specified in IC 6-1.1-41 concerning the establishment or reestablishment of a cumulative fund, the imposing of a property tax for a cumulative fund, and the increasing of a property tax rate for a cumulative fund apply to:

(1) the establishment or reestablishment of a fund under this section;

(2) the imposing of a property tax for a fund under this section; and

(3) the increasing of a property tax rate for a fund under this section.

(g) Notwithstanding IC 6-1.1-18-12, if a fund established under this section is reestablished in the manner provided in IC 6-1.1-41, the property tax rate imposed for the fund in the first year after the fund is reestablished may not exceed three and thirty-three hundredths cents ($0.0333) per one hundred dollars ($100) of assessed value.

SECTION 48. IC 36-8-19-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 9. (a) The department of local government finance, when approving a rate and levy fixed by the provider unit, shall verify that a duplication of tax levies does not exist within participating units, so that taxpayers do not bear two (2) levies for the same service, except as provided by subsection (b) or (c).

(b) A unit **or fire protection district** that incurred indebtedness for fire protection services before becoming a participating unit under this chapter shall continue to repay that indebtedness by levies within the boundaries of the unit **or fire protection district** until the indebtedness is paid in full.

(c) A unit **or fire protection district** that agreed to the borrowing of money to purchase fire protection equipment while a participating unit under this chapter shall continue to repay the unit's **or fire protection district's** share of that indebtedness by imposing a property

tax within the boundaries of the unit **or fire protection district** until the indebtedness is paid in full. The department of local government finance shall determine the amount of the indebtedness that represents the unit's **or fire protection district's** fair share, taking into account the equipment purchased, the useful life of the equipment, the depreciated value of the equipment, and the number of years the unit benefited from the equipment.

SECTION 49. IC 36-8-19-10, AS AMENDED BY P.L.47-2007, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 10. This chapter does not require a municipality, ~~or~~ township, **or fire protection district** to disband its fire department unless its legislative body consents by ordinance ~~(if the unit is~~ **(in the case of** a municipality) or resolution ~~(if the unit is~~ **(in the case of** a township **or fire protection district)** to do so.

SECTION 50. IC 36-8-19-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 11. Any area that is part of a territory and that is annexed by a municipality that is not a part of the territory ceases to be a part of the territory when the municipality begins to provide fire protection services to the area. **However, this provision does not apply to or affect any part of the territory that is located in a fire protection district that retains fire protection authority and responsibility after an annexation.**

SECTION 51. IC 36-8-19-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 12. In the same year that a tax levy is imposed under this chapter, each respective participating unit's tax levies attributable to providing fire protection services within the unit **or fire protection district** shall be reduced by an amount equal to the amount levied for fire protection services in the year immediately preceding the year in which each respective unit **or fire protection district** became a participating unit.

SECTION 52. IC 36-8-19-13, AS AMENDED BY P.L.203-2016, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 13. (a) If a unit **or fire protection district** elects to withdraw from a fire protection territory established under this chapter, the unit **or fire protection district** must after January 1 but before April 1, adopt an ordinance ~~(if the unit is~~ **(in the case of** a county or municipality) or a resolution ~~(if the unit is~~ **(in the case of** a township **or fire protection district)** providing for the withdrawal. **However, if one (1) unit or fire protection district has adopted an ordinance or resolution after January 1 and before April 1 to withdraw from the fire protection territory, any remaining unit or fire protection district may also adopt an ordinance or resolution**

to withdraw from the fire protection territory before the later of:

(1) April 1; or

(2) the date occurring thirty (30) days after the date the first unit or fire protection district adopted the ordinance or resolution to withdraw from the fire protection territory.

An ordinance or resolution adopted under this section ~~takes effect July~~ **is effective January** 1 of the year ~~that~~ **immediately following the year in which** the ordinance or resolution is adopted.

(b) If an ordinance or a resolution is adopted under subsection (a), for purposes of determining a unit's **or fire protection district's** maximum permissible ad valorem property tax levy for the year following the year in which the ordinance or resolution is adopted, the unit **or fire protection district** receives a percentage of the territory's maximum permissible ad valorem property tax levy equal to the percentage of the assessed valuation that the unit **or fire protection district** contributed to the territory in the year in which the ordinance or resolution is adopted. The department of local government finance shall adjust the territory's maximum permissible ad valorem property tax levy to account for the unit's **or fire protection district's** withdrawal. After the effective date of an ordinance or resolution adopted under subsection (a), the unit **or fire protection district** may no longer impose a tax rate for an equipment replacement fund under section 8.5 of this chapter. The unit **or fire protection district** remains liable for the unit's **or fire protection district's** share of any debt incurred under section 8.5 of this chapter.

(c) If a territory is dissolved, subsection (b) applies to the determination of the maximum permissible ad valorem property tax levy of each unit **or fire protection district** that formerly participated in the territory.

SECTION 53. IC 36-9-27-73 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 73. (a) There is established in each county a general drain improvement fund, which shall be used to pay the cost of:

(1) constructing or reconstructing a regulated drain under this chapter; and

(2) removing obstructions from drains under IC 36-9-27.4.

In addition, if a maintenance fund has not been established for a drain, or if a maintenance fund has been established and it is insufficient, the general drain improvement fund shall be used to pay the deficiency.

(b) The general drain improvement fund consists of:

(1) all money in any ditch or drainage fund that was not otherwise allocated by January 1, 1966, which money the county treasurer

shall transfer to the general drain improvement fund by January 1, 1985;

(2) proceeds from the sale of bonds issued to pay the costs of constructing or reconstructing a drain;

(3) costs collected from petitioners in a drainage proceeding;

(4) appropriations made from the general fund of the county, or taxes levied by the county fiscal body for drainage purposes;

(5) money received from assessments upon land benefited for construction or reconstruction of a regulated drain;

(6) interest and penalties received on collection of delinquent drain assessments and interest received for deferred payment of drain assessments; **and**

(7) money repaid to the general drain improvement fund out of a maintenance fund. ~~and~~

~~(8) money received from loans under section 97.5 of this chapter.~~

(c) The county fiscal body, at the request of the board and on estimates prepared by the board, shall from time to time appropriate enough money for transfer to the general drain improvement fund to maintain the fund at a level sufficient to meet the costs and expenditures to be charged against it, after allowing credit to the fund for assessments paid into it.

(d) There is no limit to the amount that the county fiscal body may appropriate and levy for the use of the general drain improvement fund in any one (1) year. However, the aggregate amount appropriated and levied for the use of the fund may not exceed the equivalent of fifty cents ($.50) on each one hundred dollars ($100) of net taxable valuation on the real and personal property in the county.

(e) Whenever:

(1) the board finds that the amount of money in the general drain improvement fund exceeds the amount necessary to meet the expenses likely to be paid from the fund; and

(2) the money was raised by taxation under this section;

the board shall issue an order specifying the excess amount and directing that it shall be transferred to the general fund of the county. The board shall serve the order on the county auditor, who shall transfer the excess amount to the general fund of the county.

SECTION 54. IC 36-9-27-85 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 85. (a) The board shall certify the list of assessments apportioned under section 84 of this chapter to the auditor of each county in which there are lands to be assessed.

(b) Whenever the order of the board establishing an annual

assessment for periodic maintenance becomes final, the board shall certify that annual assessment to the auditor of each county in which there are lands to be assessed. The annual assessment shall be collected each year until changed or terminated by the board.

(c) The county auditor shall extend assessments for construction and reconstruction upon a book to be known as the ditch duplicate, for the full period of payment allowed for all assessments for construction and reconstruction, with interest at ten percent (10%) per year upon all payments deferred beyond one (1) year from the date that the certification is made. However, the county auditor may not charge interest **under this section** on assessments for construction or reconstruction financed through:

(1) a bond issue under section 94 of this chapter; **or**

(2) a construction loan obtained under section 97.5 of this chapter.

(d) Whenever any sum is certified under this section and is not expended within two (2) years after payment of the most recently allowed claim for work on a drain, the county auditor, with the approval of the board, shall promptly transfer the unexpended sum to the periodic maintenance fund for that drain. If there is no periodic maintenance fund for the drain, the unexpended sum may be transferred to the general drain improvement fund or funds of the county or counties affected by the drain, in proportion to the original apportionment and certification of costs for the drain.

SECTION 55. IC 36-9-27-97.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 97.5. (a) Whenever the board determines by resolution spread upon its minutes that the cost of constructing or reconstructing a particular drain is an amount that the owners of land to be assessed may conveniently pay in installments over a five (5) year period, it may ask the county fiscal body to:

(1) obtain a loan from a bank, trust company, savings association, or savings bank authorized to engage in business in the county; or

(2) obtain funds in the manner prescribed by IC 36-2-6-18, IC 36-2-6-19, and IC 36-2-6-20;

to finance that construction or reconstruction.

(b) A loan obtained under this section:

(1) must have a fixed or variable interest rate;

(2) must mature within six (6) years after the day it is obtained;

(3) shall be repaid from installments collected from assessments of landowners over a five (5) year period; ~~and~~

(4) is not subject to the provisions of section 94 of this chapter that concern interest; **and**

(5) is not subject to the penalty provisions under IC 6-1.1-37-10 if the installments are timely paid.

(c) ~~The proceeds of loans obtained under this section shall be deposited in the general drain improvement fund.~~ **A construction loan fund is established for each construction or reconstruction project loan that the board and the county fiscal body authorize under this section. A construction loan fund consists of all payments received from the owners assessed for the construction or reconstruction project and may be used only to repay the associated loan. If money remains in a construction loan fund after the associated loan is paid in full, the remaining money in the fund may be transferred to the general drain improvement fund.**

(d) A county auditor shall maintain a separate ledger sheet for each construction loan fund established under subsection (c) and record on the separate ledger sheet all payments of principal and interest received from the owners assessed for the associated construction or reconstruction project.

(e) A county auditor shall deposit all payments of principal and interest received from the owners assessed for a construction or reconstruction project in the associated construction loan fund.

~~(d)~~ **(f)** The board shall determine whether interest on the loan is to be a part of the final assessment under section 84(a) of this chapter.

~~(e)~~ **(g)** Notwithstanding section 85(c) of this chapter, interest on the loan may be charged back to the benefited landowner at a rate that is set in accordance with subsection (b).

SECTION 56. IC 36-10-13-4, AS AMENDED BY P.L.119-2012, SECTION 243, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. (a) This section does not apply to a school corporation in a county having a population of:

(1) more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000); **or**

(2) more than one hundred seventy-five thousand (175,000) but less than one hundred eighty-five thousand (185,000).

(b) The governing body of a school corporation may annually appropriate, from the school corporation's general fund, a sum of not more than five-tenths of one cent ($0.005) on each one hundred dollars ($100) of assessed valuation in the school corporation to be paid to a historical society, subject to section 6 of this chapter.

SECTION 57. IC 36-10-13-5, AS AMENDED BY P.L.119-2012, SECTION 244, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 5. (a) This section applies only to a school corporation in a county having a population of:

(1) more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000); **or**

(2) more than one hundred seventy-five thousand (175,000) but less than one hundred eighty-five thousand (185,000).

(b) To provide funding for a historical society under this section, the governing body of a school corporation may impose a tax of not more than five-tenths of one cent ($0.005) on each one hundred dollars ($100) of assessed valuation in the school corporation.

(c) The school corporation shall deposit the proceeds of the tax in a fund to be known as the historical society fund. The historical society fund is separate and distinct from the school corporation's general fund and may be used only to provide funds for a historical society under this section.

(d) Subject to section 6 of this chapter, the governing body of the school corporation may annually appropriate the money in the fund to be paid in semiannual installments to a historical society having facilities in the county.

SECTION 58. [EFFECTIVE JANUARY 1, 2006 (RETROACTIVE)] **(a) This SECTION applies notwithstanding IC 6-1.1-10, IC 6-1.1-11, or any other law or administrative rule or provision.**

(b) This SECTION applies to an assessment date occurring after February 28, 2006, and before March 1, 2013.

(c) As used in this SECTION, "eligible property" means real property:

(1) that was conveyed to an eligible taxpayer in 2008;

(2) on which property taxes were imposed for the 2006, 2007, 2008, 2009, 2010, 2011, and 2012 assessment dates; and

(3) that would have been eligible for an exemption from property taxation under IC 6-1.1-10-16 for the 2006, 2007, 2008, 2009, 2010, 2011, and 2012 assessment dates if an exemption application had been properly and timely filed under IC 6-1.1 for the real property.

(d) As used in this SECTION, "qualified taxpayer" refers to a nonprofit corporation.

(e) A qualified taxpayer may, before September 1, 2017, file a property tax exemption application and supporting documents claiming a property tax exemption under this SECTION and IC 6-1.1-10-16 for eligible property for the 2006, 2007, 2008, 2009, 2010, 2011, and 2012 assessment dates.

(f) A property tax exemption application filed under subsection (e) by a qualified taxpayer is considered to have been properly and

timely filed.

(g) If a qualified taxpayer files the property tax exemption applications under subsection (e), the following apply:

(1) The property tax exemption for the eligible property shall be allowed and granted for the 2006, 2007, 2008, 2009, 2010, 2011, and 2012 assessment dates by the county assessor and county auditor of the county in which the eligible property is located.

(2) The qualified taxpayer is not required to pay any property taxes, penalties, or interest with respect to the eligible property exempted under this SECTION for the 2006, 2007, 2008, 2009, 2010, 2011, and 2012 assessment dates.

(3) If the eligible property was placed on the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5 or was otherwise subject to a tax sale under IC 6-1.1-24 and IC 6-1.1-25 because one (1) or more installments of property taxes due for the eligible property for the 2006, 2007, 2008, 2009, 2010, 2011, and 2012 assessment dates were not timely paid:

(A) the county auditor shall remove the eligible property from the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5; and

(B) a tax deed may not be issued under IC 6-1.1-25 for the eligible property for any tax sale of the eligible property under IC 6-1.1-24 and IC 6-1.1-25 that was held because one (1) or more installments of property taxes due for the eligible property for the 2006, 2007, 2008, 2009, 2010, 2011, and 2012 assessment dates were not timely paid.

(h) The exemption allowed by this SECTION shall be applied without the need for any further ruling or action by the county assessor, the county auditor, or the county property tax assessment board of appeals of the county in which the eligible property is located or by the Indiana board of tax review.

(i) To the extent the qualified taxpayer has paid any property taxes, penalties, or interest with respect to the eligible property for the 2006, 2007, 2008, 2009, 2010, 2011, and 2012 assessment dates, the eligible taxpayer is entitled to a refund of the amounts paid. Notwithstanding the filing deadlines for a claim in IC 6-1.1-26, any claim for a refund filed by an eligible taxpayer under this subsection before September 1, 2017, is considered timely filed. The county auditor shall pay the refund due under this SECTION in one (1) installment.

(j) This SECTION expires July 1, 2020.

SECTION 59. [EFFECTIVE JANUARY 1, 2010 (RETROACTIVE)] **(a) This SECTION applies to a taxpayer notwithstanding IC 6-1.1-10-47(a), as added by this act, IC 6-1.1-1, or any other law or administrative rule or provision.**

(b) This SECTION applies to an assessment date occurring after December 31, 2009, and before January 1, 2018.

(c) As used in this SECTION, "taxpayer" refers to a nonprofit organization that meets the requirements for an exemption from property taxation set forth under IC 6-1.1-10-47, as added by this act.

(d) A taxpayer may, before January 1, 2018, file a property tax exemption application and supporting documents claiming an exemption under IC 6-1.1-10-47, as added by this act, for any assessment date under subsection (b).

(e) If the real property for which a property tax exemption application is filed under this SECTION would have qualified for an exemption under IC 6-1.1-10-47, as added by this act, for the assessment date described in subsection (b) if IC 6-1.1-10-47, as added by this act, were in effect on that date:

(1) the property tax exemption shall be allowed as if IC 6-1.1-10-47, as added by this act, were in effect on that assessment date; and

(2) the taxpayer is not required to pay any property taxes, penalties, or interest with respect to the property for that assessment date.

(f) A taxpayer is entitled to the exemption from real property tax as claimed on a property tax exemption application filed under this SECTION, regardless of whether:

(1) a property tax exemption application was previously filed for the same or similar property for the assessment date;

(2) the county property tax assessment board of appeals has issued a final determination regarding any previously filed property tax exemption application for the assessment date;

(3) the taxpayer appealed any denial of a previously filed property tax exemption application for the assessment date; or

(4) the records of the county in which the property subject to the property tax exemption application is located identified the taxpayer as the owner of the property on the assessment date described in subsection (b) for which the property tax exemption is claimed.

(g) A property tax exemption claimed by a taxpayer under this

SECTION is considered approved without further action being required by the county assessor or the county property tax assessment board of appeals for the county in which the property subject to the property tax exemption application is located. This exemption approval is final and may not be appealed by the county assessor, the county property tax assessment board of appeals, or any member of the county property tax assessment board of appeals.

(h) A taxpayer is not entitled to a refund of any property taxes, penalties, or interest paid with respect to the property for which a property tax exemption application is allowed under this SECTION.

(i) This SECTION expires January 1, 2021.

SECTION 60. [EFFECTIVE JANUARY 1, 2014 (RETROACTIVE)] **(a) This SECTION applies to a taxpayer notwithstanding IC 6-1.1-11 or any other law or administrative rule or provision.**

(b) This SECTION applies to an assessment date (as defined in IC 6-1.1-1-2) occurring after December 31, 2013, and before January 1, 2016.

(c) As used in this SECTION, "taxpayer" refers to a nonprofit corporation that:

(1) owns a parcel or parcels of real property in Randolph County that are owned, occupied, and used for educational, literary, scientific, religious, or charitable purposes described in IC 6-1.1-10-16; and

(2) failed to timely file a property tax exemption application for the parcel or parcels described in subdivision (1) for any assessment date described in subsection (b).

(d) A taxpayer may, before September 1, 2017, file a property tax exemption application and supporting documents claiming an exemption under IC 6-1.1-10-16 for any assessment date described in subsection (b).

(e) If the real property for which an exemption application is filed under this SECTION would have qualified for an exemption under IC 6-1.1-10-16 for an assessment date described in subsection (b) if an exemption application had been timely filed:

(1) the property tax exemption is allowed; and

(2) the property tax exemption application filed under this SECTION is considered to have been timely filed.

(f) A property tax exemption claimed by a taxpayer under this SECTION is considered approved without further action being

required by the county assessor or the county property tax assessment board of appeals for the county in which the property subject to the property tax exemption application is located. This exemption approval is final and may not be appealed by the county assessor, the county property tax assessment board of appeals, or any member of the county property tax assessment board of appeals.

(g) The county auditor shall remove all penalties and interest assigned to the real property for which a property tax exemption is allowed under this SECTION for an assessment date described in subsection (b).

(h) This SECTION expires January 1, 2020.

SECTION 61. [EFFECTIVE JANUARY 1, 2010 (RETROACTIVE)] **(a) This SECTION applies notwithstanding IC 6-1.1-10, IC 6-1.1-11, or any other law or administrative rule or provision.**

(b) This SECTION applies to an assessment date occurring after December 31, 2009, and before January 1, 2017.

(c) As used in this SECTION, "eligible property" means real and personal property that:

(1) was purchased by an Indiana domestic nonprofit corporation after November 30, 2010, and before January 1, 2011;

(2) was used as a church before the sale described in subdivision (1) and has been used as a church or for church purposes since it was purchased by the Indiana domestic nonprofit corporation; and

(3) would have been eligible for an exemption from property taxation under IC 6-1.1-10-16 or any other law if an exemption application had been properly and timely filed under IC 6-1.1 for the real and personal property.

(d) As used in this SECTION, "qualified taxpayer" refers to an Indiana domestic nonprofit corporation that:

(1) owns eligible property; and

(2) is organized for religious purposes and is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code.

(e) A qualified taxpayer may, before September 1, 2017, file property tax exemption applications and supporting documents claiming a property tax exemption under this SECTION and IC 6-1.1-10-16 or any other law for eligible property for the 2010, 2011, 2012, 2013, 2014, 2015, and 2016 assessment dates.

(f) A property tax exemption application filed under subsection (e) by a qualified taxpayer is considered to have been properly and timely filed.

(g) If a qualified taxpayer files property tax exemption applications under subsection (e), the following apply:

(1) The property tax exemption for the eligible property shall be allowed and granted for the 2010, 2011, 2012, 2013, 2014, 2015, and 2016 assessment dates by the county assessor and county auditor of the county in which the eligible property is located.

(2) The qualified taxpayer is not required to pay any property taxes, penalties, or interest with respect to the eligible property for the 2010, 2011, 2012, 2013, 2014, 2015, and 2016 assessment dates.

(3) If the eligible property was placed on the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5 or was otherwise subject to a tax sale under IC 6-1.1-24 and IC 6-1.1-25 because one (1) or more installments of property taxes due for the eligible property for the 2010, 2011, 2012, 2013, 2014, 2015, or 2016 assessment dates were not timely paid:

(A) the county auditor shall remove the eligible property from the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5; and

(B) a tax deed may not be issued under IC 6-1.1-25 for the eligible property for any tax sale of the eligible property under IC 6-1.1-24 and IC 6-1.1-25 that was held because one (1) or more installments of property taxes due for the eligible property for the 2010, 2011, 2012, 2013, 2014, 2015, or 2016 assessment dates were not timely paid.

(h) The exemption allowed by this SECTION shall be applied without the need for any further ruling or action by the county assessor, the county auditor, or the county property tax assessment board of appeals of the county in which the eligible property is located or by the Indiana board of tax review.

(i) To the extent a qualified taxpayer has paid any property taxes, penalties, or interest with respect to the eligible property for the 2010, 2011, 2012, 2013, 2014, 2015, and 2016 assessment dates, the eligible taxpayer is entitled to a refund of the amounts paid. Notwithstanding the filing deadlines for a claim under IC 6-1.1-26, any claim for a refund filed by a qualified taxpayer under this subsection before September 1, 2017, is considered timely filed. The county auditor shall pay the refund due under this SECTION

in one (1) installment.

(j) This SECTION expires July 1, 2020.

SECTION 62. [EFFECTIVE JANUARY 1, 2008 (RETROACTIVE)] **(a) This SECTION applies to a taxpayer notwithstanding IC 6-1.1-11 or any other law or administrative rule or provision.**

(b) This SECTION applies to an assessment date (as defined in IC 6-1.1-1-2) occurring after December 31, 2007, and before January 1, 2013.

(c) As used in this SECTION, "taxpayer" refers to an Indiana nonprofit corporation that owns a hospital or associated office buildings used for medical purposes.

(d) A taxpayer may, after January 1, 2017, and before July 1, 2017, file in any manner consistent with IC 6-1.1-36-1.5 property tax exemption applications, along with any supporting documents, claiming exemptions from real property taxes under IC 6-1.1-10-16 or IC 6-1.1-10-18.5 for any assessment date described in subsection (b).

(e) If the real property for which a property tax exemption application is filed under this SECTION would have qualified for an exemption under IC 6-1.1-10-16 or IC 6-1.1-10-18.5 for an assessment date described in subsection (b) if an exemption application had been timely filed:

(1) the property tax exemption is allowed; and

(2) the property tax exemption application filed under this SECTION is considered to have been timely filed.

(f) A taxpayer is considered to be the owner of the real property for which a property tax exemption application is filed under this SECTION, and is entitled to the exemption from real property tax as claimed on a property tax exemption application filed under this SECTION, regardless of whether:

(1) a property tax exemption application was previously filed for the same or similar property for the assessment date;

(2) the county property tax assessment board of appeals has issued a final determination regarding any previously filed property tax exemption application for the assessment date;

(3) the taxpayer or any entity affiliated with the taxpayer appealed any denial of a previously filed property tax exemption application for the assessment date; or

(4) the records of the county in which the property subject to the property tax exemption application at any time before January 1, 2013, identified the taxpayer as the owner of the

property for which the property tax exemption is claimed.

(g) A property tax exemption claimed by a taxpayer under this SECTION is considered approved without further action being required by the county assessor or the county property tax assessment board of appeals for the county in which the property subject to the property tax exemption application is located. This exemption approval is final and may not be appealed by the county assessor, the county property tax assessment board of appeals, or any member of the county property tax assessment board of appeals.

(h) A taxpayer who files a property tax exemption application under this SECTION is not entitled to a refund of real property tax paid with respect to the property for which a property tax exemption is approved under this SECTION.

(i) The auditor of the county in which a property subject to a property tax exemption application that is allowed under this SECTION is located shall remove all penalties assigned to the property as of July 1, 2017. The penalties shall be removed regardless of when they accrued and whether they relate to an assessment date identified in subsection (b) or a different assessment date.

(j) This SECTION expires January 1, 2019.

SECTION 63. [EFFECTIVE JULY 1, 2017] **(a) IC 6-1.1-12-1, as amended by this act, applies for all assessment dates.**

(b) This SECTION expires July 1, 2018.

SECTION 64. [EFFECTIVE UPON PASSAGE] **(a) This SECTION applies only to Knox County.**

(b) For purposes of the levy limits under IC 6-1.1-18.5-3(a), the department of local government finance shall increase Knox County's maximum permissible ad valorem property tax levy by an amount equal to three hundred nineteen thousand nine hundred sixty dollars ($319,960) for taxes payable in 2018.

(c) For purposes of the levy limits under IC 6-1.1-18.5-3(a), the department of local government finance shall decrease Knox County's maximum permissible ad valorem property tax levy by an amount equal to three hundred nineteen thousand nine hundred sixty dollars ($319,960) for taxes payable in 2019.

(d) This SECTION expires July 1, 2020.

SECTION 65. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "study committee" refers to the interim study committee on agriculture and natural resources established by IC 2-5-1.3-4(1) or another appropriate study committee.**

(b) As used in this SECTION, "zoological park" means:

(1) a permanent establishment that is a member of the American Association of Zoological Parks and Aquariums; or

(2) an agency of local government, open to and administered for the public, to provide education, conservation, and preservation of the earth's fauna.

(c) The legislative council is urged to assign to a study committee the topic of creating a dedicated source of funding for zoological parks in the state of Indiana to do the following:

(1) Promote tourism.

(2) Further job creation and employment opportunities.

(3) Enhance educational opportunities for students in kindergarten through postsecondary educational institutions.

(4) Develop animal and botanical exhibits to enhance Indiana's reputation in providing quality animal and botanical exhibitions.

(d) If the legislative council assigns the topic described in subsection (c) to a study committee, the study committee shall complete the study required by this SECTION and report its findings and recommendations, if any, to the legislative council in an electronic format under IC 5-14-6 not later than November 1, 2017.

(e) This SECTION expires January 1, 2018.

SECTION 66. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "longtime owner-occupant" means any individual who has, or joint property owners who all have, owned and occupied the same homestead as a principal residence and domicile for at least ten (10) consecutive annual assessment dates.**

(b) The legislative council is urged to assign to the appropriate study committee during the 2017 legislative interim the topic of issues related to establishing a neighborhood enhancement property tax relief program to allow a county, city, or town to adopt an ordinance or resolution to provide a real property assessed value deduction to longtime owner-occupants of real property located in designated areas with deteriorated, vacant, or abandoned residences and properties where homestead values are expected to rise markedly as a consequence of the refurbishing or renovating of deteriorating residences in the area or the construction of new residences in the area.

(c) This SECTION expires January 1, 2018.

SECTION 67. **An emergency is declared for this act.**

Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Governor of the State of Indiana

Date: _____ Time: _____