

SENATE BILL No. 127

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-1.1.

Synopsis: Use of property as a short term rental. Provides that if a taxpayer rents the taxpayer's residential real property to a third party or third parties for more than 29 nights per year: (1) the taxpayer's personal property such as furnishings and equipment used in the taxpayer's residential real property is business personal property; (2) the taxpayer's residential real property does not qualify as a homestead; (3) the taxpayer is not entitled to the standard or supplemental homestead deductions; and (4) the taxpayer's residential real property is subject to the nonresidential real property circuit breaker tax credit rather than the homestead circuit breaker tax credit.

Effective: July 1, 2021.

Bohacek

January 5, 2021, read first time and referred to Committee on Tax and Fiscal Policy.



First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

SENATE BILL No. 127

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

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

- 1 SECTION 1. IC 6-1.1-3-7.2, AS AMENDED BY P.L.273-2019,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2021]: Sec. 7.2. (a) This section applies to assessment dates
4 occurring after December 31, 2015.
5 (b) As used in this section, "affiliate" means an entity that
6 effectively controls or is controlled by a taxpayer or is associated with
7 a taxpayer under common ownership or control, whether by
8 shareholdings or other means.
9 (c) As used in this section, "business personal property" means
10 personal property that:
11 (1) is otherwise subject to assessment and taxation under this
12 article;
13 (2) is used in a trade or business or otherwise held, used, or
14 consumed in connection with the production of income; and
15 (3) was:
16 (A) acquired by the taxpayer in an arms length transaction
17 from an entity that is not an affiliate of the taxpayer, if the



1 personal property has been previously used in Indiana before
2 being placed in service in the county; or

3 (B) acquired in any manner, if the personal property has never
4 been previously used in Indiana before being placed in service
5 in the county.

6 The term does not include mobile homes assessed under IC 6-1.1-7,
7 personal property held as an investment, or personal property that is
8 assessed under IC 6-1.1-8 and is owned by a public utility subject to
9 regulation by the Indiana utility regulatory commission. However, the
10 term does include the personal property of a telephone company or a
11 communications service provider if that personal property meets the
12 requirements of subdivisions (1) through (3), regardless of whether that
13 personal property is assessed under IC 6-1.1-8 and regardless of
14 whether the telephone company or communications service provider is
15 subject to regulation by the Indiana utility regulatory commission. **The**
16 **term also includes a taxpayer's personal property such as**
17 **furnishings and equipment used in the taxpayer's residential real**
18 **property when the taxpayer rents the residential real property to**
19 **a third party or third parties for more than twenty-nine (29) nights**
20 **per calendar year.**

21 (d) Notwithstanding section 7 of this chapter, if the acquisition cost
22 of a taxpayer's total business personal property in a county is less than
23 forty thousand dollars (\$40,000) for that assessment date, the taxpayer's
24 business personal property in the county for that assessment date is
25 exempt from taxation.

26 (e) A taxpayer that is eligible for the exemption under this section
27 for an assessment date shall include the following information on the
28 taxpayer's personal property tax return:

29 (1) A declaration that the taxpayer's business personal property in
30 the county is exempt from property taxation.

31 (2) Whether the taxpayer's business personal property within the
32 county is in one (1) location or multiple locations.

33 (3) An address for the location of the property.

34 If the business personal property is in multiple locations within a
35 county, the taxpayer shall provide an address for the location where the
36 sum of acquisition costs for business personal property is greatest. If
37 two (2) or more addresses contain the greatest equivalent sum of
38 acquisition costs for business personal property within a given county,
39 the taxpayer shall choose only one (1) address to list on the return.

40 SECTION 2. IC 6-1.1-12-37, AS AMENDED BY P.L.156-2020,
41 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2021]: Sec. 37. (a) The following definitions apply throughout



- 1 this section:
 2 (1) "Dwelling" means any of the following:
 3 (A) Residential real property improvements that an individual
 4 uses as the individual's residence, including a house or garage.
 5 (B) A mobile home that is not assessed as real property that an
 6 individual uses as the individual's residence.
 7 (C) A manufactured home that is not assessed as real property
 8 that an individual uses as the individual's residence.
 9 (2) "Homestead" means an individual's principal place of
 10 residence:
 11 (A) that is located in Indiana;
 12 (B) that:
 13 (i) the individual owns;
 14 (ii) the individual is buying under a contract recorded in the
 15 county recorder's office, or evidenced by a memorandum of
 16 contract recorded in the county recorder's office under
 17 IC 36-2-11-20, that provides that the individual is to pay the
 18 property taxes on the residence, and that obligates the owner
 19 to convey title to the individual upon completion of all of the
 20 individual's contract obligations;
 21 (iii) the individual is entitled to occupy as a
 22 tenant-stockholder (as defined in 26 U.S.C. 216) of a
 23 cooperative housing corporation (as defined in 26 U.S.C.
 24 216); or
 25 (iv) is a residence described in section 17.9 of this chapter
 26 that is owned by a trust if the individual is an individual
 27 described in section 17.9 of this chapter; and
 28 (C) that consists of a dwelling and the real estate, not
 29 exceeding one (1) acre, that immediately surrounds that
 30 dwelling.
 31 Except as provided in subsection (k), the term does not include
 32 property owned by a corporation, partnership, limited liability
 33 company, or other entity not described in this subdivision.
 34 (b) Each year a homestead is eligible for a standard deduction from
 35 the assessed value of the homestead for an assessment date. Except as
 36 provided in subsection (p), the deduction provided by this section
 37 applies to property taxes first due and payable for an assessment date
 38 only if an individual has an interest in the homestead described in
 39 subsection (a)(2)(B) on:
 40 (1) the assessment date; or
 41 (2) any date in the same year after an assessment date that a
 42 statement is filed under subsection (e) or section 44 of this



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

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

- 11 (1) sixty percent (60%) of the assessed value of the real property,
 12 mobile home not assessed as real property, or manufactured home
 13 not assessed as real property; or
 14 (2) forty-five thousand dollars (\$45,000).

15 (d) A person who has sold real property, a mobile home not assessed
 16 as real property, or a manufactured home not assessed as real property
 17 to another person under a contract that provides that the contract buyer
 18 is to pay the property taxes on the real property, mobile home, or
 19 manufactured home may not claim the deduction provided under this
 20 section with respect to that real property, mobile home, or
 21 manufactured home.

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

- 28 (1) the parcel number or key number of the property and the name
 29 of the city, town, or township in which the property is located;
 30 (2) the name of any other location in which the applicant or the
 31 applicant's spouse owns, is buying, or has a beneficial interest in
 32 residential real property;
 33 (3) the names of:
 34 (A) the applicant and the applicant's spouse (if any):
 35 (i) as the names appear in the records of the United States
 36 Social Security Administration for the purposes of the
 37 issuance of a Social Security card and Social Security
 38 number; or
 39 (ii) that they use as their legal names when they sign their
 40 names on legal documents;
 41 if the applicant is an individual; or
 42 (B) each individual who qualifies property as a homestead



- 1 under subsection (a)(2)(B) and the individual's spouse (if any):
 2 (i) as the names appear in the records of the United States
 3 Social Security Administration for the purposes of the
 4 issuance of a Social Security card and Social Security
 5 number; or
 6 (ii) that they use as their legal names when they sign their
 7 names on legal documents;
 8 if the applicant is not an individual; and
 9 (4) either:
 10 (A) the last five (5) digits of the applicant's Social Security
 11 number and the last five (5) digits of the Social Security
 12 number of the applicant's spouse (if any); or
 13 (B) if the applicant or the applicant's spouse (if any) does not
 14 have a Social Security number, any of the following for that
 15 individual:
 16 (i) The last five (5) digits of the individual's driver's license
 17 number.
 18 (ii) The last five (5) digits of the individual's state
 19 identification card number.
 20 (iii) The last five (5) digits of a preparer tax identification
 21 number that is obtained by the individual through the
 22 Internal Revenue Service of the United States.
 23 (iv) If the individual does not have a driver's license, a state
 24 identification card, or an Internal Revenue Service preparer
 25 tax identification number, the last five (5) digits of a control
 26 number that is on a document issued to the individual by the
 27 United States government.
- 28 If a form or statement provided to the county auditor under this section,
 29 IC 6-1.1-22-8.1, or IC 6-1.1-22.5-12 includes the telephone number or
 30 part or all of the Social Security number of a party or other number
 31 described in subdivision (4)(B) of a party, the telephone number and
 32 the Social Security number or other number described in subdivision
 33 (4)(B) included are confidential. The statement may be filed in person
 34 or by mail. If the statement is mailed, the mailing must be postmarked
 35 on or before the last day for filing. The statement applies for that first
 36 year and any succeeding year for which the deduction is allowed. To
 37 obtain the deduction for a desired calendar year in which property taxes
 38 are first due and payable, the statement must be completed and dated
 39 in the immediately preceding calendar year and filed with the county
 40 auditor on or before January 5 of the calendar year in which the
 41 property taxes are first due and payable.
 42 (f) Except as provided in subsection (n), if a person who is



1 receiving, or seeks to receive, the deduction provided by this section in
 2 the person's name:

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

6 (2) is not eligible for a deduction under this section because the
 7 person is already receiving:

8 (A) a deduction under this section in the person's name as an
 9 individual or a spouse; or

10 (B) a deduction under the law of another state that is
 11 equivalent to the deduction provided by this section;

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

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

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



- 1 (1) the individual or married couple, for the same year, claims the
 2 deduction on two (2) or more different applications for the
 3 deduction; and
 4 (2) the applications claim the deduction for different property.
- 5 (i) The department of local government finance shall provide secure
 6 access to county auditors to a homestead property data base that
 7 includes access to the homestead owner's name and the numbers
 8 required from the homestead owner under subsection (e)(4) for the sole
 9 purpose of verifying whether an owner is wrongly claiming a deduction
 10 under this chapter or a credit under IC 6-1.1-20.4, IC 6-1.1-20.6, or
 11 IC 6-3.6-5 (after December 31, 2016). Each county auditor shall submit
 12 data on deductions applicable to the current tax year on or before
 13 March 15 of each year in a manner prescribed by the department of
 14 local government finance.
- 15 (j) A county auditor may require an individual to provide evidence
 16 proving that the individual's residence is the individual's principal place
 17 of residence as claimed in the certified statement filed under subsection
 18 (e). The county auditor may limit the evidence that an individual is
 19 required to submit to a state income tax return, a valid driver's license,
 20 or a valid voter registration card showing that the residence for which
 21 the deduction is claimed is the individual's principal place of residence.
 22 The department of local government finance shall work with county
 23 auditors to develop procedures to determine whether a property owner
 24 that is claiming a standard deduction or homestead credit is not eligible
 25 for the standard deduction or homestead credit because the property
 26 owner's principal place of residence is outside Indiana.
- 27 (k) As used in this section, "homestead" includes property that
 28 satisfies each of the following requirements:
- 29 (1) The property is located in Indiana and consists of a dwelling
 30 and the real estate, not exceeding one (1) acre, that immediately
 31 surrounds that dwelling.
- 32 (2) The property is the principal place of residence of an
 33 individual.
- 34 (3) The property is owned by an entity that is not described in
 35 subsection (a)(2)(B).
- 36 (4) The individual residing on the property is a shareholder,
 37 partner, or member of the entity that owns the property.
- 38 (5) The property was eligible for the standard deduction under
 39 this section on March 1, 2009.
- 40 (l) If a county auditor terminates a deduction for property described
 41 in subsection (k) with respect to property taxes that are:
 42 (1) imposed for an assessment date in 2009; and



1 (2) first due and payable in 2010;
 2 on the grounds that the property is not owned by an entity described in
 3 subsection (a)(2)(B), the county auditor shall reinstate the deduction if
 4 the taxpayer provides proof that the property is eligible for the
 5 deduction in accordance with subsection (k) and that the individual
 6 residing on the property is not claiming the deduction for any other
 7 property.

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

9 (1) a deck or patio;

10 (2) a gazebo; or

11 (3) another residential yard structure, as defined in rules adopted
 12 by the department of local government finance (other than a
 13 swimming pool);

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

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

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

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

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

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

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

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



- 1 (o) If:
- 2 (1) a property owner files a statement under subsection (e) to
- 3 claim the deduction provided by this section for a particular
- 4 property; and
- 5 (2) the county auditor receiving the filed statement determines
- 6 that the property owner's property is not eligible for the deduction;
- 7 the county auditor shall inform the property owner of the county
- 8 auditor's determination in writing. If a property owner's property is not
- 9 eligible for the deduction because the county auditor has determined
- 10 that the property is not the property owner's principal place of
- 11 residence, the property owner may appeal the county auditor's
- 12 determination as provided in IC 6-1.1-15. The county auditor shall
- 13 inform the property owner of the owner's right to appeal when the
- 14 county auditor informs the property owner of the county auditor's
- 15 determination under this subsection.
- 16 (p) An individual is entitled to the deduction under this section for
- 17 a homestead for a particular assessment date if:
- 18 (1) either:
- 19 (A) the individual's interest in the homestead as described in
- 20 subsection (a)(2)(B) is conveyed to the individual after the
- 21 assessment date, but within the calendar year in which the
- 22 assessment date occurs; or
- 23 (B) the individual contracts to purchase the homestead after
- 24 the assessment date, but within the calendar year in which the
- 25 assessment date occurs;
- 26 (2) on the assessment date:
- 27 (A) the property on which the homestead is currently located
- 28 was vacant land; or
- 29 (B) the construction of the dwelling that constitutes the
- 30 homestead was not completed; and
- 31 (3) either:
- 32 (A) the individual files the certified statement required by
- 33 subsection (e); or
- 34 (B) a sales disclosure form that meets the requirements of
- 35 section 44 of this chapter is submitted to the county assessor
- 36 on or before December 31 of the calendar year for the
- 37 individual's purchase of the homestead.
- 38 An individual who satisfies the requirements of subdivisions (1)
- 39 through (3) is entitled to the deduction under this section for the
- 40 homestead for the assessment date, even if on the assessment date the
- 41 property on which the homestead is currently located was vacant land
- 42 or the construction of the dwelling that constitutes the homestead was



1 not completed. The county auditor shall apply the deduction for the
 2 assessment date and for the assessment date in any later year in which
 3 the homestead remains eligible for the deduction. A homestead that
 4 qualifies for the deduction under this section as provided in this
 5 subsection is considered a homestead for purposes of section 37.5 of
 6 this chapter and IC 6-1.1-20.6.

7 (q) This subsection applies to an application for the deduction
 8 provided by this section that is filed for an assessment date occurring
 9 after December 31, 2013. Notwithstanding any other provision of this
 10 section, an individual buying a mobile home that is not assessed as real
 11 property or a manufactured home that is not assessed as real property
 12 under a contract providing that the individual is to pay the property
 13 taxes on the mobile home or manufactured home is not entitled to the
 14 deduction provided by this section unless the parties to the contract
 15 comply with IC 9-17-6-17.

16 (r) This subsection:

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

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

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

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

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

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

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

34 For property to qualify under this subsection for the deduction provided
 35 by this section, the individual described in subdivisions (1) through (3)
 36 must submit to the county auditor a copy of the individual's transfer
 37 orders or other information sufficient to show that the individual was
 38 ordered to transfer to a location outside Indiana. The property continues
 39 to qualify for the deduction provided by this section until the individual
 40 ceases to be on active duty, the property is sold, or the individual's
 41 ownership interest is otherwise terminated, whichever occurs first.
 42 Notwithstanding subsection (a)(2), the property remains a homestead



1 regardless of whether the property continues to be the individual's
 2 principal place of residence after the individual transfers to a location
 3 outside Indiana. The property continues to qualify as a homestead
 4 under this subsection if the property is leased while the individual is
 5 away from Indiana and is serving on active duty, if the individual has
 6 lived at the property at any time during the past ten (10) years.
 7 Otherwise, the property ceases to qualify as a homestead under this
 8 subsection if the property is leased while the individual is away from
 9 Indiana. Property that qualifies as a homestead under this subsection
 10 shall also be construed as a homestead for purposes of section 37.5 of
 11 this chapter.

12 **(t) For purposes of subsection (a)(2), the term "homestead" does**
 13 **not include a taxpayer's residential real property when the**
 14 **taxpayer rents the residential real property to a third party or**
 15 **third parties for more than twenty-nine (29) nights per calendar**
 16 **year. A taxpayer is not entitled to the standard deduction under**
 17 **this section or the supplemental deduction for homesteads under**
 18 **section 37.5 of this chapter on the taxpayer's residential real**
 19 **property when the taxpayer rents the residential real property to**
 20 **a third party or third parties for more than twenty-nine (29) nights**
 21 **per calendar year.**

22 SECTION 3. IC 6-1.1-20.6-7.5, AS AMENDED BY P.L.205-2013,
 23 SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2021]: Sec. 7.5. (a) A person is entitled to a credit against the
 25 person's property tax liability for property taxes first due and payable
 26 after 2009. The amount of the credit is the amount by which the
 27 person's property tax liability attributable to the person's:

- 28 (1) homestead exceeds one percent (1%);
- 29 (2) residential property exceeds two percent (2%);
- 30 (3) long term care property exceeds two percent (2%);
- 31 (4) agricultural land exceeds two percent (2%);
- 32 (5) nonresidential real property exceeds three percent (3%); or
- 33 (6) personal property exceeds three percent (3%);

34 of the gross assessed value of the property that is the basis for
 35 determination of property taxes for that calendar year.

36 (b) This subsection applies to property taxes first due and payable
 37 after 2009. Property taxes imposed after being approved by the voters
 38 in a referendum or local public question shall not be considered for
 39 purposes of calculating a person's credit under this section.

40 (c) This subsection applies to property taxes first due and payable
 41 after 2009. As used in this subsection, "eligible county" means only a
 42 county for which the general assembly determines in 2008 that limits



1 to property tax liability under this chapter are expected to reduce in
 2 2010 the aggregate property tax revenue that would otherwise be
 3 collected by all units of local government and school corporations in
 4 the county by at least twenty percent (20%). Property taxes imposed in
 5 an eligible county:

6 (1) to pay debt service:

7 (A) on bonds issued before July 1, 2008; or

8 (B) on bonds that:

9 (i) are issued to refund bonds originally issued before July
 10 1, 2008; and

11 (ii) have a maturity date that is not later than the maturity
 12 date of the bonds refunded;

13 (2) to make lease payments on leases entered into before July 1,
 14 2008, to secure bonds;

15 (3) to make lease payments on leases:

16 (A) that are amended to refund bonds secured by leases
 17 entered into before July 1, 2008; and

18 (B) that have a term that is not longer than the term of the
 19 leases amended; or

20 (4) to make lease payments on leases:

21 (A) that secure bonds:

22 (i) issued to refund bonds originally issued before July 1,
 23 2008; and

24 (ii) that have a maturity date that is not later than the
 25 maturity date of the bonds refunded; and

26 (B) that have a term that ends not later than the maturity date
 27 of the bonds refunded;

28 shall not be considered for purposes of calculating a person's credit
 29 under this section.

30 **(d) A taxpayer's residential real property that the taxpayer**
 31 **rents to a third party or third parties for more than twenty-nine**
 32 **(29) nights per calendar year is subject to the credit provided for**
 33 **under subsection (a)(5) rather than to the credit provided for**
 34 **under subsection (a)(1).**

35 SECTION 4. [EFFECTIVE JULY 1, 2021] (a) IC 6-1.1-3-7.2,
 36 IC 6-1.1-12-37, and IC 6-1.1-20.6-7.5, all as amended by this act,
 37 apply to assessment dates after December 31, 2021.

38 (b) This SECTION expires June 30, 2024.

