



January 26, 2016

SENATE BILL No. 329

DIGEST OF SB 329 (Updated January 21, 2016 2:02 pm - DI 73)

Citations Affected: IC 6-1.1.

Synopsis: Allocation of circuit breaker credits by schools. Extends for three additional years the statute allowing a school corporation to allocate circuit breaker credits proportionately under certain circumstances (without taking protected taxes into account). Provides that during these three additional years, a school corporation may allocate circuit breaker credits proportionately, without taking protected taxes into account, if the amount of circuit breaker credits against the school corporation's transportation fund levy is greater than 20% (rather than 10%, under current law) of the school corporation's transportation fund levy.

Effective: Upon passage.

Mishler, Eckerty, Lanane

January 7, 2016, read first time and referred to Committee on Appropriations.
January 25, 2016, reported favorably — Do Pass.

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January 26, 2016

Second Regular Session 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

SENATE BILL No. 329

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 6-1.1-20.6-9.9, AS ADDED BY P.L.120-2014,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 9.9. (a) A school corporation is eligible to
4 allocate credits proportionately under this section:
5 (1) for 2014, 2015, or 2016, if the school corporation's percentage
6 computed under ~~this~~ subsection (b) is at least ten percent (10%)
7 for its transportation fund levy for that year, as certified by the
8 department of local government finance; **and**
9 (2) for 2017, 2018, or 2019, if the school corporation's
10 percentage computed under subsection (b) is at least twenty
11 percent (20%) for its transportation fund levy for that year,
12 as certified by the department of local government finance.
13 (b) A school corporation shall compute its percentage ~~under this~~ for
14 purposes of subsection (a) as follows:
15 (1) Compute the amount of credits granted under this chapter
16 against the school corporation's levy for the school corporation's
17 transportation fund.

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1 (2) Compute the school corporation's levy for the school
2 corporation's transportation fund.

3 (3) Divide the amount computed under subdivision (1) by the
4 amount computed under subdivision (2) and express it as a
5 percentage.

6 The computation must be made by taking into account the requirements
7 of section 9.8 of this chapter regarding protected taxes and the impact
8 of credits granted under this chapter on the revenue to be distributed to
9 the school corporation's transportation fund for the particular year.

10 ~~(b)~~ (c) A school corporation that desires to be an eligible school
11 corporation under this section must, before May 1 of the year for which
12 it wants a determination, submit a written request for a certification by
13 the department of local government finance that the computation of the
14 school corporation's percentage under subsection ~~(a)~~ (b) is correct. The
15 department of local government finance shall, not later than June 1 of
16 that year, determine whether the percentage computed by the school
17 corporation is accurate and certify whether the school corporation is
18 eligible under this section.

19 ~~(c)~~ (d) For a school corporation that is certified as eligible under this
20 section, the school corporation may allocate the effect of the credits
21 granted under this chapter proportionately among all the school
22 corporation's property tax funds that are not exempt under section
23 7.5(b) or 7.5(c) of this chapter, based on the levy for each fund and
24 without taking into account the requirements of section 9.8 of this
25 chapter regarding protected taxes.

26 SECTION 2. **An emergency is declared for this act.**



COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 329, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 329 as introduced.)

KENLEY, Chairperson

Committee Vote: Yeas 9, Nays 0

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