

PROPOSED AMENDMENT

SB 325 # 8

DIGEST

Credit for excessive property taxes. Changes the term "agricultural land" to "agricultural real property" for purposes of determining a person's credit for excessive property taxes.

- 1 Page 10, between lines 19 and 20, begin a new paragraph and insert:
2 "SECTION 2. IC 6-1.1-20.6-7.5, AS AMENDED BY P.L.205-2013,
3 SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JANUARY 1, 2024]: Sec. 7.5. (a) A person is entitled to a credit
5 against the person's property tax liability for property taxes first due
6 and payable after 2009. The amount of the credit is the amount by
7 which the person's property tax liability attributable to the person's:
8 (1) homestead exceeds one percent (1%);
9 (2) residential property exceeds two percent (2%);
10 (3) long term care property exceeds two percent (2%);
11 (4) agricultural ~~land~~ **real property** exceeds two percent (2%);
12 (5) nonresidential real property exceeds three percent (3%); or
13 (6) personal property exceeds three percent (3%);
14 of the gross assessed value of the property that is the basis for
15 determination of property taxes for that calendar year.
16 (b) This subsection applies to property taxes first due and payable
17 after 2009. Property taxes imposed after being approved by the voters
18 in a referendum or local public question shall not be considered for
19 purposes of calculating a person's credit under this section.
20 (c) This subsection applies to property taxes first due and payable
21 after 2009. As used in this subsection, "eligible county" means only a
22 county for which the general assembly determines in 2008 that limits
23 to property tax liability under this chapter are expected to reduce in
24 2010 the aggregate property tax revenue that would otherwise be
25 collected by all units of local government and school corporations in
26 the county by at least twenty percent (20%). Property taxes imposed in
27 an eligible county:

- 1 (1) to pay debt service:
 2 (A) on bonds issued before July 1, 2008; or
 3 (B) on bonds that:
 4 (i) are issued to refund bonds originally issued before July
 5 1, 2008; and
 6 (ii) have a maturity date that is not later than the maturity
 7 date of the bonds refunded;
 8 (2) to make lease payments on leases entered into before July 1,
 9 2008, to secure bonds;
 10 (3) to make lease payments on leases:
 11 (A) that are amended to refund bonds secured by leases
 12 entered into before July 1, 2008; and
 13 (B) that have a term that is not longer than the term of the
 14 leases amended; or
 15 (4) to make lease payments on leases:
 16 (A) that secure bonds:
 17 (i) issued to refund bonds originally issued before July 1,
 18 2008; and
 19 (ii) that have a maturity date that is not later than the
 20 maturity date of the bonds refunded; and
 21 (B) that have a term that ends not later than the maturity date
 22 of the bonds refunded;
 23 shall not be considered for purposes of calculating a person's credit
 24 under this section."
 25 Page 10, line 20, after "IC 6-1.1-12-37" insert "**and**
 26 **IC 6-1.1-20.6-7.5**".
 27 Page 10, line 21, delete "applies" and insert "**apply**".
 28 Renumber all SECTIONS consecutively.
 (Reference is to SB 325 as reprinted February 28, 2023.)