



Adopted	Rejected
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COMMITTEE REPORT

YES:	21
NO:	0

MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred Senate Bill 325, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
 2 "SECTION 1. IC 6-1.1-12-17.8, AS AMENDED BY P.L.174-2022,
 3 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JANUARY 1, 2024]: Sec. 17.8. (a) An individual who receives a
 5 deduction provided under section 9, 11, 13, 14, 16, 17.4 (before its
 6 expiration), or 37 of this chapter in a particular year and who remains
 7 eligible for the deduction in the following year is not required to file a
 8 statement to apply for the deduction in the following year. However, for
 9 purposes of a deduction under section 37 of this chapter, the county
 10 auditor may, in the county auditor's discretion, terminate the deduction
 11 for assessment dates after January 15, 2012, if the individual does not
 12 comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January
 13 1, 2015), as determined by the county auditor, before January 1, 2013.

1 Before the county auditor terminates the deduction because the
 2 taxpayer claiming the deduction did not comply with the requirement
 3 in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1,
 4 2013, the county auditor shall mail notice of the proposed termination
 5 of the deduction to:

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

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

11 (b) An individual who receives a deduction provided under section
 12 9, 11, 13, 14, 16, or 17.4 (before its expiration) of this chapter in a
 13 particular year and who becomes ineligible for the deduction in the
 14 following year shall notify the auditor of the county in which the real
 15 property, mobile home, or manufactured home for which the individual
 16 claims the deduction is located of the individual's ineligibility in the
 17 year in which the individual becomes ineligible. An individual who
 18 becomes ineligible for a deduction under section 37 of this chapter
 19 shall notify the county auditor of the county in which the property is
 20 located in conformity with section 37 of this chapter.

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

26 (d) An individual who receives a deduction provided under section
 27 9, 11, 13, 14, 16, 17.4 (before its expiration), or 37 of this chapter for
 28 property that is jointly held with another owner in a particular year and
 29 remains eligible for the deduction in the following year is not required
 30 to file a statement to reapply for the deduction following the removal
 31 of the joint owner if:

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

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

36 If a county auditor terminates a deduction under section 9 of this
 37 chapter, a deduction under section 37 of this chapter, or a credit under
 38 IC 6-1.1-20.6-8.5 after June 30, 2017, and before May 1, 2019, because

1 the taxpayer claiming the deduction or credit did not comply with a
 2 requirement added to this subsection by P.L.255-2017 to reapply for
 3 the deduction or credit, the county auditor shall reinstate the deduction
 4 or credit if the taxpayer provides proof that the taxpayer is eligible for
 5 the deduction or credit and is not claiming the deduction or credit for
 6 any other property.

7 (e) A trust entitled to a deduction under section 9, 11, 13, 14, 16,
 8 17.4 (before its expiration), or 37 of this chapter for real property
 9 owned by the trust and occupied by an individual in accordance with
 10 section 17.9 of this chapter is not required to file a statement to apply
 11 for the deduction, if:

- 12 (1) the individual who occupies the real property receives a
 13 deduction provided under section 9, 11, 13, 14, 16, 17.4 (before
 14 its expiration), or 37 of this chapter in a particular year; and
 15 (2) the trust remains eligible for the deduction in the following
 16 year.

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

21 (f) A cooperative housing corporation (as defined in 26 U.S.C. 216)
 22 that is entitled to a deduction under section 37 of this chapter in the
 23 immediately preceding calendar year for a homestead (as defined in
 24 section 37 of this chapter) is not required to file a statement to apply for
 25 the deduction for the current calendar year if the cooperative housing
 26 corporation remains eligible for the deduction for the current calendar
 27 year. However, the county auditor may, in the county auditor's
 28 discretion, terminate the deduction for assessment dates after January
 29 15, 2012, if the individual does not comply with the requirement in
 30 IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015), as determined by the
 31 county auditor, before January 1, 2013. Before the county auditor
 32 terminates a deduction because the taxpayer claiming the deduction did
 33 not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired
 34 January 1, 2015) before January 1, 2013, the county auditor shall mail
 35 notice of the proposed termination of the deduction to:

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

- 1 (2) the last known address of the most recent owner shown in the
 2 transfer book.
- 3 (g) An individual who:
- 4 (1) was eligible for a homestead credit under IC 6-1.1-20.9
 5 (repealed) for property taxes imposed for the March 1, 2007, or
 6 January 15, 2008, assessment date; or
- 7 (2) would have been eligible for a homestead credit under
 8 IC 6-1.1-20.9 (repealed) for property taxes imposed for the March
 9 1, 2008, or January 15, 2009, assessment date if IC 6-1.1-20.9 had
 10 not been repealed;
- 11 is not required to file a statement to apply for a deduction under section
 12 37 of this chapter if the individual remains eligible for the deduction in
 13 the current year. An individual who filed for a homestead credit under
 14 IC 6-1.1-20.9 (repealed) for an assessment date after March 1, 2007 (if
 15 the property is real property), or after January 1, 2008 (if the property
 16 is personal property), shall be treated as an individual who has filed for
 17 a deduction under section 37 of this chapter. However, the county
 18 auditor may, in the county auditor's discretion, terminate the deduction
 19 for assessment dates after January 15, 2012, if the individual does not
 20 comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January
 21 1, 2015), as determined by the county auditor, before January 1, 2013.
 22 Before the county auditor terminates the deduction because the
 23 taxpayer claiming the deduction did not comply with the requirement
 24 in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1,
 25 2013, the county auditor shall mail notice of the proposed termination
 26 of the deduction to the last known address of each person liable for any
 27 property taxes or special assessment, as shown on the tax duplicate or
 28 special assessment records, or to the last known address of the most
 29 recent owner shown in the transfer book.
- 30 (h) If a county auditor terminates a deduction because the taxpayer
 31 claiming the deduction did not comply with the requirement in
 32 IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013,
 33 the county auditor shall reinstate the deduction if the taxpayer provides
 34 proof that the taxpayer is eligible for the deduction and is not claiming
 35 the deduction for any other property.
- 36 (i) A taxpayer described in section 37(k) of this chapter is not
 37 required to file a statement to apply for the deduction provided by
 38 section 37 of this chapter for a calendar year beginning after December

1 31, 2008; if the property owned by the taxpayer remains eligible for the
 2 deduction for that calendar year. However, the county auditor may
 3 terminate the deduction for assessment dates after January 15, 2012; if
 4 the individual residing on the property owned by the taxpayer does not
 5 comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January
 6 1, 2015); as determined by the county auditor, before January 1, 2013.
 7 Before the county auditor terminates a deduction because the
 8 individual residing on the property did not comply with the
 9 requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before
 10 January 1, 2013; the county auditor shall mail notice of the proposed
 11 termination of the deduction to:

- 12 (1) the last known address of each person liable for any property
- 13 taxes or special assessment; as shown on the tax duplicate or
- 14 special assessment records; or
- 15 (2) the last known address of the most recent owner shown in the
- 16 transfer book.

17 SECTION 2. IC 6-1.1-12-37, AS AMENDED BY P.L.174-2022,
 18 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JANUARY 1, 2024]: Sec. 37. (a) The following definitions apply
 20 throughout this section:

- 21 (1) "Dwelling" means any of the following:
 - 22 (A) Residential real property improvements that an individual
 - 23 uses as the individual's residence, ~~including a house or garage.~~
 - 24 **limited to a single house and a single garage, regardless of**
 - 25 **whether the single garage is attached to the single house or**
 - 26 **detached from the single house.**
 - 27 (B) A mobile home that is not assessed as real property that an
 - 28 individual uses as the individual's residence.
 - 29 (C) A manufactured home that is not assessed as real property
 - 30 that an individual uses as the individual's residence.
- 31 (2) "Homestead" means an individual's principal place of
- 32 residence:
 - 33 (A) that is located in Indiana;
 - 34 (B) that:
 - 35 (i) the individual owns;
 - 36 (ii) the individual is buying under a contract recorded in the
 - 37 county recorder's office, or evidenced by a memorandum of
 - 38 contract recorded in the county recorder's office under

- 1 IC 36-2-11-20, that provides that the individual is to pay the
 2 property taxes on the residence, and that obligates the owner
 3 to convey title to the individual upon completion of all of the
 4 individual's contract obligations;
- 5 (iii) the individual is entitled to occupy as a
 6 tenant-stockholder (as defined in 26 U.S.C. 216) of a
 7 cooperative housing corporation (as defined in 26 U.S.C.
 8 216); or
- 9 (iv) is a residence described in section 17.9 of this chapter
 10 that is owned by a trust if the individual is an individual
 11 described in section 17.9 of this chapter; and
- 12 (C) that consists of a dwelling, ~~and the real estate, not~~
 13 ~~exceeding up to one (1) acre that immediately surrounds of~~
 14 **land immediately surrounding that dwelling, one (1)**
 15 **additional building that is not part of the dwelling and that**
 16 **is predominantly used for a residential purpose, and a**
 17 **deck, patio, gazebo, pool, or another residential yard**
 18 **structure.**
- 19 ~~Except as provided in subsection (k);~~ The term does not include
 20 property owned by a corporation, partnership, limited liability
 21 company, or other entity not described in this subdivision.
- 22 (b) Each year a homestead is eligible for a standard deduction from
 23 the assessed value of the homestead for an assessment date. Except as
 24 provided in subsection ~~(p); (m)~~, the deduction provided by this section
 25 applies to property taxes first due and payable for an assessment date
 26 only if an individual has an interest in the homestead described in
 27 subsection (a)(2)(B) on:
- 28 (1) the assessment date; or
 29 (2) any date in the same year after an assessment date that a
 30 statement is filed under subsection (e) or section 44 of this
 31 chapter, if the property consists of real property.
- 32 If more than one (1) individual or entity qualifies property as a
 33 homestead under subsection (a)(2)(B) for an assessment date, only one
 34 (1) standard deduction from the assessed value of the homestead may
 35 be applied for the assessment date. Subject to subsection (c), the
 36 auditor of the county shall record and make the deduction for the
 37 individual or entity qualifying for the deduction.
- 38 (c) Except as provided in section 40.5 of this chapter, the total

1 amount of the deduction that a person may receive under this section
2 for a particular year is the lesser of:

- 3 (1) sixty percent (60%) of the assessed value of the real property,
4 mobile home not assessed as real property, or manufactured home
5 not assessed as real property; or
6 (2) for assessment dates:
7 (A) before January 1, 2023, forty-five thousand dollars
8 (\$45,000); or
9 (B) after December 31, 2022, forty-eight thousand dollars
10 (\$48,000).

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

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

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

1 in the immediately preceding calendar year and filed with the county
 2 auditor on or before January 5 of the calendar year in which the
 3 property taxes are first due and payable.

4 (f) Except as provided in subsection ~~(n)~~, (k), if a person who is
 5 receiving, or seeks to receive, the deduction provided by this section in
 6 the person's name:

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

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

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

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

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

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

35 (h) This subsection does not apply to property in the first year for
 36 which a deduction is claimed under this section if the sole reason that
 37 a deduction is claimed on other property is that the individual or
 38 married couple maintained a principal residence at the other property

1 on the assessment date in the same year in which an application for a
 2 deduction is filed under this section or, if the application is for a
 3 homestead that is assessed as personal property, on the assessment date
 4 in the immediately preceding year and the individual or married couple
 5 is moving the individual's or married couple's principal residence to the
 6 property that is the subject of the application. Except as provided in
 7 subsection ~~(n)~~; **(k)**, the county auditor may not grant an individual or
 8 a married couple a deduction under this section if:

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

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

13 (i) The department of local government finance shall provide secure
 14 access to county auditors to a homestead property data base that
 15 includes access to the homestead owner's name and the numbers
 16 required from the homestead owner under subsection (e)(4) for the sole
 17 purpose of verifying whether an owner is wrongly claiming a deduction
 18 under this chapter or a credit under IC 6-1.1-20.4, IC 6-1.1-20.6, or
 19 IC 6-3.6-5 (after December 31, 2016). Each county auditor shall submit
 20 data on deductions applicable to the current tax year on or before
 21 March 15 of each year in a manner prescribed by the department of
 22 local government finance.

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

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

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

- 1 surrounds that dwelling:
- 2 (2) The property is the principal place of residence of an
- 3 individual:
- 4 (3) The property is owned by an entity that is not described in
- 5 subsection (a)(2)(B):
- 6 (4) The individual residing on the property is a shareholder,
- 7 partner, or member of the entity that owns the property:
- 8 (5) The property was eligible for the standard deduction under
- 9 this section on March 1, 2009:
- 10 (f) If a county auditor terminates a deduction for property described
- 11 in subsection (k) with respect to property taxes that are:
- 12 (1) imposed for an assessment date in 2009; and
- 13 (2) first due and payable in 2010;
- 14 on the grounds that the property is not owned by an entity described in
- 15 subsection (a)(2)(B), the county auditor shall reinstate the deduction if
- 16 the taxpayer provides proof that the property is eligible for the
- 17 deduction in accordance with subsection (k) and that the individual
- 18 residing on the property is not claiming the deduction for any other
- 19 property:
- 20 (m) For assessment dates after 2009, the term "homestead" includes:
- 21 (1) a deck or patio;
- 22 (2) a gazebo; or
- 23 (3) another residential yard structure, as defined in rules adopted
- 24 by the department of local government finance (other than a
- 25 swimming pool);
- 26 that is assessed as real property and attached to the dwelling.
- 27 (n) (k) A county auditor shall grant an individual a deduction under
- 28 this section regardless of whether the individual and the individual's
- 29 spouse claim a deduction on two (2) different applications and each
- 30 application claims a deduction for different property if the property
- 31 owned by the individual's spouse is located outside Indiana and the
- 32 individual files an affidavit with the county auditor containing the
- 33 following information:
- 34 (1) The names of the county and state in which the individual's
- 35 spouse claims a deduction substantially similar to the deduction
- 36 allowed by this section.
- 37 (2) A statement made under penalty of perjury that the following
- 38 are true:

- 1 (A) That the individual and the individual's spouse maintain
- 2 separate principal places of residence.
- 3 (B) That neither the individual nor the individual's spouse has
- 4 an ownership interest in the other's principal place of
- 5 residence.
- 6 (C) That neither the individual nor the individual's spouse has,
- 7 for that same year, claimed a standard or substantially similar
- 8 deduction for any property other than the property maintained
- 9 as a principal place of residence by the respective individuals.

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

17 ~~(o)~~ **(l)** If:

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

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

23 the county auditor shall inform the property owner of the county
 24 auditor's determination in writing. If a property owner's property is not
 25 eligible for the deduction because the county auditor has determined
 26 that the property is not the property owner's principal place of
 27 residence, the property owner may appeal the county auditor's
 28 determination as provided in IC 6-1.1-15. The county auditor shall
 29 inform the property owner of the owner's right to appeal when the
 30 county auditor informs the property owner of the county auditor's
 31 determination under this subsection.

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

34 (1) either:

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

- 1 (B) the individual contracts to purchase the homestead after
- 2 the assessment date, but within the calendar year in which the
- 3 assessment date occurs;
- 4 (2) on the assessment date:
 - 5 (A) the property on which the homestead is currently located
 - 6 was vacant land; or
 - 7 (B) the construction of the dwelling that constitutes the
 - 8 homestead was not completed; and
- 9 (3) either:
 - 10 (A) the individual files the certified statement required by
 - 11 subsection (e); or
 - 12 (B) a sales disclosure form that meets the requirements of
 - 13 section 44 of this chapter is submitted to the county assessor
 - 14 on or before December 31 of the calendar year for the
 - 15 individual's purchase of the homestead.

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

27 ~~(c)~~ **(n)** This subsection applies to an application for the deduction
 28 provided by this section that is filed for an assessment date occurring
 29 after December 31, 2013. Notwithstanding any other provision of this
 30 section, an individual buying a mobile home that is not assessed as real
 31 property or a manufactured home that is not assessed as real property
 32 under a contract providing that the individual is to pay the property
 33 taxes on the mobile home or manufactured home is not entitled to the
 34 deduction provided by this section unless the parties to the contract
 35 comply with IC 9-17-6-17.

36 ~~(c)~~ **(o)** This subsection:
 37 (1) applies to an application for the deduction provided by this
 38 section that is filed for an assessment date occurring after

1 December 31, 2013; and
2 (2) does not apply to an individual described in subsection ~~(q)~~
3 **(n)**.

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

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

- 10 (1) is serving on active duty in any branch of the armed forces of
- 11 the United States;
- 12 (2) was ordered to transfer to a location outside Indiana; and
- 13 (3) was otherwise eligible, without regard to this subsection, for
- 14 the deduction under this section for the property for the
- 15 assessment date immediately preceding the transfer date specified
- 16 in the order described in subdivision (2).

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

37 SECTION 3. IC 6-1.1-20.6-2.5, AS ADDED BY P.L.146-2008,
38 SECTION 218, IS AMENDED TO READ AS FOLLOWS

1 [EFFECTIVE JANUARY 1, 2024]: Sec. 2.5. ~~(a)~~ As used in this
2 chapter, "nonresidential real property" refers to ~~either of the following:~~

3 ~~(1)~~ real property that

4 ~~(A)~~ is not:

5 ~~(i)~~ **(1)** a homestead; ~~or~~

6 ~~(ii)~~ **(2)** residential property; ~~and~~

7 **(3) long term care property; or**

8 **(4) agricultural land.**

9 ~~(B)~~ consists of:

10 ~~(i)~~ a building or other land improvement; and

11 ~~(ii)~~ the land, not exceeding the area of the building footprint
12 or improvement footprint, on which the building or
13 improvement is located.

14 ~~(2)~~ Undeveloped land in the amount of the remainder of:

15 ~~(A)~~ the area of a parcel; minus

16 ~~(B)~~ the area of the parcel that is part of:

17 ~~(i)~~ a homestead; or

18 ~~(ii)~~ residential property.

19 ~~(b)~~ The term does not include agricultural land:

20 SECTION 4. IC 6-1.1-20.6-4, AS AMENDED BY P.L.166-2014,
21 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JANUARY 1, 2024]: Sec. 4. As used in this chapter, "residential
23 property" refers to real property that consists of any of the following:

24 (1) A single family dwelling that is not part of a homestead and
25 the land ~~not exceeding one (1) acre~~; on which the dwelling is
26 located.

27 (2) Real property that consists of:

28 (A) a building that includes two (2) or more dwelling units;

29 (B) any common areas shared by the dwelling units (including
30 any land that is a common area, as described in section
31 1.2(b)(2) of this chapter); and

32 (C) the land on which the building is located.

33 (3) Land rented or leased for the placement of a manufactured
34 home or mobile home, including any common areas shared by the
35 manufactured homes or mobile homes.

36 **(4) For assessment dates after December 31, 2023, any other**
37 **land, building, or residential yard structure including a deck,**
38 **patio, gazebo, or pool that:**

1 **(A) is not part of a homestead; and**
2 **(B) is predominantly used for a residential purpose.**
3 The term includes a single family dwelling that is under construction
4 and the land ~~not exceeding one (1) acre~~, on which the dwelling will be
5 located. The term does not include real property that consists of a
6 commercial hotel, motel, inn, tourist camp, or tourist cabin.
7 SECTION 5. [EFFECTIVE JANUARY 1, 2024] **(a)**
8 **IC 6-1.1-12-17.8, IC 6-1.1-12-37, IC 6-1.1-20.6-2.5, and**
9 **IC 6-1.1-20.6-4, all as amended by this act, apply to assessment**
10 **dates after December 31, 2023.**
11 **(b) This SECTION expires July 1, 2027."**
12 Delete pages 2 through 10.
13 Renumber all SECTIONS consecutively.
 (Reference is to SB 325 as reprinted February 28, 2023.)

and when so amended that said bill do pass.

Representative Thompson