
HOUSE BILL No. 1382

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-3.5-6-18.

Synopsis: COIT distributions. Provides for the distribution of county option income tax (COIT) revenues based on the ratio of each civil taxing unit's maximum permissible levy to the sum of the maximum permissible levies of all the civil taxing units in the county. (Current law provides for the distribution of county option income tax revenues based on the ratio of each civil taxing unit's actual levy to the sum of the actual levies of all the civil taxing units in the county.)

Effective: January 1, 2001.

Scholar

January 11, 2000, read first time and referred to Committee on Ways and Means.

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Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

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HOUSE BILL No. 1382



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 6-3.5-6-18, AS AMENDED BY P.L.273-1999,
2 SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2001]: Sec. 18. (a) The revenue a county auditor
4 receives under this chapter shall be used to:

- 5 (1) replace the amount, if any, of property tax revenue lost due to
- 6 the allowance of an increased homestead credit within the county;
- 7 (2) fund the operation of a public communications system and
- 8 computer facilities district as provided in an election, if any, made
- 9 by the county fiscal body under IC 36-8-15-19(b);
- 10 (3) fund the operation of a public transportation corporation as
- 11 provided in an election, if any, made by the county fiscal body
- 12 under IC 36-9-4-42;
- 13 (4) make payments permitted under IC 36-7-15.1-17.5;
- 14 (5) make payments permitted under subsection ~~(f)~~; (i); and
- 15 (6) make distributions of distributive shares to the civil taxing
- 16 units of a county.
- 17 (b) The county auditor shall retain from the payments of the county's



1 certified distribution an amount equal to the revenue lost, if any, due to
 2 the increase of the homestead credit within the county. This money
 3 shall be distributed to the civil taxing units and school corporations of
 4 the county as though they were property tax collections and in such a
 5 manner that no civil taxing unit or school corporation shall suffer a net
 6 revenue loss due to the allowance of an increased homestead credit.

7 (c) The county auditor shall retain the amount, if any, specified by
 8 the county fiscal body for a particular calendar year under subsection
 9 ~~(f)~~, (i), IC 36-7-15.1-17.5, IC 36-8-15-19(b), and IC 36-9-4-42 from the
 10 county's certified distribution for that same calendar year. The county
 11 auditor shall distribute amounts retained under this subsection to the
 12 county.

13 (d) All certified distribution revenues that are not retained and
 14 distributed under subsections (b) and (c) shall be distributed to the civil
 15 taxing units of the county as distributive shares.

16 (e) The amount of distributive shares that each civil taxing unit in
 17 a county is entitled to receive during a month equals the product of the
 18 following:

19 (1) The amount of revenue that is to be distributed as distributive
 20 shares during that month; multiplied by

21 (2) A fraction. The numerator of the fraction equals the ~~total~~
 22 **property taxes that are first due and payable to the civil taxing**
 23 **unit civil taxing unit's maximum permissible property tax levy**
 24 **under IC 6-1.1-18.5 and IC 6-1.1-18.6** during the calendar year
 25 in which the month falls, plus, for a county, an amount equal to
 26 the property taxes imposed by the county in 1999 for the county's
 27 welfare fund and welfare administration fund. The denominator
 28 of the fraction equals the sum of the ~~total property taxes that are~~
 29 **first due and payable to maximum permissible property tax**
 30 **levies under IC 6-1.1-18.5 and IC 6-1.1-18.6** for all civil taxing
 31 units of the county during the calendar year in which the month
 32 falls, plus an amount equal to the property taxes imposed by the
 33 county in 1999 for the county's welfare fund and welfare
 34 administration fund.

35 (f) The state board of tax commissioners shall provide each county
 36 auditor with the fractional amount of distributive shares that each civil
 37 taxing unit in the auditor's county is entitled to receive monthly under
 38 this section.

39 (g) Notwithstanding subsection (e), if a civil taxing unit of an
 40 adopting county does not impose a property tax levy that is first due
 41 and payable in a calendar year in which distributive shares are being
 42 distributed under this section, that civil taxing unit is entitled to receive



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1 a part of the revenue to be distributed as distributive shares under this
 2 section within the county. The fractional amount such a civil taxing
 3 unit is entitled to receive each month during that calendar year equals
 4 the product of the following:

5 (1) The amount to be distributed as distributive shares during that
 6 month; multiplied by

7 (2) A fraction. The numerator of the fraction equals the budget of
 8 that civil taxing unit for that calendar year. The denominator of
 9 the fraction equals the aggregate budgets of all civil taxing units
 10 of that county for that calendar year.

11 (h) If for a calendar year a civil taxing unit is allocated a part of a
 12 county's distributive shares by subsection (g), then the formula used in
 13 subsection (e) to determine all other civil taxing units' distributive
 14 shares shall be changed each month for that same year by reducing the
 15 amount to be distributed as distributive shares under subsection (e) by
 16 the amount of distributive shares allocated under subsection (g) for that
 17 same month. The state board of tax commissioners shall make any
 18 adjustments required by this subsection and provide them to the
 19 appropriate county auditors.

20 (†) (i) Notwithstanding any other law, a county fiscal body may
 21 pledge revenues received under this chapter to the payment of bonds
 22 or lease rentals to finance a qualified economic development tax
 23 project under IC 36-7-27 in that county or in any other county if the
 24 county fiscal body determines that the project will promote significant
 25 opportunities for the gainful employment or retention of employment
 26 of the county's residents.

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