

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1474 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 6-1.1-12-9, AS AMENDED BY P.L.291-2001,
- 4 SECTION 131, IS AMENDED TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2003]: Sec. 9. (a) An individual may obtain a
- 6 deduction from the assessed value of the individual's real property, or
- 7 mobile home or manufactured home which is not assessed as real
- 8 property, if:
- 9 (1) the individual is at least sixty-five (65) years of age on or
- 10 before December 31 of the calendar year preceding the year in
- 11 which the deduction is claimed;
- 12 (2) the combined adjusted gross income (as defined in Section 62
- 13 of the Internal Revenue Code) of:
- 14 (A) the individual and the individual's spouse; or
- 15 (B) the individual and all other individuals with whom:
- 16 (i) the individual shares ownership; or
- 17 (ii) the individual is purchasing the property under a
- 18 contract;
- 19 as joint tenants or tenants in common;
- 20 for the calendar year preceding the year in which the deduction is
- 21 claimed did not exceed twenty-five thousand dollars (\$25,000);
- 22 (3) the individual has owned the real property, mobile home, or
- 23 manufactured home for at least one (1) year before claiming the
- 24 deduction; or the individual has been buying the real property,

- 1 mobile home, or manufactured home under a contract that
 2 provides that the individual is to pay the property taxes on the real
 3 property, mobile home, or manufactured home for at least one (1)
 4 year before claiming the deduction, and the contract or a
 5 memorandum of the contract is recorded in the county recorder's
 6 office;
- 7 (4) the individual and any individuals covered by subdivision
 8 (2)(B) reside on the real property, mobile home, or manufactured
 9 home;
- 10 (5) the assessed value of the real property, mobile home, or
 11 manufactured home does not exceed ~~sixty-nine~~ **one hundred**
 12 **forty-four** thousand dollars (~~\$69,000~~); (**\$144,000**); and
- 13 (6) the individual receives no other property tax deduction for the
 14 year in which the deduction is claimed, except the deductions
 15 provided by sections 1, 37, and 38 of this chapter.
- 16 (b) Except as provided in subsection (h), in the case of real property,
 17 an individual's deduction under this section equals the lesser of:
- 18 (1) one-half (1/2) of the assessed value of the real property; or
 19 (2) six thousand dollars (\$6,000).
- 20 (c) Except as provided in subsection (h) and section 40.5 of this
 21 chapter, in the case of a mobile home that is not assessed as real
 22 property or a manufactured home which is not assessed as real
 23 property, an individual's deduction under this section equals the lesser
 24 of:
- 25 (1) one-half (1/2) of the assessed value of the mobile home or
 26 manufactured home; or
 27 (2) six thousand dollars (\$6,000).
- 28 (d) An individual may not be denied the deduction provided under
 29 this section because the individual is absent from the real property,
 30 mobile home, or manufactured home while in a nursing home or
 31 hospital.
- 32 (e) For purposes of this section, if real property, a mobile home, or
 33 a manufactured home is owned by:
- 34 (1) tenants by the entirety;
 35 (2) joint tenants; or
 36 (3) tenants in common;
- 37 only one (1) deduction may be allowed. However, the age requirement
 38 is satisfied if any one (1) of the tenants is at least sixty-five (65) years
 39 of age.
- 40 (f) A surviving spouse is entitled to the deduction provided by this
 41 section if:
- 42 (1) the surviving spouse is at least sixty (60) years of age on or
 43 before December 31 of the calendar year preceding the year in
 44 which the deduction is claimed;
 45 (2) the surviving spouse's deceased husband or wife was at least
 46 sixty-five (65) years of age at the time of a death;

1 (3) the surviving spouse has not remarried; and
 2 (4) the surviving spouse satisfies the requirements prescribed in
 3 subsection (a)(2) through (a)(6).

4 (g) An individual who has sold real property to another person
 5 under a contract that provides that the contract buyer is to pay the
 6 property taxes on the real property may not claim the deduction
 7 provided under this section against that real property.

8 (h) In the case of tenants covered by subsection (a)(2)(B), if all of
 9 the tenants are not at least sixty-five (65) years of age, the deduction
 10 allowed under this section shall be reduced by an amount equal to the
 11 deduction multiplied by a fraction. The numerator of the fraction is the
 12 number of tenants who are not at least sixty-five (65) years of age, and
 13 the denominator is the total number of tenants."

14 Page 3, line 25, strike "fifty-four" and insert "**one hundred**
 15 **thirteen**".

16 Page 3, line 25, strike "\$54,000)." and insert "**(\$113,000).**".

17 Page 3, delete lines 33 through 36, begin a new paragraph and
 18 insert:

19 "SECTION 3. IC 6-1.1-12-17.4, AS AMENDED BY P.L.291-2001,
 20 SECTION 139, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2003]: Sec. 17.4. (a) Except as provided in
 22 section 40.5 of this chapter, a World War I veteran who is a resident of
 23 Indiana is entitled to have the sum of nine thousand dollars (\$9,000)
 24 deducted from the assessed valuation of the real property (including a
 25 mobile home that is assessed as real property), mobile home that is not
 26 assessed as real property, or manufactured home that is not assessed as
 27 real property the veteran owns or is buying under a contract that
 28 requires the veteran to pay property taxes on the real property, if the
 29 contract or a memorandum of the contract is recorded in the county
 30 recorder's office, if:

31 (1) the real property, mobile home, or manufactured home is the
 32 veteran's principal residence;

33 (2) the assessed valuation of the real property, mobile home, or
 34 manufactured home does not exceed ~~seventy-eight~~ **one hundred**
 35 **sixty-three** thousand dollars (~~\$78,000~~); **(\$163,000)**; and

36 (3) the veteran owns the real property, mobile home, or
 37 manufactured home for at least one (1) year before claiming the
 38 deduction.

39 (b) An individual may not be denied the deduction provided by this
 40 section because the individual is absent from the individual's principal
 41 residence while in a nursing home or hospital.

42 (c) For purposes of this section, if real property, a mobile home, or
 43 a manufactured home is owned by a husband and wife as tenants by the
 44 entirety, only one (1) deduction may be allowed under this section.
 45 However, the deduction provided in this section applies if either spouse
 46 satisfies the requirements prescribed in subsection (a).

1 (d) An individual who has sold real property, a mobile home not
 2 assessed as real property, or a manufactured home not assessed as real
 3 property to another person under a contract that provides that the
 4 contract buyer is to pay the property taxes on the real property, mobile
 5 home, or manufactured home may not claim the deduction provided
 6 under this section with respect to that real property, mobile home, or
 7 manufactured home.

8 SECTION 4. IC 6-1.1-12-18, AS AMENDED BY P.L.90-2002,
 9 SECTION 110, IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2003]: Sec. 18. (a) If the assessed value of
 11 residential real property described in subsection (d) is increased
 12 because it has been rehabilitated, the owner may have deducted from
 13 the assessed value of the property an amount not to exceed the lesser
 14 of:

15 (1) the total increase in assessed value resulting from the
 16 rehabilitation; or

17 (2) nine thousand dollars (\$9,000) per rehabilitated dwelling unit.

18 The owner is entitled to this deduction annually for a five (5) year
 19 period.

20 (b) For purposes of this section, the term "rehabilitation" means
 21 significant repairs, replacements, or improvements to an existing
 22 structure which are intended to increase the livability, utility, safety, or
 23 value of the property under rules adopted by the department of local
 24 government finance.

25 (c) For the purposes of this section, the term "owner" or "property
 26 owner" includes any person who has the legal obligation, or has
 27 otherwise assumed the obligation, to pay the real property taxes on the
 28 rehabilitated property.

29 (d) The deduction provided by this section applies only for the
 30 rehabilitation of residential real property which is located within this
 31 state and which is described in one (1) of the following classifications:

32 (1) A single family dwelling if before rehabilitation the assessed
 33 value (excluding any exemptions or deductions) of the
 34 improvements does not exceed ~~eighteen~~ **thirty-eight** thousand
 35 dollars ~~(\$18,000);~~ **(\$38,000).**

36 (2) A two (2) family dwelling if before rehabilitation the assessed
 37 value (excluding exemptions or deductions) of the improvements
 38 does not exceed ~~twenty-four~~ **fifty** thousand dollars ~~(\$24,000);~~
 39 **(\$50,000).** ~~and~~

40 (3) A dwelling with more than two (2) family units if before
 41 rehabilitation the assessed value (excluding any exemptions or
 42 deductions) of the improvements does not exceed ~~nine~~ **nineteen**
 43 thousand dollars ~~(\$9,000)~~ **(\$19,000)** per dwelling unit.

44 SECTION 5. [EFFECTIVE UPON PASSAGE] **(a) The following,**
 45 **all as amended by this act, apply to property taxes first due and**
 46 **payable after December 31, 2003:**

- 1 **(1) IC 6-1.1-12-9.**
- 2 **(2) IC 6-1.1-12-13.**
- 3 **(3) IC 6-1.1-12-14.**
- 4 **(4) IC 6-1.1-12-17.4.**
- 5 **(5) IC 6-1.1-12-18.**
- 6 **(b) Notwithstanding any other law, a property owner entitled to**
- 7 **a deduction for the first time under:**
- 8 **(1) IC 6-1.1-12-9;**
- 9 **(2) IC 6-1.1-12-13;**
- 10 **(3) IC 6-1.1-12-14;**
- 11 **(4) IC 6-1.1-12-17.4; or**
- 12 **(5) IC 6-1.1-12-18;**
- 13 **all as amended by this act, may claim the deduction for property**
- 14 **taxes first due and payable in 2004 if the property owner files the**
- 15 **appropriate deduction application before July 1, 2003.**
- 16 **(c) This SECTION expires December 31, 2004.**
- 17 **SECTION 6. An emergency is declared for this act."**
- 18 Renumber all SECTIONS consecutively.
 (Reference is to HB 1474 as printed February 11, 2003.)

Representative Herrell