

SENATE BILL No. 460

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-1.1-12-17.4.

Synopsis: World War II veteran property tax deduction. Provides that World War II veterans are eligible for a property tax deduction in the same manner as World War I veterans.

Effective: January 1, 2004 (retroactive).

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January 13, 2004, read first time and referred to Committee on Finance.

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Second Regular Session 113th General Assembly (2004)

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 2003 Regular Session of the General Assembly.

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SENATE BILL No. 460



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 6-1.1-12-17.4, AS AMENDED BY P.L.272-2003,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2004 (RETROACTIVE)]: Sec. 17.4. (a) Except as
4 provided in section 40.5 of this chapter, a World War I or **World War**
5 **II** veteran who is a resident of Indiana is entitled to have the sum of
6 nine thousand dollars (\$9,000) deducted from the assessed valuation
7 of the real property (including a mobile home that is assessed as real
8 property), mobile home that is not assessed as real property, or
9 manufactured home that is not assessed as real property the veteran
10 owns or is buying under a contract that requires the veteran to pay
11 property taxes on the real property, if the contract or a memorandum of
12 the contract is recorded in the county recorder's office, if:

- 13 (1) the real property, mobile home, or manufactured home is the
- 14 veteran's principal residence;
- 15 (2) the assessed valuation of the real property, mobile home, or
- 16 manufactured home does not exceed one hundred sixty-three
- 17 thousand dollars (\$163,000); and



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

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

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

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

19 SECTION 2. [EFFECTIVE JANUARY 1, 2004 (RETROACTIVE)]

20 (a) The definitions in IC 6-1.1-1 apply throughout this SECTION.

21 (b) IC 6-1.1-12-17.4, as amended by this act, applies only to
22 property taxes first due and payable after December 31, 2003, for
23 an assessment date after February 28, 2003.

24 (c) Notwithstanding IC 6-1.1-12-17.5, the time in which a person
25 may file the initial application for a deduction under
26 IC 6-1.1-12-17.4, as amended by this act, for property taxes first
27 due and payable in 2004 is extended from before May 11, 2003, to
28 on or before April 30, 2004.

29 (d) The department of local government finance may adopt
30 temporary rules in the manner provided for the adoption of
31 emergency rules under IC 4-22-2-37.1 to implement this
32 SECTION. A temporary rule adopted under this SECTION expires
33 on the earliest of the following:

34 (1) The date another temporary rule is adopted under this
35 SECTION to supersede the previously adopted temporary
36 rule.

37 (2) The date that a permanent rule superseding the temporary
38 rule is adopted and becomes effective under IC 4-22-2.

39 (3) January 1, 2005.

40 SECTION 3. An emergency is declared for this act.

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