

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1055 be amended to read as follows:

1 Page 19, between lines 36 and 37, begin a new paragraph and insert:
2 "SECTION 12. IC 6-1.1-17-20, AS AMENDED BY P.L.1-2004,
3 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 UPON PASSAGE]: Sec. 20. (a) This section applies:
5 (1) to each governing body of a taxing unit that is not comprised
6 of a majority of officials who are elected to serve on the governing
7 body; and
8 (2) if the proposed property tax levy for the taxing unit for the
9 ensuing calendar year is more than five percent (5%) greater than
10 the property tax levy for the taxing unit for the current calendar
11 year.
12 (b) As used in this section, "taxing unit" has the meaning set forth in
13 IC 6-1.1-1-21, except that the term does not include a school
14 corporation.
15 (c) **This subsection does not apply to a public library.** If:
16 (1) the assessed valuation of a taxing unit is entirely contained
17 within a city or town; or
18 (2) the assessed valuation of a taxing unit is not entirely contained
19 within a city or town but the taxing unit was originally established
20 by the city or town;
21 the governing body shall submit its proposed budget and property tax
22 levy to the city or town fiscal body. The proposed budget and levy shall
23 be submitted at least fourteen (14) days before the city or town fiscal
24 body is required to hold budget approval hearings under this chapter.
25 (d) **This subsection does not apply to a public library.** If
26 subsection (c) does not apply, the governing body of the taxing unit
27 shall submit its proposed budget and property tax levy to the county
28 fiscal body in the county where the taxing unit has the most assessed
29 valuation. The proposed budget and levy shall be submitted at least
30 fourteen (14) days before the county fiscal body is required to hold

1 budget approval hearings under this chapter.

2 **(e) This subsection applies to a taxing unit that is a public**
3 **library. The library board of a public library subject to this section**
4 **shall submit its proposed budget and property tax levy to the fiscal**
5 **body designated under IC 20-14-14.**

6 ~~(e)~~ **(f)** The fiscal body of the city, town, or county (whichever
7 applies) **or the fiscal body designated under IC 20-14-14 (in the**
8 **case of a public library)** shall review each budget and proposed tax
9 levy and adopt a final budget and tax levy for the taxing unit. The fiscal
10 body may reduce or modify but not increase the proposed budget or tax
11 levy."

12 Page 37, between lines 7 and 8, begin a new paragraph and insert:
13 "SECTION 23. IC 20-14-14 IS ADDED TO THE INDIANA CODE
14 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
15 PASSAGE]:

16 **Chapter 14. Review of Budgets of Appointed Boards**

17 **Sec. 1. Before an appointed library board described in**
18 **IC 6-1.1-17-20(a) may impose a property tax levy for the public**
19 **library for the ensuing calendar year that is more than five**
20 **percent (5%) greater than the property tax levy for the public**
21 **library for the current calendar year, the library board shall**
22 **submit its proposed budget and property tax levy to the**
23 **appropriate fiscal body under section 2 of this chapter.**

24 **Sec. 2. An appointed library board subject to section 1 of this**
25 **chapter shall submit its proposed budget and property tax levy to**
26 **the following fiscal body at least fourteen (14) days before the**
27 **county board of tax adjustment is required to hold budget approval**
28 **hearings under IC 6-1.1:**

29 **(1) If the library district is located entirely within the**
30 **corporate boundaries of a municipality, the fiscal body of the**
31 **municipality.**

32 **(2) If the library district:**

33 **(A) is not described by subdivision (1); and**

34 **(B) is located entirely within the boundaries of a township;**

- 1 **the fiscal body of the township.**
- 2 **(3) If the library district is not described by subdivision (1) or**
- 3 **(2), the fiscal body of each county in which the library district**
- 4 **is located."**

5 Renumber all SECTIONS consecutively.
(Reference is to EHB 1055 as printed February 17, 2004.)

Senator BORST