

# SENATE MOTION

**MADAM PRESIDENT:**

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

- 1           Page 34, between lines 1 and 2, begin a new paragraph and insert:  
2           "SECTION 20. IC 6-3.5-7-22.5, AS AMENDED BY P.L.224-2003,  
3           SECTION 258, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           JULY 1, 2004]: Sec. 22.5. (a) This section applies to a county having  
5           a population of more than twenty-seven thousand four hundred  
6           (27,400) but less than twenty-seven thousand five hundred (27,500).  
7           (b) In addition to the rates permitted by section 5 of this chapter, the  
8           county council may impose the county economic development income  
9           tax at a rate of twenty-five hundredths percent (0.25%) on the adjusted  
10           gross income of county taxpayers if the county council makes the  
11           finding and determination set forth in subsection (c).  
12           (c) In order to impose the county economic development income tax  
13           as provided in this section, the county council must adopt an ordinance  
14           finding and determining that revenues from the county economic  
15           development income tax are needed to pay the costs of:  
16           (1) financing, **constructing, acquiring, renovating, and**  
17           **equipping the county courthouse,** and financing and renovating  
18           the former county hospital for additional office space, educational  
19           facilities, nonsecure juvenile facilities, and other county functions,  
20           including the repayment of bonds issued, or leases entered into for  
21           **constructing, acquiring, renovating, and equipping the county**  
22           **courthouse and for** renovating the former county hospital for  
23           additional office space, educational facilities, nonsecure juvenile  
24           facilities, and other county functions;  
25           (2) financing constructing, acquiring, renovating, and equipping  
26           buildings for a volunteer fire department (as defined in  
27           IC 36-8-12-2) that provides services in any part of the county;  
28           and  
29           (3) financing constructing, acquiring, and renovating firefighting  
30           apparatus or other related equipment for a volunteer fire

1 department (as defined in IC 36-8-12-2) that provides services in  
2 any part of the county.

3 ~~The revenues from the county economic development income tax~~  
4 ~~imposed under this section may not be used to pay the costs of~~  
5 ~~financing constructing, acquiring, renovating, and equipping the county~~  
6 ~~courthouse.~~

7 (d) If the county council makes a determination under subsection  
8 (c), the county council may adopt a tax rate under subsection (b). The  
9 tax rate may not be imposed at a rate or for a time greater than is  
10 necessary to pay for the purposes described in this section.

11 (e) The county treasurer shall establish a county option tax revenue  
12 fund to be used only for the purposes described in this section. County  
13 economic development income tax revenues derived from the tax rate  
14 imposed under this section shall be deposited in the county option tax  
15 revenue fund before making a certified distribution under section 11 of  
16 this chapter.

17 (f) County economic development income tax revenues derived from  
18 the tax rate imposed under this section:

- 19 (1) may only be used for the purposes described in this section;
- 20 (2) may not be considered by the department of local government
- 21 finance in determining the county's maximum permissible property
- 22 tax levy limit under IC 6-1.1-18.5; and
- 23 (3) may be pledged to the repayment of bonds issued, or leases
- 24 entered into, for the purposes described in subsection (c).

- 25 (g) A county described in subsection (a) possesses:
  - 26 (1) unique fiscal challenges to finance the operations of county
  - 27 government due to the county's ongoing obligation to repay
  - 28 amounts received by the county due to an overpayment of the
  - 29 county's certified distribution under IC 6-3.5-1.1-9 for a prior
  - 30 year; and
  - 31 (2) unique capital financing needs related to the purposes
  - 32 described in subsection (c)."

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

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Senator PAUL