

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 435 be amended to read as follows:

- 1 Page 1, delete lines 12 through 17.
- 2 Delete page 2.
- 3 Page 3, delete lines 1 through 13, begin a new paragraph and insert:
- 4 "SECTION 2. IC 36-8-15-19 IS AMENDED TO READ AS
- 5 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 19. (a) ~~This subsection~~
- 6 ~~applies to a county not having a consolidated city.~~ For the purpose of
- 7 raising money to fund the operation of the district, the county fiscal
- 8 body may impose, for property taxes first due and payable during each
- 9 year after the adoption of an ordinance establishing the district, an ad
- 10 valorem property tax levy on property within the district. The property
- 11 tax rate for ~~that~~ a levy for:
- 12 (1) a county that:
- 13 (A) has a consolidated city; or
- 14 (B) has a population of more than one hundred eighty-two
- 15 thousand seven hundred ninety (182,790) but less than two
- 16 hundred thousand (200,000);
- 17 may not exceed five cents (\$0.05) on each one hundred dollars
- 18 (\$100) of assessed valuation; or
- 19 (2) a county not described in subdivision (1) may not exceed
- 20 one cent (\$0.01) on each one hundred dollars (\$100) of
- 21 assessed valuation.
- 22 A property tax rate imposed by a county under this subsection is
- 23 subject to the county's levy limitations imposed under
- 24 IC 6-1.1-18.5-3.

1 (b) ~~This subsection applies to a county having a consolidated city.~~
 2 The county fiscal body may elect to fund the operation of the district
 3 from part of the certified distribution, if any, that the county is to
 4 receive during a particular calendar year under **IC 6-3.5-1.1-11** or
 5 IC 6-3.5-6-17. To make such an election, the county fiscal body must
 6 adopt an ordinance before September 1 of the immediately preceding
 7 calendar year. The county fiscal body must specify in the ordinance the
 8 amount of the certified distribution that is to be used to fund the
 9 operation of the district. If the county fiscal body adopts such an
 10 ordinance, it shall immediately send a copy of the ordinance to the
 11 county auditor.

12 (c) Subject to subsections (d), (e), and (f), if an ordinance or
 13 resolution is adopted changing the territory covered by the district or
 14 the number of public agencies served by the district, the local
 15 government tax control board shall, for property taxes first due and
 16 payable during the year after the adoption of the ordinance, adjust the
 17 maximum permissible ad valorem property tax levy limits of ~~the~~
 18 **district and the units any cities, towns, or townships** participating in
 19 the district.

20 (d) If a **unit city, town, or township** by ordinance or resolution
 21 joins the district, ~~or elects to have its public safety agencies served by~~
 22 **the district**, the local government tax control board shall reduce the
 23 maximum permissible ad valorem property tax levy of the **joining** unit
 24 for property taxes first due and payable during the year after the
 25 adoption of the ordinance or resolution. The reduction shall be based
 26 on the amount budgeted by the **joining** unit for public safety
 27 communication services in the year in which the ordinance **or**
 28 **resolution** was adopted. ~~If such an ordinance or resolution is adopted;~~
 29 **the district shall refer its proposed budget, ad valorem property tax**
 30 **levy, and property tax rate for the following year to the board, which**
 31 **shall review and set the budget, levy, and rate as though the district**
 32 **were covered by IC 6-1.1-18.5-7.**

33 (e) ~~This subsection applies to a city, town, or township if a unit~~
 34 **that** by ordinance or resolution withdraws from the district. ~~or rescinds~~
 35 **its election to have its public safety agencies served by the district. the**
 36 **local government tax control board shall reduce the maximum**
 37 **permissible ad valorem property tax levy of the district for property**
 38 **taxes first due and payable during the year after the adoption of the**
 39 **ordinance or resolution. The reduction shall be based on the amounts**
 40 **being levied by the district within that unit. If such an ordinance or**
 41 **resolution is adopted; The withdrawing unit shall refer its proposed**
 42 **budget, ad valorem property tax levy, and property tax rate for public**
 43 **safety communication services to the board, which shall review and set**
 44 **the budget, levy, and rate as though the withdrawing unit were**
 45 **covered by IC 6-1.1-18.5-7.**

46 (f) The adjustments provided for in subsections (c), (d), and (e) do

- 1 not apply to a district or unit located in a particular county if the county
- 2 fiscal body of that county does not impose an ad valorem property tax
- 3 levy under subsection (a) to fund the operation of the district."
- 4 Renumber all SECTIONS consecutively.
 (Reference is to ESB 435 as printed March 23, 2007.)

Representative Crawford