

Adopted	Rejected
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# COMMITTEE REPORT

<b>YES:</b>	<b>14</b>
<b>NO:</b>	<b>3</b>

## MR. SPEAKER:

*Your Committee on Ways and Means, to which was referred Senate Bill 435, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

1           Page 1, after line 11, begin a new paragraph and insert:  
2           "SECTION 2. IC 36-8-15-19 IS AMENDED TO READ AS  
3           FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 19. (a) This subsection  
4           applies to a county not having a consolidated city. For the purpose of  
5           raising money to fund the operation of the district, the county fiscal  
6           body may impose, for property taxes first due and payable during each  
7           year after the adoption of an ordinance establishing the district, an ad  
8           valorem property tax levy on property within the district. The property  
9           tax rate for ~~that~~ a levy for:  
10           **(1) a county that has a population of more than one hundred**  
11           **eighty-two thousand seven hundred ninety (182,790) but less**  
12           **than two hundred thousand (200,000) may not exceed five**  
13           cents (\$0.05) on each one hundred dollars (\$100) of assessed  
14           valuation; or

1           **(2) a county not described in subdivision (1) may not exceed**  
2           **one cent (\$0.01) on each one hundred dollars (\$100) of**  
3           **assessed valuation.**

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

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

21          (d) If a unit by ordinance or resolution joins the district or elects to  
22          have its public safety agencies served by the district, the local  
23          government tax control board shall reduce the maximum permissible  
24          ad valorem property tax levy of the unit for property taxes first due and  
25          payable during the year after the adoption of the ordinance or  
26          resolution. The reduction shall be based on the amount budgeted by the  
27          unit for public safety communication services in the year in which the  
28          ordinance 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) If a unit by ordinance or resolution withdraws from the district  
34          or rescinds its election to have its public safety agencies served by the  
35          district, the local government tax control board shall reduce the  
36          maximum permissible ad valorem property tax levy of the district for  
37          property taxes first due and payable during the year after the adoption  
38          of the ordinance or resolution. The reduction shall be based on the

1 amounts being levied by the district within that unit. If such an  
2 ordinance or resolution is adopted, the unit shall refer its proposed  
3 budget, ad valorem property tax levy, and property tax rate for public  
4 safety communication services to the board, which shall review and set  
5 the budget, levy, and rate as though the unit were covered by  
6 IC 6-1.1-18.5-7.

7 (f) The adjustments provided for in subsections (c), (d), and (e) do  
8 not apply to a district or unit located in a particular county if the county  
9 fiscal body of that county does not impose an ad valorem property tax  
10 levy under subsection (a) to fund the operation of the district."

(Reference is to ESB 435 as printed March 16, 2007.)

**and when so amended that said bill do pass.**

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Representative Crawford