

**LEGISLATIVE SERVICES AGENCY
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FISCAL IMPACT STATEMENT

LS 6382

BILL NUMBER: HB 1046

NOTE PREPARED: Feb 21, 2011

BILL AMENDED: Feb 17, 2011

SUBJECT: Property Tax Deduction for New Unsold Residences.

FIRST AUTHOR: Rep. Crouch

FIRST SPONSOR: Sen. Hershman

BILL STATUS: As Passed House

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: Local

Summary of Legislation: This bill provides a 100% property tax deduction to a residential builder for a single family residence, townhouse, or condominium that has never been occupied as a principal residence. The deduction terminates when title to the structure is transferred to the homeowner. It applies for one assessment date for which the structure is assessed as partially completed and not more than three assessment dates for which the structure is assessed as fully completed. The bill also provides that a residential builder may not claim deductions for more than three residences in Indiana per assessment date.

Effective Date: Upon passage; January 1, 2011 (retroactive).

Explanation of State Expenditures:

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues: Under current law, new homes that are complete but unoccupied on the assessment date are assessed as any other home. The assessments for homes that are partially complete on the assessment date are prorated. The owner of a model home may receive a 50% AV deduction for up to three years. Each owner is limited to three model home deductions, statewide.

Under this bill, beginning with taxes payable in 2012, up to 3 new single-family residences, townhouses, and condominiums that are held by a residential builder and have never been occupied as a primary residence would qualify for a 100% deduction. The deduction would apply for up to one year while partially complete

and up to three years after completion. The deduction would be terminated for a year if the property is transferred after March 1st but not later than December 31st. The deduction could not be claimed in a TIF area. The 3 home limit for each owner would apply statewide.

The delay of adding future new home AV to the base would delay the normally occurring tax shift from existing properties to the new homes until the homes are sold.

State Agencies Affected:

Local Agencies Affected: County auditors.

Information Sources:

Fiscal Analyst: Bob Sigalow, 317-232-9859.