



SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1109 be amended to read as follows:

- 1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
2 "SECTION 1. IC 6-1.1-20.6-9.9, AS ADDED BY P.L.120-2014,
3 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2016]: Sec. 9.9. **(a) If a school corporation in 2017 or 2018**
5 **issues new bonds or enters into a new lease rental agreement for**
6 **which the school corporation is imposing or will impose a debt**
7 **service levy other than:**
8 **(1) to refinance or renew prior bond or lease rental**
9 **obligations existing before January 1, 2017; or**
10 **(2) indebtedness that is approved in a local public question or**
11 **referendum under IC 6-1.1-20 or any other law;**
12 **the school corporation is not eligible to allocate credits**
13 **proportionally under this section.**
14 ~~(a)~~ **(b) Subject to subsection (a),** a school corporation is eligible to
15 allocate credits proportionately under this section for ~~2014, 2015, or~~
16 ~~2016, 2017, or 2018~~ if the school corporation's percentage computed
17 under this subsection is at least ten percent (10%) for its transportation
18 fund levy for that year, as certified by the department of local
19 government finance. A school corporation shall compute its percentage
20 under this subsection as follows:
21 (1) Compute the amount of credits granted under this chapter
22 against the school corporation's levy for the school corporation's
23 transportation fund.
24 (2) Compute the school corporation's levy for the school
25 corporation's transportation fund.
26 (3) Divide the amount computed under subdivision (1) by the
27 amount computed under subdivision (2) and express it as a

- 1 percentage.
 2 The computation must be made by taking into account the requirements
 3 of section 9.8 of this chapter regarding protected taxes and the impact
 4 of credits granted under this chapter on the revenue to be distributed to
 5 the school corporation's transportation fund for the particular year.
- 6 ~~(b)~~ (c) A school corporation that desires to be an eligible school
 7 corporation under this section must, before May 1 of the year for which
 8 it wants a determination, submit a written request for a certification by
 9 the department of local government finance that the computation of the
 10 school corporation's percentage under subsection ~~(a)~~ (b) is correct. The
 11 department of local government finance shall, not later than June 1 of
 12 that year, determine whether the percentage computed by the school
 13 corporation is accurate and certify whether the school corporation is
 14 eligible under this section.
- 15 ~~(e)~~ (d) For a school corporation that is certified as eligible under this
 16 section, the school corporation may allocate the effect of the credits
 17 granted under this chapter proportionately among all the school
 18 corporation's property tax funds that are not exempt under section
 19 7.5(b) or 7.5(c) of this chapter, based on the levy for each fund and
 20 without taking into account the requirements of section 9.8 of this
 21 chapter regarding protected taxes."
- 22 Page 2, delete lines 1 through 27.
 23 Page 3, line 13, delete "shall:" and insert "shall,".
 24 Page 3, line 14, after "thereafter" insert "**before April 1 of each**
 25 **year**,".
 26 Page 3, delete lines 15 through 16.
 27 Page 3, run in lines 14 through 17.
 28 Page 9, line 1, delete "P.L.1001-2015" and insert "**P.L.213-2015**
 29 **(HEA 1001-2015)**".
 (Reference is to EHB 1109 as printed February 23, 2016.)

Senator MISHLER