

HOUSE BILL No. 1071

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-1.1-26-4.2.

Synopsis: Property tax refunds. Provides that when a taxpayer is owed \$100,000 or more as the result of a real property tax assessment appeal, the county auditor may, in installments and over a period of not more than five years: (1) apply credits to future property tax installments for the property; or (2) issue a refund.

Effective: July 1, 2020.

Schaibley

January 6, 2020, read first time and referred to Committee on Ways and Means.



Second Regular Session of the 121st General Assembly (2020)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2019 Regular Session of the General Assembly.

HOUSE BILL No. 1071



A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-1.1-26-4.2 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2020]: **Sec. 4.2. (a) This section does not**
4 **apply if any refund for a property under appeal has been paid**
5 **before May 1, 2015. Except as modified by this section, all other**
6 **provisions of IC 6-1.1 apply regarding the payment of refunds and**
7 **application of credits.**
8 **(b) If, upon conclusion of a real property tax assessment appeal,**
9 **the total amount of property taxes owed to the taxpayer as a result**
10 **of the appeal is one hundred thousand dollars (\$100,000) or more**
11 **for the assessment dates under appeal, the auditor of the county in**
12 **which the property is located may, instead of a refund, elect to**
13 **apply credits in equal installments to future property tax**
14 **installments for the property over a period of not more than five**
15 **(5) years following the date of the conclusion of the assessment**
16 **appeal. The auditor may elect to accelerate credits or to provide a**
17 **full or partial refund within the five (5) year period.**



1 **(c) Notwithstanding subsection (b), if a claimant is no longer the**
2 **taxpayer for the property on which the appeal was filed, the**
3 **overpayment shall not be applied as a credit and the overpayment**
4 **may be refunded in equal installments over a period of not more**
5 **than five (5) years.**

