

SECTION 502. [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: (a) The definitions in IC 6-1.1-1 apply throughout this SECTION.

(b) This SECTION applies to a homestead (as defined in IC 6-1.1-20.9-1, before its repeal) that:

(1) was owned by a trust and occupied by an individual as described in IC 6-1.1-12-17.9 with respect to:

(A) the assessment dates in 2007 and 2008 if the homestead is real property; or

(B) the assessment dates in 2008 and 2009 if the homestead is:

(i) a mobile home; or

(ii) a manufactured home;

that is not assessed as real property; and

(2) received a homestead credit under IC 6-1.1-20.9 (before its repeal) for property taxes first due and payable in 2008.

(c) For property taxes first due and payable in 2010, a homestead is entitled to a credit under this SECTION in the amount of the remainder of:

(1) the amount of property taxes the trust paid with respect to the homestead for taxes first due and payable in 2009; minus

(2) the amount of property taxes for which the trust would have been liable with respect to the homestead for taxes first due and payable in 2009 if for that year the following had applied:

(A) The standard deduction under IC 6-1.1-12-37 in effect on July 1, 2009.

(B) All other deductions and credits that would have applied if the standard deduction under IC 6-1.1-12-37 in effect on July 1, 2009, had applied.

(d) The credit under subsection (c) applies proportionately to all installments of property taxes first due and payable in 2010.

(e) Interest does not apply in the determination of the amount of the credit under this SECTION.

(f) A trust is not required to apply for the credit under this SECTION. The department of local government finance shall prescribe the method of determining the amount of the credit. The county auditor and the county treasurer shall identify the homesteads eligible for the credit and apply the credit.

(g) Subject to IC 6-1.1-17-0.5(e), the county auditor may reduce a taxing unit's assessed value in the manner permitted under IC 6-1.1-17-0.5(d) to enable the taxing unit to absorb the effects of reduced property tax collections for taxes first due and payable in 2010 that are expected to result from credits applied under this SECTION.

(h) This SECTION expires January 1, 2012.

SECTION 503. [EFFECTIVE UPON PASSAGE] (a) Notwithstanding any other law, a local public question described in subsection (c) shall be placed on the ballot at a special election to be held on November 3, 2009, in the county in which a political subdivision created under IC 16-22-8 is located if:

(1) the board of the political subdivision adopts a resolution requesting the county auditor to certify the public question to the county election board and requesting the county election board to place the public question on the ballot at the special election;



(2) the political subdivision submits the resolution to the county auditor and the county election board before August 1, 2009.

(b) Notwithstanding any other law, a political subdivision created under IC 16-22-8 that meets the requirements of subsection (a) shall, before October 1, 2009:

(1) conduct a public hearing described in IC 6-1.1-20-3.5(b)(1);

(2) adopt a resolution making a preliminary determination to issue the bonds or enter into the lease referred to in the local public question described in subsection (c); and

(3) give notice of the preliminary determination in the manner described in IC 6-1.1-20-3.5(b)(2), with the notice containing the information required by IC 6-1.1-20-3.5(b)(3), except that with respect to the information required by IC 6-1.1-20-3.5(b)(3)(E) the notice need only state that the proposed debt service or lease payments must be approved in an election on the local public question to be held on November 3, 2009.

(c) The local public question under this SECTION shall be as follows:

"Shall the Health and Hospital Corporation of Marion County, Indiana, issue bonds or enter into a lease to finance (insert the description of the project)?"

(d) This SECTION expires December 31, 2009.

SECTION 504. [EFFECTIVE JULY 1, 2009] (a) This SECTION applies to towns (as defined in IC 36-1-2-21).

(b) The definitions set forth in IC 6-2.3-1 apply to this SECTION.

(c) This SECTION applies only to a taxable year ending in 2003 or 2004.

(d) A town may claim a refund for gross income taxes erroneously paid under IC 6-2.1 (before its repeal), if the town paid both:

(1) the gross income tax imposed by IC 6-2.1 (before its repeal); and

(2) the utilities receipts tax imposed by IC 6-2.3;

for the same taxable year.

(e) The department shall prescribe the form and procedure that a town must use to claim its refund.

(f) This SECTION expires December 31, 2009.

SECTION 505. IC 1-1-3.2 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

**Chapter 3.2. Effective Dates of HEA 1001(ss)-2009**

**Sec. 1. (a) This chapter applies only to HEA 1001(ss)-2009.**

**(b) IC 1-1-3.1 does not apply to HEA 1001(ss)-2009.**

**Sec. 2. Notwithstanding IC 1-1-3.1, the effective dates of the SECTIONS in HEA 1001(ss)-2009 are as specified in HEA 1001(ss)-2009, even if:**

**(1) the governor signs HEA 1001(ss)-2009 into law after June 30, 2009;**

**(2) the governor allows HEA 1001(ss)-2009 to become law without the governor's signature under Article 5, Section 14(a)(3) of the Constitution of the State of Indiana after June 30, 2009; or**

**(3) the governor vetoes HEA 1001(ss)-2009 and the general assembly subsequently overrides the veto of HEA 1001(ss)-2009.**

SECTION 506. [EFFECTIVE UPON PASSAGE] (a) The general assembly may convene a technical session of the general assembly before October 1, 2009.

