

HOUSE BILL No. 1180

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-1.1-12-11.

Synopsis: Blind and disabled property tax deduction. Increases, from \$17,000 to \$22,000, the taxable gross income limitation for the residential real property tax deduction for an individual who is blind or is an individual with a disability beginning with the January 1, 2017, assessment date.

Effective: January 1, 2017 (retroactive).

Kersey

January 9, 2017, read first time and referred to Committee on Ways and Means.



First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

HOUSE BILL No. 1180

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 6-1.1-12-11, AS AMENDED BY P.L.148-2015,
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2017 (RETROACTIVE)]: Sec. 11. (a) Except as
4 provided in section 40.5 of this chapter, an individual may have the
5 sum of twelve thousand four hundred eighty dollars (\$12,480) deducted
6 from the assessed value of real property, mobile home not assessed as
7 real property, or manufactured home not assessed as real property that
8 the individual owns, or that the individual is buying under a contract
9 that provides that the individual is to pay property taxes on the real
10 property, mobile home, or manufactured home, if the contract or a
11 memorandum of the contract is recorded in the county recorder's office,
12 and if:
13 (1) the individual is blind or the individual has a disability;
14 (2) the real property, mobile home, or manufactured home is
15 principally used and occupied by the individual as the individual's
16 residence;
17 (3) the individual's taxable gross income for the calendar year



1 preceding the year in which the deduction is claimed did not
2 exceed:

- 3 **(A) twenty-two thousand dollars (\$22,000) for an**
4 **assessment date occurring after December 31, 2016; and**
5 **(B) seventeen thousand dollars (\$17,000) for an assessment**
6 **date occurring before January 1, 2017; and**

7 (4) the individual:

8 (A) owns the real property, mobile home, or manufactured
9 home; or

10 (B) is buying the real property, mobile home, or manufactured
11 home under contract;

12 on the date the statement required by section 12 of this chapter is
13 filed.

14 (b) For purposes of this section, taxable gross income does not
15 include income which is not taxed under the federal income tax laws.

16 (c) For purposes of this section, "blind" has the same meaning as the
17 definition contained in IC 12-7-2-21(1).

18 (d) For purposes of this section, "individual with a disability" means
19 a person unable to engage in any substantial gainful activity by reason
20 of a medically determinable physical or mental impairment which:

21 (1) can be expected to result in death; or

22 (2) has lasted or can be expected to last for a continuous period of
23 not less than twelve (12) months.

24 (e) An individual with a disability filing a claim under this section
25 shall submit proof of the disability. Proof that a claimant is eligible to
26 receive disability benefits under the federal Social Security Act (42
27 U.S.C. 301 et seq.) shall constitute proof of disability for purposes of
28 this section.

29 (f) An individual with a disability not covered under the federal
30 Social Security Act shall be examined by a physician and the
31 individual's status as an individual with a disability determined by
32 using the same standards as used by the Social Security Administration.
33 The costs of this examination shall be borne by the claimant.

34 (g) An individual who has sold real property, a mobile home not
35 assessed as real property, or a manufactured home not assessed as real
36 property to another person under a contract that provides that the
37 contract buyer is to pay the property taxes on the real property, mobile
38 home, or manufactured home may not claim the deduction provided
39 under this section against that real property, mobile home, or
40 manufactured home.

41 SECTION 2. [EFFECTIVE JANUARY 1, 2017 (RETROACTIVE)]

42 **(a) IC 6-1.1-12-11, as amended by this act, applies to assessment**



1 **dates after December 31, 2016.**
2 **(b) This SECTION expires June 30, 2018.**
3 **SECTION 3. An emergency is declared for this act.**

