

#### **IC 6-1.1-12.7**

### **Chapter 12.7. Deduction for Personal Property Within a Certified Technology Park**

#### **IC 6-1.1-12.7-1**

##### **"Certified technology park"**

Sec. 1. As used in this chapter, "certified technology park" refers to a certified technology park that is:

- (1) established under IC 36-7-32; and
- (2) certified as of the assessment date for which the deduction under this chapter is claimed.

*As added by P.L.113-2010, SEC.28.*

#### **IC 6-1.1-12.7-2**

##### **"High technology activity"**

Sec. 2. As used in this chapter, "high technology activity" has the meaning set forth in IC 36-7-32-7.

*As added by P.L.113-2010, SEC.28.*

#### **IC 6-1.1-12.7-3**

##### **"Qualified personal property"**

Sec. 3. As used in this chapter, "qualified personal property" means personal property that is:

- (1) assessed for the first time after December 31, 2010;
- (2) located within a certified technology park;
- (3) primarily used to conduct high technology activity; and
- (4) not part of the assessed value for which a personal property tax allocation has been made for the payment of the principal of and interest on bonds or lease rentals under IC 5-28-26, IC 6-1.1-39, IC 8-22-3.5, IC 36-7-14, IC 36-7-14.5, IC 36-7-15.1, IC 36-7-30, IC 36-7-30.5, or IC 36-7-32.

The term does not include personal property that is used primarily for routine administrative purposes such as office communications, accounting, record keeping, and human resources.

*As added by P.L.113-2010, SEC.28.*

#### **IC 6-1.1-12.7-4**

##### **Ordinance authorizing deduction**

Sec. 4. (a) A county fiscal body may adopt an ordinance providing that a deduction applies to the assessed value of qualified personal property located in the county. The deduction is equal to one hundred percent (100%) of the assessed value of qualified personal property located in the county for each calendar year specified in the ordinance. An ordinance adopted under this section must be adopted before January 1 of the first assessment year for which a taxpayer may claim a deduction under the ordinance.

(b) An ordinance adopted under subsection (a) must specify the number of assessment years that a deduction is allowed under this chapter. However, a deduction may not be allowed for:

- (1) less than two (2) assessment years; or

(2) more than ten (10) assessment years.

(c) The fiscal body shall send a certified copy of the ordinance adopted under subsection (a) to the county assessor, the county auditor, and the Indiana economic development corporation. Subject to this chapter, the fiscal body's determination of the number of years the deduction is allowed is final and may not be changed.

(d) An ordinance adopted under subsection (a) may not allow a deduction for qualified personal property installed after March 1, 2015.

*As added by P.L.113-2010, SEC.28.*

#### **IC 6-1.1-12.7-5**

##### **Review; Indiana economic development corporation**

Sec. 5. The Indiana economic development corporation shall review an ordinance adopted under this chapter and determine whether it is in the best interest of the development of the certified technology park to permit the deduction. The Indiana economic development corporation, after conducting a hearing, may approve the ordinance, approve the ordinance with modifications, or disapprove the ordinance. An owner of qualified personal property is eligible for a deduction under this chapter only to the extent permitted under an ordinance (as modified by the Indiana economic development corporation) that is approved under this section.

*As added by P.L.113-2010, SEC.28.*

#### **IC 6-1.1-12.7-6**

##### **Certified deduction schedule; review by county assessor; appeal**

Sec. 6. (a) To obtain the deduction under this chapter, an owner of qualified personal property must file a certified deduction schedule with the county assessor in which the qualified personal property is located. The department of local government finance shall prescribe the form of the schedule. A schedule must be filed for each year the deduction is being claimed.

(b) The schedule must be filed with:

(1) a timely personal property return under IC 6-1.1-3-7(a) or IC 6-1.1-3-7(b); or

(2) a timely amended personal property return under IC 6-1.1-3-7.5.

The county assessor shall forward to the county auditor a copy of each schedule filed.

(c) The schedule must contain at least the following information:

(1) The name of the owner of the qualified personal property.

(2) A description of the qualified personal property and the address of the real estate on which it is located.

(3) Documentation that the qualified personal property is located within a certified technology park.

(4) Documentation that the qualified personal property is primarily used to conduct high technology activity.

(d) The deduction applies to the qualified personal property claimed in a schedule. However, the county assessor may:

- (1) review the schedule; and
- (2) before the March 1 that next succeeds the assessment date for which the deduction is claimed, deny or alter the amount of the deduction.

If the county assessor does not deny the deduction, the county auditor shall apply the deduction in the amount claimed in the schedule or in the amount as altered by the county assessor. A county assessor who denies a deduction under this subsection or alters the amount of the deduction shall notify the person that claimed the deduction and the county auditor of the assessor's determination.

(e) A person may appeal a determination by the county assessor to deny or alter the amount of the deduction by requesting in writing, not more than forty-five (45) days after the county assessor gives the person notice of the determination, a meeting with the county assessor. An appeal initiated under this subsection must be processed and determined in the same manner that an appeal is processed and determined under IC 6-1.1-15. However, the county assessor may not participate in any action the county property tax assessment board of appeals takes with respect to an appeal of a determination by the county assessor.

*As added by P.L.113-2010, SEC.28.*