

## GIA

Run Time: Friday, Feb-08-2008, 04:23 PM

**HB1001 Property tax relief.** ([Crawford](#), [Kenley](#))

### Digest

Eliminates: (1) school tuition support levies; (2) school transportation fund levies; (3) county medical assistance to wards fund levies; (4) family and children's fund levies; (5) children's psychiatric residential treatment services fund levies; (6) children with special health care needs county fund levies; (7) the state forestry fund levy; (8) the state fair fund levy; (9) the department of local government finance data base management levy; and (10) levies to pay for incarceration of juvenile delinquents in department of correction facilities. Increases the circuit breaker credit for homesteads, certain rental property, residential mobile home parks, agricultural property, and property of certain lower and moderate income senior citizens. Provides an additional supplemental standard deduction for homesteads. Permits senior citizens to defer the payment of part of the property taxes that would otherwise be due on a homestead. Provides an additional homestead credit for 2008. Eliminates state reimbursed homestead credits, property tax replacement credits, and tax increment financing credits after 2008. Permits a sales disclosure statement to be used as an application for a homestead credit and a standard deduction. Transfers the assessment duties of township assessors and assessor-trustees to the county assessor. Revises assessment standards for strip-mined property, improvements to residential property, integrated steel mills, and oil refinery and petrochemical companies. Provides that noncompliance with assessment rules and policies is evidence that an assessment is incorrect. Changes the 100% deduction for inventory into an exemption. Requires the department of local government finance to establish a uniform and common property tax management system. Increases the state adjusted gross income renter's deduction, property tax deduction (for taxpayers who pay 2007 property taxes in 2008), and earned income tax credit. Imposes additional spending and property tax levy limits on political subdivisions, eliminates excessive levy appeals, and requires spending and levies in excess of the tax and spending limits to be approved in a referendum. Transfers the duties of the county board of tax and capital projects review to the county council. Requires the county council to review budgets, tax levies, and tax rates of all political subdivisions in a county. Requires nonelected bodies to get the approval of a city, town, or county fiscal body before issuing certain bonds or entering into certain leases. Requires school corporations to obtain approval for certain bond issues and lease agreements in a referendum and to use standardized school building plans. Replaces the authority of a county to impose three additional local option income tax rates (i.e., annual levy growth rate; public safety rate; property tax replacement credit rate) with a single rate not to exceed 1%. Preserves rates imposed before January 1, 2008. Requires a study of the formulas used to distribute local option income taxes. Permits counties to retain surplus property tax rebate distributions. Increases the gross retail and use tax to 7%. Provides adoption subsidy procedures and procedures for adjudicating and treating children in need of services and delinquent children. Establishes a school contingency and reserve account. Establishes the transportation study committee. Makes related changes. Makes appropriations.

Date	Action
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02/05/2008	S: <b>Committee Sched</b> 9:00 AM Room 431 <a href="#">Tax and Fiscal Policy</a>
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**HB1010 Tax procedures.** ([Crawford](#), [Kenley](#))

## Digest

Authorizes the department of local government finance (DLGF) and local governments to take certain actions related to property taxes first due and payable in 2007. Extends to October 15, 2007, the deadline for filing for the homestead credit and various deductions for taxes first due and payable in 2008. Provides that a taxpayer is not required to have an appraisal of tangible property in order to initiate and prosecute an administrative review of the assessment of the property. Extends to December 31, 2007, the deadline applicable in 2007 for adopting the local option income taxes for freezing levy growth, for public safety, and for property tax relief. Provides that an ordinance to impose such a local option income tax that was adopted after the August 1 deadline for adoption is legalized and validated. Deletes the requirement that, for purposes of calculating a local option income tax rate to freeze levy growth, the DLGF shall round up to the nearest 0.1%. Provides that the additional 2008 homestead credit shall be applied before the application of any local property tax replacement credits or increases in the homestead credit percentage that are funded by the local option income tax for property tax relief. Allows a county legislative body to adopt an ordinance providing that the refund of a taxpayer's additional 2007 homestead credit must be applied first against any delinquent property taxes owed in the county by the taxpayer. (Current law requires the refund to be applied against delinquent property taxes.) Makes a technical correction to the assessed value growth quotient statute. Provides that if the balance available in the property tax reduction trust fund is insufficient to pay the spring installment of the additional 2008 homestead credit, the auditor of state shall transfer the amount necessary from the state general fund. Requires the amount of the transfers to be repaid from the property tax reduction trust fund to the state general fund according to a schedule determined by the budget agency.

Date	Action	
11/26/2007	Public Law	P.L. 1

**HB1047** *Local time zone public question.* ([Demkowski](#), [Brodén](#))

## Digest

Authorizes the placement of a local public question on the ballot in a county located on the boundary between the Central Time Zone and the Eastern Time Zone asking the voters of the county whether the county executive should petition the United States Department of Transportation to initiate proceedings to change the time zone in which the county is located. Provides that if the voters of the county approve the public question and the governor supports the county's petition, the county executive shall petition the Department of Transportation to initiate proceedings to change the time zone in which the county is located.

Date	Action	
01/29/2008	S: 1st Reading	Assigned <a href="#">Rules and Legislative Procedure</a>

**HB1129** *Archeology.* ([Pierce](#), [Merritt](#))

## Digest

Redefines "artifact", and changes the date used in determining whether an object or feature is an artifact. Redefines "burial ground" to include certain historic sites. Redefines "plan" to include a plan for excavation of ground related to construction. Exempts qualified professional archeologists who conduct phase 1a archeological surveys from certain archeological restrictions. Establishes criminal penalties

for certain actions that disturb human remains. Requires the department of natural resources (department) to take action on archeology and development plans within 60 days. Requires a person disturbing ground to use reasonable care and diligence to determine if the ground that may be disturbed is within 100 feet of a burial ground. Requires a person who disturbs buried human remains or artifacts to cease disturbing the remains or artifacts and the surrounding area within 100 feet, and makes it a Class A infraction to fail to do so. Includes excavating or covering over the ground a prohibited activity within 100 feet of the limits of a burial ground. Establishes certain requirements for development plans and archeological plans. Applies certain notice requirements to a person who disturbs burial grounds. Requires the department to respond within ten business days after receiving notice of a discovered artifact or burial object. Makes reports concerning the location of historical or archeological sites confidential under some circumstances. Allows certain persons to accompany a conservation officer to investigate a violation of historic preservation and archeology law. Establishes a fund to assist private homeowners who accidentally discover an artifact, a burial object, or human remains and need assistance to comply with an approved archeological or development plan. Allows a court to order restitution for certain costs related to the violation of historic preservation and archeology law. Makes it a Class D felony to possess looted property and a Class C felony if the cost of carrying out an archeological investigation on the site that was damaged to obtain the looted property is more than \$100,000. Provides that a disinterment under a plan approved by the department is exempt from other disinterment procedures. Repeals and relocates the definition of "conservation officer". Makes conforming changes. Makes an appropriation.

Date	Action	
02/12/2008	S: <b>Committee Sched</b>	9:00 AM Room 233 <a href="#">Corrections, Criminal, and Civil Matters</a>

**SB0302 Professional and occupational licensing.** ([Mishler](#), [Welch](#))

**Digest**

Allows for participation in professional license board emergency meetings concerning disciplinary sanctions by means of communication that permit all members to simultaneously communicate. Makes changes in the procedures for renewal of expired certificates and licenses, and provides that the professional licensing agency sets the times for license renewals for: (1) accountants; (2) acupuncturists; (3) architects; (4) landscape architects; (5) athletic trainers; (6) auctioneers; (7) auction houses; (8) auction companies; (9) barbers; (10) cosmetologists; (11) tanning facilities; (12) chiropractors; (13) dental hygienists; (14) dentists; (15) dietitians; (16) embalmers, funeral directors, and funeral homes; (17) health facility administrators; (18) hearing aid dealers; (19) home inspectors; (20) hypnotists; (21) land surveyors; (22) physicians; (23) nurses; (24) manufactured home installers; (25) optometrists; (26) pharmacists, pharmacies, drug stores, and home medical equipment service providers; (27) plumbers; (28) podiatrists; (29) private investigator firms, security guards, and polygraph examiners; (30) professional engineers; (31) environmental health specialists; (32) psychologists; (33) real estate brokers and sales persons; and (34) speech pathologists and audiologists. Makes changes to the qualifications for licensing of out-of-state architects and accountants. Makes changes to the qualification criteria for approval to sit for the licensing examination for architects. Prohibits advanced practice nurses from entering into collaborative practice agreements with physician assistants. Reduces membership on the state board of health facility administrators from 14 to 11, and makes conforming changes. Establishes qualifications for a provisional license for physicians. Adds a definition of "dispense" to the law concerning controlled substances. Provides that advanced practice nurses with prescriptive authority are subject to certain restrictions regarding drug samples. Makes changes to the membership of the board of accountancy. Makes other changes relating to the law concerning

occupations and professions. Repeals a provision allowing real estate brokers and salespersons to use a notice of passing the required licensing examination as a temporary permit to practice. Repeals superseded sections in the licensing laws and a definition of "dispenser" in the controlled substances law.

Date	Action
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02/12/2008	H: <b>Committee Sched</b> 10:30 AM Room 156 A <a href="#">Government and Regulatory Reform</a>
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**SB0335** *Illegal alien matters.* ([Kruse](#), [Delph](#), [Boots](#), [Tincher](#))

## Digest

Requires the superintendent of the state police department (superintendent) to: (1) negotiate terms of a memorandum of understanding (memorandum) concerning a pilot project for the enforcement of federal immigration and customs laws; and (2) designate appropriate law enforcement officers to be trained under the memorandum. Requires: (1) the superintendent and governor, unless otherwise required by the applicable federal agency, to sign the memorandum on behalf of the state; and (2) the state police department to apply for federal funding, as available, for the costs associated with the training. Provides that a law enforcement officer certified as trained may enforce the federal immigration and customs laws. Prohibits an employer from knowingly hiring, after September 30, 2009, an unauthorized alien. Exempts certain utilities, hospitals, nonprofit organizations, and certain emergency medical transporters from this provision. Subject to availability of funds, authorizes the attorney general to: (1) investigate a complaint that an employer knowingly employed an unauthorized alien; (2) verify the work authorization of the alleged unauthorized alien with the federal government; (3) notify United States Immigration and Customs Enforcement, local law enforcement agencies, and the appropriate prosecuting attorney under certain conditions; and (4) maintain certain records of violation orders. Authorizes a prosecuting attorney to file a civil action against an employer for knowingly hiring an unauthorized alien in the county where the alien is employed. Authorizes a court to: (1) hold a hearing on an expedited basis; (2) if an employer knowingly employs an unauthorized alien, order the employer to terminate the employment of unauthorized aliens, order the employer to file a sworn affidavit, and place the employer on probation for three years; and (3) order agencies to suspend all licenses held by the employer for the operation of the business location until the affidavit is filed, if the employer fails to file a sworn affidavit. Provides that a court may: (1) suspend the licenses of an employer for a second violation not later than 10 years after the date of the initial violation; and (2) revoke all licenses of the employer for a third violation not later than 10 years after the initial violation. Provides that a trier of fact may consider only the federal government's verification or status information in determining whether an individual is an unauthorized alien. Prohibits a prosecuting attorney from filing an action against an employer that verifies the employment authorization of an employed individual through the pilot program. Establishes an affirmative defense if the employer complied in good faith with the federal employment verification requirements. Makes it a Class B misdemeanor to file complaint, knowing the complaint is false or frivolous, with the attorney general or a prosecuting attorney. Provides that the suspension or revocation of a license does not relieve an employer from an obligation to withhold, collect, or pay income tax on wages. Prohibits a governmental body from enacting an ordinance, resolution, rule, or policy that prohibits or limits another governmental body from sending, receiving, maintaining, or exchanging information on the citizenship or immigration status of an individual. Allows a person to bring an action to compel a governmental body to comply with the prohibition. Prohibits a state agency or political subdivision from entering into or renewing a public contract for services with a contractor if the state agency or political subdivision knows that the contractor employs or contracts with unauthorized aliens. Provides that: (1) a state agency or political subdivision may terminate a public

contract for services if the contractor providing the services employs or contracts with unauthorized aliens unless the state or political subdivision determines that terminating the contract would be detrimental to the public interest or public property; and (2) if a public contract for services is terminated, a contractor is liable for actual damages. Allows a contractor of a public contract for services to terminate a contract with a subcontractor if the subcontractor employs or contracts with unauthorized aliens. Makes it a: (1) Class A misdemeanor to transport or move; and (2) Class A misdemeanor to conceal, harbor, or shield from detection; an alien, for purposes of commercial advantage or private financial gain, knowing or in reckless disregard of the fact that the alien has come to, entered, or remained in the United States in violation of law. Exempts from these criminal provisions, certain religious, health care, and legal services providers, and spouses from the criminal provisions. Makes these offenses a Class D felony (Class C felony for subsequent offenses): (1) for a subsequent offense; or (2) if the offense involves more than five aliens. Requires the department of workforce development to verify the lawful presence of certain individuals to determine the individual's eligibility for unemployment benefits through the SAVE program.

Date	Action
01/29/2008	<b>S: Co Sponsor</b> Added <a href="#">Eric Koch</a>