

HOUSE BILL No. 1339

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-3.5-1.1; IC 6-3.5-7-5.

Synopsis: Additional Tipton County CAGIT rate. Authorizes Tipton County to impose an additional county adjusted gross income tax (CAGIT) rate of not more than 0.4%. Provides that revenue from the additional tax rate may be used only to: (1) pay the costs of financing, constructing, acquiring, improving, renovating, remodeling, equipping, operating, or maintaining the county jail and related buildings and parking facilities; and (2) pay bonds issued or leases entered into for those purposes. Specifies that the additional rate may be imposed only until the date on which the last of any bonds issued or leases entered into for those purposes are fully paid.

Effective: Upon passage.

Cook

January 13, 2015, read first time and referred to Committee on Ways and Means.



First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1339



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 6-3.5-1.1-2, AS AMENDED BY P.L.261-2013,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 2. (a) The county council of any county in
4 which the county option income tax will not be in effect on December
5 1 of a year under an ordinance adopted during a previous calendar year
6 may impose the county adjusted gross income tax on the adjusted gross
7 income of county taxpayers of its county.
8 (b) Except as provided in section 2.3, 2.5, 2.7, 2.8, 2.9, 3.3, **3.4**, 3.5,
9 3.6, 24, 25, or 26 of this chapter, the county adjusted gross income tax
10 may be imposed at a rate of one-half of one percent (0.5%),
11 three-fourths of one percent (0.75%), or one percent (1%) on the
12 adjusted gross income of resident county taxpayers of the county. Any
13 county imposing the county adjusted gross income tax must impose the
14 tax on the nonresident county taxpayers at a rate of one-fourth of one
15 percent (0.25%) on their adjusted gross income. If the county council



1 elects to decrease the county adjusted gross income tax, the county
2 council may decrease the county adjusted gross income tax rate in
3 increments of one-tenth of one percent (0.1%).

4 (c) To impose the county adjusted gross income tax, the county
5 council must adopt an ordinance. The ordinance must substantially
6 state the following:

7 "The _____ County Council imposes the county adjusted
8 gross income tax on the county taxpayers of _____ County.
9 The county adjusted gross income tax is imposed at a rate of
10 _____ percent (____%) on the resident county taxpayers of the
11 county and one-fourth of one percent (0.25%) on the nonresident
12 county taxpayers of the county."

13 (d) The auditor of a county shall record all votes taken on
14 ordinances presented for a vote under the authority of this section and,
15 not more than ten (10) days after the vote, send a certified copy of the
16 results to the commissioner of the department, the director of the
17 budget agency, and the commissioner of the department of local
18 government finance in an electronic format approved by the director of
19 the budget agency.

20 (e) If the county adjusted gross income tax had previously been
21 adopted by a county under IC 6-3.5-1 (before its repeal on March 15,
22 1983) and that tax was in effect at the time of the enactment of this
23 chapter, then the county adjusted gross income tax continues in that
24 county at the rates in effect at the time of enactment until the rates are
25 modified or the tax is rescinded in the manner prescribed by this
26 chapter. If a county's adjusted gross income tax is continued under this
27 subsection, then the tax shall be treated as if it had been imposed under
28 this chapter and is subject to rescission or reduction as authorized in
29 this chapter.

30 SECTION 2. IC 6-3.5-1.1-3.4 IS ADDED TO THE INDIANA
31 CODE AS A NEW SECTION TO READ AS FOLLOWS
32 [EFFECTIVE UPON PASSAGE]: **Sec. 3.4. (a) This section applies**
33 **only to Tipton County.**

34 (b) **The county council may, by ordinance, determine that**
35 **additional county adjusted gross income tax revenue is needed in**
36 **the county to:**

37 (1) **finance, construct, acquire, improve, renovate, remodel,**
38 **equip, operate, or maintain the county jail and related**
39 **buildings and parking facilities, including costs related to the**
40 **demolition of existing buildings, the acquisition of land, and**
41 **any other reasonably related costs; and**

42 (2) **repay bonds issued or leases entered into for constructing,**



1 acquiring, improving, renovating, remodeling, equipping,
2 operating, and maintaining the county jail and related
3 buildings and parking facilities, including costs related to the
4 demolition of existing buildings, the acquisition of land, and
5 any other reasonably related costs.

6 (c) In addition to the rates permitted by section 2 of this
7 chapter, the county council may impose the county adjusted gross
8 income tax at a rate of:

- 9 (1) fifteen-hundredths percent (0.15%);
10 (2) two-tenths percent (0.2%);
11 (3) twenty-five hundredths percent (0.25%);
12 (4) three-tenths percent (0.3%);
13 (5) thirty-five hundredths percent (0.35%); or
14 (6) four-tenths percent (0.4%);

15 on the adjusted gross income of county taxpayers if the county
16 council makes the determination set forth in subsection (b). The tax
17 imposed under this section may be imposed only until the later of
18 the date on which the financing, constructing, acquisition,
19 improvement, renovation, remodeling, and equipping described in
20 subsection (b) are completed or the date on which the last of any
21 bonds issued or leases entered into to finance the construction,
22 acquisition, improvement, renovation, remodeling, equipping,
23 operating, and maintaining described in subsection (b) are fully
24 paid. The term of the bonds issued (including any refunding bonds)
25 or a lease entered into under subsection (b)(2) may not exceed
26 twenty (20) years.

27 (d) If the county council makes a determination under
28 subsection (b), the county council may adopt a tax rate under
29 subsection (c). The tax rate may not be imposed at a rate greater
30 than is necessary to pay the costs of financing, constructing,
31 acquiring, improving, renovating, remodeling, equipping,
32 operating, and maintaining the county jail and related buildings
33 and parking facilities, including costs related to the demolition of
34 existing buildings, the acquisition of land, and any other
35 reasonably related costs.

36 (e) The county treasurer shall establish a county jail revenue
37 fund to be used only for the purposes described in this section.
38 County adjusted gross income tax revenues derived from the tax
39 rate imposed under this section shall be deposited in the county jail
40 revenue fund before making a certified distribution under section
41 11 of this chapter.

42 (f) County adjusted gross income tax revenues derived from the



1 tax rate imposed under this section:

2 (1) may be used only for the purposes described in this
3 section;

4 (2) may not be considered by the department of local
5 government finance in determining the county's maximum
6 permissible ad valorem property tax levy limit under
7 IC 6-1.1-18.5; and

8 (3) may be pledged to the repayment of bonds issued or leases
9 entered into for the purposes described in subsection (b).

10 (g) Tipton County possesses unique governmental and economic
11 development challenges due to:

12 (1) the county's heavy agricultural base;

13 (2) deficiencies in the current county jail, including:

14 (A) overcrowding;

15 (B) lack of program and support space for efficient jail
16 operations;

17 (C) inadequate line of sight supervision of inmates, due to
18 current jail configuration;

19 (D) lack of adequate housing for an increasing female
20 inmate population and inmates with special needs;

21 (E) lack of adequate administrative space; and

22 (F) increasing maintenance demands and costs resulting
23 from the age of facilities;

24 (3) the presence of a large industrial employer that offers the
25 opportunity to expand the income tax base; and

26 (4) the presence of the historic Tipton County jail and
27 sheriff's home, listed on the National Register of Historic
28 Places.

29 The use of county adjusted gross income tax revenue as provided
30 in this section is necessary for the county to provide adequate jail
31 facilities in the county and to maintain low property tax rates
32 essential to economic development. The use of county adjusted
33 gross income tax revenues as provided in this section to pay any
34 bonds issued or leases entered into to finance the construction,
35 acquisition, improvement, renovation, remodeling, equipping,
36 operating, and maintaining described in subsection (b), rather than
37 the use of property taxes, promotes those purposes.

38 (h) Notwithstanding any other law, funds accumulated from the
39 county adjusted gross income tax imposed under this section after:

40 (1) the redemption of bonds issued; or

41 (2) the final payment of lease rentals due under a lease
42 entered into under this section;



1 **shall be transferred to the county rainy day fund under**
 2 **IC 36-1-8-5.1.**

3 SECTION 3. IC 6-3.5-1.1-10, AS AMENDED BY P.L.137-2012,
 4 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 UPON PASSAGE]: Sec. 10. (a) One-twelfth (1/12) of each adopting
 6 county's certified distribution for a calendar year shall be distributed
 7 from its account established under section 8 of this chapter to the
 8 appropriate county treasurer on the first regular business day of each
 9 month of that calendar year.

10 (b) Except for:

11 (1) revenue that must be used to pay the costs of:

12 (A) financing, constructing, acquiring, improving, renovating,
 13 equipping, operating, or maintaining facilities and buildings;

14 (B) debt service on bonds; or

15 (C) lease rentals;

16 under section 2.3 of this chapter;

17 (2) revenue that must be used to pay the costs of operating a jail
 18 and juvenile detention center under section 2.5 of this chapter;

19 (3) revenue that must be used to pay the costs of:

20 (A) financing, constructing, acquiring, improving, renovating,
 21 equipping, operating, or maintaining facilities and buildings;

22 (B) debt service on bonds; or

23 (C) lease rentals;

24 under section 2.8 of this chapter;

25 (4) revenue that must be used to pay the costs of construction,
 26 improvement, renovation, or remodeling of a jail and related
 27 buildings and parking structures under section 2.7, 2.9, or 3.3 of
 28 this chapter;

29 (5) revenue that must be used to pay the costs of operating and
 30 maintaining a jail and justice center under section 3.5(d) of this
 31 chapter;

32 (6) revenue that must be used to pay the costs of constructing,
 33 acquiring, improving, renovating, or equipping a county
 34 courthouse under section 3.6 of this chapter; ~~or~~

35 **(7) revenue that must be used to pay the costs of:**

36 **(A) financing, constructing, acquiring, improving,**
 37 **renovating, remodeling, equipping, operating, or**
 38 **maintaining a county jail and related buildings and**
 39 **facilities;**

40 **(B) debt service; or**

41 **(C) lease rentals;**

42 **under section 3.4 of this chapter; or**



- 1 (7) **(8)** revenue attributable to a tax rate under section 24, 25, or
 2 26 of this chapter;
 3 distributions made to a county treasurer under subsection (a) shall be
 4 treated as though they were property taxes that were due and payable
 5 during that same calendar year. Except as provided by sections 24, 25,
 6 and 26 of this chapter, the certified distribution shall be distributed and
 7 used by the taxing units and school corporations as provided in sections
 8 11 through 15 of this chapter.
- 9 (c) All distributions from an account established under section 8 of
 10 this chapter shall be made by warrants issued by the auditor of the state
 11 to the treasurer of the state ordering the appropriate payments.
- 12 SECTION 4. IC 6-3.5-1.1-11, AS AMENDED BY P.L.77-2011,
 13 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 UPON PASSAGE]: Sec. 11. (a) Except for:
- 15 (1) revenue that must be used to pay the costs of:
 16 (A) financing, constructing, acquiring, improving, renovating,
 17 equipping, operating, or maintaining facilities and buildings;
 18 (B) debt service on bonds; or
 19 (C) lease rentals;
 20 under section 2.3 of this chapter;
- 21 (2) revenue that must be used to pay the costs of operating a jail
 22 and juvenile detention center under section 2.5 of this chapter;
- 23 (3) revenue that must be used to pay the costs of:
 24 (A) financing, constructing, acquiring, improving, renovating,
 25 equipping, operating, or maintaining facilities and buildings;
 26 (B) debt service on bonds; or
 27 (C) lease rentals;
 28 under section 2.8 of this chapter;
- 29 (4) revenue that must be used to pay the costs of construction,
 30 improvement, renovation, or remodeling of a jail and related
 31 buildings and parking structures under section 2.7, 2.9, or 3.3 of
 32 this chapter;
- 33 (5) revenue that must be used to pay the costs of operating and
 34 maintaining a jail and justice center under section 3.5(d) of this
 35 chapter;
- 36 (6) revenue that must be used to pay the costs of constructing,
 37 acquiring, improving, renovating, or equipping a county
 38 courthouse under section 3.6 of this chapter; ~~or~~
- 39 **(7) revenue that must be used to pay the costs of:**
 40 **(A) financing, constructing, acquiring, improving,**
 41 **renovating, remodeling, equipping, operating, or**
 42 **maintaining a county jail and related buildings and**



1 **facilities;**
 2 **(B) debt service; or**
 3 **(C) lease rentals;**
 4 **under section 3.4 of this chapter; or**
 5 ~~(7)~~ **(8) revenue attributable to a tax rate under section 24, 25, or**
 6 **26 of this chapter;**
 7 the certified distribution received by a county treasurer shall, in the
 8 manner prescribed in this section, be allocated, distributed, and used
 9 by the civil taxing units and school corporations of the county as
 10 certified shares and property tax replacement credits.

11 (b) Before August 10 of each calendar year, each county auditor
 12 shall determine the part of the certified distribution for the next
 13 succeeding calendar year that will be allocated as property tax
 14 replacement credits and the part that will be allocated as certified
 15 shares. The percentage of a certified distribution that will be allocated
 16 as property tax replacement credits or as certified shares depends upon
 17 the county adjusted gross income tax rate for resident county taxpayers
 18 in effect on December 1 of the calendar year that precedes the year in
 19 which the certified distribution will be received by two (2) years. The
 20 percentages are set forth in the following table:

COUNTY ADJUSTED GROSS INCOME TAX RATE	PROPERTY TAX REPLACEMENT CREDITS	CERTIFIED SHARES
0.5%	50%	50%
0.75%	33 1/3%	66 2/3%
1%	25%	75%

21 (c) The part of a certified distribution that constitutes property tax
 22 replacement credits shall be distributed as provided under sections 12,
 23 13, and 14 of this chapter.

24 (d) The part of a certified distribution that constitutes certified
 25 shares shall be distributed as provided by section 15 of this chapter.

26 SECTION 5. IC 6-3.5-7-5, AS AMENDED BY P.L.153-2014,
 27 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 UPON PASSAGE]: Sec. 5. (a) Except as provided in subsection (c),
 29 the county economic development income tax may be imposed on the
 30 adjusted gross income of county taxpayers. Except as provided in
 31 section 26(m) of this chapter, the entity that may impose the tax is:

- 32 (1) the county income tax council (as defined in IC 6-3.5-6-1) if
 33 the county option income tax is in effect on October 1 of the year
 34 the county economic development income tax is imposed;
 35 (2) the county council if the county adjusted gross income tax is



1 in effect on October 1 of the year the county economic
2 development tax is imposed; or

3 (3) the county income tax council or the county council,
4 whichever acts first, for a county not covered by subdivision (1)
5 or (2).

6 To impose the county economic development income tax, a county
7 income tax council shall use the procedures set forth in IC 6-3.5-6
8 concerning the imposition of the county option income tax.

9 (b) Except as provided in this section and section 28 of this chapter,
10 the county economic development income tax may be imposed at a rate
11 of:

- 12 (1) one-tenth percent (0.1%);
- 13 (2) two-tenths percent (0.2%);
- 14 (3) twenty-five hundredths percent (0.25%);
- 15 (4) three-tenths percent (0.3%);
- 16 (5) thirty-five hundredths percent (0.35%);
- 17 (6) four-tenths percent (0.4%);
- 18 (7) forty-five hundredths percent (0.45%); or
- 19 (8) five-tenths percent (0.5%);

20 on the adjusted gross income of county taxpayers.

21 (c) Except as provided in this section, the county economic
22 development income tax rate plus the county adjusted gross income tax
23 rate, if any, that are in effect on January 1 of a year may not exceed one
24 and twenty-five hundredths percent (1.25%). Except as provided in this
25 section, the county economic development tax rate plus the county
26 option income tax rate, if any, that are in effect on January 1 of a year
27 may not exceed one percent (1%).

28 (d) To impose, increase, decrease, or rescind the county economic
29 development income tax, the appropriate body must adopt an
30 ordinance.

31 (e) The ordinance to impose the tax must substantially state the
32 following:

33 "The _____ County _____ imposes the county economic
34 development income tax on the county taxpayers of _____
35 County. The county economic development income tax is imposed at
36 a rate of _____ percent (____%) on the county taxpayers of the
37 county."

38 (f) The auditor of a county shall record all votes taken on ordinances
39 presented for a vote under the authority of this chapter and shall, not
40 more than ten (10) days after the vote, send a certified copy of the
41 results to the commissioner of the department, the director of the
42 budget agency, and the commissioner of the department of local



1 government finance in an electronic format approved by the director of
2 the budget agency.

3 (g) For Jackson County, except as provided in subsection (o), the
4 county economic development income tax rate plus the county adjusted
5 gross income tax rate that are in effect on January 1 of a year may not
6 exceed one and thirty-five hundredths percent (1.35%) if the county has
7 imposed the county adjusted gross income tax at a rate of one and
8 one-tenth percent (1.1%) under IC 6-3.5-1.1-2.5.

9 (h) For Pulaski County, except as provided in subsection (o), the
10 county economic development income tax rate plus the county adjusted
11 gross income tax rate that are in effect on January 1 of a year may not
12 exceed one and fifty-five hundredths percent (1.55%).

13 (i) For Wayne County, except as provided in subsection (o), the
14 county economic development income tax rate plus the county adjusted
15 gross income tax rate that are in effect on January 1 of a year may not
16 exceed one and five-tenths percent (1.5%).

17 (j) This subsection applies to Randolph County. Except as provided
18 in subsection (o), in addition to the rates permitted under subsection
19 (b):

- 20 (1) the county economic development income tax may be imposed
21 at a rate of twenty-five hundredths percent (0.25%); and
22 (2) the sum of the county economic development income tax rate
23 and the county adjusted gross income tax rate that are in effect on
24 January 1 of a year may not exceed one and five-tenths percent
25 (1.5%);

26 if the county council makes a determination to impose rates under this
27 subsection and section 22.5 of this chapter.

28 (k) For Daviess County, except as provided in subsection (o), the
29 county economic development income tax rate plus the county adjusted
30 gross income tax rate that are in effect on January 1 of a year may not
31 exceed one and five-tenths percent (1.5%).

32 (l) For:

- 33 (1) Elkhart County; or
34 (2) Marshall County;

35 except as provided in subsection (o), the county economic development
36 income tax rate plus the county adjusted gross income tax rate that are
37 in effect on January 1 of a year may not exceed one and five-tenths
38 percent (1.5%).

39 (m) For Union County, except as provided in subsection (o), the
40 county economic development income tax rate plus the county adjusted
41 gross income tax rate that are in effect on January 1 of a year may not
42 exceed one and five-tenths percent (1.5%).



1 (n) This subsection applies to Knox County. Except as provided in
2 subsection (o), in addition to the rates permitted under subsection (b):

3 (1) the county economic development income tax may be imposed
4 at a rate of twenty-five hundredths percent (0.25%); and

5 (2) the sum of the county economic development income tax rate
6 and:

7 (A) the county adjusted gross income tax rate that are in effect
8 on January 1 of a year may not exceed one and five-tenths
9 percent (1.5%); or

10 (B) the county option income tax rate that are in effect on
11 January 1 of a year may not exceed one and twenty-five
12 hundredths percent (1.25%);

13 if the county council makes a determination to impose rates under this
14 subsection and section 24 of this chapter.

15 (o) This subsection applies to a county in which an adopting entity
16 approves the use of the certified distribution for property tax relief
17 under section 26(c) and 26(e) of this chapter or to a county in which the
18 county fiscal body approves the use of the certified distribution to fund
19 a public transportation project under section 26(m) of this chapter. In
20 addition:

21 (1) the county economic development income tax may be imposed
22 at a rate that exceeds by not more than twenty-five hundredths
23 percent (0.25%) the maximum rate that would otherwise apply
24 under this section; and

25 (2) the:

26 (A) county economic development income tax; and

27 (B) county option income tax or county adjusted gross income
28 tax;

29 may be imposed at combined rates that exceed by not more than
30 twenty-five hundredths percent (0.25%) the maximum combined
31 rates that would otherwise apply under this section.

32 Except as provided in section 5.5 of this chapter, the additional rate
33 imposed under this subsection may not exceed the amount necessary
34 to mitigate the increased ad valorem property taxes on homesteads (as
35 defined in IC 6-1.1-20.9-1 (repealed) before January 1, 2009, or
36 IC 6-1.1-12-37 after December 31, 2008) or residential property (as
37 defined in section 26 of this chapter), as appropriate under the
38 ordinance adopted by the adopting body in the county, resulting from
39 the deduction of the assessed value of inventory in the county under
40 IC 6-1.1-12-41 or IC 6-1.1-12-42 or from the exclusion in 2008 of
41 inventory from the definition of personal property in IC 6-1.1-1-11.

42 (p) If the county economic development income tax is imposed as



1 authorized under subsection (o) at a rate that exceeds the maximum
2 rate that would otherwise apply under this section, the certified
3 distribution must be used for a purpose provided in section 26 of this
4 chapter to the extent that the certified distribution results from the
5 difference between:

- 6 (1) the actual county economic development tax rate; and
- 7 (2) the maximum rate that would otherwise apply under this
8 section.

9 (q) This subsection applies only to a county described in section 27
10 of this chapter. Except as provided in subsection (o), in addition to the
11 rates permitted by subsection (b), the:

- 12 (1) county economic development income tax may be imposed at
13 a rate of twenty-five hundredths percent (0.25%); and
- 14 (2) county economic development income tax rate plus the county
15 option income tax rate that are in effect on January 1 of a year
16 may equal up to one and twenty-five hundredths percent (1.25%);

17 if the county council makes a determination to impose rates under this
18 subsection and section 27 of this chapter.

19 (r) Except as provided in subsection (o), the county economic
20 development income tax rate plus the county adjusted gross income tax
21 rate that are in effect on January 1 of a year may not exceed one and
22 five-tenths percent (1.5%) if the county has imposed the county
23 adjusted gross income tax under IC 6-3.5-1.1-3.3.

24 (s) This subsection applies to Howard County. Except as provided
25 in subsection (o), the sum of the county economic development income
26 tax rate and the county option income tax rate that are in effect on
27 January 1 of a year may not exceed one and twenty-five hundredths
28 percent (1.25%).

29 (t) This subsection applies to Scott County. Except as provided in
30 subsection (o), the sum of the county economic development income
31 tax rate and the county option income tax rate that are in effect on
32 January 1 of a year may not exceed one and twenty-five hundredths
33 percent (1.25%).

34 (u) This subsection applies to Jasper County. Except as provided in
35 subsection (o), the sum of the county economic development income
36 tax rate and the county adjusted gross income tax rate that are in effect
37 on January 1 of a year may not exceed one and five-tenths percent
38 (1.5%).

39 (v) An additional county economic development income tax rate
40 imposed under section 28 of this chapter may not be considered in
41 calculating any limit under this section on the sum of:

- 42 (1) the county economic development income tax rate plus the



- 1 county adjusted gross income tax rate; or
 2 (2) the county economic development tax rate plus the county
 3 option income tax rate.
- 4 (w) The income tax rate limits imposed by subsection (c) or (x) or
 5 any other provision of this chapter do not apply to:
 6 (1) a county adjusted gross income tax rate imposed under
 7 IC 6-3.5-1.1-24, IC 6-3.5-1.1-25, or IC 6-3.5-1.1-26; or
 8 (2) a county option income tax rate imposed under IC 6-3.5-6-30,
 9 IC 6-3.5-6-31, or IC 6-3.5-6-32.
- 10 For purposes of computing the maximum combined income tax rate
 11 under subsection (c) or (x) or any other provision of this chapter that
 12 may be imposed in a county under IC 6-3.5-1.1, IC 6-3.5-6, and this
 13 chapter, a county's county adjusted gross income tax rate or county
 14 option income tax rate for a particular year does not include the county
 15 adjusted gross income tax rate imposed under IC 6-3.5-1.1-24,
 16 IC 6-3.5-1.1-25, or IC 6-3.5-1.1-26 or the county option income tax rate
 17 imposed under IC 6-3.5-6-30, IC 6-3.5-6-31, or IC 6-3.5-6-32.
- 18 (x) This subsection applies to Monroe County. Except as provided
 19 in subsection (o), if an ordinance is adopted under IC 6-3.5-6-33, the
 20 sum of the county economic development income tax rate and the
 21 county option income tax rate that are in effect on January 1 of a year
 22 may not exceed one and twenty-five hundredths percent (1.25%).
- 23 (y) This subsection applies to Perry County. Except as provided in
 24 subsection (o), if an ordinance is adopted under section 27.5 of this
 25 chapter, the county economic development income tax rate plus the
 26 county option income tax rate that is in effect on January 1 of a year
 27 may not exceed one and seventy-five hundredths percent (1.75%).
- 28 (z) This subsection applies to Starke County. Except as provided in
 29 subsection (o), if an ordinance is adopted under section 27.6 of this
 30 chapter, the county economic development income tax rate plus the
 31 county adjusted gross income tax rate that is in effect on January 1 of
 32 a year may not exceed two percent (2%).
- 33 **(aa) This subsection applies to Tipton County. Except as**
 34 **provided in subsection (o), the sum of the county economic**
 35 **development income tax rate and the county adjusted gross income**
 36 **tax rate that are in effect on January 1 of a year may not exceed**
 37 **one and sixty-five hundredths percent (1.65%).**
- 38 SECTION 6. An emergency is declared for this act.

