

**SYNOPSIS OF 2013
LEGISLATION
AFFECTING THE
INDIANA DEPARTMENT
OF REVENUE**

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SUMMARY OF CHANGES

This updated version of the *Synopsis of the 2013 Legislation Affecting the Indiana Department of Revenue* contains the following changes to effective dates:

- The effective date for HEA 1545, Sec. 48 regarding the repeal of the coal combustion tax credit has been changed from July 1, 2013, to Jan. 1, 2014.
- The effective date for SEA 544, Sec. 44 regarding reporting requirements for economic development tax areas has been changed from July 1, 2013, to Jan. 1, 2014.

Additionally, a table detailing all tax and distribution rate changes related to 2013 legislation has been included as an addendum to the synopsis.

Also, summaries for HEA 1546 have been added. Aside from technical changes to eliminate outdated language, HEA 1546 contains the following provisions:

- A clarification that the sales tax exemption for governmental entities includes rental of accommodations when performing a governmental function;
- A clarification that a nonprofit organization that is not organized for social purposes can purchase accommodations exempt from the sales tax if the accommodations are used to carry on or raise money to carry on its nonprofit purpose;
- The reinstatement of provisions authorizing a credit for retail merchants who have prepaid the sales tax on purchases of gasoline or for distributors who prepaid the sales tax on purchases of gasoline and then later sold the gasoline for an exempt purpose;
- A provision that if a retail merchant has been notified that he is delinquent in remitting withholding or sales taxes and the retail merchant pays the outstanding liability before the expiration of the registered retail merchant certificate (RRMC), the department shall renew the retail merchant's RRMC for one year instead of two years. The two-year renewal is automatic if the retail merchant has no outstanding tax liabilities;
- A reclassification from a Class B misdemeanor to a Class A misdemeanor for retail merchants who make a retail transaction without a valid registered retail merchant's certificate;
- A technical change to clarify that if a withholding agent's annual withholding tax liability is less than \$1,000, the withholding agent is permitted to file one annual return;
- New "safe harbor" provisions for partnerships and S corporations withholding on behalf of nonresident partners and shareholders;
- Extensions and validations of local option income tax provisions in Jackson and Pulaski counties;
- New exemptions from state and local taxes, registration requirements, worker's compensation insurance, and the requirement to make contributions to the unemployment compensation system for out-of-state businesses that enter the state to perform disaster emergency-related work during a disaster period;
- A provision that will allow the department to use a secure electronic delivery system to communicate with taxpayers who have opted in to using the system;

- A provision enabling the department to provide confidential taxpayer information to a legislator when the legislator is acting on behalf and at the direction of a taxpayer;
- A provision that when the department issues a tax warrant to a taxpayer who has not filed a tax return, the taxpayer is not entitled to a demand notice that would negate the tax warrant if the taxpayer files a return subsequent to the issuance of the tax warrant and fails to remit the amount of tax liability identified on the applicable tax return;
- The creation of an alcoholic beverage excise tax credit for liquor or wine excise taxes paid in duplicate;
- Authorization for the Office of Management and Budget to enter into a debt offset agreement with the United States Department of the Treasury;
- A reduction in the bad check penalty from 100% to 30%;
- Authorization for Vigo County to increase its innkeepers tax from 5% to 8%;
- A prohibition of any issuance, renewal, or transfer of an alcoholic beverage permit if the person seeking renewal or transfer is more than 30 days delinquent in remitting sales or withholding taxes;
- A clarification that the department is responsible for issuing registrations for commercial motor vehicles if more than 25 vehicles are in the fleet and the vehicles weigh more than 26,000 pounds. The provision also extends the validity of these plates from five years to being permanent;
- Authorization for the staggered registration of vehicles registered by the department under the International Registration Plan;
- An electronic filing registration requirement for a bus registered through the International Registration Plan;
- Authorization for the seizure of “automated sales suppression devices” and “phantom-ware”;
- Provisions that criminalize the sale or possession of “automated sales suppression devices,” “phantom-ware,” and related terms; and
- The authority for the IEDC to authorize only two new certified technology parks in a fiscal year, along with submission requirements through the State Budget Agency.

To help readers identify the new text, we have placed a checkbox icon like the one you see here in the left margin next to each new summary.

INTRODUCTION

This synopsis contains a list of legislation passed by the 2013 Indiana General Assembly that affects the Department of Revenue.

How This Synopsis Is Organized

This synopsis has been divided into two parts. Both parts present the same information, but they are organized differently. In the first part the legislation is organized according to the tax type to which it pertains; in the second part it is organized by bill number. This way, readers can search for information in whichever way suits them best. If you're looking for new legislation pertaining to cigarette tax, look in the first part for the section labeled "Cigarette and Other Tobacco Taxes." If you need to know which provisions in House Enrolled Act 1001 affect the department, and how, look in the second part for that bill.

For each piece of legislation, we've provided a heading (the relevant tax type in the first part; the enrolled act number in the second part), a short summary of what the legislation says, the date it goes into effect, and the Indiana Code cites affected by this legislation.

In addition, in the first part, we've included the House or Senate enrolled act number so you'll know in which bill you can find that piece of legislation. Because the second part is organized by enrolled act number, we've simply included the section of the bill where you can find that piece of legislation.

How to Find Code Cites and Enrolled Acts Online

To get more information about all the recently passed legislation or to read the bills in their entirety, go to the Indiana General Assembly's website at <http://www.in.gov/legislative/ic/code/>.

Along the right side of the page is a box labeled View Indiana Code. To read the section of code that contains the recently passed piece of legislation you want to view, enter the numbers of the code cite and then click the search button (>).

To see the bill containing that piece of legislation, click the Bills & Resolutions link on the left side of the Indiana General Assembly's webpage. From the drop-down menu that displays, click Enrolled Acts. On the page that then displays, click Enrolled Acts Approved by Both Houses. On the next page, you can click any of the bill numbers to read that entire bill. Once you open the PDF of the bill, you can find the relevant piece of legislation by looking for its section number.

Disclaimer

Legislative synopses are intended to provide nontechnical assistance to the general public. Every attempt is made to provide information that is consistent with the appropriate enrolled acts. Any information or guidance not consistent with the appropriate enrolled acts is not binding on the department. The information provided herein should serve only as a foundation for further investigation and study of the current law and procedures related to the subject matter covered herein. This document does not meet the definition of a "statement" required to be published in the Indiana Register under IC 4-22-2-7.

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PART 1
LEGISLATION BY TAX TYPE

SALES AND USE TAX (IC 6-2.5)

Summary: Provides that delivery charges do not include postage charges that are separately stated on the invoice, bill of sale, or similar document. Also provides that postage charges that are separately stated are not included in the definition of gross retail income.

Effective date: July 1, 2013

Code: IC 6-2.5-1-5

Enrolled Act: SEA 608, Sec. 1

Summary: Defines “postage charges” to be the purchase price of stamps or similar charges for mail or parcel delivery through the U.S. mail incurred by the seller on behalf of its customers.

Effective date: July 1, 2013

Code: IC 6-2.5-1-7.5

Enrolled Act: SEA 608, Sec. 2

Summary: Defines “advertising and promotional direct mail” to mean printed material that is direct mail, the primary purpose of which is to attract public attention to a product, a person, a business, or an organization.

Effective date: July 1, 2013

Code: IC 6-2.5-1-10.7

Enrolled Act: SEA 608, Sec. 3

Summary: Defines “other direct mail” to mean any direct mail that is not advertising and promotional direct mail. The term includes transactional direct mail that contains personal information specific to the addressee, including bills, invoices, statements of account or payroll advices, and any legally required mailings.

Effective date: July 1, 2013

Code: IC 6-2.5-1-22.2

Enrolled Act: SEA 608, Sec. 4

Summary: Enacts a use tax on gasoline and repeals the sales tax on gasoline. Provides that the use tax rate is calculated monthly by the department based on 7% of the statewide average retail price of gasoline excluding all state and federal excise taxes. A qualified distributor, a refiner, or a terminal operator that sells gasoline to a retail merchant is responsible for collecting and remitting the gasoline use tax to the department. The department may publish a list of qualified distributors on the department’s Internet website. The distributor, refiner, or terminal operator is required to remit the tax to the department semimonthly, through the department’s online tax filing system. The tax is required to be remitted by the 10th of the month for sales after the 15th and before the end of the preceding month; and on or before the 25th of the month for sales after the end of the preceding month and before the 16th day on the month in which the gasoline was sold. The refiner, terminal operator, or qualified distributor is required to file a report covering the taxes owed and the gallons of gasoline sold during the preceding month. The gasoline use tax collected shall be deposited in the same manner as the sales and use taxes under IC 6-2.5-10-1.

The gasoline use tax is considered the equivalent of the sales tax that would be collected by a retail merchant and replaces the obligation of the retail merchant to collect the sales tax on the sale of gasoline. The exemptions provided in IC 6-2.5-5 apply to the gasoline use tax.

Effective date: July 1, 2014

Code: IC 6-2.5-3.5

Enrolled Act: SEA 479, Sec. 1

Summary: Requires the department to publish before June 30, 2014, the gasoline use tax rate that will apply to the sales of gasoline occurring in July 2014. Requires each retail merchant to take an inventory of gasoline they have in storage on July 1, 2014. Each retail merchant is required to remit to the department the product of the number of gallons in storage multiplied by the gasoline use tax rate that is in effect on July 1, 2014. The retail merchant is also required to remit the amount due on or before August 1, 2014.

Effective date: Jan. 1, 2014

Code: SEA 479 NONCODE SECTION 21

Summary: Provides that in the case of the sales of gasoline, a person shall collect the gasoline use tax as provided in IC 6-2.5-3.5. Deletes references to the sales of gasoline in determining the gross retail income for sales tax purposes.

Effective date: July 1, 2014

Code: IC 6-2.5-4-1

Enrolled Act: SEA 479, Sec. 2

Summary: Deletes a reference to a military base recovery site tax credit, which is repealed.

Effective date: Jan. 1, 2014

Code: IC 6-2.5-4-5

Enrolled Act: HEA 1545, Sec. 28

- Summary:** Provides that the sales tax exemption for governmental entities includes the rental of accommodations when performing a governmental function.

Effective date: Jan. 1, 2014

Code: IC 6-2.5-5-16

Enrolled Act: HEA 1546, Sec. 4

Summary: Deletes the sales tax exemption for blood glucose monitoring equipment and devices.

Effective date: July 1, 2013

Code: IC 6-2.5-5-18

Enrolled Act: SEA 608, Sec. 5

Summary: Provides that blood glucose monitoring supplies, including blood glucose meters, measuring strips, lancets, and other similar diabetic supplies, are exempt from the sales tax whether they are sold or distributed as drug samples.

Effective date: July 1, 2013

Code: IC 6-2.5-5-19.5

Enrolled Act: SEA 608, Sec. 6

- ☑ **Summary:** Technical change to eliminate outdated language.
Effective date: July 1, 2013
Code: IC 6-2.5-5-21
Enrolled Act: HEA 1546, Sec. 5

- ☑ **Summary:** Provides that a nonprofit organization that is not organized for social purposes can purchase accommodations exempt from sales tax if the accommodations are used to carry on or raise money to carry on the nonprofit’s purpose.
Effective date: Jan. 1, 2014
Code: IC 6-2.5-5-25
Enrolled Act: HEA 1546, Sec. 6

Summary: Provides that alternative fuel used in public transportation is not exempt from the sales tax unless the person engaged in public transportation is a public transportation corporation providing transportation for persons. This provision expires on Dec. 31, 2016.
Effective date: Jan. 1, 2014
Code: IC 6-2.5-5-27
Enrolled Act: HEA 1324, Sec. 4

Summary: Adds a definition of “research and development property” to mean tangible personal property that is acquired for the purpose of research and development activities devoted to experimental or laboratory research and development for new products, new uses of existing products, or improving or testing existing products. Provides that the purchase of research and development property is exempt from the sales tax. The exemption applies regardless of whether the purchaser is a manufacturer or seller of the new or existing products.
Effective date: July 1, 2013
Code: IC 6-2.5-5-40
Enrolled Act: HEA 1545, Sec. 29

Summary: Eliminates the requirement that an aircraft be registered in another country and weigh more than 5,000 pounds to be eligible for the sales tax exemption concerning the repair, maintenance, refurbishment, remodeling, or remanufacturing of an aircraft or avionics system.
Effective date: July 1, 2013
Code: IC 6-2.5-5-46
Enrolled Act: HEA 1545, Sec. 30

Summary: Defines “aviation fuel” as gasoline, jet fuel, or a synthetic fuel used to power an aircraft. Exempts the purchase of aviation fuel from the sales tax.
Effective date: July 1, 2013
Code: IC 6-2.5-5-49
Enrolled Act: HEA 1545, Sec. 31

Summary: Provides that persons responsible for remitting the gasoline use tax are entitled to the same collection allowance as other retailers. A retail merchant is not entitled to the collection allowance with respect to the gasoline use tax.

Effective date: July 1, 2014

Code: IC 6-2.5-6-10

Enrolled Act: SEA 479, Sec. 3

Summary: Deletes references to gasoline and other definitions that no longer apply in the chapter concerning the sales tax on gasoline and special fuel.

Effective date: July 1, 2014

Code: IC 6-2.5-7-1

Enrolled Act: SEA 479, Sec. 4

Summary: Deletes references to gasoline in regards to a retail merchant selling gasoline and special fuel.

Effective date: July 1, 2014

Code: IC 6-2.5-7-2

Enrolled Act: SEA 479, Sec. 5

Summary: Provides that a retailer may not dispense an alternative fuel from a metered pump that is designated for exempt trucks only. This provision expires on Dec. 31, 2016.

Effective date: Jan. 1, 2014

Code: IC 6-2.5-7-2.5

Enrolled Act: HEA 1324, Sec. 5

Summary: Deletes language concerning the collection of sales tax on gasoline.

Effective date: July 1, 2014

Code: IC 6-2.5-7-3

Enrolled Act: SEA 479, Sec. 6

- Summary:** Reinstates language that was inadvertently repealed in 2012. The reinstated language clarifies that a retail merchant that has prepaid the sales tax on gasoline gets a credit for the amount prepaid when they file their monthly sales tax return.

Effective date: July 1, 2012 (RETROACTIVE)

Code: IC 6-2.5-7-5

Enrolled Act: HEA 1546, Sec. 7

- Summary:** Reinstates language that was inadvertently repealed in 2012. The reinstated language provides that a retail merchant may receive a refund if the amount of prepaid sales tax on gasoline exceeds the total monthly sales tax liability of the retail merchant.

Effective date: July 1, 2012 (RETROACTIVE)

Code: IC 6-2.5-7-6.5

Enrolled Act: HEA 1546, Sec. 8

Summary: REPEALS sections concerning the prepaid sales tax on gasoline.

Effective date: July 1, 2014

Code: IC 6-2.5-7-7 through IC 6-2.5-7-15

Enrolled Act: SEA 479, Sec. 9-17

- Summary:** Reinstates language that was inadvertently repealed in 2012. The language is a technical change concerning a distributor's ability to claim a refund if the distributor prepaid the sales tax and then later sold the gasoline for an exempt purpose.

Effective date: July 1, 2012 (RETROACTIVE)

Code: IC 6-2.5-7-12

Enrolled Act: HEA 1546, Sec. 9

- Summary:** Provides that if a retail merchant has been notified that he is delinquent in remitting withholding or sales taxes and the retail merchant pays the outstanding liability before the expiration of the retail merchant certificate, the department shall renew the retail merchant's certificate for one year instead of two years. The two-year renewal is automatic if the retail merchant has no outstanding tax liabilities.

Effective date: Jan. 1, 2014

Code: IC 6-2.5-8-1

Enrolled Act: HEA 1546, Sec. 10

Summary: Provides that the department may revoke a retail merchant's certificate if the retail merchant commits certain violations relating to synthetic drugs.

Effective date: Upon Passage

Code: IC 6-2.5-8-7

Enrolled Act: SEA 85, Sec. 21; SEA 536, Sec. 2

- Summary:** Provides that a retail merchant who makes a retail transaction without a valid retail merchant's certificate commits a Class A misdemeanor. Previously, the offense was a Class B misdemeanor.

Effective date: July 1, 2013

Code: IC 6-2.5-9-2

Enrolled Act: HEA 1546, Sec. 11

Summary: Reduces the percentage of sales and use tax that goes to the general fund by 1% and deposits 1% in the motor vehicle highway account.

Effective date: July 1, 2013

Code: IC 6-2.5-10-1

Enrolled Act: HEA 1001, Sec. 78

Summary: Provides that direct mail will be sourced according to IC 6-2.5-13-3.

Effective date: July 1, 2013

Code: IC 6-2.5-13-1

Enrolled Act: SEA 608, Sec. 7

Summary: Provides that advertising and promotional direct mail will be sourced according to this section. Other direct mail will be sourced according to IC 6-2.5-13-1(d)(3).

Effective date: July 1, 2013

Code: IC 6-2.5-13-3

Enrolled Act: SEA 608, Sec. 8

Summary: Establishes an amnesty program for taxpayers having an unpaid use tax liability for a claiming transaction concerning a race horse on a transaction occurring before June 1, 2012. The taxpayer must pay the tax or establish a payment agreement before Jan. 1, 2014. If payment is made, the department shall abate all penalties, interest, collection fees, and costs. The department also shall release any liens imposed, shall not seek civil or criminal prosecution, and shall not issue any assessment for which amnesty has been granted.

Effective date: July 1, 2013

Code: IC 6-2.5-14

Enrolled Act: HEA 1001, Sec. 79

ADJUSTED GROSS INCOME TAX (IC 6-3)

Summary: Eliminates the following addbacks for purposes of determining adjusted gross income:

- Qualified restaurant property, qualified leasehold property, qualified retail improvement property, and seven-year property for a motorsports entertainment complex.
- Expensing of environmental remediation costs
- Charitable contribution of a distribution from an individual retirement plan
- Qualified tuition and related expenses
- Certain expenses of elementary and secondary school teachers
- Employer-provided education expenses
- Qualified advanced mine safety equipment
- Qualified transportation fringe benefits that exceed \$100 per month
- Additional deduction for student loan interest
- Additional business startup expenditures
- Net recognized built-in gain for an S corporation

Effective date: Jan. 1, 2013 (RETROACTIVE)

Code: IC 6-3-1-3.5

Enrolled Act: HEA 1001, Sec. 80

Summary: Provides that the following addbacks to adjusted gross income do not apply to tax years beginning after Dec. 31, 2011 (Tax Year 2012 for individuals and CY corporations):

- Qualified tuition and related expenses
- Charitable contribution of a distribution from an individual retirement account
- Qualified transportation fringe benefits that exceed \$100 per month
- Qualified restaurant property, qualified leasehold property, qualified retail improvement property, and seven-year motorsports entertainment complex property
- Qualified advanced mine safety equipment
- Recognized built-in gains of an S corporation

Requires the department to prescribe forms to implement this provision.

Effective date: Jan. 1, 2013 (RETROACTIVE)

Code: HEA 1001 NONCODE SECTION 361

Summary: Updates the Indiana Code to correspond to the Internal Revenue Code as in effect on Jan. 1, 2013. Provides that amendments to P.L. 111-312 that were treated as though they were not amended only apply to a taxable year ending before Jan. 1, 2013.

Effective date: Jan. 1, 2013 (RETROACTIVE)

Code: IC 6-3-1-11

Enrolled Act: HEA 1001, Sec. 81

Summary: Provides that for 2015 and 2016, the individual income tax rate is reduced to 3.3%. Provides that for 2017 and thereafter, the rate is reduced to 3.23%.

Effective date: July 1, 2013

Code: IC 6-3-2-1

Enrolled Act: HEA 1001, Sec. 82

Summary: Deletes a reference to a military base recovery site tax credit, which is repealed.

Effective date: Jan. 1, 2014

Code: IC 6-3-2-1.5

Enrolled Act: HEA 1545, Sec. 32

Summary: Provides the method for apportioning income derived from motorsports racing for corporations and nonresidents. Any purse, prize money, or other amounts earned for placement or participation in a race (including qualification) shall be attributed to Indiana if the race is conducted in Indiana. Any amounts received from an individual or entity as a result of sponsorship or similar promotional consideration for one or more races shall be in Indiana in the amount received, multiplied by a fraction whose numerator is the number of racing events for which sponsorship has been paid in a taxable year and that occur in Indiana and whose denominator is the total number of racing events for which sponsorship has been paid in a taxable year. This language is intended to be a clarification of the law and not a substantive change in the law.

Effective date: July 1, 2013

Code: IC 6-3-2-2

Enrolled Act: HEA 1544, Sec. 7

Summary: Apportions the income of race team members. Defines a “bonus” to include a bonus earned as a result of participation in a racing event, such as a performance bonus. Also includes a bonus paid for signing a contract, unless the following is true: the payment is not conditioned upon the signee participating in a racing event, the bonus is payable separately from the salary and any other compensation, and the bonus is nonrefundable. Defines “Indiana duty days” as the total duty days spent by a race team member within Indiana rendering a service for the race team in any manner. This does not include travel days spent in Indiana that do not involve a race, a team meeting, practice, qualification, training, testing, a promotional caravan, or other similar race team event. Defines “total duty days” as race days, practice days, qualification days, training days, testing days, days spent at team meetings, days spent with a promotional caravan, and days

served with the team in which the team competes. Also includes travel days and days spent conducting training and rehabilitation activities, but only if the service is conducted at facilities of the race team. Defines “race team member” as employees or independent contractors who render services on behalf of the race team. It includes drivers, mechanics, pit crew members, technicians, spotters, and crew chiefs. Defines “total income” as the total compensation received during the taxable year for services rendered. It includes salaries, wages, bonuses, and any other type of compensation paid to a race team member. It does not include strike benefits; severance or termination pay; relocation, contract, option-year buyout, or expansion, payments; or any other payments not related to services rendered to the team. Indiana income is the individual’s total income during the taxable year multiplied by a fraction. The numerator is the individual’s Indiana duty days; the denominator is the total duty days for the taxable year.

Effective date: July 1, 2013

Code: IC 6-3-2-3.2

Enrolled Act: HEA 1544, Sec. 8

- Summary:** Technical change to clarify that if a withholding agent’s annual withholding tax liability is less than \$1,000, the withholding agent is permitted to file one annual return.
Effective date: Jan. 1, 2013 (RETROACTIVE)
Code: IC 6-3-4-8
Enrolled Act: HEA 1546, Sec. 12

- Summary:** Provides that a partnership will not be penalized for failure to file a return, pay the full amount of tax shown on the return, or pay the deficiency of the withholding taxes due if the partnership pays the department at least 80% of the withholding tax due for the current year or 100% of the withholding tax due for the preceding year before the 15th day of the fourth month after the end of the partnership’s taxable year.
Effective date: July 1, 2013
Code: IC 6-3-4-12
Enrolled Act: HEA 1546, Sec. 13

- Summary:** Provides that an S corporation will not be penalized for failure to file a return, pay the full amount of tax shown on the return, or pay the deficiency of the withholding taxes due if the S corporation pays the department at least 80% of the withholding tax due for the current year or 100% of the withholding tax due for the preceding year before the 15th day of the fourth month after the end of the S corporation’s taxable year.
Effective date: July 1, 2013
Code: IC 6-3-4-13
Enrolled Act: HEA 1546, Sec. 14

INCOME TAX CREDITS (IC 6-3.1)

Summary: Deletes the references to the military base recovery tax credit, the military base investment cost credit, and the capital investment tax credit in the section that limits an investment being eligible for multiple credits.

Effective date: Jan. 1, 2014

Code: IC 6-3.1-1-3

Enrolled Act: HEA 1545, Sec. 33

Summary: Changes a reference from “board” to “corporation.”

Effective date: July 1, 2013

Code: IC 6-3.1-11-1

Enrolled Act: HEA 1545, Sec. 34

Summary: REPEALS language that defined “board” as the IEDC.

Effective date: July 1, 2013

Code: IC 6-3.1-11-2

Enrolled Act: HEA 1545, Sec. 35

Summary: Adds a section to define “corporation” as the IEDC.

Effective date: July 1, 2013

Code: IC 6-3.1-11-2.5

Enrolled Act: HEA 1545, Sec. 36

Summary: Deletes a reference to a repealed section concerning a qualified investment.

Effective date: July 1, 2013

Code: IC 6-3.1-11-10

Enrolled Act: HEA 1545, Sec. 37

Summary: Deletes the requirement that a vacant industrial facility has to be vacant for at least one year.

Effective date: July 1, 2013

Code: IC 6-3.1-11-15

Enrolled Act: HEA 1545, Sec. 38

Summary: REPEALS the section that dealt with requirements that must be met to be a vacant industrial facility.

Effective date: July 1, 2013

Code: IC 6-3.1-11-18

Enrolled Act: HEA 1545, Sec. 39

Summary: Eliminates some of the factors that the IEDC will consider in the granting of applications when determining whether a facility is a vacant industrial facility.

Effective date: July 1, 2013

Code: IC 6-3.1-11-19

Enrolled Act: HEA 1545, Sec. 40

Summary: REPEALS language concerning industrial recovery site designation.

Effective date: July 1, 2013

Code: IC 6-3.1-11-20

Enrolled Act: HEA 1545, Sec. 41

Summary: Technical change to the section dealing with a taxpayer that has reduced or ceased operations in Indiana to relocate to an industrial recovery site.

Effective date: July 1, 2013

Code: IC 6-3.1-11-21

Enrolled Act: HEA 1545, Sec. 42

Summary: Changes the reference from “board” to “corporation.”

Effective date: July 1, 2013

Code: IC 6-3.1-11-23

Enrolled Act: HEA 1545, Sec. 43

Summary: REPEALS the military base recovery tax credit.

Effective date: Jan. 1, 2014

Code: IC 6-3.1-11.5

Enrolled Act: HEA 1545, Sec. 44

Summary: REPEALS the military base investment cost credit.

Effective date: Jan. 1, 2014

Code: IC 6-3.1-11.6

Enrolled Act: HEA 1545, Sec. 45

Summary: Provides that the IEDC shall provide to the budget committee a report specifying the amount of EDGE credits granted during the preceding fiscal year.

Effective date: July 1, 2013

Code: IC 6-3.1-13-28

Enrolled Act: HEA 1001, Sec. 83

Summary: REPEALS the capital investment tax credit.

Effective date: Jan. 1, 2014

Code: IC 6-3.1-13.5

Enrolled Act: HEA 1545, Sec. 46

Summary: REPEALS the definition of “buddy system project” for computer donations to schools.

Effective date: Jan. 1, 2013 (RETROACTIVE)

Code: IC 6-3.1-15-1

Enrolled Act: HEA 1427, Sec. 4

Summary: Delete the reference to the “buddy system project” in the computer donation to schools tax credit.

Effective date: Jan. 1, 2013 (RETROACTIVE)

Code: IC 6-3.1-15-12; IC 6-3.1-15-17

Enrolled Act: HEA 1427, Sec. 5 and 6

Summary: Technical change that deletes language concerning the tax credit cap for the venture capital investment tax credit.

Effective date: July 1, 2013

Code: IC 6-3.1-24-9

Enrolled Act: HEA 1545, Sec. 47

Summary: REPEALS the coal combustion tax credit.

Effective date: Jan. 1, 2014

Code: IC 6-3.1-25.2

Enrolled Act: HEA 1545, Sec. 48

Summary: REPEALS the definition of “base state tax liability” for the Hoosier Business Investment (HBI) tax credit.

Effective date: July 1, 2013

Code: IC 6-3.1-26-1

Enrolled Act: HEA 1545, Sec. 49

Summary: REPEALS the definition of “full-time employee” in the HBI credit.

Effective date: July 1, 2013

Code: IC 6-3.1-26-4

Enrolled Act: HEA 1545, Sec. 50

Summary: Adds logistics investments as qualified investments for the HBI credit.

Effective date: July 1, 2013

Code: IC 6-3.1-26-8

Enrolled Act: HEA 1545, Sec. 51

Summary: Defines “logistics investment” to mean:

- Making an improvement to real property related to constructing a new transportation or logistics facility;
- Modernizing an existing transportation or logistics facility;
- Improving paved access to terminal facilities;
- Adding new maintenance areas;
- Improving transportation of goods by rail;
- Improving transportation of goods by water;
- Improving transportation of goods by air; and
- Improving warehousing and logistical capabilities.

A logistics investment does not include maintenance expenses.

Effective date: Jan. 1, 2014

Code: IC 6-3.1-26-8.5

Enrolled Act: HEA 1545, Sec. 52

Summary: Provides that the HBI tax credit can be 25% of the qualified investment if the investment is a logistics investment.

Effective date: Jan. 1, 2014

Code: IC 6-3.1-26-14

Enrolled Act: HEA 1545, Sec. 53

Summary: Eliminates a reference that states the credit cannot exceed 10% of the qualified investment.

Effective date: Jan. 1, 2014

Code: IC 6-3.1-26-15

Enrolled Act: HEA 1545, Sec. 54

Summary: Provides that a person seeking to substantially enhance the logistics industry may apply to the IEDC for approval of a qualified investment.

Effective date: Jan. 1, 2014

Code: IC 6-3.1-26-17

Enrolled Act: HEA 1545, Sec. 55

Summary: Provides that the IEDC may enter into an agreement with a person who is proposing to substantially enhance the logistics industry.

Effective date: Jan. 1, 2014

Code: IC 6-3.1-26-18

Enrolled Act: HEA 1545, Sec. 56

Summary: Provides that the total amount of HBI tax credits that the IEDC may approve for a state fiscal year may not exceed \$50,000,000 for qualified investments not related to the logistics industry and may not exceed \$10,000,000 for qualified investments related to the logistics industry.

Effective date: Jan. 1, 2014

Code: IC 6-3.1-26-20

Enrolled Act: HEA 1545, Sec. 57

Summary: Clarifies that certain qualifications and reporting requirements apply only to entities that are not claiming the logistics investment credit.

Effective date: Jan. 1, 2014

Code: IC 6-3.1-26-21

Enrolled Act: HEA 1545, Sec. 58

Summary: Requires the department to report to the budget committee information concerning logistic investments, including summary information regarding the taxpayers claiming the credit and the use of the credit. This includes the following:

- The amount of credits approved;
- The number of taxpayers applying for the credit;
- The number of taxpayers claiming it;
- The number of employees employed;
- The amount of new qualified expenditures;

- The total dollar amount of new credits claimed;
- The average dollar amount per taxpayer;
- The amount of credits to be carried forward;
- The percentage of the total credits claimed as compared to the total adjusted gross income of all the taxpayers claiming the credit;
- The name and address of each taxpayer claiming the credit; and
- The amount of the credit applied for by and granted to each taxpayer.

This information must be reported annually.

Effective date: Jan. 1, 2014

Code: IC 6-3.1-26-25

Enrolled Act: HEA 1545, Sec. 59

Summary: Expands the definition of “corporate headquarters” in the headquarters relocation tax credit to include the principal offices of a division or similar subdivision of an eligible business or a research and development center of an eligible business.

Effective date: July 1, 2013

Code: IC 6-3.1-30-1

Enrolled Act: HEA 1545, Sec. 60

Summary: Adds the definition of “corporation” to mean the IEDC.

Effective date: July 1, 2013

Code: IC 6-3.1-30-1.5

Enrolled Act: HEA 1545, Sec. 61

Summary: Reduces the annual worldwide revenue requirements of a business that wants to claim the headquarters relocation credit from \$100,000,000 to \$50,000,000.

Effective date: July 1, 2013

Code: IC 6-3.1-30-2

Enrolled Act: HEA 1545, Sec. 62

Summary: Provides that the IEDC will approve the eligibility of a business before the headquarters relocation credit is awarded.

Effective date: July 1, 2013

Code: IC 6-3.1-30-7.5

Enrolled Act: HEA 1545, Sec. 63

Summary: Provides that if the IEDC certifies that the taxpayer is an eligible business, the taxpayer is entitled to the credit.

Effective date: July 1, 2013

Code: IC 6-3.1-30-8

Enrolled Act: HEA 1545, Sec. 64

Summary: Provides that the IEDC may award a headquarters relocation to a taxpayer and that the credit can be up to 50% of the relocation costs.

Effective date: July 1, 2013

Code: IC 6-3.1-30-9

Enrolled Act: HEA 1545, Sec. 65

Summary: Provides that the school scholarship income tax credit can be carried forward for nine years after the unused credit year.

Effective date: Jan. 1, 2013 (RETROACTIVE)

Code: IC 6-3.1-30.5-9.5

Enrolled Act: HEA 1003, Sec. 2

Summary: Increases the maximum annual school scholarship tax credit for all taxpayers from \$5,000,000 to \$7,500,000.

Effective date: July 1, 2013

Code: IC 6-3.1-30.5-13

Enrolled Act: HEA 1001, Sec. 84

Summary: Provides an income tax credit for natural gas-powered vehicles. The credit applies only to vehicles weighing more than 33,000 pounds. The credit can be applied against the adjusted gross income tax, the financial institutions tax, and the insurance premium tax. The amount of the credit is the difference between the price of the qualified vehicle and the price of a similarly equipped vehicle that is powered by a gasoline or diesel engine. The difference is then multiplied by 50%. The credit is the lesser of 50% of the difference or \$15,000. The total amount of tax credits granted to a taxpayer in a taxable year is limited to \$150,000. The total of all credits for all taxpayers may not exceed either \$3,000,000 per year or the amount of revenue attributed to the sales tax imposed on fuel used to power an alternative fuel vehicle engaged in public transportation, whichever is less. The department shall record the time of filing of each return claiming a credit. If the total claims exceed the amount available, those claims that exceed the amount available will not be granted. The credit may be carried forward for six taxable years.

Effective date: Jan. 1, 2014

Code: IC 6-3.1-34.6

Enrolled Act: HEA 1324, Sec. 6

LOCAL OPTION INCOME TAXES (IC 6-3.5-1.1; IC 6-3.5-6; IC 6-3.5-7)

Summary: Provides new effective dates for ordinances adopted to increase, decrease, or rescind a local option income tax. An ordinance adopted after December 31 and before September 1 takes effect on October 1. An ordinance adopted after August 31 and before November 1 takes effect on January 1 of the following year. Provides that if the commissioner determines that an ordinance was not adopted according to the requirements of the statute or is otherwise not in compliance with the statute, the commissioner shall notify the county auditor that the ordinance was not adopted according to the statute and specify the corrective action that must be taken. The ordinance does not take effect until the corrective action is taken.

Effective date: July 1, 2013

Code: IC 6-3.5-1.1-1.5; IC 6-3.5-6-1.5; IC 6-3.5-7-4.9

Enrolled Act: SEA 544, Sec. 2, 12, and 26; SEA 85, Sec. 24

Summary: Requires a county auditor to notify the department of the adoption of an ordinance through an electronic format and eliminates the ability to send the notification through certified mail.

Effective date: July 1, 2013

Code: IC 6-3.5-1.1-2; IC 6-3.5-1.1-3; IC 6-3.5-1.1-3.1; IC 6-3.5-1.1-4; IC 6-3.5-1.1-24; IC 6-3.5-1.1-25; IC 6-3.5-1.1-26; IC 6-3.5-6-8; IC 6-3.5-6-9; IC 6-3.5-6-11; IC 6-3.5-6-12; IC 6-3.5-6-12.5; IC 6-3.5-6-28; IC 6-3.5-6-29; IC 6-3.5-6-30; IC 6-3.5-6-31; IC 6-3.5-6-32; IC 6-3.5-6-33; IC 6-3.5-7-5; IC 6-3.5-7-6; IC 6-3.5-7-7; IC 6-3.5-7-27

Enrolled Act: SEA 544, Sec. 3-6, 9-11, 13-17, 20-25, 27-29, 32; SEA 85, Sec. 23

- Summary:** Extends the Jackson County additional county adjusted gross income tax until Dec. 31, 2023. The original increase of .1% expired on June 30, 2011.
Effective date: July 1, 2013
Code: IC 6-3.5-1.1-2.5
Enrolled Act: HEA 1546, Sec. 15

- Summary:** Extends the Pulaski County additional county adjusted gross income tax until Dec. 31, 2020. The original increase of .3% expired on Dec. 31, 2006.
Effective date: July 1, 2013
Code: IC 6-3.5-1.1-3.5
Enrolled Act: HEA 1546, Sec. 16

- Summary:** Validates and legalizes the Jackson County additional tax that was collected between July 1, 2011, and July 1, 2013.
Effective date: July 1, 2013
Code: IC 6-3.5-1.1-27
Enrolled Act: HEA 1546, Sec. 17

- Summary:** Validates and legalizes the Pulaski County additional tax that was collected between the eight years that were originally authorized and July 1, 2013.
Effective date: July 1, 2013
Code: IC 6-3.5-1.1-28
Enrolled Act: HEA 1546, Sec. 18

INHERITANCE AND ESTATE TAXES (IC 6-4.1)

Summary: Repeals the inheritance tax for deaths occurring after Dec. 31, 2012. Amends the inheritance tax refund statute (IC 6-4.1-10-1), including the requirement to use the refund claim form prescribed by the department (Form IH-5.)

Effective date: Jan. 1, 2013 (RETROACTIVE)

Code: IC 6-4.1

Enrolled Act: HEA 1001, Sec. 99-123

FINANCIAL INSTITUTIONS TAX (IC 6-5.5)

Summary: Eliminates the following addbacks when determining the adjusted gross income for a financial institution:

- Qualified restaurant property, qualified leasehold property, qualified retail improvement property, and seven-year property for a motorsports entertainment complex
- Expensing of environmental remediation costs
- Qualified advanced mine safety equipment
- Additional business startup expenditures
- Net recognized built-in gain for an S corporation

Effective date: Jan. 1, 2013 (RETROACTIVE)]

Code: IC 6-5.5-1-2

Enrolled Act: HEA 1001, Sec. 124

Summary: Provides that the following addbacks to determine adjusted gross income of a financial institution do not apply to tax years beginning after Dec. 31, 2011 (Tax Year 2012 for CY financial institutions):

- Qualified restaurant property, qualified leasehold property, qualified retail improvement property, and seven-year motorsports entertainment complex property
- Qualified advanced mine safety equipment
- Recognized built-in gains of an S corporation

Requires the department to prescribe forms to implement this provision.

Effective date: Jan. 1, 2013 (RETROACTIVE)

Code: HEA 1001 NONCODE SECTION 362

Summary: Reduces the financial institutions tax rate from 8.5% to 8.0% for taxable years beginning after Dec. 31, 2013. Continues the 0.5% reduction for each year until Jan. 1, 2017, when the rate will be 6.5%.

Effective date: July 1, 2013

Code: IC 6-5.5-2-1

Enrolled Act: HEA 1018, Sec. 5

Summary: Changes the calculation of the supplemental distribution of the financial institutions tax to local units of government. The new formula is 40% of the total financial institutions tax revenue multiplied by a fraction. The numerator is the amount of guaranteed distribution that a local unit received in 2012; the denominator is the total amount of guaranteed distributions received by all local units in 2012.

Effective date: July 1, 2013

Code: IC 6-5.5-8-2

Enrolled Act: HEA 1001, Sec. 125

Summary: Provides that the guaranteed distribution will be determined semiannually in April and October of each year instead of quarterly.

Effective date: Jan. 1, 2014

Code: IC 6-5.5-8-3

Enrolled Act: HEA 1001, Sec. 126

GASOLINE AND SPECIAL FUEL TAXES (IC 6-6-1.1, AND IC 6-6-2.5)

Summary: REPEALS the chapter concerning special fuel tax.

Effective date: Jan. 1, 2014

Code: IC 6-6-2.1

Enrolled Act: HEA 1324, Sec. 7

Summary: Adds liquid natural gas to the definition of alternative fuel.

Effective date: Jan. 1, 2014

Code: IC 6-6-2.5-1

Enrolled Act: HEA 1324, Sec. 8

Summary: Adds alternative fuel to the definition of special fuel.

Effective date: Jan. 1, 2014

Code: IC 6-6-2.5-22

Enrolled Act: HEA 1324, Sec. 9

Summary: Provides that the special fuel tax of \$0.16 per gallon applies to the diesel gallon equivalent for natural gas and the gasoline gallon equivalent for compressed natural gas, or a fuel commonly known as butane or propane.

Effective date: Jan. 1, 2014

Code: IC 6-6-2.5-28

Enrolled Act: HEA 1324, Sec. 10

Summary: Defines a “truck stop” as a place of business designed for providing services to trucks and truck drivers, including selling fuel to truck drivers and providing support facilities for truck drivers.

Effective date: July 1, 2013

Code: IC 6-6-2.5-26.5

Enrolled Act: SEA 479, Sec. 18

Summary: Requires a truck stop owner to obtain a truck stop owner’s license from the department. The license is valid for two years.

Effective date: July 1, 2013

Code: IC 6-6-2.5-41

Enrolled Act: SEA 479, Sec. 19

MOTOR CARRIER FUEL USE TAX (IC 6-6-4.1)

Summary: Defines the terms “diesel gallon equivalent,” “gasoline gallon equivalent,” “alternative fuel,” and “special fuel” in the motor carrier fuel use tax statute.

Effective date: Jan. 1, 2014

Code: IC 6-6-4.1-1

Enrolled Act: HEA 1324, Sec. 11

Summary: Imposes the motor carrier fuel use tax on vehicles using liquid natural gas or compressed natural gas.

Effective date: Jan. 1, 2014

Code: IC 6-6-4.1-4

Enrolled Act: HEA 1324, Sec. 12

Summary: Imposes the motor carrier fuel use tax surcharge tax on vehicles using liquid natural gas or compressed natural gas.

Effective date: Jan. 1, 2014

Code: IC 6-6-4.1-4.5

Enrolled Act: HEA 1324, Sec. 13

Summary: Provides that a yard tractor that has obtained an annual permit under the motor carrier fuel use tax is not required to display a license plate when the vehicle is being operated on a public highway.

Effective date: July 1, 2013

Code: IC 6-6-4.1-13

Enrolled Act: SEA 563, Sec. 1

Summary: Deletes archaic language contained in the commercial motor vehicle excise tax statute.

Effective date: Jan. 1, 2014

Code: IC 6-6-5.5-3, IC 6-6-5.5-4, IC 6-6-5.5-5, IC 6-6-5.5-6, IC 6-6-5.5-7, IC 6-6-5.5-9

Enrolled Act: HEA 1546, Sec. 20-25

MISCELLANEOUS FUEL TAX PROVISIONS (IC 6-6)

Summary: Provides a road tax credit for motor carriers consuming compressed natural gas. The credit is equal to 12% of the road taxes imposed upon the carrier's consumption of compressed natural gas. The credit is refundable.

Effective date: Jan. 1, 2014

Code: IC 6-6-12

Enrolled Act: HEA 1324, Sec. 14

Summary: Establishes the aviation fuel excise tax. The tax is \$0.10 per gallon for aviation fuel purchased in Indiana. The retailer will add the tax to the selling price of each gallon of fuel sold. The sale of the fuel is exempt if it is placed into the supply tank of an aircraft owned by the U.S. or its instrumentalities, the state of Indiana, the Indiana Air National Guard, or a common carrier of passengers or freight. A purchaser of exempt fuel must present an exemption certificate to the retailer. A retailer shall remit the tax to the department by the 16th day of the month following the calendar month in which the sales occurred. The retailer must remit the tax by EFT and may retain 1.6% of the tax collected for timely remittance. A person who knowingly fails to collect or timely remit the tax is subject to a penalty of 100% of the uncollected tax plus the amount of tax due. The aviation fuel excise tax that is collected will be deposited in the state general fund.

Effective date: July 1, 2013

Code: IC 6-6-13

Enrolled Act: HEA 1545, Sec. 67

CIGARETTE AND OTHER TOBACCO PRODUCTS TAX (IC 6-7-1, AND IC 6-7-2)

Summary: Reduces the cigarette tax distribution to the retiree health benefit trust fund from 5.74% to 4% of the total cigarette and other tobacco products taxes collected. Increases the percentage that the general fund receives by a corresponding percentage.

Effective date: July 1, 2013

Code: IC 6-7-1-28.1

Enrolled Act: HEA 1001, Sec. 128

Summary: Provides that a person selling other tobacco products through an Internet website is responsible for remitting the other tobacco products tax to the department.

Effective date: July 1, 2013

Code: IC 6-7-2-7

Enrolled Act: HEA 1001, Sec. 129

Summary: Provides that a person selling other tobacco products through an Internet website must obtain a distributor's license.

Effective date: July 1, 2013

Code: IC 6-7-2-8

Enrolled Act: HEA 1001, Sec. 130

MISCELLANEOUS TAXES (IC 6-8)

Summary: Adds a new chapter concerning disaster recovery exemptions. Provides that an Indiana business may request and receive assistance from an out-of-state business to perform disaster emergency-related work during a disaster period. "Disaster-related work" means repairing, renovating, installing, or building infrastructure that is damaged, impaired, or destroyed by an event that caused a disaster emergency to be declared. Infrastructure includes utilities and public roads and bridges. An out-of-state business that enters Indiana to perform work shall, upon request, provide the department with a statement that the business is in Indiana to respond to a disaster emergency. An out-of-state business that performs disaster emergency-related work is exempt from the following:

- Paying any state or local taxes including income taxes;
- Complying with state or local business, occupational licensing, or registration requirements;
- Providing worker's compensation insurance; and
- Making contributions to the unemployment compensation system.

An out-of-state employee is exempt from any state or local income taxes. Unless otherwise exempted during a disaster period, an out-of-state business or out-of-state employee shall pay transaction taxes including fuel taxes, hotel taxes, car rental taxes, and sales tax on the purchase of materials or services for use or consumption during the disaster period.

Effective date: July 1, 2013

Code: IC 6-8-13

Enrolled Act: HEA 1546, Sec. 26

Summary: Adds the motorsports admission fee. Imposes an admission fee for tickets purchased for a race day at a qualified motorsports facility. The fee is imposed on each person who is charged for admission to a qualified motorsports facility on a race day. The fee is imposed at the following rates: 6% if the admission charge is \$150 or more, 3% if the admission charge is \$100 or more but less than \$150, and 2% on any admission charge less than \$100. The fee does not apply to any amount charged for parking at a qualified motorsports facility. The person who collects the admission fee shall remit the fee to the department by the 15th day of the month following the month of collection. The fee shall be deposited in the state general fund.

Effective date: Jan. 1, 2014

Code: IC 6-8-14

Enrolled Act: HEA 1544, Sec. 9

TAX ADMINISTRATION (IC 6-8.1)

Summary: Deletes the alternative fuel permit fee from the definition of listed taxes and fees.

Effective date: Jan. 1, 2014

Code: IC 6-8.1-1-1

Enrolled Act: HEA 1324, Sec. 15

Summary: Provides that the aviation fuel excise tax is a listed tax.

Effective date: July 1, 2013

Code: IC 6-8.1-1-1

Enrolled Act: HEA 1544, Sec. 68

- Summary:** Defines “secure electronic delivery service” to mean a service that employs security procedures to provide, send, deliver, or otherwise communicate electronic records to the intended recipient using security methods such as passwords, encryption, and matching electronic addresses to the U.S. postal address and that operates subject to the applicable requirements of the Electronic Signatures in Global and National Commerce Act. Provides that when a statute specifies that the department is required to send a document by mail and the particular statute is silent as to the class or type of mail to be used, the department can use a secure electronic delivery service in addition to the other methods already contained in the statute.

Effective date: July 1, 2013

Code: IC 6-8.1-3-11

Enrolled Act: HEA 1546, Sec. 27

Summary: Requires that any person who conducts or sponsors a race at a qualified motorsports facility shall provide to the department a list of persons or entities to whom prize money, purses, or other amounts are distributed.

Effective date: July 1, 2013

Code: IC 6-8.1-5-5

Enrolled Act: HEA 1544, Sec. 10

Summary: Provides that information concerning incremental tax amounts from taxpayers located in the global commerce center, industrial development areas, economic development project districts, economic development tax areas, and professional sports development districts

can be released to the fiscal officer of the entity that established the district if the official agrees to use the information for official purposes only.

Effective date: July 1, 2013

Code: IC 6-8.1-7-1

Enrolled Act: HEA 1001, Sec. 131; SEA 479, Sec. 20; SEA 544, Sec. 38

- Summary:** Provides that a taxpayer required to remit sales or withholding taxes electronically may, by agreement with the department, authorize the department to use a secure electronic delivery service developed by the department instead of delivery by mail.
Effective date: July 1, 2013
Code: IC 6-8.1-6-7
Enrolled Act: HEA 1546, Sec. 28
- Summary:** Provides that the department may provide confidential taxpayer information to a member of the general assembly or an employee of the general assembly when acting on behalf of a taxpayer located in the member's legislative district when the taxpayer has provided sufficient information to the member or employee for the department to determine that the member or employee is acting on behalf of the taxpayer.
Effective date: Jan. 1, 2014
Code: IC 6-8.1-7-1
Enrolled Act: HEA 1546, Sec. 29
- Summary:** Adds the newly created IC 6-8.1-8-17 as an exception to the demand notice requirements found in this section.
Effective date: July 1, 2013
Code: IC 6-8.1-8-2
Enrolled Act: HEA 1546, Sec. 30
- Summary:** Provides that when the department issues a tax warrant to a taxpayer who has not filed a tax return, the taxpayer is not entitled to a demand notice that would negate the tax warrant if the taxpayer files a return subsequent to the issuance of the tax warrant and fails to remit the amount of tax liability identified on the applicable tax return.
Effective date: July 1, 2013
Code: IC 6-8.1-8-17
Enrolled Act: HEA 1546, Sec. 31
- Summary:** Provides an alcoholic beverage excise tax credit for liquor or wine excise taxes paid in duplicate as a result of excise taxes being imposed at the time the goods are received and when the same goods are withdrawn from a storage facility. Provides that the credit shall be claimed monthly by the taxpayer and may not exceed 10% of the monthly excise tax liability reported by the taxpayer. The taxpayer may not claim the monthly credit for more than 36 months. The credit claimed must be used for capital expenditures to expand employment or assist in retaining employment within Indiana. The department shall annually verify the taxpayer's compliance.
Effective date: July 1, 2013
Code: IC 6-8.1-9-2
Enrolled Act: HEA 1546, Sec. 32

Summary: Provides that sales tax, cigarette tax, and alcoholic beverage tax refunds will be paid from all accounts that receive the taxes and not have the refund paid exclusively from the general fund.

Effective date: July 1, 2013

Code: IC 6-8.1-9-1.3

Enrolled Act: SEA 544, Sec. 39

Summary: Specifies that all state agencies shall cooperate with the department by providing at no charge to the department relevant information that the department requests, including monthly reports identifying the use of a fraudulent identity. Requires the Department of Correction to annually provide to the department an electronic file listing the name and Social Security number of each individual under the jurisdiction of the Department of Correction. Requires the State Department of Health to annually provide to the department an electronic file listing the name of each individual for whom an Indiana death certificate was issued during the preceding year.

Effective date: July 1, 2013

Code: IC 6-8.1-3-7

Enrolled Act: SEA 559, Sec. 2

Summary: Creates a new individual tax refund check-off for funding public education for kindergarten through grade 12. If the refund is less than the total amount designated, the public education fund and the nongame fund will receive proportional amounts of the amount available.

Effective date: Jan. 1, 2015

Code: IC 6-8.1-9-4

Enrolled Act: HEA 1545, Sec. 69

- Summary:** Authorizes the Office of Management and Budget to enter into an agreement with the Secretary of the Treasury of the United States to establish an offset program. The program would authorize tax and non-tax debts owed to Indiana by a person to be offset by the federal government through federal payments to vendors and contractors and by tax refunds. The agreement may permit non-tax debts owed to federal agencies for offset against payments owed to taxpayers as well as vendors and contractors providing goods or services to the state. A state refund offset for federal taxes owed is already in place.

Effective date: July 1, 2013

Code: IC 6-8.1-9.7

Enrolled Act: SEA 1546, Sec. 33

- Summary:** Provides that IC 6-3-4-12(j) and IC 6-3-4-13(l) do not apply to penalties imposed under IC 6-8.1-10-2.1.

Effective date: July 1, 2013

Code: IC 6-8.1-10-2.1

Enrolled Act: SEA 1546, Sec. 34

- Summary:** Provides that the penalty for a payment when the department is unable to obtain a payment on the instrument presented for payment through normal banking channels is reduced from 100% to 30% (bad check penalty).
Effective date: Jan. 1, 2014
Code: IC 6-8.1-10-5
Enrolled Act: SEA 1546, Sec. 35

INNKEEPERS AND OTHER LOCAL TAXES (IC 6-6 and IC 6-9)

Summary: Provides that the additional Marion County Auto Rental Excise Tax may not continue in effect after Feb. 28, 2023.

Effective date: July 1, 2013

Code: IC 6-6-9.7-7

Enrolled Act: HEA 1001, Sec. 127

- Summary:** Authorizes Vigo County to increase its innkeeper's tax from 5% to 8%.
Effective date: July 1, 2013
Code: IC 6-9-11-6
Enrolled Act: SEA 1546, Sec. 36

Summary: Provides that the additional admissions tax authorized for Marion County may not continue in effect after Feb. 28, 2023.

Effective date: July 1, 2013

Code: IC 6-9-13-2

Enrolled Act: HEA 1001, Sec. 132

Summary: Authorizes Cloverdale to adopt a 1% food and beverage tax, with the revenue to be used for: (1) sanitary sewers or wastewater treatment facilities; (2) drainage or flood control facilities; (3) water treatment, storage, or distribution facilities; and (4) bonds to finance the previously mentioned three uses.

Effective date: July 1, 2013

Code: IC 6-9-43

Enrolled Act: HEA 1070, Sec. 1

Summary: Authorizes the Town of Fishers to adopt a 1% food and beverage tax with the revenue to be used by the town: (1) to reduce the town's property tax levy for a particular year at the discretion of the town; or (2) for economic development purposes.

Effective date: Upon Passage

Code: IC 6-9-44

Enrolled Act: HEA 1070, Sec. 2

MISCELLANEOUS PROVISIONS

Summary: Provides that the balance in the state tuition reserve fund will not be used when calculating the state reserves for purposes of determining the amount of an automatic taxpayer refund.

Effective date: July 1, 2013

Code: IC 4-10-22-1

Enrolled Act: HEA 1001, Sec. 60

Summary: Provides that if the excess reserves for fiscal year ending June 30, 2013, exceed \$50,000,000, 100% of the excess reserves shall be transferred to the pension stabilization fund. For the years 2014 and beyond, 50% of any excess reserves will be used for providing an automatic taxpayer refund.

Effective date: July 1, 2013

Code: IC 4-10-22-3

Enrolled Act: HEA 1001, Sec. 61

Summary: Creates motorsports investment district credits. Establishes provisions for incremental sales tax and income tax for taxpayers' activities in the district. Before the first business day in October of each year, the department shall calculate the income tax incremental amount and the sales tax incremental amount for the preceding fiscal year for the district. Businesses operating in the district shall report to the department the information necessary to determine the incremental income tax and incremental sales tax. Before the first business day in November of each year, the department shall determine the sum of the income tax incremental amount, the sales tax incremental amount, and the amount of admissions fees deposited in the state general fund. The department shall notify the Indiana finance authority, the Indiana motorsports commission, the budget agency, and the owner of the qualified motorsports facility of the total amounts mentioned above. The amount shall be credited to the obligation of the owner of the qualified motorsports facility.

Effective date: July 1, 2013

Code: IC 4-10-23

Enrolled Act: HEA 1544, Sec. 4

Summary: Provides that \$0.65 of the riverboat admissions tax will be deposited in the state general fund instead of being paid to the Indiana Horse Racing Commission.

Effective date: July 1, 2013

Code: IC 4-33-12-6

Enrolled Act: SEA 528, Sec. 17

Summary: REPEALS a section concerning the maximum amount of riverboat admissions tax that can be paid to the Indiana Horse Racing Commission in a fiscal year.

Effective date: July 1, 2013

Code: IC 4-33-12-7

Enrolled Act: SEA 528, Sec. 18

Summary: Provides that the tax rate for the adjusted gross wagering tax for riverboats is reduced from 15% to 5% for the first \$25,000,000 of adjusted gross receipts if the total adjusted gross receipts did not exceed \$75,000,000 in the preceding fiscal year. Provides that if the adjusted gross receipts do exceed \$75,000,000 in the fiscal year when the riverboat paid at the lower rate, the owner of the riverboat is subject to an additional tax of \$2,500,000.

Effective date: July 1, 2013

Code: IC 4-33-13-1.5

Enrolled Act: SEA 528, Sec. 20

Summary: Deletes a subsection concerning the supplemental distribution of the riverboat wagering tax to the Indiana Horse Racing Commission.

Effective date: July 1, 2013

Code: IC 4-33-13-5

Enrolled Act: SEA 528, Sec. 21

Summary: Adds a new section to define “qualified wagering” as wagers by patrons using noncashable vouchers, coupons, electronic credits, or electronic promotions provided by the licensed riverboat owner. Provides that the owner can deduct from the adjusted gross receipts, at any time during a state fiscal year, the amount of adjusted gross receipts attributable to qualified wagering. Provide that the maximum deduction for the fiscal year ending June 30, 2013, may not exceed \$2,500,000, and for fiscal years ending before July 1, 2016, the deduction may not exceed \$5,000,000.

Effective date: Upon Passage

Code: IC 4-33-13-7

Enrolled Act: SEA 528, Sec. 22

Summary: Reduces the slot machine wagering tax at racinos from 99% of adjusted gross receipts to 91.5% of adjusted gross receipts.

Effective date: July 1, 2013

Code: IC 4-35-8-1

Enrolled Act: HEA 1001, Sec. 72; SEA 609, Sec. 18

Summary: Adds a new section to define “qualified wagering” as wagers by patrons using noncashable vouchers, coupons, electronic credits, or electronic promotions provided by the licensed racino owner. Provides that the owner can deduct from the adjusted gross receipts, at any time during a state fiscal year, the amount of adjusted gross receipts attributable to qualified wagering. Provides that the maximum deduction for the fiscal year ending June 30, 2013, may not exceed \$2,500,000 and that it may not exceed \$5,000,000 for fiscal years ending before July 1, 2016.

Effective date: Upon Passage

Code: IC 4-35-8-5

Enrolled Act: SEA 528, Sec. 36

Summary: Creates a motorsports investment district. The district consists of the motorsports facility and adjacent property that is related to the motorsports facility and that is owned by the owner of the motorsports facility or an affiliate or subsidiary of the owner, or property on which

activities related to the motorsports facility occur and other public property specified by the commission. A taxpayer operating in the motorsports district that files a consolidated return with the department shall annually file an information return for each of its business locations within the district. If a motorsports investment district is created, the commission shall provide the department with a list of the employers and vendors with a responsibility to remit taxes in the district, as well as the street names and ranges of street numbers of each street in the district. The commission shall update the list annually before July 1. Upon department request, a political subdivision in which the motorsports facility is located shall provide data to the department about permits issued by the political subdivision to vendors operating within the district. The department is required to develop guidelines and instructions concerning the appropriate amount of AGIT to be withheld from purse money and prizes won for racing in the district.

Effective date: July 1, 2013

Code: IC 5-1-17.5

Enrolled Act: HEA 1544, Sec. 5

Summary: Requires taxpayers operating in the global commerce center to report annually to the department the amount of incremental sales and income tax attributable to the center. If the taxpayer files a consolidated return, the taxpayer shall file an informational return for each business location within the center. If the taxpayer fails to file the required reports, the department shall use the best information available in calculating the incremental sales and income tax amounts.

Effective date: Upon Passage

Code: IC 5-28-26-15

Enrolled Act: SEA 544, Sec. 1

- Summary:** Provides that any issuance, renewal, or transfer of an alcoholic beverage permit of any kind is not permitted if the person seeking renewal or transfer is more than 30 days delinquent in remitting sales or withholding taxes. A permit may be granted if the Alcohol and Tobacco Commission receives a notice from the department that the sales or withholding taxes have been remitted to the department.

Effective date: July 1, 2013

Code: IC 7.1-3-21-15

Enrolled Act: HEA 1546, Sec. 37

Summary: REPEALS the language giving airport development zone taxpayers the tax benefits that would be available if they were in an enterprise zone.

Effective date: Jan. 1, 2014

Code: IC 8-22-3.5-14

Enrolled Act: HEA 1545, Sec. 70

- Summary:** Clarifies that the department is responsible for issuing registrations for commercial motor vehicles if more than 25 vehicles are in the fleet and the vehicles each weigh more than 26,000 pounds. Extends the validity of these plates from five years to being permanent.

Effective date: Jan. 1, 2014

Code: IC 9-18-2-4.5

Enrolled Act: HEA 1546, Sec. 38

- Summary:** Authorizes staggered registration of vehicles registered with the department under the International Registration Plan.
Effective date: Jan. 1, 2014
Code: IC 9-18-2-7
Enrolled Act: HEA 1546, Sec. 39
- Summary:** Provides that a bus registered through the International Registration Plan shall apply for the registration electronically with the department.
Effective date: Jan. 1, 2014
Code: IC 9-18-2-14
Enrolled Act: HEA 1546, Sec. 40
- Summary:** Allows the department to impose a lien on the property of an owner or operator of an underground storage tank if the owner or operator fails to pay fees due under certain provisions. Allows a transferee of property upon which a tank is located to receive money from the excess liability trust fund if applicable tank fees are paid.
Effective date: July 1, 2013
Code: IC 13-23-7-10
Enrolled Act: SEA 297, Sec. 1
- Summary:** Provides that past due fees include fees, interest, and penalties assessed by the department.
Effective date: July 1, 2013
Code: IC 13-23-8-4
Enrolled Act: SEA 297, Sec. 2
- Summary:** Provides that “automated sales suppression devices” and “phantom-ware” may be seized.
Effective date: July 1, 2013
Code: IC 34-24-1-1
Enrolled Act: HEA 1546, Sec. 42
- Summary:** Defines “automated sales suppression devices,” “phantom-ware,” and related terms. Provides that anyone who knowingly or intentionally sells, purchases, installs, transfers, or possesses automated sales suppression devices or phantom-ware after June 30, 2013, commits unlawful sale or possession of a transaction manipulation device, which is a Class C felony.
Effective date: July 1, 2013
Code: IC 35-43-5-4.6
Enrolled Act: HEA 1546, Sec. 43
- Summary:** Requires taxpayers to report annually to the department the amount of incremental sales and income tax attributable to the industrial development district. If the taxpayer files a consolidated return, the taxpayer shall file an informational return for each business location

within the district. If the taxpayer fails to file the required reports, the department shall use the best information available in calculating the incremental sales and income tax amounts.

Effective date: July 1, 2013

Code: IC 36-7-13-14

Enrolled Act: SEA 544, Sec. 42

Summary: Requires taxpayers to report annually to the department the amount of incremental sales and income tax attributable to the economic development project district. If the taxpayer files a consolidated return, the taxpayer shall file an informational return for each business location within the district. If the taxpayer fails to file the required reports, the department shall use the best information available in calculating the incremental sales and income tax amounts.

Effective date: July 1, 2013

Code: IC 36-7-26-23

Enrolled Act: SEA 544, Sec. 43

Summary: Requires taxpayers to report annually to the department the amount of incremental sales and income tax attributable to the economic development tax area. If the taxpayer files a consolidated return, the taxpayer shall file an informational return for each business location within the area. If the taxpayer fails to file the required reports, the department shall use the best information available in calculating the incremental sales and income tax amounts.

Effective date: Jan. 1, 2014

Code: IC 36-7-27-13

Enrolled Act: SEA 544, Sec. 44

Summary: Requires taxpayers to report annually to the department the amount of incremental sales and income tax attributable to the Marion County professional sports development area. If the taxpayer files a consolidated return, the taxpayer shall file an informational return for each business location within the area. If the taxpayer fails to file the required reports, the department shall use the best information available in calculating the incremental sales and income tax amounts.

Effective date: July 1, 2013

Code: IC 36-7-31-15

Enrolled Act: SEA 544, Sec. 45

Summary: Requires taxpayers to report annually to the department the amount of incremental sales and income tax attributable to a professional sports development area. If the taxpayer files a consolidated return, the taxpayer shall file an informational return for each business location within the area. If the taxpayer fails to file the required reports, the department shall use the best information available in calculating the incremental sales and income tax amounts.

Effective date: July 1, 2013

Code: IC 36-7-31.3-13

Enrolled Act: SEA 544, Sec. 46

Summary: Provides that the IEDC may authorize only two new certified technology parks in a fiscal year.

Effective date: July 1, 2013

Code: IC 36-7-32-11

Enrolled Act: HEA 1546, Sec. 44

Summary: If the IEDC desires to designate a certified technology park, it shall submit its proposal to the budget committee for review and approval.

Effective date: July 1, 2013

Code: IC 36-7-32-11.5

Enrolled Act: HEA 1546, Sec. 45

Summary: Requires taxpayers to report annually to the department the amount of incremental sales and income tax attributable to the certified technology park. If the taxpayer files a consolidated return, the taxpayer shall file an informational return for each business location within the park. If the taxpayer fails to file the required reports, the department shall use the best information available in calculating the incremental sales and income tax amounts.

Effective date: July 1, 2013

Code: IC 36-7-32-21

Enrolled Act: SEA 544, Sec. 47

PART 2
LEGISLATION BY ENROLLED ACT NUMBER

SEA 85

Summary: This bill resolves technical conflicts between differing 2012 amendments to Indiana Code sections and other technical problems in the Indiana Code, including incorrect statutory references, nonstandard tabulation, and grammatical problems. Strikes subsections that have expired and updates statutory population parameters that were not updated by P.L.119-2012. (Sec. 20-26)

Effective date: Upon Passage

Code: IC 6-2.5-3-2; IC 6-2.5-8-7; IC 6-3.1-20-4; IC 6-3.5-1.1-25; IC 6-3.5-6-1.5; IC 6-3.5-6-31; IC 6-6-6.5-21.5

SEA 297

Summary: Allows the department to impose a lien on the property of an owner or operator of an underground storage tank if the owner or operator fails to pay fees due under certain provisions. Allows a transferee of property upon which a tank is located to receive money from the excess liability trust fund if applicable tank fees are paid. (Sec. 1)

Effective date: July 1, 2013

Code: IC 13-23-7-10

Summary: Provides that past due fees include fees, interest, and penalties assessed by the department. (Sec. 2)

Effective date: July 1, 2013

Code: IC 13-23-8-4

SEA 479

Summary: Enacts a use tax on gasoline and repeals the sales tax on gasoline. Provides that the use tax rate is calculated monthly by the department based on 7% of the statewide average retail price of gasoline excluding all state and federal excise taxes. A qualified distributor, a refiner, or a terminal operator that sells gasoline to a retail merchant is responsible for collecting and remitting the gasoline use tax to the department. The department may publish a list of qualified distributors on the department's Internet website. The distributor, refiner, or terminal operator is required to remit the tax to the department semimonthly through the department's online tax filing system. The tax is required to be remitted by the 10th of the month for sales after the 15th and before the end of the preceding month and on or before the 25th of the month for sales after the end of the preceding month and before the 16th day on the month in which the gasoline was sold. The refiner, terminal operator, or qualified distributor is required to file a report covering the taxes owed and the gallons of gasoline sold during the preceding month. The gasoline use tax collected shall be deposited in the same manner as the sales and use taxes under IC 6-2.5-10-1. The gasoline use tax is considered the equivalent of the sales tax that would be collected by a

retail merchant and replaces the obligation of the retail merchant to collect the sales tax on the sale of gasoline. The exemptions provided in IC 6-2.5-5 apply to the gasoline use tax. (Sec. 1)

Effective date: July 1, 2014

Code: IC 6-2.5-3.5

Summary: Provides that in the case of the sales of gasoline, a person shall collect the gasoline use tax as provided in IC 6-2.5-3.5. Deletes references to the sales of gasoline in determining the gross retail income for sales tax purposes. (Sec. 2)

Effective date: July 1, 2014

Code: IC 6-2.5-4-1

Summary: Provides that persons responsible for remitting the gasoline use tax are entitled to the same collection allowance as other retailers. A retail merchant is not entitled to the collection allowance with respect to the gasoline use tax. (Sec. 3)

Effective date: July 1, 2014

Code: IC 6-2.5-6-10

Summary: Deletes references to gasoline and other definitions that no longer apply in the chapter concerning the sales tax on gasoline and special fuel. (Sec. 4)

Effective date: July 1, 2014

Code: IC 6-2.5-7-1

Summary: Deletes references to gasoline in regards to a retail merchant selling gasoline and special fuel. (Sec. 5)

Effective date: July 1, 2014

Code: IC 6-2.5-7-2

Summary: Deletes language concerning the collection of sales tax on gasoline. (Sec. 6)

Effective date: July 1, 2014

Code: IC 6-2.5-7-3

Summary: Deletes references to gasoline and the accounting for gasoline sold in the monthly reports required in this section. (Sec. 8)

Effective date: July 1, 2014

Code: IC 6-2.5-7-5

Summary: REPEALS sections concerning the prepaid sales tax on gasoline. (Sec. 9-17)

Effective date: July 1, 2014

Code: IC 6-2.5-7-7 through IC 6-2.5-7-15

Summary: Defines a “truck stop” as a place of business designed for providing services to trucks and truck drivers, including selling fuel to truck drivers and providing support facilities for truck drivers. (Sec. 18)

Effective date: July 1, 2013

Code: IC 6-6-2.5-26.5

Summary: Requires a truck stop owner to obtain a truck stop owner's license from the department. The license is valid for two years. (Sec. 19)

Effective date: July 1, 2013

Code: IC 6-6-2.5-41

Summary: Provides that the names and business addresses of persons issued licenses under the fuel tax laws and tobacco tax laws may be released for the purpose of reporting the status of the license. (Sec. 20)

Effective date: July 1, 2013

Code: IC 6-8.1-7-1

Summary: Requires the department to publish before June 30, 2014, the gasoline use tax rate that will apply to the sales of gasoline occurring in July 2014. Requires each retail merchant to take an inventory of gasoline in storage on July 1, 2014. The retail merchant is required to remit to the department the product of the number of gallons in storage times the gasoline use tax rate in effect on July 1, 2014. The retail merchant is required to remit the amount due on or before August 1, 2014.

Effective date: Jan. 1, 2014

Code: SEA 479 NONCODE, SECTION 21

SEA 528

Summary: Provides that \$0.65 of the riverboat admissions tax will be deposited in the state general fund instead of being paid to the Indiana Horse Racing Commission. (Sec. 17)

Effective date: July 1, 2013

Code: IC 4-33-12-6

Summary: REPEALS a section concerning the maximum amount of riverboat admissions tax that can be paid to the Indiana Horse Racing Commission in a fiscal year. (Sec. 18)

Effective date: July 1, 2013

Code: IC 4-33-12-7

Summary: Provides that the tax rate for the adjusted gross wagering tax for riverboats is reduced from 15% to 5% for the first \$25,000,000 of adjusted gross receipts if the total adjusted gross receipts did not exceed \$75,000,000 in the preceding fiscal year. Provides that if the adjusted gross receipts do exceed \$75,000,000 in the fiscal year when the riverboat paid at the lower rate, the owner of the riverboat is subject to an additional tax of \$2,500,000. (Sec. 20)

Effective date: July 1, 2013

Code: IC 4-33-13-1.5

Summary: Deletes a subsection concerning the supplemental distribution of the riverboat wagering tax to the Indiana Horse Racing Commission. (Sec. 21)

Effective date: July 1, 2013

Code: IC 4-33-13-5

Summary: Adds a new section to define "qualified wagering" as wagers by patrons using noncashable vouchers, coupons, electronic credits, or electronic promotions provided by the

licensed riverboat owner. Provides that the owner can deduct from the adjusted gross receipts, at any time during a state fiscal year, the amount of adjusted gross receipts attributable to qualified wagering. Provides that the maximum deduction for the fiscal year ending June 30, 2013, may not exceed \$2,500,000 and that the maximum deduction for fiscal years ending before July 1, 2016, may not exceed \$5,000,000. (Sec. 22)

Effective date: Upon Passage

Code: IC 4-33-13-7

Summary: Adds a new section to define “qualified wagering” as wagers by patrons using noncashable vouchers, coupons, electronic credits, or electronic promotions provided by the licensed racino owner. Provides that the owner can deduct from the adjusted gross receipts, at any time during a state fiscal year, the amount of adjusted gross receipts attributable to qualified wagering. Provides that the maximum deduction for the fiscal year ending June 30, 2013, may not exceed \$2,500,000 and that the maximum deduction for fiscal years ending before July 1, 2016, may not exceed \$5,000,000. (Sec. 36)

Effective date: Upon Passage

Code: IC 4-35-8-5

SEA 536

Summary: Provides that the department may revoke a retail merchant’s certificate if the retail merchant commits certain violations relating to synthetic drugs. (Sec. 2)

Effective date: Upon Passage

Code: IC 6-2.5-8-7

SEA 544

Summary: Requires taxpayers operating in the global commerce center to report annually to the department the amount of incremental sales and income tax attributable to the center. If the taxpayer files a consolidated return, the taxpayer shall file an informational return for each business location within the center. If the taxpayer fails to file the required reports, the department shall use the best information available in calculating the incremental sales and income tax amounts. (Sec. 1)

Effective date: Upon Passage

Code: IC 5-28-26-15

Summary: Provides new effective dates for ordinances adopted to increase, decrease, or rescind a local option income tax. An ordinance adopted after December 31 and before September 1 takes effect on October 1. An ordinance adopted after August 31 and before November 1 takes effect on January 1 of the following year. Provides that if the commissioner determines that an ordinance was not adopted according to the requirements of the statute or is otherwise not in compliance with the statute, the commissioner shall notify the county auditor that the ordinance was not adopted according to the statute and specify the corrective action that must be taken. The ordinance does not take effect until the corrective action is taken. (Sec. 2, 12, and 26)

Effective date: July 1, 2013

Code: IC 6-3.5-1.1-1.5; IC 6-3.5-6-1.5; IC 6-3.5-7-4.9

Summary: Requires a county auditor to notify the department of the adoption of an ordinance through an electronic format and eliminates the ability to send the notification through certified mail. (Sec. 3-6, 9-11, 13-17, 20-25, 27-29, and 32)

Effective date: July 1, 2013

Code: IC 6-3.5-1.1-2; IC 6-3.5-1.1-3; IC 6-3.5-1.1-3.1; IC 6-3.5-1.1-4; IC 6-3.5-1.1-24; IC 6-3.5-1.1-25; IC 6-3.5-1.1-26; IC 6-3.5-6-8; IC 6-3.5-6-9; IC 6-3.5-6-11; IC 6-3.5-6-12; IC 6-3.5-6-12.5; IC 6-3.5-6-28; IC 6-3.5-6-29; IC 6-3.5-6-30; IC 6-3.5-6-31; IC 6-3.5-6-32; IC 6-3.5-6-33; IC 6-3.5-7-5; IC 6-3.5-7-6; IC 6-3.5-7-7; IC 6-3.5-7-27

Summary: Provides that information concerning incremental tax amounts from taxpayers located in the global commerce center, industrial development areas, economic development project districts, economic development tax areas, and professional sports development districts can be released to the fiscal officer of the entity that established the district if the official agrees to use the information for official purposes only. (Sec. 38)

Effective date: July 1, 2013

Code: IC 6-8.1-7-1

Summary: Provides that sales tax, cigarette tax, and alcoholic beverage tax refunds will be paid from all accounts that receive the taxes and not have the refund paid exclusively from the general fund. (Sec. 39)

Effective date: July 1, 2013

Code: IC 6-8.1-9-1.3

Summary: Requires taxpayers to report annually to the department the amount of incremental sales and income tax attributable to the industrial development district. If the taxpayer files a consolidated return, the taxpayer shall file an informational return for each business location within the district. If the taxpayer fails to file the required reports, the department shall use the best information available in calculating the incremental sales and income tax amounts. (Sec. 42)

Effective date: July 1, 2013

Code: IC 36-7-13-14

Summary: Requires taxpayers to report annually to the department the amount of incremental sales and income tax attributable to the economic development project district. If the taxpayer files a consolidated return, the taxpayer shall file an informational return for each business location within the district. If the taxpayer fails to file the required reports, the department shall use the best information available in calculating the incremental sales and income tax. (Sec. 43)

Effective date: July 1, 2013

Code: IC 36-7-26-23

Summary: Requires taxpayers to report annually to the department the amount of incremental sales and income tax attributable to the economic development tax area. If the taxpayer files a consolidated return, the taxpayer shall file an informational return for each business location within the area. If the taxpayer fails to file the required reports, the department shall use the best information available in calculating the incremental sales and income tax amounts. (Sec. 44)

Effective date: Jan. 1, 2014

Code: IC 36-7-27-13

Summary: Requires taxpayers to report annually to the department the amount of incremental sales and income tax attributable to the Marion County professional sports development area. If the taxpayer files a consolidated return, the taxpayer shall file an informational return for each business location within the area. If the taxpayer fails to file the required reports, the department shall use the best information available in calculating the incremental sales and income tax amounts. (Sec. 45)

Effective date: July 1, 2013

Code: IC 36-7-31-15

Summary: Requires taxpayers to report annually to the department the amount of incremental sales and income tax attributable to a professional sports development area. If the taxpayer files a consolidated return, the taxpayer shall file an informational return for each business location within the area. If the taxpayer fails to file the required reports, the department shall use the best information available in calculating the incremental sales and income tax amounts. (Sec. 46)

Effective date: July 1, 2013

Code: IC 36-7-31.3-13

Summary: Requires taxpayers to report annually to the department the amount of incremental sales and income tax attributable to the certified technology park. If the taxpayer files a consolidated return, the taxpayer shall file an informational return for each business location within the park. If the taxpayer fails to file the required reports, the department shall use the best information available in calculating the incremental sales and income tax amounts. (Sec. 47)

Effective date: July 1, 2013

Code: IC 36-7-32-21

SEA 559

Summary: Specifies that all state agencies shall cooperate with the department by providing, at no charge to the department, relevant information that the department requests, including monthly reports identifying the use of a fraudulent identity. Requires the Department of Correction to annually provide to the department an electronic file listing the name and Social Security number of each individual under the jurisdiction of the Department of Correction. Requires the State Department of Health to annually provide to the department an electronic file listing the name of each individual for whom an Indiana death certificate was issued during the preceding year. (Sec. 2)

Effective date: July 1, 2013

Code: IC 6-8.1-3-7

SEA 563

Summary: Provides that a yard tractor that has obtained an annual permit under the motor carrier fuel use tax is not required to display a license plate when the vehicle is being operated on a public highway. (Sec. 1)

Effective date: July 1, 2013

Code: IC 6-6-4.1-13

SEA 608

Summary: Provides that delivery charges do not include postage charges that are separately stated on the invoice, bill of sale, or similar document. Also provides that postage charges that are separately stated are not included in the definition of gross retail income. (Sec. 1)

Effective date: July 1, 2013

Code: IC 6-2.5-1-5

Summary: Defines “postage charges” to be the purchase price of stamps or similar charges for mail or parcel delivery through the U.S. mail incurred by the seller on behalf of its customers. (Sec. 2)

Effective date: July 1, 2013

Code: IC 6-2.5-1-7.5

Summary: Defines “advertising and promotional direct mail” to mean printed material that is direct mail, the primary purpose of which is to attract public attention to a product, a person, a business, or an organization. (Sec. 3)

Effective date: July 1, 2013

Code: IC 6-2.5-1-10.7

Summary: Defines “other direct mail” to mean any direct mail that is not advertising and promotional direct mail. The term includes transactional direct mail that contains personal information specific to the addressee, including bills, invoices, statements of account or payroll advices, and any legally required mailings. (Sec. 4)

Effective date: July 1, 2013

Code: IC 6-2.5-1-22.2

Summary: Deletes the sales tax exemption for blood glucose monitoring equipment and devices. (Sec. 5)

Effective date: July 1, 2013

Code: IC 6-2.5-5-18

Summary: Provides that blood glucose monitoring supplies, including blood glucose meters, measuring strips, lancets, and other similar diabetic supplies, are exempt from the sales tax whether they are sold or distributed as drug samples. (Sec. 6)

Effective date: July 1, 2013

Code: IC 6-2.5-5-19.5

Summary: Provides that direct mail will be sourced according to IC 6-2.5-13-3. (Sec. 7)

Effective date: July 1, 2013

Code: IC 6-2.5-13-1

Summary: Provides that advertising and promotional direct mail will be sourced according to this section. Other direct mail will be sourced according to IC 6-2.5-13-1(d)(3). (Sec. 8)

Effective date: July 1, 2013

Code: IC 6-2.5-13-3

SEA 609

Summary: Reduces the percentage of adjusted gross receipts on which the slot machine wagering tax at racinos is imposed from 99% to 91.5%. (Sec. 18)

Effective date: July 1, 2013

Code: IC 4-35-8-1

HOUSE BILLS

HEA 1001

Summary: Provides that the balance in the state tuition reserve fund will not be used when calculating the state reserves for purposes of determining the amount of an automatic taxpayer refund. (Sec. 60)

Effective date: July 1, 2013

Code: IC 4-10-22-1

Summary: Provides that if the excess reserves for fiscal year ending June 30, 2013, exceeds \$50,000,000, 100% of the excess reserves shall be transferred to the pension stabilization fund. For the years 2014 and beyond, 50% of any excess reserves will be used for providing an automatic taxpayer refund. (Sec. 61)

Effective date: July 1, 2013

Code: IC 4-10-22-3

Summary: Reduces the percentage of adjusted gross receipts on which the slot machine wagering tax at racinos is imposed from 99% to 91.5%. (Sec. 72)

Effective date: July 1, 2013

Code: IC 4-35-8-1

Summary: Reduces the percentage of sales and use tax that goes to the general fund by 1% and deposits 1% in the motor vehicle highway account. (Sec. 78)

Effective date: July 1, 2013

Code: IC 6-2.5-10-1

Summary: Establishes an amnesty program for taxpayers having an unpaid use tax liability for a claiming transaction concerning a race horse on a transaction occurring before June 1, 2012. The taxpayer must pay the tax or establish a payment agreement before Jan. 1, 2014. If payment is made, the department shall abate all penalties, interest, collection fees and costs; shall release any liens imposed; shall not seek civil or criminal prosecution; and shall not issue any assessment for which amnesty has been granted. (Sec. 79)

Effective date: July 1, 2013

Code: IC 6-2.5-14

Summary: Eliminates the following addbacks for purposes of determining adjusted gross income:

- Qualified restaurant property, qualified leasehold property, qualified retail improvement property, and seven-year property for a motorsports entertainment complex
- Expensing of environmental remediation costs
- Charitable contribution of a distribution from an individual retirement plan
- Qualified tuition and related expenses
- Certain expenses of elementary and secondary school teachers
- Employer provided education expenses
- Qualified advanced mine safety equipment
- Qualified transportation fringe benefits that exceed \$100 per month
- Additional deduction for student loan interest
- Additional business startup expenditures
- Net recognized built-in gain for an S corporation. (Sec. 80)

Effective date: Jan. 1, 2013 (RETROACTIVE)

Code: IC 6-3-1-3.5

Summary: Updates the Indiana Code to correspond to the Internal Revenue Code as in effect on Jan. 1, 2013. Provides that amendments to P.L. 111-312 that were treated as though they were not amended only apply to a taxable year ending before Jan. 1, 2013. (Sec. 81)

Effective date: Jan. 1, 2013 (RETROACTIVE)

Code: IC 6-3-1-11

Summary: Provides that for 2015 and 2016, the individual income tax rate is reduced to 3.3%. Provides that for 2017, and thereafter the rate is reduced to 3.23%. (Sec. 82)

Effective date: July 1, 2013

Code: IC 6-3-2-1

Summary: Provides that the IEDC shall provide to the budget committee a report specifying the amount of EDGE credits granted during the preceding fiscal year. (Sec. 83)

Effective date: July 1, 2013

Code: IC 6-3.1-13-28

Summary: Increases the maximum annual school scholarship tax credit for all taxpayers from \$5,000,000 to \$7,500,000. (Sec. 84)

Effective date: July 1, 2013

Code: IC 6-3.1-30.5-13

Summary: REPEALS the inheritance tax for deaths occurring after Dec. 31, 2012. Amends the inheritance tax refund statute (IC 6-4.1-10-1), including the requirement of using refund claim form prescribed by the department (Form IH-5). (Sec. 99-123)

Effective date: Jan. 1, 2013 (RETROACTIVE)

Code: IC 6-4.1

Summary: Eliminates the following addbacks when determining the adjusted gross income for a financial institution:

- Qualified restaurant property, qualified leasehold property, qualified retail improvement property, and seven-year property for a motorsports entertainment complex
- Expensing of environmental remediation costs
- Qualified advanced mine safety equipment
- Additional business startup expenditures
- Net recognized built-in gain for an S corporation (Sec. 124)

Effective date: Jan. 1, 2013 (RETROACTIVE)

Code: IC 6-5.5-1-2

Summary: Changes the calculation of the supplemental distribution of the financial institutions tax to local units of government. The new formula is 40% of the total financial institutions tax revenue multiplied by a fraction. The numerator is the amount of guaranteed distribution that a local unit received in 2012; the denominator is the total amount of guaranteed distributions received by all local units in 2012. (Sec. 125)

Effective date: July 1, 2013

Code: IC 6-5.5-8-2

Summary: Provides that the guaranteed distribution will be determined semiannually in April and October of each year instead of quarterly. (Sec. 126)

Effective date: Jan. 1, 2014

Code: IC 6-5.5-8-3

Summary: Provides that the additional Marion County Auto Rental Excise Tax may not continue in effect after Feb. 28, 2023. (Sec. 127)

Effective date: July 1, 2013

Code: IC 6-6-9.7-7

Summary: Reduces the cigarette tax distribution to the retiree health benefit trust fund from 5.74% to 4% of the total cigarette and other tobacco products taxes collected. Increases the percentage that the general fund receives by a corresponding percentage. (Sec. 128)

Effective date: July 1, 2013

Code: IC 6-7-1-28.1

Summary: Provides that a person selling other tobacco products through an Internet website is responsible for remitting the other tobacco products tax to the department. (Sec. 129)

Effective date: July 1, 2013

Code: IC 6-7-2-7

Summary: Provides that a person selling other tobacco products through an Internet website must obtain a distributor's license. (Sec. 130)

Effective date: July 1, 2013

Code: IC 6-7-2-8

Summary: Provides that the department may disclose the name and business address of a person licensed under motor fuel or tobacco tax statutes for purposes of reporting the status of a person's license. (Sec. 131)

Effective date: July 1, 2013

Code: IC 6-8.1-7-1

Summary: Provides that the additional admissions tax authorized for Marion County may not continue in effect after Feb. 28, 2023. (Sec. 132)

Effective date: July 1, 2013

Code: IC 6-9-13-2

Summary: Provides that the following addbacks to adjusted gross income do not apply to tax years beginning after Dec. 31, 2011 (Tax Year 2012 for individuals and CY corporations):

- Qualified tuition and related expenses
- Charitable contribution of a distribution from an individual retirement account
- Qualified transportation fringe benefits that exceed \$100 per month
- Qualified restaurant property, qualified leasehold property, qualified retail improvement property, and seven-year motorsports entertainment complex property
- Qualified advanced mine safety equipment
- Recognized built-in gains of an S corporation

Requires the department to prescribe forms to implement this provision.

Effective date: Jan. 1, 2013 (RETROACTIVE)

Code: NONCODE SECTION 361

Summary: Provides that the following addbacks to determine adjusted gross income of a financial institution do not apply to tax years beginning after Dec. 31, 2011 (Tax Year 2012 for CY financial institutions):

- Qualified restaurant property, qualified leasehold property, qualified retail improvement property, and seven-year motorsports entertainment complex property
- Qualified advanced mine safety equipment
- Recognized built-in gains of an S corporation

Requires the department to prescribe forms to implement this provision.

Effective date: Jan. 1, 2013 (RETROACTIVE)

Code: NONCODE SECTION 362

HEA 1003

Summary: Provides that the school scholarship income tax credit can be carried forward for nine years after the unused credit year. (Sec. 2)

Effective date: Jan. 1, 2013 (RETROACTIVE)

Code: IC 6-3.1-30.5-9.5

HEA 1006

Summary: Changes all Class D felonies to Level 6 felonies and Class C felonies to Level 5 felonies. (Sec. 80-122)

Effective date: July 1, 2014

Code: Amends several provisions in Title 6

HEA 1018

Summary: Reduces the financial institutions tax rate from 8.5% to 8.0% for taxable years beginning after Dec. 31, 2013. Continues the 0.5% reduction for each year until Jan. 1, 2017, when the rate will be 6.5%. (Sec. 5)

Effective date: July 1, 2013

Code: IC 6-5.5-2-1

HEA 1070

Summary: Authorizes Cloverdale to adopt a 1% food and beverage tax with the revenue to be used for: (1) sanitary sewers or wastewater treatment facilities; (2) drainage or flood control facilities; (3) water treatment, storage or distribution facilities; and (4) bonds to finance the previously mentioned three uses. (Sec. 1)

Effective date: July 1, 2013

Code: IC 6-9-43

Summary: Authorizes the Town of Fishers to adopt a 1% food and beverage tax with the revenue to be used by the town: (1) to reduce the town's property tax levy for a particular year at the discretion of the town; or (2) for economic development purposes. (Sec. 2)

Effective date: Upon Passage

Code: IC 6-9-44

HEA 1324

Summary: Provides that alternative fuel used in public transportation is not exempt from the sales tax unless the person engaged in public transportation is a public transportation corporation providing transportation for persons. This provision expires on Dec. 31, 2016. (Sec. 4)

Effective date: Jan. 1, 2014

Code: IC 6-2.5-5-27

Summary: Provides that a retailer may not dispense an alternative fuel from a metered pump that is designated for exempt trucks only. This provision expires on Dec. 31, 2016. (Sec. 5)

Effective date: Jan. 1, 2014

Code: IC 6-2.5-7-2.5

Summary: Provides an income tax credit for natural gas-powered vehicles. The credit applies only to vehicles weighing more than 33,000 pounds. The credit can be applied against the adjusted gross income tax, the financial institutions tax, and the insurance premium tax. The amount of the credit is the difference between the price of the qualified vehicle and the price of a similarly equipped vehicle that is powered by a gasoline or diesel engine. The difference is then multiplied by 50%. The credit is the lesser of 50% of the difference or \$15,000. The total amount

of tax credits granted to a taxpayer in a taxable year is limited to \$150,000. The total of all credits for all taxpayers may not exceed either \$3,000,000 per year or the amount of revenue attributed to the sales tax imposed on fuel used to power an alternative fuel vehicle engaged in public transportation, whichever is less. The department shall record the time of filing of each return claiming a credit; if the total claims exceed the amount available, those claims that exceed the amount available will not be granted. The credit may be carried forward for six taxable years. (Sec. 6)

Effective date: Jan. 1, 2014

Code: IC 6-3.1-34.6

Summary: REPEALS the chapter concerning special fuel tax. (Sec. 7)

Effective date: Jan. 1, 2014

Code: IC 6-6-2.1

Summary: Adds liquid natural gas to the definition of “alternative fuel.” (Sec. 8)

Effective date: Jan. 1, 2014

Code: IC 6-6-2.5-1

Summary: Adds alternative fuel to the definition of “special fuel.” (Sec. 9)

Effective date: Jan. 1, 2014

Code: IC 6-6-2.5-22

Summary: Provides that the special fuel tax of \$0.16 per gallon applies to the diesel gallon equivalent for natural gas and the gasoline gallon equivalent for compressed natural gas, or a fuel commonly known as butane or propane. (Sec. 10)

Effective date: Jan. 1, 2014

Code: IC 6-6-2.5-28

Summary: Defines the terms “diesel gallon equivalent,” “gasoline gallon equivalent,” “alternative fuel,” and “special fuel” in the motor carrier fuel use tax statute. (Sec. 11)

Effective date: Jan. 1, 2014

Code: IC 6-6-4.1-1

Summary: Imposes the motor carrier fuel use tax on vehicles using liquid natural gas or compressed natural gas. (Sec. 12)

Effective date: Jan. 1, 2014

Code: IC 6-6-4.1-4

Summary: Imposes the motor carrier fuel use tax surcharge tax on vehicles using liquid natural gas or compressed natural gas. (Sec. 13)

Effective date: Jan. 1, 2014

Code: IC 6-6-4.1-4.5

Summary: Provides a road tax credit for motor carriers consuming compressed natural gas. The credit is equal to 12% of the road taxes imposed upon the carrier's consumption of compressed natural gas. The credit is refundable. (Sec. 14)

Effective date: Jan. 1, 2014

Code: IC 6-6-12

Summary: Deletes the alternative fuel permit fee from the definition of listed taxes and fees. (Sec. 15)

Effective date: Jan. 1, 2014

Code: IC 6-8.1-1-1

HEA 1427

Summary: REPEALS the definition of "buddy system project" for computer donations to schools. (Sec. 4)

Effective date: Jan. 1, 2013 (RETROACTIVE)

Code: IC 6-3.1-15-1

Summary: Delete the reference to the "buddy system project" in the computer donation to schools tax credit. (Sec. 5 and 6)

Effective date: Jan. 1, 2013 (RETROACTIVE)

Code: IC 6-3.1-15-12; IC 6-3.1-15-17

HEA 1544

Summary: Creates the motorsports investment district credits. Establishes provisions for incremental sales tax and income tax for taxpayers' activities in the district. Before the first business day in October of each year, the department shall calculate the income tax incremental amount and the sales tax incremental amount for the preceding fiscal year for the district. Businesses operating in the district shall report to the department the information necessary to determine the incremental income tax and incremental sales tax. Before the first business day in November of each year, the department shall determine the sum of the income tax incremental amount, the sales tax incremental amount, and the amount of admissions fees deposited in the state general fund. The department shall notify the Indiana finance authority, the Indiana motorsports commission, the budget agency, and the owner of the qualified motorsports facility of the total amounts mentioned above. The amount shall be credited to the obligation of the owner of the qualified motorsports facility. (Sec. 4)

Effective date: July 1, 2013

Code: IC 4-10-23

Summary: Creates a motorsports investment district. The district consists of the motorsports facility and adjacent property that is related to the motorsports facility and that is owned by the owner of the motorsports facility or an affiliate or subsidiary of the owner, or property on which activities related to the motorsports facility occur and other public property specified by the commission. A taxpayer operating in the motorsports district that files a consolidated return with the department shall annually file an information return for each of its business locations within the district. If a motorsports investment district is created, the commission shall provide the department with a list of the employers and vendors with a responsibility to remit taxes in the

district, as well as the street names and ranges of street numbers of each street in the district. The commission shall update the list annually before July 1. Upon request of the department, a political subdivision in which the motorsports facility is located shall provide information to the department concerning permits issued by the political subdivision to vendors operating within the motorsports district. The department is required to develop guidelines and instructions concerning the appropriate amount of adjusted gross income tax to be withheld from purse money and prizes won for racing in the district. (Sec. 5)

Effective date: July 1, 2013

Code: IC 5-1-17.5

Summary: Provides the method for apportioning income derived from motorsports racing for corporations and nonresidents. Any purse, prize money, or other amounts earned for placement or participation in a race (including qualification) shall be attributed to Indiana if the race is conducted in Indiana. Any amounts received from an individual or entity as a result of sponsorship or similar promotional consideration for one or more races shall be in Indiana in the amount received, multiplied by a fraction. The numerator is the number of racing events for which sponsorship has been paid in a taxable year and that occur in Indiana, and the denominator is the total number of racing events for which sponsorship has been paid in a taxable year. This language is intended to be a clarification of the law and not a substantive change in the law. (Sec. 7)

Effective date: July 1, 2013

Code: IC 6-3-2-2

Summary: Apportions the income of race team members. Defines a “bonus” to include a bonus earned as a result of participation in a racing event, such as a performance bonus. It also includes a bonus paid for signing a contract, unless the following is true: the payment is not conditioned upon the signee participating in a racing event, the bonus is payable separately from the salary and any other compensation, and the bonus is nonrefundable. Defines “Indiana duty days” as the total duty days spent by a race team member within Indiana rendering a service for the race team in any manner, except travel days spent in Indiana that do not involve a race, practice, qualification, training, testing, a team meeting, a promotional caravan, or other similar race team event. Defines “total duty days” as race days, practice days, qualification days, training days, testing days, days spent at team meetings, days spent with a promotional caravan, and days served with the team in which the team competes. Also includes travel days and days spent conducting training and rehabilitation activities, but only if the service is conducted at facilities of the race team. Defines “race team member” to include employees or independent contractors who render services on behalf of the race team. The term includes drivers, mechanics, pit crew members, technicians, spotters, and crew chiefs. Defines “total income” as the total compensation received during the taxable year for services rendered. The term includes salaries, wages, bonuses, and any other type of compensation paid to a race team member. The term does not include strike benefits, severance pay, termination pay, contract or option-year buyout payments, expansion or relocation payments, or any other payments not related to services rendered to the race team. Indiana income is the individual’s total income during the taxable year

multiplied by a fraction where the numerator is the individual's Indiana duty days and the denominator is the total duty days for the taxable year. (Sec. 8)

Effective date: July 1, 2013

Code: IC 6-3-2-3.2

Summary: Adds the motorsports admission fee. Imposes an admission fee for tickets purchased for a race day at a qualified motorsports facility. The fee is imposed on each person who is charged for admission to a qualified motorsports facility on a race day. The fee is imposed at the following rates: 6% if the admission charge is \$150 or more, 3% if the admission charge is \$100 or more but less than \$150, and 2% on any admission charge less than \$100. The fee does not apply to any amount charged for parking at a qualified motorsports facility. The person who collects the admission fee shall remit the fee to the department by the 15th day of the month following the month of collection. The fee shall be deposited in the state general fund. (Sec. 9)

Effective date: Jan. 1, 2014

Code: IC 6-8-14

Summary: Requires that any person who conducts or sponsors a race at a qualified motorsports facility shall provide to the department a list of persons or entities to whom prize money, purses, or other amounts are distributed. (Sec. 10)

Effective date: July 1, 2013

Code: IC 6-8.1-5-5

HEA 1545

Summary: Deletes a reference to a military base recovery site tax credit, which is repealed. (Sec. 28)

Effective date: Jan. 1, 2014

Code: IC 6-2.5-4-5

Summary: Adds a definition of "research and development property" to mean tangible personal property that is acquired for the purpose of research and development activities devoted to experimental or laboratory research and development for new products, new uses of existing products, or improving or testing existing products. Provides that the purchase of research and development property is exempt from the sales tax. The exemption applies regardless of whether the purchaser is a manufacturer or seller of the new or existing products. (Sec. 29)

Effective date: July 1, 2013

Code: IC 6-2.5-5-40

Summary: Eliminates the requirement that an aircraft be registered in another country and weigh over 5,000 pounds to be eligible for the sales tax exemption concerning the repair, maintenance, refurbishment, remodeling, or remanufacturing of an aircraft or avionics system. (Sec. 30)

Effective date: July 1, 2013

Code: IC 6-2.5-5-46

Summary: Defines “aviation fuel” as gasoline, jet fuel, or a synthetic fuel used to power an aircraft. Exempts the purchase of aviation fuel from the sales tax. (Sec. 31)

Effective date: July 1, 2013

Code: IC 6-2.5-5-49

Summary: Deletes a reference to a military base recovery site tax credit, which is repealed. (Sec. 32)

Effective date: Jan. 1, 2014

Code: IC 6-3-2-1.5

Summary: Deletes the references to the military base recovery tax credit, the military base investment cost credit, and the capital investment tax credit in the section that limits an investment being eligible for multiple credits. (Sec. 33)

Effective date: Jan. 1, 2014

Code: IC 6-3.1-1-3

Summary: Changes a reference from “board” to “corporation.” (Sec. 34)

Effective date: July 1, 2013

Code: IC 6-3.1-11-1

Summary: REPEALS language that defined “board” as the IEDC. (Sec. 35)

Effective date: July 1, 2013

Code: IC 6-3.1-11-2

Summary: Adds a section to define “corporation” as the IEDC. (Sec. 36)

Effective date: July 1, 2013

Code: IC 6-3.1-11-2.5

Summary: Deletes a reference to a repealed section concerning a qualified investment. (Sec. 37)

Effective date: July 1, 2013

Code: IC 6-3.1-11-10

Summary: Deletes the requirement that a vacant industrial facility has to be vacant for at least one year. (Sec. 38)

Effective date: July 1, 2013

Code: IC 6-3.1-11-15

Summary: REPEALS the section that dealt with requirements that must be met to be a vacant industrial facility. (Sec. 39)

Effective date: July 1, 2013

Code: IC 6-3.1-11-18

Summary: Eliminates some of the factors that the IEDC will consider when granting applications and determining whether a facility is a vacant industrial facility. (Sec. 40)

Effective date: July 1, 2013

Code: IC 6-3.1-11-19

Summary: REPEALS language concerning industrial recovery site designation. (Sec. 41)
Effective date: July 1, 2013
Code: IC 6-3.1-11-20

Summary: Technical change to the section dealing with a taxpayer that has reduced or ceased operations in Indiana to relocate to an industrial recovery site. (Sec. 42)
Effective date: July 1, 2013
Code: IC 6-3.1-11-21

Summary: Changes the reference from “board” to “corporation.” (Sec. 43)
Effective date: July 1, 2013
Code: IC 6-3.1-11-23

Summary: REPEALS the military base recovery tax credit. (Sec. 44)
Effective date: Jan. 1, 2014
Code: IC 6-3.1-11.5

Summary: REPEALS the military base investment cost credit. (Sec. 45)
Effective date: Jan. 1, 2014
Code: IC 6-3.1-11.6

Summary: REPEALS the capital investment tax credit. (Sec. 46)
Effective date: Jan. 1, 2014
Code: IC 6-3.1-13.5

Summary: Technical change that deletes language concerning the tax credit cap for the venture capital investment tax credit. (Sec. 47)
Effective date: July 1, 2013
Code: IC 6-3.1-24-9

Summary: REPEALS the coal combustion tax credit. (Sec. 48)
Effective date: Jan. 1 2014
Code: IC 6-3.1-25.2

Summary: REPEALS the definition of “base state tax liability” for the Hoosier Business Investment tax credit. (Sec. 49)
Effective date: July 1, 2013
Code: IC 6-3.1-26-1

Summary: REPEALS the definition of “full-time employee” in the HBI credit. (Sec. 50)
Effective date: July 1, 2013
Code: IC 6-3.1-26-4

Summary: Adds logistics investments as qualified investments for the HBI credit. (Sec. 51)
Effective date: July 1, 2013
Code: IC 6-3.1-26-8

Summary: Defines “logistic investment” to mean making an improvement to real property related to constructing a new or modernizing an existing transportation or logistics facility, improving paved access to terminal facilities, adding new maintenance areas, improving transportation of goods by rail, improving transportation of goods by water, improving transportation of goods by air, and improving warehousing and logistical capabilities. A logistics investment does not include maintenance expenses. (Sec. 52)

Effective date: Jan. 1, 2014

Code: IC 6-3.1-26-8.5

Summary: Provides that the HBI tax credit can be 25% of the qualified investment if the investment is a logistics investment. (Sec. 53)

Effective date: Jan. 1, 2014

Code: IC 6-3.1-26-14

Summary: Eliminates a reference that the credit cannot exceed 10% of the qualified investment. (Sec. 54)

Effective date: Jan. 1, 2014

Code: IC 6-3.1-26-15

Summary: Provides that a person seeking to substantially enhance the logistics industry may apply to the IEDC for approval of a qualified investment. (Sec. 55)

Effective date: Jan. 1, 2014

Code: IC 6-3.1-26-17

Summary: Provides that the IEDC may enter into an agreement with a person who is proposing to substantially enhance the logistics industry. (Sec. 56)

Effective date: Jan. 1, 2014

Code: IC 6-3.1-26-18

Summary: Provides that the total amount of HBI tax credits that the IEDC may approve for a state fiscal year may not exceed \$50,000,000 for qualified investments not related to the logistics industry and may not exceed \$10,000,000 for qualified investments related to the logistics industry. (Sec. 57)

Effective date: Jan. 1, 2014

Code: IC 6-3.1-26-20

Summary: Clarifies that certain qualifications and reporting requirements apply only to entities that are not claiming the logistics investment credit. (Sec. 58)

Effective date: Jan. 1, 2014

Code: IC 6-3.1-26-21

Summary: Requires the department to report to the budget committee information concerning logistic investments including summary information regarding the taxpayers and the use of the credit. This includes the following:

- The amount of credits approved;
- The number of taxpayers applying for the credit and claiming the credit;

- The number of employees employed;
- The amount of new qualified expenditures;
- The total dollar amount of new credits claimed;
- The average dollar amount per taxpayer;
- The amount of credits to be carried forward;
- The percentage of the total credits claimed as compared to the total adjusted gross income of all the taxpayers claiming the credit;
- The name and address of each taxpayer claiming the credit; and
- The amount of the credit applied for by and granted to each taxpayer.

This must be reported annually. (Sec. 59)

Effective date: Jan. 1, 2014

Code: IC 6-3.1-26-25

Summary: Expands the definition of “corporate headquarters” in the headquarters relocation tax credit to include the principal offices of a division or similar subdivision of an eligible business or a research and development center of an eligible business. (Sec. 60)

Effective date: July 1, 2013

Code: IC 6-3.1-30-1

Summary: Adds the definition of “corporation” to mean the IEDC. (Sec. 61)

Effective date: July 1, 2013

Code: IC 6-3.1-30-1.5

Summary: Changes the annual worldwide revenue requirements of a business that wants to claim the headquarters relocation credit from \$100,000,000 to \$50,000,000. (Sec. 62)

Effective date: July 1, 2013

Code: IC 6-3.1-30-2

Summary: Provides that the IEDC will approve the eligibility of a business before the headquarters relocation credit is awarded. (Sec. 63)

Effective date: July 1, 2013

Code: IC 6-3.1-30-7.5

Summary: Provides that if the IEDC certifies that the taxpayer is an eligible business, the taxpayer is entitled to the credit. (Sec. 64)

Effective date: July 1, 2013

Code: IC 6-3.1-30-8

Summary: Provides that the IEDC may award a headquarters relocation to a taxpayer and that the credit can be up to 50% of the relocation costs. (Sec. 65)

Effective date: July 1, 2013

Code: IC 6-3.1-30-9

Summary: Establishes the aviation fuel excise tax. The tax is \$0.10 per gallon for aviation fuel purchased in Indiana. The retailer will add the tax to the selling price of each gallon of fuel sold. The sale of aviation fuel is exempt if the fuel is placed into the supply tank of an aircraft owned by the U.S. or its instrumentalities, the state of Indiana, the Indiana Air National Guard, or a common carrier of passengers or freight. A purchaser of exempt fuel must present an exemption certificate to the retailer. A retailer shall remit the tax to the department by the 16th day of the month following the calendar month in which the sales occurred. The retailer is required to remit the fuel tax by electronic funds transfer. The retailer is allowed to retain 1.6% of the tax collected for the timely remittance of the tax. A person who knowingly fails to collect or timely remit the tax is subject to a penalty of 100% of the uncollected tax plus the amount of tax due. The aviation fuel excise tax that is collected will be deposited in the state general fund. (Sec. 67)

Effective date: July 1, 2013

Code: IC 6-6-13

Summary: Provides that the aviation fuel excise tax is a listed tax. (Sec. 68)

Effective date: July 1, 2013

Code: IC 6-8.1-1-1

Summary: Creates a new individual tax refund check-off for funding public education for kindergarten through grade 12. If the refund is less than the total amount designated, the public education fund and the nongame fund will receive proportional amounts of the amount available. (Sec. 69)

Effective date: Jan. 1, 2015

Code: IC 6-8.1-9-4

Summary: REPEALS the language giving airport development zone taxpayers the tax benefits that would be available if they were in an enterprise zone. (Sec. 70)

Effective date: Jan. 1, 2014

Code: IC 8-22-3.5-14

HEA 1546

Summary: Provides that the sales tax exemption for governmental entities includes the rental of accommodations when performing a governmental function. (Sec. 4)

Effective date: Jan. 1, 2014

Code: IC 6-2.5-5-16

Summary: Technical change to eliminate outdated language. (Sec. 5)

Effective date: July 1, 2013

Code: IC 6-2.5-5-21

Summary: Provides that a nonprofit organization that is not organized for social purposes can purchase accommodations exempt from the sales tax if the accommodations are used to carry on or raise money to carry on its nonprofit purpose. (Sec. 6)

Effective date: Jan. 1, 2014

Code: IC 6-2.5-5-25

Summary: Reinstates language that was inadvertently repealed in 2012. The reinstated language clarifies that a retail merchant that has prepaid the sales tax on gasoline gets a credit for the amount prepaid when they file their monthly sales tax return. (Sec. 7)

Effective date: July 1, 2012 (RETROACTIVE)

Code: IC 6-2.5-7-5

Summary: Reinstates language that was inadvertently repealed in 2012. The reinstated language provides that a retail merchant may receive a refund if the amount of prepaid sales tax on gasoline exceeds the total monthly sales tax liability of the retail merchant. (Sec. 8)

Effective date: July 1, 2012 (RETROACTIVE)

Code: IC 6-2.5-7-6.5

Summary: Reinstates language that was inadvertently repealed in 2012. The language is a technical change concerning a distributor's ability to claim a refund if the distributor prepaid the sales tax and then later sold the gasoline for an exempt purpose. (Sec. 9)

Effective date: July 1, 2012 (RETROACTIVE)

Code: IC 6-2.5-7-12

Summary: Provides that if a retail merchant has been notified that he is delinquent in remitting withholding or sales taxes and the retail merchant pays the outstanding liability before the expiration of the retail merchant certificate, the department shall renew the retail merchant's certificate for one year instead of two years. The two-year renewal is automatic if the retail merchant has no outstanding tax liabilities. (Sec. 10)

Effective date: Jan. 1, 2014

Code: IC 6-2.5-8-1

Summary: Provides that a retail merchant who makes a retail transaction without a valid retail merchant's certificate commits a Class A misdemeanor. Previously, the offense was a Class B misdemeanor. (Sec. 11)

Effective date: July 1, 2013

Code: IC 6-2.5-9-2

Summary: Technical change to clarify that if a withholding agent's annual withholding tax liability is less than \$1,000, the withholding agent is permitted to file one annual return. (Sec. 12)

Effective date: Jan. 1, 2013 (RETROACTIVE)

Code: IC 6-3-4-8

Summary: Provides that a partnership will not be penalized for failure to file a return, pay the full amount of tax shown on the return, or pay the deficiency of the withholding taxes due if the partnership pays the department at least 80% of the withholding tax due for the current year or 100% of the withholding tax due for the preceding year before the 15th day of the fourth month after the end of the partnership's taxable year. (Sec. 13)

Effective date: July 1, 2013

Code: IC 6-3-4-12

Summary: Provides that an S corporation will not be penalized for failure to file a return, pay the full amount of tax shown on the return, or pay the deficiency of the withholding taxes due if the S corporation pays the department at least 80% of the withholding tax due for the current year or 100% of the withholding tax due for the preceding year before the 15th day of the fourth month after the end of the S corporation's taxable year. (Sec. 14)

Effective date: July 1, 2013

Code: IC 6-3-4-13

Summary: Extends the Jackson County additional county adjusted gross income tax until Dec. 31, 2023. The original increase of .1% expired on June 30, 2011. (Sec. 15)

Effective date: July 1, 2013

Code: IC 6-3.5-1.1-2.5

Summary: Extends the Pulaski County additional county adjusted gross income tax until Dec. 31, 2020. The original increase of .3% expired on Dec. 31, 2006. (Sec. 16)

Effective date: July 1, 2013

Code: IC 6-3.5-1.1-3.5

Summary: Validates and legalizes the Jackson County additional tax that was collected between July 1, 2011, and July 1, 2013. (Sec. 17)

Effective date: July 1, 2013

Code: IC 6-3.5-1.1-27

Summary: Validates and legalizes the Pulaski County additional tax that was collected between the eight years that were originally authorized and July 1, 2013. (Sec. 18)

Effective date: July 1, 2013

Code: IC 6-3.5-1.1-28

Summary: Deletes archaic language contained in the commercial motor vehicle excise tax statute. (Sec. 20-25)

Effective date: Jan. 1, 2014

Code: IC 6-6-5.5-3, IC 6-6-5.5-4, IC 6-6-5.5-5, IC 6-6-5.5-6, IC 6-6-5.5-7, IC 6-6-5.5-9

Summary: Adds a new chapter concerning disaster recovery exemptions. Provides that an Indiana business may request and receive assistance from an out-of-state business to perform disaster emergency-related work during a disaster period. "Disaster-related work" means repairing, renovating, installing, or building infrastructure that is damaged, impaired, or destroyed by an event that caused a disaster emergency to be declared. Infrastructure includes utilities and public roads and bridges. An out-of-state business that enters Indiana to perform work shall, upon request, provide the department with a statement that the business is in Indiana to respond to a disaster emergency. An out-of-state business that performs disaster emergency related work is exempt from the following:

- Paying any state or local taxes including income taxes;
- Complying with state or local business, occupational licensing, or registration requirements;

- Providing worker’s compensation insurance; and
- Making contributions to the unemployment compensation system.

An out-of-state employee is exempt from any state or local income taxes. Unless otherwise exempted during a disaster period, an out-of-state business or out-of-state employee shall pay transaction taxes including fuel taxes, hotel taxes, car rental taxes, and sales tax on the purchase of materials or services for use or consumption during the disaster period. (Sec. 26)

Effective date: July 1, 2013

Code: IC 6-8-13

Summary: Defines “secure electronic delivery service” to mean a service that employs security procedures to provide, send, deliver, or otherwise communicate electronic records to the intended recipient using security methods such as passwords, encryption, and matching electronic addresses to the U.S. postal address and that operates subject to the applicable requirements of the Electronic Signatures in Global and National Commerce Act. Provides that when a statute specifies that the department is required to send a document by mail and the statute is silent as to the class or type of mail to be used, the department can use a secure electronic delivery service in addition to the other methods already in the statute. (Sec. 27)

Effective date: July 1, 2013

Code: IC 6-8.1-3-11

Summary: Provides that a taxpayer required to remit sales or withholding taxes electronically may, by agreement with the department, authorize the department to use a secure electronic delivery service developed by the department instead of delivery by mail. (Sec. 28)

Effective date: July 1, 2013

Code: IC 6-8.1-6-7

Summary: Provides that the department may provide confidential taxpayer information to a member of the general assembly or an employee of the general assembly when acting on behalf of a taxpayer located in the member’s legislative district when the taxpayer has provided sufficient information to the member or employee for the department to determine that the member or employee is acting on behalf of the taxpayer. (Sec. 29)

Effective date: Jan. 1, 2014

Code: IC 6-8.1-7-1

Summary: Adds the newly created IC 6-8.1-8-17 as an exception to the demand notice requirements found in this section. (Sec. 30)

Effective date: July 1, 2013

Code: IC 6-8.1-8-2

Summary: Provides that when the department issues a tax warrant to a taxpayer who has not filed a tax return, the taxpayer is not entitled to a demand notice that would negate the tax warrant if the taxpayer files a return subsequent to the issuance of the tax warrant and fails to remit the amount of tax liability identified on the applicable tax return. (Sec. 31)

Effective date: July 1, 2013

Code: IC 6-8.1-8-17

Summary: Provides an alcoholic beverage excise tax credit for liquor or wine excise taxes paid in duplicate as a result of excise taxes being imposed both at the time the goods are received and when the same goods are withdrawn from a storage facility. Provides that the credit shall be claimed monthly by the taxpayer and may not exceed 10% of the monthly excise tax liability reported by the taxpayer. The taxpayer may not claim the monthly credit for more than 36 months. The credit claimed must be used for capital expenditures to expand employment or assist in retaining employment within Indiana. The department shall annually verify that the taxpayer is in compliance. (Sec. 32)

Effective date: July 1, 2013

Code: IC 6-8.1-9-2

Summary: Authorizes the Office of Management and Budget to enter into an agreement with the Secretary of the Treasury of the United States to establish an offset program. The program would authorize tax and non-tax debts owed to Indiana by a person to be offset by the federal government through federal payments to vendors and contractors and by tax refunds. The agreement may permit non-tax debts owed to federal agencies for offset against payments owed to taxpayers as well as vendors and contractors providing goods or services to the state. A state refund offset for federal taxes owed is already in place. (Sec. 33)

Effective date: July 1, 2013

Code: IC 6-8.1-9.7

Summary: Provides that IC 6-3-4-12(j) and IC 6-3-4-13(l) do not apply to penalties imposed under IC 6-8.1-10-2.1. (Sec. 34)

Effective date: July 1, 2013

Code: IC 6-8.1-10-2.1

Summary: Provides that the penalty for a payment when the department is unable to obtain a payment on the instrument presented for payment through normal banking channels is reduced from 100% to 30% (bad check penalty). (Sec. 35)

Effective date: Jan. 1, 2014

Code: IC 6-8.1-10-5

Summary: Authorizes Vigo County to increase its innkeeper's tax from 5% to 8%. (Sec. 36)

Effective date: July 1, 2013

Code: IC 6-9-11-6

Summary: Provides that any issuance, renewal, or transfer of an alcoholic beverage permit of any kind is not permitted if the person seeking renewal or transfer is more than 30 days delinquent in remitting sales or withholding taxes. A permit may be granted if the Alcohol and Tobacco Commission receives a notice from the department that the sales or withholding taxes have been remitted to the department. (Sec. 37)

Effective date: July 1, 2013

Code: IC 7.1-3-21-15

Summary: Clarifies that the department is responsible for issuing registrations for commercial motor vehicles if more than 25 vehicles are in the fleet and the vehicles each weigh more than 26,000 pounds. Extends the validity of these plates from five years to being permanent. (Sec. 38)

Effective date: Jan. 1, 2014

Code: IC 9-18-2-4.5

Summary: Authorizes staggered registration of vehicles registered with the department under the International Registration Plan. (Sec. 39)

Effective date: Jan. 1, 2014

Code: IC 9-18-2-7

Summary: Provides that a bus registered through the International Registration Plan shall apply for the registration electronically with the department. (Sec. 40)

Effective date: Jan. 1, 2014

Code: IC 9-18-2-14

Summary: Provides that “automated sales suppression devices” and “phantom-ware” may be seized. (Sec. 42)

Effective date: July 1, 2013

Code: IC 34-24-1-1

Summary: Defines “automated sales suppression devices,” “phantom-ware,” and related terms. Provides that anyone who knowingly or intentionally sells, purchases, installs, transfers, or possesses automated sales suppression devices or phantom-ware after June 30, 2013, commits unlawful sale or possession of a transaction manipulation device, which is a Class C felony. (Sec. 43)

Effective date: July 1, 2013

Code: IC 35-43-5-4.6

Summary: Provides that the IEDC may authorize only two new certified technology parks in a fiscal year. (Sec. 44)

Effective date: July 1, 2013

Code: IC 36-7-32-11

Summary: If the IEDC desires to designate a certified technology park, it shall submit its proposal to the budget committee for review and approval. (Sec. 45)

Effective date: July 1, 2013

Code: IC 36-7-32-11.5

Tax or Fee Type	Existing Tax or Fee Rate	New Tax or Fee Rate	Existing IDOR Distribution	New IDOR Distribution	Act Number	Effective Date of Act	Indiana Code Reference for Tax or Fee Rate	Indiana Code Reference for Distribution	Other Impacted Agency	Notes
Riverboat Admissions Tax	\$3 per admission, whether paid or unpaid.	No change.	100% to separate funds for each riverboat.	No change.	SEA 528	07/01/2013	4-33-12-1	4-33-12-6	State Auditor	\$.65 of the RAT will be deposited in the General Fund instead of being paid to the Indiana Horse Racing Commission.
Riverboat Wagering Tax	<p>(1) 22.5% of adjusted gross receipts if the riverboat does not implement flexible scheduling; (2) the riverboat is subject to graduated tax rates presented in the table below if the riverboat implements flexible scheduling; or (3) the French Lick Casino is subject to the graduated tax rate presented in the table below.</p> <p>Taxable AGR Increment Earned July 1 to June 30</p> <p>Tax Rate on AGR Increment</p> <p>\$25M and under: 15%</p> <p>Over \$25M up to \$50M: 20%</p> <p>Over \$50M up to \$75M: 25%</p> <p>Over \$75M up to \$150M: 30%</p> <p>Over \$150M up to \$600M: 35%</p> <p>Over \$600M: 40%</p>	<p>(1) 22.5% of adjusted gross receipts if the riverboat does not implement flexible scheduling; (2) the riverboat is subject to graduated tax rates presented in the table below if the riverboat implements flexible scheduling; or (3) the French Lick Casino is subject to the graduated tax rate presented in the table below.</p> <p>Taxable AGR Increment Earned July 1 to June 30</p> <p>For Riverboats that received \$75M or more in AGR during the preceding state fiscal year:</p> <p>\$25M and under: 15%</p> <p>Over \$25M up to \$50M: 20%</p> <p>Over \$50M up to \$75M: 25%</p> <p>Over \$75M up to \$150M: 30%</p> <p>Over \$150M up to \$600M: 35%</p> <p>Over \$600M: 40%</p> <p>For Riverboats that received less than \$75M in AGR during the preceding state fiscal year:</p> <p>\$25M and under: 5%</p> <p>Over \$25M up to \$50M: 20%</p> <p>Over \$50M up to \$75M: 25%</p> <p>Over \$75M up to \$150M: 30%</p> <p>Over \$150M up to \$600M: 35%</p> <p>Over \$600M: 40%</p> <p>If the adjusted gross receipts do exceed \$75,000,000 in the fiscal year when the riverboat paid at the lower rate, the owner of the riverboat is subject to an additional tax of \$2,500,000.</p>	100% to separate funds for each riverboat.	No change.	SEA 528	07/01/2013	4-33-13-1.5	4-33-13-3	Indiana Gaming Commission	

Slot Machine Wagering Tax	Tax based on 100% of the adjusted gross receipts (AGR) (but tax has been paid on 85% of AGR since 11/2011 due to court case). \$100M and under taxable AGR: 25%; Over 100M up to \$200M: 30%; Over \$200M: 35%	Tax based on 99% of the adjusted gross receipts (AGR) received after June 30, 2012, and before July 1, 2013, and on 91.5% of AGR received after June 30, 2013. \$100M and under taxable AGR: 25%; Over 100M up to \$200M: 30%; Over \$200M: 35%	100% to State General Fund	No change	HEA 1001	07/01/2013	4-35-8-1	4-35-8-3		
Sales and Use Tax	7%	No change	99.848% to the State General Fund; .029% to the Industrial Rail Service Fund; .123% to the Commuter Rail Service Fund	98.848% to the State General Fund; 1% to the Motor Vehicle Highway Account established under IC 8-14-1; .029% to the Industrial Rail Service Fund; .123% to the Commuter Rail Service Fund.	HEA 1001	07/01/2013	6-2.5-2-2	6-2.5-10-1	State Auditor	
Gasoline Use Tax (new)	n/a	7.0%	n/a	98.848% to the State General Fund; 1% Motor Vehicle Highway Account; .029% Industrial Rail Service Fund; .123% Commuter Rail Service Fund.	SEA 479	07/01/2014	6-2.5-3.5-15	6-2.5-10-1	State Auditor	
Individual Adjusted Gross Income Tax	3.4%	3.3% for TY beginning after 12/31/2014 and prior to 1/1/2017; 3.23% for TY beginning after 12/31/2016	100% to the State General Fund	No change.	HEA 1001	07/01/2013	6-3-2-1	6-3-7-3		
Inheritance Tax	1%-20%	0.0%	Resident inheritance tax: 92% to the State General Fund; 8% county of collection, subject to minimum distribution; Nonresident inheritance tax: 100% to the State General Fund.	No change.	HEA 1001	01/01/2013 (RETROACTIVE)	6-4.1-5-1	6-4.1-9-6; 6-4.1-11-6		CAVEAT: Last year of minimum distribution is FY 2013.
Estate Tax	For deaths occurring before 2002, the rate was from 1%--16%; for deaths occurring after 2001 and before 2005, the rate was reduced 25% per year. For deaths occurring after 2004, the tax was inchoate.	0.0%	100% to the State General Fund.	n/a	HEA 1001	01/01/2013 (RETROACTIVE)	6-4.1-11-2	6-4.1-11-6		
Generation Skipping Tax	5% of federal GST on certain transfers. For deaths occurring after 2004, the federal GST state tax credit was repealed, leaving the Indiana GST inchoate.	0.0%	100% to the State General Fund.	n/a	HEA 1001	01/01/2013 (RETROACTIVE)	6-4.1-11.5-2; 6-4.1-11.5-8	n/a		

Financial Institutions Tax	8.5%	8% for TY beginning after 12/31/13; 7.5% for TY beginning after 12/31/14; 7% for TY beginning after 12/31/15; 6.5% for TY beginning after 12/31/16	100% to Financial Institutions Tax Fund.	No change.	HEA 1018	07/01/2013	6-5.5-2-1	6-5.5-8-2	State Auditor	60% to General Fund; 40% to the Financial Institutions Tax fund. This amount is then distributed pro rata based on CY 2012 distributions to the respective local taxing units.
Alternative Fuel Permit Fee (repealed)	\$100--\$500	n/a	Same as Special Fuel--The first \$25,000,000 is distributed 60% to local units and 40% to the Department of Transportation. The remainder is deposited 75% to the Motor Vehicle Highway Account and 25% to the Highway, Road, and Street Fund.	No change.	HEA 1324	01/01/2014	6-6-2.1	6-6-2.5-68		Tax amount depends on weight (IC 6-6-2.1-203).
Marion County Supplemental Auto Rental Excise Tax	4%	6%	100% to Capitol Improvement Board.	No change.	HEA 1001	07/01/2013	6-6-9.7-7	6-6-9.7-7		Tax rate increase effective 3/1/13. Additional rate may not continue in effect after 2/28/2023.
Aviation Fuel Excise Tax (new)	n/a	\$0.10 per gallon	n/a	100% to State General Fund.	HEA 1545	07/01/2013	6-6-13-6	6-6-13-15	State Auditor; State Budget Agency	Applies to aviation fuel purchased in Indiana.
Cigarette Tax	99.5 cents per pack of 20 cigarettes and 124.375 cents per pack of 25 cigarettes.	No change.	Medicaid Reimbursements: 2.46%; State Retiree Health Benefit Trust Fund: 5.74%; Cigarette Tax Fund: 4.22%; Mental Health Centers Fund: .6%; State General Fund: 54.5%; Pension Relief Fund: 5.43%; Indiana Check-up Plan Trust Fund: 27.05%.	Medicaid Reimbursements: 2.46%; State Retiree Health Benefit Trust Fund: 4%; Cigarette Tax Fund: 4.22%; Mental Health Centers Fund: .6%; State General Fund: 56.24%; Pension Relief Fund: 5.43%; Indiana Check-up Plan Trust Fund: 27.05%.	HEA 1001	07/01/2013	6-7-1-12	6-7-1-28.1		

Other Tobacco Products Tax	24% of the wholesale price of tobacco products other than moist snuff; \$.40 per ounce for moist snuff.	No change.	25% of taxes, registration fees, fines, and penalties deposited in the Affordable Housing and Community Development Fund; 75% of taxes, registration fees, fines, and penalties distributed the same as the Cigarette Tax: Medicaid Reimbursements: 2.46%; State Retiree Health Benefit Trust Fund: 5.74%; Cigarette Tax Fund: 4.22%; Mental Health Centers Fund: .6%; State General Fund: 54.5%; Pension Relief Fund: 5.43%; Indiana Check-up Plan Trust Fund: 27.05%.	25% of taxes, registration fees, fines and penalties deposited in the Affordable Housing and Community Development Fund; 75% of taxes, registration fees, fines and penalties distributed the same as the Cigarette Tax: Medicaid Reimbursements: 2.46%; State Retiree Health Benefit Trust Fund: 4% ; Cigarette Tax Fund: 4.22%; Mental Health Centers Fund: .6%; State General Fund: 56.24% ; Pension Relief Fund: 5.43%; Indiana Check-up Plan Trust Fund: 27.05%.	HEA 1001	07/12/2013	6-7-2-7	6-7-2-17		OTP tax distribution is statutorily the same as Cigarette Tax distribution, so the change of the Cigarette Tax distribution resulted in a change of the OTP tax distribution.
Motorsports Admissions Fee (new)	n/a	6% if the admission charge is \$150 or more; 3% if the admission charge is \$100 or more but less than \$150; 2% on any admission charge less than \$100	n/a	100% to State General Fund.	HEA 1544	01/01/2014	6-8-14-4	6-8-14-8	State Auditor; State Budget Agency	Tax may not continue if conditions under IC 6-8-14-9 are met.
Sales and Use Tax; Cigarette Tax; Other Tobacco Products Tax; Alcoholic Beverage Tax	n/a	n/a	Refunds paid from the State General Fund.	Refunds must come from accounts that receive the funds.	SEA 544	07/01/2013	6-2.5-2-1; 6-7-1-12; 6-7-2-7; 7.1-4 (Multiple)	6-8.1-9-1.3	SBA; State Auditor	
New income tax return check-off for public education for kindergarten through grade 12 (new)	n/a	Variable	n/a	100% to Public Education Fund (for kindergarten through grade 12)--If the refund is less than the total amount designated, the Public Education Fund and the Nongame Fund will receive proportional amounts of the amount available.	HEA 1545	01/01/2015	n/a	6-8.1-9-4	State Auditor	

Marion County Admissions Tax	6%	10%	100% to Marion County Admissions Tax Fund.	No change.	HEA 1001	07/01/2013	6-9-13-2	6-9-13-2	State Auditor	60% to CIB; 40% to Sports & Convention Facilities Operating Fund. Tax rate increase effective 3/1/13. Increase from 6% to 10% may not continue in effect after 2/28/2023.
Cloverdale Food & Beverage Tax (new)	n/a	1%	n/a	Upon adoption, if unit chooses to have IDOR collect, 100% to Cloverdale Food & Beverage Tax Fund. If unit chooses to collect on its own behalf, no distribution for IDOR.	HEA 1070	07/01/2013	6-9-43-5	6-9-43-7, 6-9-43-8	State Auditor	
Fishers Food & Beverage Tax (new)	n/a	1%	n/a	Upon adoption, if unit chooses to have IDOR collect, 100% to Fishers Food & Beverage Tax Fun. If unit chooses to collect on its own behalf, no distribution for IDOR.	HEA 1070	Upon passage	6-9-44-5	6-9-44-7, 6-9-44-8	State Auditor	