

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1001(ss) be amended to read as follows:

- 1 Page 144, between lines 29 and 30, begin a new paragraph and
2 insert:
3 "SECTION 150. IC 6-2.5-8-12 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2002]: **Sec. 12. (a) Notwithstanding any other**
6 **provision of this article, the following shall not cause a person that**
7 **has contracted with a call center operator for a telephone service**
8 **to have a duty to register as a retail merchant or to collect or remit**
9 **the state gross retail or use tax imposed by this article:**
10 (1) **The ownership or leasing by that person of tangible or**
11 **intangible property located at the Indiana premises of the call**
12 **center operator.**
13 (2) **The activities of any kind performed by or on behalf of**
14 **that person at the Indiana premises of the call center**
15 **operator.**
16 (3) **The activities of any kind performed by the call center**
17 **operator in Indiana for or on behalf of that person.**
18 **(b) Tangible or intangible property that is:**
19 (1) **owned or leased by a person that has contracted with a call**
20 **center operator for a telephone service; and**
21 (2) **located at the premises of the call center operator;**
22 **shall not be considered to be, or to create, an office, a place of**

1 **distribution, a sales location, a sample location, a warehouse, a**
2 **storage place, or other place of business maintained, occupied, or**
3 **used in any way by the person. A call center operator with which**
4 **a person has contracted for a telephone service shall not be**
5 **considered to be in any way a representative, an agent, a salesman,**
6 **a canvasser, or a solicitor for the person.**

7 **(c) For purposes of this section, a telephone service shall include**
8 **soliciting orders by telephone, accepting orders by telephone, and**
9 **making and receiving any other telephone calls."**

10 Renumber all SECTIONS consecutively.
 (Reference is to HB 1001(ss) as printed June 3, 2002.)

Representative Hoffman