

HOUSE BILL No. 1503

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-2.5-6-15; IC 6-2.5-10-1; IC 36-8-12-17.

Synopsis: Sales tax on fireworks. Requires the deposit of the sales tax on fireworks into a special volunteer fire company account within the state general fund. Requires the auditor of state to use the revenue to make equal grant distributions to totally volunteer fire companies throughout Indiana that apply for a grant with the office of the state fire marshal.

Effective: July 1, 1999.

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January 19, 1999, read first time and referred to Committee on Ways and Means.

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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

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HOUSE BILL No. 1503



A BILL FOR AN ACT to amend the Indiana Code concerning taxation and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-2.5-6-15 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1999]: **Sec. 15. Each retail merchant shall report to the**
4 **department the amount of gross retail taxes collected on the gross**
5 **retail income attributable to a firework, as defined in**
6 **IC 22-11-14-1.**

7 SECTION 2. IC 6-2.5-10-1 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. (a) The department
9 shall account for all state gross retail and use taxes that it collects.

10 (b) The department shall deposit those collections in the following
11 manner:

12 (1) Forty percent (40%) of the collections shall be paid into the
13 property tax replacement fund established under IC 6-1.1-21.

14 (2) Fifty-nine and two-tenths percent (59.2%) of the collections
15 shall be paid into the state general fund. **From the amount**
16 **deposited in the state general fund, the department shall**
17 **credit the gross retail taxes attributable to a firework, as**



1 reported under IC 6-2.5-6-15, to a special account within the
2 state general fund known as the volunteer fire company
3 fireworks account. Money in the account shall be distributed
4 as provided in IC 36-8-12-17.

5 (3) Seventy-six hundredths of one percent (0.76%) of the
6 collections shall be paid into the public mass transportation fund
7 established by IC 8-23-3-8.

8 (4) Four hundredths of one percent (0.04%) of the collections
9 shall be deposited into the industrial rail service fund established
10 under IC 8-3-1.7-2.

11 SECTION 3. IC 36-8-12-17 IS ADDED TO THE INDIANA CODE
12 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
13 1, 1999]: **Sec. 17. (a) A volunteer fire company in Indiana is entitled
14 to a grant from the volunteer fire company fireworks account
15 created under IC 6-2.5-10-1 if the company files an application for
16 a grant before February 15 of each year with the office of the state
17 fire marshal. The application must include a certification that the
18 company did not have any firefighters who received more than
19 nominal consideration for their services to the volunteer fire
20 company during the preceding year. The office of the state fire
21 marshal shall verify the accuracy of each application and compile
22 a list showing the volunteer fire companies that filed a verified
23 application for a grant for the year. The list shall be provided to
24 the auditor of state before March 15 of each year.**

25 (b) The entire balance in the account on March 1 of each year
26 shall be distributed as grants before April 1 of that year on
27 warrants issued by the auditor of state. The grants are to be in
28 equal amounts to each volunteer fire company that appears on the
29 list provided under subsection (a). Money in the account is
30 appropriated to make the distributions.

31 (c) Money received by a volunteer fire company under this
32 section may be used only for firefighting equipment or firefighter
33 training.

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