

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Commerce and Consumer Affairs, to which was referred Senate Bill No. 374, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 1, delete lines 1 through 12, begin a new paragraph and insert:
2 "SECTION 1. IC 6-2.5-9-4 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) Except as
4 provided in **subsection (c) and IC 6-2.5-7**, a person who:
5 (1) displays an advertised price, marked price, or publicly stated
6 price that includes the state gross retail or use taxes;
7 (2) offers to assume or absorb part of a customer's state gross
8 retail or use tax on a sale; or
9 (3) offers to refund part of a customer's state gross retail or use tax
10 as a part of a sale;
11 commits a Class B infraction.
12 (b) A retail merchant who:
13 (1) uses a metered pump to dispense gasoline or special fuel;
14 (2) is required to display on the pump the total price per unit of
15 the gasoline or special fuel under IC 6-2.5-7-2; and
16 (3) advertises the gasoline or special fuel at a price other than that
17 required by IC 6-2.5-7-2;
18 commits a Class B infraction.

- 1 **(c) Subsection (a)(1) does not apply to a transaction in which:**
- 2 **(1) the price of each item in the transaction is twenty dollars**
- 3 **(\$20) or less; and**
- 4 **(2) the sale occurs upon premises that are:**
- 5 **(A) described in IC 7.1-3-1-25; or**
- 6 **(B) an entertainment complex as defined in**
- 7 **IC 7.1-1-3-16.5."**

8 Renumber all SECTIONS consecutively.
(Reference is to SB 374 as introduced.)

and when so amended that said Bill do pass.

Committee Vote: Yeas 10, Nays 0.

Senator Mills, Chairperson