
HOUSE BILL No. 1450

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-2.5-5-44.

Synopsis: Sales tax credit for clean fuel vehicles. Provides a 50% sales and use tax exemption for the purchase or lease of a new clean fuel vehicle if the retail transaction occurs from July 1, 2009, through June 30, 2010.

Effective: July 1, 2009.

Friend

January 13, 2009, read first time and referred to Committee on Commerce, Energy, Technology and Utilities.

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First Regular Session 116th General Assembly (2009)

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 2008 Regular Session of the General Assembly.

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HOUSE BILL No. 1450



A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

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

- 1 SECTION 1. IC 6-2.5-5-44 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2009]: **Sec. 44. (a) This section applies only to a retail transaction**
- 4 **occurring after June 30, 2009, and before July 1, 2010.**
- 5 **(b) As used in this section, "alternative fuel vehicle" has the**
- 6 **meaning set forth in IC 6-3.1-31.9.**
- 7 **(c) As used in this section, "clean fuel vehicle" means:**
- 8 **(1) an alternative fuel vehicle;**
- 9 **(2) an electric vehicle; or**
- 10 **(3) a hybrid vehicle;**
- 11 **that is manufactured in the United States by a company with a**
- 12 **United States headquarters.**
- 13 **(d) As used in this section, "electric vehicle" means a vehicle**
- 14 **with one (1) or more electric motors for propulsion. The term does**
- 15 **not include a golf cart vehicle.**
- 16 **(e) As used in this section, "hybrid vehicle" means a vehicle**
- 17 **that:**



- 1 (1) draws propulsion energy from both an internal
- 2 combustion engine and an energy storage device; and
- 3 (2) employs a regenerative braking system to recover waste
- 4 energy to charge the energy storage device that is providing
- 5 propulsion energy.
- 6 (f) As used in this section, "United States headquarters" means
- 7 a physical presence in the United States of a domestic business
- 8 entity's regular or principal place of business and its chief
- 9 executive, operating, and financial officers.
- 10 (g) As used in this section, "vehicle" means a self-propelled
- 11 device having at least four (4) wheels and subject to annual
- 12 registration under IC 9-18 as a condition of its operation on the
- 13 public highways.
- 14 (h) A transaction involving the:
- 15 (1) purchase of; or
- 16 (2) entering into a lease agreement (as defined in
- 17 IC 9-23-2.5-4) for;
- 18 a new clean fuel vehicle is partially exempt from the state gross
- 19 retail and use taxes.
- 20 (i) The part of the sales price of tangible personal property that
- 21 is exempt from state gross retail and use taxes under this section
- 22 equals the product of:
- 23 (1) the total sales price; multiplied by
- 24 (2) fifty percent (50%).
- 25 (j) A transaction is not exempt under this section if the vehicle
- 26 was purchased by the taxpayer:
- 27 (1) at wholesale for the purpose of resale to another person;
- 28 or
- 29 (2) in a retail transaction from another person who purchased
- 30 the vehicle in a retail transaction.
- 31 (k) To obtain the exemption provided by this section, the
- 32 taxpayer and the retail merchant must submit to the department
- 33 proof of all information that the department determines is
- 34 necessary to support the taxpayer's purchase or lease of a new
- 35 clean fuel vehicle.

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