

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 589 be amended to read as follows:

- 1 Page 25, delete lines 6 through 16, begin a new paragraph and
2 insert:
3 "SECTION 8. IC 6-3-2-1 IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JANUARY 1, 2012]: Sec. 1. (a) Each taxable year, a tax
5 at the rate of three and four-tenths percent (3.4%) of adjusted gross
6 income is imposed upon the adjusted gross income of every resident
7 person, and on that part of the adjusted gross income derived from
8 sources within Indiana of every nonresident person.
9 (b) Except as provided in section 1.5 of this chapter, each taxable
10 year, a tax at the **following** rate ~~of eight and five-tenths percent (8.5%)~~
11 ~~of adjusted gross income~~ is imposed on that part of the adjusted gross
12 income derived from sources within Indiana of every corporation:
13 **(1) Except as provided in subdivision (2), a rate of eight and**
14 **five-tenths percent (8.5%).**
15 **(2) A rate of six and five-tenths percent (6.5%) of adjusted**
16 **gross income, for taxable years beginning after December 31**
17 **following the end of the first state fiscal year for which the**
18 **department certifies that the state has collected from remote**
19 **sellers at least one hundred million dollars (\$100,000,000) of**
20 **use taxes with respect to remote sales sourced to Indiana.**
21 (c) The department shall before September 1 of each year
22 certify whether the state has collected in the previous state fiscal
23 year from remote sellers at least one hundred million dollars
24 (\$100,000,000) of use taxes with respect to remote sales sourced to
25 Indiana.
26 (d) If the department certifies that the state has collected in the
27 previous state fiscal year from remote sellers at least one hundred
28 million dollars (\$100,000,000) of use taxes with respect to remote
29 sales sourced to Indiana, the department shall publish in the
30 Indiana Register a notice specifying the date on which the rate of

1 **six and five-tenths percent (6.5%) takes effect as provided under**
2 **subsection (b)."**

3 Page 62, line 10, delete "IC 6-3-2-1,".

4 Page 62, delete lines 18 through 39.

5 Renumber all SECTIONS consecutively.

(Reference is to SB 589 as printed February 18, 2011.)

Senator BRODEN