

Adopted	Rejected
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## COMMITTEE REPORT

YES: 12  
NO: 0

**MR. SPEAKER:**

*Your Committee on Commerce, Small Business and Economic Development, to which was referred Senate Bill 321, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1           Replace the effective date in SECTION 1 with "[EFFECTIVE JULY
- 2           1, 2012]".
- 3           Page 2, line 16, after "expenditures" insert "**after June 30, 2012,**
- 4           **and**".
- 5           Page 2, line 16, delete "2019." and insert "**2018. New qualified**
- 6           **expenditures made after June 30, 2012, and before July 1, 2013,**
- 7           **may be used as the basis for claiming a credit, but may not be**
- 8           **claimed or used as a basis for estimated payments until after June**
- 9           **30, 2013.**".
- 10          Page 2, line 24, after "claimed" delete "." and insert "**multiplied by**
- 11          **one and one tenth (1.1).**".
- 12          Page 4, between lines 20 and 21, begin a new line block indented

1 and insert:

2 **"(7) Implementing a homeland security measure to comply**  
 3 **with federal homeland security requirements, limited to the**  
 4 **following:**

- 5 (A) Gates, fencing, and checkpoints.  
 6 (B) Tank and grain elevator access restrictions.  
 7 (C) Tunnel emergency access restrictions.  
 8 (D) Security alarms.  
 9 (E) Lighting and motion sensors.  
 10 (F) Heavy duty locks.  
 11 (G) Valve locks for anhydrous ammonia nurse tanks.  
 12 (H) Employee security training.

13 **A taxpayer must obtain the certification of the department of**  
 14 **homeland security (IC 10-19-2-1) that an expenditure under**  
 15 **this subdivision is a qualified expenditure for purposes of this**  
 16 **chapter before claiming the tax credit. The department of**  
 17 **homeland security, in consultation with the department, shall**  
 18 **adopt rules under IC 4-22-2, including emergency rules under**  
 19 **IC 4-22-2-37.1, to implement a certification process for**  
 20 **purposes of this subdivision. In determining whether a**  
 21 **homeland security measure complies with federal homeland**  
 22 **security requirements for purposes of the credit provided by**  
 23 **this chapter, the department shall apply the standards set**  
 24 **forth in the United States Department of Homeland Security**  
 25 **Chemical Facility Anti-terrorism Standards regulations (6**  
 26 **CFR Part 27) adopted under federal Public Law 109-295."**

27 Page 7, line 8, delete "ten" and insert "twenty".

28 Page 7, line 9, delete "\$10,000,000" and insert "\$20,000,000".

(Reference is to SB 321 as reprinted January 31, 2012.)

**and when so amended that said bill do pass.**

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Representative Stemler