



January 11, 2012

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## SENATE BILL No. 144

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DIGEST OF SB 144 (Updated January 10, 2012 12:17 pm - DI 58)

**Citations Affected:** IC 6-2.5; IC 6-7.

**Synopsis:** Sales tax on tobacco tax stamping equipment and tobacco products tax. Provides an exemption from the state gross retail tax for tangible personal property acquired for the exclusive purpose of complying with the state tobacco tax laws. Changes the wholesale price on which the tobacco products tax is based (excludes cigarettes and moist snuff) to make the wholesale price the net price as shown on the manufacturer's invoice, excluding any discount or other reduction that is not shown on the invoice.

**Effective:** July 1, 2012.

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**Kenley**

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January 4, 2012, read first time and referred to Committee on Tax and Fiscal Policy.  
January 10, 2012, amended, reported favorably — Do Pass.

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SB 144—LS 6360/DI 58+



January 11, 2012

Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

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## SENATE BILL No. 144

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 6-2.5-5-45 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2012]: **Sec. 45. Transactions involving tangible personal property**  
4 **(including excise tax meter machines and related accessories, such**  
5 **as re-packers, cutters, and supplies) are exempt from the state**  
6 **gross retail tax if the property is acquired:**  
7 **(1) by a person that is required to affix excise tax stamps**  
8 **under IC 6-7; and**  
9 **(2) for the exclusive purpose of complying with IC 6-7.**  
10 SECTION 2. IC 6-7-2-6 IS AMENDED TO READ AS FOLLOWS  
11 [EFFECTIVE JULY 1, 2012]: Sec. 6. As used in this chapter,  
12 "wholesale price" means the **net price shown on an invoice and**  
13 **at which the manufacturer of the tobacco products sells tobacco products**  
14 **to distributors, excluding any discount or other reduction that is not**  
15 **shown on the invoice.**

SB 144—LS 6360/DI 58+



COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill No. 144, 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:

Page 1, after line 9, begin a new paragraph and insert:

"SECTION 2. IC 6-7-2-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. As used in this chapter, "wholesale price" means the **net price shown on an invoice and** at which the manufacturer of the tobacco products sells tobacco products to distributors, excluding any discount or other reduction **that is not shown on the invoice.**".

and when so amended that said bill do pass.

(Reference is to SB 144 as introduced.)

HERSHMAN, Chairperson

Committee Vote: Yeas 11, Nays 0.

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