PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1008 be amended to read as follows:

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1        Page 1, between the enacting clause and line 1, begin a new
2    paragraph and insert:
3        "SECTION 1. IC 6-3-3-13 IS ADDED TO THE INDIANA CODE
4    AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
5    1, 2007]: Sec. 13. (a) As used in this section, "taxpayer" means:
6            (1) an individual filing a single return; or
7            (2) a married couple filing a joint return.
8        (b) As used in this section, "qualifying period" refers to both of
9    the following:
10            (1) The period beginning July 1, 2007 and ending December
11            31, 2007.
12            (2) A taxable year beginning after December 31, 2007.
13        (c) At the election of the taxpayer, there shall be allowed, as a
14    credit against the adjusted gross income tax imposed by IC 6-3-1
15    through IC 6-3-7 for the taxable year, an amount equal to the
16    amount determined in the last STEP of the following formula:
17            STEP ONE: Determine the number of cigarette packs
18            containing twenty (20) cigarettes that the taxpayer purchased
19            in a qualifying period.
20            STEP TWO: Determine the amount of cigarette taxes paid by
21            the taxpayer under IC 6-7-1-12 during a qualifying period
22            that is attributable to the cigarette packs described in STEP
23            ONE.
24            STEP THREE: Determine the product of:
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1   **(A) the STEP ONE result; multiplied by**

2   **(B) fifty-five and five-tenths cents ($0.555).**

3   **STEP FOUR: Determine the number of cigarette packs**

4   **containing twenty-five (25) cigarettes that the taxpayer**

5   **purchased in a qualifying period.**

6   **STEP FIVE: Determine the amount of cigarette taxes paid by**

7   **the taxpayer under IC 6-7-1-12 during a qualifying period**

8   **that is attributable to the cigarette packs described in STEP**

9   **FOUR.**

10   **STEP SIX: Determine the product of:**

11   **(A) the STEP FOUR result; multiplied by**

12   **(B) sixty-nine and three hundred seventy-five thousandths**

13   **cents ($0.69375).**

14   **STEP SEVEN: Determine the sum of:**

15   **(A) the STEP THREE product; plus**

16   **(B) the STEP SIX product.**

17   **STEP EIGHT: Determine the sum of:**

18   **(A) the STEP TWO amount; plus**

19   **(B) the STEP FIVE amount.**

20   **STEP NINE: Determine the difference between:**

21   **(A) the STEP EIGHT sum; minus**

22   **(B) the STEP SEVEN sum.**

23   **(d) If the credit amount determined under subsection (c) exceeds**

24   **the taxpayer's adjusted gross income tax liability for the taxable**

25   **year, the excess shall be refunded to the taxpayer.**

26   **(e) To obtain a credit under this section, a taxpayer must claim**

27   **the credit in the manner prescribed by the department of state**

28   **revenue. The taxpayer shall submit to the department of state**

29   **revenue proof of the taxpayer's cigarette purchases and all other**

30   **information that the department of state revenue determines is**

31   **necessary for the calculation of the credit provided by this**

32   **section.**".

33   Page 15, between lines 26 and 27, begin a new paragraph and insert:

34   "SECTION 20. [EFFECTIVE UPON PASSAGE] **IC 6-3-3-13, as**

35   **added by this act, applies to a taxable year beginning after**

36   **December 31, 2006.**".

37   Renumber all SECTIONS consecutively.

  (Reference is to HB 1008 as printed February 20, 2007.)

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Representative Brown T