

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 353 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 taxation.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 6-3-1-3.5, AS AMENDED BY P.L.229-2011,
- 7 SECTION 83, AS AMENDED BY P.L.171-2011, SECTION 4, AND
- 8 AS AMENDED BY P.L.172-2011, SECTION 53, IS CORRECTED
- 9 AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
- 10 PASSAGE]: Sec. 3.5. When used in this article, the term "adjusted
- 11 gross income" shall mean the following:
- 12 (a) In the case of all individuals, "adjusted gross income" (as
- 13 defined in Section 62 of the Internal Revenue Code), modified as
- 14 follows:
- 15 (1) Subtract income that is exempt from taxation under this article
- 16 by the Constitution and statutes of the United States.
- 17 (2) Add an amount equal to any deduction or deductions allowed
- 18 or allowable pursuant to Section 62 of the Internal Revenue Code
- 19 for taxes based on or measured by income and levied at the state
- 20 level by any state of the United States.
- 21 (3) Subtract one thousand dollars (\$1,000), or in the case of a
- 22 joint return filed by a husband and wife, subtract for each spouse
- 23 one thousand dollars (\$1,000).
- 24 (4) Subtract one thousand dollars (\$1,000) for:

- 1 (A) each of the exemptions provided by Section 151(c) of the
 2 Internal Revenue Code;
- 3 (B) each additional amount allowable under Section 63(f) of
 4 the Internal Revenue Code; and
- 5 (C) the spouse of the taxpayer if a separate return is made by
 6 the taxpayer and if the spouse, for the calendar year in which
 7 the taxable year of the taxpayer begins, has no gross income
 8 and is not the dependent of another taxpayer.
- 9 (5) Subtract:
- 10 (A) *for taxable years beginning after December 31, 2004*, one
 11 thousand five hundred dollars (\$1,500) for each of the
 12 exemptions allowed under Section 151(c)(1)(B) of the Internal
 13 Revenue Code (as effective January 1, 2004); and
- 14 (B) five hundred dollars (\$500) for each additional amount
 15 allowable under Section 63(f)(1) of the Internal Revenue Code
 16 if the adjusted gross income of the taxpayer, or the taxpayer
 17 and the taxpayer's spouse in the case of a joint return, is less
 18 than forty thousand dollars (\$40,000).
- 19 This amount is in addition to the amount subtracted under
 20 subdivision (4).
- 21 (6) Subtract an amount equal to the lesser of:
- 22 (A) that part of the individual's adjusted gross income (as
 23 defined in Section 62 of the Internal Revenue Code) for that
 24 taxable year that is subject to a tax that is imposed by a
 25 political subdivision of another state and that is imposed on or
 26 measured by income; or
- 27 (B) two thousand dollars (\$2,000).
- 28 (7) Add an amount equal to the total capital gain portion of a
 29 lump sum distribution (as defined in Section 402(e)(4)(D) of the
 30 Internal Revenue Code) if the lump sum distribution is received
 31 by the individual during the taxable year and if the capital gain
 32 portion of the distribution is taxed in the manner provided in
 33 Section 402 of the Internal Revenue Code.
- 34 (8) Subtract any amounts included in federal adjusted gross
 35 income under Section 111 of the Internal Revenue Code as a
 36 recovery of items previously deducted as an itemized deduction
 37 from adjusted gross income.
- 38 (9) Subtract any amounts included in federal adjusted gross
 39 income under the Internal Revenue Code which amounts were
 40 received by the individual as supplemental railroad retirement
 41 annuities under 45 U.S.C. 231 and which are not deductible under
 42 subdivision (1).
- 43 ~~(10) Add an amount equal to the deduction allowed under Section~~
 44 ~~221 of the Internal Revenue Code for married couples filing joint~~
 45 ~~returns if the taxable year began before January 1, 1987.~~
- 46 ~~(11) Add an amount equal to the interest excluded from federal~~

- 1 *gross income by the individual for the taxable year under Section*
 2 *128 of the Internal Revenue Code if the taxable year began before*
 3 *January 1, 1985.*
- 4 ~~(12)~~ (10) Subtract an amount equal to the amount of federal
 5 Social Security and Railroad Retirement benefits included in a
 6 taxpayer's federal gross income by Section 86 of the Internal
 7 Revenue Code.
- 8 ~~(13)~~ (11) In the case of a nonresident taxpayer or a resident
 9 taxpayer residing in Indiana for a period of less than the taxpayer's
 10 entire taxable year, the total amount of the deductions allowed
 11 pursuant to subdivisions (3), (4), (5), and (6) shall be reduced to
 12 an amount which bears the same ratio to the total as the taxpayer's
 13 income taxable in Indiana bears to the taxpayer's total income.
- 14 ~~(14)~~ (12) In the case of an individual who is a recipient of
 15 assistance under IC 12-10-6-1, IC 12-10-6-2.1, IC 12-15-2-2, or
 16 IC 12-15-7, subtract an amount equal to that portion of the
 17 individual's adjusted gross income with respect to which the
 18 individual is not allowed under federal law to retain an amount to
 19 pay state and local income taxes.
- 20 ~~(15)~~ (13) In the case of an eligible individual, subtract the amount
 21 of a Holocaust victim's settlement payment included in the
 22 individual's federal adjusted gross income.
- 23 ~~(16)~~ *For taxable years beginning after December 31, 1999,* (14)
 24 Subtract an amount equal to the portion of any premiums paid
 25 during the taxable year by the taxpayer for a qualified long term
 26 care policy (as defined in IC 12-15-39.6-5) for the taxpayer or the
 27 taxpayer's spouse, or both.
- 28 ~~(17)~~ (15) Subtract an amount equal to the lesser of:
 29 (A) *for a taxable year:*
 30 (i) *including any part of 2004, the amount determined under*
 31 *subsection (f); and*
 32 (ii) *beginning after December 31, 2004,* two thousand five
 33 hundred dollars (\$2,500); or
 34 (B) the amount of property taxes that are paid during the
 35 taxable year in Indiana by the individual on the individual's
 36 principal place of residence.
- 37 ~~(18)~~ (16) Subtract an amount equal to the amount of a September
 38 11 terrorist attack settlement payment included in the individual's
 39 federal adjusted gross income.
- 40 ~~(19)~~ (17) Add or subtract the amount necessary to make the
 41 adjusted gross income of any taxpayer that owns property for
 42 which bonus depreciation was allowed in the current taxable year
 43 or in an earlier taxable year equal to the amount of adjusted gross
 44 income that would have been computed had an election not been
 45 made under Section 168(k) of the Internal Revenue Code to apply
 46 bonus depreciation to the property in the year that it was placed

- 1 in service.
- 2 ~~(20)~~ (18) Add an amount equal to any deduction allowed under
- 3 Section 172 of the Internal Revenue Code.
- 4 ~~(21)~~ (19) Add or subtract the amount necessary to make the
- 5 adjusted gross income of any taxpayer that placed Section 179
- 6 property (as defined in Section 179 of the Internal Revenue Code)
- 7 in service in the current taxable year or in an earlier taxable year
- 8 equal to the amount of adjusted gross income that would have
- 9 been computed had an election for federal income tax purposes
- 10 not been made for the year in which the property was placed in
- 11 service to take deductions under Section 179 of the Internal
- 12 Revenue Code in a total amount exceeding twenty-five thousand
- 13 dollars (\$25,000).
- 14 ~~(22)~~ (20) Add an amount equal to the amount that a taxpayer
- 15 claimed as a deduction for domestic production activities for the
- 16 taxable year under Section 199 of the Internal Revenue Code for
- 17 federal income tax purposes.
- 18 ~~(23)~~ (21) Subtract an amount equal to the amount of the taxpayer's
- 19 qualified military income that was not excluded from the
- 20 taxpayer's gross income for federal income tax purposes under
- 21 Section 112 of the Internal Revenue Code.
- 22 ~~(24)~~ (22) Subtract income that is:
- 23 (A) exempt from taxation under IC 6-3-2-21.7; and
- 24 (B) included in the individual's federal adjusted gross income
- 25 under the Internal Revenue Code.
- 26 ~~(25)~~ (23) Subtract any amount of a credit (including an advance
- 27 refund of the credit) that is provided to an individual under 26
- 28 U.S.C. 6428 (federal Economic Stimulus Act of 2008) and
- 29 included in the individual's federal adjusted gross income.
- 30 ~~(26)~~ (24) Add any amount of unemployment compensation
- 31 excluded from federal gross income, as defined in Section 61 of
- 32 the Internal Revenue Code, under Section 85(c) of the Internal
- 33 Revenue Code.
- 34 ~~(27)~~ (25) Add the amount excluded from gross income under
- 35 Section 108(a)(1)(e) of the Internal Revenue Code for the
- 36 discharge of debt on a qualified principal residence.
- 37 ~~(28)~~ (26) Add an amount equal to any income not included in
- 38 gross income as a result of the deferral of income arising from
- 39 business indebtedness discharged in connection with the
- 40 reacquisition after December 31, 2008, and before January 1,
- 41 2011, of an applicable debt instrument, as provided in Section
- 42 108(i) of the Internal Revenue Code. Subtract the amount
- 43 necessary from the adjusted gross income of any taxpayer that
- 44 added an amount to adjusted gross income in a previous year to
- 45 offset the amount included in federal gross income as a result of
- 46 the deferral of income arising from business indebtedness

- 1 discharged in connection with the reacquisition after December
 2 31, 2008, and before January 1, 2011, of an applicable debt
 3 instrument, as provided in Section 108(i) of the Internal Revenue
 4 Code.
- 5 ~~(29)~~ (27) Add the amount necessary to make the adjusted gross
 6 income of any taxpayer that placed qualified restaurant property
 7 in service during the taxable year and that was classified as
 8 15-year property under Section 168(e)(3)(E)(v) of the Internal
 9 Revenue Code equal to the amount of adjusted gross income that
 10 would have been computed had the classification not applied to
 11 the property in the year that it was placed in service.
- 12 ~~(30)~~ (28) Add the amount necessary to make the adjusted gross
 13 income of any taxpayer that placed qualified retail improvement
 14 property in service during the taxable year and that was classified
 15 as 15-year property under Section 168(e)(3)(E)(ix) of the Internal
 16 Revenue Code equal to the amount of adjusted gross income that
 17 would have been computed had the classification not applied to
 18 the property in the year that it was placed in service.
- 19 ~~(31)~~ (29) Add or subtract the amount necessary to make the
 20 adjusted gross income of any taxpayer that claimed the special
 21 allowance for qualified disaster assistance property under Section
 22 168(n) of the Internal Revenue Code equal to the amount of
 23 adjusted gross income that would have been computed had the
 24 special allowance not been claimed for the property.
- 25 ~~(32)~~ (30) Add or subtract the amount necessary to make the
 26 adjusted gross income of any taxpayer that made an election
 27 under Section 179C of the Internal Revenue Code to expense
 28 costs for qualified refinery property equal to the amount of
 29 adjusted gross income that would have been computed had an
 30 election for federal income tax purposes not been made for the
 31 year.
- 32 ~~(33)~~ (31) Add or subtract the amount necessary to make the
 33 adjusted gross income of any taxpayer that made an election
 34 under Section 181 of the Internal Revenue Code to expense costs
 35 for a qualified film or television production equal to the amount
 36 of adjusted gross income that would have been computed had an
 37 election for federal income tax purposes not been made for the
 38 year.
- 39 ~~(34)~~ (32) Add or subtract the amount necessary to make the
 40 adjusted gross income of any taxpayer that treated a loss from the
 41 sale or exchange of preferred stock in:
- 42 (A) the Federal National Mortgage Association, established
 43 under the Federal National Mortgage Association Charter Act
 44 (12 U.S.C. 1716 et seq.); or
 45 (B) the Federal Home Loan Mortgage Corporation, established
 46 under the Federal Home Loan Mortgage Corporation Act (12

1 U.S.C. 1451 et seq.);
2 as an ordinary loss under Section 301 of the Emergency
3 Economic Stabilization Act of 2008 in the current taxable year or
4 in an earlier taxable year equal to the amount of adjusted gross
5 income that would have been computed had the loss not been
6 treated as an ordinary loss.
7 *(33) Add the amount excluded from federal gross income under*
8 *Section 103 of the Internal Revenue Code for interest received on*
9 *an obligation of a state other than Indiana, or a political*
10 *subdivision of such a state, that is acquired by the taxpayer after*
11 *December 31, 2011.*
12 ~~(35)~~ *(34) Add the amount deducted from gross income under*
13 *Section 198 of the Internal Revenue Code for the expensing of*
14 *environmental remediation costs.*
15 ~~(36)~~ *(35) Add the amount excluded from gross income under*
16 *Section 408(d)(8) of the Internal Revenue Code for a charitable*
17 *distribution from an individual retirement plan.*
18 ~~(37)~~ *(36) Add the amount deducted from gross income under*
19 *Section 222 of the Internal Revenue Code for qualified tuition*
20 *and related expenses.*
21 ~~(38)~~ ~~(37)~~ *Add the amount deducted from gross income under*
22 *Section 62(2)(D) of the Internal Revenue Code for certain*
23 *expenses of elementary and secondary school teachers.*
24 ~~(39)~~ ~~(38)~~ **(37)** *Add the amount excluded from gross income under*
25 *Section 127 of the Internal Revenue Code as annual employer*
26 *provided education expenses.*
27 ~~(40)~~ ~~(39)~~ **(38)** *Add the amount deducted from gross income under*
28 *Section 179E of the Internal Revenue Code for any qualified*
29 *advanced mine safety equipment property.*
30 ~~(41)~~ ~~(40)~~ **(39)** *Add the monthly amount excluded from gross*
31 *income under Section 132(f)(1)(A) and 132(f)(1)(B) of the*
32 **Internal Revenue Code** *that exceeds one hundred dollars (\$100)*
33 *a month for a qualified transportation fringe.*
34 ~~(42)~~ ~~(41)~~ **(40)** *Add the amount deducted from gross income under*
35 *Section 221 of the Internal Revenue Code that exceeds the*
36 *amount the taxpayer could deduct under Section 221 of the*
37 *Internal Revenue Code before it was amended by the Tax Relief,*
38 *Unemployment Insurance Reauthorization, and Job Creation Act*
39 *of 2010 (P.L. 111-312).*
40 ~~(43)~~ ~~(42)~~ **(41)** *Add the amount necessary to make the adjusted*
41 *gross income of any taxpayer that placed any qualified leasehold*
42 *improvement property in service during the taxable year and that*
43 *was classified as 15-year property under Section 168(e)(3)(E)(iv)*
44 *of the Internal Revenue Code equal to the amount of adjusted*
45 *gross income that would have been computed had the*
46 *classification not applied to the property in the year that it was*

1 placed into service.

2 ~~(44) (43)~~ **(42)** Add the amount necessary to make the adjusted
3 gross income of any taxpayer that placed a motorsports
4 entertainment complex in service during the taxable year and that
5 was classified as 7-year property under Section 168(e)(3)(C)(ii)
6 of the Internal Revenue Code equal to the amount of adjusted
7 gross income that would have been computed had the
8 classification not applied to the property in the year that it was
9 placed into service.

10 ~~(45) (44)~~ **(43)** Add the amount deducted under Section 195 of the
11 Internal Revenue Code for start-up expenditures that exceeds the
12 amount the taxpayer could deduct under Section 195 of the
13 Internal Revenue Code before it was amended by the Small
14 Business Jobs Act of 2010 (P.L. 111-240).

15 ~~(46) (45)~~ **(44)** Add the amount necessary to make the adjusted
16 gross income of any taxpayer for which tax was not imposed on
17 the net recognized built-in gain of an S corporation under Section
18 1374(d)(7) of the Internal Revenue Code as amended by the Small
19 Business Jobs Act of 2010 (P.L. 111-240) equal to the amount of
20 adjusted gross income that would have been computed before
21 Section 1374(d)(7) of the Internal Revenue Code as amended by
22 the Small Business Jobs Act of 2010 (P.L. 111-240).

23 ~~(35)~~ **(45)** This subdivision does not apply to payments made for
24 services provided to a business that was enrolled and
25 participated in the E-Verify program (as defined in
26 IC 22-5-1.7-3) during the time the taxpayer conducted business
27 in Indiana in the taxable year. For a taxable year beginning after
28 June 30, 2011, add the amount of any trade or business deduction
29 allowed under the Internal Revenue Code for wages,
30 reimbursements, or other payments made for services provided
31 in Indiana by an individual for services as an employee, if the
32 individual was, during the period of service, prohibited from
33 being hired as an employee under 8 U.S.C. 1324a.

34 (b) In the case of corporations, the same as "taxable income" (as
35 defined in Section 63 of the Internal Revenue Code) adjusted as
36 follows:

37 (1) Subtract income that is exempt from taxation under this article
38 by the Constitution and statutes of the United States.

39 (2) Add an amount equal to any deduction or deductions allowed
40 or allowable pursuant to Section 170 of the Internal Revenue
41 Code.

42 (3) Add an amount equal to any deduction or deductions allowed
43 or allowable pursuant to Section 63 of the Internal Revenue Code
44 for taxes based on or measured by income and levied at the state
45 level by any state of the United States.

46 (4) Subtract an amount equal to the amount included in the

- 1 corporation's taxable income under Section 78 of the Internal
2 Revenue Code.
- 3 (5) Add or subtract the amount necessary to make the adjusted
4 gross income of any taxpayer that owns property for which bonus
5 depreciation was allowed in the current taxable year or in an
6 earlier taxable year equal to the amount of adjusted gross income
7 that would have been computed had an election not been made
8 under Section 168(k) of the Internal Revenue Code to apply bonus
9 depreciation to the property in the year that it was placed in
10 service.
- 11 (6) Add an amount equal to any deduction allowed under Section
12 172 of the Internal Revenue Code.
- 13 (7) Add or subtract the amount necessary to make the adjusted
14 gross income of any taxpayer that placed Section 179 property (as
15 defined in Section 179 of the Internal Revenue Code) in service
16 in the current taxable year or in an earlier taxable year equal to
17 the amount of adjusted gross income that would have been
18 computed had an election for federal income tax purposes not
19 been made for the year in which the property was placed in
20 service to take deductions under Section 179 of the Internal
21 Revenue Code in a total amount exceeding twenty-five thousand
22 dollars (\$25,000).
- 23 (8) Add an amount equal to the amount that a taxpayer claimed as
24 a deduction for domestic production activities for the taxable year
25 under Section 199 of the Internal Revenue Code for federal
26 income tax purposes.
- 27 (9) Add to the extent required by IC 6-3-2-20 the amount of
28 intangible expenses (as defined in IC 6-3-2-20) and any directly
29 related intangible interest expenses (as defined in IC 6-3-2-20) for
30 the taxable year that reduced the corporation's taxable income (as
31 defined in Section 63 of the Internal Revenue Code) for federal
32 income tax purposes.
- 33 (10) Add an amount equal to any deduction for dividends paid (as
34 defined in Section 561 of the Internal Revenue Code) to
35 shareholders of a captive real estate investment trust (as defined
36 in section 34.5 of this chapter).
- 37 (11) Subtract income that is:
- 38 (A) exempt from taxation under IC 6-3-2-21.7; and
39 (B) included in the corporation's taxable income under the
40 Internal Revenue Code.
- 41 (12) Add an amount equal to any income not included in gross
42 income as a result of the deferral of income arising from business
43 indebtedness discharged in connection with the reacquisition after
44 December 31, 2008, and before January 1, 2011, of an applicable
45 debt instrument, as provided in Section 108(i) of the Internal
46 Revenue Code. Subtract from the adjusted gross income of any

- 1 taxpayer that added an amount to adjusted gross income in a
 2 previous year the amount necessary to offset the amount included
 3 in federal gross income as a result of the deferral of income
 4 arising from business indebtedness discharged in connection with
 5 the reacquisition after December 31, 2008, and before January 1,
 6 2011, of an applicable debt instrument, as provided in Section
 7 108(i) of the Internal Revenue Code.
- 8 (13) Add the amount necessary to make the adjusted gross income
 9 of any taxpayer that placed qualified restaurant property in service
 10 during the taxable year and that was classified as 15-year property
 11 under Section 168(e)(3)(E)(v) of the Internal Revenue Code equal
 12 to the amount of adjusted gross income that would have been
 13 computed had the classification not applied to the property in the
 14 year that it was placed in service.
- 15 (14) Add the amount necessary to make the adjusted gross income
 16 of any taxpayer that placed qualified retail improvement property
 17 in service during the taxable year and that was classified as
 18 15-year property under Section 168(e)(3)(E)(ix) of the Internal
 19 Revenue Code equal to the amount of adjusted gross income that
 20 would have been computed had the classification not applied to
 21 the property in the year that it was placed in service.
- 22 (15) Add or subtract the amount necessary to make the adjusted
 23 gross income of any taxpayer that claimed the special allowance
 24 for qualified disaster assistance property under Section 168(n) of
 25 the Internal Revenue Code equal to the amount of adjusted gross
 26 income that would have been computed had the special allowance
 27 not been claimed for the property.
- 28 (16) Add or subtract the amount necessary to make the adjusted
 29 gross income of any taxpayer that made an election under Section
 30 179C of the Internal Revenue Code to expense costs for qualified
 31 refinery property equal to the amount of adjusted gross income
 32 that would have been computed had an election for federal
 33 income tax purposes not been made for the year.
- 34 (17) Add or subtract the amount necessary to make the adjusted
 35 gross income of any taxpayer that made an election under Section
 36 181 of the Internal Revenue Code to expense costs for a qualified
 37 film or television production equal to the amount of adjusted
 38 gross income that would have been computed had an election for
 39 federal income tax purposes not been made for the year.
- 40 (18) Add or subtract the amount necessary to make the adjusted
 41 gross income of any taxpayer that treated a loss from the sale or
 42 exchange of preferred stock in:
- 43 (A) the Federal National Mortgage Association, established
 44 under the Federal National Mortgage Association Charter Act
 45 (12 U.S.C. 1716 et seq.); or
 46 (B) the Federal Home Loan Mortgage Corporation, established

1 under the Federal Home Loan Mortgage Corporation Act (12
2 U.S.C. 1451 et seq.);
3 as an ordinary loss under Section 301 of the Emergency
4 Economic Stabilization Act of 2008 in the current taxable year or
5 in an earlier taxable year equal to the amount of adjusted gross
6 income that would have been computed had the loss not been
7 treated as an ordinary loss.
8 *(19) Add the amount deducted from gross income under Section*
9 *198 of the Internal Revenue Code for the expensing of*
10 *environmental remediation costs.*
11 *(20) Add the amount deducted from gross income under Section*
12 *179E of the Internal Revenue Code for any qualified advanced*
13 *mine safety equipment property.*
14 *(21) Add the amount necessary to make the adjusted gross income*
15 *of any taxpayer that placed any qualified leasehold improvement*
16 *property in service during the taxable year and that was*
17 *classified as 15-year property under Section 168(e)(3)(E)(iv) of*
18 *the Internal Revenue Code equal to the amount of adjusted gross*
19 *income that would have been computed had the classification not*
20 *applied to the property in the year that it was placed into service.*
21 *(22) Add the amount necessary to make the adjusted gross income*
22 *of any taxpayer that placed a motorsports entertainment complex*
23 *in service during the taxable year and that was classified as*
24 *7-year property under Section 168(e)(3)(C)(ii) of the Internal*
25 *Revenue Code equal to the amount of adjusted gross income that*
26 *would have been computed had the classification not applied to*
27 *the property in the year that it was placed into service.*
28 *(23) Add the amount deducted under Section 195 of the Internal*
29 *Revenue Code for start-up expenditures that exceeds the amount*
30 *the taxpayer could deduct under Section 195 of the Internal*
31 *Revenue Code before it was amended by the Small Business Jobs*
32 *Act of 2010 (P.L. 111-240).*
33 ~~(19)~~ **(24)** *This subdivision does not apply to payments made for*
34 *services provided to a business that was enrolled and*
35 *participated in the E-Verify program (as defined in*
36 *IC 22-5-1.7-3) during the time the taxpayer conducted business*
37 *in Indiana in the taxable year. For a taxable year beginning after*
38 *June 30, 2011, add the amount of any trade or business deduction*
39 *allowed under the Internal Revenue Code for wages,*
40 *reimbursements, or other payments made for services provided*
41 *in Indiana by an individual for services as an employee, if the*
42 *individual was, during the period of service, prohibited from*
43 *being hired as an employee under 8 U.S.C. 1324a.*
44 ~~(24)~~ **(25)** *Add the amount excluded from federal gross income*
45 *under Section 103 of the Internal Revenue Code for interest*
46 *received on an obligation of a state other than Indiana, or a*

- 1 *political subdivision of such a state, that is acquired by the*
- 2 *taxpayer after December 31, 2011.*
- 3 (c) In the case of life insurance companies (as defined in Section
- 4 816(a) of the Internal Revenue Code) that are organized under Indiana
- 5 law, the same as "life insurance company taxable income" (as defined
- 6 in Section 801 of the Internal Revenue Code), adjusted as follows:
- 7 (1) Subtract income that is exempt from taxation under this article
- 8 by the Constitution and statutes of the United States.
- 9 (2) Add an amount equal to any deduction allowed or allowable
- 10 under Section 170 of the Internal Revenue Code.
- 11 (3) Add an amount equal to a deduction allowed or allowable
- 12 under Section 805 or Section 831(c) of the Internal Revenue Code
- 13 for taxes based on or measured by income and levied at the state
- 14 level by any state.
- 15 (4) Subtract an amount equal to the amount included in the
- 16 company's taxable income under Section 78 of the Internal
- 17 Revenue Code.
- 18 (5) Add or subtract the amount necessary to make the adjusted
- 19 gross income of any taxpayer that owns property for which bonus
- 20 depreciation was allowed in the current taxable year or in an
- 21 earlier taxable year equal to the amount of adjusted gross income
- 22 that would have been computed had an election not been made
- 23 under Section 168(k) of the Internal Revenue Code to apply bonus
- 24 depreciation to the property in the year that it was placed in
- 25 service.
- 26 (6) Add an amount equal to any deduction allowed under Section
- 27 172 or Section 810 of the Internal Revenue Code.
- 28 (7) Add or subtract the amount necessary to make the adjusted
- 29 gross income of any taxpayer that placed Section 179 property (as
- 30 defined in Section 179 of the Internal Revenue Code) in service
- 31 in the current taxable year or in an earlier taxable year equal to
- 32 the amount of adjusted gross income that would have been
- 33 computed had an election for federal income tax purposes not
- 34 been made for the year in which the property was placed in
- 35 service to take deductions under Section 179 of the Internal
- 36 Revenue Code in a total amount exceeding twenty-five thousand
- 37 dollars (\$25,000).
- 38 (8) Add an amount equal to the amount that a taxpayer claimed as
- 39 a deduction for domestic production activities for the taxable year
- 40 under Section 199 of the Internal Revenue Code for federal
- 41 income tax purposes.
- 42 (9) Subtract income that is:
- 43 (A) exempt from taxation under IC 6-3-2-21.7; and
- 44 (B) included in the insurance company's taxable income under
- 45 the Internal Revenue Code.
- 46 (10) Add an amount equal to any income not included in gross

1 income as a result of the deferral of income arising from business
2 indebtedness discharged in connection with the reacquisition after
3 December 31, 2008, and before January 1, 2011, of an applicable
4 debt instrument, as provided in Section 108(i) of the Internal
5 Revenue Code. Subtract from the adjusted gross income of any
6 taxpayer that added an amount to adjusted gross income in a
7 previous year the amount necessary to offset the amount included
8 in federal gross income as a result of the deferral of income
9 arising from business indebtedness discharged in connection with
10 the reacquisition after December 31, 2008, and before January 1,
11 2011, of an applicable debt instrument, as provided in Section
12 108(i) of the Internal Revenue Code.

13 (11) Add the amount necessary to make the adjusted gross income
14 of any taxpayer that placed qualified restaurant property in service
15 during the taxable year and that was classified as 15-year property
16 under Section 168(e)(3)(E)(v) of the Internal Revenue Code equal
17 to the amount of adjusted gross income that would have been
18 computed had the classification not applied to the property in the
19 year that it was placed in service.

20 (12) Add the amount necessary to make the adjusted gross income
21 of any taxpayer that placed qualified retail improvement property
22 in service during the taxable year and that was classified as
23 15-year property under Section 168(e)(3)(E)(ix) of the Internal
24 Revenue Code equal to the amount of adjusted gross income that
25 would have been computed had the classification not applied to
26 the property in the year that it was placed in service.

27 (13) Add or subtract the amount necessary to make the adjusted
28 gross income of any taxpayer that claimed the special allowance
29 for qualified disaster assistance property under Section 168(n) of
30 the Internal Revenue Code equal to the amount of adjusted gross
31 income that would have been computed had the special allowance
32 not been claimed for the property.

33 (14) Add or subtract the amount necessary to make the adjusted
34 gross income of any taxpayer that made an election under Section
35 179C of the Internal Revenue Code to expense costs for qualified
36 refinery property equal to the amount of adjusted gross income
37 that would have been computed had an election for federal
38 income tax purposes not been made for the year.

39 (15) Add or subtract the amount necessary to make the adjusted
40 gross income of any taxpayer that made an election under Section
41 181 of the Internal Revenue Code to expense costs for a qualified
42 film or television production equal to the amount of adjusted
43 gross income that would have been computed had an election for
44 federal income tax purposes not been made for the year.

45 (16) Add or subtract the amount necessary to make the adjusted
46 gross income of any taxpayer that treated a loss from the sale or

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exchange of preferred stock in:

- (A) the Federal National Mortgage Association, established under the Federal National Mortgage Association Charter Act (12 U.S.C. 1716 et seq.); or
- (B) the Federal Home Loan Mortgage Corporation, established under the Federal Home Loan Mortgage Corporation Act (12 U.S.C. 1451 et seq.);

as an ordinary loss under Section 301 of the Emergency Economic Stabilization Act of 2008 in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had the loss not been treated as an ordinary loss.

(17) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter N of the Internal Revenue Code.

(18) Add the amount necessary to make the adjusted gross income of any taxpayer that placed any qualified leasehold improvement property in service during the taxable year and that was classified as 15-year property under Section 168(e)(3)(E)(iv) of the Internal Revenue Code equal to the amount of adjusted gross income that would have been computed had the classification not applied to the property in the year that it was placed into service.

(19) Add the amount necessary to make the adjusted gross income of any taxpayer that placed a motorsports entertainment complex in service during the taxable year and that was classified as 7-year property under Section 168(e)(3)(C)(ii) of the Internal Revenue Code equal to the amount of adjusted gross income that would have been computed had the classification not applied to the property in the year that it was placed into service.

(20) Add the amount deducted under Section 195 of the Internal Revenue Code for start-up expenditures that exceeds the amount the taxpayer could deduct under Section 195 of the Internal Revenue Code before it was amended by the Small Business Jobs Act of 2010 (P.L. 111-240).

(21) Add the amount deducted from gross income under Section 198 of the Internal Revenue Code for the expensing of environmental remediation costs.

(22) Add the amount deducted from gross income under Section 179E of the Internal Revenue Code for any qualified advanced mine safety equipment property.

~~(18)~~ **(23)** *This subdivision does not apply to payments made for services provided to a business that was enrolled and participated in the E-Verify program (as defined in IC 22-5-1.7-3) during the time the taxpayer conducted business in Indiana in the taxable year. For a taxable year beginning after*

1 *June 30, 2011, add the amount of any trade or business deduction*
 2 *allowed under the Internal Revenue Code for wages,*
 3 *reimbursements, or other payments made for services provided*
 4 *in Indiana by an individual for services as an employee, if the*
 5 *individual was, during the period of service, prohibited from*
 6 *being hired as an employee under 8 U.S.C. 1324a.*

7 ~~(23)~~ **(24)** *Add the amount excluded from federal gross income*
 8 *under Section 103 of the Internal Revenue Code for interest*
 9 *received on an obligation of a state other than Indiana, or a*
 10 *political subdivision of such a state, that is acquired by the*
 11 *taxpayer after December 31, 2011.*

12 (d) In the case of insurance companies subject to tax under Section
 13 831 of the Internal Revenue Code and organized under Indiana law, the
 14 same as "taxable income" (as defined in Section 832 of the Internal
 15 Revenue Code), adjusted as follows:

16 (1) Subtract income that is exempt from taxation under this article
 17 by the Constitution and statutes of the United States.

18 (2) Add an amount equal to any deduction allowed or allowable
 19 under Section 170 of the Internal Revenue Code.

20 (3) Add an amount equal to a deduction allowed or allowable
 21 under Section 805 or Section 831(c) of the Internal Revenue Code
 22 for taxes based on or measured by income and levied at the state
 23 level by any state.

24 (4) Subtract an amount equal to the amount included in the
 25 company's taxable income under Section 78 of the Internal
 26 Revenue Code.

27 (5) Add or subtract the amount necessary to make the adjusted
 28 gross income of any taxpayer that owns property for which bonus
 29 depreciation was allowed in the current taxable year or in an
 30 earlier taxable year equal to the amount of adjusted gross income
 31 that would have been computed had an election not been made
 32 under Section 168(k) of the Internal Revenue Code to apply bonus
 33 depreciation to the property in the year that it was placed in
 34 service.

35 (6) Add an amount equal to any deduction allowed under Section
 36 172 of the Internal Revenue Code.

37 (7) Add or subtract the amount necessary to make the adjusted
 38 gross income of any taxpayer that placed Section 179 property (as
 39 defined in Section 179 of the Internal Revenue Code) in service
 40 in the current taxable year or in an earlier taxable year equal to
 41 the amount of adjusted gross income that would have been
 42 computed had an election for federal income tax purposes not
 43 been made for the year in which the property was placed in
 44 service to take deductions under Section 179 of the Internal
 45 Revenue Code in a total amount exceeding twenty-five thousand
 46 dollars (\$25,000).

- 1 (8) Add an amount equal to the amount that a taxpayer claimed as
2 a deduction for domestic production activities for the taxable year
3 under Section 199 of the Internal Revenue Code for federal
4 income tax purposes.
- 5 (9) Subtract income that is:
 - 6 (A) exempt from taxation under IC 6-3-2-21.7; and
 - 7 (B) included in the insurance company's taxable income under
8 the Internal Revenue Code.
- 9 (10) Add an amount equal to any income not included in gross
10 income as a result of the deferral of income arising from business
11 indebtedness discharged in connection with the reacquisition after
12 December 31, 2008, and before January 1, 2011, of an applicable
13 debt instrument, as provided in Section 108(i) of the Internal
14 Revenue Code. Subtract from the adjusted gross income of any
15 taxpayer that added an amount to adjusted gross income in a
16 previous year the amount necessary to offset the amount included
17 in federal gross income as a result of the deferral of income
18 arising from business indebtedness discharged in connection with
19 the reacquisition after December 31, 2008, and before January 1,
20 2011, of an applicable debt instrument, as provided in Section
21 108(i) of the Internal Revenue Code.
- 22 (11) Add the amount necessary to make the adjusted gross income
23 of any taxpayer that placed qualified restaurant property in service
24 during the taxable year and that was classified as 15-year property
25 under Section 168(e)(3)(E)(v) of the Internal Revenue Code equal
26 to the amount of adjusted gross income that would have been
27 computed had the classification not applied to the property in the
28 year that it was placed in service.
- 29 (12) Add the amount necessary to make the adjusted gross income
30 of any taxpayer that placed qualified retail improvement property
31 in service during the taxable year and that was classified as
32 15-year property under Section 168(e)(3)(E)(ix) of the Internal
33 Revenue Code equal to the amount of adjusted gross income that
34 would have been computed had the classification not applied to
35 the property in the year that it was placed in service.
- 36 (13) Add or subtract the amount necessary to make the adjusted
37 gross income of any taxpayer that claimed the special allowance
38 for qualified disaster assistance property under Section 168(n) of
39 the Internal Revenue Code equal to the amount of adjusted gross
40 income that would have been computed had the special allowance
41 not been claimed for the property.
- 42 (14) Add or subtract the amount necessary to make the adjusted
43 gross income of any taxpayer that made an election under Section
44 179C of the Internal Revenue Code to expense costs for qualified
45 refinery property equal to the amount of adjusted gross income
46 that would have been computed had an election for federal

- 1 income tax purposes not been made for the year.
- 2 (15) Add or subtract the amount necessary to make the adjusted
- 3 gross income of any taxpayer that made an election under Section
- 4 181 of the Internal Revenue Code to expense costs for a qualified
- 5 film or television production equal to the amount of adjusted
- 6 gross income that would have been computed had an election for
- 7 federal income tax purposes not been made for the year.
- 8 (16) Add or subtract the amount necessary to make the adjusted
- 9 gross income of any taxpayer that treated a loss from the sale or
- 10 exchange of preferred stock in:
- 11 (A) the Federal National Mortgage Association, established
- 12 under the Federal National Mortgage Association Charter Act
- 13 (12 U.S.C. 1716 et seq.); or
- 14 (B) the Federal Home Loan Mortgage Corporation, established
- 15 under the Federal Home Loan Mortgage Corporation Act (12
- 16 U.S.C. 1451 et seq.);
- 17 as an ordinary loss under Section 301 of the Emergency
- 18 Economic Stabilization Act of 2008 in the current taxable year or
- 19 in an earlier taxable year equal to the amount of adjusted gross
- 20 income that would have been computed had the loss not been
- 21 treated as an ordinary loss.
- 22 (17) Add an amount equal to any exempt insurance income under
- 23 Section 953(e) of the Internal Revenue Code that is active
- 24 financing income under Subpart F of Subtitle A, Chapter 1,
- 25 Subchapter N of the Internal Revenue Code.
- 26 *(18) Add the amount necessary to make the adjusted gross income*
- 27 *of any taxpayer that placed any qualified leasehold improvement*
- 28 *property in service during the taxable year and that was*
- 29 *classified as 15-year property under Section 168(e)(3)(E)(iv) of*
- 30 *the Internal Revenue Code equal to the amount of adjusted gross*
- 31 *income that would have been computed had the classification not*
- 32 *applied to the property in the year that it was placed into service.*
- 33 *(19) Add the amount necessary to make the adjusted gross income*
- 34 *of any taxpayer that placed a motorsports entertainment complex*
- 35 *in service during the taxable year and that was classified as*
- 36 *7-year property under Section 168(e)(3)(C)(ii) of the Internal*
- 37 *Revenue Code equal to the amount of adjusted gross income that*
- 38 *would have been computed had the classification not applied to*
- 39 *the property in the year that it was placed into service.*
- 40 *(20) Add the amount deducted under Section 195 of the Internal*
- 41 *Revenue Code for start-up expenditures that exceeds the amount*
- 42 *the taxpayer could deduct under Section 195 of the Internal*
- 43 *Revenue Code before it was amended by the Small Business Jobs*
- 44 *Act of 2010 (P.L. 111-240).*
- 45 *(21) Add the amount deducted from gross income under Section*
- 46 *198 of the Internal Revenue Code for the expensing of*

1 *environmental remediation costs.*

2 *(22) Add the amount deducted from gross income under Section*
 3 *179E of the Internal Revenue Code for any qualified advanced*
 4 *mine safety equipment property.*

5 ~~*(18)*~~ **(23)** *This subdivision does not apply to payments made for*
 6 *services provided to a business that was enrolled and*
 7 *participated in the E-Verify program (as defined in*
 8 *IC 22-5-1.7-3) during the time the taxpayer conducted business*
 9 *in Indiana in the taxable year. For a taxable year beginning after*
 10 *June 30, 2011, add the amount of any trade or business deduction*
 11 *allowed under the Internal Revenue Code for wages,*
 12 *reimbursements, or other payments made for services provided*
 13 *in Indiana by an individual for services as an employee, if the*
 14 *individual was, during the period of service, prohibited from*
 15 *being hired as an employee under 8 U.S.C. 1324a.*

16 ~~*(23)*~~ **(24)** *Add the amount excluded from federal gross income*
 17 *under Section 103 of the Internal Revenue Code for interest*
 18 *received on an obligation of a state other than Indiana, or a*
 19 *political subdivision of such a state, that is acquired by the*
 20 *taxpayer after December 31, 2011.*

21 (e) In the case of trusts and estates, "taxable income" (as defined for
 22 trusts and estates in Section 641(b) of the Internal Revenue Code)
 23 adjusted as follows:

24 (1) Subtract income that is exempt from taxation under this article
 25 by the Constitution and statutes of the United States.

26 (2) Subtract an amount equal to the amount of a September 11
 27 terrorist attack settlement payment included in the federal
 28 adjusted gross income of the estate of a victim of the September
 29 11 terrorist attack or a trust to the extent the trust benefits a victim
 30 of the September 11 terrorist attack.

31 (3) Add or subtract the amount necessary to make the adjusted
 32 gross income of any taxpayer that owns property for which bonus
 33 depreciation was allowed in the current taxable year or in an
 34 earlier taxable year equal to the amount of adjusted gross income
 35 that would have been computed had an election not been made
 36 under Section 168(k) of the Internal Revenue Code to apply bonus
 37 depreciation to the property in the year that it was placed in
 38 service.

39 (4) Add an amount equal to any deduction allowed under Section
 40 172 of the Internal Revenue Code.

41 (5) Add or subtract the amount necessary to make the adjusted
 42 gross income of any taxpayer that placed Section 179 property (as
 43 defined in Section 179 of the Internal Revenue Code) in service
 44 in the current taxable year or in an earlier taxable year equal to
 45 the amount of adjusted gross income that would have been
 46 computed had an election for federal income tax purposes not

- 1 been made for the year in which the property was placed in
2 service to take deductions under Section 179 of the Internal
3 Revenue Code in a total amount exceeding twenty-five thousand
4 dollars (\$25,000).
- 5 (6) Add an amount equal to the amount that a taxpayer claimed as
6 a deduction for domestic production activities for the taxable year
7 under Section 199 of the Internal Revenue Code for federal
8 income tax purposes.
- 9 (7) Subtract income that is:
- 10 (A) exempt from taxation under IC 6-3-2-21.7; and
11 (B) included in the taxpayer's taxable income under the
12 Internal Revenue Code.
- 13 (8) Add an amount equal to any income not included in gross
14 income as a result of the deferral of income arising from business
15 indebtedness discharged in connection with the reacquisition after
16 December 31, 2008, and before January 1, 2011, of an applicable
17 debt instrument, as provided in Section 108(i) of the Internal
18 Revenue Code. Subtract from the adjusted gross income of any
19 taxpayer that added an amount to adjusted gross income in a
20 previous year the amount necessary to offset the amount included
21 in federal gross income as a result of the deferral of income
22 arising from business indebtedness discharged in connection with
23 the reacquisition after December 31, 2008, and before January 1,
24 2011, of an applicable debt instrument, as provided in Section
25 108(i) of the Internal Revenue Code.
- 26 (9) Add the amount necessary to make the adjusted gross income
27 of any taxpayer that placed qualified restaurant property in service
28 during the taxable year and that was classified as 15-year property
29 under Section 168(e)(3)(E)(v) of the Internal Revenue Code equal
30 to the amount of adjusted gross income that would have been
31 computed had the classification not applied to the property in the
32 year that it was placed in service.
- 33 (10) Add the amount necessary to make the adjusted gross income
34 of any taxpayer that placed qualified retail improvement property
35 in service during the taxable year and that was classified as
36 15-year property under Section 168(e)(3)(E)(ix) of the Internal
37 Revenue Code equal to the amount of adjusted gross income that
38 would have been computed had the classification not applied to
39 the property in the year that it was placed in service.
- 40 (11) Add or subtract the amount necessary to make the adjusted
41 gross income of any taxpayer that claimed the special allowance
42 for qualified disaster assistance property under Section 168(n) of
43 the Internal Revenue Code equal to the amount of adjusted gross
44 income that would have been computed had the special allowance
45 not been claimed for the property.
- 46 (12) Add or subtract the amount necessary to make the adjusted

- 1 gross income of any taxpayer that made an election under Section
 2 179C of the Internal Revenue Code to expense costs for qualified
 3 refinery property equal to the amount of adjusted gross income
 4 that would have been computed had an election for federal
 5 income tax purposes not been made for the year.
- 6 (13) Add or subtract the amount necessary to make the adjusted
 7 gross income of any taxpayer that made an election under Section
 8 181 of the Internal Revenue Code to expense costs for a qualified
 9 film or television production equal to the amount of adjusted
 10 gross income that would have been computed had an election for
 11 federal income tax purposes not been made for the year.
- 12 (14) Add or subtract the amount necessary to make the adjusted
 13 gross income of any taxpayer that treated a loss from the sale or
 14 exchange of preferred stock in:
- 15 (A) the Federal National Mortgage Association, established
 16 under the Federal National Mortgage Association Charter Act
 17 (12 U.S.C. 1716 et seq.); or
- 18 (B) the Federal Home Loan Mortgage Corporation, established
 19 under the Federal Home Loan Mortgage Corporation Act (12
 20 U.S.C. 1451 et seq.);
- 21 as an ordinary loss under Section 301 of the Emergency
 22 Economic Stabilization Act of 2008 in the current taxable year or
 23 in an earlier taxable year equal to the amount of adjusted gross
 24 income that would have been computed had the loss not been
 25 treated as an ordinary loss.
- 26 (15) Add the amount excluded from gross income under Section
 27 108(a)(1)(e) of the Internal Revenue Code for the discharge of
 28 debt on a qualified principal residence.
- 29 *(16) Add the amount necessary to make the adjusted gross income*
 30 *of any taxpayer that placed any qualified leasehold improvement*
 31 *property in service during the taxable year and that was*
 32 *classified as 15-year property under Section 168(e)(3)(E)(iv) of*
 33 *the Internal Revenue Code equal to the amount of adjusted gross*
 34 *income that would have been computed had the classification not*
 35 *applied to the property in the year that it was placed into service.*
- 36 *(17) Add the amount necessary to make the adjusted gross income*
 37 *of any taxpayer that placed a motorsports entertainment complex*
 38 *in service during the taxable year and that was classified as*
 39 *7-year property under Section 168(e)(3)(C)(ii) of the Internal*
 40 *Revenue Code equal to the amount of adjusted gross income that*
 41 *would have been computed had the classification not applied to*
 42 *the property in the year that it was placed into service.*
- 43 *(18) Add the amount deducted under Section 195 of the Internal*
 44 *Revenue Code for start-up expenditures that exceeds the amount*
 45 *the taxpayer could deduct under Section 195 of the Internal*
 46 *Revenue Code before it was amended by the Small Business Jobs*

1 Act of 2010 (P.L. 111-240).
2 (19) Add the amount deducted from gross income under Section
3 198 of the Internal Revenue Code for the expensing of
4 environmental remediation costs.
5 (20) Add the amount deducted from gross income under Section
6 179E of the Internal Revenue Code for any qualified advanced
7 mine safety equipment property.
8 (21) Add the amount necessary to make the adjusted gross income
9 of any taxpayer for which tax was not imposed on the net
10 recognized built-in gain of an S corporation under Section
11 1374(d)(7) of the Internal Revenue Code as amended by the Small
12 Business Jobs Act of 2010 (P.L. 111-240) equal to the amount of
13 adjusted gross income that would have been computed before
14 Section 1374(d)(7) of the Internal Revenue Code as amended by
15 the Small Business Jobs Act of 2010 (P.L. 111-240).
16 ~~(16)~~ **(22)** This subdivision does not apply to payments made for
17 services provided to a business that was enrolled and
18 participated in the E-Verify program (as defined in
19 IC 22-5-1.7-3) during the time the taxpayer conducted business
20 in Indiana in the taxable year. For a taxable year beginning after
21 June 30, 2011, add the amount of any trade or business deduction
22 allowed under the Internal Revenue Code for wages,
23 reimbursements, or other payments made for services provided
24 in Indiana by an individual for services as an employee, if the
25 individual was, during the period of service, prohibited from
26 being hired as an employee under 8 U.S.C. 1324a.
27 ~~(22)~~ **(23)** Add the amount excluded from federal gross income
28 under Section 103 of the Internal Revenue Code for interest
29 received on an obligation of a state other than Indiana, or a
30 political subdivision of such a state, that is acquired by the
31 taxpayer after December 31, 2011.
32 (f) This subsection applies only to the extent that an individual paid
33 property taxes in 2004 that were imposed for the March 1, 2002,
34 assessment date or the January 15, 2003, assessment date. The
35 maximum amount of the deduction under subsection (a)(17) is equal to
36 the amount determined under STEP FIVE of the following formula:
37 STEP ONE: Determine the amount of property taxes that the
38 taxpayer paid after December 31, 2003, in the taxable year for
39 property taxes imposed for the March 1, 2002, assessment date
40 and the January 15, 2003, assessment date.
41 STEP TWO: Determine the amount of property taxes that the
42 taxpayer paid in the taxable year for the March 1, 2003,
43 assessment date and the January 15, 2004, assessment date.
44 STEP THREE: Determine the result of the STEP ONE amount
45 divided by the STEP TWO amount.
46 STEP FOUR: Multiply the STEP THREE amount by two thousand

1 *five hundred dollars (\$2,500):*
2 *STEP FIVE: Determine the sum of the STEP FOUR amount and*
3 *two thousand five hundred dollars (\$2,500):".*
4 Page 1, after line 10, begin a new paragraph and insert:
5 "SECTION 3. [EFFECTIVE JANUARY 1, 2010
6 (RETROACTIVE)] **(a) Notwithstanding the effective date of the**
7 **amendments made to IC 6-3-1-3.5 by this act, the amendment**
8 **striking IC 6-3-1-3.5(a)(37) (elimination of the add-back of the**
9 **amount deducted from gross income under Section 62(a)(2)(D) of**
10 **the Internal Revenue Code for certain expenses of elementary and**
11 **secondary school teachers) is effective for taxable years beginning**
12 **after December 31, 2009, and a taxpayer is not required to**
13 **add-back this amount to adjusted gross income (as otherwise**
14 **defined by IC 6-3-1-3.5) for those years.**
15 **(b) This SECTION expires January 1, 2014.**
16 **SECTION 4. An emergency is declared for this act."**
17 Renumber all SECTIONS consecutively.
 (Reference is to ESB 353 as printed February 24, 2012.)

Representative Goodin