

SENATE MOTION

MADAM PRESIDENT:

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

1 Page 7, between lines 35 and 36, begin a new paragraph and insert
2 the following:
3 "SECTION 7. IC 8-14-2-4.5 IS ADDED TO THE INDIANA CODE
4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
5 1, 2012]: **Sec. 4.5. (a) The auditor of state shall distribute to**
6 **counties part of the amount of state gross retail taxes deposited in**
7 **the state general fund under IC 6-2.5-10-1 during the previous**
8 **quarter. The amount of gross retail taxes to be distributed under**
9 **this section is based on the increased part, if any, of the state gross**
10 **retail tax collections under IC 6-2.5-7 on gasoline and special fuel**
11 **sold during the previous calendar quarter as determined by the**
12 **department of state revenue. The increased part shall be computed**
13 **by the department separately for gasoline and special fuel as**
14 **follows:**
15 **STEP ONE: Determine, for the previous calendar quarter, the**
16 **difference, if any, between:**
17 **(A) the most recent statewide average retail price per**
18 **gallon determined by the department under IC 6-2.5-7;**
19 **minus**
20 **(B) three dollars (\$3) per gallon;**
21 **including in both determinations the Indiana and federal**
22 **gasoline taxes or the Indiana and federal special fuel taxes (as**
23 **appropriate) and the Indiana gross retail and use tax.**
24 **STEP TWO: Multiply the STEP ONE result by the number of**
25 **gallons sold during the most recent calendar quarter.**
26 **STEP THREE: Multiply the STEP TWO result by seven**
27 **percent (7%).**
28 **(b) The department shall combine the amounts calculated under**
29 **subsection (a) for gasoline and special fuel and notify the auditor**
30 **of state of the combined amount before the twentieth day of the**

- 1 month immediately following the end of the calendar quarter.
- 2 (c) The amount each county is entitled to receive (to be
- 3 suballocated to the county and to each city and town in the county)
- 4 is equal to:
- 5 (1) the total county road mileage and city and town street
- 6 mileage within the county; divided by
- 7 (2) the total county road mileage and city and town street
- 8 mileage within Indiana.
- 9 (d) The auditor of state shall further determine the
- 10 suballocation between a county and the cities and towns within the
- 11 county as follows:
- 12 (1) The amount each city or town within the county is entitled
- 13 to receive each month is equal to:
- 14 (A) the result of:
- 15 (i) the total street mileage in the county that is within the
- 16 city or town; divided by
- 17 (ii) the total county road mileage and city and town
- 18 street mileage within the county; multiplied by
- 19 (B) the amount distributed to the county under subsection
- 20 (a).
- 21 (2) The amount the county is entitled to receive is equal to:
- 22 (A) the amount distributed to the county under subsection
- 23 (a); minus
- 24 (B) the amount distributed to cities and towns in the
- 25 county under subdivision (1).
- 26 (e) Before the end of the month in which the auditor of state
- 27 receives a notice from the department under subsection (b), the
- 28 auditor of state shall make a distribution to each county as
- 29 provided in subsection (c).
- 30 (f) Amounts distributed under this section may be used by
- 31 counties, cities, and towns only for the same purposes for which
- 32 money from the local road and street account may be used by
- 33 counties, cities, and towns under section 5 of this chapter."
- 34 Renumber all SECTIONS consecutively.
- (Reference is to SB 353 as printed January 27, 2012.)

Senator SKINNER