

HOUSE BILL No. 1291

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-3.5-4-2.

Synopsis: Motor vehicle license excise surtax. Deletes the requirement in current law that a county may only impose the motor vehicle license excise surtax at the same rate or amount on each motor vehicle. Authorizes counties to: (1) impose the surtax at the same rate or amount on each motor vehicle; (2) impose the surtax at one or more different rates based on weight classifications of the vehicles; or (3) impose the surtax at one or more different rates based on the class of vehicle (passenger vehicles, motorcycles, trucks with a declared gross weight that does not exceed 11,000 pounds, and motor driven cycles).

Effective: July 1, 2015.

Price

January 13, 2015, read first time and referred to Committee on Ways and Means.



First Regular Session of the 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1291

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 6-3.5-4-2, AS AMENDED BY P.L.221-2014,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 2. (a) An adopting entity of any county may,
4 subject to the limitation imposed by subsection ~~(c)~~, **(d)**, adopt an
5 ordinance to impose an annual license excise surtax ~~at the same rate or~~
6 ~~amount~~ on each motor vehicle listed in subsection ~~(b)~~ **(c)** that is
7 registered in the county. The adopting entity may impose the surtax
8 either:
9 (1) at a rate of not less than two percent (2%) nor more than ten
10 percent (10%); or
11 (2) at a specific amount of at least seven dollars and fifty cents
12 (\$7.50) and not more than twenty-five dollars (\$25).
13 However, the surtax on a vehicle may not be less than seven dollars and
14 fifty cents (\$7.50). The adopting entity shall state the surtax rate or
15 amount in the ordinance which imposes the tax.



1 **(b) Subject to the limits and requirements of this section, the**
 2 **adopting entity may do any of the following:**

3 **(1) Impose the annual license excise surtax at the same rate or**
 4 **amount on each motor vehicle that is subject to the tax.**

5 **(2) Impose the annual license excise surtax on vehicles subject**
 6 **to the tax at one (1) or more different rates based on weight**
 7 **classifications of those vehicles.**

8 **(3) Impose the annual license excise surtax on vehicles subject**
 9 **to the tax at one (1) or more different rates based on the class**
 10 **of vehicle listed in subsection (c).**

11 ~~(b)~~ **(c) The license excise surtax applies to the following vehicles:**

12 (1) Passenger vehicles.

13 (2) Motorcycles.

14 (3) Trucks with a declared gross weight that does not exceed
 15 eleven thousand (11,000) pounds.

16 (4) Motor driven cycles.

17 ~~(c)~~ **(d) The adopting entity may not adopt an ordinance to impose**
 18 **the surtax unless it concurrently adopts an ordinance under IC 6-3.5-5**
 19 **to impose the wheel tax.**

20 ~~(d)~~ **(e) Notwithstanding any other provision of this chapter or**
 21 **IC 6-3.5-5, ordinances adopted by a county council before June 1,**
 22 **2013, to impose or change the annual license excise surtax and the**
 23 **annual wheel tax in the county remain in effect until the ordinances are**
 24 **amended or repealed under this chapter or IC 6-3.5-5.**

