



SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1001 be amended to read as follows:

- 1 Page 129, between lines 40 and 41, begin a new paragraph and
2 insert:
3 "SECTION 92. IC 6-7-1-0.4, AS ADDED BY P.L.220-2011,
4 SECTION 161, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2021]: Sec. 0.4. **(a)** Notwithstanding section 14
6 of this chapter, revenue stamps paid for before July 1, 2007, and in the
7 possession of a distributor may be used after June 30, 2007, only if the
8 full amount of the tax imposed by section 12 of this chapter, as
9 effective after June 30, 2007, and as amended by P.L.218-2007, is
10 remitted to the department under the procedures prescribed by the
11 department.
12 **(b) Notwithstanding section 14 of this chapter, revenue stamps**
13 **paid for before July 1, 2021, and in possession of a distributor may**
14 **be used after June 30, 2021, only if the full amount of the tax**
15 **imposed under section 12 of this chapter, as amended and effective**
16 **after June 30, 2021, is remitted to the department under the**
17 **procedures prescribed by the department.**
18 SECTION 93. IC 6-7-1-12, AS AMENDED BY P.L.191-2016,
19 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2021]: Sec. 12. The following taxes are imposed, and shall be
21 collected and paid as provided in this chapter, upon the sale, exchange,
22 bartering, furnishing, giving away, or otherwise disposing of cigarettes
23 within the state of Indiana:
24 (1) On cigarettes weighing not more than three (3) pounds per
25 thousand (1,000), a tax at the rate of ~~four and nine hundred~~
26 ~~seventy-five thousandths cents (\$0.04975)~~ **nine and nine**
27 **hundred seventy-five thousandths cents (\$0.09975)** per

1 individual cigarette.
 2 (2) On cigarettes weighing more than three (3) pounds per
 3 thousand (1,000), a tax at the rate of ~~six and six hundred twelve~~
 4 ~~thousandths cents (\$0.06612)~~ **thirteen and two hundred**
 5 **fifty-seven thousandths cents (\$0.13257)** per individual
 6 cigarette, except that if any cigarettes weighing more than three
 7 (3) pounds per thousand (1,000) shall be more than six and
 8 one-half (6 1/2) inches in length, they shall be taxable at the rate
 9 provided in subdivision (1), counting each two and three-fourths
 10 (2 3/4) inches (or fraction thereof) as a separate cigarette.

11 SECTION 79. IC 6-7-1-28.1, AS AMENDED BY P.L.213-2015,
 12 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2021]: Sec. 28.1. The taxes, registration fees, fines, or
 14 penalties collected under this chapter shall be deposited in the
 15 following manner:

16 (1) ~~Four and twenty-two hundredths percent (4.22%)~~ **Two and**
 17 **fifty-four hundredths percent (2.54%)** of the money shall be
 18 deposited in a fund to be known as the cigarette tax fund.

19 (2) ~~Six-tenths percent (0.6%)~~ **Thirty-six hundredths percent**
 20 **(0.36%)** of the money shall be deposited in a fund to be known as
 21 the mental health centers fund.

22 (3) The following amount of the money shall be deposited in the
 23 state general fund:

24 (A) After June 30, 2011, and before July 1, 2013, sixty and
 25 twenty-four hundredths percent (60.24%).

26 (B) After June 30, 2013, **and before July 1, 2021**, fifty-six
 27 and twenty-four hundredths percent (56.24%).

28 (C) **After June 30, 2021, thirty-three and eighty-five**
 29 **hundredths percent (33.85%).**

30 (4) ~~Five and forty-three hundredths percent (5.43%)~~ **Three and**
 31 **twenty-seven hundredths percent (3.27%)** of the money shall
 32 be deposited into the pension relief fund established in
 33 IC 5-10.3-11.

34 (5) ~~Twenty-seven and five hundredths percent (27.05%)~~ **Sixteen**
 35 **and twenty-eight hundredths percent (16.28%)** of the money
 36 shall be deposited in the healthy Indiana plan trust fund
 37 established by IC 12-15-44.2-17.

38 (6) ~~Two and forty-six hundredths percent (2.46%)~~ **Forty-one and**
 39 **twenty-nine hundredths percent (41.29%)** of the money shall
 40 be deposited in the state general fund for the purpose of paying
 41 appropriations for Medicaid—Current Obligations, for provider
 42 reimbursements.

43 (7) The following amount of the money shall be deposited in the
 44 state retiree health benefit trust fund established by IC 5-10-8-8.5
 45 as follows:

46 (A) Before July 1, 2011, five and seventy-four hundredths

- 1 percent (5.74%).
2 (B) After June 30, 2011, and before July 1, 2013, zero percent
3 (0%).
4 (C) After June 30, 2013, **and before July 1, 2021**, four
5 percent (4%).
6 **(D) After June 30, 2021, two and forty-one hundredths**
7 **percent (2.41%).**
8 The money in the cigarette tax fund, the mental health centers fund, the
9 healthy Indiana plan trust fund, or the pension relief fund at the end of
10 a fiscal year does not revert to the state general fund. However, if in
11 any fiscal year, the amount allocated to a fund under subdivision (1) or
12 (2) is less than the amount received in fiscal year 1977, then that fund
13 shall be credited with the difference between the amount allocated and
14 the amount received in fiscal year 1977, and the allocation for the fiscal
15 year to the fund under subdivision (3) shall be reduced by the amount
16 of that difference. Money deposited under subdivisions (6) through (7)
17 may not be used for any purpose other than the purpose stated in the
18 subdivision."
19 Renumber all SECTIONS consecutively.
(Reference is to EHB 1001 as printed April 9, 2021.)

Senator MELTON