

HOUSE BILL No. 1148

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-3.1-34.5.

Synopsis: Electric vehicle charging station tax credits. Establishes a tax credit for a taxpayer who places a qualified electric vehicle charging station in service during the taxable year. Defines "qualified electric vehicle charging station". Provides that the amount of the tax credit is equal to 75% of the purchase cost. Provides that the total amount of tax credits awarded in a state fiscal year may not exceed \$25,000,000. Requires a taxpayer who claims the tax credit to provide a report to the office of energy development with information concerning the qualified electric vehicle charging station.

Effective: July 1, 2021; January 1, 2022.

Bartels

January 7, 2021, read first time and referred to Committee on Ways and Means.



First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1148



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 6-3.1-34.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2022]:
4 **Chapter 34.5. Qualified Electric Vehicle Charging Station Tax**
5 **Credit**
6 **Sec. 1. As used in this chapter, "electric vehicle" means a vehicle**
7 **that is propelled in whole or in part by an electric motor powered**
8 **by a battery or other electrical device incorporated into the vehicle.**
9 **Sec. 2. As used in this chapter, "pass through entity" has the**
10 **meaning set forth in IC 6-3-1-35.**
11 **Sec. 3. As used in this chapter, "qualified electric vehicle**
12 **charging station" means a charging station for recharging an**
13 **electric vehicle that:**
14 **(1) is metered for a fee, whether based on charging time or**
15 **kilowatt hours of electricity dispensed;**
16 **(2) is available for use by the public; and**
17 **(3) is first put into service by the taxpayer during the taxable**



1 year in which the tax credit is first claimed.

2 **Sec. 4.** As used in this chapter, "state tax liability" means the
3 taxpayer's total tax liability that is incurred under:

4 (1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);

5 (2) IC 27-1-18-2 (the insurance premiums tax) or IC 6-8-15
6 (the nonprofit agricultural organization health coverage tax);

7 and

8 (3) IC 6-5.5 (the financial institutions tax);

9 as computed after the application of the tax credits that, under
10 IC 6-3.1-1-2, are to be applied before the tax credit provided by
11 this chapter.

12 **Sec. 5.** As used in this chapter, "taxpayer" means an individual
13 or entity that has any state tax liability.

14 **Sec. 6.** A taxpayer is entitled to a credit against the taxpayer's
15 state tax liability for a taxable year if the taxpayer places a
16 qualified electric vehicle charging station in service during the
17 taxable year.

18 **Sec. 7.** The amount of the tax credit to which a taxpayer is
19 entitled under this chapter is an amount equal to seventy-five
20 percent (75%) of the purchase cost of the qualified electric vehicle
21 charging station that is placed in service during the taxable year.

22 **Sec. 8.** To apply a tax credit against the taxpayer's state tax
23 liability, a taxpayer must claim the tax credit on the taxpayer's
24 annual state tax return or returns in the manner prescribed by the
25 department. The taxpayer shall submit to the department the
26 information that the department determines is necessary for the
27 department to determine whether the taxpayer is eligible for the
28 tax credit. The information must include the location of each
29 qualified electric vehicle charging station for which a tax credit is
30 claimed under this chapter.

31 **Sec. 9.** If a pass through entity is entitled to a tax credit under
32 this chapter but does not have state tax liability against which the
33 tax credit may be applied, a shareholder, partner, or member of
34 the pass through entity is entitled to a tax credit equal to:

35 (1) the tax credit determined for the pass through entity for
36 the taxable year; multiplied by

37 (2) the percentage of the pass through entity's distributive
38 income to which the shareholder, partner, or member is
39 entitled.

40 **Sec. 10. (a)** The tax credit provided by this chapter may be
41 carried forward and applied to succeeding taxable years for five (5)
42 taxable years following the unused tax credit year.



1 **(b) A taxpayer is not entitled to any carryback or refund of any**
2 **unused tax credit.**

3 **(c) A taxpayer may not sell, assign, convey, or otherwise**
4 **transfer the tax credit provided by this chapter.**

5 **Sec. 11. The total amount of tax credits awarded under this**
6 **chapter in a state fiscal year may not exceed twenty-five million**
7 **dollars (\$25,000,000).**

8 **Sec. 12. Beginning with the taxable year in which a taxpayer**
9 **claims a tax credit under this chapter, and in each of the**
10 **subsequent four (4) years, the taxpayer shall submit a report with**
11 **the following information to the Indiana office of energy**
12 **development established by IC 4-3-23-3 concerning each qualified**
13 **electric vehicle station for which a tax credit is claimed:**

14 **(1) The number of charging events during the taxable year.**

15 **(2) The number of unique electric vehicles that were charged**
16 **during the taxable year.**

17 **(3) The total kilowatt hours dispensed for all charging events**
18 **during the taxable year.**

19 **(4) The average kilowatt hours dispensed for all charging**
20 **events during the taxable year.**

21 **Sec. 13. The department may adopt rules under IC 4-22-2 to**
22 **implement this chapter.**

23 **SECTION 2. [EFFECTIVE JULY 1, 2021] (a) IC 6-3.1-34.5, as**
24 **added by this act, applies to taxable years beginning after**
25 **December 31, 2021.**

26 **(b) This SECTION expires June 30, 2023.**

