

HOUSE BILL No. 1168

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-2.5-5-57; IC 9-13-3.

Synopsis: Electric vehicles and advanced technology. Provides an exemption from the state gross retail tax for tangible personal property if it is acquired for use in the production of electric vehicle products. Establishes the electric vehicle product commission. Provides that the exemption and commission provisions expire after five years.

Effective: July 1, 2021.

Karickhoff, Hamilton

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. 1168

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 6-2.5-5-57 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2021]: **Sec. 57. (a) Transactions involving tangible personal**
4 **property are exempt from the state gross retail tax if the person**
5 **acquiring the property acquires it for the person's direct use in the**
6 **direct production of electric vehicle products (as defined in**
7 **IC 9-13-3-2).**
8 **(b) This section applies to original equipment manufacturers**
9 **engaged in the manufacturing of electric vehicle products as well**
10 **as participants throughout the electric vehicle product supply**
11 **chain that supply or manufacture parts or components specifically**
12 **designed for use in electric vehicle products, such as:**
13 **(1) engines;**
14 **(2) transmissions;**
15 **(3) batteries;**
16 **(4) brakes; or**
17 **(5) any other components;**



1 that are unique to the production of electric vehicle products.

2 (c) This section does not apply to parts or components, such as
3 tires, interior or exterior features, or any other parts or
4 accessories, that are common among electric vehicle products as
5 well as traditional vehicles.

6 (d) This section expires December 31, 2026.

7 SECTION 2. IC 9-13-3 IS ADDED TO THE INDIANA CODE AS
8 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
9 1, 2021]:

10 **Chapter 3. Electric Vehicle Product Commission**

11 **Sec. 1.** As used in this chapter, "commission" refers to the
12 electric vehicle product commission established by section 3 of this
13 chapter.

14 **Sec. 2.** As used in this chapter, "electric vehicle product" means
15 a battery powered electric vehicle, an alternative powertrain
16 technology vehicle, a hydrogen powered vehicle, or a plug-in
17 hybrid electric vehicle, and charging stations needed to promote
18 the use of those vehicles.

19 **Sec. 3.** The electric vehicle product commission is established.

20 **Sec. 4.** The commission consists of nine (9) members, appointed
21 as follows:

22 (1) Five (5) members who are Indiana residents appointed by
23 the governor. Two (2) members shall be representatives of the
24 automotive vehicle and component manufacturing industry.

25 One (1) member shall be a representative of a labor union
26 representing workers in the automotive vehicle and
27 component manufacturing industry. One (1) member shall be
28 a representative of Energy Systems Network. One (1) member
29 shall be a representative of the Battery Innovation Center.

30 (2) Four (4) members of the general assembly who are
31 appointed under section 6 of this chapter.

32 **Sec. 5. (a)** The governor shall annually designate one (1) of the
33 members appointed under section 4(1) of this chapter as
34 chairperson of the commission.

35 (b) Members of the commission appointed under section 4(1) of
36 this chapter serve a four (4) year term.

37 **Sec. 6. (a)** Four (4) members of the general assembly shall be
38 appointed as members of the commission as follows:

39 (1) The speaker of the house of representatives shall appoint
40 two (2) members of the house of representatives, both of
41 whom may not be members of the same political party.

42 (2) The president pro tempore of the senate shall appoint two



- 1 (2) members of the senate, both of whom may not be members
2 of the same political party.
- 3 (b) A member of the commission appointed under subsection (a)
4 serves until the member's current term of office as a member of the
5 general assembly expires.
- 6 (c) A vacancy under subsection (a) shall be filled by the officer
7 who appointed the vacating legislator. A legislative member
8 appointed under this subsection serves until the end of the
9 unexpired term of the vacating legislator.
- 10 (d) A member of the commission appointed under this section
11 may be reappointed.
- 12 Sec. 7. Five (5) members of the commission constitute a quorum.
- 13 Sec. 8. The commission is responsible for making all policy
14 decisions relating to the duties and powers of the commission.
- 15 Sec. 9. (a) Each member of the commission who is not a state
16 employee is entitled to the minimum salary per diem provided by
17 IC 4-10-11-2.1(b). The member is also entitled to reimbursement
18 for traveling expenses as provided under IC 4-13-1-4 and other
19 expenses actually incurred in connection with the member's duties
20 as provided in the state policies and procedures established by the
21 Indiana department of administration and approved by the budget
22 agency. Expenses incurred under this subsection shall be paid out
23 of the funds appropriated to the lieutenant governor.
- 24 (b) Each member of the commission who is a member of the
25 general assembly is entitled to receive the same per diem, mileage,
26 and travel allowances paid to members of the general assembly
27 serving on interim study committees established by the legislative
28 council.
- 29 Sec. 10. The purposes of the commission are to:
- 30 (1) evaluate the inventory of existing electric vehicle product
31 facilities and production capability;
- 32 (2) evaluate the inventory of skilled and nonskilled workers in
33 the electric vehicle product industry;
- 34 (3) evaluate opportunities and needs for training within the
35 electric vehicle product industry;
- 36 (4) determine if training centers promoting careers in the
37 electric vehicle product industry should be created or
38 transitioned from traditional automotive industry training
39 centers;
- 40 (5) determine which traditional automotive industry facilities
41 should be transitioned into electric vehicle product facilities;
- 42 (6) identify and evaluate opportunities for growth within the



1 electric vehicle product industry;

2 (7) identify and document results from previous instances of
3 retooling and transforming manufacturing facilities in the
4 automotive industry; and

5 (8) identify opportunities for research and development
6 within the electric vehicle product industry.

7 **Sec. 11. The commission shall submit an annual report to the**
8 **Indiana economic development corporation. The report must**
9 **include a description of all activities undertaken by the commission**
10 **during the prior state fiscal year. The commission shall submit the**
11 **report:**

12 (1) not later than September 30 of each year; and

13 (2) in an electronic format under IC 5-14-6.

14 **Sec. 12. This chapter expires December 31, 2026.**

15 SECTION 3. [EFFECTIVE JULY 1, 2021] (a) IC 6-2.5-5-57, as
16 added by this act, applies to taxable years beginning after
17 December 31, 2021.

18 (b) This SECTION expires December 31, 2026.

