

SENATE BILL No. 398

DIGEST OF INTRODUCED BILL

Citations Affected: IC 6-3.1-24.

Synopsis: Venture capital tax credit. Provides that "state tax liability", for purposes of the venture capital investment tax credit, includes insurance premiums retaliatory taxes. Provides that a venture capital investment tax credit is assignable.

Effective: July 1, 2016.

Head

January 12, 2016, read first time and referred to Committee on Tax & Fiscal Policy.



Second Regular Session 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

SENATE BILL No. 398

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 6-3.1-24-4 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 4. As used in this
3 chapter, "state tax liability" means a taxpayer's total tax liability that is
4 incurred under:

- 5 (1) IC 6-2.5 (state gross retail and use tax);
6 (2) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);
7 (3) IC 6-5.5 (the financial institutions tax); **and**
8 (4) IC 27-1-18-2 (the insurance premiums tax); **and**
9 (5) **IC 27-1-20-12 (retaliatory tax);**
10 as computed after the application of the credits that under IC 6-3.1-1-2
11 are to be applied before the credit provided by this chapter.

12 SECTION 2. IC 6-3.1-24-13.5 IS ADDED TO THE INDIANA
13 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
14 [EFFECTIVE JULY 1, 2016]: **Sec. 13.5. (a) A taxpayer may assign**
15 **any part of the credit to which the taxpayer is entitled under this**
16 **chapter to another taxpayer. A credit that is assigned under this**
17 **subsection remains subject to this chapter.**



1 **(b) An assignment under subsection (a) must be in writing, and**
2 **both the taxpayer and the other taxpayer shall report the**
3 **assignment on their state tax returns for the year in which the**
4 **assignment is made, in the manner prescribed by the department.**
5 **The taxpayer may not receive value in connection with the**
6 **assignment under subsection (a) that exceeds the value of the part**
7 **of the credit assigned.**

