



# COMMITTEE REPORT

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## MR. PRESIDENT:

The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill No. 213, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1       Page 1, line 1, delete "IC 6-3-2-30" and insert "IC 6-3-2-15.5".
- 2       Page 1, line 3, delete "30." and insert "**15.5**".
- 3       Page 2, delete lines 16 through 25, begin a new paragraph and
- 4       insert:
- 5       **"(d) For purposes of this section, "theft loss" means the amount**
- 6       **that an individual:**
- 7       **(1) would have been permitted to deduct under Section 165(c)**
- 8       **of the Internal Revenue Code (as in effect on January 1, 2017)**
- 9       **as the result of a theft, reduced as provided under Section**
- 10       **168(h)(1) and Section 168(h)(2) of the Internal Revenue Code**
- 11       **(as in effect on January 1, 2017); and**
- 12       **(2) was not permitted to deduct in determining the**
- 13       **individual's federal adjusted gross income under Section 62 of**
- 14       **the Internal Revenue Code.**
- 15       **For an individual who is not a resident of Indiana, the theft loss**
- 16       **amount shall only be the portion of the loss derived from Indiana**
- 17       **sources and only if the income resulting from the theft would have**
- 18       **been included in the taxpayer's Indiana adjusted gross income."**
- 19       Page 3, between lines 17 and 18, begin a new line block indented
- 20       and insert:

1       **"(4) An application under this section must be filed on or**  
2       **before the date of the last day that a refund for the taxable**  
3       **year can be filed under IC 6-8.1-9-1. An application under this**  
4       **section shall be treated as an approved extension of the period**  
5       **for a refund claim that expires thirty (30) days after the**  
6       **department's determination under this subsection, including**  
7       **any protest and appeal. An extension under this subsection is**  
8       **only for the amount of refund that results from a deduction**  
9       **under this section."**

(Reference is to SB 213 as introduced.)

**and when so amended that said bill do pass .**

Committee Vote: Yeas 12, Nays 0.

**Senator Holdman, Chairperson**