

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1462

Page 1, line 23, after the period insert "For a supplier who is also a distributor or retailer, the motor vehicle fuel must be considered sold and the tax imposed when the fuel is removed from a terminal by the supplier."

Page 3, line 1, after the period insert "For a supplier who is also a distributor or retailer, the motor vehicle fuel must be considered sold and the tax imposed when the fuel is removed from a terminal by the supplier."

Page 3, line 29, remove ", other than a supplier,"

Page 4, line 2, replace "the month next" with "February" and after the underscored period insert "The tax on inventories does not apply to a supplier's motor vehicle fuel in a terminal."

Page 4, line 5, replace "Taxes" with "Except in the case of sales to bonded distributors, taxes"

Page 4, after line 13, insert:

"In the case of supplier sales to bonded distributors, if the distributor fails to pay the supplier the tax on or before the date the supplier must remit it to the commissioner, the supplier may receive a credit for such nonpayment on a subsequent month's tax return. To receive such credit, the supplier shall notify the commissioner no later than ten working days after the due date of the distributor's failure to timely pay. This notification must include such information as the commissioner requires. The commissioner shall issue the supplier written confirmation that the credit is approved.

If the commissioner is notified that a distributor has failed to pay the supplier by the date the tax is due, the commissioner may revoke the distributor's license. In addition, the commissioner may pursue payment from the distributor's bonding company to satisfy the liability. If the commissioner revokes the distributor's license, the commissioner shall advise the supplier, and so advised, the supplier is no longer afforded the protection under this section. If a distributor's license is reinstated, the commissioner shall notify the supplier."

Page 4, line 18, after "supplier" insert ", distributor,"

Page 9, line 2, after "distributor" insert "or retailer"

Page 13, line 23, after the underscored period insert "For a supplier who is also a distributor or retailer, the special fuel must be considered sold and the tax imposed when the fuel is removed from a terminal by the supplier."

Page 14, line 26, after the underscored period insert "For a supplier who is also a distributor or retailer, the special fuel must be considered sold and the tax imposed when the fuel is removed from a terminal by the supplier."

Page 15, line 24, replace "one-half" with "two-tenths"

Page 15, line 25, after the period insert "For a supplier who is also a distributor or retailer, the special fuel subject to tax under this section must be considered sold and the tax imposed when the fuel is removed from a terminal by the supplier."

Page 17, line 7, remove ", other than a supplier,"

Page 17, line 11, replace "the month next" with "February" and after the underscored period insert "The tax on inventories does not apply to a supplier's special fuel in a terminal."

Page 17, line 21, after "distributor" insert "or retailer"

Page 17, line 26, replace "Taxes" with "Except in the case of sales to bonded distributors, taxes"

Page 18, after line 3, insert:

"In the case of supplier sales to bonded distributors, if the distributor fails to pay the supplier the tax on or before the date the supplier must remit it to the commissioner, the supplier may receive a credit for such nonpayment on a subsequent month's tax return. To receive such credit, the supplier shall notify the commissioner no later than ten working days after the due date of the distributor's failure to timely pay. This notification must include such information as the commissioner requires. The commissioner shall issue the supplier written confirmation that the credit is approved.

If the commissioner is notified that a distributor has failed to pay the supplier by the date the tax is due, the commissioner may revoke the distributor's license. In addition, the commissioner may pursue payment from the distributor's bonding company to satisfy the liability. If the commissioner revokes the distributor's license, the commissioner shall advise the supplier, and so advised, the supplier is no longer afforded the protection under this section. If a distributor's license is reinstated, the commissioner shall notify the supplier."

Page 19, line 21, after "supplier" insert ", distributor,"

Page 26, line 11, after the underscored period insert "For a supplier who is also a distributor or retailer, the aviation fuel must be considered sold and the tax imposed when the fuel is removed from a terminal by the supplier."

Page 27, line 5, remove ", other than a supplier,"

Page 27, line 9, replace "the month next" with "February" and after the underscored period insert "The tax on inventories does not apply to a supplier's aviation fuel in a terminal."

Page 27, line 13, after "supplier" insert ", distributor,"

Page 29, line 21, replace "Taxes" with "Except in the case of sales to bonded distributors, taxes"

Page 29, after line 29, insert:

"In the case of supplier sales to bonded distributors, if the distributor fails to pay the supplier the tax on or before the date the supplier must remit it to the commissioner, the supplier may receive a credit for such nonpayment on a subsequent month's tax return. To receive such credit, the supplier shall notify the commissioner no later than ten working days after the due date of the distributor's failure to timely pay. This notification must include such information as the commissioner requires. The commissioner shall issue the supplier written confirmation that the credit is approved.

If the commissioner is notified that a distributor has failed to pay the supplier by the date the tax is due, the commissioner may revoke the distributor's license. In addition, the commissioner may pursue payment from the distributor's bonding company to satisfy the liability. If the commissioner revokes the distributor's license, the commissioner shall advise the supplier, and so advised, the supplier is no longer afforded the protection under this section. If a distributor's license is reinstated, the commissioner shall notify the supplier."

Page 37, line 2, replace "one-half" with "two-tenths"

Page 49, line 26, replace "register of deeds of" with "secretary of state."

Page 49, remove line 27

Renumber accordingly