ARTICLE 4.1. DEATH TAXATION

AKTICLE 4.1. DEATH	TAXATION
<u>Rule 1.</u>	Definitions
Rule 2.	Imposition of the Inheritance Tax
Rule 3.	Exemptions and Deductions
Rule 4.	Returns
Rule 5.	Valuation of Property Interests
<u>Rule 6.</u>	Review of Inheritance Tax Determination
<u>Rule 7.</u>	Inheritance Tax Lien
Rule 8.	Limitations on the Transfer of a Decedent's Property
<u>Rule 9.</u>	Payment and Collection of Inheritance Taxes
Rule 10.	Refunds
Rule 11.	Indiana Estate Tax
Rule 12.	Indiana Generation-Skipping Transfer Tax
<u>Rule 13.</u>	Penalties
Rule 1. Definitions	
	Amuliashility (Damaslad)
45 IAC 4.1-1-1 45 IAC 4.1-1-2	Applicability (Repealed)
	"Appropriate probate court" defined (Repealed)
45 IAC 4.1-1-3	"Class A transferee" defined (Repealed)
45 IAC 4.1-1-4	"Class B transferee" defined (Repealed)
45 IAC 4.1-1-5	"Class C transferee" defined (Repealed)
45 IAC 4.1-1-6	"County assessor" defined (Repealed)
45 IAC 4.1-1-7	"County treasurer" defined (Repealed)
45 IAC 4.1-1-8	"Department" defined (Repealed)
45 IAC 4.1-1-9	"Federal death tax credit" defined (Repealed)
45 IAC 4.1-1-10	"In loco parentis parent" defined (Repealed)
45 IAC 4.1-1-11	"Intangible personal property" defined (Repealed)
45 IAC 4.1-1-12	"Nonresident decedent" defined (Repealed)
45 IAC 4.1-1-13	"Resident decedent" defined (Repealed)
45 IAC 4.1-1-14	"Transferee" defined (Repealed)
45 IAC 4.1-1-1 Applicability (Rep	pealed)
Sec. 1. (Repealed by Depart	ment of State Revenue; filed Nov 25, 2014, 3:41 p.m.: <u>20141224-IR-045140334FRA</u>)

45

45 IAC 4.1-1-2 "Appropriate probate court" defined (Repealed)

Sec. 2. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-1-3 "Class A transferee" defined (Repealed)

Sec. 3. (Repealed by Department of State Revenue; filed Dec 5, 2012, 10:01 a.m.: 20130102-IR-045120429FRA)

45 IAC 4.1-1-4 "Class B transferee" defined (Repealed)

Sec. 4. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-1-5 "Class C transferee" defined (Repealed)

Sec. 5. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-1-6 "County assessor" defined (Repealed)

Sec. 6. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-1-7 "County treasurer" defined (Repealed)

Sec. 7. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-1-8 "Department" defined (Repealed)

Sec. 8. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-1-9 "Federal death tax credit" defined (Repealed)

Sec. 9. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-1-10 "In loco parentis parent" defined (Repealed)

Sec. 10. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-1-11 "Intangible personal property" defined (Repealed)

Sec. 11. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-1-12 "Nonresident decedent" defined (Repealed)

Sec. 12. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-1-13 "Resident decedent" defined (Repealed)

Sec. 13. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-1-14 "Transferee" defined (Repealed)

Sec. 14. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

Rule 2. Imposition of the Inheritance Tax

45 IAC 4.1-2-1 Time of imposition (Repealed)	
45 IAC 4.1-2-2 Will contest (Repealed)	
45 IAC 4.1-2-3 Disclaimer (Repealed)	
45 IAC 4.1-2-4 Situs of tangible personal property (Re	pealed)
45 IAC 4.1-2-5 Transfer by will or otherwise (Repealed	(d)

45 IAC 4.1-2-1 Time of imposition (Repealed)

Sec. 1. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-2-2 Will contest (Repealed)

Sec. 2. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-2-3 Disclaimer (Repealed)

Sec. 3. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-2-4 Situs of tangible personal property (Repealed)

Sec. 4. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-2-5 Transfer by will or otherwise (Repealed)

Sec. 5. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

Rule 3. Exemptions and Deductions

45 IAC 4.1-3-1	Charitable exemptions (Repealed)
45 IAC 4.1-3-2	Cemetery association (Repealed)
45 IAC 4.1-3-3	Life insurance proceeds (Repealed)
45 IAC 4.1-3-4	Annuity payments (Repealed)
45 IAC 4.1-3-5	Transfers to a surviving spouse (Repealed)
45 IAC 4.1-3-6	Personal exemptions (Repealed)
45 IAC 4.1-3-7	Debt deductions (Repealed)
45 IAC 4.1-3-8	Tax deductions (Repealed)
45 IAC 4.1-3-9	Mortgage deduction (Repealed)
45 IAC 4.1-3-10	Funeral expenses deduction (Repealed)
45 IAC 4.1-3-11	Deduction for administrative expenses (Repealed)
45 IAC 4.1-3-12	Deductions against nonprobate property not transferred by a trust agreement (Repealed)
45 IAC 4.1-3-13	Deductions allowable in estates of nonresidents (Repealed)

45 IAC 4.1-3-1 Charitable exemptions (Repealed)

Sec. 1. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-3-2 Cemetery association (Repealed)

Sec. 2. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-3-3 Life insurance proceeds (Repealed)

Sec. 3. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-3-4 Annuity payments (Repealed)

Sec. 4. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-3-5 Transfers to a surviving spouse (Repealed)

Sec. 5. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-3-6 Personal exemptions (Repealed)

Sec. 6. (Repealed by Department of State Revenue; filed Dec 5, 2012, 10:01 a.m.: 20130102-IR-045120429FRA)

45 IAC 4.1-3-7 Debt deductions (Repealed)

Sec. 7. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-3-8 Tax deductions (Repealed)

Sec. 8. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-3-9 Mortgage deduction (Repealed)

Sec. 9. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-3-10 Funeral expenses deduction (Repealed)

Sec. 10. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-3-11 Deduction for administrative expenses (Repealed)

Sec. 11. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-3-12 Deductions against nonprobate property not transferred by a trust agreement (Repealed)

Sec. 12. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-3-13 Deductions allowable in estates of nonresidents (Repealed)

Sec. 13. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

Rule 4. Returns

45 IAC 4.1-4-1	Inheritance tax return (Repealed)
45 IAC 4.1-4-2	Extension of filing time (Repealed)
45 IAC 4.1-4-3	Attachments to the inheritance tax return (Repealed)
45 IAC 4.1-4-4	Federal estate tax return (Repealed)

45 IAC 4.1-4-1 Inheritance tax return (Repealed)

Sec. 1. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-4-2 Extension of filing time (Repealed)

Sec. 2. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-4-3 Attachments to the inheritance tax return (Repealed)

Sec. 3. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: <u>20141224-IR-04514</u>0334FRA)

45 IAC 4.1-4-4 Federal estate tax return (Repealed)

Sec. 4. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

Rule 5. Valuation of Property Interests

45 IAC 4.1-5-1	"Fair market value" defined (Repealed)
45 IAC 4.1-5-2	Appraisal date (Repealed)
45 IAC 4.1-5-3	Actively traded stocks or bonds (Repealed)
45 IAC 4.1-5-4	Closely held corporations, partnership interests, and unincorporated businesses (Repealed)
45 IAC 4.1-5-5	Interest and dividends (Repealed)
45 IAC 4.1-5-6	Mineral interests (Repealed)
45 IAC 4.1-5-7	Buy and sell agreements (Repealed)
45 IAC 4.1-5-8	Obligations owed a decedent (Repealed)
45 IAC 4.1-5-9	Commissions, copyrights, patents, or royalties (Repealed)
45 IAC 4.1-5-10	Annuities, life estates, or remainders (Repealed)
45 IAC 4.1-5-11	Appraisal of a resident decedent's property (Repealed)
45 IAC 4.1-5-12	Appraisal of a nonresident decedent's property (Repealed)

45 IAC 4.1-5-1 "Fair market value" defined (Repealed)

Sec. 1. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-5-2 Appraisal date (Repealed)

Sec. 2. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-5-3 Actively traded stocks or bonds (Repealed)

Sec. 3. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-5-4 Closely held corporations, partnership interests, and unincorporated businesses (Repealed)

Sec. 4. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-5-5 Interest and dividends (Repealed)

Sec. 5. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-5-6 Mineral interests (Repealed)

Sec. 6. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-5-7 Buy and sell agreements (Repealed)

Sec. 7. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-5-8 Obligations owed a decedent (Repealed)

Sec. 8. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-5-9 Commissions, copyrights, patents, or royalties (Repealed)

Sec. 9. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-5-10 Annuities, life estates, or remainders (Repealed)

Sec. 10. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-5-11 Appraisal of a resident decedent's property (Repealed)

Sec. 11. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-5-12 Appraisal of a nonresident decedent's property (Repealed)

Sec. 12. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

Rule 6. Review of Inheritance Tax Determination

45 IAC 4.1-6-1 Time limitations (Repealed)
45 IAC 4.1-6-2 Appeal to probate court (Repealed)

45 IAC 4.1-6-1 Time limitations (Repealed)

Sec. 1. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-6-2 Appeal to probate court (Repealed)

Sec. 2. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

Rule 7. Inheritance Tax Lien

45 IAC 4.1-7-1	Attachment of lien (Repealed)
45 IAC 4.1-7-2	Termination of lien (Repealed)
45 IAC 4.1-7-3	Liability for inheritance tax (Repealed)

45 IAC 4.1-7-1 Attachment of lien (Repealed)

Sec. 1. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-7-2 Termination of lien (Repealed)

Sec. 2. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-7-3 Liability for inheritance tax (Repealed)

Sec. 3. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

Rule 8. Limitations on the Transfer of a Decedent's Property

45 IAC 4.1-8-1	Transfers to a surviving spouse (Repealed)
45 IAC 4.1-8-2	Transfer of a checking account (Repealed)
45 IAC 4.1-8-3	Transfer to a surviving joint tenant (Repealed)
45 IAC 4.1-8-4	Transfer of insurance proceeds (Repealed)
45 IAC 4.1-8-5	Transfers to a personal representative (Repealed)
45 IAC 4.1-8-6	Transfers from a personal representative or trustee (Repealed)
45 IAC 4.1-8-7	Small estate affidavit (Repealed)
45 IAC 4.1-8-8	Nonresident decedent's property (Repealed)

45 IAC 4.1-8-9

Safe deposit boxes (Repealed)

45 IAC 4.1-8-1 Transfers to a surviving spouse (Repealed)

Sec. 1. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-8-2 Transfer of a checking account (Repealed)

Sec. 2. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-8-3 Transfer to a surviving joint tenant (Repealed)

Sec. 3. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-8-4 Transfer of insurance proceeds (Repealed)

Sec. 4. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-8-5 Transfers to a personal representative (Repealed)

Sec. 5. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-8-6 Transfers from a personal representative or trustee (Repealed)

Sec. 6. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-8-7 Small estate affidavit (Repealed)

Sec. 7. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-8-8 Nonresident decedent's property (Repealed)

Sec. 8. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-8-9 Safe deposit boxes (Repealed)

Sec. 9. (Repealed by Department of State Revenue; filed Dec 5, 2012, 10:01 a.m.: 20130102-IR-045120429FRA)

Rule 9. Payment and Collection of Inheritance Taxes

45 IAC 4.1-9-1	Due dates (Repealed)
45 IAC 4.1-9-2	Discount for early payments (Repealed)
45 IAC 4.1-9-3	Interest on late payments (Repealed)
45 IAC 4.1-9-4	Payment of taxes (Repealed)
45 IAC 4.1-9-5	Collection of taxes (Repealed)
45 IAC 4.1-9-6	Compromise of tax or interest due (Repealed)

45 IAC 4.1-9-1 Due dates (Repealed)

Sec. 1. (Repealed by Department of State Revenue; filed Dec 5, 2012, 10:01 a.m.: 20130102-IR-045120429FRA)

45 IAC 4.1-9-2 Discount for early payments (Repealed)

Sec. 2. (Repealed by Department of State Revenue; filed Dec 5, 2012, 10:01 a.m.: 20130102-IR-045120429FRA)

45 IAC 4.1-9-3 Interest on late payments (Repealed)

Sec. 3. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-9-4 Payment of taxes (Repealed)

Sec. 4. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-9-5 Collection of taxes (Repealed)

Sec. 5. (Repealed by Department of State Revenue; filed Dec 5, 2012, 10:01 a.m.: 20130102-IR-045120429FRA)

45 IAC 4.1-9-6 Compromise of tax or interest due (Repealed)

Sec. 6. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

Rule 10. Refunds

<u>45 IAC 4.1-10-1</u>	Time limit for filing
45 IAC 4.1-10-2	Interest on refunds (Repealed)
45 IAC 4.1-10-3	Orders for refund (Repealed)
45 IAC 4.1-10-4	Appeal of refund order

45 IAC 4.1-10-1 Time limit for filing

Authority: <u>IC 6-4.1-12-6</u> Affected: <u>IC 6-4.1-10-1</u>

Sec. 1. A claim for refund of inheritance tax or Indiana estate tax is not valid unless it is filed with the department within the later of:

- (1) three (3) years after the date the tax is paid; or
- (2) one (1) year after the date the tax is finally determined.

(Department of State Revenue; 45 IAC 4.1-10-1; filed Apr 28, 1994, 9:30 a.m.: 17 IR 2038)

45 IAC 4.1-10-2 Interest on refunds (Repealed)

Sec. 2. (Repealed by Department of State Revenue; filed Dec 5, 2012, 10:01 a.m.: 20130102-IR-045120429FRA)

45 IAC 4.1-10-3 Orders for refund (Repealed)

Sec. 3. (Repealed by Department of State Revenue; filed Dec 5, 2012, 10:01 a.m.: 20130102-IR-045120429FRA)

45 IAC 4.1-10-4 Appeal of refund order

Authority: IC 6-4.1-12-6

Affected: IC 6-4.1-10-4; IC 6-4.1-10-5

Sec. 4. (a) An appeal of a refund order must be initiated within ninety (90) days after the date the department enters the order. (b) To commence an appeal, a complaint in which the department is named as the defendant must be filed in one (1) of the

following courts:

- (1) The probate court of the county in which administration of the estate is pending, if the appeal involves either a resident or a nonresident decedent's estate and administration of the estate is pending in Indiana.
- (2) The probate court of the county in which the decedent was domiciled at the time of the decedent's death, if the appeal involves a resident decedent's estate and no administration of the estate is pending in Indiana.
- (3) The probate court of any county in which any of the decedent's property was located at the time of the decedent's death, if the appeal involves a nonresident decedent's estate and no administration of the estate is pending in Indiana.
- (c) When an appeal is initiated under subsection (b), the probate court determines if a refund is due and the amount. (Department of State Revenue; 45 IAC 4.1-10-4; filed Jul 28, 1994, 4:00 p.m.: 17 IR 2799)

Rule 11. Indiana Estate Tax

45 IAC 4.1-11-1	Imposition of estate tax (Repealed)
45 IAC 4.1-11-2	Due dates (Repealed)
45 IAC 4.1-11-3	Payment of estate tax (Repealed)
45 IAC 4.1-11-4	Credit against inheritance tax (Repealed)
45 IAC 4.1-11-5	Appeal of estate tax determination (Repealed)

45 IAC 4.1-11-1 Imposition of estate tax (Repealed)

Sec. 1. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-11-2 Due dates (Repealed)

Sec. 2. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-11-3 Payment of estate tax (Repealed)

Sec. 3.(Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-11-4 Credit against inheritance tax (Repealed)

Sec. 4. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-11-5 Appeal of estate tax determination (Repealed)

Sec. 5. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

Rule 12. Indiana Generation-Skipping Transfer Tax

45 IAC 4.1-12-1	Imposition of generation-skipping transfer tax (Repealed)
45 IAC 4.1-12-2	Computation of tax (Repealed)
45 IAC 4.1-12-3	Due date (Repealed)
45 IAC 4.1-12-4	Payment of tax (Repealed)
45 IAC 4.1-12-5	Tax return (Repealed)

45 IAC 4.1-12-1 Imposition of generation-skipping transfer tax (Repealed)

Sec. 1. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-12-2 Computation of tax (Repealed)

Sec. 2. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-12-3 Due date (Repealed)

Sec. 3. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-12-4 Payment of tax (Repealed)

Sec. 4. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-12-5 Tax return (Repealed)

Sec. 5. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

Rule 13. Penalties

45 IAC 4.1-13-1	Failure to file inheritance tax return (Repealed)
45 IAC 4.1-13-2	Improper transfers of decedent's property (Repealed)
45 IAC 4.1-13-3	Safe deposit box information (Repealed)
45 IAC 4.1-13-4	Nonpayment by county to department (Repealed)
45 IAC 4.1-13-5	Disclosure of inheritance tax information (Repealed)

45 IAC 4.1-13-1 Failure to file inheritance tax return (Repealed)

Sec. 1. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-13-2 Improper transfers of decedent's property (Repealed)

Sec. 2. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

45 IAC 4.1-13-3 Safe deposit box information (Repealed)

Sec. 3. (Repealed by Department of State Revenue; filed Dec 5, 2012, 10:01 a.m.: 20130102-IR-045120429FRA)

45 IAC 4.1-13-4 Nonpayment by county to department (Repealed)

Sec. 4. (Repealed by Department of State Revenue; filed Dec 5, 2012, 10:01 a.m.: 20130102-IR-045120429FRA)

45 IAC 4.1-13-5 Disclosure of inheritance tax information (Repealed)

Sec. 5. (Repealed by Department of State Revenue; filed Nov 25, 2014, 3:41 p.m.: 20141224-IR-045140334FRA)

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