

IC 6-6-11

Chapter 11. Boat Excise Tax

IC 6-6-11-1

"Boat" defined

Sec. 1. As used in this chapter, "boat" means any device in which a person may be transported upon water and includes every motorboat, sailboat, pontoon boat, rowboat, skiff, dinghy, or canoe, regardless of size.

As added by P.L.98-1989, SEC.1.

IC 6-6-11-2

"Boating equipment" defined

Sec. 2. As used in this chapter, "boating equipment" means motors used in connection with a boat.

As added by P.L.98-1989, SEC.1.

IC 6-6-11-3

"Boating year" defined

Sec. 3. As used in this chapter, "boating year" means a calendar year.

As added by P.L.98-1989, SEC.1.

IC 6-6-11-4

"Motorized boat" defined

Sec. 4. As used in this chapter, "motorized boat" means a boat that is propelled by an internal combustion, steam, or electrical inboard or outboard motor or engine or propelled by any mechanical means, including a sailboat that is equipped with a motor or engine.

As added by P.L.98-1989, SEC.1.

IC 6-6-11-5

"Tax situs" defined

Sec. 5. As used in this chapter, "tax situs" means the taxing district in which a boat is located on March 1 of a boating year unless:

(1) the boat is acquired after March 1, in which case the boat's tax situs is where the owner intends to have the boat on the following March 1; or

(2) the boat is registered outside Indiana, in which case the boat's tax situs is the taxing district in which the boat is principally stored or operated during the boating year.

As added by P.L.98-1989, SEC.1.

IC 6-6-11-6

"Taxing district" defined

Sec. 6. As used in this chapter, "taxing district" has the meaning set forth in IC 6-1.1-1-20.

As added by P.L.98-1989, SEC.1.

IC 6-6-11-7

"Taxing unit" defined

Sec. 7. As used in this chapter, "taxing unit" has the meaning set forth in IC 6-1.1-18.5-1.

As added by P.L.98-1989, SEC.1.

IC 6-6-11-8

Operation, use, docking, and storage of boat in county; prerequisites; ad valorem property tax

Sec. 8. (a) Except as provided in subsections (b) and (d), a boat may not be operated, used, docked, or stored in a county during any part of a boating year:

(1) unless:

(A) the boat excise tax;

(B) the department of natural resources fees imposed by section 12(a) of this chapter; and

(C) the lake and river enhancement fee imposed by section 12(b) of this chapter;

for that boat have been paid for that boating year; and

(2) unless valid boat excise tax decals for that boating year are affixed to the boat.

(b) A boat may be operated, used, docked, or stored in a county without the boat excise tax having been paid if:

(1) the boat is exempt from the excise tax under section 9 of this chapter; or

(2) the operator of the boat has in the operator's possession a bill of sale from a dealer or private individual that includes the following:

(A) The purchaser's name and address.

(B) A date of purchase that is not more than thirty-one (31) days preceding the date that the operator is required to show the bill of sale.

(C) The make and type of boat or the hull identification number.

(c) Boats that are subject to the boat excise tax for a boating year are not subject to assessment and taxation under IC 6-1.1 for ad valorem property taxes first due and payable in the following boating year, with respect to the taxpayer who must pay the boat excise tax.

(d) A boat may be operated, used, docked, or stored in a county without valid boat excise tax decals for that boating year being affixed to the boat if the decals do not have to be affixed to the boat under rules adopted by the department of natural resources.

As added by P.L.98-1989, SEC.1. Amended by P.L.33-1990, SEC.16; P.L.70-1991, SEC.1; P.L.80-1993, SEC.1.

IC 6-6-11-9

Exemptions

Sec. 9. A boat is exempt from the boat excise tax imposed for a year if the boat is:

(1) owned by the United States;

- (2) owned by the state or one (1) of its political subdivisions (as defined in IC 36-1-2-13);
 - (3) owned by an organization exempt from federal income taxation under 501(c)(3) of the Internal Revenue Code;
 - (4) a human powered vessel, as determined by the department of natural resources;
 - (5) held by a boat manufacturer, distributor, or dealer for sale in the ordinary course of business;
 - (6) used by a person for the production of income and subject to assessment under IC 6-1.1;
 - (7) stored in Indiana for less than twenty-two (22) consecutive days and not operated, used, or docked in Indiana;
 - (8) registered outside Indiana and operated, used, or docked in Indiana for a combined total of less than twenty-two (22) consecutive days during the boating year; or
 - (9) subject to the commercial vessel tonnage tax under IC 6-6-6.
- As added by P.L.98-1989, SEC.1. Amended by P.L.81-1993, SEC.1; P.L.146-2008, SEC.356.*

IC 6-6-11-10

Amount of tax; computation

Sec. 10. (a) The amount of boat excise tax that a boat owner shall pay for a boating year is based on the boat's class and age.

(b) Motorized boats and sailboats are classified for excise tax purposes according to the value of the boat when the boat was new. The amount of excise tax for a boating year that is imposed for a motorized boat or a sailboat and owed by the boat owner is prescribed in the following table:

CLASS	MOTORIZED BOAT'S or SAILBOAT'S VALUE WHEN NEW		TAX DUE
	AT LEAST	but LESS THAN	
1	\$ 0.01	\$ 500	\$ 2
2	500	1,000	6
3	1,000	1,500	20
4	1,500	2,000	30
5	2,000	3,000	42
6	3,000	5,000	55
7	5,000	7,500	70
8	7,500	10,000	88
9	10,000	15,000	110
10	15,000	22,500	150
11	22,500	35,000	200
12	35,000	50,000	275
13	50,000	75,000	375
14	75,000 or more		500

The bureau of motor vehicles shall adopt rules under IC 4-22-2 for determining the value of new boats. A tax paid under subsection (c) may be used as a credit against the taxes owed for the same boating year under this subsection.

(c) Notwithstanding subsection (b), the amount of excise tax

imposed and owed by a boat owner is twelve dollars (\$12) for a motorized boat or a sailboat that is stored in Indiana for sixty (60) consecutive days or more but not operated, used, or docked in Indiana waters, except to facilitate storage of the boat.

As added by P.L.98-1989, SEC.1. Amended by P.L.33-1990, SEC.17; P.L.71-1991, SEC.1; P.L.81-1993, SEC.2; P.L.64-1996, SEC.1.

IC 6-6-11-11

Reductions in tax; age of boat

Sec. 11. The boat excise tax due under section 10 of this chapter is reduced by ten percent (10%) for each year since the year the boat was manufactured, but not to exceed fifty percent (50%). The reduced excise tax liability shall be rounded upward to the next full dollar amount. However, the boat excise tax due for a year may not be reduced to less than six dollars (\$6) for Class 2 through Class 14 boats or two dollars (\$2) for a Class 1 boat.

As added by P.L.98-1989, SEC.1. Amended by P.L.33-1990, SEC.18; P.L.71-1991, SEC.2.

IC 6-6-11-12

Department of natural resources fee; lake and river enhancement fee

Sec. 12. (a) In addition to paying the boat excise tax, a boat owner shall complete a form and pay a department of natural resources fee for each boat required to have boat excise decals. The fee is five dollars (\$5) for each boating year. However, the fee is waived for the boating year in which the registration fee prescribed by IC 9-29-15 is paid for that boat. The revenue from the fees collected under this chapter shall be transferred to the department of natural resources, as provided in section 29 of this chapter.

(b) In addition to the boat excise tax and the department of natural resources fee, a boat owner shall pay to the department of natural resources a lake and river enhancement fee for each boat required to have boat excise decals in the amount set forth in the following table:

Value of the Boat	Amount of the Fee
Less than \$1,000	\$ 5
At least \$1,000, but less than \$3,000	\$10
At least \$3,000, but less than \$5,000	\$15
At least \$5,000, but less than \$10,000	\$20
At least \$10,000	\$25

(c) The revenue from the lake and river enhancement fee imposed under subsection (b) shall be deposited in the following manner:

(1) Two-thirds (2/3) of the money shall be deposited in the lake and river enhancement fund established by section 12.5 of this chapter.

(2) One-third (1/3) of the money shall be deposited in the conservation officers marine enforcement fund established by IC 14-9-8-21.5.

As added by P.L.98-1989, SEC.1. Amended by P.L.70-1991, SEC.2; P.L.71-1991, SEC.3; P.L.1-1992, SEC.23; P.L.80-1993, SEC.2;

P.L.233-2003, SEC.1.

IC 6-6-11-12.5

Lake and river enhancement fund

Sec. 12.5. (a) The lake and river enhancement fund is established and allocated for the following purposes:

(1) One-half (1/2) of the fund shall be used to pay costs incurred by the department of natural resources in implementing the lake and river enhancement projects required by IC 14-32-7-12(b)(7).

(2) One-half (1/2) of the fund shall be used by the department of natural resources to pay for lake or river (as defined in IC 14-32-7-12) projects, including, but not limited to, projects to:

- (A) remove sediment;
- (B) control exotic or invasive plants or animals; or
- (C) remove logjams or obstructions.

For purposes of this subdivision, the fund may not be used for projects relating to a manmade ditch or waterway.

(b) The fund shall be administered by the director of the department of natural resources.

(c) Expenses of administering the fund shall be paid from money in the fund.

(d) The fund consists of the revenue from the lake and river enhancement fee paid by boat owners and deposited under section 12(c)(1) of this chapter.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) With the approval of the governor and the budget agency, the money in the fund allocated under subsection (a)(1) may be used to augment and supplement the funds appropriated for the implementation of lake and river enhancement projects required by IC 14-32-7-12(b)(7).

As added by P.L.80-1993, SEC.3. Amended by P.L.1-1995, SEC.51; P.L.233-2003, SEC.2; P.L.207-2011, SEC.1.

IC 6-6-11-13

Payments; bureau of motor vehicles

Sec. 13. A boat owner shall pay:

- (1) the boat excise tax;
- (2) the department of natural resources fee imposed by section 12(a) of this chapter;
- (3) the lake and river enhancement fee imposed by section 12(b) of this chapter; and
- (4) if:

- (A) the motorboat is legally registered in another state; and
- (B) the boat owner pays the excise tax and fees under subdivisions (1), (2), and (3);

the fee imposed by IC 9-29-15-9;

for a boating year to the bureau of motor vehicles. The tax and fees

must be paid at the same time that the boat owner pays or would pay the registration fee and motor vehicle excise taxes on motor vehicles under IC 9-18 and IC 6-6-5. When the boat owner pays the tax and fees, the owner is entitled to receive the excise tax decals.

As added by P.L.98-1989, SEC.1. Amended by P.L.33-1990, SEC.19; P.L.70-1991, SEC.3; P.L.2-1991, SEC.49; P.L.1-1992, SEC.24; P.L.80-1993, SEC.4; P.L.62-1996, SEC.2; P.L.46-2006, SEC.1.

IC 6-6-11-14

Boats subject to tax after the regular annual tax payment date; payment; amount

Sec. 14. (a) For a boat which has been acquired, or brought into Indiana, or for any other reason becomes subject to the excise tax after the regular annual tax payment date in the boating year on or before which the owner is required to pay the tax on boats under this chapter, the tax imposed by this chapter shall become due and payable no later than:

- (1) the thirty-second day after the boat is operated in Indiana, if the boat is registered in Indiana; or
- (2) the twenty-second consecutive day during the boating year that the boat is:
 - (A) stored in Indiana; or
 - (B) operated, used, or docked in Indiana waters if the boat is registered outside Indiana.

(b) The amount of excise tax to be paid by the owner for the remainder of the year shall be reduced by ten percent (10%) for each full calendar month which has elapsed since the regular annual tax payment date in the year fixed by the bureau of motor vehicles for tax payment by the owner.

As added by P.L.98-1989, SEC.1. Amended by P.L.33-1990, SEC.20; P.L.81-1993, SEC.3.

IC 6-6-11-15

Boats subject to taxation after January 1 of boating year; payments

Sec. 15. For a boat which is acquired, or brought into Indiana, or for any other reason becomes subject to taxation under this chapter after January 1 of a boating year, the owner may pay the fees and the excise tax due on the boat as provided in this chapter and any excise tax due on the boat for the remainder of the boating year and simultaneously pay the fees and the excise tax due for the following boating year.

As added by P.L.98-1989, SEC.1. Amended by P.L.33-1990, SEC.21.

IC 6-6-11-16

Reduction in tax; exception

Sec. 16. Except as provided in sections 11 and 19 of this chapter, a reduction in the excise tax is not allowed to Indiana residents if the boat was owned by the person on or before the person's tax payment date.

As added by P.L.98-1989, SEC.1. Amended by P.L.33-1990, SEC.22.

IC 6-6-11-17 Version a

Sale of boat; tax credit

Note: This version of section effective until 1-1-2012. See also following version of this section, effective 1-1-2012.

Sec. 17. (a) Every owner of a boat who sells the boat in a year in which the boat owner has paid the excise tax is entitled to receive a credit equal to the remainder of the tax paid for the boat reduced by ten percent (10%) for each full or partial calendar month that has elapsed in the tax payment year before the date of the sale. The credit shall be applied to the owner's tax due on any other boat of the owner in the same year or may be carried over and used in the following year if the credit was not fully used in the preceding year. The credit expires at the end of the year that follows the year in which the credit originally accrued.

(b) A cash refund may not be made on a credit issued under subsection (a) on the sale of a boat. A tax credit is transferable from one (1) member of the same immediate family to another member of the same family with no consideration involved or received as an outright gift or inheritance.

As added by P.L.98-1989, SEC.1.

IC 6-6-11-17 Version b

Sale of boat; tax credit

Note: This version of section effective 1-1-2012. See also preceding version of this section, effective until 1-1-2012.

Sec. 17. (a) Every owner of a boat who sells the boat in a year in which the boat owner has paid the excise tax is entitled to receive a credit equal to the remainder of the tax paid for the boat reduced by eight and thirty-three hundredths percent (8.33%) for each full or partial calendar month that has elapsed in the tax payment year before the date of the sale. The credit shall be applied to the owner's tax due on any other boat of the owner in the same year or may be carried over and used in the following year if the credit was not fully used in the preceding year. The credit expires at the end of the year that follows the year in which the credit originally accrued.

(b) A cash refund may not be made on a credit issued under subsection (a) on the sale of a boat. A tax credit is transferable from one (1) member of the same immediate family to another member of the same family with no consideration involved or received as an outright gift or inheritance.

As added by P.L.98-1989, SEC.1. Amended by P.L.109-2011, SEC.1.

IC 6-6-11-18

Destruction of boat; tax refund

Sec. 18. (a) Every owner of a boat that:

- (1) is destroyed in a year in which the owner paid the excise tax imposed by this chapter; and
- (2) is not replaced by a replacement boat for which a credit is

issued under this chapter;
is entitled to a refund in an amount equal to ten percent (10%) of the excise tax paid for each full calendar month remaining in the registrant's tax payment year after the date of destruction.

(b) To receive a refund under subsection (a), a boat owner must present and return to the bureau of motor vehicles the following:

- (1) A request for refund on a form furnished by the bureau.
- (2) A statement of proof of destruction on an affidavit furnished by the bureau.
- (3) The tax payment form for the boat.

(c) A refund under this section may not exceed ninety percent (90%) of the excise tax paid on the destroyed boat. The amount shall be refunded by a warrant issued by the auditor of the county that received the excise tax revenue and shall be drawn on the county's boat excise tax fund.

(d) For purposes of this section, a boat is considered destroyed if the cost of repair of damages suffered by the boat exceeds the boat's fair market value.

As added by P.L.98-1989, SEC.1. Amended by P.L.75-1989, SEC.2; P.L.33-1990, SEC.23.

IC 6-6-11-19

Name change causing change in payment date; adjustment of tax liability

Sec. 19. If the name of the owner of a boat is legally changed and the change has caused a change in the owner's annual tax payment date, the excise tax liability of the owner shall be adjusted as follows:

(1) If the name change requires the owner to pay the excise tax sooner than the owner would have been required to pay if there had been no name change, the owner shall, at the time the name change is reported, be authorized a refund from the county treasurer in the amount of the product of:

(A) ten percent (10%) of the owner's last preceding annual excise tax liability; multiplied by

(B) the number of full calendar months between the owner's new tax payment month and the tax payment month that is based on the owner's former name.

(2) If the name change requires the owner to pay the excise tax later than the owner would have been required to pay if there had been no name change, the boat is subject to excise tax for the period between the month in which the owner would have been required to pay if there had been no name change and the new tax payment month. The tax is the product of:

(A) ten percent (10%) of the owner's excise tax liability computed as of the time the owner would have been required to pay the excise tax if there had been no name change; multiplied by

(B) the number of full calendar months between the month in which the owner would have been required to pay if there

had been no name change and the owner's new tax payment month.

As added by P.L.98-1989, SEC.1.

IC 6-6-11-20

Bureau of motor vehicles; utilization of license branches for collection and administration

Sec. 20. The bureau of motor vehicles, in the administration and collection of the boat excise tax imposed by this chapter, may utilize the services and facilities of license branches operated under IC 9-16. The license branches may be utilized in accordance with the procedures, in the manner, and to the extent that the bureau determines to be necessary and proper to implement and effectuate the administration and collection of the excise tax imposed by this chapter. However, if the bureau utilizes the license branches in the collection of the boat excise tax, the following apply:

- (1) The excise taxes and fees collected by each license branch shall be deposited daily by the license branch in a separate account in a depository duly designated by the state board of finance. Before the eleventh day of the month following the month in which the collections are made, the bureau of motor vehicles shall report the excise taxes collected to the county treasurer of the county to which the collections are due.
- (2) The bureau shall forward a copy of the excise tax report to the county auditor of the county.
- (3) Each license branch shall report to the bureau all boat excise taxes and fees collected under this chapter in the same manner and at the same time as registration fees are reported for motor vehicle registrations.
- (4) A bond in an amount to be set by the bureau shall be posted by each license branch to cover the activities of the license branch in connection with the administration and collection of the excise tax and fees imposed by this chapter. The premiums for the bonds and for insurance to protect the funds collected by the branches against theft shall be paid by the bureau, except that the bureau may issue blanket coverage for all branches at its discretion. This bond does not have to be a separate bond from the bond required by IC 6-6-5-9.
- (5) An additional charge may not be imposed for the services of the license branches.

As added by P.L.98-1989, SEC.1. Amended by P.L.2-1991, SEC.50.

IC 6-6-11-21

Tax payment form

Sec. 21. The state board of accounts shall prescribe the tax payment form to be used by the bureau of motor vehicles. The board shall prescribe one (1) document to serve as the form. The form must have a sufficient number of copies for distribution and include appropriate spaces for the following information:

- (1) The owner's name and address.

- (2) The name of the county and the address of the location where the boat has its tax situs for the boating year.
- (3) A description of the boat, including the manufacturer's specified length for the boat.
- (4) The age of the boat.
- (5) The class prescribed for the boat under this chapter.
- (6) The excise tax imposed on the boat for the boating year under this chapter.
- (7) The boat's state registration or Coast Guard documentation number, if any, and any other information reasonably required by the department of natural resources.
- (8) The signature of the boat owner on the owner's copy of the form verifying that the information is true and correct and acknowledging that the boat owner will be subject to penalties for perjury for providing false information.
- (9) Any other information prescribed by the state board of accounts.

As added by P.L.98-1989, SEC.1. Amended by P.L.75-1989, SEC.3.

IC 6-6-11-22

Excise tax decals

Sec. 22. The department of natural resources shall prescribe the design of the boat excise tax decals in sufficient time for the bureau of motor vehicles to procure a sufficient number of boat excise tax decals for each class of boat. Each decal must:

- (1) state the boating year to which the decal applies;
- (2) have a unique identification number;
- (3) be a different color than the colors used for the previous boating year; and
- (4) be designed so that law enforcement officers can easily identify whether the decal is valid.

As added by P.L.98-1989, SEC.1.

IC 6-6-11-23

Replacement of lost, stolen, or damaged decals

Sec. 23. The bureau of motor vehicles shall establish a procedure for replacing lost, stolen, and damaged decals. A fee of three dollars (\$3) shall be charged by the bureau to defray the cost of issuing replacement decals.

As added by P.L.98-1989, SEC.1.

IC 6-6-11-23.5

Issuance of decal to tax exempt organization

Sec. 23.5. The bureau of motor vehicles may issue a decal to a boat owned by an organization exempt from Federal income taxation under 501(c)(3) of the Internal Revenue Code.

As added by P.L.98-1989, SEC.1.

IC 6-6-11-24

Affixing boat decals

Sec. 24. The taxpayer shall affix the boat excise tax decals:

- (1) to the bow of each side of the boat, within three (3) inches to the right of the boat's registration number; or
- (2) on each side of the forward half of the bow above the water line of the boat if a registration number is not required to be displayed.

However, the department of natural resources may adopt rules under IC 4-22-2 providing that decals do not have to be affixed to certain types of boats.

As added by P.L.98-1989, SEC.1.

IC 6-6-11-25

Failure to pay tax; penalty

Sec. 25. A boat owner who operates, uses, docks, or stores a boat without paying the full amount of boat excise tax due under this chapter commits a Class C infraction.

As added by P.L.98-1989, SEC.1.

IC 6-6-11-26

Judgment; transmission of copy; delinquent fee

Sec. 26. If a boat owner has a judgment entered against the owner for violating section 25 of this chapter, the court shall transmit a copy of the judgment to the bureau of motor vehicles. A boat owner who does not pay the boat excise tax on or before the due date shall pay a delinquent fee equal to one hundred percent (100%) of the boat excise tax due. The bureau of motor vehicles shall collect this delinquent fee along with the excise taxes due for the boat. The amount collected in delinquent fees shall be credited to a special account within the state general fund to be used as provided in section 35 of this chapter.

As added by P.L.98-1989, SEC.1. Amended by P.L.44-1992, SEC.4.

IC 6-6-11-27

Tampering with decal; penalty

Sec. 27. A person who falsifies, predates, changes, or counterfeits a boat excise tax decal commits a Class C misdemeanor.

As added by P.L.98-1989, SEC.1.

IC 6-6-11-28

Enforcement; lessors of dockage space, slips, or storage space; information

Sec. 28. (a) The law enforcement officers of Indiana, including any enforcement officer of the department of natural resources, shall enforce this chapter.

(b) A person who leases to others dockage space, slips, or storage space for boats shall supply information relating to the person's leasing business to any law enforcement officer who requests the information for purposes of enforcing this chapter.

As added by P.L.98-1989, SEC.1.

IC 6-6-11-29

Transfer of money collected

Sec. 29. (a) The auditor of state shall transfer the department of natural resources fee, the lake and river enhancement fee, the delinquent excise taxes, and the delinquent fees collected under this chapter during the preceding month as follows:

(1) On or before the eleventh day of each month, the auditor of state shall transfer to the state license branch fund an amount equal to five percent (5%) of each excise tax transaction completed by the bureau. The money is to be used to cover the expenses incurred by the bureau of motor vehicles and the license branches for returns, decals, collecting the fees and excise taxes and to cover any service charges by the commission under IC 9-29-3. An additional charge may not be imposed for the services of the license branches under this chapter.

(2) At least quarterly, the auditor of state shall set aside for the department of natural resources the fees and the delinquent fees collected under this chapter to use as provided in section 35 of this chapter.

(3) On or before the tenth day of each month, the auditor of state shall distribute to each county the excise tax collections, including delinquent tax collections, for the county for the preceding month. The auditor shall include a report with each distribution showing the information necessary for the county auditor to allocate the revenue among the taxing units of the county.

(4) The auditor of state shall deposit the revenue from the lake and river enhancement fee imposed by section 12(b) of this chapter in the lake and river enhancement fund established by section 12.5 of this chapter.

(b) Money credited to each county's account in the state general fund is appropriated to make the distributions and the transfers required by subsection (a). The distributions shall be made upon warrants drawn from the state general fund.

As added by P.L.98-1989, SEC.1. Amended by P.L.75-1989, SEC.4; P.L.33-1990, SEC.24; P.L.70-1991, SEC.4; P.L.2-1991, SEC.51; P.L.1-1992, SEC.25; P.L.44-1992, SEC.5; P.L.80-1993, SEC.5.

IC 6-6-11-30

Excise tax summary

Sec. 30. Before March 1 of each year the bureau of motor vehicles shall prepare a boat excise tax summary covering the previous boating year. The summary must include the following:

(1) The number of boats by county.

(2) The number of boats by class.

(3) The amount of excise tax collected by class.

The bureau shall send a copy of the summary to the auditor of state, the department of natural resources, and the county assessors.

As added by P.L.98-1989, SEC.1.

IC 6-6-11-31

Boat excise tax fund; state welfare and tuition support allocation amount

Sec. 31. (a) A boat excise tax fund is established in each county. Each county treasurer shall deposit in the fund the taxes received under this chapter.

(b) As used in this subsection, "taxing district" has the meaning set forth in IC 6-1.1-1-20, "taxing unit" has the meaning set forth in IC 6-1.1-1-21, and "tuition support levy" refers to a school corporation's tuition support property tax levy under IC 20-45-3-11 (repealed) for the school corporation's general fund. The excise tax money in the county boat excise tax fund shall be distributed to the taxing units of the county. The county auditor shall allocate the money in the fund among the taxing districts of the county based on the tax situs of each boat. Subject to this subsection, the money allocated to the taxing units shall be apportioned and distributed among the funds of the taxing units in the same manner and at the same time that property taxes are apportioned and distributed (subject to adjustment as provided in IC 36-8-19-7.5). For purposes of determining the distribution for a year under this section for a taxing unit, a state welfare and tuition support allocation shall be deducted from the total amount available for apportionment and distribution to taxing units under this section before any apportionment and distribution is made. The county auditor shall remit the state welfare and tuition support allocation to the treasurer of state for deposit as directed by the budget agency. The amount of the state welfare and tuition support allocation for a county for a particular year is equal to the result determined under STEP THREE of the following formula:

STEP ONE: Determine the result of the following:

(A) Separately for 2006, 2007, and 2008 for each taxing district in the county, determine the result of:

(i) the tax rate imposed in the taxing district for the county's county medical assistance to wards fund, family and children's fund, children's psychiatric residential treatment services fund, county hospital care for the indigent fund, children with special health care needs county fund, plus, in the case of Marion County, the tax rate imposed by the health and hospital corporation that was necessary to raise thirty-five million dollars (\$35,000,000) from all taxing districts in the county; divided by

(ii) the aggregate tax rate imposed in the taxing district for the same year.

(B) Determine the sum of the clause (A) amounts.

(C) Divide the clause (B) amount by three (3).

(D) Determine the result of:

(i) the amount of excise taxes allocated to the taxing district that would otherwise be available for distribution to taxing units in the taxing district; multiplied by

(ii) the clause (C) amount.

(E) Determine the sum of the clause (D) amounts for all taxing districts in the county.

STEP TWO: Determine the result of the following:

(A) Separately for 2006, 2007, and 2008 for each taxing district in the county, determine the result of:

(i) the tuition support levy tax rate imposed in the taxing district plus the tax rate imposed by the school corporation for the school corporation's special education preschool fund in the district; divided by

(ii) the aggregate tax rate imposed in the taxing district for the same year.

(B) Determine the sum of the clause (A) amounts.

(C) Divide the clause (B) amount by three (3).

(D) Determine the result of:

(i) the amount of excise taxes allocated to the taxing district that would otherwise be available for distribution to taxing units in the taxing district; multiplied by

(ii) the clause (C) amount.

(E) Determine the sum of the clause (D) amounts for all taxing districts in the county.

STEP THREE: Determine the sum of the STEP ONE and STEP TWO amounts for the county.

If the boundaries of a taxing district change after the years for which a ratio is calculated under STEP ONE or STEP TWO, the budget agency shall establish a ratio for the new taxing district that reflects the tax rates imposed in the predecessor taxing districts.

As added by P.L.98-1989, SEC.1. Amended by P.L.44-1992, SEC.6; P.L.146-2008, SEC.357; P.L.182-2009(ss), SEC.245.

IC 6-6-11-32

Repealed

(Repealed by P.L.44-1992, SEC.8.)

IC 6-6-11-33

County treasurer; duties

Sec. 33. The county treasurer shall do the following:

(1) At the same time a settlement is made with the county auditor under IC 6-1.1-27, file a report, on a form prescribed by the state board of accounts, with the county auditor concerning the boat excise taxes received during the preceding six (6) month period.

(2) In the manner and at the times prescribed in IC 6-1.1-27, make a settlement with the county auditor for the boat excise taxes received under this chapter.

(3) In the manner prescribed by the state board of accounts, maintain records concerning the boat excise taxes received and distributed.

As added by P.L.98-1989, SEC.1.

IC 6-6-11-34

Repealed

(Repealed by P.L.44-1992, SEC.8.)

IC 6-6-11-35

Department of natural resources; use of funds

Sec. 35. The money set aside from the department of natural resources fees for the department of natural resources under section 29 of this chapter is annually appropriated and shall be used exclusively for the following:

- (1) The enforcement of laws pertaining to watercraft.
- (2) The state's share of the cost of retirement benefits for the department's conservation officers.
- (3) Improving the navigable waters of Indiana.

As added by P.L.98-1989, SEC.1. Amended by P.L.33-1990, SEC.25.

IC 6-6-11-36

Indebtedness of political or municipal corporations; assessed valuation

Sec. 36. For the purpose of the limitations on indebtedness of political or municipal corporations imposed by Article 13, Section 1 of the Constitution of the State of Indiana, a boat subject to taxation under this chapter is considered taxable property within the political or municipal corporation in which the boat has its tax situs. For that purpose, the assessed valuation of the boat is the quotient of:

- (1) the excise tax collected in the county multiplied by one hundred (100); divided by
- (2) the gross property tax rate for the political subdivision or municipal corporation.

As added by P.L.98-1989, SEC.1.