
STATE OF INDIANA

DEPARTMENT OF LOCAL GOVERNMENT FINANCE



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TO: County Auditors and County Treasurers

FROM: Tera Klutz, Auditor of State
Paul Joyce, State Examiner, State Board of Accounts
Wesley Bennett, Commissioner, Department of Local Government Finance

RE: Oil & Gas Assessments – Late Penalty Distributions

DATE: September 17, 2020

This memorandum is provided to assist county auditors and county treasurers with recording and allocating the penalties received under Ind. Code § 6-1.1-4-12.6 from the late submission of the annual Property Schedule for Gas & Oil Well Assessment (Form G & O-1).

On April 24, 2019, Governor Holcomb signed into law House Enrolled Act 1305-2019 (“HEA 1305”), which provides for the imposition of a monetary penalty against owners of oil or gas interests who fail to timely file property schedules. As revised by HEA 1305, the property schedule for gas and oil well assessments (Form G & O-1) shall be submitted with the appropriate assessor by May 15 of each year. If a taxpayer fails to file Form G & O-1 on or before May 15, the county auditor must add a \$25 penalty to the taxpayer’s next property tax installment.

Additionally, the county auditor is required to add an additional penalty to the taxes payable if the taxpayer fails to file the schedule within thirty (30) days after May 15. The additional penalty must be ten percent (10%) of the taxes finally determined to be due with respect to the property that should have been reported on the schedule by May 15.

Any penalties collected by the county treasurer will be certified on County Form No. 49TC in the “Statement of Tax Collections” section. The county auditor will receipt the penalty certified collection into the Settlement Fund #6000 per the State Board of Account’s chart of accounts.

The penalty should be included and apportioned in settlement to the appropriate taxing units. The Auditor of State will include gas and oil assessment late penalties in the Abstract report for submissions due on May 15, 2021. There will be two (2) columns in the Abstract report for late assessment penalties, “Personal Property Late Assessment Penalties,” and “Oil & Gas Late Assessment Penalties” to record these penalties.

Contact Information

Questions may be directed to any of the following:

- Auditor of State: Local Government Division (317) 232-3309 LocalGovernment@auditor.in.gov
- SBOA: Counties (317) 232-2512 counties@sboa.in.gov