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# SENATE BILL No. 163

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 14-8-2; IC 14-19-3-6.

**Synopsis:** County option surcharges on department of natural resources fees. Allows a county containing all or part of an Indiana state park to impose a surcharge on fees collected within the park. Provides that the surcharge is 5% of the gross income derived from the fees. Requires the department of natural resources to collect, report, and pay the surcharge to the county treasurer. Requires that the surcharge be used to assist the local unit of government that provides police protection, fire protection, emergency medical services, or road repairs to the park. Provides that the United States Army Corps of Engineers must approve a surcharge imposed on fees collected within a state park operated by the department of natural resources under a lease arrangement with the United States Army Corps of Engineers before the department collects the surcharge.

**Effective:** July 1, 2001.

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### Nugent, Jackman

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January 8, 2001, read first time and referred to Committee on Finance.

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First Regular Session 112th General Assembly (2001)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

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## SENATE BILL No. 163



A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 14-8-2-7.5 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 7.5. "Annual pass", for  
3 ~~the~~ purposes of IC 14-19-3-5 and **IC 14-8-2-87.7**, has the meaning set  
4 forth in IC 14-19-3-5(a).

5 SECTION 2. IC 14-8-2-87.7 IS ADDED TO THE INDIANA CODE  
6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
7 1, 2001]: **Sec. 87.7. "Fees", for purposes of IC 14-19-3-6, include:**

- 8 **(1) entrance or admission fees;**
- 9 **(2) rental fees, including those for campsites and shelters; and**
- 10 **(3) the price of an annual pass or a Golden Hoosier Passport;**  
11 **which are paid upon or after entering an Indiana state forest, game**  
12 **preserve, park, recreation area, or reservoir. The term does not**  
13 **include amounts paid for food, lodging, or gift shop purchases at**  
14 **a state park inn or other facility operated by a contractual vendor.**

15 SECTION 3. IC 14-19-3-6 IS ADDED TO THE INDIANA CODE  
16 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
17 1, 2001]: **Sec. 6. (a) This section applies to a county containing all**



1 or part of an Indiana state forest, game preserve, park, recreation  
2 area, or reservoir under the jurisdiction of the department.

3 (b) The fiscal body of a county may adopt an ordinance to:

4 (1) impose a surcharge on all fees collected by the department  
5 within the state forest, game preserve, park, recreation area,  
6 or reservoir; and

7 (2) require the department to report the surcharge collected  
8 under the ordinance on forms approved by the county  
9 treasurer.

10 If the county fiscal body adopts an ordinance under this section, it  
11 shall notify the director of the department.

12 (c) The surcharge equals five percent (5%) of the gross income  
13 derived from fees collected by the department within the state  
14 forest, game preserve, park, recreation area, or reservoir.

15 (d) Upon receiving notice from the county fiscal body that it has  
16 adopted an ordinance under this section, the department shall  
17 begin collecting the surcharge within sixty (60) days. The  
18 department shall pay the surcharge collected during a month to the  
19 county treasurer not later than the end of the following month.

20 (e) If the state forest, game preserve, park, recreation area, or  
21 reservoir is located in more than one (1) county, the total surcharge  
22 on fees collected by the department within the state forest, game  
23 preserve, park, recreation area, or reservoir must equal five  
24 percent (5%) of gross income derived from fees collected by the  
25 department. The department shall distribute the surcharge  
26 collected under this section to the adopting county or counties  
27 based on the ratio of the percentage of the state forest, game  
28 preserve, park, recreation area, or reservoir contained within an  
29 adopting county as determined by the department to the total  
30 percentage of the state forest, game preserve, park, recreation  
31 area, or reservoir contained within all adopting counties. A county  
32 must adopt an ordinance under this section to receive the  
33 surcharge.

34 (f) The surcharge collected by the department and paid to the  
35 county treasurer shall be used in accordance with the ordinance  
36 adopted under this section to assist the local unit of government  
37 that provides:

38 (1) police protection;

39 (2) fire protection;

40 (3) services of emergency medical technicians; or

41 (4) road repairs;

42 to the state forest, game preserve, park, recreation area, or

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reservoir under the jurisdiction of the department.

(g) The surcharge allowed by this section applies only to gross income derived from fees collected by the department within the state forest, game preserve, park, recreation area, or reservoir located within the adopting county and is in addition to any applicable tax.

(h) A surcharge imposed on fees collected by the department in a state forest, game preserve, park, recreation area, or reservoir that the department maintains and operates under a lease arrangement with the United States Army Corps of Engineers must be approved by the United States Army Corps of Engineers before the department collects the surcharge.

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