

IC 9-33-3

Chapter 3. Refunds of Certain Fees

IC 9-33-3-1

Applicability; claims for refunds; contents; procedure

Sec. 1. (a) This section applies if:

- (1) the bureau charges a person a fee in an amount greater than required by law and the person pays the fee;
- (2) the bureau charges a person a fee in error and the person pays the fee; or
- (3) a person pays a fee in error to the bureau.

(b) A person described in subsection (a) may file a claim for a refund with the bureau on a form furnished by the bureau. The claim must:

- (1) be filed within three (3) years after the date on which the person pays the fee;
- (2) set forth the amount of the refund that the person is claiming;
- (3) set forth the reasons the person is claiming the refund; and
- (4) include any documentation supporting the claim.

(c) After considering the claim and all evidence relevant to the claim, the bureau shall issue a decision on the claim, stating the part, if any, of the refund allowed and containing a statement of the reasons for any part of the refund that is denied. The bureau shall mail a copy of the decision to the claimant. However, if the bureau allows the full refund claimed, a warrant for the payment of the claim is sufficient notice of the decision.

(d) If a person disagrees with all or part of the bureau's decision, the person may file a petition under IC 9-33-2-3.

As added by P.L.198-2016, SEC.632.

IC 9-33-3-2

Method of refund

Sec. 2. If the bureau determines that a person is entitled to a refund under section 1 of this chapter, the bureau shall refund the amount of overpayment by:

- (1) placing a credit on the person's account with the bureau; or
- (2) warrant issued by the auditor of state drawn on the treasurer of state.

A person may affirmatively elect to receive a refund in the form of a warrant rather than as a credit.

As added by P.L.198-2016, SEC.632.

IC 9-33-3-3

Class action for refunds

Sec. 3. A class action for refunds under this chapter may not be maintained in any court on behalf of any person who has not complied with the requirement of section 1 of this chapter before the

class is certified. A refund under this chapter to a member of a class in a class action is subject to the time limits set forth in section 1 of this chapter based on the time the class member filed the claim with the bureau.

As added by P.L.198-2016, SEC.632.