§ 13-0303. Tax on state-owned underwater lands held under lease or franchise for shellfish cultivation.

1. Tax. There shall be an annual tax of one dollar per acre on all state-owned underwater lands held by franchise for shellfish cultivation. The tax shall be levied and assessed by the department before February 1 each year on such lands held on August 1 of the preceding year. Written notice shall be mailed to each grantee showing the number of acres so assessed and the amount of tax thereon. The department shall keep an assessment book showing annually the names and addresses of all grantees, the number and location of acres held by each, the amount of tax payable and date and amount of any tax paid.

2. Payment. Such tax shall be paid on or before April 1 each year. Such tax shall be a first lien upon all the property subject thereto, including the shellfish thereon from February 1 in the year levied.

3. Collection of tax. If any tax shall not be paid on or before April 1, the department shall issue a warrant for collection thereof, with interest thereon at one per centum per month from the day such tax became due and payable until paid, together with all fees incurred in collecting such tax, and deliver such warrant to the sheriff of the county within whose jurisdiction the lands are situate for collection. All moneys received by the department in payment of taxes and interest thereon shall be accounted for and paid by it, within thirty days after its receipt, to the Division of Finance in the Department of Taxation and Finance, for the benefit of the state.

4. Reversion of lands for non-payment of taxes. Land under water granted to individuals by franchise for shellfish cultivation by the department shall revert to state-owned public grounds if the owner defaults in payment of franchise taxes for a period of one year after such tax became due and payable.

5. Franchises not transferable. Franchised lands under water held for shellfish cultivation when returned to the state by default in payment of taxes may not be assigned, reassigned, or transferred to a new owner

or owners. Such lands may be leased by the department for shellfish cultivation as provided in section 13-0301.

6. Tax in lieu of other taxes. The tax imposed by this section shall be in lieu of all other taxes on the property on which it is imposed, and no other tax except as provided herein shall be levied or imposed on such lands, or the shellfish thereon, by any authority whatsoever.