

HOUSE BILL No. 1222

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-8-2-243.5; IC 14-27-7.5.

Synopsis: Regulation of dams. Exempts retention ponds from dam regulations.

Effective: July 1, 2026.

Lopez

January 5, 2026, read first time and referred to Committee on Natural Resources.



Introduced

Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1222

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 14-8-2-243.5 IS ADDED TO THE INDIANA
2 CODE AS A NEW SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2026]: Sec. 243.5. **"Retention pond"**, for
4 **purposes of IC 14-27-7.5, has the meaning set forth in**
5 **IC 14-27-7.5-4.5.**

6 SECTION 2. IC 14-27-7.5-1, AS AMENDED BY P.L.129-2022,
7 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2026]: Sec. 1. (a) This chapter does not apply to the following:

9 (1) A structure that meets the following conditions:
10 (A) Is built for the sole purpose of erosion control, watering
11 livestock, recreation, or providing a haven or refuge for fish or
12 wildlife.
13 (B) Has a drainage area above the dam of not more than one
14 (1) square mile.
15 (C) Does not exceed twenty (20) feet in height.
16 (D) Does not impound a volume of more than one hundred
17 (100) acre-feet of water.



(2) A structure that is regulated under the federal Mine Safety and Health Act of 1977, unless the structure is proposed to be retained as a permanent structure after bond release.

(3) Except for a structure under subsection (b), a structure that is a low hazard dam or a significant hazard dam that meets only one (1) of the following conditions:

(A) Has a drainage area above

- (1) square mile.
- (B) Does not exceed twenty (20) feet in height.
- (C) Does not impound a volume of more than one hundred (100) acre-feet of water.

(4) A retention pond.

(b) This chapter applies to a structure that is listed on the roster of low head dams provided in IC 14-27-7.3.

SECTION 3. IC 14-27-7.5-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 4.5. As used in this chapter, "retention pond" means a manmade basin that is:**

(1) designed to collect and store surface water in an impervious membrane liner; and

(2) not connected to a natural:

- (A) river;
- (B) stream; or

(C) lake.

