



SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1355 be amended to read as follows:

- 1 Page 2, delete lines 11 through 17, begin a new line blocked
2 indented and insert:
3 **"(5) The department shall make a determination on a manure**
4 **treatment facility, control facility, or animal feeding structure**
5 **for purposes of section 1 of this chapter within ninety (90)**
6 **days of the:**
7 **(A) preapplication meeting; or**
8 **(B) day the potential applicant submits required changes**
9 **to the department under subdivision (4)."**
- 10 Page 5, after line 18, begin a new paragraph and insert:
11 "SECTION 6. IC 13-18-10-4.5 IS ADDED TO THE INDIANA
12 CODE AS A NEW SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2026]: **Sec. 4.5. (a) A person that installs an**
14 **earthen berm at a manure storage facility shall do the following:**
15 **(1) Stabilize the earthen berm with vegetation or alternative**
16 **erosion control measures.**
17 **(2) Maintain the earthen berm to allow for visual inspection**
18 **for conditions that may compromise the earthen berm's**
19 **performance.**
20 **(b) A person must confine:**
21 **(1) trees;**
22 **(2) shrubs; or**
23 **(3) other vegetation;**
24 **to the exterior of the earthen berm at a minimum distance of**
25 **sixteen (16) feet from the interior of the earthen berm.**
26 **(c) A person shall maintain all vegetation established on or**
27 **adjacent to an earthen berm in a condition that does not obstruct**

- 1 **inspection or threaten the earthen berm's integrity."**
- 2 Renumber all SECTIONS consecutively.
(Reference is to EHB 1355 as printed February 10, 2026.)

Senator NIEMEYER