

PROPOSED AMENDMENT

HB 1355 # 2

DIGEST

Confined feeding operations. Replaces "preconstruction meeting" with "preapplication meeting". Provides that the department of environmental management (department) must refund the application fee in certain circumstances. Provides that certain confined feeding operations do not need to use certain equipment for solid manure produced by livestock. Prohibits the department from requiring an existing permit holder, who is applying to expand an operation, to update a previously approved facility or structure. Creates an exception regarding when certain confined feeding operations are considered a permitted use.

- 1 Page 1, line 4, delete "preconstruction" and insert "**preapplication**".
- 2 Page 1, line 13, delete "preconstruction" and insert "**preapplication**".
- 3 Page 2, line 1, delete "preconstruction" and insert "**preapplication**".
- 4 Page 2, line 2, delete "preconstruction" and insert "**preapplication**".
- 5 Page 2, line 9, delete "preconstruction" and insert "**preapplication**".
- 6 Page 2, line 12, delete "preconstruction" and insert "**preapplication**".
- 7 Page 2, line 15 through 18, begin a new paragraph and
10 insert:
11 **"(b) If the department fails to approve or deny an application
12 not more than ninety (90) days after the date on which the
13 applicant makes a reasonable effort to provide notice under section
14 2(b) of this chapter, the department shall refund the fee described
15 in section 2 of this chapter to the applicant. After the department
16 issues the refund to the applicant, the department shall continue
17 working on the application and issue the application as soon as
18 possible."**
- 19 Page 4, line 23, delete "endorsed" and insert "**certified**".
- 20 Page 4, line 25 through 40, begin a new paragraph and
21 insert:
22 "SECTION 3. IC 13-18-10-2.4 IS ADDED TO THE INDIANA
23 CODE AS A NEW SECTION TO READ AS FOLLOWS

1 [EFFECTIVE JULY 1, 2026]: Sec. 2.4. (a) Except as provided in
2 subsection (b), the department may not require an applicant that
3 applies for approval under section 1 of this chapter for a facility
4 that will contain solid manure produced from livestock on:

5 (1) strawpack; or
6 (2) dry pack bedding;

7 to implement design requirements typically associated with liquid
8 manure.

9 (b) A facility that receives solid manure produced from livestock
10 on:

11 (1) strawpack; or
12 (2) dry pack bedding;

13 shall control runoff if precipitation or surface water comes in
14 contact with the manure.

15 SECTION 4. IC 13-18-10-2.5 IS ADDED TO THE INDIANA
16 CODE AS A NEW SECTION TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2026]: Sec. 2.5. The department may not
18 require a current permit holder that is applying to amend a permit
19 issued under section 1 of this chapter to update or make changes to
20 an existing permitted facility or structure if the new facility or
21 structure does not impact an existing facility or structure.".

22 Page 5, delete lines 18 through 20, begin a new paragraph and
23 insert:

24 "(b) Notwithstanding any ordinance or regulation to the
25 contrary, a confined feeding operation is a permitted use, if the
26 project or development is situated on land zoned for agricultural
27 use. However, this subsection does not apply to a project or
28 development situated on land within:

29 (1) a municipality; or
30 (2) the contiguous unincorporated area within two (2) miles
31 from the corporate boundaries of the municipality.".

32 Renumber all SECTIONS consecutively.

(Reference is to HB 1355 as introduced.)