



Adopted	Rejected
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## COMMITTEE REPORT

YES:	10
NO:	3

### MR. SPEAKER:

*Your Committee on Environmental Affairs, to which was referred House Bill 1355, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 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, delete lines 15 through 18, begin a new paragraph and
- 8       insert:  
**"(b) If the department fails to approve or deny an application not more than ninety (90) days after the date on which the**

1       **applicant makes a reasonable effort to provide notice under section**  
2       **2(b) of this chapter, the department shall refund the fee described**  
3       **in section 2 of this chapter to the applicant. After the department**  
4       **issues the refund to the applicant, the department shall continue**  
5       **working on the application and issue the application as soon as**  
6       **possible.".**

7       Page 4, line 23, delete "endorsed" and insert "**certified**".

8       Page 4, delete lines 25 through 40, begin a new paragraph and  
9       insert:

10       "SECTION 3. IC 13-18-10-2.4 IS ADDED TO THE INDIANA  
11       CODE AS A NEW SECTION TO READ AS FOLLOWS  
12       [EFFECTIVE JULY 1, 2026]: Sec. 2.4. (a) **Except as provided in**  
13       **subsection (b), the department may not require an applicant that**  
14       **applies for approval under section 1 of this chapter for a facility**  
15       **that will contain solid manure produced from livestock on:**

16       (1) strawpack; or

17       (2) dry pack bedding;

18       **to implement design requirements typically associated with liquid**  
19       **manure.**

20       (b) **A facility that receives solid manure produced from livestock**  
21       **on:**

22       (1) strawpack; or

23       (2) dry pack bedding;

24       **shall control runoff if precipitation or surface water comes in**  
25       **contact with the manure.**

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

33       Page 5, delete lines 18 through 20, begin a new paragraph and  
34       insert:

35       **"(b) Notwithstanding any ordinance or regulation to the**  
36       **contrary, a confined feeding operation is a permitted use, if the**  
37       **project or development is situated on land zoned for agricultural**  
38       **use. However, this subsection does not apply to a project or**

1       **development situated on land within:**  
2           **(1) a municipality; or**  
3           **(2) the contiguous unincorporated area within two (2) miles**  
4           **from the corporate boundaries of the municipality.".**   
5       Renumber all SECTIONS consecutively.  
(Reference is to HB 1355 as introduced.)

**and when so amended that said bill do pass.**

Representative Baird