
HOUSE BILL No. 1355

AM135503 has been incorporated into January 22, 2026 printing.

Synopsis: Confined feeding operations.

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January 22, 2026

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.

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HOUSE BILL No. 1355

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 13-18-10-1.3 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2026]: **Sec. 1.3. (a) A potential applicant may**
4 **request a preapplication meeting with the department, which**
5 **requires the following:**
6 (1) **The potential applicant to submit the engineered designs**
7 **of:**
8 (A) **a manure treatment facility;**
9 (B) **a control facility; or**
10 (C) **an animal feeding structure;**
11 **to the department.**
12 (2) **The department shall:**
13 (A) **review the designs; and**
14 (B) **schedule a preapplication meeting;**
15 **within thirty (30) days of receiving the designs from the**
16 **potential applicant.**
17 (3) **The potential applicant and the department shall discuss**

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1 **the plans and specifications for the design and operation of**
 2 **an animal feeding structure at the preapplication meeting.**
 3 **(4) If at a preapplication meeting the department requests**
 4 **changes to the:**
 5 **(A) manure treatment facility;**
 6 **(B) control facility; or**
 7 **(C) animal feeding structure;**
 8 **the potential applicant shall resubmit the necessary plans or**
 9 **specifications within forty-five (45) days of the**
 10 **preapplication meeting.**
 11 **(5) The department shall approve the manure treatment**
 12 **facility, control facility, or animal feeding structure for**
 13 **purposes of section 1 of this chapter within ninety (90) days**
 14 **of the:**
 15 **(A) preapplication meeting; or**
 16 **(B) day the potential applicant submits required changes**
 17 **to the department under subdivision (4).**
 18 **(b) A potential applicant who receives an approval in**
 19 **accordance with this section must file an application under section**
 20 **2 of this chapter and comply with the other relevant requirements**
 21 **of this chapter notwithstanding the approval.**
 22 SECTION 2. IC 13-18-10-2.1, AS AMENDED BY P.L.199-2014,
 23 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2026]: Sec. 2.1. (a) The department:
 25 (1) shall make a determination on an application submitted
 26 under section 2 of this chapter not later than ninety (90) days
 27 after the date the department receives the completed application,
 28 including all required supplemental information, unless the
 29 department and the applicant agree to a longer time; and
 30 (2) may conduct any inquiry or investigation, consistent with the
 31 department's duties under this chapter, the department considers
 32 necessary before making a determination.
 33 (b) If the department fails to make a determination on an
 34 application not later than ninety (90) days after the date the department
 35 receives the completed application, the ~~applicant may request and~~
 36 **receive department shall issue** a refund of an approval application fee
 37 paid by the applicant, and the commissioner shall:
 38 (1) continue to review the application;
 39 (2) approve or deny the application as soon as practicable; and
 40 (3) refund the applicant's application fee not later than
 41 twenty-five (25) working days after the receipt of the applicant's
 42 request.

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1 (c) The commissioner may suspend the processing of an
 2 application and the ninety (90) day period described under this section
 3 if the department determines within thirty (30) days after the
 4 department receives the application that the application is incomplete
 5 and has mailed a notice of deficiency to the applicant that specifies the
 6 parts of the application that:

- 7 (1) do not contain adequate information for the department to
 8 process the application; or
 9 (2) are not consistent with applicable law.

10 (d) The department may establish requirements in an approval
 11 regarding that part of the confined feeding operation that concerns
 12 manure handling and application to assure compliance with:

- 13 (1) this chapter;
 14 (2) rules adopted under this chapter;
 15 (3) the water pollution control laws;
 16 (4) rules adopted under the water pollution control laws; and
 17 (5) policies and statements adopted under IC 13-14-1-11.5
 18 relative to confined feeding operations.

19 (e) Subject to subsection (f), the commissioner may deny an
 20 application upon making either or both of the following findings:

- 21 (1) A responsible party intentionally misrepresented or
 22 concealed any material fact in either or both of the following:

- 23 (A) An application for approval under section 1 of this
 24 chapter.
 25 (B) A disclosure statement required by section 1.4 of this
 26 chapter.

- 27 (2) An enforcement action was resolved against a responsible
 28 party as described in either or both of the following:

- 29 (A) Section 1.4(c)(5) of this chapter.
 30 (B) Section 1.4(c)(6) of this chapter.

31 (f) Before making a determination to approve or deny a
 32 application, the commissioner must consider the following factors:

- 33 (1) The nature and details of the acts attributed to the responsible
 34 party.
 35 (2) The degree of culpability of the responsible party.
 36 (3) The responsible party's cooperation with the state, federal, or
 37 foreign agencies involved in the investigation of the activities
 38 involved in actions referred to in section 1.4(c)(5) and 1.4(c)(6)
 39 of this chapter.
 40 (4) The responsible party's dissociation from any other persons
 41 or entities convicted in a criminal enforcement action referred to

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- 1 in section 1.4(c)(5) and 1.4(c)(6) of this chapter.
 2 (5) Prior or subsequent self-policing or internal education
 3 programs established by the responsible party to prevent acts,
 4 omissions, or violations referred to in section 1.4(c)(5) and
 5 1.4(c)(6) of this chapter.
 6 (g) Except as provided in subsection (h), in taking action under
 7 subsection (e), the commissioner must make separately stated findings
 8 of fact to support the action taken. The findings of fact must:
 9 (1) include a statement of ultimate fact; and
 10 (2) be accompanied by a concise statement of the underlying
 11 basic facts of record to support the findings.
 12 (h) If the commissioner denies an application under subsection (e),
 13 the commissioner is not required to explain the extent to which any of
 14 the factors set forth in subsection (f) influenced the denial.
 15 (i) The department may amend an approval under section 1 of this
 16 chapter or revoke an approval under section 1 of this chapter:
 17 (1) for failure to comply with:
 18 (A) this chapter;
 19 (B) rules adopted under this chapter;
 20 (C) the water pollution control laws; or
 21 (D) rules adopted under the water pollution control laws;
 22 and
 23 (2) as needed to prevent discharges of manure into the
 24 environment that pollute or threaten to pollute the waters of the
 25 state.
 26 **(j) The department may not require changes to the design of**
 27 **a confined feeding operation if the design:**
 28 **(1) complies with this chapter; and**
 29 **(2) is submitted and certified by a professional engineer**
 30 **registered under IC 25-31-1.**
 31 SECTION 3. IC 13-18-10-2.4 IS ADDED TO THE INDIANA
 32 CODE AS A NEW SECTION TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2026]: **Sec. 2.4. (a) Except as provided in**
 34 **subsection (b), the department may not require an applicant that**
 35 **applies for approval under section 1 of this chapter for a facility**
 36 **that will contain solid manure produced from livestock on:**
 37 **(1) strawpack; or**
 38 **(2) dry pack bedding;**
 39 **to implement design requirements typically associated with liquid**
 40 **manure.**
 41 **(b) A facility that receives solid manure produced from**
 42 **livestock on:**

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- 1 **(1) strawpack; or**
- 2 **(2) dry pack bedding;**
- 3 **shall control runoff if precipitation or surface water comes in**
- 4 **contact with the manure.**

5 SECTION 4. IC 13-18-10-2.5 IS ADDED TO THE INDIANA
6 CODE AS A NEW SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2026]: **Sec. 2.5. The department may not**
8 **require a person who has received an approval under section 1 of**
9 **this chapter to update or make changes to an existing approved**
10 **facility or structure as part of a new application if the new facility**
11 **or structure does not impact the existing approved facility or**
12 **structure.**

13 SECTION 5. IC 13-18-10-2.8 IS ADDED TO THE INDIANA
14 CODE AS A NEW SECTION TO READ AS FOLLOWS
15 [EFFECTIVE JULY 1, 2026]: **Sec. 2.8. The department shall:**

- 16 **(1) designate an employee as the point of contact for**
- 17 **applicants and interested applicants to submit questions**
- 18 **concerning the application process described in this chapter;**
- 19 **and**
- 20 **(2) distribute the designated employee's contact information**
- 21 **to all operating confined feeding operations.**

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