



February 12, 2026

ENGROSSED

SENATE BILL No. 224

DIGEST OF SB 224 (Updated February 11, 2026 9:09 am - DI 148)

Citations Affected: IC 14-8; IC 14-10; IC 14-11; IC 14-12; IC 14-13; IC 14-15; IC 14-16; IC 14-21; IC 14-22; IC 14-23; IC 14-30; IC 14-30.5; IC 14-33.

Synopsis: Department of natural resources. Defines various terms. Amends and removes various definitions. Makes various changes to natural resources commission procedures. Makes various changes to the department of natural resources (department) powers and duties. Removes the hometown Indiana grant program. Amends various boating and wakeboard regulations. Raises the financial threshold for certain actions in a boating accident from \$750 to \$2,000. Raises the financial threshold for certain actions in an off-road vehicle accident from \$750 to \$2,500. Establishes various restrictions on landowner liability to recreational users. Provides that various restrictions on landowner liability do not apply to a parcel of land assessed as
(Continued next page)

Effective: July 1, 2026.

Glick, Tomes

(HOUSE SPONSORS — LINDAUER, ABBOTT)

January 8, 2026, read first time and referred to Committee on Natural Resources.
January 27, 2026, amended, reported favorably — Do Pass.
January 28, 2026, read second time, ordered engrossed. Engrossed.
January 29, 2026, read third time, passed. Yeas 48, nays 0.

HOUSE ACTION

February 2, 2026, read first time and referred to Committee on Natural Resources.
February 12, 2026, amended, reported — Do Pass.

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Digest Continued

residential land. Removes the penalty for a person who acts as a hunting guide without a guide license. Allows the division of water to perform certain functions on behalf of the natural resources commission. Requires the natural resources commission to coordinate with the department for purposes of a reporting requirement regarding conservancy districts. Establishes a consolidated chapter for river basin commission administration. Repeals existing, separate chapters for the Maumee River basin commission, the St. Joseph River basin commission, and the Upper Wabash River basin commission. Creates a new chapter for a river basin commission's conversion into a watershed development commission. Makes technical and conforming changes.



February 12, 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.

ENGROSSED SENATE BILL No. 224

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 14-8-1-1 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2026]: Sec. 1. Except as otherwise provided,
3 the definitions in this article apply throughout this title **and 312 IAC.**
4 SECTION 2. IC 14-8-2-20, AS AMENDED BY P.L.99-2025,
5 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2026]: Sec. 20. "Basin" has the following meaning:
7 (1) For purposes of IC 14-13-9, the meaning set forth in
8 IC 14-13-9-1.
9 (2) For purposes of IC 14-25-1, the meaning set forth in section
10 1.2 of IC 14-25-15-1.
11 (3) For purposes of IC 14-25-17, the meaning set forth in
12 IC 14-25-17-3.
13 (4) For purposes of IC 14-30-2, the meaning set forth in
14 IC 14-30-2-1.
15 (5) For purposes of IC 14-30-3, the meaning set forth in

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- 1 ~~IC 14-30-3-1.~~
 2 (6) For purposes of ~~IC 14-30-4~~, the meaning set forth in
 3 ~~IC 14-30-4-1.~~
 4 SECTION 3. IC 14-8-2-48, AS AMENDED BY P.L.251-2023,
 5 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2026]: Sec. 48. (a) "Commission", except as provided in this
 7 section, refers to the natural resources commission.
 8 (b) "Commission", for purposes of IC 14-13-1, has the meaning set
 9 forth in IC 14-13-1-1.
 10 (c) "Commission", for purposes of IC 14-13-2, has the meaning set
 11 forth in IC 14-13-2-2.
 12 (d) "Commission", for purposes of IC 14-13-4, has the meaning set
 13 forth in IC 14-13-4-1.
 14 (e) "Commission", for purposes of IC 14-13-5, has the meaning set
 15 forth in IC 14-13-5-1.
 16 (f) "Commission", for purposes of IC 14-13-6, has the meaning set
 17 forth in IC 14-13-6-2.
 18 (g) "Commission", for purposes of IC 14-13-9, has the meaning set
 19 forth in IC 14-13-9-2.
 20 (h) "Commission", for purposes of IC 14-20-11, has the meaning set
 21 forth in IC 14-20-11-1.
 22 (i) "Commission", for purposes of IC 14-28-4, has the meaning set
 23 forth in IC 14-28-4-1.
 24 (j) "Commission", for purposes of ~~IC 14-30-2~~, **IC 14-30-6**, has the
 25 meaning set forth in ~~IC 14-30-2-2~~. **IC 14-30-6-1.**
 26 (k) "Commission", for purposes of ~~IC 14-30-3~~, **IC 14-30-7-1**, has
 27 the meaning set forth in ~~IC 14-30-3-2~~. **IC 14-30-7-1.**
 28 (l) "Commission", for purposes of ~~IC 14-30-4~~, **IC 14-30-7-2**, has the
 29 meaning set forth in ~~IC 14-30-4-2~~. **IC 14-30-7-2.**
 30 **(m) "Commission", for purposes of IC 14-30-7-3, has the**
 31 **meaning set forth in IC 14-30-7-3.**
 32 ~~(m)~~ **(n)** "Commission", for purposes of IC 14-30.5, has the meaning
 33 set forth in IC 14-30.5-1-2.
 34 ~~(m)~~ **(o)** "Commission", for purposes of IC 14-33-20, has the meaning
 35 set forth in IC 14-33-20-2.
 36 SECTION 4. IC 14-8-2-57 IS REPEALED [EFFECTIVE JULY 1,
 37 2026]. Sec. 57. "Corporation", for purposes of ~~IC 14-12-3~~, has the
 38 meaning set forth in ~~IC 14-12-3-1~~.
 39 SECTION 5. IC 14-8-2-86.2, AS ADDED BY P.L.251-2023,
 40 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2026]: Sec. 86.2. "Executive", for purposes of ~~IC 14-30-3-33~~
 42 and IC 14-30.5, has the meaning set forth in IC 14-30.5-1-4.



1 SECTION 6. IC 14-8-2-107, AS AMENDED BY P.L.127-2022,
 2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2026]: Sec. 107. "Fund" has the following meaning:

4 (1) For purposes of IC 14-9-5, the meaning set forth in
 5 IC 14-9-5-1.

6 (2) For purposes of IC 14-9-8-21, the meaning set forth in
 7 IC 14-9-8-21.

8 (3) For purposes of IC 14-9-8-21.5, the meaning set forth in
 9 IC 14-9-8-21.5.

10 (4) For purposes of IC 14-9-9, the meaning set forth in
 11 IC 14-9-9-3.

12 (5) For purposes of IC 14-12-1, the meaning set forth in
 13 IC 14-12-1-1.

14 (6) For purposes of IC 14-12-2, the meaning set forth in
 15 IC 14-12-2-2.

16 ~~(7) For purposes of IC 14-12-3, the meaning set forth in~~
 17 ~~IC 14-12-3-2.~~

18 ~~(8)~~ (7) For purposes of IC 14-13-1, the meaning set forth in
 19 IC 14-13-1-2.

20 ~~(9)~~ (8) For purposes of IC 14-13-2, the meaning set forth in
 21 IC 14-13-2-3.

22 ~~(10)~~ (9) For purposes of IC 14-16-1, the meaning set forth in
 23 IC 14-16-1-30.

24 ~~(11)~~ (10) For purposes of IC 14-19-8, the meaning set forth in
 25 IC 14-19-8-1.

26 ~~(12)~~ (11) For purposes of IC 14-19-11, the meaning set forth in
 27 IC 14-19-11-3.1.

28 ~~(13)~~ (12) For purposes of IC 14-20-11, the meaning set forth in
 29 IC 14-20-11-2.

30 ~~(14)~~ (13) For purposes of IC 14-22-3, the meaning set forth in
 31 IC 14-22-3-1.

32 ~~(15)~~ (14) For purposes of IC 14-22-4, the meaning set forth in
 33 IC 14-22-4-1.

34 ~~(16)~~ (15) For purposes of IC 14-22-5, the meaning set forth in
 35 IC 14-22-5-1.

36 ~~(17)~~ (16) For purposes of IC 14-22-8, the meaning set forth in
 37 IC 14-22-8-1.

38 ~~(18)~~ (17) For purposes of IC 14-22-34, the meaning set forth in
 39 IC 14-22-34-2.

40 ~~(19)~~ (18) For purposes of IC 14-23-3, the meaning set forth in
 41 IC 14-23-3-1.

42 ~~(20)~~ (19) For purposes of IC 14-25-2-4, the meaning set forth in



- 1 IC 14-25-2-4.
 2 ~~(21)~~ **(20)** For purposes of IC 14-25-10, the meaning set forth in
 3 IC 14-25-10-1.
 4 ~~(22)~~ **(21)** For purposes of IC 14-25.5, the meaning set forth in
 5 IC 14-25.5-1-3.
 6 ~~(23)~~ **(22)** For purposes of IC 14-31-2, the meaning set forth in
 7 IC 14-31-2-5.
 8 ~~(24)~~ **(23)** For purposes of IC 14-25-12, the meaning set forth in
 9 IC 14-25-12-1.
 10 ~~(25)~~ **(24)** For purposes of IC 14-32-8, the meaning set forth in
 11 IC 14-32-8-1.
 12 ~~(26)~~ **(25)** For purposes of IC 14-33-14, the meaning set forth in
 13 IC 14-33-14-3.
 14 ~~(27)~~ **(26)** For purposes of IC 14-33-21, the meaning set forth in
 15 IC 14-33-21-1.
 16 ~~(28)~~ **(27)** For purposes of IC 14-34-6-15, the meaning set forth in
 17 IC 14-34-6-15.
 18 ~~(29)~~ **(28)** For purposes of IC 14-34-14, the meaning set forth in
 19 IC 14-34-14-1.
 20 ~~(30)~~ **(29)** For purposes of IC 14-34-19-1.3, the meaning set forth
 21 in IC 14-34-19-1.3(a).
 22 ~~(31)~~ **(30)** For purposes of IC 14-34-19-1.5, the meaning set forth
 23 in IC 14-34-19-1.5(a).
 24 ~~(32)~~ **(31)** For purposes of IC 14-37-10, the meaning set forth in
 25 IC 14-37-10-1.

26 SECTION 7. IC 14-8-2-159 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 159. "Maumee River
 28 basin", for purposes of ~~IC 14-30-2~~, **IC 14-30-6 and IC 14-30-7**, has the
 29 meaning set forth in ~~IC 14-30-2-3~~. **IC 14-30-7-1.**

30 SECTION 8. IC 14-8-2-170 IS REPEALED [EFFECTIVE JULY 1,
 31 2026]. Sec. 170: "Municipal corporation"; for purposes of ~~IC 14-12-3~~;
 32 has the meaning set forth in ~~IC 14-12-3-3~~.

33 SECTION 9. IC 14-8-2-198 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 198. "Participating
 35 county" has the following meaning:

- 36 (1) For purposes of ~~IC 14-30-2~~, **IC 14-30-6**, the meaning set forth
 37 in ~~IC 14-30-2-4~~. **IC 14-30-6-1.**
 38 (2) For purposes of ~~IC 14-30-3~~, **IC 14-30-7-1**, the meaning set
 39 forth in ~~IC 14-30-3-3~~. **IC 14-30-7-1.**
 40 (3) For purposes of ~~IC 14-30-4~~, **IC 14-30-7-2**, the meaning set
 41 forth in ~~IC 14-30-4-3~~. **IC 14-30-7-2.**
 42 **(4) For purposes of IC 14-30-7-3, the meaning set forth in**



1 **IC 14-30-7-3.**

2 SECTION 10. IC 14-8-2-206 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 206. "Plan", ~~has the~~
4 ~~following meaning:~~

5 (1) for purposes of IC 14-21-1, ~~has~~ the meaning set forth in
6 IC 14-21-1-8.

7 (2) For purposes of ~~IC 14-30-2~~, the meaning set forth in
8 ~~IC 14-30-2-5~~.

9 (3) For purposes of ~~IC 14-30-4~~, the meaning set forth in
10 ~~IC 14-30-4-4~~.

11 SECTION 11. IC 14-8-2-208, AS AMENDED BY P.L.138-2018,
12 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2026]: Sec. 208. "Political subdivision" has the following
14 meaning:

15 (1) For purposes of IC 14-12-1, the meaning set forth in
16 IC 14-12-1-2.

17 (2) For purposes of IC 14-13-2, ~~and IC 14-30-3~~, the meaning set
18 forth in IC 36-1-2-13.

19 (3) For purposes of IC 14-32-8, the meaning set forth in
20 IC 14-32-8-2.

21 SECTION 12. IC 14-8-2-216 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 216. ~~(a) "Program"~~, for
23 ~~purposes of IC 14-12-3~~, ~~has the meaning set forth in IC 14-12-3-4~~.

24 ~~(b)~~ (a) "Program", for purposes of IC 14-23-6.5, has the meaning set
25 forth in IC 14-23-6.5-1.

26 ~~(c)~~ (b) "Program", for purposes of IC 14-32-8, has the meaning set
27 forth in IC 14-32-8-3.

28 SECTION 13. IC 14-8-2-263 IS AMENDED TO READ AS
29 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 263. "St. Joseph River
30 basin", for purposes of ~~IC 14-30-3~~, **IC 14-30-6 and IC 14-30-7**, has the
31 meaning set forth in ~~IC 14-30-3-4~~. **IC 14-30-7-2.**

32 SECTION 14. IC 14-8-2-291.5 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 291.5. "Upper Wabash
34 River basin", for purposes of ~~IC 14-30-4~~, **IC 14-30-6 and IC 14-30-7**,
35 has the meaning set forth in ~~IC 14-30-4-5~~. **IC 14-30-7-3.**

36 SECTION 15. IC 14-8-2-320 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 320. "Wildlife" has the
38 following meaning:

39 (1) For purposes of IC 14-22, except as provided in subdivision

40 (2), **means** all wild birds, **fish, crustaceans, mollusks,**
41 **amphibians, reptiles,** and ~~wild~~ mammals.

42 (2) For purposes of IC 14-22-34, the meaning set forth in



1 IC 14-22-34-6.

2 SECTION 16. IC 14-10-1-7 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) The commission
4 shall have at least four (4) regular meetings in each fiscal year and as
5 many additional or special meetings as the commission's business,
6 powers, or duties require.

7 (b) The chairman:

8 (1) may call a special meeting; and

9 (2) shall call a special meeting at the request of any five (5)
10 members.

11 (c) A:

12 (1) meeting of the commission; or

13 (2) public hearing;

14 is subject to IC 5-14-1.5.

15 SECTION 17. IC 14-10-2-9 IS ADDED TO THE INDIANA CODE
16 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
17 1, 2026]: Sec. 9. (a) **A person who wishes to obtain judicial review
18 of a final agency action under this title must serve copies of a
19 petition for judicial review upon:**

20 (1) each person described in IC 4-21.5-5-8; and

21 (2) the following persons under IC 4-21.5-5-8(a)(4):

22 (A) If the department or the state historic preservation
23 review board is a party to a proceeding, a copy of the
24 petition required under IC 4-21.5-5-8(a)(4) must be served
25 upon the department or state historic preservation review
26 board, as applicable, to the address published on the
27 website of the department.

28 (B) If the Indiana board of licensure for professional
29 geologists is a party to a proceeding, a copy of the petition
30 required under IC 4-21.5-5-8(a)(4) must be served upon
31 the Indiana board of licensure for professional geologists
32 at the address published on the website of the state
33 geologist.

34 (C) If the Indiana board of registration for soil scientists is
35 a party to a proceeding, a copy of the petition required
36 under IC 4-21.5-5-8(a)(4) must be served upon the Indiana
37 board of registration for soil scientists to the address
38 published on the website of the office of the state chemist.

39 (b) The following agencies shall publish their office address on
40 their official website so a person may serve copies of judicial
41 review:

42 (1) The department.

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- 1 **(2) The state geologist.**
 2 **(3) The office of the state chemist.**
 3 SECTION 18. IC 14-11-2-1, AS AMENDED BY P.L.246-2005,
 4 SECTION 116, IS AMENDED TO READ AS FOLLOWS
 5 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The department may adopt
 6 rules under IC 4-22-2 for ~~the conduct of~~ the following:
 7 (1) Department meetings.
 8 (2) Upon the recommendation of the director, the work of the
 9 department and the divisions.
 10 (b) The department may not adopt rules under IC 4-22-2 for the
 11 establishment of fees for the following:
 12 (1) Programs of the department or the commission.
 13 (2) Facilities owned or operated by the department or the
 14 commission or a lessee of the department or commission.
 15 (3) Licenses issued by the commission, the department, or the
 16 director.
 17 (4) Inspections or other similar services under this title performed
 18 by the department or an assistant or employee of the department.
 19 **(c) The director shall:**
 20 **(1) adopt provisional rules under IC 4-22-2-37.1;**
 21 **(2) adopt interim rules under IC 4-22-2-37.2; and**
 22 **(3) approve for preliminary adoption rules for readoption**
 23 **under IC 4-22-2.6 that do not contain changes to the rules.**
 24 SECTION 19. IC 14-11-2-2 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. A person who
 26 violates a rule adopted under this chapter commits a Class C infraction,
 27 **unless otherwise specified by law.**
 28 SECTION 20. IC 14-11-4-1, AS AMENDED BY P.L.89-2016,
 29 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2026]: Sec. 1. This chapter applies to applications for licenses
 31 under the following:
 32 (1) IC 14-26-2 (lake preservation).
 33 (2) IC 14-26-5 (~~dams~~): **(lowering of Ten Acre Lake).**
 34 **(3) IC 14-27 (levees, dams, and drainage).**
 35 ~~(4) IC 14-28-1 (flood control).~~
 36 **(5) IC 14-29-1 (navigable waterways).**
 37 ~~(6) IC 14-29-3 (removal of substances from streams): (sand~~
 38 **and gravel permits).**
 39 ~~(7) IC 14-29-4 (construction of channels).~~
 40 SECTION 21. IC 14-12-3 IS REPEALED [EFFECTIVE JULY 1,
 41 2026]. (Hometown Indiana Grant Program).
 42 SECTION 22. IC 14-13-6-20, AS AMENDED BY P.L.118-2009,



1 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2026]: Sec. 20. The commission may use the Wabash River
3 heritage corridor commission fund to pay:

- 4 (1) reimbursement of the expenses of members under section 13
5 of this chapter;
6 (2) other administrative costs and expenses reasonably incurred
7 under this chapter, including expenses for publications and
8 postage; and
9 (3) costs incurred in fulfilling the directives of the Wabash River
10 heritage corridor commission master plan, including multicounty
11 projects and marketing and educational tools such as video tape
12 productions, signs, and promotional literature.

13 However, the commission may not use money in the fund for the upper
14 Wabash River basin commission established by ~~IC 14-30-4-6.~~
15 **IC 14-30-6.**

16 SECTION 23. IC 14-13-6-23, AS ADDED BY P.L.69-2009,
17 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2026]: Sec. 23. (a) The Wabash River heritage corridor fund
19 is established for the purpose of:

- 20 (1) providing grants to aid the sustainable development of
21 property under the Wabash River heritage corridor commission
22 master plan and purposes of the commission; and
23 (2) paying costs incurred in fulfilling the directives of the Wabash
24 River heritage corridor commission master plan, including
25 multicounty projects.

26 However, the commission may not use money in the fund for the upper
27 Wabash River basin commission established by ~~IC 14-30-4-6.~~
28 **IC 14-30-6.**

29 (b) The fund shall be administered by the director under the
30 direction of the commission.

31 (c) The expenses of administering the fund shall be paid from
32 money in the fund.

33 (d) The fund consists of the following:

- 34 (1) Appropriations made by the general assembly.
35 (2) Interest as provided in subsection (e).
36 (3) Funds deposited under IC 14-38-1-13(d).
37 (4) Money donated to the fund.
38 (5) Money transferred to the fund from other funds.

39 (e) The treasurer of state shall invest the money in the fund not
40 currently needed to meet the obligations of the fund in the same
41 manner as other public funds may be invested. Interest that accrues
42 from these investments shall be deposited in the fund.

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1 (f) Money in the fund at the end of a fiscal year does not revert to
2 the state general fund.

3 (g) Money in the fund is annually appropriated to the department of
4 natural resources for its use in fulfilling the purposes of this section.

5 SECTION 24. IC 14-15-3-19 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19. Provisions of this
7 chapter concerning the operation of boats or motorboats apply as
8 follows:

9 (1) Whether or not the boat or motorboat is towing a ~~water ski; a~~
10 ~~watersled; an aquaplane, or a similar object; including a person on~~
11 ~~the water ski; watersled; aquaplane, or similar~~ **any** object.

12 (2) To each object and person.

13 SECTION 25. IC 14-15-3-20 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 20. A person operating
15 a motorboat may not tow a water ski, a watersled, **a wakeboard,**
16 **barefoot water skis,** an aquaplane, or a similar object, including a
17 person on the waterski, watersled, **wakeboard, barefoot water skis,**
18 aquaplane, or similar object, unless:

19 (1) the motorboat is occupied by at least one (1) other person who
20 is giving the person's entire attention to watching the object,
21 **wakeboard,** or person towed; and

22 (2) the person operating the boat is giving the person's entire
23 attention to the operation of the boat.

24 SECTION 26. IC 14-15-4-2, AS AMENDED BY P.L.111-2016,
25 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2026]: Sec. 2. (a) The operator of a boat involved in an
27 accident or a collision ~~resulting in:~~ **shall provide the information**
28 **required under subsection (b) if the following conditions occur:**

29 (1) Injury to or death of a person. ~~or~~

30 (2) Damage to a boat or other property to an apparent extent of at
31 least ~~the greater of: seven hundred fifty dollars (\$750);~~

32 ~~shall provide the information required under subsection (b):~~

33 **(A) two thousand dollars (\$2,000); or**

34 **(B) the amount for assessed damage under the United**
35 **States Department of Homeland Security Boating Accident**
36 **Report Database (BARD).**

37 (b) An operator of a boat subject to subsection (a) shall do the
38 following:

39 (1) Give notice of the accident to:

40 (A) the office of the sheriff of the county;

41 (B) the nearest state police post; or

42 (C) the central dispatch center for the law enforcement



1 division of the department;
 2 immediately and by the quickest means of communication.
 3 (2) Mail to the department a written report of the accident or
 4 collision within twenty-four (24) hours of the accident or
 5 collision.
 6 SECTION 27. IC 14-16-1-24 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 24. (a) The operator of
 8 a vehicle involved in an accident resulting in serious bodily injury to
 9 or death of an individual or property damage in an estimated amount
 10 of at least ~~seven hundred fifty dollars (\$750)~~ **two thousand five**
 11 **hundred dollars (\$2,500)** shall immediately, by the quickest means of
 12 communication, notify at least one (1) of the following:
 13 (1) A state police officer or conservation officer.
 14 (2) The sheriff's office of the county where the accident occurred.
 15 (3) The office of the police department of the municipality where
 16 the accident occurred.
 17 (b) The police agency receiving the notice shall do the following:
 18 (1) Complete a report of the accident on forms prescribed by the
 19 director.
 20 (2) Forward the report to the director.
 21 SECTION 28. IC 14-21-1-25.1 IS ADDED TO THE INDIANA
 22 CODE AS A **NEW SECTION** TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2026]: **Sec. 25.1. An application for approval**
 24 **of a development plan under section 26.5 of this chapter must be**
 25 **filed with the division and include the following:**
 26 **(1) A signed cover letter from the applicant on letterhead with**
 27 **the following information:**
 28 **(A) The identity of the person who will conduct the project.**
 29 **(B) The overall nature and time frame of the project.**
 30 **(C) The location of the project by section, township, range,**
 31 **county, and address.**
 32 **(D) Information regarding any prior disturbance to the**
 33 **area.**
 34 **(E) A statement regarding whether federal or state funds**
 35 **or licenses are involved in the project.**
 36 **(2) Mapping to show the location of the burial ground or**
 37 **cemetery in relation to the project that includes the following:**
 38 **(A) Construction details for any activity within one**
 39 **hundred (100) feet of the burial ground or cemetery.**
 40 **(B) References to nearby landmarks.**
 41 **(C) The location of the burial ground or cemetery and the**
 42 **project area on the appropriate U.S. Geological Survey**



- 1 **U.S. TOPO: Maps for America.**
2 **(3) A description of the burial ground or cemetery sufficient**
3 **to evaluate the likely impact of the project, including the**
4 **following:**
5 **(A) Any name of the burial ground or cemetery.**
6 **(B) The dates the burial ground or cemetery has been used.**
7 **(C) Historical information and documentation.**
8 **(D) Precise boundaries that reference nearby landmarks.**
9 **If documentation is not available to identify the burial**
10 **ground or cemetery boundaries, the applicant may be**
11 **required to determine those boundaries through the**
12 **following:**
13 **(i) Remote sensing.**
14 **(ii) Investigations by archeologists.**
15 **(iii) Another scientific method approved by the division.**
16 **(E) The physical condition of the burial ground or**
17 **cemetery.**
18 **(4) A description of the grounds adjacent to and within one**
19 **hundred (100) feet of the burial ground or cemetery, including**
20 **the following:**
21 **(A) The nature, depth, and degree of previous**
22 **disturbances, including those caused by:**
23 **(i) construction;**
24 **(ii) excavation;**
25 **(iii) grading; or**
26 **(iv) filling.**
27 **(B) A description of soil, by type, present at the site,**
28 **including an explanation of how the soil would be:**
29 **(i) disturbed;**
30 **(ii) graded;**
31 **(iii) modified;**
32 **(iv) removed; or**
33 **(v) otherwise treated.**
34 **(C) A description of each structure.**
35 **(D) A description of the activities anticipated to:**
36 **(i) erect;**
37 **(ii) alter; or**
38 **(iii) repair;**
39 **a structure.**
40 **(E) Each area that may contain new construction in**
41 **connection with the proposed construction areas.**
42 **(5) Recent photographs of the burial ground or cemetery and**



1 **the grounds adjacent to and within one hundred (100) feet of**
 2 **the burial ground or cemetery.**

3 SECTION 29. IC 14-21-1-25.5 IS REPEALED [EFFECTIVE JULY
 4 1, 2026]. Sec. 25-5: (a) If a Native American Indian burial ground is
 5 discovered, the department shall immediately provide notice to the
 6 Native American Indian affairs commission established by IC 4-23-32.

7 (b) If Native American Indian human remains are removed from a
 8 burial ground, the department shall provide the following to the Native
 9 American Indian affairs commission:

10 (1) Any written findings or reports that result from the analysis
 11 and study of the human remains:

12 (2) Written notice to the Native American Indian affairs
 13 commission that the analysis and study of the human remains are
 14 complete.

15 (c) After receiving written notice under subsection (b)(2), the Native
 16 American Indian affairs commission shall make recommendations to
 17 the department regarding the final disposition of the Native American
 18 Indian human remains.

19 SECTION 30. IC 14-22-6-4, AS AMENDED BY P.L.144-2022,
 20 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2026]: Sec. 4. (a) For purposes of this section, a trap is
 22 designed to capture and kill a furbearing animal if the animal's death
 23 is the result of:

- 24 (1) submerging the animal in water; or
 25 (2) crushing or asphyxiating the animal.

26 (b) A person may not do the following:

27 (1) Tend or visit a trap or remove a furbearing animal from a trap
 28 that is not the person's property without the permission of the
 29 owner.

30 (2) For a trap that is designed to capture but not kill a furbearing
 31 animal:

32 (A) fail to tend or visit; ~~or have tended or visited a trap~~ and

33 (B) remove a furbearing animal from;

34 a trap that is the person's property within a period not exceeding
 35 twenty-four (24) hours.

36 (3) For a trap that is designed to capture and kill a furbearing
 37 animal:

38 (A) fail to tend or visit; ~~or have tended or visited a trap~~ and

39 (B) remove a furbearing animal from;

40 a trap that is the person's property within a period not exceeding
 41 forty-eight (48) hours.

42 (c) The department shall publish a recommendation that the best



1 practice to comply with this section is to tend or visit, or have tended
 2 or visited a furbearing trap that is the person's property within a period
 3 not to exceed twenty-four (24) hours.

4 SECTION 31. IC 14-22-10-2, AS AMENDED BY P.L.113-2019,
 5 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2026]: Sec. 2. (a) As used in this section and section 2.5 of
 7 this chapter, "governmental entity" means any of the following:

- 8 (1) The government of the United States of America.
- 9 (2) The state.
- 10 (3) A county.
- 11 (4) A city.
- 12 (5) A town.
- 13 (6) A township.
- 14 (7) The following, if created by the Constitution of the United
 15 States, the Constitution of the State of Indiana, a statute, an
 16 ordinance, a rule, or an order:
 - 17 (A) An agency.
 - 18 (B) A board.
 - 19 (C) A commission.
 - 20 (D) A committee.
 - 21 (E) A council.
 - 22 (F) A department.
 - 23 (G) A district.
 - 24 (H) A public body corporate and politic.

25 (b) As used in this section and section 2.5 of this chapter, "monetary
 26 consideration" means a fee or other charge for permission to go upon
 27 a tract of land. The term does not include:

- 28 (1) the gratuitous sharing of game, fish, or other products of the
 29 recreational use of the land;
- 30 (2) services rendered for the purpose of wildlife management; or
- 31 (3) contributions in kind made for the purpose of wildlife
 32 management.

33 (c) As used in this section and section 2.5 of this chapter, "owner"
 34 means a governmental entity or another person that:

- 35 (1) has a fee interest in;
- 36 (2) is a tenant, a lessee, or an occupant of; or
- 37 (3) is in control of;

38 a tract of land.

39 (d) A person who goes upon or through the premises, including
 40 caves, of another:

- 41 (1) with or without permission; and
- 42 (2) either:



- 1 (A) without the payment of monetary consideration; or
 2 (B) with the payment of monetary consideration directly or
 3 indirectly on the person's behalf by an agency of the state or
 4 federal government;
 5 for the purpose of swimming, camping, hiking, sightseeing, **exercising,**
 6 **cycling,** or accessing or departing from a trail, a greenway, or another
 7 similar area, or for any other purpose (other than the purposes
 8 described in section 2.5 of this chapter) ~~does not have an assurance that~~
 9 ~~the premises are safe for the purpose:~~ **is subject to the limitations of**
 10 **liability granted to the owner of the premises described in**
 11 **subsection (e).**
 12 (e) The owner of the premises does not
 13 ~~(1) assume responsibility; or~~
 14 ~~(2) incur liability;~~
 15 for an injury to a person or property caused by an act or failure to act
 16 of other persons using the premises: ~~assume responsibility or incur~~
 17 **liability for an injury or damage to a:**
 18 **(1) person caused by:**
 19 **(A) an act; or**
 20 **(B) the failure to act;**
 21 **of another person using the premises;**
 22 **(2) person caused by a condition on the land; or**
 23 **(3) person's property caused by:**
 24 **(A) the act of another person using the premises; or**
 25 **(B) a condition on the land.**
 26 (f) This section does not affect the following:
 27 ~~(1) Existing Indiana case law on the liability of owners or~~
 28 ~~possessors of premises with respect to the following:~~
 29 ~~(A) Business invitees in commercial establishments.~~
 30 ~~(B) Invited guests.~~
 31 **(1) Business invitees in for-profit establishments.**
 32 (2) The attractive nuisance doctrine.
 33 (g) This section does not excuse the owner or occupant of premises
 34 from liability for injury to a person or property caused by a malicious
 35 or an illegal act of the owner or occupant.
 36 **(h) This section does not apply to a parcel of land assessed as**
 37 **residential land.**
 38 SECTION 32. IC 14-22-10-2.5 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.5. (a) A person who
 40 goes upon or through the premises, including caves, of another:
 41 (1) with or without permission; and
 42 (2) either:



1 (A) without the payment of monetary consideration; or
 2 (B) with the payment of monetary consideration directly or
 3 indirectly on the person's behalf by an agency of the state or
 4 federal government;
 5 for the purpose of hunting, fishing, trapping, or preparing to hunt, fish,
 6 or trap, does not have an assurance that the premises are safe for that
 7 purpose.
 8 (b) The owner of the premises does not:
 9 (1) assume responsibility; or
 10 (2) incur liability;
 11 for an injury to a person or property caused by an act or failure to act
 12 of other persons using the premises.
 13 (c) This section does not affect Indiana case law on the liability of
 14 owners or possessors of premises with respect to the following:
 15 (1) Business invitees in commercial establishments.
 16 (2) The attractive nuisance doctrine.
 17 (d) This section does not excuse the owner or occupant of premises
 18 from liability for injury to a person or property caused by a malicious
 19 or an illegal act of the owner or occupant.
 20 **(e) This section does not apply to a parcel of land assessed as**
 21 **residential land.**
 22 SECTION 33. IC 14-22-15.5-7 IS REPEALED [EFFECTIVE JULY
 23 1, 2026]. ~~Sec. 7. An individual who acts as a hunting guide without a~~
 24 ~~hunting guide license in violation of section 2 of this chapter commits~~
 25 ~~a Class B infraction.~~
 26 SECTION 34. IC 14-23-6.6-7, AS ADDED BY P.L.124-2025,
 27 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2026]: Sec. 7. (a) Subject to subsection (b), a certified
 29 prescribed burn manager who conducts the prescribed burning in
 30 accordance with section 6 of this chapter is immune from civil liability
 31 for harm caused by the:
 32 (1) prescribed burn; or
 33 (2) smoke produced by the prescribed burn.
 34 (b) The immunity described in subsection (a) does not apply if the
 35 harm was the result of the certified prescribed burn manager's:
 36 (1) negligence; or
 37 (2) willful and wanton misconduct.
 38 (c) Subject to subsection (d), a landowner or landowner's agent who
 39 conducts prescribed burning on the landowner's property in accordance
 40 with section 6 of this chapter is immune from civil liability for harm
 41 caused by the:
 42 (1) prescribed burn; or



- 1 (2) smoke produced by the prescribed burn.
- 2 (d) The immunity described in subsection (c) does not apply if the
- 3 harm was the result of the:
- 4 (1) negligence of the landowner or the landowner's agent; or
- 5 (2) willful and wanton misconduct of the landowner or the
- 6 landowner's agent.
- 7 (e) The ~~division of forestry's~~ **department's** officers, agents, and
- 8 employees are immune from civil liability, in accordance with
- 9 IC 34-13-3, arising out of any of the following:
- 10 (1) Participation in planning, undertaking, or assisting with
- 11 prescribed burning.
- 12 (2) Administration of the prescribed burn certification program,
- 13 including revocation of prescribed burn certifications issued
- 14 under the program.
- 15 SECTION 35. IC 14-30-2 IS REPEALED [EFFECTIVE JULY 1,
- 16 2026]. (Maumee River Basin Commission).
- 17 SECTION 36. IC 14-30-3 IS REPEALED [EFFECTIVE JULY 1,
- 18 2026]. (St. Joseph River Basin Commission).
- 19 SECTION 37. IC 14-30-4 IS REPEALED [EFFECTIVE JULY 1,
- 20 2026]. (Upper Wabash River Basin Commission).
- 21 SECTION 38. IC 14-30-6 IS ADDED TO THE INDIANA CODE
- 22 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 23 JULY 1, 2026]:
- 24 **Chapter 6. River Basin Commission Administration**
- 25 **Sec. 1. For purposes of this chapter, the following definitions**
- 26 **apply:**
- 27 (1) "Commission" refers to a river basin commission
- 28 established by section 2 of this chapter.
- 29 (2) "Participating county" refers to a county that:
- 30 (A) joins a commission under section 4 of this chapter; and
- 31 (B) has territory within the commission.
- 32 **Sec. 2. (a) The following river basin commissions are**
- 33 **established:**
- 34 (1) The Maumee River basin commission.
- 35 (2) The St. Joseph River basin commission.
- 36 (3) The Upper Wabash River basin commission.
- 37 (b) After consulting with the surveyor of each county in a river
- 38 basin, the director shall certify the boundaries of a commission
- 39 established by subsection (a). However, a river basin commission
- 40 established by subsection (a)(1), (a)(2), or (a)(3) is not required to
- 41 recertify the commission's boundaries under this subsection.
- 42 **Sec. 3. A commission established by this chapter:**



- 1 (1) is a separate municipal corporation; and
- 2 (2) may sue and be sued.
- 3 **Sec. 4. The executive of a county that includes territory in a**
- 4 **commission may do the following:**
- 5 (1) Elect to participate in the commission by designating the
- 6 county as a participating county.
- 7 (2) Revoke the designation described in subdivision (1).
- 8 **Sec. 5. (a) Except as provided in subsection (d), the following**
- 9 **shall serve as voting members of the commission:**
- 10 (1) A member of the county executive for a participating
- 11 county.
- 12 (2) The executive director or, if a county does not have an
- 13 executive director, the chairman or manager of a soil and
- 14 water conservation district that:
- 15 (A) is subject to IC 14-32;
- 16 (B) includes territory in a participating county; and
- 17 (C) includes territory in the basin.
- 18 (3) The county surveyor of each participating county.
- 19 (b) In addition to the members required under subsection (a),
- 20 the required members of a commission may appoint the following
- 21 voting members:
- 22 (1) Each member of the county executive for a participating
- 23 county.
- 24 (2) The executive of each second class city within the territory
- 25 of the commission.
- 26 (3) If a participating county does not have a second class city,
- 27 the executive of the municipality with the largest population
- 28 located within the territory of the basin.
- 29 (4) A participating county's health officer.
- 30 (5) A representative of each soil and water conservation
- 31 district that:
- 32 (A) is subject to IC 14-32;
- 33 (B) includes territory in a participating county; and
- 34 (C) includes territory in the basin.
- 35 (6) A representative of the department of natural resources.
- 36 However, the representative may not be an employee or
- 37 elected official of a city, town, or county governmental unit.
- 38 (c) A representative described in subsection (b)(5) or (b)(6):
- 39 (1) is chosen by the entity being represented;
- 40 (2) serves a three (3) year term;
- 41 (3) is eligible for reappointment; and
- 42 (4) continues until a successor is appointed.



1 (d) A commission that exists on or before June 30, 2026, retains
2 the commission's existing voting members.

3 Sec. 6. (a) A member of the commission may:

4 (1) designate another individual to perform the duties of the
5 member on the commission; and

6 (2) revoke the designation described in subdivision (1).

7 (b) A designation or a revocation of a designation under this
8 section must be filed with the commission to be effective.

9 Sec. 7. (a) A commission shall annually elect from among the
10 voting members the following officers:

11 (1) A chairperson.

12 (2) A vice chairperson.

13 (3) A secretary.

14 (4) A treasurer.

15 (b) The officers elected under subsection (a) shall perform the
16 duties specified in the commission's bylaws.

17 (c) A commission may establish other offices, including an
18 executive director, and determine the means for filling the offices.
19 Any salary or benefits provided to the individual must be paid by
20 the commission that establishes the office.

21 Sec. 8. (a) Either:

22 (1) the commission; or

23 (2) a participating county;

24 but not both, may pay its members reimbursement for traveling
25 expenses and other expenses actually incurred in connection with
26 the member's duties as provided in the state travel policies and
27 procedures established by the Indiana department of
28 administration and approved by the budget agency. Money paid
29 under subdivision (1) may only be paid from money available to
30 the commission at the time of reimbursement.

31 (b) A county may pay members of a commission the salary per
32 diem provided by IC 4-10-11-2.1(b) for the performance of the
33 member's duties on the commission.

34 Sec. 9. (a) A commission shall meet at least four (4) times each
35 calendar year.

36 (b) The following may call a meeting:

37 (1) The chairperson.

38 (2) The executive director.

39 (3) A quorum of the commission's members.

40 (c) A commission shall adopt bylaws specifying a quorum
41 requirement.

42 (d) A member may waive notice of any meeting by filing a



- 1 written waiver with the secretary of the commission.
- 2 **Sec. 10. (a) A commission may do the following:**
- 3 (1) **Manage the commission's internal affairs.**
- 4 (2) **Employ staff.**
- 5 (3) **Subject to section 12 of this chapter, enter into contracts**
- 6 **for purposes of this chapter.**
- 7 (4) **Exercise the powers of a political subdivision specified in**
- 8 **a cooperative agreement described in section 12 of this**
- 9 **chapter.**
- 10 (5) **Provide a forum for the discussion, study, and evaluation**
- 11 **of water resource issues of common concern in the river**
- 12 **basin.**
- 13 (6) **Facilitate and foster cooperative planning and coordinated**
- 14 **management of the basin's water and related land resources.**
- 15 (7) **Develop positions on major water resource issues and**
- 16 **serve as an advocate of the basin's interests before Congress**
- 17 **and federal, state, and local governmental agencies.**
- 18 (8) **Develop plans and tools to improve water quality or**
- 19 **mitigate flooding in the basin.**
- 20 (9) **Publicize, advertise, and distribute reports on the**
- 21 **commission's purposes, objectives, studies, and findings.**
- 22 (10) **When requested, make recommendations in matters**
- 23 **related to the commission's functions and objectives to**
- 24 **political subdivisions in the basin and to other public and**
- 25 **private agencies.**
- 26 (11) **When requested, act as a coordinating agency for**
- 27 **programs and activities of other public and private agencies**
- 28 **that are related to the commission's objectives.**
- 29 (12) **Invite government officials of other states within the river**
- 30 **basin to:**
- 31 (A) **attend the commission's meetings; and**
- 32 (B) **advise the commission upon the commission's request.**
- 33 (b) **A commission may not exercise any of the powers described**
- 34 **in subsection (a) within a nature preserve (as defined in**
- 35 **IC 14-31-1).**
- 36 (c) **This section does not exempt the commission from any other**
- 37 **statute.**
- 38 **Sec. 11. A commission shall do the following:**
- 39 (1) **Keep a record of the commission's resolutions,**
- 40 **transactions, and findings. A record under this subdivision is**
- 41 **a public record.**
- 42 (2) **Make an annual report of the commission's activities to**



1 the executive of each participating county. The commission
2 shall upon request make an annual report to the following:

3 (A) The governor.

4 (B) Any member of the general assembly.

5 (3) Prepare and adopt an annual budget.

6 (4) Submit the budget described in subdivision (3) to the
7 executive of each participating county and, upon request,
8 make the budget available to each agency appropriating
9 money to the commission.

10 Sec. 12. (a) A political subdivision in a participating county may
11 under IC 36-1-7 enter into a cooperative agreement with a
12 commission and at least one (1) other legal entity, including a legal
13 entity in another state.

14 (b) If a commission intends to enter into a cooperative
15 agreement under subsection (a), the commission shall post public
16 notice of the proposed cooperative agreement at least ten (10)
17 business days before the meeting at which the cooperative
18 agreement is scheduled to be voted on by the commission.

19 (c) Before a commission may vote on the cooperative agreement
20 under this section, the cooperative agreement must be approved by
21 the department.

22 Sec. 13. A commission may adopt a resolution to do any one (1)
23 or more of the following:

24 (1) Require that increased water runoff resulting from new
25 construction be impounded on the construction site.

26 (2) Permit the requirement of onsite water impoundment
27 under subdivision (1) to be waived upon payment of a
28 reasonable fee by the developer of the new construction.

29 (3) Restrict construction within the one hundred (100) year
30 flood plains of the river basin.

31 Sec. 14. (a) The commission may establish an executive board
32 consisting of the following:

33 (1) The chairperson of the commission.

34 (2) One (1) member from each participating county that is not
35 represented by the chairperson, to be chosen in a manner
36 prescribed by the commission's bylaws.

37 (b) The commission may delegate to the executive board the
38 power to do the following:

39 (1) Recommend agenda items and activities to the
40 commission.

41 (2) Conduct hearings on proposed commission projects.

42 (3) Perform other administrative duties assigned by the



1 **commission.**

2 **Sec. 15. (a) The commission may appoint an advisory committee**
3 **to assist the commission.**

4 **(b) A member of an advisory committee is not entitled to**
5 **compensation for serving on the advisory committee.**

6 **Sec. 16. The commission may adopt a bylaw to govern member**
7 **participation in:**

8 **(1) a commission's; or**

9 **(2) an executive board's;**

10 **meeting by electronic communication.**

11 **Sec. 17. (a) A commission may receive grants and**
12 **appropriations from the following:**

13 **(1) Federal, state, and local governments.**

14 **(2) Individuals, foundations, and other organizations.**

15 **However, a commission is not eligible for funding through the**
16 **Wabash River heritage corridor commission established by**
17 **IC 14-13-6-6.**

18 **(b) The commission may enter into an agreement or contract**
19 **regarding the acceptance or use of the grants and appropriations**
20 **described in subsection (a) for the purpose of carrying out the**
21 **commission's activities under this chapter.**

22 **Sec. 18. (a) A participating county may budget, appropriate, and**
23 **disburse money to carry out the purposes of the commission under**
24 **this chapter.**

25 **(b) The appropriation from the participating county that is**
26 **needed for all or part of the commission's budget must be either:**

27 **(1) apportioned among the participating counties in direct**
28 **relationship to the amount of land area in each participating**
29 **county certified under section 2 of this chapter; or**

30 **(2) divided equally among the participating counties.**

31 **(c) The appropriation that is needed under subsection (b) shall**
32 **be presented to the county executive at the same time that budgets**
33 **are presented by county officers.**

34 **Sec. 19. (a) The commission shall make expenditures only as**
35 **budgeted. However, the commission may revise the budget at any**
36 **time to authorize unbudgeted expenditures.**

37 **(b) Any appropriated amounts remaining unexpended or**
38 **unencumbered at the end of the fiscal year become part of a**
39 **nonreverting cumulative fund to be held in the name of the**
40 **commission. The commission may authorize unbudgeted**
41 **expenditures from this fund.**

42 **(c) The commission is responsible for the safekeeping and**



1 deposit of money the commission receives under this chapter. The
2 state board of accounts shall:

- 3 (1) prescribe the methods and forms for keeping; and
4 (2) periodically audit;

5 the accounts, records, and books of the commission.

6 (d) The treasurer of the commission may receive, disburse, and
7 handle money belonging to the commission, subject to the
8 following:

- 9 (1) Applicable statutes.
10 (2) Procedures established by the commission.

11 Sec. 20. (a) For the purposes of this chapter, the commission
12 may do the following:

13 (1) Acquire by grant, gift, purchase, or devise, and dispose of,
14 conservation easements under IC 32-23-5 in land:

15 (A) within; or

16 (B) adjacent to if part of the same parcel;

17 the one hundred (100) year flood plains and the wetlands in
18 the basin.

19 (2) Acquire, by grant, gift, purchase, or devise, improvements:

20 (A) within; or

21 (B) adjacent to if part of the same parcel;

22 the one hundred (100) year flood plains of the basin for the
23 purpose of removing those improvements.

24 (3) Acquire, dispose of, hold, use, improve, maintain, operate,
25 own, manage, or lease real or personal property by grant, gift,
26 purchase, or devise for the purposes of this chapter.

27 (b) The commission may exercise the powers granted by this
28 section as follows:

29 (1) For purposes of IC 32-23-5.

30 (2) To contribute to the following:

31 (A) Flood mitigation.

32 (B) Flood damage reduction.

33 (C) Improvements in water quality.

34 (D) Soil conservation.

35 Sec. 21. (a) The commission, the executive board, or employees
36 or authorized representatives of the commission acting under this
37 chapter may:

38 (1) enter the land lying within the one hundred (100) year
39 flood plain of any watercourse in the river basin; and

40 (2) enter land lying outside the one hundred (100) year flood
41 plain to gain access to land lying within the one hundred (100)
42 year flood plain in the river basin;



1 if necessary to investigate, examine, or survey the land or
 2 investigate suspected violations of the Indiana flood control laws.

3 (b) The commission must give twenty-one (21) days written
 4 notice to:

5 (1) an owner of the affected land;

6 (2) a contract purchaser of the affected land; or

7 (3) if the land is municipal property (as described in
 8 IC 6-1.1-10-5(a)), the executive of the municipality;

9 before exercising the right to enter land under this section. The
 10 notice must state the purpose of the entry and that there is a right
 11 of appeal under this section.

12 (c) A person described in subsection (b)(1) through (b)(3) may,
 13 within the twenty-one (21) day notice period required by
 14 subsection (b), appeal the proposed entry under subsection (a) to
 15 the commission on the grounds that the proposed entry is not
 16 necessary. If a person appeals under this subsection, the
 17 commission shall hold a hearing on the necessity of the entry before
 18 the right of entry is exercised.

19 (d) A person entering land under this section must use due care
 20 to avoid damage to:

21 (1) crops; or

22 (2) fences, buildings, and other structures.

23 (e) Neither the commission, the executive board, nor employees
 24 or authorized representatives of the commission acting under this
 25 chapter commits criminal trespass under IC 35-43-2-2 by entering
 26 land described in subsection (a) for a purpose set forth in
 27 subsection (a).

28 SECTION 39. IC 14-30-7 IS ADDED TO THE INDIANA CODE
 29 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2026]:

31 **Chapter 7. Conversion to Watershed Development Commission**

32 **Sec. 1. (a) For purposes of this section, the following definitions**
 33 **apply:**

34 (1) "Commission" refers to the Maumee River basin
 35 commission.

36 (2) "Maumee River basin" means the area in Adams County,
 37 Allen County, DeKalb County, Noble County, Steuben
 38 County, and Wells County that drains into the Maumee River
 39 and the tributaries of the Maumee River.

40 (3) "Participating county" refers to a county that has joined
 41 the Maumee River basin commission under IC 14-30-6-4.

42 (b) The commission:



- 1 (1) may; but
 2 (2) is not required to;
 3 consider a proposal to transform the commission from a river
 4 basin commission subject to IC 14-30-6 into a watershed
 5 development commission subject to IC 14-30.5.
 6 (c) For the commission to be transformed from a river basin
 7 commission subject to IC 14-30-6 into a watershed development
 8 commission subject to IC 14-30.5:
 9 (1) the county executives of all participating counties:
 10 (A) must approve the proposal described in subsection (b);
 11 and
 12 (B) must adopt substantively identical ordinances that set
 13 forth the flood damage reduction, drainage, storm water
 14 management, or soil and water conservation purposes for
 15 which the proposed watershed development commission
 16 would be established, and, for purposes of IC 14-30.5-2-0.5,
 17 the designated watershed within which the proposed
 18 watershed development commission would exercise its
 19 powers; and
 20 (2) a majority of the voting members of the commission must
 21 vote in favor of the transformation of the commission into a
 22 watershed development commission in accordance with the
 23 ordinances adopted under subdivision (1)(B) and the
 24 provisions of this section.
 25 (d) For the county executive of a participating county to
 26 approve a proposal described in subsection (b) under subsection
 27 (c)(1)(A), at least two (2) of the three (3) members of the county
 28 executive must vote in favor of the proposal.
 29 (e) If a member of the county executive of a participating county
 30 has designated another individual under IC 14-30-6-6 to perform
 31 the member's duties on the commission, the individual designated
 32 to perform the duties of the member of the county executive may
 33 vote under subsection (c)(2) on the proposal described in
 34 subsection (b).
 35 (f) If the county executives of all participating counties approve
 36 a proposal described in subsection (b) under subsection (c)(1)(A)
 37 and adopt substantively identical ordinances under subsection
 38 (c)(1)(B), a majority of the voting members of the commission vote
 39 in favor of the transformation of the commission into a watershed
 40 development commission under subsection (c)(2), and the
 41 department approves the transformation of the commission into a
 42 watershed development commission with the purposes set forth in



1 the ordinances adopted under subsection (c)(1)(B), the following
2 apply:

3 (1) The commission shall notify the department of the
4 approval of the proposal.

5 (2) The officers of the commission elected under IC 14-30-6-7
6 shall take the actions necessary and appropriate to the
7 transformation of the commission from a river basin
8 commission subject to this chapter into a watershed
9 development commission subject to IC 14-30.5.

10 (3) The board of the watershed development commission
11 consists of the following:

12 (A) The director of the department or the director's
13 designee.

14 (B) The county surveyor of each county participating in
15 the commission.

16 (C) A member of the county executive from each county
17 participating in the commission or the member's designee.

18 (D) One (1) individual to represent each second class city
19 that is located in a participating county and within the
20 Maumee River basin, appointed by:

21 (i) the board of storm water management (as described
22 in IC 8-1.5-5-4) of the second class city; or

23 (ii) if the second class city has no board of storm water
24 management, the executive of the second class city.

25 (E) A member of the county soil and water conservation
26 district board from each participating county within the
27 Maumee River basin or the member's designee.

28 (4) The director of the department or the director's designee:

29 (A) shall advise the commission on the transformation of
30 the commission into a watershed development commission
31 subject to IC 14-30.5; and

32 (B) when the board of the watershed development
33 commission is formed, shall assume the position on the
34 board of the watershed development commission specified
35 in IC 14-30.5-4-1(a)(1)(A).

36 (5) The watershed development commission board may not
37 meet until the department has given the approval referred to
38 in this subsection. Upon the convening of the first meeting
39 under IC 14-30.5-4 of the board of the watershed development
40 commission:

41 (A) the Maumee River basin commission ceases to exist as
42 a separate municipal corporation under IC 14-30-6;



- 1 **(B) the Maumee watershed development commission is**
- 2 **established as a public body corporate and politic under**
- 3 **IC 14-30.5;**
- 4 **(C) the participating counties of the Maumee River basin**
- 5 **commission become member counties of the Maumee**
- 6 **watershed development commission under IC 14-30.5; and**
- 7 **(D) each participating county of the Maumee River basin**
- 8 **commission is authorized to appoint a member of the**
- 9 **county executive or the member's designee under**
- 10 **IC 14-30.5-4-1 to represent the county on the board of the**
- 11 **Maumee watershed development commission.**
- 12 **(g) If established under this section, the Maumee watershed**
- 13 **development commission:**
- 14 **(1) is a continuation of;**
- 15 **(2) retains the property and rights of; and**
- 16 **(3) is responsible for the actions and subject to the liabilities**
- 17 **of;**
- 18 **the former Maumee River basin commission.**
- 19 **(h) If established under this section, the Maumee watershed**
- 20 **development commission has all of the powers and duties of a**
- 21 **watershed development commission under IC 14-30.5 in the areas**
- 22 **of the watershed of the Maumee River and the tributaries of the**
- 23 **Maumee River that are within the boundaries of the member**
- 24 **counties of the Maumee watershed development commission. For**
- 25 **the purposes of IC 14-30.5, the areas of the watershed of the**
- 26 **Maumee River and the tributaries of the Maumee River that are**
- 27 **within the boundaries of the member counties of the Maumee**
- 28 **watershed development commission comprise the designated**
- 29 **watershed of the Maumee watershed development commission.**
- 30 **(i) If the Maumee watershed development commission is**
- 31 **established under this section, the board of the Maumee watershed**
- 32 **development commission shall appoint an executive director under**
- 33 **IC 14-30.5-4-2(e). An individual who was the executive director of**
- 34 **the Maumee River basin commission may be appointed executive**
- 35 **director of the Maumee watershed development commission under**
- 36 **this subsection.**
- 37 **(j) If the Maumee watershed development commission is**
- 38 **established under this section, all property, records, and funds of**
- 39 **the former Maumee River basin commission:**
- 40 **(1) become property, records, and funds of the Maumee**
- 41 **watershed development commission; and**
- 42 **(2) shall be transmitted to the Maumee watershed**



- 1 development commission not more than sixty (60) days after
2 the appointment of the executive director under subsection (i).
- 3 **Sec. 2. (a) For purposes of this section, the following definitions**
4 **apply:**
- 5 (1) "Commission" refers to the St. Joseph River basin
6 commission.
- 7 (2) "Participating county" refers to a county that has joined
8 the St. Joseph River basin commission under IC 14-30-6-4.
- 9 (3) "St. Joseph River basin" means the area in Elkhart
10 County, Kosciusko County, LaGrange County, Noble County,
11 St. Joseph County, and Steuben County that drains into the
12 St. Joseph River.
- 13 **(b) The commission:**
- 14 (1) may; but
15 (2) is not required to;
- 16 consider a proposal to transform the commission from a river
17 basin commission subject to IC 14-30-6 into a watershed
18 development commission subject to IC 14-30.5.
- 19 **(c) For the commission to be transformed from a river basin**
20 **commission subject to IC 14-30-6 into a watershed development**
21 **commission subject to IC 14-30.5:**
- 22 (1) the county executives of all participating counties:
- 23 (A) must approve the proposal described in subsection (b);
24 and
25 (B) must adopt substantively identical ordinances that set
26 forth the information required by IC 14-30.5-2-1(b),
27 including, for purposes of IC 14-30.5-2-0.5, the designated
28 watershed within which the proposed watershed
29 development commission would exercise its powers; and
- 30 (2) a majority of the voting members of the commission must
31 vote in favor of the transformation of the commission into a
32 watershed development commission in accordance with the
33 ordinances adopted under subdivision (1)(B) and the
34 provisions of this section.
- 35 **(d) For the county executive of a participating county to**
36 **approve a proposal described in subsection (b) under subsection**
37 **(c)(1)(A), at least two (2) of the three (3) members of the county**
38 **executive must vote in favor of the proposal.**
- 39 **(e) If a member of the county executive of a participating county**
40 **has designated another individual under IC 14-30-6-6 to fill the**
41 **member's position on the commission, the individual designated to**
42 **fill the member's position may vote under subsection (c)(2) on the**



1 proposal described in subsection (b).

2 (f) If the county executives of all participating counties approve
 3 a proposal described in subsection (b) under subsection (c)(1)(A)
 4 and adopt substantively identical ordinances under subsection
 5 (c)(1)(B), a majority of the voting members of the commission vote
 6 in favor of the transformation of the commission into a watershed
 7 development commission under subsection (c)(2), and the
 8 department approves the transformation of the commission into a
 9 watershed development commission with the purposes set forth in
 10 the ordinances adopted under subsection (c)(1)(B), the following
 11 apply:

12 (1) The commission shall notify the department of the
 13 approval of the proposal.

14 (2) The officers of the commission elected under IC 14-30-6-7
 15 shall take the actions necessary and appropriate to the
 16 transformation of the commission from a river basin
 17 commission subject to IC 14-30-6 into a watershed
 18 development commission subject to IC 14-30.5.

19 (3) The board of the watershed development commission
 20 consists of the following:

21 (A) The director of the department or the director's
 22 designee.

23 (B) The county surveyor of each county participating in
 24 the commission.

25 (C) An individual other than the county surveyor
 26 representing each county participating in the commission,
 27 appointed by the county executive.

28 (D) Either:

29 (i) one (1) individual appointed to represent each second
 30 class city that is located in a participating county and
 31 within the St. Joseph River basin; or

32 (ii) if a participating county does not include a second
 33 class city that is located within the St. Joseph River
 34 basin, one (1) individual appointed to represent the
 35 municipality that has the largest population of all
 36 municipalities that are located in the participating
 37 county and within the St. Joseph River basin.

38 An individual appointed to represent a second class city
 39 under item (i) shall be appointed by the board of storm
 40 water management (as described in IC 8-1.5-5-4) of the
 41 second class city or, if the second class city has no board of
 42 storm water management, by the executive of the second



- 1 class city. An individual appointed under item (ii) to
 2 represent the municipality that has the largest population
 3 of all municipalities that are located in the participating
 4 county and within the St. Joseph River basin shall be
 5 appointed by the board of storm water management (as
 6 described in IC 8-1.5-5-4) of the municipality or, if the
 7 municipality has no board of storm water management, by
 8 the executive of the municipality.
- 9 (4) The director of the department or the director's designee:
 10 (A) shall advise the commission on the transformation of
 11 the commission into a watershed development commission
 12 subject to IC 14-30.5; and
 13 (B) when the board of the watershed development
 14 commission is formed, shall assume the position on the
 15 board of the watershed development commission specified
 16 in IC 14-30.5-4-1(a)(2)(A).
- 17 (5) The watershed development commission board may not
 18 meet until the department has given the approval referred to
 19 in this subsection. Upon the convening of the first meeting
 20 under IC 14-30.5-4 of the board of the watershed development
 21 commission:
 22 (A) the St. Joseph River basin commission ceases to exist
 23 as a separate municipal corporation under IC 14-30-6;
 24 (B) the St. Joseph watershed development commission is
 25 established as a public body corporate and politic under
 26 IC 14-30.5;
 27 (C) the participating counties of the St. Joseph River basin
 28 commission become member counties of the St. Joseph
 29 watershed development commission under IC 14-30.5; and
 30 (D) each participating county of the St. Joseph River basin
 31 commission is authorized to appoint an individual
 32 described in subdivision (3)(C) to represent the county on
 33 the board of the St. Joseph watershed development
 34 commission.
- 35 (g) If established under this section, the St. Joseph watershed
 36 development commission:
 37 (1) is a continuation of;
 38 (2) retains the property and rights of; and
 39 (3) is responsible for the actions and subject to the liabilities
 40 of;
 41 the former St. Joseph River basin commission.
- 42 (h) If established under this section, the St. Joseph watershed



1 development commission has all of the powers and duties of a
 2 watershed development commission under IC 14-30.5 in the areas
 3 of the watershed of the St. Joseph River and the tributaries of the
 4 St. Joseph River that are within the boundaries of the member
 5 counties of the St. Joseph watershed development commission. For
 6 the purposes of IC 14-30.5, the areas of the watershed of the St.
 7 Joseph River and the tributaries of the St. Joseph River that are
 8 within the boundaries of the member counties of the St. Joseph
 9 watershed development commission comprise the designated
 10 watershed of the St. Joseph watershed development commission.

11 (i) If the St. Joseph watershed development commission is
 12 established under this section, the board of the St. Joseph
 13 watershed development commission shall appoint an executive
 14 director under IC 14-30.5-4-2(e). An individual who was the
 15 executive director of the St. Joseph River basin commission may be
 16 appointed executive director of the St. Joseph watershed
 17 development commission under this subsection.

18 (j) If the St. Joseph watershed development commission is
 19 established under this section, the following apply:

20 (1) All property, records, and funds of the St. Joseph River
 21 basin commission:

22 (A) become property, records, and funds of the St. Joseph
 23 watershed development commission; and

24 (B) shall be transmitted to the St. Joseph watershed
 25 development commission not more than sixty (60) days
 26 after the appointment of the executive director under
 27 subsection (i).

28 (2) Any advisory committee appointed under IC 14-30-6-15 is
 29 dissolved.

30 (3) The individuals serving as members of the St. Joseph
 31 River basin commission under IC 14-30-6 become the
 32 members of the advisory committee of the St. Joseph
 33 watershed development commission. Upon the expiration
 34 under IC 14-30-6-5 or other termination of the term of office
 35 of an individual described in this subdivision, the office of the
 36 individual shall be filled by a successor according to
 37 subdivision (4).

38 (4) As provided in subdivision (3) and IC 14-30.5-4-5(c)(3),
 39 upon the termination of the terms of office of all of the
 40 individuals who become members of the advisory committee
 41 under subdivision (3), the advisory committee of the St.
 42 Joseph watershed development commission shall consist of the



- 1 following members:
- 2 (A) From each participating county the following:
- 3 (i) The executive of each second class city that is located
- 4 in the participating county and within the St. Joseph
- 5 River basin, or the executive's designee.
- 6 (ii) If the county does not have a second class city that is
- 7 located within the St. Joseph River basin, the executive
- 8 of the municipality that has the largest population of all
- 9 municipalities that are located in the participating
- 10 county and within the St. Joseph River basin, or the
- 11 executive's designee.
- 12 (B) A member of the county executive or the county
- 13 executive's designee from each participating county.
- 14 (C) The county health officer or the health officer's
- 15 designee from each participating county.
- 16 (D) The county surveyor of each participating county or
- 17 the county surveyor's designee.
- 18 (E) A representative of each soil and water conservation
- 19 district that:
- 20 (i) is subject to IC 14-32;
- 21 (ii) includes territory in a participating county; and
- 22 (iii) includes territory in the St. Joseph River basin.
- 23 (F) The director of the St. Joseph watershed development
- 24 commission or the director's designee.
- 25 **Sec. 3. (a) For purposes of this section, the following definitions**
- 26 **apply:**
- 27 (1) "Commission" refers to the Upper Wabash River basin
- 28 commission.
- 29 (2) "Participating county" refers to a county that has joined
- 30 the Upper Wabash River basin commission under
- 31 IC 14-30-6-4.
- 32 (3) "Upper Wabash River basin" means the area located in
- 33 Adams County, Huntington County, Jay County, or Wells
- 34 County that is drained by the Wabash River, including the
- 35 tributaries of the Wabash River.
- 36 (b) The commission:
- 37 (1) may; but
- 38 (2) is not required to;
- 39 consider a proposal to transform the commission from a river
- 40 basin commission subject to IC 14-30-6 into a watershed
- 41 development commission subject to IC 14-30.5.
- 42 (c) For the commission to be transformed from a river basin



1 commission subject to IC 14-30-6 into a watershed development
 2 commission subject to IC 14-30.5:

3 (1) the county executives of all participating counties:

4 (A) must approve the proposal described in subsection (b);
 5 and

6 (B) must adopt substantively identical ordinances that set
 7 forth the information required by IC 14-30.5-2-1(b),
 8 including, for the purposes of IC 14-30.5-2-0.5, the
 9 designated watershed within which the proposed
 10 watershed development commission would exercise its
 11 powers; and

12 (2) a majority of the voting members of the commission must
 13 vote in favor of the transformation of the commission into a
 14 watershed development commission in accordance with the
 15 ordinances adopted under subdivision (1)(B) and the
 16 provisions of this section.

17 (d) For the county executive of a participating county to
 18 approve a proposal described in subsection (b) under subsection
 19 (c)(1)(A), at least two (2) of the three (3) members of the county
 20 executive must vote in favor of the proposal.

21 (e) If a member of the county executive of a participating county
 22 has designated another individual under IC 14-30-6-6 to perform
 23 the member's duties on the commission, the individual designated
 24 to perform the member's duties may vote under subsection (c)(2)
 25 on the proposal described in subsection (b).

26 (f) If the county executives of all participating counties approve
 27 a proposal described in subsection (b) under subsection (c)(1)(A)
 28 and adopt substantively identical ordinances under subsection
 29 (c)(1)(B), a majority of the voting members of the commission vote
 30 in favor of the transformation of the commission into a watershed
 31 development commission under subsection (c)(2), and the
 32 department approves the transformation of the commission into a
 33 watershed development commission with the purposes set forth in
 34 the ordinances adopted under subsection (c)(1)(B), the following
 35 apply:

36 (1) The commission shall notify the department of the
 37 approval of the proposal.

38 (2) The officers of the commission elected under IC 14-30-6-7
 39 shall take the actions necessary and appropriate to the
 40 transformation of the commission from a river basin
 41 commission subject to IC 14-30-6 into a watershed
 42 development commission subject to IC 14-30.5.



- 1 **(3) The board of the watershed development commission**
 2 **consists of the following:**
 3 **(A) The director of the department or the director's**
 4 **designee.**
 5 **(B) The county surveyor of each county participating in**
 6 **the commission.**
 7 **(C) An individual other than the county surveyor**
 8 **representing each county participating in the commission,**
 9 **appointed by the county executive.**
 10 **(D) Either:**
 11 **(i) one (1) individual appointed to represent each second**
 12 **class city that is located in a participating county and**
 13 **within the upper Wabash River basin; or**
 14 **(ii) if a participating county does not include a second**
 15 **class city that is located within the upper Wabash River**
 16 **basin, one (1) individual appointed to represent the**
 17 **municipality that has the largest population of all**
 18 **municipalities that are located in the participating**
 19 **county and within the upper Wabash River basin.**
 20 **An individual appointed to represent a second class city**
 21 **under item (i) shall be appointed by the board of storm**
 22 **water management (as described in IC 8-1.5-5-4) of the**
 23 **second class city or, if the second class city has no board of**
 24 **storm water management, by the executive of the second**
 25 **class city. An individual appointed under item (ii) to**
 26 **represent the municipality that has the largest population**
 27 **of all municipalities that are located in the participating**
 28 **county and within the upper Wabash River basin shall be**
 29 **appointed by the board of storm water management (as**
 30 **described in IC 8-1.5-5-4) of the municipality or, if the**
 31 **municipality has no board of storm water management, by**
 32 **the executive of the municipality.**
 33 **(4) The director of the department or the director's designee:**
 34 **(A) shall advise the commission on the transformation of**
 35 **the commission into a watershed development commission**
 36 **subject to IC 14-30.5; and**
 37 **(B) when the board of the watershed development**
 38 **commission is formed, shall assume the position on the**
 39 **board of the watershed development commission specified**
 40 **in IC 14-30.5-4-1(a)(2)(A).**
 41 **(5) The watershed development commission board may not**
 42 **meet until the department has given the approval referred to**



1 in this subsection. Upon the convening of the first meeting
2 under IC 14-30.5-4 of the board of the watershed development
3 commission:

4 (A) the Upper Wabash River basin commission ceases to
5 exist as a separate municipal corporation under
6 IC 14-30-6;

7 (B) the Upper Wabash watershed development commission
8 is established as a public body corporate and politic under
9 IC 14-30.5;

10 (C) the participating counties of the Upper Wabash River
11 basin commission become member counties of the Upper
12 Wabash watershed development commission under
13 IC 14-30.5; and

14 (D) each participating county of the Upper Wabash River
15 basin commission is authorized to appoint an individual
16 described in subdivision (3)(C) to represent the county on
17 the board of the Upper Wabash watershed development
18 commission.

19 (g) If established under this section, the Upper Wabash
20 watershed development commission:

21 (1) is a continuation of;

22 (2) retains the property and rights of; and

23 (3) is responsible for the actions and subject to the liabilities
24 of;

25 the former Upper Wabash River basin commission.

26 (h) If established under this section, the Upper Wabash
27 watershed development commission has all of the powers and
28 duties of a watershed development commission under IC 14-30.5
29 in the areas of the watershed of the Wabash River and the
30 tributaries of the Wabash River that are within the boundaries of
31 the member counties of the Upper Wabash watershed development
32 commission. For the purposes of IC 14-30.5, the areas of the
33 watershed of the Wabash River and the tributaries of the Wabash
34 River that are within the boundaries of the member counties of the
35 Upper Wabash watershed development commission comprise the
36 designated watershed of the Upper Wabash watershed
37 development commission.

38 (i) If the Upper Wabash watershed development commission is
39 established under this section, the board of the Upper Wabash
40 watershed development commission shall appoint an executive
41 director under IC 14-30.5-4-2(e). An individual who was the
42 executive director of the Upper Wabash River basin commission



1 may be appointed executive director of the Upper Wabash
2 watershed development commission under this subsection.

3 (j) If the Upper Wabash watershed development commission is
4 established under this section, all property, records, and funds of
5 the former Upper Wabash River basin commission:

6 (1) become property, records, and funds of the Upper Wabash
7 watershed development commission; and

8 (2) shall be transmitted to the Upper Wabash watershed
9 development commission not more than sixty (60) days after
10 the appointment of the executive director under subsection (i).

11 SECTION 40. IC 14-30.5-2-0.5, AS ADDED BY P.L.251-2023,
12 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2026]: Sec. 0.5. (a) Notwithstanding subsection (b), this
14 chapter does not authorize the creation of a watershed development
15 commission if the area in which the watershed development
16 commission could exercise the powers conferred by this article would
17 include any part of the area in which a river basin commission
18 established ~~under~~ by IC 14-30-6-2

19 ~~(1) IC 14-30-2;~~

20 ~~(2) IC 14-30-3; or~~

21 ~~(3) IC 14-30-4;~~

22 is authorized to exercise its powers.

23 (b) This section does not prohibit:

24 (1) the transformation of the Maumee River basin commission
25 into a watershed development commission under ~~IC 14-30-2-25;~~

26 **IC 14-30-7-1;**

27 (2) the transformation of the St. Joseph River basin commission
28 into a watershed development commission under ~~14-30-3-33;~~

29 **IC 14-30-7-2;** or

30 (3) the transformation of the upper Wabash River basin
31 commission into a watershed development commission under

32 ~~IC 14-30-4-20;~~ **IC 14-30-7-3;**

33 on the grounds that the watershed development commission resulting
34 from the transformation would be authorized to exercise its powers in
35 all or any part of the area in which the transformed river basin
36 commission was authorized to exercise its powers before the
37 transformation.

38 SECTION 41. IC 14-30.5-2-2, AS AMENDED BY P.L.92-2025,
39 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2026]: Sec. 2. (a) If one (1) county executive submits an
41 ordinance and a written request for recognition of a proposed
42 watershed development commission under section 1(c) of this chapter,



1 the natural resources commission shall decide under subsections (c)
2 through (e) whether to recognize the proposed commission.

3 (b) If the county executives of two (2) or more counties submit
4 ordinances and written requests under section 1(c) of this chapter for
5 recognition of a single proposed watershed development commission
6 empowered to act in a single designated watershed that includes areas
7 within both or all of the counties:

8 (1) the natural resources commission may not decide whether to
9 recognize the proposed commission unless the provisions of the
10 ordinances submitted under section 1(c)(1) of this chapter are
11 essentially identical in:

12 (A) identifying the designated watershed; and

13 (B) stating the purposes of the proposed commission; and

14 (2) if the natural resources commission determines that the
15 requirement set forth in subdivision (1) is met, the natural
16 resources commission shall decide under subsections (c) through
17 (e) whether to recognize the proposed commission.

18 (c) Before making a decision whether to recognize a proposed
19 commission under this section, the **division of water, on behalf of the**
20 natural resources commission, shall hold at least one (1) public hearing
21 concerning the proposed commission in each county whose executive
22 submitted an ordinance and a written request for recognition of the
23 proposed commission under section 1(c) of this chapter. Any interested
24 person attending a public hearing held under this subsection shall have
25 the right to:

26 (1) address the natural resources commission; and

27 (2) provide written comments;

28 on whether the proposed commission should be established. The
29 **division of water, on behalf of the** natural resources commission, may
30 convene the meeting, record the testimony given, and receive the
31 written comments provided.

32 (d) The **division of water, on behalf of the** natural resources
33 commission, shall give notice of a public hearing to be held under
34 subsection (c):

35 (1) by publication at least one (1) time in one (1) newspaper of
36 general circulation in the county in which the hearing will be
37 held; and

38 (2) through the website of the natural resources commission.

39 (e) In deciding whether to recognize a proposed commission, the
40 natural resources commission shall determine the answer to each of the
41 following questions:

42 (1) Are the purposes for which the proposed commission would



- 1 be established, as set forth in the ordinance or ordinances under
 2 section 1(b)(3) of this chapter, within the purposes set forth in
 3 IC 14-30.5-3-1 for which a watershed development commission
 4 may be established?
- 5 (2) Do the purposes of the proposed commission, as set forth in
 6 the ordinance or ordinances under section 1(b)(3) of this chapter,
 7 correspond to legitimate flood damage reduction, drainage, storm
 8 water management, recreation, or water infrastructure needs of
 9 each county seeking establishment of the commission, as set forth
 10 under section 1(b)(4) of this chapter?
- 11 (3) Is it reasonable to expect that the establishment of a
 12 commission having powers under this article only in the county
 13 or counties from which the ordinance or ordinances were
 14 submitted under section 1(c)(1) of this chapter would effectively
 15 address the flood damage reduction, drainage, storm water
 16 management, recreation, or water infrastructure needs of each
 17 county that submitted an ordinance under section 1(c)(1) of this
 18 chapter?
- 19 (4) Is it reasonable to expect that the establishment of a
 20 commission that has powers under this article only in the area or
 21 areas inside the geographic boundaries of the designated
 22 watershed would effectively address the flood damage reduction,
 23 drainage, storm water management, recreation, or water
 24 infrastructure needs of each county that submitted an ordinance
 25 under section 1(c)(1) of this chapter?
- 26 (5) Is the territory of the proposed commission at least as large as
 27 the entirety of the same eight (8) digit U.S. Geological Survey
 28 hydrologic unit code?
- 29 (6) Has a regional watershed study or watershed management
 30 plan been conducted in consultation with the Indiana finance
 31 authority and the department of natural resources that assesses
 32 water use, water quality, drinking water systems, wastewater
 33 management systems, storm water management, flood control,
 34 drainage management, recreational uses, natural resources, and
 35 water infrastructure needs of the watershed of the proposed
 36 commission? If so, can the establishment of the proposed
 37 commission be expected to address the needs identified in that
 38 study or management plan?
- 39 (f) If:
- 40 (1) one (1) county's executive submits an ordinance and a request
 41 for recognition of a proposed commission under section 1(c) of
 42 this chapter; and



- 1 (2) the natural resources commission answers all of the questions
 2 set forth in subsection (e) favorably;
 3 the natural resources commission shall issue an order recognizing the
 4 watershed development commission and recognizing the county
 5 referred to in subdivision (1) as a member of the watershed
 6 development commission.
- 7 (g) If:
 8 (1) executives of two (2) or more counties submit ordinances and
 9 requests for recognition of a proposed watershed development
 10 commission under section 1(c) of this chapter; and
 11 (2) the natural resources commission answers all of the questions
 12 set forth in subsection (e) favorably with respect to at least one (1)
 13 of the counties;
 14 the natural resources commission shall issue an order recognizing the
 15 watershed development commission and recognizing as a member of
 16 the watershed development commission each county with respect to
 17 which the natural resources commission answered all of the questions
 18 set forth in subsection (e) favorably.
- 19 (h) If the natural resources commission does not answer all of the
 20 questions set forth in subsection (e) favorably with respect to a county,
 21 the natural resources commission shall:
 22 (1) inform the executive of the county in writing of its decision;
 23 and
 24 (2) specify in the writing the reason or reasons for each
 25 unfavorable answer.
- 26 (i) The action of the natural resources commission under this section
 27 in declining to recognize a proposed watershed development
 28 commission for a particular watershed does not preclude the later
 29 submission of one (1) or more new ordinances and written requests for
 30 recognition of a proposed watershed development commission for the
 31 same designated watershed.
- 32 (j) An action of the natural resources commission under this section
 33 declining to recognize a particular county as a member of a watershed
 34 development commission does not preclude the later submission of:
 35 (1) another ordinance and written request under section 1(c) of
 36 this chapter for recognition of the county as a member of another
 37 proposed watershed development commission; or
 38 (2) an ordinance and written request under section 4 or 5 of this
 39 chapter proposing the county for membership in an established
 40 watershed development commission.
- 41 SECTION 42. IC 14-30.5-2-6, AS AMENDED BY P.L.92-2025,
 42 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2026]: Sec. 6. (a) A county to which section 4 or 5 of this
 2 chapter applies may not become a member of an existing watershed
 3 development commission unless:

4 (1) the executives of all of the counties that are members of the
 5 existing commission adopt ordinances accepting the county as a
 6 member county of the existing commission; and

7 (2) the natural resources commission issues an order under this
 8 section recognizing the county as a member county of the existing
 9 commission.

10 (b) Before making a decision whether to recognize a county as a
 11 member county of an existing commission under this section, the
 12 natural resources commission shall hold at least one (1) public hearing
 13 in the county concerning the proposed membership of the county in the
 14 existing commission. Any interested person attending a public hearing
 15 held under this subsection shall have the right to:

16 (1) address the natural resources commission; and

17 (2) provide written comments;

18 concerning the proposed membership of the county in the existing
 19 commission. The **division of water, on behalf of the** natural resources
 20 commission, may convene the meeting, record the testimony given, and
 21 receive the written comments provided.

22 (c) The **division of water, on behalf of the** natural resources
 23 commission, shall give notice of a public hearing to be held under
 24 subsection (b):

25 (1) by publication at least one (1) time in one (1) newspaper of
 26 general circulation in the county in which the hearing will be
 27 held; and

28 (2) through the website of the natural resources commission.

29 (d) In deciding whether to recognize a county to which section 4 or
 30 5 of this chapter applies as a member of an existing commission, the
 31 natural resources commission shall determine the answer to each of the
 32 following questions:

33 (1) Do the stated purposes for which the watershed development
 34 commission was established correspond to the flood damage
 35 reduction, drainage, storm water management, recreation, or
 36 water infrastructure needs of the county, as stated under section
 37 4(b)(3) or 5(b)(3) of this chapter?

38 (2) Is it reasonable to expect that the county's flood damage
 39 reduction, drainage, storm water management, recreation, or
 40 water infrastructure needs, as stated under section 4(b)(3) or
 41 5(b)(3) of this chapter, would be addressed more effectively if the
 42 county were a member of the existing commission than those



1 needs have previously been addressed?
2 (3) Would the county's membership in the existing commission
3 diminish the effectiveness of the existing watershed development
4 commission in addressing the flood damage reduction, drainage,
5 storm water management, recreation, or water infrastructure
6 needs of other member counties?
7 (4) Is the territory of the proposed commission at least as large as
8 the entirety of the same eight (8) digit U.S. Geological Survey
9 hydrologic unit code?
10 (5) Has a regional watershed study or watershed management
11 plan been conducted in consultation with Indiana finance
12 authority and the department of natural resources that assesses
13 water use, water quality, drinking water systems, wastewater
14 management systems, storm water management, flood control,
15 drainage management, recreational uses, natural resources, and
16 water infrastructure needs of the watershed of the proposed
17 commission? If so, can the establishment of the proposed
18 commission be expected to address the needs identified in that
19 study or management plan?
20 (e) If the natural resources commission answers all of the questions
21 set forth in subsection (d) favorably, the natural resources commission
22 shall issue an order recognizing the membership of the county in the
23 existing commission.
24 (f) If the natural resources commission does not answer all of the
25 questions set forth in subsection (d) favorably, the natural resources
26 commission shall inform the executive of the county to which section
27 4 or 5 of this chapter applies in writing of its decision and specify in the
28 writing the reason or reasons for each unfavorable answer.
29 (g) An action of the natural resources commission under this section
30 declining to recognize a county as a member of an established
31 watershed development commission does not preclude the later
32 submission of another ordinance under section 4 or 5 of this chapter
33 seeking membership for the county in an existing commission.
34 SECTION 43. IC 14-30.5-4-5, AS ADDED BY P.L.251-2023,
35 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2026]: Sec. 5. (a) There is established for each watershed
37 development commission an advisory committee to provide counsel to
38 the board of the commission.
39 (b) Except as provided in subsection (c), a watershed development
40 commission advisory committee established under this section consists
41 of a member or representative of the board of supervisors of the soil
42 and water conservation district of each county that is a member of the



1 commission, selected by the board of supervisors.
 2 (c) If the St. Joseph watershed development commission is
 3 established under ~~IC 14-30-3-33~~; **IC 14-30-7-2**:
 4 (1) the individuals serving as members of the St. Joseph River
 5 basin commission under ~~IC 14-30-3-8~~ **IC 14-30-6-5** become
 6 members of the advisory committee of the St. Joseph watershed
 7 development commission;
 8 (2) the term of office of an individual who becomes a member of
 9 the advisory committee of the St. Joseph watershed development
 10 commission under subdivision (1) is as provided in ~~IC 14-30-3-9~~;
 11 **IC 14-30-7-2**; and
 12 (3) upon:
 13 (A) the expiration under ~~IC 14-30-3-9~~; **IC 14-30-6-5**; or
 14 (B) the termination under any other circumstances;
 15 of the term of office of an individual described in subdivision (1),
 16 the office of the individual shall be filled by a successor according
 17 to ~~IC 14-30-3-33(i)(4)~~; **IC 14-30-7-2(j)(4)**.
 18 SECTION 44. IC 14-33-2-19 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19. (a) In determining
 20 the facts, the **division of water, on behalf of the** commission, shall **do**
 21 **the following**:
 22 (1) Hold hearings at which the ~~commission~~ **division of water**
 23 shall give any interested person the right to be heard.
 24 (2) At the request of an interested person, ~~the commission shall~~
 25 hold hearings at the county seat of a county containing land in the
 26 proposed district.
 27 (3) ~~The commission shall~~ Choose the county seat.
 28 (b) The ~~commission~~ **division of water** shall give notice of the
 29 hearings by publication at least one (1) time in one (1) newspaper of
 30 general circulation in each county containing land in the proposed
 31 district.
 32 SECTION 45. IC 14-33-2-22 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 22. The commission,
 34 **in coordination with the department**, shall make a report of the
 35 commission's findings to the court, including findings on the territorial
 36 limits of the proposed district. The commission shall make this report
 37 within one hundred twenty (120) days after the petition is referred to
 38 the commission, unless the commission requests and receives approval
 39 from the court for additional periods of thirty (30) days each.



COMMITTEE REPORT

Mr. President: The Senate Committee on Natural Resources, to which was referred Senate Bill No. 224, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, delete lines 4 through 7.

Page 1, delete lines 11 through 15, begin a new paragraph and insert:

"SECTION 4. IC 14-8-2-107, AS AMENDED BY P.L.127-2022, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 107. "Fund" has the following meaning:

- (1) For purposes of IC 14-9-5, the meaning set forth in IC 14-9-5-1.
- (2) For purposes of IC 14-9-8-21, the meaning set forth in IC 14-9-8-21.
- (3) For purposes of IC 14-9-8-21.5, the meaning set forth in IC 14-9-8-21.5.
- (4) For purposes of IC 14-9-9, the meaning set forth in IC 14-9-9-3.
- (5) For purposes of IC 14-12-1, the meaning set forth in IC 14-12-1-1.
- (6) For purposes of IC 14-12-2, the meaning set forth in IC 14-12-2-2.
- ~~(7) For purposes of IC 14-12-3, the meaning set forth in IC 14-12-3-2.~~
- ~~(8)~~ (7) For purposes of IC 14-13-1, the meaning set forth in IC 14-13-1-2.
- ~~(9)~~ (8) For purposes of IC 14-13-2, the meaning set forth in IC 14-13-2-3.
- ~~(10)~~ (9) For purposes of IC 14-16-1, the meaning set forth in IC 14-16-1-30.
- ~~(11)~~ (10) For purposes of IC 14-19-8, the meaning set forth in IC 14-19-8-1.
- ~~(12)~~ (11) For purposes of IC 14-19-11, the meaning set forth in IC 14-19-11-3.1.
- ~~(13)~~ (12) For purposes of IC 14-20-11, the meaning set forth in IC 14-20-11-2.
- ~~(14)~~ (13) For purposes of IC 14-22-3, the meaning set forth in IC 14-22-3-1.
- ~~(15)~~ (14) For purposes of IC 14-22-4, the meaning set forth in IC 14-22-4-1.



~~(16)~~ **(15)** For purposes of IC 14-22-5, the meaning set forth in IC 14-22-5-1.

~~(17)~~ **(16)** For purposes of IC 14-22-8, the meaning set forth in IC 14-22-8-1.

~~(18)~~ **(17)** For purposes of IC 14-22-34, the meaning set forth in IC 14-22-34-2.

~~(19)~~ **(18)** For purposes of IC 14-23-3, the meaning set forth in IC 14-23-3-1.

~~(20)~~ **(19)** For purposes of IC 14-25-2-4, the meaning set forth in IC 14-25-2-4.

~~(21)~~ **(20)** For purposes of IC 14-25-10, the meaning set forth in IC 14-25-10-1.

~~(22)~~ **(21)** For purposes of IC 14-25.5, the meaning set forth in IC 14-25.5-1-3.

~~(23)~~ **(22)** For purposes of IC 14-31-2, the meaning set forth in IC 14-31-2-5.

~~(24)~~ **(23)** For purposes of IC 14-25-12, the meaning set forth in IC 14-25-12-1.

~~(25)~~ **(24)** For purposes of IC 14-32-8, the meaning set forth in IC 14-32-8-1.

~~(26)~~ **(25)** For purposes of IC 14-33-14, the meaning set forth in IC 14-33-14-3.

~~(27)~~ **(26)** For purposes of IC 14-33-21, the meaning set forth in IC 14-33-21-1.

~~(28)~~ **(27)** For purposes of IC 14-34-6-15, the meaning set forth in IC 14-34-6-15.

~~(29)~~ **(28)** For purposes of IC 14-34-14, the meaning set forth in IC 14-34-14-1.

~~(30)~~ **(29)** For purposes of IC 14-34-19-1.3, the meaning set forth in IC 14-34-19-1.3(a).

~~(31)~~ **(30)** For purposes of IC 14-34-19-1.5, the meaning set forth in IC 14-34-19-1.5(a).

~~(32)~~ **(31)** For purposes of IC 14-37-10, the meaning set forth in IC 14-37-10-1."

Delete page 2.

Page 3, delete lines 1 through 33.

Page 4, delete lines 2 through 30, begin a new paragraph and insert:

"SECTION 12. IC 14-8-2-320 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 320. "Wildlife" has the following meaning:

- (1) For purposes of IC 14-22, except as provided in subdivision
- (2), **means** all wild birds, **fish, crustaceans, mollusks,**



amphibians, reptiles, and wild mammals.

(2) For purposes of IC 14-22-34, the meaning set forth in IC 14-22-34-6."

Page 5, delete lines 2 through 39.

Page 6, delete lines 28 through 39.

Page 7, delete lines 23 through 35.

Page 8, delete lines 6 through 42.

Delete pages 9 through 12.

Page 13, delete lines 1 through 18.

Page 14, delete lines 37 through 42.

Delete pages 15 through 16.

Page 17, delete lines 1 through 36.

Page 19, delete lines 35 through 42.

Delete page 20.

Page 21, delete lines 1 through 31.

Page 22, delete lines 17 through 42.

Delete pages 23 through 24.

Page 25, delete lines 1 through 19, begin a new paragraph and insert:

"SECTION 54. IC 14-22-10-2, AS AMENDED BY P.L.113-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) As used in this section and section 2.5 of this chapter, "governmental entity" means any of the following:

- (1) The government of the United States of America.
- (2) The state.
- (3) A county.
- (4) A city.
- (5) A town.
- (6) A township.
- (7) The following, if created by the Constitution of the United States, the Constitution of the State of Indiana, a statute, an ordinance, a rule, or an order:
 - (A) An agency.
 - (B) A board.
 - (C) A commission.
 - (D) A committee.
 - (E) A council.
 - (F) A department.
 - (G) A district.
 - (H) A public body corporate and politic.

(b) As used in this section and section 2.5 of this chapter, "monetary consideration" means a fee or other charge for permission to go upon



a tract of land. The term does not include:

- (1) the gratuitous sharing of game, fish, or other products of the recreational use of the land;
- (2) services rendered for the purpose of wildlife management; or
- (3) contributions in kind made for the purpose of wildlife management.

(c) As used in this section and section 2.5 of this chapter, "owner" means a governmental entity or another person that:

- (1) has a fee interest in;
- (2) is a tenant, a lessee, or an occupant of; or
- (3) is in control of;

a tract of land.

(d) A person who goes upon or through the premises, including caves, of another:

- (1) with or without permission; and
- (2) either:
 - (A) without the payment of monetary consideration; or
 - (B) with the payment of monetary consideration directly or indirectly on the person's behalf by an agency of the state or federal government;

for the purpose of swimming, camping, hiking, sightseeing, **exercising, cycling,** or accessing or departing from a trail, a greenway, or another similar area, or for any other purpose (other than the purposes described in section 2.5 of this chapter) ~~does not have an assurance that the premises are safe for the purpose:~~ **is subject to the limitations of liability granted to the owner of the premises described in subsection (e).**

(e) The owner of the premises does not

- (1) ~~assume responsibility;~~ or
- (2) ~~incur liability;~~

~~for an injury to a person or property caused by an act or failure to act of other persons using the premises:~~ **assume responsibility or incur liability for an injury or damage to a:**

- (1) **person caused by:**
 - (A) **an act;** or
 - (B) **the failure to act;****of another person using the premises;**
- (2) **person caused by a condition on the land;** or
- (3) **person's property caused by:**
 - (A) **the act of another person using the premises;** or
 - (B) **a condition on the land.**

(f) This section does not affect the following:



(†) Existing Indiana case law on the liability of owners or possessors of premises with respect to the following:

(A) ~~Business invitees in commercial establishments.~~

(B) ~~Invited guests.~~

(1) Business invitees in for-profit establishments.

(2) The attractive nuisance doctrine.

(g) This section does not excuse the owner or occupant of premises from liability for injury to a person or property caused by a malicious or an illegal act of the owner or occupant.

(h) This section does not apply to a parcel of land assessed as residential land.

SECTION 55. IC 14-22-10-2.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.5. (a) A person who goes upon or through the premises, including caves, of another:

(1) with or without permission; and

(2) either:

(A) without the payment of monetary consideration; or

(B) with the payment of monetary consideration directly or indirectly on the person's behalf by an agency of the state or federal government;

for the purpose of hunting, fishing, trapping, or preparing to hunt, fish, or trap, does not have an assurance that the premises are safe for that purpose.

(b) The owner of the premises does not:

(1) assume responsibility; or

(2) incur liability;

for an injury to a person or property caused by an act or failure to act of other persons using the premises.

(c) This section does not affect Indiana case law on the liability of owners or possessors of premises with respect to the following:

(1) Business invitees in commercial establishments.

(2) The attractive nuisance doctrine.

(d) This section does not excuse the owner or occupant of premises from liability for injury to a person or property caused by a malicious or an illegal act of the owner or occupant.

(e) This section does not apply to a parcel of land assessed as residential land."

Page 25, delete lines 24 through 42.

Delete pages 26 through 28.

Page 29, delete lines 1 through 18.

Page 30, delete lines 8 through 26.

Page 35, delete lines 29 through 42.



Delete pages 36 through 41.
 Page 42, delete lines 1 through 28.
 Page 43, delete lines 9 through 42.
 Delete pages 44 through 47.
 Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 224 as introduced.)

GLICK, Chairperson

Committee Vote: Yeas 9, Nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred Senate Bill 224, 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:

Page 1, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 3. IC 14-8-2-20, AS AMENDED BY P.L.99-2025, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 20. "Basin" has the following meaning:

- (1) For purposes of IC 14-13-9, the meaning set forth in IC 14-13-9-1.
- (2) For purposes of IC 14-25-1, the meaning set forth in section 1.2 of IC 14-25-15-1.
- (3) For purposes of IC 14-25-17, the meaning set forth in IC 14-25-17-3.
- ~~(4) For purposes of IC 14-30-2, the meaning set forth in IC 14-30-2-1.~~
- ~~(5) For purposes of IC 14-30-3, the meaning set forth in IC 14-30-3-1.~~
- ~~(6) For purposes of IC 14-30-4, the meaning set forth in IC 14-30-4-1.~~

SECTION 4. IC 14-8-2-48, AS AMENDED BY P.L.251-2023, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 48. (a) "Commission", except as provided in this section, refers to the natural resources commission.

(b) "Commission", for purposes of IC 14-13-1, has the meaning set forth in IC 14-13-1-1.

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(c) "Commission", for purposes of IC 14-13-2, has the meaning set forth in IC 14-13-2-2.

(d) "Commission", for purposes of IC 14-13-4, has the meaning set forth in IC 14-13-4-1.

(e) "Commission", for purposes of IC 14-13-5, has the meaning set forth in IC 14-13-5-1.

(f) "Commission", for purposes of IC 14-13-6, has the meaning set forth in IC 14-13-6-2.

(g) "Commission", for purposes of IC 14-13-9, has the meaning set forth in IC 14-13-9-2.

(h) "Commission", for purposes of IC 14-20-11, has the meaning set forth in IC 14-20-11-1.

(i) "Commission", for purposes of IC 14-28-4, has the meaning set forth in IC 14-28-4-1.

(j) "Commission", for purposes of ~~IC 14-30-2~~, **IC 14-30-6**, has the meaning set forth in ~~IC 14-30-2-2~~. **IC 14-30-6-1**.

(k) "Commission", for purposes of ~~IC 14-30-3~~, **IC 14-30-7-1**, has the meaning set forth in ~~IC 14-30-3-2~~. **IC 14-30-7-1**.

(l) "Commission", for purposes of ~~IC 14-30-4~~, **IC 14-30-7-2**, has the meaning set forth in ~~IC 14-30-4-2~~. **IC 14-30-7-2**.

(m) "Commission", for purposes of IC 14-30-7-3, has the meaning set forth in IC 14-30-7-3.

~~(m)~~ **(n)** "Commission", for purposes of IC 14-30.5, has the meaning set forth in IC 14-30.5-1-2.

~~(n)~~ **(o)** "Commission", for purposes of IC 14-33-20, has the meaning set forth in IC 14-33-20-2."

Page 1, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 5. IC 14-8-2-86.2, AS ADDED BY P.L.251-2023, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 86.2. "Executive", for purposes of ~~IC 14-30-3-33~~ ~~and~~ IC 14-30.5, has the meaning set forth in IC 14-30.5-1-4."

Page 3, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 7. IC 14-8-2-159 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 159. "Maumee River basin", for purposes of ~~IC 14-30-2~~, **IC 14-30-6 and IC 14-30-7**, has the meaning set forth in ~~IC 14-30-2-3~~. **IC 14-30-7-1**."

Page 3, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 9. IC 14-8-2-198 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 198. "Participating county" has the following meaning:

(1) For purposes of ~~IC 14-30-2~~, **IC 14-30-6**, the meaning set forth in ~~IC 14-30-2-4~~. **IC 14-30-6-1**.



(2) For purposes of ~~IC 14-30-3~~, **IC 14-30-7-1**, the meaning set forth in ~~IC 14-30-3-3~~. **IC 14-30-7-1**.

(3) For purposes of ~~IC 14-30-4~~, **IC 14-30-7-2**, the meaning set forth in ~~IC 14-30-4-3~~. **IC 14-30-7-2**.

(4) For purposes of IC 14-30-7-3, the meaning set forth in IC 14-30-7-3.

SECTION 10. IC 14-8-2-206 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 206. "Plan", ~~has the following meaning:~~

(1) for purposes of IC 14-21-1, ~~has~~ the meaning set forth in IC 14-21-1-8.

(2) For purposes of ~~IC 14-30-2~~, the meaning set forth in ~~IC 14-30-2-5~~.

(3) For purposes of ~~IC 14-30-4~~, the meaning set forth in ~~IC 14-30-4-4~~.

SECTION 11. IC 14-8-2-208, AS AMENDED BY P.L.138-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 208. "Political subdivision" has the following meaning:

(1) For purposes of IC 14-12-1, the meaning set forth in IC 14-12-1-2.

(2) For purposes of IC 14-13-2, ~~and IC 14-30-3~~, the meaning set forth in IC 36-1-2-13.

(3) For purposes of IC 14-32-8, the meaning set forth in IC 14-32-8-2."

Page 3, between lines 26 and 27, begin a new paragraph and insert: "SECTION 13. IC 14-8-2-263 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 263. "St. Joseph River basin", for purposes of ~~IC 14-30-3~~, **IC 14-30-6 and IC 14-30-7**, has the meaning set forth in ~~IC 14-30-3-4~~. **IC 14-30-7-2**.

SECTION 14. IC 14-8-2-291.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 291.5. "Upper Wabash River basin", for purposes of ~~IC 14-30-4~~, **IC 14-30-6 and IC 14-30-7**, has the meaning set forth in ~~IC 14-30-4-5~~. **IC 14-30-7-3**."

Page 5, between lines 32 and 33, begin a new paragraph and insert: "SECTION 22. IC 14-13-6-20, AS AMENDED BY P.L.118-2009, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 20. The commission may use the Wabash River heritage corridor commission fund to pay:

(1) reimbursement of the expenses of members under section 13 of this chapter;

(2) other administrative costs and expenses reasonably incurred



under this chapter, including expenses for publications and postage; and

(3) costs incurred in fulfilling the directives of the Wabash River heritage corridor commission master plan, including multicounty projects and marketing and educational tools such as video tape productions, signs, and promotional literature.

However, the commission may not use money in the fund for the upper Wabash River basin commission established by ~~IC 14-30-4-6~~.
IC 14-30-6.

SECTION 23. IC 14-13-6-23, AS ADDED BY P.L.69-2009, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 23. (a) The Wabash River heritage corridor fund is established for the purpose of:

- (1) providing grants to aid the sustainable development of property under the Wabash River heritage corridor commission master plan and purposes of the commission; and
- (2) paying costs incurred in fulfilling the directives of the Wabash River heritage corridor commission master plan, including multicounty projects.

However, the commission may not use money in the fund for the upper Wabash River basin commission established by ~~IC 14-30-4-6~~.
IC 14-30-6.

(b) The fund shall be administered by the director under the direction of the commission.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) The fund consists of the following:

- (1) Appropriations made by the general assembly.
- (2) Interest as provided in subsection (e).
- (3) Funds deposited under IC 14-38-1-13(d).
- (4) Money donated to the fund.
- (5) Money transferred to the fund from other funds.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

(f) Money in the fund at the end of a fiscal year does not revert to the state general fund.

(g) Money in the fund is annually appropriated to the department of natural resources for its use in fulfilling the purposes of this section."

Page 13, delete lines 1 through 6, begin a new paragraph and insert:
"SECTION 35. IC 14-30-2 IS REPEALED [EFFECTIVE JULY 1,



2026]. (Maumee River Basin Commission).

SECTION 36. IC 14-30-3 IS REPEALED [EFFECTIVE JULY 1, 2026]. (St. Joseph River Basin Commission).

SECTION 37. IC 14-30-4 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Upper Wabash River Basin Commission).

SECTION 38. IC 14-30-6 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 6. River Basin Commission Administration

Sec. 1. For purposes of this chapter, the following definitions apply:

- (1) "Commission" refers to a river basin commission established by section 2 of this chapter.
- (2) "Participating county" refers to a county that:
 - (A) joins a commission under section 4 of this chapter; and
 - (B) has territory within the commission.

Sec. 2. (a) The following river basin commissions are established:

- (1) The Maumee River basin commission.
- (2) The St. Joseph River basin commission.
- (3) The Upper Wabash River basin commission.

(b) After consulting with the surveyor of each county in a river basin, the director shall certify the boundaries of a commission established by subsection (a). However, a river basin commission established by subsection (a)(1), (a)(2), or (a)(3) is not required to recertify the commission's boundaries under this subsection.

Sec. 3. A commission established by this chapter:

- (1) is a separate municipal corporation; and
- (2) may sue and be sued.

Sec. 4. The executive of a county that includes territory in a commission may do the following:

- (1) Elect to participate in the commission by designating the county as a participating county.
- (2) Revoke the designation described in subdivision (1).

Sec. 5. (a) Except as provided in subsection (d), the following shall serve as voting members of the commission:

- (1) A member of the county executive for a participating county.
- (2) The executive director or, if a county does not have an executive director, the chairman or manager of a soil and water conservation district that:
 - (A) is subject to IC 14-32;



(B) includes territory in a participating county; and

(C) includes territory in the basin.

(3) The county surveyor of each participating county.

(b) In addition to the members required under subsection (a), the required members of a commission may appoint the following voting members:

(1) Each member of the county executive for a participating county.

(2) The executive of each second class city within the territory of the commission.

(3) If a participating county does not have a second class city, the executive of the municipality with the largest population located within the territory of the basin.

(4) A participating county's health officer.

(5) A representative of each soil and water conservation district that:

(A) is subject to IC 14-32;

(B) includes territory in a participating county; and

(C) includes territory in the basin.

(6) A representative of the department of natural resources. However, the representative may not be an employee or elected official of a city, town, or county governmental unit.

(c) A representative described in subsection (b)(5) or (b)(6):

(1) is chosen by the entity being represented;

(2) serves a three (3) year term;

(3) is eligible for reappointment; and

(4) continues until a successor is appointed.

(d) A commission that exists on or before June 30, 2026, retains the commission's existing voting members.

Sec. 6. (a) A member of the commission may:

(1) designate another individual to perform the duties of the member on the commission; and

(2) revoke the designation described in subdivision (1).

(b) A designation or a revocation of a designation under this section must be filed with the commission to be effective.

Sec. 7. (a) A commission shall annually elect from among the voting members the following officers:

(1) A chairperson.

(2) A vice chairperson.

(3) A secretary.

(4) A treasurer.

(b) The officers elected under subsection (a) shall perform the



duties specified in the commission's bylaws.

(c) A commission may establish other offices, including an executive director, and determine the means for filling the offices. Any salary or benefits provided to the individual must be paid by the commission that establishes the office.

Sec. 8. (a) Either:

- (1) the commission; or
- (2) a participating county;

but not both, may pay its members reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency. Money paid under subdivision (1) may only be paid from money available to the commission at the time of reimbursement.

(b) A county may pay members of a commission the salary per diem provided by IC 4-10-11-2.1(b) for the performance of the member's duties on the commission.

Sec. 9. (a) A commission shall meet at least four (4) times each calendar year.

(b) The following may call a meeting:

- (1) The chairperson.
- (2) The executive director.
- (3) A quorum of the commission's members.

(c) A commission shall adopt bylaws specifying a quorum requirement.

(d) A member may waive notice of any meeting by filing a written waiver with the secretary of the commission.

Sec. 10. (a) A commission may do the following:

- (1) Manage the commission's internal affairs.
- (2) Employ staff.
- (3) Subject to section 12 of this chapter, enter into contracts for purposes of this chapter.
- (4) Exercise the powers of a political subdivision specified in a cooperative agreement described in section 12 of this chapter.
- (5) Provide a forum for the discussion, study, and evaluation of water resource issues of common concern in the river basin.
- (6) Facilitate and foster cooperative planning and coordinated management of the basin's water and related land resources.
- (7) Develop positions on major water resource issues and



serve as an advocate of the basin's interests before Congress and federal, state, and local governmental agencies.

(8) Develop plans and tools to improve water quality or mitigate flooding in the basin.

(9) Publicize, advertise, and distribute reports on the commission's purposes, objectives, studies, and findings.

(10) When requested, make recommendations in matters related to the commission's functions and objectives to political subdivisions in the basin and to other public and private agencies.

(11) When requested, act as a coordinating agency for programs and activities of other public and private agencies that are related to the commission's objectives.

(12) Invite government officials of other states within the river basin to:

(A) attend the commission's meetings; and

(B) advise the commission upon the commission's request.

(b) A commission may not exercise any of the powers described in subsection (a) within a nature preserve (as defined in IC 14-31-1).

(c) This section does not exempt the commission from any other statute.

Sec. 11. A commission shall do the following:

(1) Keep a record of the commission's resolutions, transactions, and findings. A record under this subdivision is a public record.

(2) Make an annual report of the commission's activities to the executive of each participating county. The commission shall upon request make an annual report to the following:

(A) The governor.

(B) Any member of the general assembly.

(3) Prepare and adopt an annual budget.

(4) Submit the budget described in subdivision (3) to the executive of each participating county and, upon request, make the budget available to each agency appropriating money to the commission.

Sec. 12. (a) A political subdivision in a participating county may under IC 36-1-7 enter into a cooperative agreement with a commission and at least one (1) other legal entity, including a legal entity in another state.

(b) If a commission intends to enter into a cooperative agreement under subsection (a), the commission shall post public



notice of the proposed cooperative agreement at least ten (10) business days before the meeting at which the cooperative agreement is scheduled to be voted on by the commission.

(c) Before a commission may vote on the cooperative agreement under this section, the cooperative agreement must be approved by the department.

Sec. 13. A commission may adopt a resolution to do any one (1) or more of the following:

- (1) Require that increased water runoff resulting from new construction be impounded on the construction site.
- (2) Permit the requirement of onsite water impoundment under subdivision (1) to be waived upon payment of a reasonable fee by the developer of the new construction.
- (3) Restrict construction within the one hundred (100) year flood plains of the river basin.

Sec. 14. (a) The commission may establish an executive board consisting of the following:

- (1) The chairperson of the commission.
- (2) One (1) member from each participating county that is not represented by the chairperson, to be chosen in a manner prescribed by the commission's bylaws.

(b) The commission may delegate to the executive board the power to do the following:

- (1) Recommend agenda items and activities to the commission.
- (2) Conduct hearings on proposed commission projects.
- (3) Perform other administrative duties assigned by the commission.

Sec. 15. (a) The commission may appoint an advisory committee to assist the commission.

(b) A member of an advisory committee is not entitled to compensation for serving on the advisory committee.

Sec. 16. The commission may adopt a bylaw to govern member participation in:

- (1) a commission's; or
- (2) an executive board's;

meeting by electronic communication.

Sec. 17. (a) A commission may receive grants and appropriations from the following:

- (1) Federal, state, and local governments.
- (2) Individuals, foundations, and other organizations.

However, a commission is not eligible for funding through the



Wabash River heritage corridor commission established by IC 14-13-6-6.

(b) The commission may enter into an agreement or contract regarding the acceptance or use of the grants and appropriations described in subsection (a) for the purpose of carrying out the commission's activities under this chapter.

Sec. 18. (a) A participating county may budget, appropriate, and disburse money to carry out the purposes of the commission under this chapter.

(b) The appropriation from the participating county that is needed for all or part of the commission's budget must be either:

- (1) apportioned among the participating counties in direct relationship to the amount of land area in each participating county certified under section 2 of this chapter; or**
- (2) divided equally among the participating counties.**

(c) The appropriation that is needed under subsection (b) shall be presented to the county executive at the same time that budgets are presented by county officers.

Sec. 19. (a) The commission shall make expenditures only as budgeted. However, the commission may revise the budget at any time to authorize unbudgeted expenditures.

(b) Any appropriated amounts remaining unexpended or unencumbered at the end of the fiscal year become part of a nonreverting cumulative fund to be held in the name of the commission. The commission may authorize unbudgeted expenditures from this fund.

(c) The commission is responsible for the safekeeping and deposit of money the commission receives under this chapter. The state board of accounts shall:

- (1) prescribe the methods and forms for keeping; and**
- (2) periodically audit;**

the accounts, records, and books of the commission.

(d) The treasurer of the commission may receive, disburse, and handle money belonging to the commission, subject to the following:

- (1) Applicable statutes.**
- (2) Procedures established by the commission.**

Sec. 20. (a) For the purposes of this chapter, the commission may do the following:

- (1) Acquire by grant, gift, purchase, or devise, and dispose of, conservation easements under IC 32-23-5 in land:**
 - (A) within; or**



(B) adjacent to if part of the same parcel;
the one hundred (100) year flood plains and the wetlands in
the basin.

(2) Acquire, by grant, gift, purchase, or devise, improvements:

(A) within; or

(B) adjacent to if part of the same parcel;
the one hundred (100) year flood plains of the basin for the
purpose of removing those improvements.

(3) Acquire, dispose of, hold, use, improve, maintain, operate,
own, manage, or lease real or personal property by grant, gift,
purchase, or devise for the purposes of this chapter.

(b) The commission may exercise the powers granted by this
section as follows:

(1) For purposes of IC 32-23-5.

(2) To contribute to the following:

(A) Flood mitigation.

(B) Flood damage reduction.

(C) Improvements in water quality.

(D) Soil conservation.

Sec. 21. (a) The commission, the executive board, or employees
or authorized representatives of the commission acting under this
chapter may:

(1) enter the land lying within the one hundred (100) year
flood plain of any watercourse in the river basin; and

(2) enter land lying outside the one hundred (100) year flood
plain to gain access to land lying within the one hundred (100)
year flood plain in the river basin;

if necessary to investigate, examine, or survey the land or
investigate suspected violations of the Indiana flood control laws.

(b) The commission must give twenty-one (21) days written
notice to:

(1) an owner of the affected land;

(2) a contract purchaser of the affected land; or

(3) if the land is municipal property (as described in
IC 6-1.1-10-5(a)), the executive of the municipality;

before exercising the right to enter land under this section. The
notice must state the purpose of the entry and that there is a right
of appeal under this section.

(c) A person described in subsection (b)(1) through (b)(3) may,
within the twenty-one (21) day notice period required by
subsection (b), appeal the proposed entry under subsection (a) to
the commission on the grounds that the proposed entry is not



necessary. If a person appeals under this subsection, the commission shall hold a hearing on the necessity of the entry before the right of entry is exercised.

(d) A person entering land under this section must use due care to avoid damage to:

- (1) crops; or
- (2) fences, buildings, and other structures.

(e) Neither the commission, the executive board, nor employees or authorized representatives of the commission acting under this chapter commits criminal trespass under IC 35-43-2-2 by entering land described in subsection (a) for a purpose set forth in subsection (a).

SECTION 39. IC 14-30-7 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 7. Conversion to Watershed Development Commission

Sec. 1. (a) For purposes of this section, the following definitions apply:

- (1) "Commission" refers to the Maumee River basin commission.
- (2) "Maumee River basin" means the area in Adams County, Allen County, DeKalb County, Noble County, Steuben County, and Wells County that drains into the Maumee River and the tributaries of the Maumee River.
- (3) "Participating county" refers to a county that has joined the Maumee River basin commission under IC 14-30-6-4.

(b) The commission:

- (1) may; but
- (2) is not required to;

consider a proposal to transform the commission from a river basin commission subject to IC 14-30-6 into a watershed development commission subject to IC 14-30.5.

(c) For the commission to be transformed from a river basin commission subject to IC 14-30-6 into a watershed development commission subject to IC 14-30.5:

- (1) the county executives of all participating counties:
 - (A) must approve the proposal described in subsection (b); and
 - (B) must adopt substantively identical ordinances that set forth the flood damage reduction, drainage, storm water management, or soil and water conservation purposes for which the proposed watershed development commission



would be established, and, for purposes of IC 14-30.5-2-0.5, the designated watershed within which the proposed watershed development commission would exercise its powers; and

(2) a majority of the voting members of the commission must vote in favor of the transformation of the commission into a watershed development commission in accordance with the ordinances adopted under subdivision (1)(B) and the provisions of this section.

(d) For the county executive of a participating county to approve a proposal described in subsection (b) under subsection (c)(1)(A), at least two (2) of the three (3) members of the county executive must vote in favor of the proposal.

(e) If a member of the county executive of a participating county has designated another individual under IC 14-30-6-6 to perform the member's duties on the commission, the individual designated to perform the duties of the member of the county executive may vote under subsection (c)(2) on the proposal described in subsection (b).

(f) If the county executives of all participating counties approve a proposal described in subsection (b) under subsection (c)(1)(A) and adopt substantively identical ordinances under subsection (c)(1)(B), a majority of the voting members of the commission vote in favor of the transformation of the commission into a watershed development commission under subsection (c)(2), and the department approves the transformation of the commission into a watershed development commission with the purposes set forth in the ordinances adopted under subsection (c)(1)(B), the following apply:

(1) The commission shall notify the department of the approval of the proposal.

(2) The officers of the commission elected under IC 14-30-6-7 shall take the actions necessary and appropriate to the transformation of the commission from a river basin commission subject to this chapter into a watershed development commission subject to IC 14-30.5.

(3) The board of the watershed development commission consists of the following:

(A) The director of the department or the director's designee.

(B) The county surveyor of each county participating in the commission.



- (C) A member of the county executive from each county participating in the commission or the member's designee.
- (D) One (1) individual to represent each second class city that is located in a participating county and within the Maumee River basin, appointed by:
- (i) the board of storm water management (as described in IC 8-1.5-5-4) of the second class city; or
 - (ii) if the second class city has no board of storm water management, the executive of the second class city.
- (E) A member of the county soil and water conservation district board from each participating county within the Maumee River basin or the member's designee.
- (4) The director of the department or the director's designee:
- (A) shall advise the commission on the transformation of the commission into a watershed development commission subject to IC 14-30.5; and
 - (B) when the board of the watershed development commission is formed, shall assume the position on the board of the watershed development commission specified in IC 14-30.5-4-1(a)(1)(A).
- (5) The watershed development commission board may not meet until the department has given the approval referred to in this subsection. Upon the convening of the first meeting under IC 14-30.5-4 of the board of the watershed development commission:
- (A) the Maumee River basin commission ceases to exist as a separate municipal corporation under IC 14-30-6;
 - (B) the Maumee watershed development commission is established as a public body corporate and politic under IC 14-30.5;
 - (C) the participating counties of the Maumee River basin commission become member counties of the Maumee watershed development commission under IC 14-30.5; and
 - (D) each participating county of the Maumee River basin commission is authorized to appoint a member of the county executive or the member's designee under IC 14-30.5-4-1 to represent the county on the board of the Maumee watershed development commission.
- (g) If established under this section, the Maumee watershed development commission:
- (1) is a continuation of;
 - (2) retains the property and rights of; and



(3) is responsible for the actions and subject to the liabilities of;
the former Maumee River basin commission.

(h) If established under this section, the Maumee watershed development commission has all of the powers and duties of a watershed development commission under IC 14-30.5 in the areas of the watershed of the Maumee River and the tributaries of the Maumee River that are within the boundaries of the member counties of the Maumee watershed development commission. For the purposes of IC 14-30.5, the areas of the watershed of the Maumee River and the tributaries of the Maumee River that are within the boundaries of the member counties of the Maumee watershed development commission comprise the designated watershed of the Maumee watershed development commission.

(i) If the Maumee watershed development commission is established under this section, the board of the Maumee watershed development commission shall appoint an executive director under IC 14-30.5-4-2(e). An individual who was the executive director of the Maumee River basin commission may be appointed executive director of the Maumee watershed development commission under this subsection.

(j) If the Maumee watershed development commission is established under this section, all property, records, and funds of the former Maumee River basin commission:

- (1) become property, records, and funds of the Maumee watershed development commission; and
- (2) shall be transmitted to the Maumee watershed development commission not more than sixty (60) days after the appointment of the executive director under subsection (i).

Sec. 2. (a) For purposes of this section, the following definitions apply:

- (1) "Commission" refers to the St. Joseph River basin commission.
- (2) "Participating county" refers to a county that has joined the St. Joseph River basin commission under IC 14-30-6-4.
- (3) "St. Joseph River basin" means the area in Elkhart County, Kosciusko County, LaGrange County, Noble County, St. Joseph County, and Steuben County that drains into the St. Joseph River.

(b) The commission:

- (1) may; but
- (2) is not required to;



consider a proposal to transform the commission from a river basin commission subject to IC 14-30-6 into a watershed development commission subject to IC 14-30.5.

(c) For the commission to be transformed from a river basin commission subject to IC 14-30-6 into a watershed development commission subject to IC 14-30.5:

- (1) the county executives of all participating counties:
 - (A) must approve the proposal described in subsection (b); and
 - (B) must adopt substantively identical ordinances that set forth the information required by IC 14-30.5-2-1(b), including, for purposes of IC 14-30.5-2-0.5, the designated watershed within which the proposed watershed development commission would exercise its powers; and
- (2) a majority of the voting members of the commission must vote in favor of the transformation of the commission into a watershed development commission in accordance with the ordinances adopted under subdivision (1)(B) and the provisions of this section.

(d) For the county executive of a participating county to approve a proposal described in subsection (b) under subsection (c)(1)(A), at least two (2) of the three (3) members of the county executive must vote in favor of the proposal.

(e) If a member of the county executive of a participating county has designated another individual under IC 14-30-6-6 to fill the member's position on the commission, the individual designated to fill the member's position may vote under subsection (c)(2) on the proposal described in subsection (b).

(f) If the county executives of all participating counties approve a proposal described in subsection (b) under subsection (c)(1)(A) and adopt substantively identical ordinances under subsection (c)(1)(B), a majority of the voting members of the commission vote in favor of the transformation of the commission into a watershed development commission under subsection (c)(2), and the department approves the transformation of the commission into a watershed development commission with the purposes set forth in the ordinances adopted under subsection (c)(1)(B), the following apply:

- (1) The commission shall notify the department of the approval of the proposal.
- (2) The officers of the commission elected under IC 14-30-6-7 shall take the actions necessary and appropriate to the



transformation of the commission from a river basin commission subject to IC 14-30-6 into a watershed development commission subject to IC 14-30.5.

(3) The board of the watershed development commission consists of the following:

(A) The director of the department or the director's designee.

(B) The county surveyor of each county participating in the commission.

(C) An individual other than the county surveyor representing each county participating in the commission, appointed by the county executive.

(D) Either:

(i) one (1) individual appointed to represent each second class city that is located in a participating county and within the St. Joseph River basin; or

(ii) if a participating county does not include a second class city that is located within the St. Joseph River basin, one (1) individual appointed to represent the municipality that has the largest population of all municipalities that are located in the participating county and within the St. Joseph River basin.

An individual appointed to represent a second class city under item (i) shall be appointed by the board of storm water management (as described in IC 8-1.5-5-4) of the second class city or, if the second class city has no board of storm water management, by the executive of the second class city. An individual appointed under item (ii) to represent the municipality that has the largest population of all municipalities that are located in the participating county and within the St. Joseph River basin shall be appointed by the board of storm water management (as described in IC 8-1.5-5-4) of the municipality or, if the municipality has no board of storm water management, by the executive of the municipality.

(4) The director of the department or the director's designee:

(A) shall advise the commission on the transformation of the commission into a watershed development commission subject to IC 14-30.5; and

(B) when the board of the watershed development commission is formed, shall assume the position on the board of the watershed development commission specified



in IC 14-30.5-4-1(a)(2)(A).

(5) The watershed development commission board may not meet until the department has given the approval referred to in this subsection. Upon the convening of the first meeting under IC 14-30.5-4 of the board of the watershed development commission:

(A) the St. Joseph River basin commission ceases to exist as a separate municipal corporation under IC 14-30-6;

(B) the St. Joseph watershed development commission is established as a public body corporate and politic under IC 14-30.5;

(C) the participating counties of the St. Joseph River basin commission become member counties of the St. Joseph watershed development commission under IC 14-30.5; and

(D) each participating county of the St. Joseph River basin commission is authorized to appoint an individual described in subdivision (3)(C) to represent the county on the board of the St. Joseph watershed development commission.

(g) If established under this section, the St. Joseph watershed development commission:

(1) is a continuation of;

(2) retains the property and rights of; and

(3) is responsible for the actions and subject to the liabilities of;

the former St. Joseph River basin commission.

(h) If established under this section, the St. Joseph watershed development commission has all of the powers and duties of a watershed development commission under IC 14-30.5 in the areas of the watershed of the St. Joseph River and the tributaries of the St. Joseph River that are within the boundaries of the member counties of the St. Joseph watershed development commission. For the purposes of IC 14-30.5, the areas of the watershed of the St. Joseph River and the tributaries of the St. Joseph River that are within the boundaries of the member counties of the St. Joseph watershed development commission comprise the designated watershed of the St. Joseph watershed development commission.

(i) If the St. Joseph watershed development commission is established under this section, the board of the St. Joseph watershed development commission shall appoint an executive director under IC 14-30.5-4-2(e). An individual who was the executive director of the St. Joseph River basin commission may be



appointed executive director of the St. Joseph watershed development commission under this subsection.

(j) If the St. Joseph watershed development commission is established under this section, the following apply:

(1) All property, records, and funds of the St. Joseph River basin commission:

(A) become property, records, and funds of the St. Joseph watershed development commission; and

(B) shall be transmitted to the St. Joseph watershed development commission not more than sixty (60) days after the appointment of the executive director under subsection (i).

(2) Any advisory committee appointed under IC 14-30-6-15 is dissolved.

(3) The individuals serving as members of the St. Joseph River basin commission under IC 14-30-6 become the members of the advisory committee of the St. Joseph watershed development commission. Upon the expiration under IC 14-30-6-5 or other termination of the term of office of an individual described in this subdivision, the office of the individual shall be filled by a successor according to subdivision (4).

(4) As provided in subdivision (3) and IC 14-30.5-4-5(c)(3), upon the termination of the terms of office of all of the individuals who become members of the advisory committee under subdivision (3), the advisory committee of the St. Joseph watershed development commission shall consist of the following members:

(A) From each participating county the following:

(i) The executive of each second class city that is located in the participating county and within the St. Joseph River basin, or the executive's designee.

(ii) If the county does not have a second class city that is located within the St. Joseph River basin, the executive of the municipality that has the largest population of all municipalities that are located in the participating county and within the St. Joseph River basin, or the executive's designee.

(B) A member of the county executive or the county executive's designee from each participating county.

(C) The county health officer or the health officer's designee from each participating county.



(D) The county surveyor of each participating county or the county surveyor's designee.

(E) A representative of each soil and water conservation district that:

(i) is subject to IC 14-32;

(ii) includes territory in a participating county; and

(iii) includes territory in the St. Joseph River basin.

(F) The director of the St. Joseph watershed development commission or the director's designee.

Sec. 3. (a) For purposes of this section, the following definitions apply:

(1) "Commission" refers to the Upper Wabash River basin commission.

(2) "Participating county" refers to a county that has joined the Upper Wabash River basin commission under IC 14-30-6-4.

(3) "Upper Wabash River basin" means the area located in Adams County, Huntington County, Jay County, or Wells County that is drained by the Wabash River, including the tributaries of the Wabash River.

(b) The commission:

(1) may; but

(2) is not required to;

consider a proposal to transform the commission from a river basin commission subject to IC 14-30-6 into a watershed development commission subject to IC 14-30.5.

(c) For the commission to be transformed from a river basin commission subject to IC 14-30-6 into a watershed development commission subject to IC 14-30.5:

(1) the county executives of all participating counties:

(A) must approve the proposal described in subsection (b); and

(B) must adopt substantively identical ordinances that set forth the information required by IC 14-30.5-2-1(b), including, for the purposes of IC 14-30.5-2-0.5, the designated watershed within which the proposed watershed development commission would exercise its powers; and

(2) a majority of the voting members of the commission must vote in favor of the transformation of the commission into a watershed development commission in accordance with the ordinances adopted under subdivision (1)(B) and the



provisions of this section.

(d) For the county executive of a participating county to approve a proposal described in subsection (b) under subsection (c)(1)(A), at least two (2) of the three (3) members of the county executive must vote in favor of the proposal.

(e) If a member of the county executive of a participating county has designated another individual under IC 14-30-6-6 to perform the member's duties on the commission, the individual designated to perform the member's duties may vote under subsection (c)(2) on the proposal described in subsection (b).

(f) If the county executives of all participating counties approve a proposal described in subsection (b) under subsection (c)(1)(A) and adopt substantively identical ordinances under subsection (c)(1)(B), a majority of the voting members of the commission vote in favor of the transformation of the commission into a watershed development commission under subsection (c)(2), and the department approves the transformation of the commission into a watershed development commission with the purposes set forth in the ordinances adopted under subsection (c)(1)(B), the following apply:

(1) The commission shall notify the department of the approval of the proposal.

(2) The officers of the commission elected under IC 14-30-6-7 shall take the actions necessary and appropriate to the transformation of the commission from a river basin commission subject to IC 14-30-6 into a watershed development commission subject to IC 14-30.5.

(3) The board of the watershed development commission consists of the following:

(A) The director of the department or the director's designee.

(B) The county surveyor of each county participating in the commission.

(C) An individual other than the county surveyor representing each county participating in the commission, appointed by the county executive.

(D) Either:

(i) one (1) individual appointed to represent each second class city that is located in a participating county and within the upper Wabash River basin; or

(ii) if a participating county does not include a second class city that is located within the upper Wabash River



basin, one (1) individual appointed to represent the municipality that has the largest population of all municipalities that are located in the participating county and within the upper Wabash River basin.

An individual appointed to represent a second class city under item (i) shall be appointed by the board of storm water management (as described in IC 8-1.5-5-4) of the second class city or, if the second class city has no board of storm water management, by the executive of the second class city. An individual appointed under item (ii) to represent the municipality that has the largest population of all municipalities that are located in the participating county and within the upper Wabash River basin shall be appointed by the board of storm water management (as described in IC 8-1.5-5-4) of the municipality or, if the municipality has no board of storm water management, by the executive of the municipality.

- (4) The director of the department or the director's designee:
- (A) shall advise the commission on the transformation of the commission into a watershed development commission subject to IC 14-30.5; and
 - (B) when the board of the watershed development commission is formed, shall assume the position on the board of the watershed development commission specified in IC 14-30.5-4-1(a)(2)(A).
- (5) The watershed development commission board may not meet until the department has given the approval referred to in this subsection. Upon the convening of the first meeting under IC 14-30.5-4 of the board of the watershed development commission:
- (A) the Upper Wabash River basin commission ceases to exist as a separate municipal corporation under IC 14-30-6;
 - (B) the Upper Wabash watershed development commission is established as a public body corporate and politic under IC 14-30.5;
 - (C) the participating counties of the Upper Wabash River basin commission become member counties of the Upper Wabash watershed development commission under IC 14-30.5; and
 - (D) each participating county of the Upper Wabash River basin commission is authorized to appoint an individual



described in subdivision (3)(C) to represent the county on the board of the Upper Wabash watershed development commission.

(g) If established under this section, the Upper Wabash watershed development commission:

- (1) is a continuation of;
- (2) retains the property and rights of; and
- (3) is responsible for the actions and subject to the liabilities of;

the former Upper Wabash River basin commission.

(h) If established under this section, the Upper Wabash watershed development commission has all of the powers and duties of a watershed development commission under IC 14-30.5 in the areas of the watershed of the Wabash River and the tributaries of the Wabash River that are within the boundaries of the member counties of the Upper Wabash watershed development commission. For the purposes of IC 14-30.5, the areas of the watershed of the Wabash River and the tributaries of the Wabash River that are within the boundaries of the member counties of the Upper Wabash watershed development commission comprise the designated watershed of the Upper Wabash watershed development commission.

(i) If the Upper Wabash watershed development commission is established under this section, the board of the Upper Wabash watershed development commission shall appoint an executive director under IC 14-30.5-4-2(e). An individual who was the executive director of the Upper Wabash River basin commission may be appointed executive director of the Upper Wabash watershed development commission under this subsection.

(j) If the Upper Wabash watershed development commission is established under this section, all property, records, and funds of the former Upper Wabash River basin commission:

- (1) become property, records, and funds of the Upper Wabash watershed development commission; and
- (2) shall be transmitted to the Upper Wabash watershed development commission not more than sixty (60) days after the appointment of the executive director under subsection (i).

SECTION 40. IC 14-30.5-2-0.5, AS ADDED BY P.L.251-2023, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 0.5. (a) Notwithstanding subsection (b), this chapter does not authorize the creation of a watershed development commission if the area in which the watershed development



commission could exercise the powers conferred by this article would include any part of the area in which a river basin commission established ~~under~~ **by IC 14-30-6-2**

- (1) ~~IC 14-30-2;~~
- (2) ~~IC 14-30-3; or~~
- (3) ~~IC 14-30-4;~~

is authorized to exercise its powers.

(b) This section does not prohibit:

- (1) the transformation of the Maumee River basin commission into a watershed development commission under ~~IC 14-30-2-25;~~ **IC 14-30-7-1;**
- (2) the transformation of the St. Joseph River basin commission into a watershed development commission under ~~14-30-3-33;~~ **IC 14-30-7-2;** or
- (3) the transformation of the upper Wabash River basin commission into a watershed development commission under ~~IC 14-30-4-20;~~ **IC 14-30-7-3;**

on the grounds that the watershed development commission resulting from the transformation would be authorized to exercise its powers in all or any part of the area in which the transformed river basin commission was authorized to exercise its powers before the transformation."

Page 18, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 43. IC 14-30.5-4-5, AS ADDED BY P.L.251-2023, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) There is established for each watershed development commission an advisory committee to provide counsel to the board of the commission.

(b) Except as provided in subsection (c), a watershed development commission advisory committee established under this section consists of a member or representative of the board of supervisors of the soil and water conservation district of each county that is a member of the commission, selected by the board of supervisors.

(c) If the St. Joseph watershed development commission is established under ~~IC 14-30-3-33;~~ **IC 14-30-7-2:**

- (1) the individuals serving as members of the St. Joseph River basin commission under ~~IC 14-30-3-8~~ **IC 14-30-6-5** become members of the advisory committee of the St. Joseph watershed development commission;
- (2) the term of office of an individual who becomes a member of the advisory committee of the St. Joseph watershed development commission under subdivision (1) is as provided in ~~IC 14-30-3-9;~~



IC 14-30-7-2; and

(3) upon:

(A) the expiration under ~~IC 14-30-3-9~~; **IC 14-30-6-5**; or

(B) the termination under any other circumstances;
of the term of office of an individual described in subdivision (1),
the office of the individual shall be filled by a successor according
to ~~IC 14-30-3-33(i)(4)~~; **IC 14-30-7-2(j)(4)**."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 224 as printed January 27, 2026.)

LINDAUER

Committee Vote: yeas 11, nays 0.

