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SENATE BILL No. 224

Proposed Changes to introduced printing by AM022401

DIGEST OF PROPOSED AMENDMENT

Liability. Establishes various restrictions on landowner liability to recreational users.

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
2 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. Except as otherwise
3 provided, the definitions in this article apply throughout this title **and**
4 **312 IAC.**
- 5 SECTION 2. IC 14-8-2-2.5 IS ADDED TO THE INDIANA CODE
6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
7 1, 2026]: **Sec. 2.5. "Adjacent to the affected real property", for**
8 **purposes of IC 14-11-4, has the meaning set forth in IC 14-11-4-1.5.**
- 9 SECTION 3. IC 14-8-2-57 IS REPEALED [EFFECTIVE JULY 1,
10 2026]. ~~Sec. 57. "Corporation", for purposes of IC 14-12-3, has the~~
11 ~~meaning set forth in IC 14-12-3-1.~~
- 12 SECTION 4. IC 14-8-2-107, AS AMENDED BY P.L.127-2022,
13 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2026]: Sec. 107. "Fund" has the following meaning:
- 15 (1) For purposes of IC 14-9-5, the meaning set forth in
16 IC 14-9-5-1.
- 17 (2) For purposes of IC 14-9-8-21, the meaning set forth in
18 IC 14-9-8-21.
- 19 (3) For purposes of IC 14-9-8-21.5, the meaning set forth in
20 IC 14-9-8-21.5.
- 21 (4) For purposes of IC 14-9-9, the meaning set forth in

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- 1 IC 14-9-9-3.
- 2 (5) For purposes of IC 14-12-1, the meaning set forth in
- 3 IC 14-12-1-1.
- 4 (6) For purposes of IC 14-12-2, the meaning set forth in
- 5 IC 14-12-2-2.
- 6 ~~(7) For purposes of IC 14-12-3, the meaning set forth in~~
- 7 ~~IC 14-12-3-2.~~
- 8 ~~(8)~~ (7) For purposes of IC 14-13-1, the meaning set forth in
- 9 IC 14-13-1-2.
- 10 ~~(9)~~ (8) For purposes of IC 14-13-2, the meaning set forth in
- 11 IC 14-13-2-3.
- 12 ~~(10)~~ (9) For purposes of IC 14-16-1, the meaning set forth in
- 13 IC 14-16-1-30.
- 14 ~~(11)~~ (10) For purposes of IC 14-19-8, the meaning set forth in
- 15 IC 14-19-8-1.
- 16 ~~(12)~~ (11) For purposes of IC 14-19-11, the meaning set forth in
- 17 IC 14-19-11-3.1.
- 18 ~~(13)~~ (12) For purposes of IC 14-20-11, the meaning set forth in
- 19 IC 14-20-11-2.
- 20 ~~(14)~~ (13) For purposes of IC 14-22-3, the meaning set forth in
- 21 IC 14-22-3-1.
- 22 ~~(15)~~ (14) For purposes of IC 14-22-4, the meaning set forth in
- 23 IC 14-22-4-1.
- 24 ~~(16) For purposes of IC 14-22-5, the meaning set forth in~~
- 25 ~~IC 14-22-5-1.~~
- 26 ~~(17) For purposes of IC 14-22-8, the meaning set forth in~~
- 27 ~~IC 14-22-8-1.~~
- 28 ~~(18)~~ (15) For purposes of IC 14-22-34, the meaning set forth in
- 29 IC 14-22-34-2.
- 30 ~~(19)~~ (16) For purposes of IC 14-23-3, the meaning set forth in
- 31 IC 14-23-3-1.
- 32 ~~(20)~~ (17) For purposes of IC 14-25-2-4, the meaning set forth in
- 33 IC 14-25-2-4.
- 34 ~~(21)~~ (18) For purposes of IC 14-25-10, the meaning set forth in
- 35 IC 14-25-10-1.
- 36 ~~(22)~~ (19) For purposes of IC 14-25.5, the meaning set forth in
- 37 IC 14-25.5-1-3.
- 38 ~~(23)~~ (20) For purposes of IC 14-31-2, the meaning set forth in
- 39 IC 14-31-2-5.
- 40 ~~(24)~~ (21) For purposes of IC 14-25-12, the meaning set forth in
- 41 IC 14-25-12-1.
- 42 ~~(25)~~ (22) For purposes of IC 14-32-8, the meaning set forth in



- 1 IC 14-32-8-1.
 2 ~~(26)~~ **(23)** For purposes of IC 14-33-14, the meaning set forth in
 3 IC 14-33-14-3.
 4 ~~(27)~~ **(24)** For purposes of IC 14-33-21, the meaning set forth in
 5 IC 14-33-21-1.
 6 ~~(28)~~ **(25)** For purposes of IC 14-34-6-15, the meaning set forth
 7 in IC 14-34-6-15.
 8 ~~(29)~~ **(26)** For purposes of IC 14-34-14, the meaning set forth in
 9 IC 14-34-14-1.
 10 ~~(30)~~ **(27)** For purposes of IC 14-34-19-1.3, the meaning set forth
 11 in IC 14-34-19-1.3(a).
 12 ~~(31)~~ **(28)** For purposes of IC 14-34-19-1.5, the meaning set forth
 13 in IC 14-34-19-1.5(a).
 14 ~~(32)~~ **(29)** For purposes of IC 14-37-10, the meaning set forth in
 15 IC 14-37-10-1.
 16 SECTION 5. IC 14-8-2-121 IS REPEALED [EFFECTIVE JULY
 17 1, 2026]. ~~Sec. 121: "Harvest season", for purposes of IC 14-31-3, has~~
 18 ~~the meaning set forth in IC 14-31-3-4.~~
 19 SECTION 6. IC 14-8-2-152 IS REPEALED [EFFECTIVE JULY
 20 1, 2026]. ~~Sec. 152: "License" has the following meaning:~~
 21 ~~(1) For purposes of IC 14-11-3-1, the meaning set forth in~~
 22 ~~IC 14-11-3-1.~~
 23 ~~(2) For purposes of IC 14-11-4, the meaning set forth in~~
 24 ~~IC 14-11-4-3.~~
 25 SECTION 7. IC 14-8-2-152.2 IS ADDED TO THE INDIANA
 26 CODE AS A NEW SECTION TO READ AS FOLLOWS
 27 [EFFECTIVE JULY 1, 2026]: **Sec. 152.2. "Licensee", for purposes**
 28 **of IC 14-31-3, has the meaning set forth in IC 14-31-3-4.5.**
 29 SECTION 8. IC 14-8-2-170 IS REPEALED [EFFECTIVE JULY
 30 1, 2026]. ~~Sec. 170: "Municipal corporation", for purposes of~~
 31 ~~IC 14-12-3, has the meaning set forth in IC 14-12-3-3.~~
 32 SECTION 9. IC 14-8-2-216 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 216. ~~(a) "Program", for~~
 34 ~~purposes of IC 14-12-3, has the meaning set forth in IC 14-12-3-4.~~
 35 ~~(b) (a) "Program", for purposes of IC 14-23-6.5, has the meaning~~
 36 ~~set forth in IC 14-23-6.5-1.~~
 37 ~~(c) (b) "Program", for purposes of IC 14-32-8, has the meaning set~~
 38 ~~forth in IC 14-32-8-3.~~
 39 SECTION 10. IC 14-8-2-250 IS REPEALED [EFFECTIVE JULY
 40 1, 2026]. ~~Sec. 250: "Selling season", for purposes of IC 14-31-3-9, has~~
 41 ~~the meaning set forth in IC 14-31-3-9.~~
 42 SECTION 11. IC 14-8-2-295.5 IS ADDED TO THE INDIANA



CODE AS A NEW SECTION TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2026]: **Sec. 295.5. "Valid license", for purposes of IC 14-31-3, has the meaning set forth in IC 14-31-3-5.5.**

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.~~

SECTION 13. IC 14-8-4 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 4. Applicability

Sec. 1. The department is the successor to:

- (1) the department of conservation;
- (2) any prior name given to a similar state agency that now falls under the department's jurisdiction; and
- (3) any agency incorporated into the department.

If the department is a successor to an agency under this section, the department becomes responsible for and benefits from the contractual obligations of that agency.

Sec. 2. The department may grant easements on properties owned or managed by the department.

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

(b) The chairman:

- (1) may call a special meeting; and
- (2) shall call a special meeting at the request of any five (5) members.

(c) A:

- (1) **meeting of the commission; or**
- (2) **public hearing;**

is subject to IC 5-14-1.5.

SECTION 15. IC 14-10-2-5, AS AMENDED BY P.L.93-2024, SECTION 120, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) The department may adopt rules under IC 4-22-2 to carry out the duties of the department under



- the following:
- (1) IC 14-9.
 - (2) This article.
 - (3) IC 14-11.
 - (4) IC 14-12-2.
 - (5) IC 14-14.
 - (6) IC 14-15.
 - (7) IC 14-17-3.
 - (8) IC 14-18, except IC 14-18-6 and IC 14-18-8.
 - (9) IC 14-19-1 and IC 14-19-8.
 - (10) IC 14-21.
 - (11) ~~IC 14-22-3, IC 14-22-4, and IC 14-22-5.~~ IC 14-22-3 and IC 14-22-4.
 - (12) IC 14-23-1.
 - (13) IC 14-24.
 - (14) IC 14-25, except IC 14-25-8-3 and IC 14-25-13.
 - (15) IC 14-26.
 - (16) IC 14-27.
 - (17) IC 14-28.
 - (18) IC 14-29.
 - (19) IC 14-35-1, IC 14-35-2, and IC 14-35-3.
 - (20) IC 14-37.
 - (21) IC 14-38, except IC 14-38-3.
 - (22) IC 14-39.
- (b) An emergency rule adopted under subsection (a) (as effective before July 1, 2023) expires not later than one (1) year after the rule is accepted for filing by the publisher of the Indiana Register.
- (c) A person who violates:
- (1) an emergency rule adopted by the department under IC 4-22-2-37.1 before July 1, 2023; or
 - (2) a rule adopted by the department under IC 4-22-2 after June 30, 2023;
- to carry out a provision described in subsection (a) commits a Class C infraction, unless otherwise specified under state law.
- SECTION 16. IC 14-10-2-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 9. (a) A person who wishes to obtain judicial review of a final agency action under this title must serve copies of a petition for judicial review upon:**
- (1) each person described in IC 4-21.5-5-8; and**
 - (2) the following persons under IC 4-21.5-5-8(a)(4):**
 - (A) If the department or the state historic preservation**



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

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

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

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

- (1) The department.
- (2) The state geologist.
- (3) The office of the state chemist.

SECTION 17. IC 14-11-1-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. Beginning July 1, 2026, a person who owns property adjacent to a property owned or managed by the department:

- (1) may not build a temporary or permanent structure that is less than one hundred (100) feet from the property owned or managed by the department; or
- (2) shall indemnify and hold harmless the department for damage to a temporary or permanent structure that is less than one hundred (100) feet from the property owned or managed by the department.

SECTION 18. IC 14-11-2-1, AS AMENDED BY P.L.246-2005, SECTION 116, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The department may adopt rules under IC 4-22-2 for the conduct of the following:

- (1) Department meetings.
- (2) Upon the recommendation of the director, the work of the department and the divisions.



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(b) The department may not adopt rules under IC 4-22-2 for the establishment of fees for the following:

- (1) Programs of the department or the commission.
- (2) Facilities owned or operated by the department or the commission or a lessee of the department or commission.
- (3) Licenses issued by the commission, the department, or the director.
- (4) Inspections or other similar services under this title performed by the department or an assistant or employee of the department.

(c) The director shall:

- (1) adopt provisional rules under IC 4-22-2-37.1;**
- (2) adopt interim rules under IC 4-22-2-37.2; and**
- (3) approve for preliminary adoption rules for readoption under IC 4-22-2.6 that do not contain changes to the rules.**

SECTION 19. IC 14-11-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. A person who violates a rule adopted under this chapter commits a Class C infraction, **unless otherwise specified by law.**

SECTION 20. IC 14-11-3-1 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 1. (a) ~~As used in this section, "license" means a license, a franchise, a permit, a certification, an approval, a registration, a charter, or a similar form of authorization that may be issued to a person by:~~

- ~~(1) the department;~~
- ~~(2) the commission; or~~
- ~~(3) the director;~~

~~under Indiana law. The term does not include a license issued by the historic preservation review board established by IC 14-21-1-20.~~

~~(b) Notwithstanding any other law, the director shall issue all licenses:~~

~~(c) A designee of the director may issue licenses. A designee of the director must be a full-time employee of the department.~~

SECTION 21. IC 14-11-4-1, AS AMENDED BY P.L.89-2016, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. This chapter applies to applications for licenses under the following:

- (1) IC 14-26-2 (lake preservation).
- (2) IC 14-26-5 ~~(dams):~~ **(lowering of Ten Acre Lake).**
- (3) IC 14-27 (levees, dams, and drainage).**
- ~~(3)~~ **(4)** IC 14-28-1 (flood control).
- (5) IC 14-29-1 (navigable waterways).**



~~(4) (6)~~ IC 14-29-3 (removal of substances from streams); (sand and gravel permits).

~~(5) (7)~~ IC 14-29-4 (construction of channels).

SECTION 22. IC 14-11-4-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1.5. (a) As used in this chapter, "adjacent to the affected real property" means real property owned by a person, other than the applicant of a license, that:

(1) is located not more than one-fourth (1/4) of a mile from the site where the licensed activity would take place; and

(2) has a border or point in common with the exterior boundary of the property where the licensed activity would take place.

(b) The term includes property that would share a common border with the property that is the subject of the application if the property was not separated from property that is the subject of the application by:

(1) a right-of-way;

(2) an easement; or

(3) a railroad.

SECTION 23. IC 14-11-4-3 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 3: As used in this chapter, "license" means a permit, a license, a concession, or other authorization that may be issued to a person by:

~~(1) the director;~~

~~(2) the department; or~~

~~(3) the commission;~~

~~under Indiana law.~~

SECTION 24. IC 14-11-4-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The director or the department may not issue a license until thirty (30) days after the notice required by this chapter ~~has been~~ is given to a person specified under section 5 of this chapter by the applicant.

(b) An applicant may provide the notice ~~may be given under subsection (a)~~ at any time after an application for a license is filed with the department. ~~The department may require by rule that notice under section 5 of this chapter be provided by the license applicant.~~

SECTION 25. IC 14-11-4-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) If a license application affects real property, notice of the application is required as follows:

(1) The applicant must notify at least one (1) of the owners of



each parcel of real property reasonably known to be adjacent to the affected real property.

(2) The department shall notify the persons who have requested notification of a license application that:

(A) affects the specific real property to which the application relates; or

(B) is of the same type as the application.

(3) The applicant must notify by publication, with proof of service made by a publisher's affidavit, under the following circumstances:

(A) The current address of a person entitled to notice under this rule is not ascertainable.

(B) The identity or existence of a person entitled to notice is not ascertainable.

(C) The department requires notice by publication because the license application is likely to evoke general public interest.

(b) The commission may adopt rules under IC 4-22-2 to require the following:

(1) That additional persons be notified of an application for a license.

(2) That additional forms of notice be given.

(c) The applicant shall provide to the department proof of service of the notices required under subsection (a)(1) and (a)(3) as follows:

(1) By providing a mailing receipt showing successful return from the person notified if service is made by certified mail with return receipt requested.

(2) By an affidavit or affirmation on a department form if service is made in person or by first class mail, with a certificate of mailing, including the following:

(A) The names and addresses of each person served.

(B) The date of personal service or mailing.

(C) If service was made by mail, that a period of at least twenty-one (21) days has passed without the mailing being returned as undelivered or undeliverable.

(d) A notice under this section shall do the following:

(1) Provide the name and address of the applicant.

(2) Identify the statute or rule, or both, under which a license is sought.

(3) Identify the real property to which the application relates, unless the license is not related to real property.



(4) Provide any other information required by statute or rule relative to the particular type of license sought.

(5) Include an explanation of the options available to a person served as follows:

(A) File a petition with the director requesting an informal hearing that is signed by at least twenty-five (25) individuals who are at least eighteen (18) years of age and who:

(i) reside in the county where the licensed activity would take place; or

(ii) own real property within one (1) mile of the site of the proposed or existing licensed activity.

(B) Request the department notify a person in writing when an initial determination is made to issue or deny the license.

SECTION 26. IC 14-12-1-13 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 13: Expenditures from the fund shall be coordinated with expenditures under the President Benjamin Harrison conservation trust program established by IC 14-12-2.~~

SECTION 27. IC 14-12-2-14, AS AMENDED BY P.L.42-2024, SECTION 106, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) The President Benjamin Harrison conservation trust project commission is established.

(b) The project commission consists of the following ~~twenty (20)~~ **seventeen (17)** members:

~~(1) The director of the division of fish and wildlife.~~

~~(2) The director of the division of forestry.~~

~~(3) The director of the division of nature preserves.~~

~~(4) The director of the division of state parks.~~

(1) A staff member of the department appointed by the director for each account listed under section 26(a)(1) through 26(a)(5) of this chapter.

~~(5) (2) The chief executive officer of the Indiana state museum and historic sites corporation established by IC 4-37-2-1.~~

~~(6) (3) The chairperson of the board of directors of the natural resources foundation.~~

~~(7) (4) Ten (10) Six (6) individuals appointed by the governor.~~ The governor shall appoint individuals so that all the following are satisfied:

(A) The individuals must be residents of Indiana.

(B) The individuals must have a demonstrated interest or experience in:



- 1 (i) conservation of natural resources; or
 2 (ii) management of public property.
 3 (C) There must be two (2) commission members from each
 4 of the following regions of Indiana:
 5 (i) ~~Northwest.~~ **North.**
 6 (ii) ~~Northeast.~~ **Central.**
 7 (iii) ~~Southwest.~~ **South.**
 8 (iv) ~~Southeast.~~
 9 (v) ~~Central.~~
- 10 ~~(8)~~ **(5)** The following four (4) nonvoting members:
 11 (A) One (1) member of the house of representatives
 12 appointed by the speaker of the house of representatives.
 13 (B) One (1) member of the house of representatives
 14 appointed by the minority leader of the house of
 15 representatives.
 16 (C) One (1) member of the senate appointed by the
 17 president pro tempore of the senate.
 18 (D) One (1) member of the senate appointed by the minority
 19 leader of the senate.
- 20 (c) The individuals appointed by the governor under subsection [
 21 ~~(b)(7)~~ **(b)(4)** must represent one (1) or more of the following:
 22 (1) The environmentalist community.
 23 (2) The land trust community.
 24 (3) Organized hunting and fishing groups.
 25 (4) The forest products community.
 26 (5) The parks and recreation community.
- 27 Each group and community listed in subdivisions (1) through (5) must
 28 be represented on the project commission.
- 29 SECTION 28. IC 14-12-2-15, AS AMENDED BY P.L.1-2025,
 30 SECTION 179, IS AMENDED TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2026]: Sec. 15. (a) As used in this section,
 32 "appointing authority" refers to:
 33 (1) the governor in the case of a member appointed under
 34 section [~~14(b)(7)~~ **14(b)(4)** of this chapter; or
 35 (2) the speaker of the house of representatives, the minority
 36 leader of the house of representatives, the president pro tempore
 37 of the senate, or the minority leader of the senate in the case of
 38 a member appointed under section ~~14(b)(8)~~ **14(b)(5)** of this
 39 chapter, whichever is applicable.
- 40 (b) As used in this section, "member" refers to a member of the
 41 project commission appointed under section ~~14(b)(7)~~ **14(b)(4)** through [
 42 ~~14(b)(8)~~ **14(b)(5)** of this chapter.



(c) The term of a member begins on the later of the following:

(1) The day the term of the member who the individual is appointed to succeed expires.

(2) The day the individual is appointed by the appointing authority.

(d) A member serves at the pleasure of the appointing authority.

The term of a member expires as follows:

(1) June 30 of an odd-numbered year for a member appointed under section ~~14(b)(8)~~ **14(b)(5)** of this chapter.

(2) June 30, 2025, and each fourth year thereafter for ~~a one (1)~~ **one (1)** member **from the north region** appointed under section ~~14(b)(7)(C)(i), 14(b)(7)(C)(iii), or 14(b)(7)(C)(v)~~ **14(b)(4)(C)(i)** of this chapter.

(3) December 31, 2025, and each fourth year thereafter for ~~a one (1)~~ **one (1)** member **from the central or south region** appointed under section ~~14(b)(7)(C)(ii) or 14(b)(7)(C)(iv)~~ **14(b)(4)(C)(ii) or 14(b)(4)(C)(iii)** of this chapter.

(e) The appointing authority may reappoint a member for a new term.

(f) The appointing authority shall appoint an individual to fill a vacancy among the members. An individual appointed to fill a vacancy serves for the unexpired term of the individual's predecessor.

SECTION 29. IC 14-12-2-16, AS AMENDED BY P.L.42-2024, SECTION 108, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. ~~The governor~~ **The project commission** shall appoint the chair and vice chair of the project commission from among the members of the commission **by a majority vote.**

SECTION 30. IC 14-12-2-18, AS AMENDED BY P.L.42-2024, SECTION 110, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 18. (a) ~~Eight (8)~~ **Seven (7)** members of the project commission constitute a quorum.

(b) The affirmative vote of a majority of the voting members of the project commission present and voting is necessary for the project commission to take any action.

(c) A member of the project commission described in section ~~14(b)(1) through 14(b)(5)~~ **and 14(b)(2)** of this chapter may designate in writing a representative from the respective division to serve as a member of the project commission when the member of the project commission is unable to attend a meeting.

SECTION 31. IC 14-12-2-21, AS AMENDED BY P.L.42-2024, SECTION 113, IS AMENDED TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2026]: Sec. 21. (a) The following procedure must be followed before money from the fund may be used to acquire property for a project under this chapter:

(1) The project commission must review and approve a project requiring the acquisition of the property.

(2) The project commission must recommend the project to the governor for approval.

(3) The governor, **or the governor's designee**, must approve the project as recommended by the project commission and inform the director of the department of the governor's approval.

(b) When the procedure under subsection (a) is completed, the department shall acquire the property subject to the project according to Indiana law.

SECTION 32. IC 14-12-2-32 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 32. Expenditures from the fund shall be coordinated with expenditures by the foundation from the Indiana natural resources fund established by IC 14-12-1-11.~~

SECTION 33. IC 14-12-3 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Hometown Indiana Grant Program).

SECTION 34. IC 14-15-3-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19. Provisions of this chapter concerning the operation of boats or motorboats apply as follows:

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

(2) To each object and person.

SECTION 35. IC 14-15-3-20 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 20. A person operating a motorboat may not tow a water ski, a watersled, **a wakeboard, barefoot water skis**, an aquaplane, or a similar object, including a person on the waterski, watersled, **wakeboard, barefoot water skis**, aquaplane, or similar object, unless:

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

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

SECTION 36. IC 14-15-4-2, AS AMENDED BY P.L.111-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The operator of a boat involved in an accident or a collision ~~resulting in:~~ **shall provide the information**



1 **required under subsection (b) if the following conditions occur:**

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

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

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

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

7 **(B) the amount for assessed damage under the United**
8 **States Department of Homeland Security Boating**
9 **Accident Report Database (BARD).**

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

12 (1) Give notice of the accident to:

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

14 (B) the nearest state police post; or

15 (C) the central dispatch center for the law enforcement
16 division of the department;

17 immediately and by the quickest means of communication.

18 (2) Mail to the department a written report of the accident or
19 collision within twenty-four (24) hours of the accident or
20 collision.

21 SECTION 37. IC 14-16-1-24 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 24. (a) The operator of
23 a vehicle involved in an accident resulting in serious bodily injury to
24 or death of an individual or property damage in an estimated amount
25 of at least ~~seven hundred fifty dollars (\$750)~~ **two thousand five**
26 **hundred dollars (\$2,500)** shall immediately, by the quickest means of
27 communication, notify at least one (1) of the following:

28 (1) A state police officer or conservation officer.

29 (2) The sheriff's office of the county where the accident
30 occurred.

31 (3) The office of the police department of the municipality where
32 the accident occurred.

33 (b) The police agency receiving the notice shall do the following:

34 (1) Complete a report of the accident on forms prescribed by the
35 director.

36 (2) Forward the report to the director.

37 SECTION 38. IC 14-18-10-1 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. **(a)** A person may not
39 erect or construct a utility, telephone, or telegraph line upon or across:

40 (1) a state park;

41 (2) a state forest;

42 (3) a state game preserve; **or**



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(4) land acquired by the state and set aside for use by the public as a scenic or historic place; or
 (5) that part of a public highway right-of-way that passes through a state park, a state forest, a state game preserve, or land acquired by the state and set aside for use by the public as a scenic or historic place;

unless the person has a permit is granted an easement from the [director department] to erect or construct the line.

(b) Before an easement is approved, the state land office must approve the legal description contained in the easement.

(c) A person shall file an easement with the state land office after the easement is recorded in the county.

SECTION 39. IC 14-18-10-2, AS AMENDED BY P.L.145-2015, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The director department may issue grant [] to any person, without charge, a permit for a fee as determined under subsection (b), an easement to erect or construct a utility, telephone, [] or telegraph line, ingress, or egress as described in section 1 of this chapter under the rules and restrictions that the director department considers necessary:

(1) for the protection and preservation of the natural scenic conditions of the land; or

(2) to prevent the utility, telephone, or telegraph line from interfering with or obstructing the use and enjoyment of the property by the public.

However, the director shall not impose a charge to issue a permit to erect or construct a utility, telephone, or telegraph line as described in section 1(5) of this chapter.

(b) The department shall charge a fee for an easement described in section 1 of this chapter under one (1) of the following:

(1) The amount determined by an appraisal prepared by a qualified appraiser, at the expense of the applicant.

(2) The maximum width of the easement multiplied by the rate per linear foot in the table below:

MAXIMUM EASEMENT WIDTH IN FEET	RATE PER LINEAR FOOT
Not more than 10	\$4
10-15	\$6
15-20	\$8
20-30	\$12
30-40	\$16



1 **40-50 \$20**
 2 **50-100 \$40**
 3 **More than 100 \$80**
 4 **The fee charged by the department for an easement under this**
 5 **subsection is at least one thousand dollars (\$1,000).**
 6 (c) **The department shall put fees collected for easements**
 7 **under this section into the President Benjamin Harrison**
 8 **conservation trust fund established by IC 14-12-2-25 and into the**
 9 **account for the division which the easement is located under**
 10 **IC 14-12-2-26.**
 11 (d) **The department may grant an easement without charge**
 12 **under this section if the easement:**
 13 **(1) meets the requirement under subsection (a)(1) or (a)(2);**
 14 **and**
 15 **(2) provides a direct benefit to a property described in**
 16 **section 1 of this chapter.**
 17 SECTION 40. IC 14-18-10-3 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. A person may not
 19 construct or erect a utility, telegraph, ~~or~~ telephone line, **ingress, or**
 20 **egress** as described in section 1 of this chapter in violation of any of
 21 the rules and restrictions of a ~~permit issued~~ **an easement granted**
 22 **]**under this chapter.
 23 SECTION 41. IC 14-18-11-1 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. The department may
 25 grant and convey by deed ~~or easement~~ rights-of-way to railroads ~~and~~
 26 ~~to telegraph and telephone companies~~ to construct and operate lines
 27 across the land of state forests. ~~and state nurseries.~~
 28 SECTION 42. IC 14-18-11-2 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. The terms and
 30 conditions upon which the rights-of-way are granted and conveyed by
 31 deed ~~or easement~~ under this chapter must be submitted to and
 32 approved by:
 33 (1) the governor;
 34 (2) the attorney general; and
 35 (3) the Indiana department of administration;
 36 before the deed becomes operative or possession is taken under a deed.
 37 SECTION 43. IC 14-21-1-25, AS AMENDED BY P.L.26-2008,
 38 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2026]: Sec. 25. (a) ~~The commission shall adopt rules~~
 40 ~~establishing standards for plans.~~
 41 (b) ~~With respect to archeological plans, the rules must impose a~~
 42 ~~standard of conduct that does the following:~~



(1) Promotes the scientific investigation and conservation of past cultures.

(2) Considers the interests and expertise of amateur archeologists and professional archeologists.

(c) With respect to development plans, the rules must impose a standard of conduct that preserves and protects both of the following:

(1) The rights and interests of landowners.

(2) The sensitivity of human beings for treating human remains with respect and dignity, as determined by the commission.

(d) Subject to subsection (e), plans required under this chapter must be submitted to the department for approval according to rules adopted by the commission.

(e) (a) Proposed archeological plans and development plans submitted to the department must be:

(1) approved;

(2) approved with conditions;

(3) denied; or

(4) held because of the need for additional information;

by the department not more than sixty (60) days after the date of submission. If the department does not take any action on the plan within the time required by this subsection, the plan is considered to be approved, unless approval is prohibited under a state or federal law. If the department requests additional information under subdivision (3); (4), the department shall inform the applicant if the plan is deemed incomplete, inaccurate, or both, and provide the applicant an opportunity to cure any issues. The department shall approve or deny the resubmitted plan not more than thirty (30) days after the [resubmitted plan additional information is received.

(b) Unless otherwise specified in the authorization:

(1) an approved archeology plan expires one (1) year; and

(2) an approved development plan expires two (2) years;

after issuance by the division.

(c) An applicant must comply with:

(1) any other federal, state, or local laws and ordinances;

(2) 312 IAC 21; and

(3) 312 IAC 22.

(d) If the division issues written approval, an applicant may modify the authorized project activities.

SECTION 44. IC 14-21-1-25.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 25.1. An application for approval of a development plan under section 26.5 of this chapter must be**



1 filed with the division and include the following:

2 (1) A signed cover letter from the applicant on letterhead
3 with the following information:

4 (A) The identity of the person who will conduct the
5 project.

6 (B) The overall nature and time frame of the project.

7 (C) The location of the project by section, township,
8 range, county, and address.

9 (D) Information regarding any prior disturbance to the
10 area.

11 (E) A statement regarding whether federal or state
12 funds or licenses are involved in the project.

13 (2) Mapping to show the location of the burial ground or
14 cemetery in relation to the project that includes the
15 following:

16 (A) Construction details for any activity within one
17 hundred (100) feet of the burial ground or cemetery.

18 (B) References to nearby landmarks.

19 (C) The location of the burial ground or cemetery and
20 the project area on the appropriate U.S. Geological
21 Survey U.S. TOPO: Maps for America.

22 (3) A description of the burial ground or cemetery sufficient
23 to evaluate the likely impact of the project, including the
24 following:

25 (A) Any name of the burial ground or cemetery.

26 (B) The dates the burial ground or cemetery has been
27 used.

28 (C) Historical information and documentation.

29 (D) Precise boundaries that reference nearby
30 landmarks. If documentation is not available to identify
31 the burial ground or cemetery boundaries, the applicant
32 may be required to determine those boundaries through
33 the following:

34 (i) Remote sensing.

35 (ii) Investigations by archeologists.

36 (iii) Another scientific method approved by the
37 division.

38 (E) The physical condition of the burial ground or
39 cemetery.

40 (4) A description of the grounds adjacent to and within one
41 hundred (100) feet of the burial ground or cemetery,
42 including the following:



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(A) The nature, depth, and degree of previous disturbances, including those caused by:

- (i) construction;
- (ii) excavation;
- (iii) grading; or
- (iv) filling.

(B) A description of soil, by type, present at the site, including an explanation of how the soil would be:

- (i) disturbed;
- (ii) graded;
- (iii) modified;
- (iv) removed; or
- (v) otherwise treated.

(C) A description of each structure.

(D) A description of the activities anticipated to:

- (i) erect;
- (ii) alter; or
- (iii) repair;

a structure.

(E) Each area that may contain new construction in connection with the proposed construction areas.

(5) Recent photographs of the burial ground or cemetery and the grounds adjacent to and within one hundred (100) feet of the burial ground or cemetery.

SECTION 45. IC 14-21-1-25.5 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 25.5: (a) If a Native American Indian burial ground is discovered, the department shall immediately provide notice to the Native American Indian affairs commission established by IC 4-23-32.

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

- (1) Any written findings or reports that result from the analysis and study of the human remains;
- (2) Written notice to the Native American Indian affairs commission that the analysis and study of the human remains are complete;

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

SECTION 46. IC 14-21-1-26.5, AS AMENDED BY

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P.L.158-2013, SECTION 201, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 26.5. (a) Notwithstanding IC 23-14-44-1, this section does not apply to the following:

- (1) A public utility (as defined in IC 8-1-2-1(a)).
- (2) A corporation organized under IC 8-1-13.
- (3) A municipally owned utility (as defined in IC 8-1-2-1(h)).
- (4) A surface coal mining and reclamation operation permitted under IC 14-34.

(b) Except as provided in this subsection and subsections (c) and (d), a person may not disturb the ground within one hundred (100) feet of a burial ground for the purpose of excavating or covering over the ground or erecting, altering, or repairing any structure without having a development plan approved by the department under section 25 of this chapter or in violation of a development plan approved by the department under section 25 of this chapter. The department must review the development plan as required by section ~~25(e)~~ **25(a)** of this chapter.

(c) A development plan:

- (1) must be approved if a person intends to:
 - (A) excavate or cover over the ground; or
 - (B) construct a new structure or alter or repair an existing structure;
 that would impact the burial ground or cemetery; and
- (2) is not required if a person intends to:
 - (A) excavate or cover over the ground; or
 - (B) erect, alter, or repair an existing structure;
 for an incidental or existing use that would not impact the burial ground or cemetery.

(d) A development plan for a governmental entity to disturb ground within one hundred (100) feet of a burial ground must be approved as follows:

- (1) A development plan of a municipality requires approval of the executive of the municipality and does not require the approval of the department. However, if the burial ground or cemetery is located outside the municipality, approval is also required by the executive of the county where the burial ground or cemetery is located. A county cemetery commission established under IC 23-14-67-2 may advise the executive of the municipality on whether to approve a development plan.
- (2) A development plan of a governmental entity other than:
 - (A) a municipality; or



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- 1 (B) the state;
 2 requires the approval of the executive of the county where the
 3 governmental entity is located and does not require the approval
 4 of the department. However, if the governmental entity is located
 5 in more than one (1) county, only the approval of the executive
 6 of the county where the burial ground or cemetery is located is
 7 required. A county cemetery commission established under
 8 IC 23-14-67-2 may advise the county executive on whether to
 9 approve a development plan.
 10 (3) A development plan of the state requires the approval of the
 11 department.
 12 (e) If a burial ground is within an archeological site, an
 13 archeological plan is required to be part of the development plan.
 14 (f) A person who recklessly, knowingly, or intentionally violates
 15 this section commits a Class A misdemeanor. However, the offense is
 16 a Level 6 felony if the person disturbs buried human remains or grave
 17 markers while committing the offense.
 18 **(g) An applicant must comply with:**
 19 **(1) any other federal, state, or local laws and ordinances;**
 20 **(2) 312 IAC 21; and**
 21 **(3) 312 IAC 22.**
 22 **(h) An applicant may modify the project activities authorized**
 23 **by the division only upon written approval by the division.**
 24 SECTION 47. IC 14-21-1-31 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 31. (a) The
 26 commission ~~shall~~ **may** adopt rules under IC 4-22-2 to implement this
 27 chapter.
 28 (b) ~~When adopting rules under this chapter~~ The commission ~~shall~~
 29 **may** consider the following **when adopting rules under this chapter:**
 30 (1) The rights and interests of landowners.
 31 (2) The sensitivity of human beings for treating human remains
 32 with respect and dignity.
 33 (3) The value of history and archeology as a guide to human
 34 activity.
 35 (4) The importance of amateur archeologists in making
 36 historical, cultural, and archeological discoveries.
 37 (5) Applicable laws, standards, and guidelines for the conduct of
 38 archeology and codes of ethics for participation in archeology.
 39 SECTION 48. IC 14-22-5 IS REPEALED [EFFECTIVE JULY 1,
 40 2026]. (Deer Research and Management Fund).
 41 SECTION 49. IC 14-22-6-4, AS AMENDED BY P.L.144-2022,
 42 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2026]: Sec. 4. (a) For purposes of this section, a trap is designed to capture and kill a furbearing animal if the animal's death is the result of:

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

(b) A person may not do the following:

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

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

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

(B) remove a furbearing animal from;

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

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

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

(B) remove a furbearing animal from;

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

(c) The department shall publish a recommendation that the best practice to comply with this section is to tend or visit, or have tended or visited a furbearing trap that is the person's property within a period not to exceed twenty-four (24) hours.

SECTION 50. IC 14-22-6-14 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 14. (a) The:~~

~~(1) division of fish and wildlife of the department; and~~

~~(2) division of soil conservation established within the Indiana state department of agriculture by IC 15-11-4-1, through the soil and water conservation districts established under IC 14-32;~~

~~shall; in cooperation with other conservation education organizations and one (1) or more organizations of hunters; establish a program to help landowners with problems determined by the director to be caused by localized deer population.~~

~~(b) The program established under this section must educate landowners concerning the means by which a landowner can:~~

~~(1) control; or~~

~~(2) obtain assistance in controlling;~~

~~the deer population on the landowner's tract of land.~~

~~(c) Under the program established under this section; one (1) or more hunters or organizations of hunters may; upon request by a~~



landowner, work with the department and the landowner to alleviate problems caused by localized deer populations.

(d) In each county, the division of fish and wildlife, in cooperation with the soil and water conservation district established within the county under IC 14-32, shall disseminate information about the program established under this section.

SECTION 51. IC 14-22-8-1 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 1: As used in this chapter, "fund" refers to the game bird habitat restoration fund established by this chapter.

SECTION 52. IC 14-22-8-6 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 6: (a) The game bird habitat restoration fund is established as a dedicated fund.

(b) The department shall administer the fund. The director may expend the money in the fund exclusively for the purpose of restoring the habitat of the various game birds in Indiana.

(c) The proceeds from the sale of stamps shall be deposited in and transferred from the fish and wildlife fund to the fund. However, a transfer is not required if the budget agency finds that it would reduce the balance in the fish and wildlife fund to less than three million dollars (\$3,000,000) at the end of the state fiscal year.

(d) Money in the fund does not revert to the state general fund at the end of a state fiscal year. If the fund is abolished, the contents revert to the fish and wildlife fund.

SECTION 53. IC 14-22-9-10, AS AMENDED BY P.L.195-2017, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) This section does not apply to the following:

(1) A privately owned lake, farm pond, or public or private drainage ditch.

(2) A landowner or tenant adjacent to public waters or boundary waters of the state, who chemically, mechanically, or physically controls aquatic vegetation in the immediate vicinity of a boat landing or bathing beach on or adjacent to the real property of the landowner or tenant if the following conditions exist:

(A) The area where vegetation is to be controlled does not exceed:

(i) twenty-five (25) feet along the legally established, average, or normal shoreline;

(ii) a water depth of six (6) feet; and

(iii) a total surface area of six hundred twenty-five (625) square feet.

(B) Control of vegetation does not occur in a public



- 1 waterway of the state.
- 2 (b) A person may not chemically, mechanically, physically, or
- 3 biologically control aquatic vegetation in the public: ~~waters or:~~
- 4 **(1) waters containing state owned fish;**
- 5 **(2) waters of the state; or**
- 6 **(3) boundary waters of the state;**
- 7 without a permit issued by the department. All procedures to control
- 8 aquatic vegetation under this section shall be conducted in accordance
- 9 with rules adopted by the department under IC 4-22-2.
- 10 (c) Subject to IC 14-22-2-10, upon receipt of an application for a
- 11 permit to control aquatic vegetation and the payment of a fee of five
- 12 dollars (\$5), the department may issue a permit to the applicant.
- 13 However, if the aquatic vegetation proposed to be controlled is present
- 14 in a public water supply, the department may not, without prior written
- 15 approval from the department of environmental management, approve
- 16 a permit for chemical control of the aquatic vegetation.
- 17 (d) This section does not do any of the following:
- 18 (1) Act as a bar to a suit or cause of action by a person or
- 19 governmental agency.
- 20 (2) Relieve the permittee from liability, rules, restrictions, or
- 21 permits that may be required of the permittee by any other
- 22 governmental agency.
- 23 (3) Affect water pollution control laws (as defined in
- 24 IC 13-11-2-261) and the rules adopted under water pollution
- 25 control laws (as defined in IC 13-11-2-261).
- 26 [SECTION 54. IC 14-22-10-2, AS AMENDED BY P.L.113-2019,
- 27 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 28 JULY 1, 2026]: Sec. 2. (a) As used in this section and section 2.5 of
- 29 this chapter, "governmental entity" means any of the following:
- 30 (1) The government of the United States of America.
- 31 (2) The state.
- 32 (3) A county.
- 33 (4) A city.
- 34 (5) A town.
- 35 (6) A township.
- 36 (7) The following, if created by the Constitution of the United
- 37 States, the Constitution of the State of Indiana, a statute, an
- 38 ordinance, a rule, or an order:
- 39 (A) An agency.
- 40 (B) A board.
- 41 (C) A commission.
- 42 (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, performing recreational sports, 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 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:

(1) 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.

(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.

1 SECTION 5 ~~<4>~~ [5]. IC 14-22-10-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. The title to a wild animal illegally taken or accidentally killed in violation of this article or IC 14-2 (before its repeal) does not vest in the taker of the wild animal, but remains in the state. The director ~~shall~~ **may** do the following:

(1) Seize and confiscate the wild animal in the name of the state of Indiana.

(2) Sell or dispose of the wild animal.

(3) Deposit proceeds, if any, into the fish and wildlife fund.

SECTION 5 ~~<5>~~ [6]. IC 14-22-11-19 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 19: (a) The department may adopt rules under IC 4-22-2 to establish and operate a lottery system to allow an individual to purchase a license to take more than one (1) antlered deer within a one (1) year period.

(b) The rules adopted under subsection (a) must include the following provisions:

(1) A provision stating that an individual must have held and used a valid license to take a deer under IC 14-22-12 within the same year in order to participate in the lottery under this section.

(2) A provision stating that the fee for participating in the lottery under this section is thirty dollars (\$30).

(3) A provision stating that the drawing for the lottery under this section will be held on December 15.

(4) A provision stating that there will be only one hundred (100) licenses awarded under the lottery.

(5) A provision stating that the season for the deer hunt for which a license is awarded under the lottery is the first week of



January:

SECTION 5 ~~<6>~~ [7]. IC 14-22-12-2 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 2: Except for a license sold under IC 14-22-31-8, the department shall use the following to increase the upland game bird population in Indiana:

(1) Four dollars (\$4) from the cost of every nonresident license to hunt any game for any period in any manner:

(2) Forty dollars (\$40) from the cost of every nonresident license to hunt deer for any period in any manner:

SECTION 5 ~~<7>~~ [8]. IC 14-22-12-3 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 3: The department shall deposit in the fish and wildlife fund twenty dollars (\$20) from the cost of every nonresident license to hunt deer for any time in any manner. The department shall transfer the revenue deposited under this section from the fish and wildlife fund to the deer research and management fund. However, a transfer is not required if the budget agency finds that it would reduce the balance in the fish and wildlife fund to less than three million dollars (\$3,000,000) at the end of the state fiscal year.

SECTION 5 ~~<8>~~ [9]. IC 14-22-15.5-7 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 7: An individual who acts as a hunting guide without a hunting guide license in violation of section 2 of this chapter commits a Class B infraction:

SECTION ~~<59>~~ [60]. IC 14-22-16-4, AS AMENDED BY P.L.155-2015, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. A person desiring to possess in Indiana at one (1) time more than:

(1) five ~~hundred (500)~~ thousand (5,000) live minnows; or

(2) five ~~hundred (500)~~ thousand (5,000) live crayfish;

not intended for the purpose of engaging in the business of selling or bartering live minnows or crayfish for bait must procure a permit to possess the minnows or crayfish.

SECTION 6 ~~<9>~~ [1]. IC 14-22-32 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Game Bird and Exotic Mammal Regulation).

SECTION 6 ~~<4>~~ [2]. IC 14-22-34-1, AS AMENDED BY P.L.7-2015, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) As used in this chapter, "endangered species" means any species or subspecies of ~~wildlife~~ **wild animal** whose prospects of survival or recruitment within Indiana are in jeopardy or are likely within the foreseeable future to become so due to any of the following factors:

(1) The destruction, drastic modification, or severe curtailment of the habitat of the ~~wildlife~~ **wild animal**.



(2) The overutilization of the ~~wildlife~~ **wild animal** for scientific, commercial, or sporting purposes.

(3) The effect on the ~~wildlife~~ **wild animal** of disease, pollution, or predation.

(4) Other natural or manmade factors affecting the prospects of survival or recruitment within Indiana.

(5) Any combination of the factors described in subdivisions (1) through (4).

(b) The term includes any species or subspecies of fish and ~~wildlife~~ **wild animals** appearing on the United States list of endangered and threatened ~~wildlife~~ **wild animals** (50 CFR 17.11).

SECTION 6 ~~↔~~ [3]. IC 14-22-34-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) As used in this chapter, "management" means the collection and application of biological information for the purposes of increasing the number of individuals within species and populations of ~~wildlife~~ **wild animals** up to the optimum carrying capacity of their habitat and maintaining those levels.

(b) The term includes the following:

(1) The entire range of activities that constitute a modern scientific resource program, including research, census, law enforcement, habitat acquisition and improvement, and education.

(2) When and where appropriate, the periodic or total protection of species or populations as well as regulated taking.

SECTION 6 ~~↔~~ [4]. IC 14-22-34-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. As used in this chapter, "take" means to:

(1) harass, hunt, capture, or kill; or

(2) attempt to harass, hunt, capture, or kill;

~~wildlife~~: **a wild animal.**

SECTION 6 ~~↔~~ [5]. IC 14-22-34-6 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 6. ~~As used in this chapter, "wildlife" means:~~

(1) ~~any wild mammal; bird; reptile; amphibian; fish; mollusk; crustacean; or other wild animal; or~~

(2) ~~any part, product, egg or offspring; or the dead body or parts of the wild animal.~~

SECTION 6 ~~↔~~ [6]. IC 14-22-34-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. On the basis of:

(1) investigations on nongame species required by section 7 of this chapter; and

(2) other available scientific and commercial data;



and after consultation with other state ~~wildlife~~ **wild animal** agencies, appropriate federal agencies, and other interested persons and organizations, the director shall adopt rules to propose a list of those species and subspecies of ~~wildlife~~ **wild animals** indigenous to Indiana that are determined to be endangered in Indiana, giving the common and scientific names by species and subspecies.

SECTION 6~~6~~⁷ [7]. IC 14-22-34-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. (a) Except as otherwise provided in this chapter, a person may not take, possess, transport, export, process, sell or offer for sale, or ship, and a common or contract carrier may not knowingly transport or receive for shipment a species or subspecies of ~~wildlife~~ **wild animals** appearing on any of the following:

(1) The list of ~~wildlife~~ **wild animals** indigenous to Indiana determined to be endangered in Indiana under this chapter.

(2) The United States list of endangered ~~wildlife~~ **wild animals** (50 CFR 17.11) as in effect on January 1, 1979.

(3) The list of endangered species developed under section 13 of this chapter.

(b) A species or subspecies of ~~wildlife~~ **wild animals** appearing on a list described in subsection (a) that:

(1) enters Indiana from another state or from a point outside the territorial limits of the United States; and

(2) is transported across Indiana destined for a point beyond Indiana;

may be so entered and transported without restriction in accordance with the terms of a federal permit or permit issued under the laws of another state.

(c) A person who:

(1) violates subsection (a) or (b); or

(2) fails to procure or violates the terms of a permit issued under:

(A) section 15 of this chapter; or

(B) section 16 of this chapter;

commits a Class A misdemeanor.

SECTION 6~~7~~⁸ [8]. IC 14-22-34-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. The director may permit, under the terms and conditions that are prescribed by rule, the taking, possession, transportation, exportation, or shipment of species or subspecies of ~~wildlife~~ **wild animals** that have been designated by rule as in need of management or appear on the:

(1) state list of endangered species;

(2) United States list of endangered native fish and wildlife, as



amended;

(3) list of ~~wildlife~~ **wild animals** added under section 13 of this chapter; or

(4) United States list of endangered foreign fish and ~~wildlife~~, **wild animals**, as modified after July 26, 1973;

for scientific, zoological, or educational purposes, for propagation in captivity of the ~~wildlife~~, **wild animals**, or for other special purposes.

SECTION 6 ~~<8>~~ [9]. IC 14-22-34-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 18. The provisions of this chapter prohibiting the taking, possessing, transportation, exporting, processing, sale, or offer to sell do not apply to ~~wildlife~~ **wild animals** in the possession of a person in Indiana on July 26, 1973.

SECTION ~~<69>~~ [70]. IC 14-22-34-19 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 19: The costs of the programs established under this chapter may not be paid with money dedicated to fish and game purposes. However, transfers may be made from money dedicated for fish and game purposes to the nongame fund established under section 20 of this chapter.~~

SECTION 7 ~~<1>~~ [1]. IC 14-22-34-20 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 20. (a) The nongame fund is established as a dedicated fund.

(b) The department shall administer the fund.

(c) In recognition of the importance of preserving the natural heritage of Indiana, it is the intent of the general assembly to provide a fund to be used exclusively for the protection, conservation, management, and identification of nongame and endangered species of ~~wildlife~~ **wild animals** primarily through the acquisition of the natural habitat of the animals. The department may expend the money in the fund exclusively for the preservation of nongame and endangered species of ~~wildlife~~ **wild animals** under this chapter.

(d) Money in the fund does not revert to the state general fund at the end of a state fiscal year. However, if the fund is abolished, the money in the fund reverts to the state general fund.

SECTION 7 ~~<21>~~ [2]. IC 14-22-34-21 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 21: If the commission establishes entrance fees for admission to fish and wildlife areas, the fees shall be deposited in the fund. However, the holder of a hunting or fishing license under this article may not be charged a fee for admission to fish and wildlife areas.~~

SECTION 7 ~~<31>~~ [3]. IC 14-23-1-3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The division of forestry



1 equipment and maintenance fund is established as a dedicated fund
 2 for the purpose of defraying the costs of equipment and equipment
 3 maintenance for the division of forestry. The department shall
 4 administer the fund.

5 (b) The fund consists of the following:

6 (1) Fifty percent (50%) of the net proceeds from revenue
 7 generated by timber harvests on state forests.

8 (2) Donations, gifts, grants, and money received from any
 9 other source, including appropriations or transfers from
 10 other funds or accounts.

11 (3) Investment earnings from any portion of the fund.

12 (c) The expenses of administering the fund must be paid from
 13 the money in the fund.

14 (d) The treasurer of state shall invest the money in the fund
 15 not currently needed to meet the obligations of the fund in the same
 16 manner as other public money may be invested.

17 (e) Money in the fund at the end of the fiscal year does not
 18 revert to the state general fund.

19 SECTION 7 ~~↔~~ [4]. IC 14-23-6.6-7, AS ADDED BY
 20 P.L.124-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) Subject to subsection (b), a
 22 certified prescribed burn manager who conducts the prescribed burning
 23 in accordance with section 6 of this chapter is immune from civil
 24 liability for harm caused by the:

25 (1) prescribed burn; or

26 (2) smoke produced by the prescribed burn.

27 (b) The immunity described in subsection (a) does not apply if the
 28 harm was the result of the certified prescribed burn manager's:

29 (1) negligence; or

30 (2) willful and wanton misconduct.

31 (c) Subject to subsection (d), a landowner or landowner's agent
 32 who conducts prescribed burning on the landowner's property in
 33 accordance with section 6 of this chapter is immune from civil liability
 34 for harm caused by the:

35 (1) prescribed burn; or

36 (2) smoke produced by the prescribed burn.

37 (d) The immunity described in subsection (c) does not apply if the
 38 harm was the result of the:

39 (1) negligence of the landowner or the landowner's agent; or

40 (2) willful and wanton misconduct of the landowner or the
 41 landowner's agent.

42 (e) The ~~division of forestry's~~ department's officers, agents, and



employees are immune from civil liability, in accordance with IC 34-13-3, arising out of any of the following:

(1) Participation in planning, undertaking, or assisting with prescribed burning.

(2) Administration of the prescribed burn certification program, including revocation of prescribed burn certifications issued under the program.

SECTION 7~~4~~⁵ [5]. IC 14-27-7.3-3.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 3.5. (a) If the condition of a structure regulated by this chapter becomes so dangerous to the safety of life or property that the department determines there is not sufficient time to issue and enforce an order to:**

- (1) maintain;**
- (2) alter;**
- (3) repair;**
- (4) reconstruct;**
- (5) change the construction or location; or**
- (6) remove the structure;**

in the manner required by this chapter, then the department may immediately take the measures necessary to provide emergency protection to life or property, or both, including the partial or complete removal of the structure.

(b) The department may recover the cost of the emergency measures taken under this section from the owner of the structure by appropriate legal action.

SECTION 7~~5~~⁶ [6]. IC 14-30-3-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 16. (a) The commission, in coordination with the department, shall keep a record of the commission's resolutions, transactions, and findings. This record is a public record.**

(b) The commission may adopt rules for the transaction of business.

SECTION 7~~6~~⁷ [7]. IC 14-30.5-2-2, AS AMENDED BY P.L.92-2025, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 2. (a) If one (1) county executive submits an ordinance and a written request for recognition of a proposed watershed development commission under section 1(c) of this chapter, the natural resources commission shall decide under subsections (c) through (e) whether to recognize the proposed commission.**

(b) If the county executives of two (2) or more counties submit



ordinances and written requests under section 1(c) of this chapter for recognition of a single proposed watershed development commission empowered to act in a single designated watershed that includes areas within both or all of the counties:

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

(A) identifying the designated watershed; and

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

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

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

(1) address the natural resources commission; and

(2) provide written comments;

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

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

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

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

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

(1) Are the purposes for which the proposed commission would be established, as set forth in the ordinance or ordinances under section 1(b)(3) of this chapter, within the purposes set forth in IC 14-30.5-3-1 for which a watershed development commission



may be established?

(2) Do the purposes of the proposed commission, as set forth in the ordinance or ordinances under section 1(b)(3) of this chapter, correspond to legitimate flood damage reduction, drainage, storm water management, recreation, or water infrastructure needs of each county seeking establishment of the commission, as set forth under section 1(b)(4) of this chapter?

(3) Is it reasonable to expect that the establishment of a commission having powers under this article only in the county or counties from which the ordinance or ordinances were submitted under section 1(c)(1) of this chapter would effectively address the flood damage reduction, drainage, storm water management, recreation, or water infrastructure needs of each county that submitted an ordinance under section 1(c)(1) of this chapter?

(4) Is it reasonable to expect that the establishment of a commission that has powers under this article only in the area or areas inside the geographic boundaries of the designated watershed would effectively address the flood damage reduction, drainage, storm water management, recreation, or water infrastructure needs of each county that submitted an ordinance under section 1(c)(1) of this chapter?

(5) Is the territory of the proposed commission at least as large as the entirety of the same eight (8) digit U.S. Geological Survey hydrologic unit code?

(6) Has a regional watershed study or watershed management plan been conducted in consultation with the Indiana finance authority and the department of natural resources that assesses water use, water quality, drinking water systems, wastewater management systems, storm water management, flood control, drainage management, recreational uses, natural resources, and water infrastructure needs of the watershed of the proposed commission? If so, can the establishment of the proposed commission be expected to address the needs identified in that study or management plan?

(f) If:

(1) one (1) county's executive submits an ordinance and a request for recognition of a proposed commission under section 1(c) of this chapter; and

(2) the natural resources commission answers all of the questions set forth in subsection (e) favorably;

the natural resources commission shall issue an order recognizing the



1 watershed development commission and recognizing the county
 2 referred to in subdivision (1) as a member of the watershed
 3 development commission.

4 (g) If:

5 (1) executives of two (2) or more counties submit ordinances and
 6 requests for recognition of a proposed watershed development
 7 commission under section 1(c) of this chapter; and

8 (2) the natural resources commission answers all of the questions
 9 set forth in subsection (e) favorably with respect to at least one
 10 (1) of the counties;

11 the natural resources commission shall issue an order recognizing the
 12 watershed development commission and recognizing as a member of
 13 the watershed development commission each county with respect to
 14 which the natural resources commission answered all of the questions
 15 set forth in subsection (e) favorably.

16 (h) If the natural resources commission does not answer all of the
 17 questions set forth in subsection (e) favorably with respect to a county,
 18 the natural resources commission shall:

19 (1) inform the executive of the county in writing of its decision;
 20 and

21 (2) specify in the writing the reason or reasons for each
 22 unfavorable answer.

23 (i) The action of the natural resources commission under this
 24 section in declining to recognize a proposed watershed development
 25 commission for a particular watershed does not preclude the later
 26 submission of one (1) or more new ordinances and written requests for
 27 recognition of a proposed watershed development commission for the
 28 same designated watershed.

29 (j) An action of the natural resources commission under this
 30 section declining to recognize a particular county as a member of a
 31 watershed development commission does not preclude the later
 32 submission of:

33 (1) another ordinance and written request under section 1(c) of
 34 this chapter for recognition of the county as a member of another
 35 proposed watershed development commission; or

36 (2) an ordinance and written request under section 4 or 5 of this
 37 chapter proposing the county for membership in an established
 38 watershed development commission.

39 SECTION 7 ~~7~~ [8]. IC 14-30.5-2-6, AS AMENDED BY
 40 P.L.92-2025, SECTION 51, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) A county to which section 4
 42 or 5 of this chapter applies may not become a member of an existing



- 1 watershed development commission unless:
- 2 (1) the executives of all of the counties that are members of the
- 3 existing commission adopt ordinances accepting the county as a
- 4 member county of the existing commission; and
- 5 (2) the natural resources commission issues an order under this
- 6 section recognizing the county as a member county of the
- 7 existing commission.
- 8 (b) Before making a decision whether to recognize a county as a
- 9 member county of an existing commission under this section, the
- 10 natural resources commission shall hold at least one (1) public hearing
- 11 in the county concerning the proposed membership of the county in the
- 12 existing commission. Any interested person attending a public hearing
- 13 held under this subsection shall have the right to:
- 14 (1) address the natural resources commission; and
- 15 (2) provide written comments;
- 16 concerning the proposed membership of the county in the existing
- 17 commission. The **division of water, on behalf of the** natural resources
- 18 commission, may convene the meeting, record the testimony given, and
- 19 receive the written comments provided.
- 20 (c) The **division of water, on behalf of the** natural resources
- 21 commission, shall give notice of a public hearing to be held under
- 22 subsection (b):
- 23 (1) by publication at least one (1) time in one (1) newspaper of
- 24 general circulation in the county in which the hearing will be
- 25 held; and
- 26 (2) through the website of the natural resources commission.
- 27 (d) In deciding whether to recognize a county to which section 4
- 28 or 5 of this chapter applies as a member of an existing commission, the
- 29 natural resources commission shall determine the answer to each of the
- 30 following questions:
- 31 (1) Do the stated purposes for which the watershed development
- 32 commission was established correspond to the flood damage
- 33 reduction, drainage, storm water management, recreation, or
- 34 water infrastructure needs of the county, as stated under section
- 35 4(b)(3) or 5(b)(3) of this chapter?
- 36 (2) Is it reasonable to expect that the county's flood damage
- 37 reduction, drainage, storm water management, recreation, or
- 38 water infrastructure needs, as stated under section 4(b)(3) or
- 39 5(b)(3) of this chapter, would be addressed more effectively if
- 40 the county were a member of the existing commission than those
- 41 needs have previously been addressed?
- 42 (3) Would the county's membership in the existing commission

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diminish the effectiveness of the existing watershed development commission in addressing the flood damage reduction, drainage, storm water management, recreation, or water infrastructure needs of other member counties?

(4) Is the territory of the proposed commission at least as large as the entirety of the same eight (8) digit U.S. Geological Survey hydrologic unit code?

(5) Has a regional watershed study or watershed management plan been conducted in consultation with Indiana finance authority and the department of natural resources that assesses water use, water quality, drinking water systems, wastewater management systems, storm water management, flood control, drainage management, recreational uses, natural resources, and water infrastructure needs of the watershed of the proposed commission? If so, can the establishment of the proposed commission be expected to address the needs identified in that study or management plan?

(e) If the natural resources commission answers all of the questions set forth in subsection (d) favorably, the natural resources commission shall issue an order recognizing the membership of the county in the existing commission.

(f) If the natural resources commission does not answer all of the questions set forth in subsection (d) favorably, the natural resources commission shall inform the executive of the county to which section 4 or 5 of this chapter applies in writing of its decision and specify in the writing the reason or reasons for each unfavorable answer.

(g) An action of the natural resources commission under this section declining to recognize a county as a member of an established watershed development commission does not preclude the later submission of another ordinance under section 4 or 5 of this chapter seeking membership for the county in an existing commission.

SECTION ~~7-8~~^[9]. IC 14-31-3-4 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 4. As used in this chapter, "harvest season" means the season established by the commission under section 14(b)(1) of this chapter.~~

SECTION ~~7-9~~^[80]. IC 14-31-3-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 4.5. As used in this chapter, "licensee" refers to a person issued any of the following valid licenses under this chapter:**

- (1) A ginseng dealer license.
- (2) A ginseng harvester license.



SECTION 8 ~~⇒~~ [1]. IC 14-31-3-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5.5. As used in this chapter, "valid license" refers to a license that:

- (1) is issued by the department; and
- (2) has not been suspended or revoked under section 11 of this chapter.

SECTION 8 ~~⇒~~ [2]. IC 14-31-3-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) A person may not harvest, buy, or sell ginseng in Indiana without the proper license issued by the department under section 8 of this chapter.

(b) A person must ~~have~~ be issued a valid license issued by the department during the current selling season to be a ginseng dealer in Indiana.

(c) A person must be issued a valid license during the current harvest season to be a ginseng harvester in Indiana.

SECTION 8 ~~⇒~~ [3]. IC 14-31-3-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) To obtain a ginseng:

- (1) dealer's license, a person must: ~~do the following:~~
 - (+) (A) apply to the department for the license in the manner prescribed by the department; and
 - (-) (B) pay a license fee of ~~one two~~ hundred dollars (~~\$100~~) (\$200) before ~~August 15~~ August 30 of each year; or
- (2) harvester's license, a person must apply to the department for the license in the manner prescribed by the department.

There is no cost for a license issued by the department under subdivision (2).

(b) A ~~ginseng dealer's~~ license issued under subsection (a) is effective September 1 of each year and expires ~~annually~~ on August 31 of the following calendar year.

(c) A ginseng harvester shall obtain written authorization from a real property owner to harvest ginseng on the owner's real property. Written authorization under this subsection must include the:

- (1) name, address, telephone number, and signature of the real property owner; and
- (2) start and end date the ginseng harvester is authorized to harvest ginseng on the real property.

Unless the end date of the written authorization specifies otherwise, the department must assume the end date of the authorization is



the end of the current harvest season.

(d) A ginseng harvester shall provide the written authorization required under subsection (c) to the department upon request.

(e) Not later than ten (10) calendar days after each quarter, a ginseng dealer must submit all records regarding ginseng bought and sold for the quarter to the department via the ginseng portal.

(f) Not later than thirty (30) calendar days after the last day of a selling season, a ginseng dealer must submit to the department via the online ginseng portal a summary of all ginseng bought and sold by the ginseng dealer during the selling season. The summary must also contain the following information in the manner required by the department:

(1) The name, address, and license number of each person who bought ginseng from the dealer or sold ginseng to the dealer.

(2) The type, weight, and condition of the ginseng, wild simulated or artificially propagated, that was bought or sold.

(3) The number and date of shipments and the county from which ginseng is taken by a harvester.

SECTION 8 ~~↔~~ [4]. IC 14-31-3-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) As used in this section, "selling season" means the season established by the commission under section 14(b)(2) of this chapter. The selling season for ginseng begins September 1 each year and ends March 31 of the following calendar year.

(b) Each ginseng dealer shall submit a summary of all ginseng purchased and sold by the ginseng dealer during the selling season to the department within thirty (30) days of the last day of the selling season. The summary must also contain other information and be prepared in the manner required by the department by rule. Except as otherwise provided under this section, a person may not buy or sell ginseng except during the selling season under subsection (a).

(c) A ginseng dealer must receive a certification from the department under this section to ship ginseng for the first time to the following:

(1) Another ginseng dealer.

(2) A ginseng exporter.

(3) For export from the ginseng dealer.

(d) A ginseng dealer may retain ginseng for sale that is lawfully acquired during the selling season under subsection (a) if the ginseng dealer obtains from the department a certificate of ginseng shipment issued within the same selling season as the



transaction took place.

(e) A ginseng dealer must complete a certificate of ginseng shipment under subsection (d). The department must:

- (1) examine the certificate of ginseng shipment;
- (2) examine the ginseng shipment; and
- (3) if approved, certify and date the certificate via the ginseng portal.

(f) The three (3) certificates of ginseng shipment must be retained as follows:

- (1) One (1) copy must be retained by the department.
- (2) One (1) copy must accompany the ginseng shipment.
- (3) One (1) copy must be retained by the ginseng dealer for the ginseng dealer's records.

SECTION 8~~4~~⁵. IC 14-31-3-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) Wild ginseng may not be harvested except during the harvest season.

(b) Ginseng harvested in Indiana may not be possessed by a ginseng harvester during the part of a year established under section 14(b)(3) of this chapter, after the selling season unless the department gives written authorization. otherwise.

(c) Ginseng harvested in Indiana may not be bought, sold, or possessed by a ginseng dealer during the part of a year established under section 14(b)(4) of this chapter, unless the department gives written authorization otherwise.

(d) (c) Ginseng that is harvested in Indiana may not be taken from Indiana without written authorization from the department.

(d) A ginseng dealer must maintain true and complete records of the ginseng dealer's purchases and sales of ginseng. The department may, at a reasonable time, inspect the:

- (1) records; and
- (2) business premises;

of the ginseng dealer.

(e) A ginseng dealer or ginseng harvester may not misrepresent in:

- (1) a report;
- (2) a log;
- (3) a certificate; or
- (4) any other record required under this chapter;

that a substance is ginseng if the ginseng dealer or ginseng harvester knows, or reasonably should know, that all or a portion of the substance is a substance other than ginseng.

(f) A ginseng dealer or ginseng harvester may not knowingly



1 include false or incorrect information in:

- 2 (1) a document;
- 3 (2) a log;
- 4 (3) a certificate; or
- 5 (4) any other record required under this chapter.

6 If a ginseng dealer or ginseng harvester determines that
7 information under this subsection is incorrect, the ginseng dealer
8 shall immediately inform the department of the correct
9 information.

10 SECTION 8 ~~6~~ [6]. IC 14-31-3-11, AS AMENDED BY
11 P.L.92-2025, SECTION 52, IS AMENDED TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) The department may
13 suspend or revoke a license issued under this chapter if the
14 licensee:

- 15 (1) violates any provision of this chapter;
- 16 (2) fails to report the records required under this chapter in
17 the manner specified by the department;
- 18 (3) fails to submit the information required to be submitted
19 to the department:
- 20 (A) quarterly; or
- 21 (B) annually;
- 22 (4) has a suspended or revoked license to harvest or deal
23 ginseng in another state; or
- 24 (5) is prohibited from harvesting or dealing ginseng in
25 another state or any reason.

26 ~~(a)~~ (b) The department may revoke or suspend the license of a
27 person who violates this chapter. All proceedings under this chapter to
28 revoke or suspend a license are subject to IC ~~4-21-5~~ chapter for:

- 29 (1) any period of time for which the license was issued; or
- 30 (2) a period not longer than five (5) years.

31 ~~(b)~~ If a court determines that a person has violated this chapter, the
32 court may, in addition to any other penalty, do the following:

- 33 ~~(1)~~ Suspend or revoke the license of the person for any period of
34 time for which the license was issued.
- 35 ~~(2)~~ Order that a license not be issued to the person for a period
36 not longer than five (5) years.

37 SECTION 8 ~~6~~ [7]. IC 14-31-3-12 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. (a) The following
39 definitions apply throughout this section:

- 40 (1) "Internode" means a section containing a stem scar.
- 41 (2) "Prong" means a true compound leaf, including five (5)
42 leaflets that consist of three (3) large leaflets and two (2)



1 **small leaflets.**

2 **(b) The department may carry out scientific research on for**
3 **ginseng to determine the following:**

4 (1) The distribution and abundance of ginseng throughout
5 Indiana.

6 (2) The effects of current and future harvesting and cultivation
7 practices on the survival of ginseng in Indiana.

8 **(c) The ginseng harvest season begins September 1 and ends**
9 **December 31 of each year.**

10 **(d) A person may not harvest or possess harvested wild**
11 **ginseng unless the:**

12 (1) **person is issued a valid license to harvest ginseng;**

13 (2) **ginseng is harvested only during the harvest season; and**

14 (3) **ginseng plant to be harvested meets the following**
15 **conditions:**

16 **(A) Each individual ginseng plant demonstrates at least**
17 **one (1) of the following:**

18 (i) **At least three (3) prongs and a flowering or**
19 **fruiting stalk. Except as provided in clause (B), the**
20 **entire stalk and leaves must be retained with the**
21 **plant until the plant is taken to the ginseng**
22 **harvester's residence or place of business.**

23 (ii) **At least four (4) internodes on the rhizome.**

24 **(B) Mature fruits and any seeds from a harvested plant**
25 **must be planted in the vicinity where the ginseng plant**
26 **is taken in a manner that encourages the germination**
27 **and growth of new plants.**

28 SECTION 8 ~~<7>~~ [8]. IC 14-31-3-13 IS REPEALED [EFFECTIVE
29 JULY 1, 2026]. Sec. 13. The department may establish ginseng
30 harvesting quotas based on the results of research and data collection.

31 SECTION 8 ~~<8>~~ [9]. IC 14-31-3-14 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) The department
33 may adopt rules under IC 4-22-2 that are necessary to carry out to
34 **implement** this chapter.

35 **(b) The commission shall adopt rules under IC 4-22-2 to do the**
36 **following:**

37 (1) **Establish the harvest season.**

38 (2) **Establish the selling season.**

39 (3) **Establish the part of a year when ginseng harvested in**
40 **Indiana may not be possessed by a ginseng harvester without**
41 **written authorization from the department.**

42 (4) **Establish the part of a year when ginseng harvested in**



Indiana may not be bought, sold, or possessed by a ginseng dealer without written authorization from the department.

(b) Information contained in the ginseng portal concerning trade secrets or privileged commercial or financial information relating to the competitive rights of the person or entity intending to explore the described area that is submitted to the director under this chapter is confidential and not available for public examination.

SECTION ~~89~~ [90]. IC 14-31-3-15, AS AMENDED BY P.L.111-2016, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. A ginseng dealer person who harvests, buys, or sells ginseng without a valid license issued under section 8 of this chapter, or who otherwise violates this chapter commits:

(1) purchases or sells ginseng for resale or exportation without a license; or

(2) obtains a license because of a false or an incorrect statement; commits

(1) a Class C misdemeanor for a first offense;

(2) a Class B misdemeanor for a second offense; or

(3) a Class A misdemeanor for a third offense and each subsequent offense.

SECTION 9 ~~1~~ [1]. IC 14-31-3-16 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 16: A person who harvests ginseng out of a harvest season in violation of section 10 of this chapter commits a Class B misdemeanor.

SECTION 9 ~~2~~ [2]. IC 14-31-3-17 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 17: A person who possesses unprocessed ginseng out of a harvest season in violation of section 10 of this chapter commits a Class B misdemeanor.

SECTION 9 ~~3~~ [3]. IC 14-31-3-18 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 18: A person who harvests ginseng in an amount greater than a quota established under section 13 of this chapter commits a Class B infraction.

SECTION 9 ~~4~~ [4]. IC 14-31-3-19 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 19: A ginseng dealer who buys, sells, or possesses ginseng in violation of section 10 of this chapter commits a Class B misdemeanor.

SECTION 9 ~~5~~ [5]. IC 14-31-3-20 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 20: A person who, without written authorization from the department, takes or sends from Indiana ginseng that is harvested in Indiana in violation of section 9 of this chapter commits



1 a Class A misdemeanor.

2 SECTION 9~~6~~⁶[6]. IC 14-31-3-21 IS REPEALED [EFFECTIVE
3 JULY 1, 2026]. Sec. 21: A person who knowingly or intentionally:

4 (1) takes or sends from Indiana ginseng that was harvested in
5 another state for export from the United States; or

6 (2) receives ginseng that was harvested in another state for
7 export from the United States;

8 without written authorization to export the ginseng under the laws of
9 the state in which the ginseng was harvested commits a Class A
10 misdemeanor.

11 SECTION 9~~6~~⁶[7]. IC 14-33-1-1 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) A conservancy
13 district may be established for any of the following purposes:

14 (1) Flood prevention and control.

15 (2) Improving drainage.

16 (3) Providing for irrigation.

17 (4) Providing water supply, including treatment and distribution,
18 for domestic, industrial, and public use.

19 (5) Providing for the collection, treatment, and disposal of
20 sewage and other liquid wastes.

21 (6) Developing forests, wildlife areas, parks, and recreational
22 facilities if feasible in connection with beneficial water
23 management.

24 (7) Preventing the loss of topsoil from injurious water erosion.

25 (8) Storage of water for augmentation of stream flow.

26 (9) Operation, maintenance, and improvement of:

27 (A) a work of improvement for water based recreational
28 purposes; or

29 (B) other work of improvement that could have been built
30 for any other purpose authorized by this section.

31 **(10) Improve water quality.**

32 (b) These purposes may be accomplished by cooperating with
33 federal and state agencies whose programs are designed to accomplish
34 any of the purposes of the district.

35 SECTION 9~~7~~⁷[8]. IC 14-33-2-19 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19. (a) In determining
37 the facts, the **division of water, on behalf of the** commission, shall **do**
38 **the following:**

39 (1) Hold hearings at which the ~~commission~~ **division of water**
40 shall give any interested person the right to be heard.

41 (2) At the request of an interested person, ~~the commission shall~~
42 hold hearings at the county seat of a county containing land in



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the proposed district.

(3) ~~The commission shall~~ Choose the county seat.

(b) The ~~commission~~ **division of water** shall give notice of the hearings by publication at least one (1) time in one (1) newspaper of general circulation in each county containing land in the proposed district.

SECTION 9~~8~~^[9]. IC 14-33-2-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 22. The commission, **in coordination with the department**, shall make a report of the commission's findings to the court, including findings on the territorial limits of the proposed district. The commission shall make this report within one hundred twenty (120) days after the petition is referred to the commission, unless the commission requests and receives approval from the court for additional periods of thirty (30) days each.

SECTION ~~99~~^[100]. IC 14-38-1-13, AS AMENDED BY P.L.118-2009, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13. (a) All proceeds derived:

(1) from or by virtue or by reason of a permit or lease executed or issued under this chapter; or

(2) from or by reason of any operations under this chapter; shall, after deducting all costs incurred by the department, be paid to the treasurer of state for the use of the division of the department having the custody, control, possession, or authority of or over the real property involved.

(b) Except as provided in subsection (c), the proceeds shall be deposited in the proper fund of the appropriate division of the department.

(c) Except as provided in subsection (d), the proceeds from royalties or other compensation paid for minerals taken from beneath the navigable waters of the state shall be deposited in the state general fund.

(d) The proceeds from royalties or other compensation paid for minerals taken from beneath the navigable waters of the Wabash River (as defined in IC 14-13-6-4) ~~shall~~ **must** be deposited **as follows**:

(1) **Twenty percent (20%)** in the Wabash River heritage corridor fund established by IC 14-13-6-23.

(2) **Eighty percent (80%) in the oil and gas fund established by IC 6-8-1-27.**

SECTION 10~~9~~^[1]. IC 25-36.5-1-3, AS AMENDED BY P.L.155-2015, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) Every person registered as a timber buyer shall file with the department an effective



surety bond issued by a corporate surety authorized to engage in the business of executing surety bonds in Indiana.

(b) Instead of the bond required by subsection (a), the department may accept security in cash or a certificate of deposit under terms established by rule.

(c) The security required under subsection (a) or (b) shall be made payable upon demand to the director, subject to this chapter, for the use and benefit of the people of Indiana and for the use and benefit of any timber grower from whom the applicant purchased and who is not paid by the applicant or for the use and benefit of any timber grower whose timber has been cut by the applicant or registrant or the applicant's or registrant's agents, and who has not been paid for the timber.

(d) The security required under subsection (a) or (b) shall be in the principal amount of five thousand dollars (\$5,000) for an applicant who paid timber growers ten thousand dollars (\$10,000) or less for timber during the immediate preceding year, and an additional one hundred dollars (\$100) for each additional one thousand dollars (\$1,000) or fraction thereof paid to timber growers for timber purchased during the preceding year. However:

(1) before January 1, 2017, the security required may not be more than twenty thousand dollars (\$20,000); and

(2) after December 31, 2016, the security required may not be more than fifty thousand dollars (\$50,000).

If an applicant has not previously engaged in business as a timber buyer, the amount of the bond shall be based on the estimated dollar amount to be paid by the timber buyer to timber growers for timber purchased during the next succeeding year, as set forth in the application.

(e) The security required under subsection (a) or (b) shall not be canceled or altered during the period for which the certificate to the applicant was issued except upon at least sixty (60) days notice in writing to the department.

(f) Security shall be in a form and contain the terms and conditions as may be approved from time to time by the director, be conditioned to secure an honest cutting and accounting for timber purchased by the registrant, secure payment to the timber growers, and insure the timber growers against all fraudulent acts of the registrant in the purchase and cutting of the timber of this state.

(g) If a timber buyer fails to pay when due any amount due a timber grower for timber purchased, or fails to pay legally determined damages for timber wrongfully cut by a timber buyer or the timber buyer's agent, or commits any violation of this chapter, an adjudicative



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proceeding on the bond for forfeiture may be commenced, and notice of the proceeding shall be provided, under IC 4-21.5-3-6. A surety or person in possession of the security provided under subsection (a) or (b) is entitled to notification of the proceeding. If a final agency action is entered by the department under this subsection against the timber buyer, the surety or other person in possession of the security shall deliver the amount of the security identified in the order. A proceeding for forfeiture of a timber buyer's bond under IC 4-21.5 is the exclusive remedy under law for the forfeiture of the bond.

(h) An owner of property seeking a preliminary injunction or restraining order against a person, corporation, or other entity to prevent or stop the wrongful cutting of timber on the owner's property is relieved of the requirement to post a bond or other security with the court as a prerequisite to the issuance of the preliminary injunction or restraining order. However, this subsection does not apply to a property owner who seeks a preliminary injunction or restraining order to prevent or stop alleged wrongful cutting by a timber cutter or timber buyer with whom the property owner had contracted for the cutting or sale of timber.

(i) The department may use a bond paid under this section to:

(1) recover the costs of damage associated with the issued license; or

(2) ensure performance of the contract.

Timber license bonds may be used to meet performance bonding regarding buying cut logs from the timber lands of the department.

SECTION 10-~~1~~²[2]. IC 25-36.5-1-10, AS AMENDED BY P.L.158-2013, SECTION 292, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) A person who:

(1) engages in business as a timber buyer without securing a registration or in violation of this chapter; or

(2) refuses to permit inspection of the person's premises, books, accounts, or records as provided in this chapter;

commits a Class A misdemeanor. However, the offense is a Level 6 felony if the person has a prior unrelated conviction for an offense under this section.

(b) A person who violates this chapter shall repay the cost of damages not covered by the bond paid by the person. If a person under this subsection does not repay the cost of damages in full, the person is ineligible to purchase timber from the department for at least one (1) year.

SECTION 10-~~2~~³[3]. IC 25-39-3-5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS



[EFFECTIVE JULY 1, 2026]: **Sec. 5. (a) An applicant may request informal review of a failed written or practical examination from the division of water of the department.**

(b) An applicant requesting an informal review under subsection (a) must submit the request for informal review with the director of the division of water, or the director's designee, not later than the earlier of:

(1) fifteen (15) days after the applicant is notified of the failing score, if the notification of the failing score includes:

(A) the address of the person to whom the request under this subsection must be directed; and

(B) a statement that the request for informal review must be made not later than fifteen (15) days after the applicant receives the notice; or

(2) ninety (90) days if the applicant is notified of the failing score, but the notice does not include the information described in subdivision (1).

SECTION 10-4-4. IC 25-39-3-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 6. (a) A sponsor of a continuing education program, or licensee who attends a continuing education program, may request informal review of a decision by the department to:**

(1) refuse to authorize credits; or

(2) authorize fewer credits than the sponsor or licensee believes should be authorized.

(b) A person to whom subsection (a) applies must request informal review under this section before the continuing education program is presented.

(c) After the informal review under this section, the director, or the director's designee, may take an action if the department has sufficient evidence to determine a continuing education program:

(1) includes information significant to the governing statute or rule that was not previously known to the department; or

(2) provides innovative or specialized instruction to a limited constituency with extraordinary educational needs that are likely to enhance the interests protected or promoted by the governing statute or rule.

SECTION 10-4-5. IC 35-52-14-27.8 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 27.8. IC 14-22-32-2 defines a crime concerning game birds and exotic mammals.~~

SECTION 10-4-6. IC 35-52-14-39 IS REPEALED



1 [EFFECTIVE JULY 1, 2026]. Sec. 39: IC 14-31-3-16 defines a crime
 2 concerning nature preserves.
 3 SECTION 10<6>[7]. IC 35-52-14-40 IS REPEALED
 4 [EFFECTIVE JULY 1, 2026]. Sec. 40: IC 14-31-3-17 defines a crime
 5 concerning nature preserves.
 6 SECTION 10<7>[8]. IC 35-52-14-41 IS REPEALED
 7 [EFFECTIVE JULY 1, 2026]. Sec. 41: IC 14-31-3-19 defines a crime
 8 concerning nature preserves.
 9 SECTION 10<8>[9]. IC 35-52-14-42 IS REPEALED
 10 [EFFECTIVE JULY 1, 2026]. Sec. 42: IC 14-31-3-20 defines a crime
 11 concerning nature preserves.
 12 SECTION <109>[110]. IC 35-52-14-43 IS REPEALED
 13 [EFFECTIVE JULY 1, 2026]. Sec. 43: IC 14-31-3-21 defines a crime
 14 concerning nature preserves.

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