

Updated January 21, 2026 (2:23pm)

SENATE BILL No. 224

AM022404 has been incorporated into introduced printing.

y n o p s i s : Department of natural resources.

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Introduced

Second Regular Session of the 124th General Assembly (2026)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2025 Regular Session of the General Assembly.

SENATE BILL No. 224

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

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

1 SECTION 1. IC 14-8-1-1 IS AMENDED TO READ AS
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 IC 14-8-2-57 IS REPEALED [EFFECTIVE JULY 1,
6 2026]. ~~Sec. 57. "Corporation", for purposes of IC 14-12-3, has the~~
7 ~~meaning set forth in IC 14-12-3-1.~~

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

11 (1) For purposes of IC 14-9-5, the meaning set forth in
12 IC 14-9-5-1.
13 (2) For purposes of IC 14-9-8-21, the meaning set forth in
14 IC 14-9-8-21.
15 (3) For purposes of IC 14-9-8-21.5, the meaning set forth in
16 IC 14-9-8-21.5.

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- (4) For purposes of IC 14-9-9, the meaning set forth in IC 14-9-9-3.
- (5) For purposes of IC 14-12-1, the meaning set forth in IC 14-12-1-1.
- (6) For purposes of IC 14-12-2, the meaning set forth in IC 14-12-2-2.
- (7) For purposes of IC 14-12-3, the meaning set forth in IC 14-12-3-2.
- (8) (7) For purposes of IC 14-13-1, the meaning set forth in IC 14-13-1-2.
- (9) (8) For purposes of IC 14-13-2, the meaning set forth in IC 14-13-2-3.
- (10) (9) For purposes of IC 14-16-1, the meaning set forth in IC 14-16-1-30.
- (11) (10) For purposes of IC 14-19-8, the meaning set forth in IC 14-19-8-1.
- (12) (11) For purposes of IC 14-19-11, the meaning set forth in IC 14-19-11-3.1.
- (13) (12) For purposes of IC 14-20-11, the meaning set forth in IC 14-20-11-2.
- (14) (13) For purposes of IC 14-22-3, the meaning set forth in IC 14-22-3-1.
- (15) (14) For purposes of IC 14-22-4, the meaning set forth in IC 14-22-4-1.
- (16) (15) For purposes of IC 14-22-5, the meaning set forth in IC 14-22-5-1.
- (17) (16) For purposes of IC 14-22-8, the meaning set forth in IC 14-22-8-1.
- (18) (17) For purposes of IC 14-22-34, the meaning set forth in IC 14-22-34-2.
- (19) (18) For purposes of IC 14-23-3, the meaning set forth in IC 14-23-3-1.
- (20) (19) For purposes of IC 14-25-2-4, the meaning set forth in IC 14-25-2-4.
- (21) (20) For purposes of IC 14-25-10, the meaning set forth in IC 14-25-10-1.
- (22) (21) For purposes of IC 14-25.5, the meaning set forth in IC 14-25.5-1-3.
- (23) (22) For purposes of IC 14-31-2, the meaning set forth in IC 14-31-2-5.
- (24) (23) For purposes of IC 14-25-12, the meaning set forth in IC 14-25-12-1.

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

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

5 **(27) (26)** For purposes of IC 14-33-21, the meaning set forth in
 6 IC 14-33-21-1.

7 **(28) (27)** For purposes of IC 14-34-6-15, the meaning set forth in
 8 IC 14-34-6-15.

9 **(29) (28)** For purposes of IC 14-34-14, the meaning set forth in
 10 IC 14-34-14-1.

11 **(30) (29)** For purposes of IC 14-34-19-1.3, the meaning set forth
 12 in IC 14-34-19-1.3(a).

13 **(31) (30)** For purposes of IC 14-34-19-1.5, the meaning set forth
 14 in IC 14-34-19-1.5(a).

15 **(32) (31)** For purposes of IC 14-37-10, the meaning set forth in
 16 IC 14-37-10-1.

17 SECTION 4. IC 14-8-2-170 IS REPEALED [EFFECTIVE JULY
 18 1, 2026]. See. 170. "Municipal corporation", for purposes of
 19 IC 14-12-3, has the meaning set forth in IC 14-12-3-3.

20 SECTION 5. IC 14-8-2-216 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 216. (a) "Program", for
 22 purposes of IC 14-12-3, has the meaning set forth in IC 14-12-3-4.

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

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

27 SECTION 6. IC 14-8-2-320 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 320. "Wildlife" has the
 29 following meaning:

30 (1) For purposes of IC 14-22, except as provided in subdivision
 31 (2), means all wild birds, fish, crustaceans, mollusks,
 32 amphibians, reptiles, and wild mammals.

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

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

40 (b) The chairman:

41 (1) may call a special meeting; and

42 (2) shall call a special meeting at the request of any five (5)



1 members.

2 (c) A:

(1) meeting of the commission; or

(2) public hearing;

5 is subject to IC 5-14-1.5.

6 SECTION 8. IC 14-10-2-9 IS ADDED TO THE INDIANA CODE
7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
8 1, 2026]: Sec. 9. **(a) A person who wishes to obtain judicial review**
9 **of a final agency action under this title must serve copies of a**
10 **petition for judicial review upon:**

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

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

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

25
26 (C) If the Indiana board of registration for soil scientists
27 is a party to a proceeding, a copy of the petition
28 required under IC 4-21.5-5-8(a)(4) must be served upon
29 the Indiana board of registration for soil scientists to the
30 address published on the website of the office of the state
chemist.

34 (1) The department.

35 (2) The state geologist.

36 (3) The office of the state chemist.

37 SECTION 9. IC 14-11-2-1, AS AMENDED BY P.L.246-2005,
38 SECTION 116, IS AMENDED TO READ AS FOLLOWS
39 [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The department may adopt
40 rules under IC 4-22-2 for the conduct of the following:

41 (1) Department meetings.

42 (2) Upon the recommendation of the director, the work of the

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1 department and the divisions.

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

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

12 (c) **The director shall:**

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

17 SECTION 10. IC 14-11-2-2 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. A person who
19 violates a rule adopted under this chapter commits a Class C infraction,
20 **unless otherwise specified by law.**

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

- 25 (1) IC 14-26-2 (lake preservation).
- 26 (2) IC 14-26-5 (~~dams~~): **(lowering of Ten Acre Lake).**
- 27 (3) **IC 14-27 (levees, dams, and drainage).**
- 28 (4) (4) IC 14-28-1 (flood control).
- 29 (5) **IC 14-29-1 (navigable waterways).**
- 30 (6) (4) IC 14-29-3 (~~removal of substances from streams~~): **(sand**
31 **and gravel permits).**
- 32 (7) (5) IC 14-29-4 (construction of channels).

33 SECTION 12. IC 14-12-3 IS REPEALED [EFFECTIVE JULY 1,
34 2026]. (Hometown Indiana Grant Program).

35 SECTION 13. IC 14-15-3-19 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19. Provisions of this
37 chapter concerning the operation of boats or motorboats apply as
38 follows:

- 39 (1) Whether or not the boat or motorboat is towing a ~~water~~ ski,
40 ~~a watersled, an aquaplane, or a similar object, including a person~~
41 ~~on the water ski, watersled, aquaplane, or similar~~ **any** object.
- 42 (2) To each object and person.



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

7 (1) the motorboat is occupied by at least one (1) other person
 8 who is giving the person's entire attention to watching the object,
 9 **wakeboard**, or person towed; and
 10 (2) the person operating the boat is giving the person's entire
 11 attention to the operation of the boat.

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

17 (1) Injury to or death of a person. or
 18 (2) Damage to a boat or other property to an apparent extent of
 19 at least **the greater of: seven hundred fifty dollars (\$750);**
 20 **shall provide the information required under subsection (b):**
 21 (A) **two thousand dollars (\$2,000); or**
 22 (B) **the amount for assessed damage under the United**
 23 **States Department of Homeland Security Boating**
 24 **Accident Report Database (BARD).**

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

27 (1) Give notice of the accident to:
 28 (A) the office of the sheriff of the county;
 29 (B) the nearest state police post; or
 30 (C) the central dispatch center for the law enforcement
 31 division of the department;
 32 immediately and by the quickest means of communication.
 33 (2) Mail to the department a written report of the accident or
 34 collision within twenty-four (24) hours of the accident or
 35 collision.

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

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- (1) A state police officer or conservation officer.
- (2) The sheriff's office of the county where the accident occurred.
- (3) The office of the police department of the municipality where the accident occurred.

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

- (1) Complete a report of the accident on forms prescribed by the director.
- (2) Forward the report to the director.

SECTION 17. 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 filed with the division and include the following:

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

- (A) The identity of the person who will conduct the project.
- (B) The overall nature and time frame of the project.
- (C) The location of the project by section, township, range, county, and address.
- (D) Information regarding any prior disturbance to the area.
- (E) A statement regarding whether federal or state funds or licenses are involved in the project.

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

- (A) Construction details for any activity within one hundred (100) feet of the burial ground or cemetery.
- (B) References to nearby landmarks.
- (C) The location of the burial ground or cemetery and the project area on the appropriate U.S. Geological Survey U.S. TOPO: Maps for America.

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

- (A) Any name of the burial ground or cemetery.
- (B) The dates the burial ground or cemetery has been used.
- (C) Historical information and documentation.
- (D) Precise boundaries that reference nearby

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landmarks. If documentation is not available to identify the burial ground or cemetery boundaries, the applicant may be required to determine those boundaries through the following:

- (i) Remote sensing.
- (ii) Investigations by archeologists.
- (iii) Another scientific method approved by the division.

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

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

(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 18. IC 14-21-1-25.5 IS REPEALED [EFFECTIVE JULY 1, 2026]. See: 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 E 4-23-32.

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

4 (1) Any written findings or reports that result from the analysis
 5 and study of the human remains.

6 (2) Written notice to the Native American Indian affairs
 7 commission that the analysis and study of the human remains are
 8 complete.

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

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

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

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

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

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

26 (A) fail to tend or visit; or have tended or visited a trap and
 27 (B) remove a furbearing animal from;

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

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

32 (A) fail to tend or visit; or have tended or visited a trap and
 33 (B) remove a furbearing animal from;

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

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

40 SECTION 20. IC 14-22-15.5-7 IS REPEALED [EFFECTIVE
 41 JULY 1, 2026]. See: ~~7. An individual who acts as a hunting guide
 42 without a hunting guide license in violation of section 2 of this chapter~~



1 commits a Class B infraction.

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

8 (1) prescribed burn; or

9 (2) smoke produced by the prescribed burn.

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

12 (1) negligence; or

13 (2) willful and wanton misconduct.

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

18 (1) prescribed burn; or

19 (2) smoke produced by the prescribed burn.

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

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

23 (2) willful and wanton misconduct of the landowner or the
 24 landowner's agent.

25 (e) The **division of forestry's department's** officers, agents, and
 26 employees are immune from civil liability, in accordance with
 27 IC 34-13-3, arising out of any of the following:

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

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

33 SECTION 22. IC 14-30-3-16 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) The
 35 commission, **in coordination with the department**, shall keep a
 36 record of the commission's resolutions, transactions, and findings. This
 37 record is a public record.

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

40 SECTION 23. IC 14-30.5-2-2, AS AMENDED BY P.L.92-2025,
 41 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2026]: Sec. 2. (a) If one (1) county executive submits an

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1 ordinance and a written request for recognition of a proposed
 2 watershed development commission under section 1(c) of this chapter,
 3 the natural resources commission shall decide under subsections (c)
 4 through (e) whether to recognize the proposed commission.

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

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

14 (A) identifying the designated watershed; and

15 (B) stating the purposes of the proposed commission; and
 16 (2) if the natural resources commission determines that the
 17 requirement set forth in subdivision (1) is met, the natural
 18 resources commission shall decide under subsections (c) through
 19 (e) whether to recognize the proposed commission.

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

28 (1) address the natural resources commission; and

29 (2) provide written comments;

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

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

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

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

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



1 following questions:

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

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

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

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

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

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

41 (f) If:

42 (1) one (1) county's executive submits an ordinance and a



1 request for recognition of a proposed commission under section
 2 1(c) of this chapter; and
 3 (2) the natural resources commission answers all of the questions
 4 set forth in subsection (e) favorably;
 5 the natural resources commission shall issue an order recognizing the
 6 watershed development commission and recognizing the county
 7 referred to in subdivision (1) as a member of the watershed
 8 development commission.

9 (g) If:
 10 (1) executives of two (2) or more counties submit ordinances and
 11 requests for recognition of a proposed watershed development
 12 commission under section 1(c) of this chapter; and
 13 (2) the natural resources commission answers all of the questions
 14 set forth in subsection (e) favorably with respect to at least one
 15 (1) of the counties;

16 the natural resources commission shall issue an order recognizing the
 17 watershed development commission and recognizing as a member of
 18 the watershed development commission each county with respect to
 19 which the natural resources commission answered all of the questions
 20 set forth in subsection (e) favorably.

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

24 (1) inform the executive of the county in writing of its decision;
 25 and
 26 (2) specify in the writing the reason or reasons for each
 27 unfavorable answer.

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

34 (j) An action of the natural resources commission under this
 35 section declining to recognize a particular county as a member of a
 36 watershed development commission does not preclude the later
 37 submission of:

38 (1) another ordinance and written request under section 1(c) of
 39 this chapter for recognition of the county as a member of another
 40 proposed watershed development commission; or
 41 (2) an ordinance and written request under section 4 or 5 of this
 42 chapter proposing the county for membership in an established

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1 watershed development commission.

2 SECTION 24. IC 14-30.5-2-6, AS AMENDED BY P.L.92-2025,
 3 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2026]: Sec. 6. (a) A county to which section 4 or 5 of this
 5 chapter applies may not become a member of an existing watershed
 6 development commission unless:

7 (1) the executives of all of the counties that are members of the
 8 existing commission adopt ordinances accepting the county as a
 9 member county of the existing commission; and

10 (2) the natural resources commission issues an order under this
 11 section recognizing the county as a member county of the
 12 existing commission.

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

19 (1) address the natural resources commission; and

20 (2) provide written comments;

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

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

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

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

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

36 (1) Do the stated purposes for which the watershed development
 37 commission was established correspond to the flood damage
 38 reduction, drainage, storm water management, recreation, or
 39 water infrastructure needs of the county, as stated under section
 40 4(b)(3) or 5(b)(3) of this chapter?

41 (2) Is it reasonable to expect that the county's flood damage
 42 reduction, drainage, storm water management, recreation, or



1 water infrastructure needs, as stated under section 4(b)(3) or
 2 5(b)(3) of this chapter, would be addressed more effectively if
 3 the county were a member of the existing commission than those
 4 needs have previously been addressed?

5 (3) Would the county's membership in the existing commission
 6 diminish the effectiveness of the existing watershed
 7 development commission in addressing the flood damage
 8 reduction, drainage, storm water management, recreation, or
 9 water infrastructure needs of other member counties?

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

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

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

27 (f) If the natural resources commission does not answer all of the
 28 questions set forth in subsection (d) favorably, the natural resources
 29 commission shall inform the executive of the county to which section
 30 4 or 5 of this chapter applies in writing of its decision and specify in the
 31 writing the reason or reasons for each unfavorable answer.

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

37 SECTION 25. IC 14-33-2-19 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19. (a) In determining
 39 the facts, the **division of water, on behalf of the** commission, shall **do**
 40 **the following:**

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



1 **(2)** At the request of an interested person, ~~the commission shall~~
2 hold hearings at the county seat of a county containing land in
3 the proposed district.

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

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

9 SECTION 26. IC 14-33-2-22 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 22. The commission,
11 **in coordination with the department**, shall make a report of the
12 commission's findings to the court, including findings on the territorial
13 limits of the proposed district. The commission shall make this report
14 within one hundred twenty (120) days after the petition is referred to
15 the commission, unless the commission requests and receives approval
16 from the court for additional periods of thirty (30) days each.

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