
SENATE BILL No. 224

AM022409 has been incorporated into January 27, 2026 printing.

Synopsis: Department of natural resources.

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January 27, 2026

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

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

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

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

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 IC 14-8-2-57 IS REPEALED [EFFECTIVE JULY 1,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

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1 IC 14-9-8-21.5.

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

3 IC 14-9-9-3.

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

5 IC 14-12-1-1.

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

7 IC 14-12-2-2.

8 ~~(7) For purposes of IC 14-12-3, the meaning set forth in~~

9 ~~IC 14-12-3-2.~~

10 ~~(8) (7) For purposes of IC 14-13-1, the meaning set forth in~~

11 ~~IC 14-13-1-2.~~

12 ~~(9) (8) For purposes of IC 14-13-2, the meaning set forth in~~

13 ~~IC 14-13-2-3.~~

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

15 ~~IC 14-16-1-30.~~

16 ~~(11) (10) For purposes of IC 14-19-8, the meaning set forth in~~

17 ~~IC 14-19-8-1.~~

18 ~~(12) (11) For purposes of IC 14-19-11, the meaning set forth in~~

19 ~~IC 14-19-11-3.1.~~

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

21 ~~IC 14-20-11-2.~~

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

23 ~~IC 14-22-3-1.~~

24 ~~(15) (14) For purposes of IC 14-22-4, the meaning set forth in~~

25 ~~IC 14-22-4-1.~~

26 ~~(16) (15) For purposes of IC 14-22-5, the meaning set forth in~~

27 ~~IC 14-22-5-1.~~

28 ~~(17) (16) For purposes of IC 14-22-8, the meaning set forth in~~

29 ~~IC 14-22-8-1.~~

30 ~~(18) (17) For purposes of IC 14-22-34, the meaning set forth in~~

31 ~~IC 14-22-34-2.~~

32 ~~(19) (18) For purposes of IC 14-23-3, the meaning set forth in~~

33 ~~IC 14-23-3-1.~~

34 ~~(20) (19) For purposes of IC 14-25-2-4, the meaning set forth in~~

35 ~~IC 14-25-2-4.~~

36 ~~(21) (20) For purposes of IC 14-25-10, the meaning set forth in~~

37 ~~IC 14-25-10-1.~~

38 ~~(22) (21) For purposes of IC 14-25.5, the meaning set forth in~~

39 ~~IC 14-25.5-1-3.~~

40 ~~(23) (22) For purposes of IC 14-31-2, the meaning set forth in~~

41 ~~IC 14-31-2-5.~~

42 ~~(24) (23) For purposes of IC 14-25-12, the meaning set forth in~~

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1 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
2 1, 2026]:

3 **Chapter 4. Applicability**

4 **Sec. 1. The department is the successor to:**

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

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

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

14 SECTION 9. IC 14-10-1-7 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) The commission
16 shall have at least four (4) regular meetings in each fiscal year and as
17 many additional or special meetings as the commission's business,
18 powers, or duties require.

19 (b) The chairman:

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

23 (c) A:

24 (1) meeting of the commission; or
25 (2) public hearing;

26 **is subject to IC 5-14-1.5.**

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

32 (1) each person described in IC 4-21.5-5-8; and
33 (2) the following persons under IC 4-21.5-5-8(a)(4):

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

40 (B) If the Indiana board of licensure for professional
41 geologists is a party to a proceeding, a copy of the
42 petition required under IC 4-21.5-5-8(a)(4) must be

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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 11. 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.

(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 12. 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 13. IC 14-11-3-1 IS REPEALED [EFFECTIVE JULY

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1, 2026]. See: 4. (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:

- 5 (1) the department;
- 6 (2) the commission; or
- 7 (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.

10 (b) Notwithstanding any other law, the director shall issue all licenses.

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

14 SECTION 14. IC 14-11-4-1, AS AMENDED BY P.L.89-2016, 15 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE 16 JULY 1, 2026]: Sec. 1. This chapter applies to applications for licenses 17 under the following:

- 18 (1) IC 14-26-2 (lake preservation).
- 19 (2) IC 14-26-5 (dams). (lowering of Ten Acre Lake).
- 20 (3) **IC 14-27 (levees, dams, and drainage).**
- 21 (3) (4) IC 14-28-1 (flood control).
- 22 (5) **IC 14-29-1 (navigable waterways).**
- 23 (4) (6) IC 14-29-3 (removal of substances from streams). (sand 24 and gravel permits).
- 25 (5) (7) IC 14-29-4 (construction of channels).

26 SECTION 15. IC 14-11-4-3 IS REPEALED [EFFECTIVE JULY 27 1, 2026]. See: 3. As used in this chapter, "license" means a permit, a 28 license, a concession, or other authorization that may be issued to a 29 person by:

- 30 (1) the director;
- 31 (2) the department; or
- 32 (3) the commission;

33 under Indiana law.

34 SECTION 16. IC 14-11-4-4 IS AMENDED TO READ AS 35 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The director or 36 the department may not issue a license until thirty (30) days after the 37 notice required by this chapter has been given to a person specified 38 under section 5 of this chapter by the applicant.

39 (b) An applicant may provide the notice may be given under 40 subsection (a) at any time after an application for a license is filed with 41 the department. The department may require by rule that notice under 42 section 5 of this chapter be provided by the license applicant.

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1 SECTION 17. IC 14-12-2-32 IS REPEALED [EFFECTIVE JULY
 2 1, 2026]. ~~See 32. Expenditures from the fund shall be coordinated with~~
 3 ~~expenditures by the foundation from the Indiana natural resources fund~~
 4 ~~established by IC 14-12-1-11.~~

5 SECTION 18. IC 14-12-3 IS REPEALED [EFFECTIVE JULY 1,
 6 2026]. (Hometown Indiana Grant Program).

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

11 (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.~~
 12 (2) To each object and person.

15 SECTION 20. IC 14-15-3-20 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 20. A person operating
 17 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:**

21 (1) the motorboat is occupied by at least one (1) other person
 22 who is giving the person's entire attention to watching the object,
 23 **wakeboard**, or person towed; and
 24 (2) the person operating the boat is giving the person's entire
 25 attention to the operation of the boat.

26 SECTION 21. IC 14-15-4-2, AS AMENDED BY P.L.111-2016,
 27 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2026]: Sec. 2. (a) The operator of a boat involved in an
 29 accident or a collision resulting in: **shall provide the information required under subsection (b) if the following conditions occur:**

31 (1) Injury to or death of a person. **or**
 32 (2) Damage to a boat or other property to an apparent extent of
 33 at least **the greater of:** seven hundred fifty dollars (\$750);
 34 **shall provide the information required under subsection (b):**

35 (A) **two thousand dollars (\$2,000); or**
 36 (B) **the amount for assessed damage under the United States Department of Homeland Security Boating Accident Report Database (BARD).**

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

41 (1) Give notice of the accident to:
 42 (A) the office of the sheriff of the county;

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

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

19 the accident occurred.

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

21 (1) Complete a report of the accident on forms prescribed by the

22 director.

23 (2) Forward the report to the director.

23 (2) FORWARD THE REPORT TO THE DIRECTOR.

24 SECTION 23. IC 14-21-1-25, AS AMENDED BY P.L.26-2008,

25 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

26 JULY 1, 2026]: Sec. 25. (a) The commission shall adopt rules

27 establishing standards for plans.

(b) With respect to archeological plans, the rules must impose a standard of conduct that does the following:

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

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

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

35 Standard of conduct that preserves and protects both of the following:
36 (1) The rights and interests of landowners;
37 (2) The sensitivity of human beings for treating human remains.

42 (e) (a) Proposed archeological plans and development plans

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1 submitted to the department must be:
 2 (1) approved;
 3 **(2) approved with conditions;**
 4 **(2) (3) denied; or**
 5 **(3) (4) held because of the need** for additional information;
 6 by the department not more than sixty (60) days after the date of
 7 submission. If the department does not take any action on the plan
 8 within the time required by this subsection, the plan is considered to be
 9 approved, unless approval is prohibited under a state or federal law. If
 10 the department requests additional information under subdivision (3),
 11 (4), the department shall **inform the applicant if the plan is deemed**
 12 **incomplete, inaccurate, or both, and provide the applicant an**
 13 **opportunity to cure any issues. The department shall** approve or
 14 deny the resubmitted plan not more than thirty (30) days after the
 15 **resubmitted plan additional information** is received.
 16 **(b) Unless otherwise specified in the authorization:**
 17 (1) an approved archeology plan expires one (1) year; and
 18 (2) an approved development plan expires two (2) years;
 19 after issuance by the division.
 20 **(c) An applicant must comply with:**
 21 (1) any other federal, state, or local laws and ordinances;
 22 (2) 312 IAC 21; and
 23 (3) 312 IAC 22.
 24 **(d) If the division issues written approval, an applicant may**
 25 **modify the authorized project activities.**
 26 SECTION 24. IC 14-21-1-25.1 IS ADDED TO THE INDIANA
 27 CODE AS A NEW SECTION TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2026]: Sec. 25.1. **An application for approval**
 29 **of a development plan under section 26.5 of this chapter must be**
 30 **filed with the division and include the following:**
 31 **(1) A signed cover letter from the applicant on letterhead**
 32 **with the following information:**
 33 **(A) The identity of the person who will conduct the**
 34 **project.**
 35 **(B) The overall nature and time frame of the project.**
 36 **(C) The location of the project by section, township,**
 37 **range, county, and address.**
 38 **(D) Information regarding any prior disturbance to the**
 39 **area.**
 40 **(E) A statement regarding whether federal or state**
 41 **funds or licenses are involved in the project.**
 42 **(2) Mapping to show the location of the burial ground or**



1 cemetery in relation to the project that includes the
 2 following:

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

5 (B) References to nearby landmarks.

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

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

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

13 (B) The dates the burial ground or cemetery has been
 14 used.

15 (C) Historical information and documentation.

16 (D) Precise boundaries that reference nearby
 17 landmarks. If documentation is not available to identify
 18 the burial ground or cemetery boundaries, the applicant
 19 may be required to determine those boundaries through
 20 the following:

21 (i) Remote sensing.

22 (ii) Investigations by archeologists.

23 (iii) Another scientific method approved by the
 24 division.

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

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

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

32 (i) construction;

33 (ii) excavation;

34 (iii) grading; or

35 (iv) filling.

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

38 (i) disturbed;

39 (ii) graded;

40 (iii) modified;

41 (iv) removed; or

42 (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 25. IC 14-21-1-25.5 IS REPEALED [EFFECTIVE
Y 1, 2026]. See: 25.5. (a) If a Native American Indian burial
is discovered, the department shall immediately provide notice
to the Native American Indian affairs commission established by
-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:

(+) 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 26. IC 14-21-1-26.5, AS AMENDED BY 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 co-

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

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1 a development plan approved by the department under section 25 of
2 this chapter or in violation of a development plan approved by the
3 department under section 25 of this chapter. The department must
4 review the development plan as required by section ~~25(e)~~ **25(a)** of this
5 chapter.

6 (c) A development plan:

7 (1) must be approved if a person intends to:

8 (A) excavate or cover over the ground; or

9 (B) construct a new structure or alter or repair an existing
10 structure;

11 that would impact the burial ground or cemetery; and

12 (2) is not required if a person intends to:

13 (A) excavate or cover over the ground; or

14 (B) erect, alter, or repair an existing structure;

15 for an incidental or existing use that would not impact the burial
16 ground or cemetery.

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

20 (1) A development plan of a municipality requires approval of
21 the executive of the municipality and does not require the
22 approval of the department. However, if the burial ground or
23 cemetery is located outside the municipality, approval is also
24 required by the executive of the county where the burial ground
25 or cemetery is located. A county cemetery commission
26 established under IC 23-14-67-2 may advise the executive of the
27 municipality on whether to approve a development plan.

28 (2) A development plan of a governmental entity other than:

29 (A) a municipality; or

30 (B) the state;

31 requires the approval of the executive of the county where the
32 governmental entity is located and does not require the approval
33 of the department. However, if the governmental entity is located
34 in more than one (1) county, only the approval of the executive
35 of the county where the burial ground or cemetery is located is
36 required. A county cemetery commission established under
37 IC 23-14-67-2 may advise the county executive on whether to
38 approve a development plan.

39 (3) A development plan of the state requires the approval of the
40 department.

41 (e) If a burial ground is within an archeological site, an
42 archeological plan is required to be part of the development plan.



5 (g) An applicant must comply with:

- (1) any federal, state, or local law or ordinance;
- (2) 312 IAC 21; and
- (3) 312 IAC 22.

11 SECTION 27. IC 14-21-1-31 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 31. (a) The commission
13 shall ~~may~~ adopt rules under IC 4-22-2 to implement this chapter.

14 (b) When adopting rules under this chapter The commission shall
15 may consider the following when adopting rules under this chapter:

- (1) The rights and interests of landowners.
- (2) The sensitivity of human beings for treating human remains with respect and dignity.
- (3) The value of history and archeology as a guide to human activity.
- (4) The importance of amateur archeologists in making historical, cultural, and archeological discoveries.
- (5) Applicable laws, standards, and guidelines for the conduct of archeology and codes of ethics for participation in archeology.

- (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

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1 animal:

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

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

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

10 SECTION 29. IC 14-22-10-2, AS AMENDED BY P.L.113-2019,
11 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2026]: Sec. 2. (a) As used in this section and section 2.5 of
13 this chapter, "governmental entity" means any of the following:

14 (1) The government of the United States of America.

15 (2) The state.

16 (3) A county.

17 (4) A city.

18 (5) A town.

19 (6) A township.

(7) The following, if created by the Constitution of the United States, the Constitution of the State of Indiana, a statute, an ordinance, a rule, or an order:

23 (A) An agency.

24 (B) A board.

25 (C) A commission.

26 (D) A committee.

27 (E) A council

27 (E) A council.
28 (F) A department

28 (P) A department
29 (G) A district

30 (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:

34 (1) the gratuitous sharing of game, fish, or other products of the
35 recreational use of the land:

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

41 (1) has a fee interest in;

42 (2) is a tenant, a lessee, or an occupant of; or

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(3) is in control of;
a tract of land.

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

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

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

(e) The owner of the premises does not

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

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

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

(f) This section does not affect the following:

- (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.**

(1) **Business invitees in for-profit establishments.**

- (2) The attractive nuisance doctrine.

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

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

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1 **residential land.**

2 SECTION 30. IC 14-22-10-2.5 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.5. (a) A person who
4 goes upon or through the premises, including caves, of another:

5 (1) with or without permission; and

6 (2) either:

7 (A) without the payment of monetary consideration; or
8 (B) with the payment of monetary consideration directly or
9 indirectly on the person's behalf by an agency of the state or
10 federal government;

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

14 (b) The owner of the premises does not:

15 (1) assume responsibility; or
16 (2) incur liability;

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

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

21 (1) Business invitees in commercial establishments.
22 (2) The attractive nuisance doctrine.

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

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

28 SECTION 31. IC 14-22-15.5-7 IS REPEALED [EFFECTIVE
29 JULY 1, 2026]. See: ~~7. An individual who acts as a hunting guide
30 without a hunting guide license in violation of section 2 of this chapter
31 commits a Class B infraction.~~

32 SECTION 32. IC 14-22-32 IS REPEALED [EFFECTIVE JULY
33 1, 2026]. (Game Bird and Exotic Mammal Regulation).

34 SECTION 33. IC 14-22-34-1, AS AMENDED BY P.L.7-2015,
35 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2026]: Sec. 1. (a) As used in this chapter, "endangered
37 species" means any species or subspecies of ~~wildlife~~ **a wild animal**
38 whose prospects of survival or recruitment within Indiana are in
39 jeopardy or are likely within the foreseeable future to become so due
40 to any of the following factors:

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



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

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

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

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

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

19 (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.

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

26 SECTION 35. IC 1
27 FOLLOWS [EFFECTIVELY]
28 chapter "take" means to:

28 chapter, take" means to:

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

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

1, 2026]. See: 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.

38 SECTION 37. IC 14-22-34-10 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. On the basis of:

42 (2) other available scientific and commercial data;

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

7 SECTION 38. IC 14-22-34-12 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. (a) Except as
 9 otherwise provided in this chapter, a person may not take, possess,
 10 transport, export, process, sell or offer for sale, or ship, and a common
 11 or contract carrier may not knowingly transport or receive for shipment
 12 a species or subspecies of ~~wildlife~~ **wild animals** appearing on any of
 13 the following:

14 (1) The list of ~~wildlife~~ **wild animals** indigenous to Indiana
 15 determined to be endangered in Indiana under this chapter.
 16 (2) The United States list of endangered ~~wildlife~~ **wild animals**
 17 (50 CFR 17.11) as in effect on January 1, 1979.
 18 (3) The list of endangered species developed under section 13 of
 19 this chapter.

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

22 (1) enters Indiana from another state or from a point outside the
 23 territorial limits of the United States; and
 24 (2) is transported across Indiana destined for a point beyond
 25 Indiana;

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

29 (c) A person who:

30 (1) violates subsection (a) or (b); or
 31 (2) fails to procure or violates the terms of a permit issued under:
 32 (A) section 15 of this chapter; or
 33 (B) section 16 of this chapter;

34 commits a Class A misdemeanor.

35 SECTION 39. IC 14-22-34-15 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 15. The director may
 37 permit, under the terms and conditions that are prescribed by rule, the
 38 taking, possession, transportation, exportation, or shipment of species
 39 or subspecies of ~~wildlife~~ **wild animals** that have been designated by
 40 rule as in need of management or appear on the:

41 (1) state list of endangered species;
 42 (2) United States list of endangered native fish and wildlife, as



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

8 SECTION 40. IC 14-22-34-18 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 18. The provisions of
10 this chapter prohibiting the taking, possessing, transportation,
11 exporting, processing, sale, or offer to sell do not apply to ~~wildlife~~ **wild**
12 **animals** in the possession of a person in Indiana on July 26, 1973.

13 SECTION 41. IC 14-22-34-20 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 20. (a) The nongame
15 fund is established as a dedicated fund.

16 (b) The department shall administer the fund.

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

28 SECTION 42. IC 14-23-6.6-7, AS ADDED BY P.L.124-2025,
29 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2026]: Sec. 7. (a) Subject to subsection (b), a certified
31 prescribed burn manager who conducts the prescribed burning in
32 accordance with section 6 of this chapter is immune from civil liability
33 for harm caused by the:

34 (1) prescribed burn; or

35 (2) smoke produced by the prescribed burn.

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

38 (1) negligence; or

39 (2) willful and wanton misconduct.

40 (c) Subject to subsection (d), a landowner or landowner's agent
41 who conducts prescribed burning on the landowner's property in
42 accordance with section 6 of this chapter is immune from civil liability

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1 for harm caused by the:
 2 (1) prescribed burn; or
 3 (2) smoke produced by the prescribed burn.
 4 (d) The immunity described in subsection (c) does not apply if the
 5 harm was the result of the:
 6 (1) negligence of the landowner or the landowner's agent; or
 7 (2) willful and wanton misconduct of the landowner or the
 8 landowner's agent.
 9 (e) The ~~division of forestry's department's~~ officers, agents, and
 10 employees are immune from civil liability, in accordance with
 11 IC 34-13-3, arising out of any of the following:
 12 (1) Participation in planning, undertaking, or assisting with
 13 prescribed burning.
 14 (2) Administration of the prescribed burn certification program,
 15 including revocation of prescribed burn certifications issued
 16 under the program.
 17 SECTION 43. IC 14-27-7.3-3.5 IS ADDED TO THE INDIANA
 18 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 19 [EFFECTIVE JULY 1, 2026]: Sec. 3.5. **(a) If the condition of a**
 20 **structure regulated by this chapter becomes so dangerous to the**
 21 **safety of life or property that the department determines there is**
 22 **not sufficient time to issue and enforce an order to:**
 23 (1) maintain;
 24 (2) alter;
 25 (3) repair;
 26 (4) reconstruct;
 27 (5) change the construction or location; or
 28 (6) remove the structure;
 29 in the manner required by this chapter, then the department may
 30 immediately take the measures necessary to provide emergency
 31 protection to life or property, or both, including the partial or
 32 complete removal of the structure.
 33 **(b) The department may recover the cost of the emergency**
 34 **measures taken under this section from the owner of the structure**
 35 **by appropriate legal action.**
 36 SECTION 44. IC 14-30-3-16 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) The
 38 commission, **in coordination with the department**, shall keep a
 39 record of the commission's resolutions, transactions, and findings. This
 40 record is a public record.
 41 (b) The commission may adopt rules for the transaction of
 42 business.



1 SECTION 45. IC 14-30.5-2-2, AS AMENDED BY P.L.92-2025,
 2 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2026]: Sec. 2. (a) If one (1) county executive submits an
 4 ordinance and a written request for recognition of a proposed
 5 watershed development commission under section 1(c) of this chapter,
 6 the natural resources commission shall decide under subsections (c)
 7 through (e) whether to recognize the proposed commission.

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

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

17 (A) identifying the designated watershed; and

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

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

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

31 (1) address the natural resources commission; and

32 (2) provide written comments;

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

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

40 (1) by publication at least one (1) time in one (1) newspaper of
 41 general circulation in the county in which the hearing will be
 42 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

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1 study or management plan?

2 (f) If:

3 (1) one (1) county's executive submits an ordinance and a
4 request for recognition of a proposed commission under section
5 1(c) of this chapter; and

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

8 the natural resources commission shall issue an order recognizing the
9 watershed development commission and recognizing the county
10 referred to in subdivision (1) as a member of the watershed
11 development commission.

12 (g) If:

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

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

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

27 (1) inform the executive of the county in writing of its decision;
28 and

29 (2) specify in the writing the reason or reasons for each
30 unfavorable answer.

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

41 (1) another ordinance and written request under section 1(c) of
42 this chapter for recognition of the county as a member of another

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1 proposed watershed development commission; or
 2 (2) an ordinance and written request under section 4 or 5 of this
 3 chapter proposing the county for membership in an established
 4 watershed development commission.

5 SECTION 46. IC 14-30.5-2-6, AS AMENDED BY P.L.92-2025,
 6 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2026]: Sec. 6. (a) A county to which section 4 or 5 of this
 8 chapter applies may not become a member of an existing watershed
 9 development commission unless:

10 (1) the executives of all of the counties that are members of the
 11 existing commission adopt ordinances accepting the county as a
 12 member county of the existing commission; and

13 (2) the natural resources commission issues an order under this
 14 section recognizing the county as a member county of the
 15 existing commission.

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

22 (1) address the natural resources commission; and
 23 (2) provide written comments;

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

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

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

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

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

39 (1) Do the stated purposes for which the watershed development
 40 commission was established correspond to the flood damage
 41 reduction, drainage, storm water management, recreation, or
 42 water infrastructure needs of the county, as stated under section

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1 4(b)(3) or 5(b)(3) of this chapter?

2 (2) Is it reasonable to expect that the county's flood damage

3 reduction, drainage, storm water management, recreation, or

4 water infrastructure needs, as stated under section 4(b)(3) or

5 5(b)(3) of this chapter, would be addressed more effectively if

6 the county were a member of the existing commission than those

7 needs have previously been addressed?

8 (3) Would the county's membership in the existing commission

9 diminish the effectiveness of the existing watershed

10 development commission in addressing the flood damage

11 reduction, drainage, storm water management, recreation, or

12 water infrastructure needs of other member counties?

13 (4) Is the territory of the proposed commission at least as large

14 as the entirety of the same eight (8) digit U.S. Geological Survey

15 hydrologic unit code?

16 (5) Has a regional watershed study or watershed management

17 plan been conducted in consultation with Indiana finance

18 authority and the department of natural resources that assesses

19 water use, water quality, drinking water systems, wastewater

20 management systems, storm water management, flood control,

21 drainage management, recreational uses, natural resources, and

22 water infrastructure needs of the watershed of the proposed

23 commission? If so, can the establishment of the proposed

24 commission be expected to address the needs identified in that

25 study or management plan?

26 (e) If the natural resources commission answers all of the

27 questions set forth in subsection (d) favorably, the natural resources

28 commission shall issue an order recognizing the membership of the

29 county in the existing commission.

30 (f) If the natural resources commission does not answer all of the

31 questions set forth in subsection (d) favorably, the natural resources

32 commission shall inform the executive of the county to which section

33 4 or 5 of this chapter applies in writing of its decision and specify in the

34 writing the reason or reasons for each unfavorable answer.

35 (g) An action of the natural resources commission under this

36 section declining to recognize a county as a member of an established

37 watershed development commission does not preclude the later

38 submission of another ordinance under section 4 or 5 of this chapter

39 seeking membership for the county in an existing commission.

40 SECTION 47. IC 14-33-2-19 IS AMENDED TO READ AS

41 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19. (a) In determining

42 the facts, the **division of water, on behalf of the commission, shall do**

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1 **the following:**

2 **(1)** Hold hearings at which the ~~commission~~ **division of water**
3 shall give any interested person the right to be heard.
4 **(2)** At the request of an interested person, ~~the commission~~ shall
5 hold hearings at the county seat of a county containing land in
6 the proposed district.
7 **(3)** ~~The commission~~ shall Choose the county seat.

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

12 SECTION 48. IC 14-33-2-22 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 22. The commission,
14 **in coordination with the department**, shall make a report of the
15 commission's findings to the court, including findings on the territorial
16 limits of the proposed district. The commission shall make this report
17 within one hundred twenty (120) days after the petition is referred to
18 the commission, unless the commission requests and receives approval
19 from the court for additional periods of thirty (30) days each.

20 SECTION 49. IC 35-52-14-27.8 IS REPEALED [EFFECTIVE
21 JULY 1, 2026]. Sec. 27.8. ~~IC 14-22-32-2 defines a crime concerning~~
22 ~~game birds and exotic mammals.~~

