
SENATE BILL No. 224

AM022409 has been incorporated into January 27, 2026 printing.

Synopsis: Department of natural resources.

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SB 224—LS 6685/DI 150



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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 IC 14-8-2-57 IS REPEALED [EFFECTIVE JULY 1,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 IC 14-25-12-1.
 2 ~~(25)~~ **(24)** For purposes of IC 14-32-8, the meaning set forth in
 3 IC 14-32-8-1.
 4 ~~(26)~~ **(25)** For purposes of IC 14-33-14, the meaning set forth in
 5 IC 14-33-14-3.
 6 ~~(27)~~ **(26)** For purposes of IC 14-33-21, the meaning set forth in
 7 IC 14-33-21-1.
 8 ~~(28)~~ **(27)** For purposes of IC 14-34-6-15, the meaning set forth
 9 in IC 14-34-6-15.
 10 ~~(29)~~ **(28)** For purposes of IC 14-34-14, the meaning set forth in
 11 IC 14-34-14-1.
 12 ~~(30)~~ **(29)** For purposes of IC 14-34-19-1.3, the meaning set forth
 13 in IC 14-34-19-1.3(a).
 14 ~~(31)~~ **(30)** For purposes of IC 14-34-19-1.5, the meaning set forth
 15 in IC 14-34-19-1.5(a).
 16 ~~(32)~~ **(31)** For purposes of IC 14-37-10, the meaning set forth in
 17 IC 14-37-10-1.
 18 SECTION 4. IC 14-8-2-152 IS REPEALED [EFFECTIVE JULY
 19 1, 2026]. ~~Sec. 152: "License" has the following meaning:~~
 20 ~~(1) For purposes of IC 14-11-3-1, the meaning set forth in~~
 21 ~~IC 14-11-3-1.~~
 22 ~~(2) For purposes of IC 14-11-4, the meaning set forth in~~
 23 ~~IC 14-11-4-3.~~
 24 SECTION 5. IC 14-8-2-170 IS REPEALED [EFFECTIVE JULY
 25 1, 2026]. ~~Sec. 170: "Municipal corporation", for purposes of~~
 26 ~~IC 14-12-3, has the meaning set forth in IC 14-12-3-3.~~
 27 SECTION 6. IC 14-8-2-216 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 216. (a) ~~"Program", for~~
 29 ~~purposes of IC 14-12-3, has the meaning set forth in IC 14-12-3-4.~~
 30 ~~(b)~~ **(a)** "Program", for purposes of IC 14-23-6.5, has the meaning
 31 set forth in IC 14-23-6.5-1.
 32 ~~(c)~~ **(b)** "Program", for purposes of IC 14-32-8, has the meaning set
 33 forth in IC 14-32-8-3.
 34 SECTION 7. IC 14-8-2-320 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 320. "Wildlife", ~~has the~~
 36 ~~following meaning:~~
 37 ~~(1) for purposes of IC 14-22, except as provided in subdivision~~
 38 ~~(2), means all wild birds, fish, crustaceans, mollusks,~~
 39 ~~amphibians, reptiles, and wild mammals.~~
 40 ~~(2) For purposes of IC 14-22-34, the meaning set forth in~~
 41 ~~IC 14-22-34-6.~~
 42 SECTION 8. IC 14-8-4 IS ADDED TO THE INDIANA CODE AS

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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 9. 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 10. 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



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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]. 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 14. 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 15. 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 16. 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.~~

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SECTION 17. 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 18. IC 14-12-3 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Hometown Indiana Grant Program).

SECTION 19. 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 20. 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 21. 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 required under subsection (b) if the following conditions occur:**

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

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

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

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

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

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

(1) Give notice of the accident to:

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

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- 1 (B) the nearest state police post; or
 2 (C) the central dispatch center for the law enforcement
 3 division of the department;
 4 immediately and by the quickest means of communication.
 5 (2) Mail to the department a written report of the accident or
 6 collision within twenty-four (24) hours of the accident or
 7 collision.

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.
 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.

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:~~

28 (b) ~~With respect to archeological plans, the rules must impose a~~
 29 ~~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 (c) ~~With respect to development plans, the rules must impose a~~
 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~~
 38 ~~with respect and dignity, as determined by the commission:~~

39 (d) ~~Subject to subsection (c), plans required under this chapter~~
 40 ~~must be submitted to the department for approval according to rules~~
 41 ~~adopted by the commission:~~

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

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submitted to the department must be:

(1) approved;

(2) approved with conditions;

~~(2)~~ **(3) denied;** or

~~(3)~~ **(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 24. 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



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.



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(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 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 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 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(c)~~ **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

(B) the state;

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

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

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

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(f) A person who recklessly, knowingly, or intentionally violates this section commits a Class A misdemeanor. However, the offense is a Level 6 felony if the person disturbs buried human remains or grave markers while committing the offense.

(g) An applicant must comply with:

(1) any federal, state, or local law or ordinance;

(2) 312 IAC 21; and

(3) 312 IAC 22.

(h) An applicant may modify the project activities authorized by the division only upon written approval by the division.

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

(b) ~~When adopting rules under this chapter~~ The commission ~~shall~~ **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.

SECTION 28. IC 14-22-6-4, AS AMENDED BY P.L.144-2022, 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 29. IC 14-22-10-2, AS AMENDED BY P.L.113-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) As used in this section and section 2.5 of this chapter, "governmental entity" means any of the following:

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

(2) The state.

(3) A county.

(4) A city.

(5) A town.

(6) A township.

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

(A) An agency.

(B) A board.

(C) A commission.

(D) A committee.

(E) A council.

(F) A department.

(G) A district.

(H) A public body corporate and politic.

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

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

(2) services rendered for the purpose of wildlife management; or

(3) contributions in kind made for the purpose of wildlife management.

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

(1) has a fee interest in;

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



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- 1 (3) is in control of;
 2 a tract of land.
- 3 (d) A person who goes upon or through the premises, including
 4 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 swimming, camping, hiking, sightseeing, **exercising,**
 12 **cycling,** or accessing or departing from a trail, a greenway, or another
 13 similar area, or for any other purpose (other than the purposes
 14 described in section 2.5 of this chapter) ~~does not have an assurance that~~
 15 ~~the premises are safe for the purpose.~~ **is subject to the limitations of**
 16 **liability granted to the owner of the premises described in**
 17 **subsection (e).**
- 18 (e) The owner of the premises does not
 19 ~~(1) assume responsibility; or~~
 20 ~~(2) incur liability;~~
 21 for an injury to a person or property caused by an act or failure to act
 22 of other persons using the premises: **assume responsibility or incur**
 23 **liability for an injury or damage to a:**
 24 (1) person caused by:
 25 (A) an act; or
 26 (B) the failure to act;
 27 of another person using the premises;
 28 (2) person caused by a condition on the land; or
 29 (3) person's property caused by:
 30 (A) the act of another person using the premises; or
 31 (B) a condition on the land.
- 32 (f) This section does not affect the following:
 33 ~~(1) Existing Indiana case law on the liability of owners or~~
 34 ~~possessors of premises with respect to the following:~~
 35 ~~(A) Business invitees in commercial establishments;~~
 36 ~~(B) Invited guests;~~
 37 **(1) Business invitees in for-profit establishments.**
 38 (2) The attractive nuisance doctrine.
- 39 (g) This section does not excuse the owner or occupant of
 40 premises from liability for injury to a person or property caused by a
 41 malicious or an illegal act of the owner or occupant.
- 42 (h) This section does not apply to a parcel of land assessed as



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]. ~~Sec. 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.**



(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 34. 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 35. 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 36. 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 37. 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;

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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 38. 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 39. 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 40. 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 41. 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 42. IC 14-23-6.6-7, AS ADDED BY P.L.124-2025, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) Subject to subsection (b), a certified prescribed burn manager who conducts the prescribed burning in accordance with section 6 of this chapter is immune from civil liability for harm caused by the:

(1) prescribed burn; or

(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:

(1) negligence; or

(2) willful and wanton misconduct.

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



for harm caused by the:

(1) prescribed burn; or

(2) smoke produced by the prescribed burn.

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

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

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

(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 43. 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 44. 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.

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SECTION 45. 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

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- 1 (2) through the website of the natural resources commission.
- 2 (e) In deciding whether to recognize a proposed commission, the
- 3 natural resources commission shall determine the answer to each of the
- 4 following questions:
- 5 (1) Are the purposes for which the proposed commission would
- 6 be established, as set forth in the ordinance or ordinances under
- 7 section 1(b)(3) of this chapter, within the purposes set forth in
- 8 IC 14-30.5-3-1 for which a watershed development commission
- 9 may be established?
- 10 (2) Do the purposes of the proposed commission, as set forth in
- 11 the ordinance or ordinances under section 1(b)(3) of this chapter,
- 12 correspond to legitimate flood damage reduction, drainage,
- 13 storm water management, recreation, or water infrastructure
- 14 needs of each county seeking establishment of the commission,
- 15 as set forth under section 1(b)(4) of this chapter?
- 16 (3) Is it reasonable to expect that the establishment of a
- 17 commission having powers under this article only in the county
- 18 or counties from which the ordinance or ordinances were
- 19 submitted under section 1(c)(1) of this chapter would effectively
- 20 address the flood damage reduction, drainage, storm water
- 21 management, recreation, or water infrastructure needs of each
- 22 county that submitted an ordinance under section 1(c)(1) of this
- 23 chapter?
- 24 (4) Is it reasonable to expect that the establishment of a
- 25 commission that has powers under this article only in the area or
- 26 areas inside the geographic boundaries of the designated
- 27 watershed would effectively address the flood damage reduction,
- 28 drainage, storm water management, recreation, or water
- 29 infrastructure needs of each county that submitted an ordinance
- 30 under section 1(c)(1) of this chapter?
- 31 (5) Is the territory of the proposed commission at least as large
- 32 as the entirety of the same eight (8) digit U.S. Geological Survey
- 33 hydrologic unit code?
- 34 (6) Has a regional watershed study or watershed management
- 35 plan been conducted in consultation with the Indiana finance
- 36 authority and the department of natural resources that assesses
- 37 water use, water quality, drinking water systems, wastewater
- 38 management systems, storm water management, flood control,
- 39 drainage management, recreational uses, natural resources, and
- 40 water infrastructure needs of the watershed of the proposed
- 41 commission? If so, can the establishment of the proposed
- 42 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
- 16 (2) the natural resources commission answers all of the questions
- 17 set forth in subsection (e) favorably with respect to at least one
- 18 (1) of the counties;
- 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.
- 31 (i) The action of the natural resources commission under this
- 32 section in declining to recognize a proposed watershed development
- 33 commission for a particular watershed does not preclude the later
- 34 submission of one (1) or more new ordinances and written requests for
- 35 recognition of a proposed watershed development commission for the
- 36 same designated watershed.
- 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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4(b)(3) or 5(b)(3) of this chapter?

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

(3) Would the county's membership in the existing commission 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 47. IC 14-33-2-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19. (a) In determining 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.~~

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