
SENATE BILL No. 224

AM022410 has been incorporated into January 27, 2026 printing.

Synopsis: Department of natural resources.

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SB 224—LS 6685/DI 150



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.

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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 IC 14-8-2-57 IS REPEALED [EFFECTIVE JULY 1,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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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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1 served upon the Indiana board of licensure for
 2 professional geologists at the address published on the
 3 website of the state geologist.
 4 **(C) If the Indiana board of registration for soil scientists**
 5 **is a party to a proceeding, a copy of the petition**
 6 **required under IC 4-21.5-5-8(a)(4) must be served upon**
 7 **the Indiana board of registration for soil scientists to the**
 8 **address published on the website of the office of the state**
 9 **chemist.**

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

13 **(1) The department.**
 14 **(2) The state geologist.**
 15 **(3) The office of the state chemist.**

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

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

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

25 (1) Programs of the department or the commission.
 26 (2) Facilities owned or operated by the department or the
 27 commission or a lessee of the department or commission.
 28 (3) Licenses issued by the commission, the department, or the
 29 director.
 30 (4) Inspections or other similar services under this title
 31 performed by the department or an assistant or employee of the
 32 department.

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

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

38 SECTION 12. IC 14-11-2-2 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. A person who
 40 violates a rule adopted under this chapter commits a Class C infraction,
 41 **unless otherwise specified by law.**

42 SECTION 13. IC 14-11-3-1 IS REPEALED [EFFECTIVE JULY

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1 1, 2026]. Sec. 1: (a) As used in this section, "license" means a license;
 2 a franchise; a permit; a certification; an approval; a registration; a
 3 charter; or a similar form of authorization that may be issued to a
 4 person by:

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

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

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

12 (c) A designee of the director may issue licenses. A designee of
 13 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 (permanent structures along Lake Michigan**
 23 **only).**
- 24 ~~(4)~~ (6) IC 14-29-3 (removal of substances from streams): **(sand**
 25 **and gravel permits).**
- 26 ~~(5)~~ (7) IC 14-29-4 (construction of channels).

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

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

34 under Indiana law:

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

40 (b) **An applicant may provide the notice may be given under**
 41 **subsection (a)** at any time after an application for a license is filed with
 42 the department. ~~The department may require by rule that notice under~~

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1 section 5 of this chapter be provided by the license applicant.

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

6 SECTION 18. IC 14-12-3 IS REPEALED [EFFECTIVE JULY 1,
7 2026]. (Hometown Indiana Grant Program).

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

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

15 (2) To each object and person.

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

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

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

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

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

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

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

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

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

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

42 (1) Give notice of the accident to:

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

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

- 16 (1) A state police officer or conservation officer.
- 17 (2) The sheriff's office of the county where the accident
- 18 occurred.
- 19 (3) The office of the police department of the municipality where
- 20 the accident occurred.
- 21 (b) The police agency receiving the notice shall do the following:
- 22 (1) Complete a report of the accident on forms prescribed by the
- 23 director.
- 24 (2) Forward the report to the director.

25 SECTION 23. IC 14-21-1-25, AS AMENDED BY P.L.26-2008,
 26 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2026]: Sec. 25. (a) ~~The commission shall adopt rules~~
 28 ~~establishing standards for plans:~~

- 29 (b) ~~With respect to archeological plans, the rules must impose a~~
 30 ~~standard of conduct that does the following:~~
- 31 (1) ~~Promotes the scientific investigation and conservation of past~~
 32 ~~cultures:~~
- 33 (2) ~~Considers the interests and expertise of amateur~~
 34 ~~archeologists and professional archeologists:~~
- 35 (c) ~~With respect to development plans, the rules must impose a~~
 36 ~~standard of conduct that preserves and protects both of the following:~~
- 37 (1) ~~The rights and interests of landowners:~~
- 38 (2) ~~The sensitivity of human beings for treating human remains~~
 39 ~~with respect and dignity, as determined by the commission:~~
- 40 (d) ~~Subject to subsection (c), plans required under this chapter~~
 41 ~~must be submitted to the department for approval according to rules~~
 42 ~~adopted by the commission:~~

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

3 (1) approved;

4 **(2) approved with conditions;**

5 ~~(2)~~ (3) denied; or

6 ~~(3)~~ (4) held ~~because of the need~~ for additional information;

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

17 **(b) Unless otherwise specified in the authorization:**

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

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

20 **after issuance by the division.**

21 **(c) An applicant must comply with:**

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

23 **(2) 312 IAC 21; and**

24 **(3) 312 IAC 22.**

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

27 SECTION 24. IC 14-21-1-25.1 IS ADDED TO THE INDIANA
28 CODE AS A NEW SECTION TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2026]: **Sec. 25.1. An application for approval**
30 **of a development plan under section 26.5 of this chapter must be**
31 **filed with the division and include the following:**

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

34 **(A) The identity of the person who will conduct the**
35 **project.**

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

37 **(C) The location of the project by section, township,**
38 **range, county, and address.**

39 **(D) Information regarding any prior disturbance to the**
40 **area.**

41 **(E) A statement regarding whether federal or state**
42 **funds or licenses are involved in the project.**

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

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

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

- (A) Any name of the burial ground or cemetery.**
- (B) The dates the burial ground or cemetery has been used.**
- (C) Historical information and documentation.**
- (D) Precise boundaries that reference nearby landmarks. If documentation is not available to identify the burial ground or cemetery boundaries, the applicant may be required to determine those boundaries through the following:**
 - (i) Remote sensing.**
 - (ii) Investigations by archeologists.**
 - (iii) Another scientific method approved by the division.**
- (E) The physical condition of the burial ground or cemetery.**

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

- (A) The nature, depth, and degree of previous disturbances, including those caused by:**
 - (i) construction;**
 - (ii) excavation;**
 - (iii) grading; or**
 - (iv) filling.**
- (B) A description of soil, by type, present at the site, including an explanation of how the soil would be:**
 - (i) disturbed;**
 - (ii) graded;**
 - (iii) modified;**
 - (iv) removed; or**

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- 1 (v) otherwise treated.
- 2 (C) A description of each structure.
- 3 (D) A description of the activities anticipated to:
 - 4 (i) erect;
 - 5 (ii) alter; or
 - 6 (iii) repair;
 - 7 a structure.
- 8 (E) Each area that may contain new construction in
- 9 connection with the proposed construction areas.
- 10 (5) Recent photographs of the burial ground or cemetery and
- 11 the grounds adjacent to and within one hundred (100) feet of
- 12 the burial ground or cemetery.
- 13 SECTION 25. IC 14-21-1-25.5 IS REPEALED [EFFECTIVE
- 14 JULY 1, 2026]. Sec. 25.5: (a) If a Native American Indian burial
- 15 ground is discovered, the department shall immediately provide notice
- 16 to the Native American Indian affairs commission established by
- 17 IC 4-23-32:
- 18 (b) If Native American Indian human remains are removed from
- 19 a burial ground, the department shall provide the following to the
- 20 Native American Indian affairs commission:
 - 21 (1) Any written findings or reports that result from the analysis
 - 22 and study of the human remains.
 - 23 (2) Written notice to the Native American Indian affairs
 - 24 commission that the analysis and study of the human remains are
 - 25 complete.
- 26 (c) After receiving written notice under subsection (b)(2), the
- 27 Native American Indian affairs commission shall make
- 28 recommendations to the department regarding the final disposition of
- 29 the Native American Indian human remains.
- 30 SECTION 26. IC 14-21-1-26.5, AS AMENDED BY
- 31 P.L.158-2013, SECTION 201, IS AMENDED TO READ AS
- 32 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 26.5. (a)
- 33 Notwithstanding IC 23-14-44-1, this section does not apply to the
- 34 following:
 - 35 (1) A public utility (as defined in IC 8-1-2-1(a)).
 - 36 (2) A corporation organized under IC 8-1-13.
 - 37 (3) A municipally owned utility (as defined in IC 8-1-2-1(h)).
 - 38 (4) A surface coal mining and reclamation operation permitted
 - 39 under IC 14-34.
- 40 (b) Except as provided in this subsection and subsections (c) and
- 41 (d), a person may not disturb the ground within one hundred (100) feet
- 42 of a burial ground for the purpose of excavating or covering over the

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1 ground or erecting, altering, or repairing any structure without having
2 a development plan approved by the department under section 25 of
3 this chapter or in violation of a development plan approved by the
4 department under section 25 of this chapter. The department must
5 review the development plan as required by section ~~25(c)~~ **25(a)** of this
6 chapter.

7 (c) A development plan:

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

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

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

12 that would impact the burial ground or cemetery; and

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

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

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

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

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

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

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

30 (A) a municipality; or

31 (B) the state;

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

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

42 (e) If a burial ground is within an archeological site, an

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1 archeological plan is required to be part of the development plan.
2 (f) A person who recklessly, knowingly, or intentionally violates
3 this section commits a Class A misdemeanor. However, the offense is
4 a Level 6 felony if the person disturbs buried human remains or grave
5 markers while committing the offense.

6 (g) **An applicant must comply with:**
7 (1) **any federal, state, or local law or ordinance;**
8 (2) **312 IAC 21; and**
9 (3) **312 IAC 22.**
10 (h) **An applicant may modify the project activities authorized**
11 **by the division only upon written approval by the division.**

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

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

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

26 SECTION 28. IC 14-22-6-4, AS AMENDED BY P.L.144-2022,
27 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2026]: Sec. 4. (a) For purposes of this section, a trap is
29 designed to capture and kill a furbearing animal if the animal's death
30 is the result of:

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

33 (b) A person may not do the following:
34 (1) Tend or visit a trap or remove a furbearing animal from a trap
35 that is not the person's property without the permission of the
36 owner.
37 (2) For a trap that is designed to capture but not kill a furbearing
38 animal:

- 39 (A) fail to tend or visit; ~~or have tended or visited a trap~~ and
- 40 (B) remove a furbearing animal from;
41 a trap that is the person's property within a period not exceeding
42 twenty-four (24) hours.

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- 1 (3) For a trap that is designed to capture and kill a furbearing
- 2 animal:
- 3 (A) fail to tend or visit; or ~~have tended or visited a trap~~ and
- 4 (B) remove a furbearing animal from;
- 5 a trap that is the person's property within a period not exceeding
- 6 forty-eight (48) hours.
- 7 (c) The department shall publish a recommendation that the best
- 8 practice to comply with this section is to tend or visit, or have tended
- 9 or visited a furbearing trap that is the person's property within a period
- 10 not to exceed twenty-four (24) hours.
- 11 SECTION 29. IC 14-22-10-2, AS AMENDED BY P.L.113-2019,
- 12 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 13 JULY 1, 2026]: Sec. 2. (a) As used in this section and section 2.5 of
- 14 this chapter, "governmental entity" means any of the following:
- 15 (1) The government of the United States of America.
- 16 (2) The state.
- 17 (3) A county.
- 18 (4) A city.
- 19 (5) A town.
- 20 (6) A township.
- 21 (7) The following, if created by the Constitution of the United
- 22 States, the Constitution of the State of Indiana, a statute, a
- 23 ordinance, a rule, or an order:
- 24 (A) An agency.
- 25 (B) A board.
- 26 (C) A commission.
- 27 (D) A committee.
- 28 (E) A council.
- 29 (F) A department.
- 30 (G) A district.
- 31 (H) A public body corporate and politic.
- 32 (b) As used in this section and section 2.5 of this chapter,
- 33 "monetary consideration" means a fee or other charge for permission
- 34 to go upon a tract of land. The term does not include:
- 35 (1) the gratuitous sharing of game, fish, or other products of the
- 36 recreational use of the land;
- 37 (2) services rendered for the purpose of wildlife management; or
- 38 (3) contributions in kind made for the purpose of wildlife
- 39 management.
- 40 (c) As used in this section and section 2.5 of this chapter, "owner"
- 41 means a governmental entity or another person that:
- 42 (1) has a fee interest in;

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

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

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

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

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

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

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

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

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

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

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

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

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

33 SECTION 32. IC 14-22-32 IS REPEALED [EFFECTIVE JULY
34 1, 2026]. (Game Bird and Exotic Mammal Regulation).

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

- 42 (1) The destruction, drastic modification, or severe curtailment

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1 of the habitat of the ~~wildlife~~ **wild animal**.

2 (2) The overutilization of the ~~wildlife~~ **wild animal** for scientific,

3 commercial, or sporting purposes.

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

5 or predation.

6 (4) Other natural or manmade factors affecting the prospects of

7 survival or recruitment within Indiana.

8 (5) Any combination of the factors described in subdivisions (1)

9 through (4).

10 (b) The term includes any species or subspecies of fish and

11 ~~wildlife~~ **wild animals** appearing on the United States list of endangered

12 and threatened ~~wildlife~~ **wild animals** (50 CFR 17.11).

13 SECTION 34. IC 14-22-34-3 IS AMENDED TO READ AS

14 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) As used in this

15 chapter, "management" means the collection and application of

16 biological information for the purposes of increasing the number of

17 individuals within species and populations of ~~wildlife~~ **wild animals** up

18 to the optimum carrying capacity of their habitat and maintaining those

19 levels.

20 (b) The term includes the following:

21 (1) The entire range of activities that constitute a modern

22 scientific resource program, including research, census, law

23 enforcement, habitat acquisition and improvement, and

24 education.

25 (2) When and where appropriate, the periodic or total protection

26 of species or populations as well as regulated taking.

27 SECTION 35. IC 14-22-34-5 IS AMENDED TO READ AS

28 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. As used in this

29 chapter, "take" means to:

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

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

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

33 SECTION 36. IC 14-22-34-6 IS REPEALED [EFFECTIVE JULY

34 1, 2026]. Sec. 6: As used in this chapter, "wildlife" means:

35 (1) any ~~wild mammal; bird; reptile; amphibian; fish; mollusk;~~

36 ~~crustacean; or other wild animal; or~~

37 (2) any ~~part; product; egg or offspring; or the dead body or parts~~

38 ~~of the wild animal.~~

39 SECTION 37. IC 14-22-34-10 IS AMENDED TO READ AS

40 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. On the basis of:

41 (1) investigations on nongame species required by section 7 of

42 this chapter; and

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

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

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

17 (2) The United States list of endangered ~~wildlife~~ **wild animals**
 18 (50 CFR 17.11) as in effect on January 1, 1979.

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

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

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

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

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

30 (c) A person who:

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

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

33 (A) section 15 of this chapter; or

34 (B) section 16 of this chapter;

35 commits a Class A misdemeanor.

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

42 (1) state list of endangered species;



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1 (2) United States list of endangered native fish and wildlife, as
 2 amended;
 3 (3) list of ~~wildlife~~ **wild animals** added under section 13 of this
 4 chapter; or
 5 (4) United States list of endangered foreign fish and ~~wildlife~~;
 6 **wild animals**, as modified after July 26, 1973;
 7 for scientific, zoological, or educational purposes, for propagation in
 8 captivity of the ~~wildlife~~, **wild animals**, or for other special purposes.
 9 SECTION 40. IC 14-22-34-18 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 18. The provisions of
 11 this chapter prohibiting the taking, possessing, transportation,
 12 exporting, processing, sale, or offer to sell do not apply to ~~wildlife~~ **wild**
 13 **animals** in the possession of a person in Indiana on July 26, 1973.
 14 SECTION 41. IC 14-22-34-20 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 20. (a) The nongame
 16 fund is established as a dedicated fund.
 17 (b) The department shall administer the fund.
 18 (c) In recognition of the importance of preserving the natural
 19 heritage of Indiana, it is the intent of the general assembly to provide
 20 a fund to be used exclusively for the protection, conservation,
 21 management, and identification of nongame and endangered species of
 22 ~~wildlife~~ **wild animals** primarily through the acquisition of the natural
 23 habitat of the animals. The department may expend the money in the
 24 fund exclusively for the preservation of nongame and endangered
 25 species of ~~wildlife~~ **wild animals** under this chapter.
 26 (d) Money in the fund does not revert to the state general fund at
 27 the end of a state fiscal year. However, if the fund is abolished, the
 28 money in the fund reverts to the state general fund.
 29 SECTION 42. IC 14-23-6.6-7, AS ADDED BY P.L.124-2025,
 30 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2026]: Sec. 7. (a) Subject to subsection (b), a certified
 32 prescribed burn manager who conducts the prescribed burning in
 33 accordance with section 6 of this chapter is immune from civil liability
 34 for harm caused by the:
 35 (1) prescribed burn; or
 36 (2) smoke produced by the prescribed burn.
 37 (b) The immunity described in subsection (a) does not apply if the
 38 harm was the result of the certified prescribed burn manager's:
 39 (1) negligence; or
 40 (2) willful and wanton misconduct.
 41 (c) Subject to subsection (d), a landowner or landowner's agent
 42 who conducts prescribed burning on the landowner's property in

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1 accordance with section 6 of this chapter is immune from civil liability
2 for harm caused by the:

- 3 (1) prescribed burn; or
- 4 (2) smoke produced by the prescribed burn.

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

- 7 (1) negligence of the landowner or the landowner's agent; or
- 8 (2) willful and wanton misconduct of the landowner or the
9 landowner's agent.

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

- 13 (1) Participation in planning, undertaking, or assisting with
14 prescribed burning.
- 15 (2) Administration of the prescribed burn certification program,
16 including revocation of prescribed burn certifications issued
17 under the program.

18 SECTION 43. IC 14-30-3-16 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 16. (a) The
20 commission, **in coordination with the department**, shall keep a
21 record of the commission's resolutions, transactions, and findings. This
22 record is a public record.

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

25 SECTION 44. IC 14-30.5-2-2, AS AMENDED BY P.L.92-2025,
26 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2026]: Sec. 2. (a) If one (1) county executive submits an
28 ordinance and a written request for recognition of a proposed
29 watershed development commission under section 1(c) of this chapter,
30 the natural resources commission shall decide under subsections (c)
31 through (e) whether to recognize the proposed commission.

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

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

- 41 (A) identifying the designated watershed; and
- 42 (B) stating the purposes of the proposed commission; and

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1 (2) if the natural resources commission determines that the
2 requirement set forth in subdivision (1) is met, the natural
3 resources commission shall decide under subsections (c) through
4 (e) whether to recognize the proposed commission.
5 (c) Before making a decision whether to recognize a proposed
6 commission under this section, the **division of water, on behalf of the**
7 natural resources commission, shall hold at least one (1) public hearing
8 concerning the proposed commission in each county whose executive
9 submitted an ordinance and a written request for recognition of the
10 proposed commission under section 1(c) of this chapter. Any interested
11 person attending a public hearing held under this subsection shall have
12 the right to:
13 (1) address the natural resources commission; and
14 (2) provide written comments;
15 on whether the proposed commission should be established. The
16 **division of water, on behalf of the** natural resources commission, may
17 convene the meeting, record the testimony given, and receive the
18 written comments provided.
19 (d) The **division of water, on behalf of the** natural resources
20 commission, shall give notice of a public hearing to be held under
21 subsection (c):
22 (1) by publication at least one (1) time in one (1) newspaper of
23 general circulation in the county in which the hearing will be
24 held; and
25 (2) through the website of the natural resources commission.
26 (e) In deciding whether to recognize a proposed commission, the
27 natural resources commission shall determine the answer to each of the
28 following questions:
29 (1) Are the purposes for which the proposed commission would
30 be established, as set forth in the ordinance or ordinances under
31 section 1(b)(3) of this chapter, within the purposes set forth in
32 IC 14-30.5-3-1 for which a watershed development commission
33 may be established?
34 (2) Do the purposes of the proposed commission, as set forth in
35 the ordinance or ordinances under section 1(b)(3) of this chapter,
36 correspond to legitimate flood damage reduction, drainage,
37 storm water management, recreation, or water infrastructure
38 needs of each county seeking establishment of the commission,
39 as set forth under section 1(b)(4) of this chapter?
40 (3) Is it reasonable to expect that the establishment of a
41 commission having powers under this article only in the county
42 or counties from which the ordinance or ordinances were

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- 1 submitted under section 1(c)(1) of this chapter would effectively
 2 address the flood damage reduction, drainage, storm water
 3 management, recreation, or water infrastructure needs of each
 4 county that submitted an ordinance under section 1(c)(1) of this
 5 chapter?
 6 (4) Is it reasonable to expect that the establishment of a
 7 commission that has powers under this article only in the area or
 8 areas inside the geographic boundaries of the designated
 9 watershed would effectively address the flood damage reduction,
 10 drainage, storm water management, recreation, or water
 11 infrastructure needs of each county that submitted an ordinance
 12 under section 1(c)(1) of this chapter?
 13 (5) 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 (6) Has a regional watershed study or watershed management
 17 plan been conducted in consultation with the 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 (f) If:
 27 (1) one (1) county's executive submits an ordinance and a
 28 request for recognition of a proposed commission under section
 29 1(c) of this chapter; and
 30 (2) the natural resources commission answers all of the questions
 31 set forth in subsection (e) favorably;
 32 the natural resources commission shall issue an order recognizing the
 33 watershed development commission and recognizing the county
 34 referred to in subdivision (1) as a member of the watershed
 35 development commission.
 36 (g) If:
 37 (1) executives of two (2) or more counties submit ordinances and
 38 requests for recognition of a proposed watershed development
 39 commission under section 1(c) of this chapter; and
 40 (2) the natural resources commission answers all of the questions
 41 set forth in subsection (e) favorably with respect to at least one
 42 (1) of the counties;

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1 the natural resources commission shall issue an order recognizing the
 2 watershed development commission and recognizing as a member of
 3 the watershed development commission each county with respect to
 4 which the natural resources commission answered all of the questions
 5 set forth in subsection (e) favorably.

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

9 (1) inform the executive of the county in writing of its decision;
 10 and

11 (2) specify in the writing the reason or reasons for each
 12 unfavorable answer.

13 (i) The action of the natural resources commission under this
 14 section in declining to recognize a proposed watershed development
 15 commission for a particular watershed does not preclude the later
 16 submission of one (1) or more new ordinances and written requests for
 17 recognition of a proposed watershed development commission for the
 18 same designated watershed.

19 (j) An action of the natural resources commission under this
 20 section declining to recognize a particular county as a member of a
 21 watershed development commission does not preclude the later
 22 submission of:

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

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

29 SECTION 45. IC 14-30.5-2-6, AS AMENDED BY P.L.92-2025,
 30 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2026]: Sec. 6. (a) A county to which section 4 or 5 of this
 32 chapter applies may not become a member of an existing watershed
 33 development commission unless:

34 (1) the executives of all of the counties that are members of the
 35 existing commission adopt ordinances accepting the county as a
 36 member county of the existing commission; and

37 (2) the natural resources commission issues an order under this
 38 section recognizing the county as a member county of the
 39 existing commission.

40 (b) Before making a decision whether to recognize a county as a
 41 member county of an existing commission under this section, the
 42 natural resources commission shall hold at least one (1) public hearing

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1 in the county concerning the proposed membership of the county in the
 2 existing commission. Any interested person attending a public hearing
 3 held under this subsection shall have the right to:

- 4 (1) address the natural resources commission; and
- 5 (2) provide written comments;

6 concerning the proposed membership of the county in the existing
 7 commission. The **division of water, on behalf of the** natural resources
 8 commission, may convene the meeting, record the testimony given, and
 9 receive the written comments provided.

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

- 13 (1) by publication at least one (1) time in one (1) newspaper of
 14 general circulation in the county in which the hearing will be
 15 held; and
- 16 (2) through the website of the natural resources commission.

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

- 21 (1) Do the stated purposes for which the watershed development
 22 commission was established correspond to the flood damage
 23 reduction, drainage, storm water management, recreation, or
 24 water infrastructure needs of the county, as stated under section
 25 4(b)(3) or 5(b)(3) of this chapter?
- 26 (2) Is it reasonable to expect that the county's flood damage
 27 reduction, drainage, storm water management, recreation, or
 28 water infrastructure needs, as stated under section 4(b)(3) or
 29 5(b)(3) of this chapter, would be addressed more effectively if
 30 the county were a member of the existing commission than those
 31 needs have previously been addressed?
- 32 (3) Would the county's membership in the existing commission
 33 diminish the effectiveness of the existing watershed
 34 development commission in addressing the flood damage
 35 reduction, drainage, storm water management, recreation, or
 36 water infrastructure needs of other member counties?
- 37 (4) Is the territory of the proposed commission at least as large
 38 as the entirety of the same eight (8) digit U.S. Geological Survey
 39 hydrologic unit code?
- 40 (5) Has a regional watershed study or watershed management
 41 plan been conducted in consultation with Indiana finance
 42 authority and the department of natural resources that assesses

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1 water use, water quality, drinking water systems, wastewater
2 management systems, storm water management, flood control,
3 drainage management, recreational uses, natural resources, and
4 water infrastructure needs of the watershed of the proposed
5 commission? If so, can the establishment of the proposed
6 commission be expected to address the needs identified in that
7 study or management plan?

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

12 (f) If the natural resources commission does not answer all of the
13 questions set forth in subsection (d) favorably, the natural resources
14 commission shall inform the executive of the county to which section
15 4 or 5 of this chapter applies in writing of its decision and specify in the
16 writing the reason or reasons for each unfavorable answer.

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

22 SECTION 46. IC 14-33-2-19 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19. (a) In determining
24 the facts, the **division of water, on behalf of the** commission, shall **do**
25 **the following:**

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

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

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

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

36 SECTION 47. IC 14-33-2-22 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 22. The commission,
38 **in coordination with the department**, shall make a report of the
39 commission's findings to the court, including findings on the territorial
40 limits of the proposed district. The commission shall make this report
41 within one hundred twenty (120) days after the petition is referred to
42 the commission, unless the commission requests and receives approval

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1 from the court for additional periods of thirty (30) days each.
2 SECTION 48. IC 35-52-14-27.8 IS REPEALED [EFFECTIVE
3 JULY 1, 2026]. Sec. 27.8. IC 14-22-32-2 defines a crime concerning
4 game birds and exotic mammals.

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