
SENATE BILL No. 224

AM022411 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.

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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 14-8-2-20, AS AMENDED BY P.L.99-2025,
6 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2026]: Sec. 20. "Basin" has the following meaning:

- 8 (1) For purposes of IC 14-13-9, the meaning set forth in
- 9 IC 14-13-9-1.
- 10 (2) For purposes of IC 14-25-1, the meaning set forth in section
- 11 1.2 of IC 14-25-15-1.
- 12 (3) For purposes of IC 14-25-17, the meaning set forth in
- 13 IC 14-25-17-3.
- 14 (4) For purposes of IC 14-30-2, the meaning set forth in
- 15 IC 14-30-2-1.

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1 (5) For purposes of ~~IC 14-30-3~~, the meaning set forth in
2 ~~IC 14-30-3-1~~.

3 (6) For purposes of ~~IC 14-30-4~~, the meaning set forth in
4 ~~IC 14-30-4-1~~.

5 SECTION 3. IC 14-8-2-48, AS AMENDED BY P.L.251-2023,
6 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2026]: Sec. 48. (a) "Commission", except as provided in this
8 section, refers to the natural resources commission.

9 (b) "Commission", for purposes of IC 14-13-1, has the meaning set
10 forth in IC 14-13-1-1.

11 (c) "Commission", for purposes of IC 14-13-2, has the meaning set
12 forth in IC 14-13-2-2.

13 (d) "Commission", for purposes of IC 14-13-4, has the meaning set
14 forth in IC 14-13-4-1.

15 (e) "Commission", for purposes of IC 14-13-5, has the meaning set
16 forth in IC 14-13-5-1.

17 (f) "Commission", for purposes of IC 14-13-6, has the meaning set
18 forth in IC 14-13-6-2.

19 (g) "Commission", for purposes of IC 14-13-9, has the meaning set
20 forth in IC 14-13-9-2.

21 (h) "Commission", for purposes of IC 14-20-11, has the meaning
22 set forth in IC 14-20-11-1.

23 (i) "Commission", for purposes of IC 14-28-4, has the meaning set
24 forth in IC 14-28-4-1.

25 (j) "Commission", for purposes of ~~IC 14-30-2~~, **IC 14-30-6**, has the
26 meaning set forth in ~~IC 14-30-2-2~~. **IC 14-30-6-1**.

27 (k) "Commission", for purposes of ~~IC 14-30-3~~, **IC 14-30-7-1**, has
28 the meaning set forth in ~~IC 14-30-3-2~~. **IC 14-30-7-1**.

29 (l) "Commission", for purposes of ~~IC 14-30-4~~, **IC 14-30-7-2**, has
30 the meaning set forth in ~~IC 14-30-4-2~~. **IC 14-30-7-2**.

31 **(m) "Commission", for purposes of IC 14-30-7-3, has the**
32 **meaning set forth in IC 14-30-7-3.**

33 ~~(m)~~ **(n)** "Commission", for purposes of IC 14-30.5, has the
34 meaning set forth in IC 14-30.5-1-2.

35 ~~(n)~~ **(o)** "Commission", for purposes of IC 14-33-20, has the
36 meaning set forth in IC 14-33-20-2.

37 SECTION 4. IC 14-8-2-57 IS REPEALED [EFFECTIVE JULY 1,
38 2026]. Sec. 57. "Corporation", for purposes of ~~IC 14-12-3~~, has the
39 meaning set forth in ~~IC 14-12-3-1~~.

40 SECTION 5. IC 14-8-2-86.2, AS ADDED BY P.L.251-2023,
41 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2026]: Sec. 86.2. "Executive", for purposes of ~~IC 14-30-3-33~~

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1 ~~and~~ IC 14-30.5, has the meaning set forth in IC 14-30.5-1-4.
 2 SECTION 6. IC 14-8-2-107, AS AMENDED BY P.L.127-2022,
 3 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2026]: Sec. 107. "Fund" has the following meaning:
 5 (1) For purposes of IC 14-9-5, the meaning set forth in
 6 IC 14-9-5-1.
 7 (2) For purposes of IC 14-9-8-21, the meaning set forth in
 8 IC 14-9-8-21.
 9 (3) For purposes of IC 14-9-8-21.5, the meaning set forth in
 10 IC 14-9-8-21.5.
 11 (4) For purposes of IC 14-9-9, the meaning set forth in
 12 IC 14-9-9-3.
 13 (5) For purposes of IC 14-12-1, the meaning set forth in
 14 IC 14-12-1-1.
 15 (6) For purposes of IC 14-12-2, the meaning set forth in
 16 IC 14-12-2-2.
 17 ~~(7) For purposes of IC 14-12-3, the meaning set forth in~~
 18 ~~IC 14-12-3-2.~~
 19 ~~(8)~~ (7) For purposes of IC 14-13-1, the meaning set forth in
 20 IC 14-13-1-2.
 21 ~~(9)~~ (8) For purposes of IC 14-13-2, the meaning set forth in
 22 IC 14-13-2-3.
 23 ~~(10)~~ (9) For purposes of IC 14-16-1, the meaning set forth in
 24 IC 14-16-1-30.
 25 ~~(11)~~ (10) For purposes of IC 14-19-8, the meaning set forth in
 26 IC 14-19-8-1.
 27 ~~(12)~~ (11) For purposes of IC 14-19-11, the meaning set forth in
 28 IC 14-19-11-3.1.
 29 ~~(13)~~ (12) For purposes of IC 14-20-11, the meaning set forth in
 30 IC 14-20-11-2.
 31 ~~(14)~~ (13) For purposes of IC 14-22-3, the meaning set forth in
 32 IC 14-22-3-1.
 33 ~~(15)~~ (14) For purposes of IC 14-22-4, the meaning set forth in
 34 IC 14-22-4-1.
 35 ~~(16)~~ (15) For purposes of IC 14-22-5, the meaning set forth in
 36 IC 14-22-5-1.
 37 ~~(17)~~ (16) For purposes of IC 14-22-8, the meaning set forth in
 38 IC 14-22-8-1.
 39 ~~(18)~~ (17) For purposes of IC 14-22-34, the meaning set forth in
 40 IC 14-22-34-2.
 41 ~~(19)~~ (18) For purposes of IC 14-23-3, the meaning set forth in
 42 IC 14-23-3-1.

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- 1 ~~(20)~~ **(19)** For purposes of IC 14-25-2-4, the meaning set forth in
2 IC 14-25-2-4.
- 3 ~~(21)~~ **(20)** For purposes of IC 14-25-10, the meaning set forth in
4 IC 14-25-10-1.
- 5 ~~(22)~~ **(21)** For purposes of IC 14-25.5, the meaning set forth in
6 IC 14-25.5-1-3.
- 7 ~~(23)~~ **(22)** For purposes of IC 14-31-2, the meaning set forth in
8 IC 14-31-2-5.
- 9 ~~(24)~~ **(23)** For purposes of IC 14-25-12, the meaning set forth in
10 IC 14-25-12-1.
- 11 ~~(25)~~ **(24)** For purposes of IC 14-32-8, the meaning set forth in
12 IC 14-32-8-1.
- 13 ~~(26)~~ **(25)** For purposes of IC 14-33-14, the meaning set forth in
14 IC 14-33-14-3.
- 15 ~~(27)~~ **(26)** For purposes of IC 14-33-21, the meaning set forth in
16 IC 14-33-21-1.
- 17 ~~(28)~~ **(27)** For purposes of IC 14-34-6-15, the meaning set forth
18 in IC 14-34-6-15.
- 19 ~~(29)~~ **(28)** For purposes of IC 14-34-14, the meaning set forth in
20 IC 14-34-14-1.
- 21 ~~(30)~~ **(29)** For purposes of IC 14-34-19-1.3, the meaning set forth
22 in IC 14-34-19-1.3(a).
- 23 ~~(31)~~ **(30)** For purposes of IC 14-34-19-1.5, the meaning set forth
24 in IC 14-34-19-1.5(a).
- 25 ~~(32)~~ **(31)** For purposes of IC 14-37-10, the meaning set forth in
26 IC 14-37-10-1.
- 27 SECTION 7. IC 14-8-2-159 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 159. "Maumee River
29 basin", for purposes of ~~IC 14-30-2~~, **IC 14-30-6 and IC 14-30-7**, has the
30 meaning set forth in ~~IC 14-30-2-3~~. **IC 14-30-7-1.**
- 31 SECTION 8. IC 14-8-2-170 IS REPEALED [EFFECTIVE JULY
32 1, 2026]. ~~Sec. 170. "Municipal corporation", for purposes of~~
33 ~~IC 14-12-3, has the meaning set forth in IC 14-12-3-3.~~
- 34 SECTION 9. IC 14-8-2-198 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 198. "Participating
36 county" has the following meaning:
- 37 (1) For purposes of ~~IC 14-30-2~~, **IC 14-30-6**, the meaning set
38 forth in ~~IC 14-30-2-4~~. **IC 14-30-6-1.**
- 39 (2) For purposes of ~~IC 14-30-3~~, **IC 14-30-7-1**, the meaning set
40 forth in ~~IC 14-30-3-3~~. **IC 14-30-7-1.**
- 41 (3) For purposes of ~~IC 14-30-4~~, **IC 14-30-7-2**, the meaning set
42 forth in ~~IC 14-30-4-3~~. **IC 14-30-7-2.**

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1 **(4) For purposes of IC 14-30-7-3, the meaning set forth in**
 2 **IC 14-30-7-3.**

3 SECTION 10. IC 14-8-2-206 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 206. "Plan", ~~has the~~
 5 ~~following meaning:~~

6 ~~(1) for purposes of IC 14-21-1, has the meaning set forth in~~
 7 ~~IC 14-21-1-8.~~

8 ~~(2) For purposes of IC 14-30-2, the meaning set forth in~~
 9 ~~IC 14-30-2-5.~~

10 ~~(3) For purposes of IC 14-30-4, the meaning set forth in~~
 11 ~~IC 14-30-4-4.~~

12 SECTION 11. IC 14-8-2-208, AS AMENDED BY P.L.138-2018,
 13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2026]: Sec. 208. "Political subdivision" has the following
 15 meaning:

16 (1) For purposes of IC 14-12-1, the meaning set forth in
 17 IC 14-12-1-2.

18 (2) For purposes of IC 14-13-2, ~~and IC 14-30-3~~, the meaning set
 19 forth in IC 36-1-2-13.

20 (3) For purposes of IC 14-32-8, the meaning set forth in
 21 IC 14-32-8-2.

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

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

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

29 SECTION 13. IC 14-8-2-263 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 263. "St. Joseph River
 31 basin", for purposes of ~~IC 14-30-3~~, **IC 14-30-6 and IC 14-30-7**, has the
 32 meaning set forth in ~~IC 14-30-3-4~~. **IC 14-30-7-2.**

33 SECTION 14. IC 14-8-2-291.5 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 291.5. "Upper Wabash
 35 River basin", for purposes of ~~IC 14-30-4~~, **IC 14-30-6 and IC 14-30-7**,
 36 has the meaning set forth in ~~IC 14-30-4-5~~. **IC 14-30-7-3.**

37 SECTION 15. IC 14-8-2-320 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 320. "Wildlife" has the
 39 following meaning:

40 (1) For purposes of IC 14-22, except as provided in subdivision

41 (2), **means all wild birds, fish, crustaceans, mollusks,**
 42 **amphibians, reptiles, and wild mammals.**

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

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

8 (b) The chairman:
9 (1) may call a special meeting; and
10 (2) shall call a special meeting at the request of any five (5)
11 members.

12 (c) A:
13 (1) meeting of the commission; or
14 (2) public hearing;
15 is subject to IC 5-14-1.5.

16 SECTION 17. IC 14-10-2-9 IS ADDED TO THE INDIANA
17 CODE AS A NEW SECTION TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) A person who wishes to
19 obtain judicial review of a final agency action under this title must
20 serve copies of a petition for judicial review upon:

- 21 (1) each person described in IC 4-21.5-5-8; and
- 22 (2) the following persons under IC 4-21.5-5-8(a)(4):
 - 23 (A) If the department or the state historic preservation
 - 24 review board is a party to a proceeding, a copy of the
 - 25 petition required under IC 4-21.5-5-8(a)(4) must be
 - 26 served upon the department or state historic
 - 27 preservation review board, as applicable, to the address
 - 28 published on the website of the department.
 - 29 (B) If the Indiana board of licensure for professional
 - 30 geologists is a party to a proceeding, a copy of the
 - 31 petition required under IC 4-21.5-5-8(a)(4) must be
 - 32 served upon the Indiana board of licensure for
 - 33 professional geologists at the address published on the
 - 34 website of the state geologist.
 - 35 (C) If the Indiana board of registration for soil scientists
 - 36 is a party to a proceeding, a copy of the petition
 - 37 required under IC 4-21.5-5-8(a)(4) must be served upon
 - 38 the Indiana board of registration for soil scientists to the
 - 39 address published on the website of the office of the state
 - 40 chemist.

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

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1 review:

2 (1) **The department.**

3 (2) **The state geologist.**

4 (3) **The office of the state chemist.**

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

9 (1) Department meetings.

10 (2) Upon the recommendation of the director, the work of the
11 department and the divisions.

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

14 (1) Programs of the department or the commission.

15 (2) Facilities owned or operated by the department or the
16 commission or a lessee of the department or commission.

17 (3) Licenses issued by the commission, the department, or the
18 director.

19 (4) Inspections or other similar services under this title
20 performed by the department or an assistant or employee of the
21 department.

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

23 (1) **adopt provisional rules under IC 4-22-2-37.1;**

24 (2) **adopt interim rules under IC 4-22-2-37.2; and**

25 (3) **approve for preliminary adoption rules for readoption**
26 **under IC 4-22-2.6 that do not contain changes to the rules.**

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

31 SECTION 20. IC 14-11-4-1, AS AMENDED BY P.L.89-2016,
32 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2026]: Sec. 1. This chapter applies to applications for licenses
34 under the following:

35 (1) IC 14-26-2 (lake preservation).

36 (2) IC 14-26-5 (~~dams~~): **(lowering of Ten Acre Lake).**

37 (3) **IC 14-27 (levees, dams, and drainage).**

38 ~~(3)~~ (4) IC 14-28-1 (flood control).

39 (5) **IC 14-29-1 (navigable waterways).**

40 ~~(4)~~ (6) IC 14-29-3 (~~removal of substances from streams~~): **(sand**
41 **and gravel permits).**

42 ~~(5)~~ (7) IC 14-29-4 (construction of channels).

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1 SECTION 21. IC 14-12-3 IS REPEALED [EFFECTIVE JULY 1,
2 2026]. (Hometown Indiana Grant Program).

3 SECTION 22. IC 14-13-6-20, AS AMENDED BY P.L.118-2009,
4 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2026]: Sec. 20. The commission may use the Wabash River
6 heritage corridor commission fund to pay:

7 (1) reimbursement of the expenses of members under section 13
8 of this chapter;

9 (2) other administrative costs and expenses reasonably incurred
10 under this chapter, including expenses for publications and
11 postage; and

12 (3) costs incurred in fulfilling the directives of the Wabash River
13 heritage corridor commission master plan, including multicounty
14 projects and marketing and educational tools such as video tape
15 productions, signs, and promotional literature.

16 However, the commission may not use money in the fund for the upper
17 Wabash River basin commission established by ~~IC 14-30-4-6.~~
18 **IC 14-30-6.**

19 SECTION 23. IC 14-13-6-23, AS ADDED BY P.L.69-2009,
20 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2026]: Sec. 23. (a) The Wabash River heritage corridor fund
22 is established for the purpose of:

23 (1) providing grants to aid the sustainable development of
24 property under the Wabash River heritage corridor commission
25 master plan and purposes of the commission; and

26 (2) paying costs incurred in fulfilling the directives of the
27 Wabash River heritage corridor commission master plan,
28 including multicounty projects.

29 However, the commission may not use money in the fund for the upper
30 Wabash River basin commission established by ~~IC 14-30-4-6.~~
31 **IC 14-30-6.**

32 (b) The fund shall be administered by the director under the
33 direction of the commission.

34 (c) The expenses of administering the fund shall be paid from
35 money in the fund.

36 (d) The fund consists of the following:

37 (1) Appropriations made by the general assembly.

38 (2) Interest as provided in subsection (e).

39 (3) Funds deposited under IC 14-38-1-13(d).

40 (4) Money donated to the fund.

41 (5) Money transferred to the fund from other funds.

42 (e) The treasurer of state shall invest the money in the fund not

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1 currently needed to meet the obligations of the fund in the same
2 manner as other public funds may be invested. Interest that accrues
3 from these investments shall be deposited in the fund.

4 (f) Money in the fund at the end of a fiscal year does not revert to
5 the state general fund.

6 (g) Money in the fund is annually appropriated to the department
7 of natural resources for its use in fulfilling the purposes of this section.

8 SECTION 24. 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 25. 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 26. 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 27. 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 28. IC 14-21-1-25.1 IS ADDED TO THE INDIANA
 26 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 27 [EFFECTIVE JULY 1, 2026]: **Sec. 25.1. An application for approval**
 28 **of a development plan under section 26.5 of this chapter must be**
 29 **filed with the division and include the following:**

- 30 (1) **A signed cover letter from the applicant on letterhead**
- 31 **with the following information:**
 - 32 (A) **The identity of the person who will conduct the**
 - 33 **project.**
 - 34 (B) **The overall nature and time frame of the project.**
 - 35 (C) **The location of the project by section, township,**
 - 36 **range, county, and address.**
 - 37 (D) **Information regarding any prior disturbance to the**
 - 38 **area.**
 - 39 (E) **A statement regarding whether federal or state**
 - 40 **funds or licenses are involved in the project.**
- 41 (2) **Mapping to show the location of the burial ground or**
- 42 **cemetery in relation to the project that includes the**

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- 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
 - (v) otherwise treated.
 - (C) A description of each structure.

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- 1 **(D) A description of the activities anticipated to:**
- 2 (i) erect;
- 3 (ii) alter; or
- 4 (iii) repair;
- 5 **a structure.**
- 6 **(E) Each area that may contain new construction in**
- 7 **connection with the proposed construction areas.**
- 8 **(5) Recent photographs of the burial ground or cemetery and**
- 9 **the grounds adjacent to and within one hundred (100) feet of**
- 10 **the burial ground or cemetery.**
- 11 SECTION 29. IC 14-21-1-25.5 IS REPEALED [EFFECTIVE
- 12 JULY 1, 2026]. ~~Sec. 25.5: (a) If a Native American Indian burial~~
- 13 ~~ground is discovered, the department shall immediately provide notice~~
- 14 ~~to the Native American Indian affairs commission established by~~
- 15 ~~IC 4-23-32.~~
- 16 (b) If Native American Indian human remains are removed from
- 17 a burial ground, the department shall provide the following to the
- 18 Native American Indian affairs commission:
- 19 (1) Any written findings or reports that result from the analysis
- 20 and study of the human remains.
- 21 (2) Written notice to the Native American Indian affairs
- 22 commission that the analysis and study of the human remains are
- 23 complete.
- 24 (c) After receiving written notice under subsection (b)(2), the
- 25 Native American Indian affairs commission shall make
- 26 recommendations to the department regarding the final disposition of
- 27 the Native American Indian human remains.
- 28 SECTION 30. IC 14-22-6-4, AS AMENDED BY P.L.144-2022,
- 29 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 30 JULY 1, 2026]: Sec. 4. (a) For purposes of this section, a trap is
- 31 designed to capture and kill a furbearing animal if the animal's death
- 32 is the result of:
- 33 (1) submerging the animal in water; or
- 34 (2) crushing or asphyxiating the animal.
- 35 (b) A person may not do the following:
- 36 (1) Tend or visit a trap or remove a furbearing animal from a trap
- 37 that is not the person's property without the permission of the
- 38 owner.
- 39 (2) For a trap that is designed to capture but not kill a furbearing
- 40 animal:
- 41 (A) fail to tend or visit; or ~~have tended or visited a trap and~~
- 42 (B) remove a furbearing animal from;

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

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

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1 premises from liability for injury to a person or property caused by a
2 malicious or an illegal act of the owner or occupant.

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

5 SECTION 32. IC 14-22-10-2.5 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.5. (a) A person who
7 goes upon or through the premises, including caves, of another:

8 (1) with or without permission; and

9 (2) either:

10 (A) without the payment of monetary consideration; or

11 (B) with the payment of monetary consideration directly or
12 indirectly on the person's behalf by an agency of the state or
13 federal government;

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

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

18 (1) assume responsibility; or

19 (2) incur liability;

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

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

24 (1) Business invitees in commercial establishments.

25 (2) The attractive nuisance doctrine.

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

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

31 SECTION 33. IC 14-22-15.5-7 IS REPEALED [EFFECTIVE
32 JULY 1, 2026]. ~~Sec. 7. An individual who acts as a hunting guide
33 without a hunting guide license in violation of section 2 of this chapter
34 commits a Class B infraction.~~

35 SECTION 34. IC 14-23-6.6-7, AS ADDED BY P.L.124-2025,
36 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2026]: Sec. 7. (a) Subject to subsection (b), a certified
38 prescribed burn manager who conducts the prescribed burning in
39 accordance with section 6 of this chapter is immune from civil liability
40 for harm caused by the:

41 (1) prescribed burn; or

42 (2) smoke produced by the prescribed burn.

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

- 3 (1) negligence; or
- 4 (2) willful and wanton misconduct.

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

- 9 (1) prescribed burn; or
- 10 (2) smoke produced by the prescribed burn.

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

- 13 (1) negligence of the landowner or the landowner's agent; or
- 14 (2) willful and wanton misconduct of the landowner or the
15 landowner's agent.

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

- 19 (1) Participation in planning, undertaking, or assisting with
20 prescribed burning.
- 21 (2) Administration of the prescribed burn certification program,
22 including revocation of prescribed burn certifications issued
23 under the program.

24 SECTION 35. IC 14-30-2 IS REPEALED [EFFECTIVE JULY 1,
25 2026]. (Maumee River Basin Commission).

26 SECTION 36. IC 14-30-3 IS REPEALED [EFFECTIVE JULY 1,
27 2026]. (St. Joseph River Basin Commission).

28 SECTION 37. IC 14-30-4 IS REPEALED [EFFECTIVE JULY 1,
29 2026]. (Upper Wabash River Basin Commission).

30 SECTION 38. IC 14-30-6 IS ADDED TO THE INDIANA CODE
31 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2026]:

33 **Chapter 6. River Basin Commission Administration**

34 **Sec. 1. For purposes of this chapter, the following definitions**
35 **apply:**

- 36 (1) **"Commission"** refers to a river basin commission
37 established by section 2 of this chapter.
- 38 (2) **"Participating county"** refers to a county that:
39 (A) joins a commission under section 4 of this chapter;
40 and
41 (B) has territory within the commission.

42 **Sec. 2. (a) The following river basin commissions are**

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1 established:

- 2 (1) The Maumee River basin commission.
 3 (2) The St. Joseph River basin commission.
 4 (3) The Upper Wabash River basin commission.

5 (b) After consulting with the surveyor of each county in a river
 6 basin, the director shall certify the boundaries of a commission
 7 established by subsection (a). However, a river basin commission
 8 established by subsection (a)(1), (a)(2), or (a)(3) is not required to
 9 recertify the commission's boundaries under this subsection.

10 Sec. 3. A commission established by this chapter:

- 11 (1) is a separate municipal corporation; and
 12 (2) may sue and be sued.

13 Sec. 4. The executive of a county that includes territory in a
 14 commission may do the following:

- 15 (1) Elect to participate in the commission by designating the
 16 county as a participating county.
 17 (2) Revoke the designation described in subdivision (1).

18 Sec. 5. (a) Except as provided in subsection (d), the following
 19 shall serve as voting members of the commission:

- 20 (1) A member of the county executive for a participating
 21 county.
 22 (2) The executive director or, if a county does not have an
 23 executive director, the chairman or manager of a soil and
 24 water conservation district that:
 25 (A) is subject to IC 14-32;
 26 (B) includes territory in a participating county; and
 27 (C) includes territory in the basin.
 28 (3) The county surveyor of each participating county.

29 (b) In addition to the members required under subsection (a),
 30 the required members of a commission may appoint the following
 31 voting members:

- 32 (1) Each member of the county executive for a participating
 33 county.
 34 (2) The executive of each second class city within the
 35 territory of the commission.
 36 (3) If a participating county does not have a second class city,
 37 the executive of the municipality with the largest population
 38 located within the territory of the basin.
 39 (4) A participating county's health officer.
 40 (5) A representative of each soil and water conservation
 41 district that:

- 42 (A) is subject to IC 14-32;

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- 1 **(B) includes territory in a participating county; and**
- 2 **(C) includes territory in the basin.**
- 3 **(6) A representative of the department of natural resources.**
- 4 **However, the representative may not be an employee or**
- 5 **elected official of a city, town, or county governmental unit.**
- 6 **(c) A representative described in subsection (b)(5) or (b)(6):**
- 7 **(1) is chosen by the entity being represented;**
- 8 **(2) serves a three (3) year term;**
- 9 **(3) is eligible for reappointment; and**
- 10 **(4) continues until a successor is appointed.**
- 11 **(d) A commission that exists on or before June 30, 2026,**
- 12 **retains the commission's existing voting members.**
- 13 **Sec. 6. (a) A member of the commission may:**
- 14 **(1) designate another individual to perform the duties of the**
- 15 **member on the commission; and**
- 16 **(2) revoke the designation described in subdivision (1).**
- 17 **(b) A designation or a revocation of a designation under this**
- 18 **section must be filed with the commission to be effective.**
- 19 **Sec. 7. (a) A commission shall annually elect from among the**
- 20 **voting members the following officers:**
- 21 **(1) A chairperson.**
- 22 **(2) A vice chairperson.**
- 23 **(3) A secretary.**
- 24 **(4) A treasurer.**
- 25 **(b) The officers elected under subsection (a) shall perform the**
- 26 **duties specified in the commission's bylaws.**
- 27 **(c) A commission may establish other offices, including an**
- 28 **executive director, and determine the means for filling the offices.**
- 29 **Any salary or benefits provided to the individual must be paid by**
- 30 **the commission that establishes the office.**
- 31 **Sec. 8. (a) Either:**
- 32 **(1) the commission; or**
- 33 **(2) a participating county;**
- 34 **but not both, may pay its members reimbursement for traveling**
- 35 **expenses and other expenses actually incurred in connection with**
- 36 **the member's duties as provided in the state travel policies and**
- 37 **procedures established by the Indiana department of**
- 38 **administration and approved by the budget agency. Money paid**
- 39 **under subdivision (1) may only be paid from money available to**
- 40 **the commission at the time of reimbursement.**
- 41 **(b) A county may pay members of a commission the salary per**
- 42 **diem provided by IC 4-10-11-2.1(b) for the performance of the**

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- 1 member's duties on the commission.
- 2 Sec. 9. (a) A commission shall meet at least four (4) times each
- 3 calendar year.
- 4 (b) The following may call a meeting:
- 5 (1) The chairperson.
- 6 (2) The executive director.
- 7 (3) A quorum of the commission's members.
- 8 (c) A commission shall adopt bylaws specifying a quorum
- 9 requirement.
- 10 (d) A member may waive notice of any meeting by filing a
- 11 written waiver with the secretary of the commission.
- 12 Sec. 10. (a) A commission may do the following:
- 13 (1) Manage the commission's internal affairs.
- 14 (2) Employ staff.
- 15 (3) Subject to section 12 of this chapter, enter into contracts
- 16 for purposes of this chapter.
- 17 (4) Exercise the powers of a political subdivision specified in
- 18 a cooperative agreement described in section 12 of this
- 19 chapter.
- 20 (5) Provide a forum for the discussion, study, and evaluation
- 21 of water resource issues of common concern in the river
- 22 basin.
- 23 (6) Facilitate and foster cooperative planning and
- 24 coordinated management of the basin's water and related
- 25 land resources.
- 26 (7) Develop positions on major water resource issues and
- 27 serve as an advocate of the basin's interests before Congress
- 28 and federal, state, and local governmental agencies.
- 29 (8) Develop plans and tools to improve water quality or
- 30 mitigate flooding in the basin.
- 31 (9) Publicize, advertise, and distribute reports on the
- 32 commission's purposes, objectives, studies, and findings.
- 33 (10) When requested, make recommendations in matters
- 34 related to the commission's functions and objectives to
- 35 political subdivisions in the basin and to other public and
- 36 private agencies.
- 37 (11) When requested, act as a coordinating agency for
- 38 programs and activities of other public and private agencies
- 39 that are related to the commission's objectives.
- 40 (12) Invite government officials of other states within the
- 41 river basin to:
- 42 (A) attend the commission's meetings; and

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1 (B) advise the commission upon the commission's
2 request.

3 (b) A commission may not exercise any of the powers
4 described in subsection (a) within a nature preserve (as defined in
5 IC 14-31-1).

6 (c) This section does not exempt the commission from any
7 other statute.

8 Sec. 11. A commission shall do the following:

9 (1) Keep a record of the commission's resolutions,
10 transactions, and findings. A record under this subdivision
11 is a public record.

12 (2) Make an annual report of the commission's activities to
13 the executive of each participating county. The commission
14 shall upon request make an annual report to the following:

15 (A) The governor.

16 (B) Any member of the general assembly.

17 (3) Prepare and adopt an annual budget.

18 (4) Submit the budget described in subdivision (3) to the
19 executive of each participating county and, upon request,
20 make the budget available to each agency appropriating
21 money to the commission.

22 Sec. 12. (a) A political subdivision in a participating county
23 may under IC 36-1-7 enter into a cooperative agreement with a
24 commission and at least one (1) other legal entity, including a legal
25 entity in another state.

26 (b) If a commission intends to enter into a cooperative
27 agreement under subsection (a), the commission shall post public
28 notice of the proposed cooperative agreement at least ten (10)
29 business days before the meeting at which the cooperative
30 agreement is scheduled to be voted on by the commission.

31 (c) Before a commission may vote on the cooperative
32 agreement under this section, the cooperative agreement must be
33 approved by the department.

34 Sec. 13. A commission may adopt a resolution to do any one (1)
35 or more of the following:

36 (1) Require that increased water runoff resulting from new
37 construction be impounded on the construction site.

38 (2) Permit the requirement of onsite water impoundment
39 under subdivision (1) to be waived upon payment of a
40 reasonable fee by the developer of the new construction.

41 (3) Restrict construction within the one hundred (100) year
42 flood plains of the river basin.

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1 **Sec. 14. (a) The commission may establish an executive board**
 2 **consisting of the following:**

3 **(1) The chairperson of the commission.**

4 **(2) One (1) member from each participating county that is**
 5 **not represented by the chairperson, to be chosen in a manner**
 6 **prescribed by the commission's bylaws.**

7 **(b) The commission may delegate to the executive board the**
 8 **power to do the following:**

9 **(1) Recommend agenda items and activities to the**
 10 **commission.**

11 **(2) Conduct hearings on proposed commission projects.**

12 **(3) Perform other administrative duties assigned by the**
 13 **commission.**

14 **Sec. 15. (a) The commission may appoint an advisory**
 15 **committee to assist the commission.**

16 **(b) A member of an advisory committee is not entitled to**
 17 **compensation for serving on the advisory committee.**

18 **Sec. 16. The commission may adopt a bylaw to govern member**
 19 **participation in:**

20 **(1) a commission's; or**

21 **(2) an executive board's;**

22 **meeting by electronic communication.**

23 **Sec. 17. (a) A commission may receive grants and**
 24 **appropriations from the following:**

25 **(1) Federal, state, and local governments.**

26 **(2) Individuals, foundations, and other organizations.**

27 **However, a commission is not eligible for funding through the**
 28 **Wabash River heritage corridor commission established by**
 29 **IC 14-13-6-6.**

30 **(b) The commission may enter into an agreement or contract**
 31 **regarding the acceptance or use of the grants and appropriations**
 32 **described in subsection (a) for the purpose of carrying out the**
 33 **commission's activities under this chapter.**

34 **Sec. 18. (a) A participating county may budget, appropriate,**
 35 **and disburse money to carry out the purposes of the commission**
 36 **under this chapter.**

37 **(b) The appropriation from the participating county that is**
 38 **needed for all or part of the commission's budget must be either:**

39 **(1) apportioned among the participating counties in direct**
 40 **relationship to the amount of land area in each participating**
 41 **county certified under section 2 of this chapter; or**

42 **(2) divided equally among the participating counties.**



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1 (c) The appropriation that is needed under subsection (b) shall
 2 be presented to the county executive at the same time that budgets
 3 are presented by county officers.

4 Sec. 19. (a) The commission shall make expenditures only as
 5 budgeted. However, the commission may revise the budget at any
 6 time to authorize unbudgeted expenditures.

7 (b) Any appropriated amounts remaining unexpended or
 8 unencumbered at the end of the fiscal year become part of a
 9 nonreverting cumulative fund to be held in the name of the
 10 commission. The commission may authorize unbudgeted
 11 expenditures from this fund.

12 (c) The commission is responsible for the safekeeping and
 13 deposit of money the commission receives under this chapter. The
 14 state board of accounts shall:

- 15 (1) prescribe the methods and forms for keeping; and
 16 (2) periodically audit;

17 the accounts, records, and books of the commission.

18 (d) The treasurer of the commission may receive, disburse, and
 19 handle money belonging to the commission, subject to the
 20 following:

- 21 (1) Applicable statutes.
 22 (2) Procedures established by the commission.

23 Sec. 20. (a) For the purposes of this chapter, the commission
 24 may do the following:

- 25 (1) Acquire by grant, gift, purchase, or devise, and dispose
 26 of, conservation easements under IC 32-23-5 in land:

- 27 (A) within; or
 28 (B) adjacent to if part of the same parcel;

29 the one hundred (100) year flood plains and the wetlands in
 30 the basin.

- 31 (2) Acquire, by grant, gift, purchase, or devise,
 32 improvements:

- 33 (A) within; or
 34 (B) adjacent to if part of the same parcel;

35 the one hundred (100) year flood plains of the basin for the
 36 purpose of removing those improvements.

- 37 (3) Acquire, dispose of, hold, use, improve, maintain,
 38 operate, own, manage, or lease real or personal property by
 39 grant, gift, purchase, or devise for the purposes of this
 40 chapter.

41 (b) The commission may exercise the powers granted by this
 42 section as follows:

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1 (1) For purposes of IC 32-23-5.

2 (2) To contribute to the following:

3 (A) Flood mitigation.

4 (B) Flood damage reduction.

5 (C) Improvements in water quality.

6 (D) Soil conservation.

7 Sec. 21. (a) The commission, the executive board, or employees
8 or authorized representatives of the commission acting under this
9 chapter may:

10 (1) enter the land lying within the one hundred (100) year
11 flood plain of any watercourse in the river basin; and

12 (2) enter land lying outside the one hundred (100) year flood
13 plain to gain access to land lying within the one hundred
14 (100) year flood plain in the river basin;

15 if necessary to investigate, examine, or survey the land or
16 investigate suspected violations of the Indiana flood control laws.

17 (b) The commission must give twenty-one (21) days written
18 notice to:

19 (1) an owner of the affected land;

20 (2) a contract purchaser of the affected land; or

21 (3) if the land is municipal property (as described in
22 IC 6-1.1-10-5(a)), the executive of the municipality;

23 before exercising the right to enter land under this section. The
24 notice must state the purpose of the entry and that there is a right
25 of appeal under this section.

26 (c) A person described in subsection (b)(1) through (b)(3) may,
27 within the twenty-one (21) day notice period required by
28 subsection (b), appeal the proposed entry under subsection (a) to
29 the commission on the grounds that the proposed entry is not
30 necessary. If a person appeals under this subsection, the
31 commission shall hold a hearing on the necessity of the entry before
32 the right of entry is exercised.

33 (d) A person entering land under this section must use due
34 care to avoid damage to:

35 (1) crops; or

36 (2) fences, buildings, and other structures.

37 (e) Neither the commission, the executive board, nor
38 employees or authorized representatives of the commission acting
39 under this chapter commits criminal trespass under IC 35-43-2-2
40 by entering land described in subsection (a) for a purpose set forth
41 in subsection (a).

42 SECTION 39. IC 14-30-7 IS ADDED TO THE INDIANA CODE



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

3 **Chapter 7. Conversion to Watershed Development**
4 **Commission**

5 **Sec. 1. (a) For purposes of this section, the following definitions**
6 **apply:**

7 (1) "Commission" refers to the Maumee River basin
8 commission.

9 (2) "Maumee River basin" means the area in Adams County,
10 Allen County, DeKalb County, Noble County, Steuben
11 County, and Wells County that drains into the Maumee
12 River and the tributaries of the Maumee River.

13 (3) "Participating county" refers to a county that has joined
14 the Maumee River basin commission under IC 14-30-6-4.

15 (b) The commission:

16 (1) may; but

17 (2) is not required to;

18 consider a proposal to transform the commission from a river
19 basin commission subject to IC 14-30-6 into a watershed
20 development commission subject to IC 14-30.5.

21 (c) For the commission to be transformed from a river basin
22 commission subject to IC 14-30-6 into a watershed development
23 commission subject to IC 14-30.5:

24 (1) the county executives of all participating counties:

25 (A) must approve the proposal described in subsection

26 (b); and

27 (B) must adopt substantively identical ordinances that
28 set forth the flood damage reduction, drainage, storm
29 water management, or soil and water conservation
30 purposes for which the proposed watershed
31 development commission would be established, and, for
32 purposes of IC 14-30.5-2-0.5, the designated watershed
33 within which the proposed watershed development
34 commission would exercise its powers; and

35 (2) a majority of the voting members of the commission must
36 vote in favor of the transformation of the commission into a
37 watershed development commission in accordance with the
38 ordinances adopted under subdivision (1)(B) and the
39 provisions of this section.

40 (d) For the county executive of a participating county to
41 approve a proposal described in subsection (b) under subsection
42 (c)(1)(A), at least two (2) of the three (3) members of the county

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1 executive must vote in favor of the proposal.

2 (e) If a member of the county executive of a participating
3 county has designated another individual under IC 14-30-6-6 to
4 perform the member's duties on the commission, the individual
5 designated to perform the duties of the member of the county
6 executive may vote under subsection (c)(2) on the proposal
7 described in subsection (b).

8 (f) If the county executives of all participating counties
9 approve a proposal described in subsection (b) under subsection
10 (c)(1)(A) and adopt substantively identical ordinances under
11 subsection (c)(1)(B), a majority of the voting members of the
12 commission vote in favor of the transformation of the commission
13 into a watershed development commission under subsection (c)(2),
14 and the department approves the transformation of the
15 commission into a watershed development commission with the
16 purposes set forth in the ordinances adopted under subsection
17 (c)(1)(B), the following apply:

18 (1) The commission shall notify the department of the
19 approval of the proposal.

20 (2) The officers of the commission elected under IC 14-30-6-7
21 shall take the actions necessary and appropriate to the
22 transformation of the commission from a river basin
23 commission subject to this chapter into a watershed
24 development commission subject to IC 14-30.5.

25 (3) The board of the watershed development commission
26 consists of the following:

27 (A) The director of the department or the director's
28 designee.

29 (B) The county surveyor of each county participating in
30 the commission.

31 (C) A member of the county executive from each county
32 participating in the commission or the member's
33 designee.

34 (D) One (1) individual to represent each second class city
35 that is located in a participating county and within the
36 Maumee River basin, appointed by:

37 (i) the board of storm water management (as
38 described in IC 8-1.5-5-4) of the second class city;
39 or

40 (ii) if the second class city has no board of storm
41 water management, the executive of the second
42 class city.

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- 1 (E) A member of the county soil and water conservation
- 2 district board from each participating county within the
- 3 Maumee River basin or the member's designee.
- 4 (4) The director of the department or the director's designee:
- 5 (A) shall advise the commission on the transformation of
- 6 the commission into a watershed development
- 7 commission subject to IC 14-30.5; and
- 8 (B) when the board of the watershed development
- 9 commission is formed, shall assume the position on the
- 10 board of the watershed development commission
- 11 specified in IC 14-30.5-4-1(a)(1)(A).
- 12 (5) The watershed development commission board may not
- 13 meet until the department has given the approval referred to
- 14 in this subsection. Upon the convening of the first meeting
- 15 under IC 14-30.5-4 of the board of the watershed
- 16 development commission:
- 17 (A) the Maumee River basin commission ceases to exist
- 18 as a separate municipal corporation under IC 14-30-6;
- 19 (B) the Maumee watershed development commission is
- 20 established as a public body corporate and politic under
- 21 IC 14-30.5;
- 22 (C) the participating counties of the Maumee River
- 23 basin commission become member counties of the
- 24 Maumee watershed development commission under
- 25 IC 14-30.5; and
- 26 (D) each participating county of the Maumee River
- 27 basin commission is authorized to appoint a member of
- 28 the county executive or the member's designee under
- 29 IC 14-30.5-4-1 to represent the county on the board of
- 30 the Maumee watershed development commission.
- 31 (g) If established under this section, the Maumee watershed
- 32 development commission:
- 33 (1) is a continuation of;
- 34 (2) retains the property and rights of; and
- 35 (3) is responsible for the actions and subject to the liabilities
- 36 of;
- 37 the former Maumee River basin commission.
- 38 (h) If established under this section, the Maumee watershed
- 39 development commission has all of the powers and duties of a
- 40 watershed development commission under IC 14-30.5 in the areas
- 41 of the watershed of the Maumee River and the tributaries of the
- 42 Maumee River that are within the boundaries of the member

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1 counties of the Maumee watershed development commission. For
 2 the purposes of IC 14-30.5, the areas of the watershed of the
 3 Maumee River and the tributaries of the Maumee River that are
 4 within the boundaries of the member counties of the Maumee
 5 watershed development commission comprise the designated
 6 watershed of the Maumee watershed development commission.

7 (i) If the Maumee watershed development commission is
 8 established under this section, the board of the Maumee watershed
 9 development commission shall appoint an executive director under
 10 IC 14-30.5-4-2(e). An individual who was the executive director of
 11 the Maumee River basin commission may be appointed executive
 12 director of the Maumee watershed development commission under
 13 this subsection.

14 (j) If the Maumee watershed development commission is
 15 established under this section, all property, records, and funds of
 16 the former Maumee River basin commission:

17 (1) become property, records, and funds of the Maumee
 18 watershed development commission; and

19 (2) shall be transmitted to the Maumee watershed
 20 development commission not more than sixty (60) days after
 21 the appointment of the executive director under subsection
 22 (i).

23 Sec. 2. (a) For purposes of this section, the following definitions
 24 apply:

25 (1) "Commission" refers to the St. Joseph River basin
 26 commission.

27 (2) "Participating county" refers to a county that has joined
 28 the St. Joseph River basin commission under IC 14-30-6-4.

29 (3) "St. Joseph River basin" means the area in Elkhart
 30 County, Kosciusko County, LaGrange County, Noble
 31 County, St. Joseph County, and Steuben County that drains
 32 into the St. Joseph River.

33 (b) The commission:

34 (1) may; but

35 (2) is not required to;

36 consider a proposal to transform the commission from a river
 37 basin commission subject to IC 14-30-6 into a watershed
 38 development commission subject to IC 14-30.5.

39 (c) For the commission to be transformed from a river basin
 40 commission subject to IC 14-30-6 into a watershed development
 41 commission subject to IC 14-30.5:

42 (1) the county executives of all participating counties:



- 1 (A) must approve the proposal described in subsection
- 2 (b); and
- 3 (B) must adopt substantively identical ordinances that
- 4 set forth the information required by IC 14-30.5-2-1(b),
- 5 including, for purposes of IC 14-30.5-2-0.5, the
- 6 designated watershed within which the proposed
- 7 watershed development commission would exercise its
- 8 powers; and
- 9 (2) a majority of the voting members of the commission must
- 10 vote in favor of the transformation of the commission into a
- 11 watershed development commission in accordance with the
- 12 ordinances adopted under subdivision (1)(B) and the
- 13 provisions of this section.
- 14 (d) For the county executive of a participating county to
- 15 approve a proposal described in subsection (b) under subsection
- 16 (c)(1)(A), at least two (2) of the three (3) members of the county
- 17 executive must vote in favor of the proposal.
- 18 (e) If a member of the county executive of a participating
- 19 county has designated another individual under IC 14-30-6-6 to fill
- 20 the member's position on the commission, the individual
- 21 designated to fill the member's position may vote under subsection
- 22 (c)(2) on the proposal described in subsection (b).
- 23 (f) If the county executives of all participating counties
- 24 approve a proposal described in subsection (b) under subsection
- 25 (c)(1)(A) and adopt substantively identical ordinances under
- 26 subsection (c)(1)(B), a majority of the voting members of the
- 27 commission vote in favor of the transformation of the commission
- 28 into a watershed development commission under subsection (c)(2),
- 29 and the department approves the transformation of the
- 30 commission into a watershed development commission with the
- 31 purposes set forth in the ordinances adopted under subsection
- 32 (c)(1)(B), the following apply:
- 33 (1) The commission shall notify the department of the
- 34 approval of the proposal.
- 35 (2) The officers of the commission elected under IC 14-30-6-7
- 36 shall take the actions necessary and appropriate to the
- 37 transformation of the commission from a river basin
- 38 commission subject to IC 14-30-6 into a watershed
- 39 development commission subject to IC 14-30.5.
- 40 (3) The board of the watershed development commission
- 41 consists of the following:
- 42 (A) The director of the department or the director's

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- designee.
- (B) The county surveyor of each county participating in the commission.**
- (C) An individual other than the county surveyor representing each county participating in the commission, appointed by the county executive.**
- (D) Either:**
 - (i) one (1) individual appointed to represent each second class city that is located in a participating county and within the St. Joseph River basin; or**
 - (ii) if a participating county does not include a second class city that is located within the St. Joseph River basin, one (1) individual appointed to represent the municipality that has the largest population of all municipalities that are located in the participating county and within the St. Joseph River basin.**

An individual appointed to represent a second class city under item (i) shall be appointed by the board of storm water management (as described in IC 8-1.5-5-4) of the second class city or, if the second class city has no board of storm water management, by the executive of the second class city. An individual appointed under item (ii) to represent the municipality that has the largest population of all municipalities that are located in the participating county and within the St. Joseph River basin shall be appointed by the board of storm water management (as described in IC 8-1.5-5-4) of the municipality or, if the municipality has no board of storm water management, by the executive of the municipality.
- (4) The director of the department or the director's designee:**
 - (A) shall advise the commission on the transformation of the commission into a watershed development commission subject to IC 14-30.5; and**
 - (B) when the board of the watershed development commission is formed, shall assume the position on the board of the watershed development commission specified in IC 14-30.5-4-1(a)(2)(A).**
- (5) The watershed development commission board may not meet until the department has given the approval referred to in this subsection. Upon the convening of the first meeting**

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- 1 **under IC 14-30.5-4 of the board of the watershed**
- 2 **development commission:**
- 3 **(A) the St. Joseph River basin commission ceases to exist**
- 4 **as a separate municipal corporation under IC 14-30-6;**
- 5 **(B) the St. Joseph watershed development commission**
- 6 **is established as a public body corporate and politic**
- 7 **under IC 14-30.5;**
- 8 **(C) the participating counties of the St. Joseph River**
- 9 **basin commission become member counties of the St.**
- 10 **Joseph watershed development commission under**
- 11 **IC 14-30.5; and**
- 12 **(D) each participating county of the St. Joseph River**
- 13 **basin commission is authorized to appoint an individual**
- 14 **described in subdivision (3)(C) to represent the county**
- 15 **on the board of the St. Joseph watershed development**
- 16 **commission.**
- 17 **(g) If established under this section, the St. Joseph watershed**
- 18 **development commission:**
- 19 **(1) is a continuation of;**
- 20 **(2) retains the property and rights of; and**
- 21 **(3) is responsible for the actions and subject to the liabilities**
- 22 **of;**
- 23 **the former St. Joseph River basin commission.**
- 24 **(h) If established under this section, the St. Joseph watershed**
- 25 **development commission has all of the powers and duties of a**
- 26 **watershed development commission under IC 14-30.5 in the areas**
- 27 **of the watershed of the St. Joseph River and the tributaries of the**
- 28 **St. Joseph River that are within the boundaries of the member**
- 29 **counties of the St. Joseph watershed development commission. For**
- 30 **the purposes of IC 14-30.5, the areas of the watershed of the St.**
- 31 **Joseph River and the tributaries of the St. Joseph River that are**
- 32 **within the boundaries of the member counties of the St. Joseph**
- 33 **watershed development commission comprise the designated**
- 34 **watershed of the St. Joseph watershed development commission.**
- 35 **(i) If the St. Joseph watershed development commission is**
- 36 **established under this section, the board of the St. Joseph**
- 37 **watershed development commission shall appoint an executive**
- 38 **director under IC 14-30.5-4-2(e). An individual who was the**
- 39 **executive director of the St. Joseph River basin commission may be**
- 40 **appointed executive director of the St. Joseph watershed**
- 41 **development commission under this subsection.**
- 42 **(j) If the St. Joseph watershed development commission is**

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- 1 established under this section, the following apply:
- 2 (1) All property, records, and funds of the St. Joseph River
- 3 basin commission:
- 4 (A) become property, records, and funds of the St.
- 5 Joseph watershed development commission; and
- 6 (B) shall be transmitted to the St. Joseph watershed
- 7 development commission not more than sixty (60) days
- 8 after the appointment of the executive director under
- 9 subsection (i).
- 10 (2) Any advisory committee appointed under IC 14-30-6-15
- 11 is dissolved.
- 12 (3) The individuals serving as members of the St. Joseph
- 13 River basin commission under IC 14-30-6 become the
- 14 members of the advisory committee of the St. Joseph
- 15 watershed development commission. Upon the expiration
- 16 under IC 14-30-6-5 or other termination of the term of office
- 17 of an individual described in this subdivision, the office of the
- 18 individual shall be filled by a successor according to
- 19 subdivision (4).
- 20 (4) As provided in subdivision (3) and IC 14-30.5-4-5(c)(3),
- 21 upon the termination of the terms of office of all of the
- 22 individuals who become members of the advisory committee
- 23 under subdivision (3), the advisory committee of the St.
- 24 Joseph watershed development commission shall consist of
- 25 the following members:
- 26 (A) From each participating county the following:
- 27 (i) The executive of each second class city that is
- 28 located in the participating county and within the
- 29 St. Joseph River basin, or the executive's designee.
- 30 (ii) If the county does not have a second class city
- 31 that is located within the St. Joseph River basin, the
- 32 executive of the municipality that has the largest
- 33 population of all municipalities that are located in
- 34 the participating county and within the St. Joseph
- 35 River basin, or the executive's designee.
- 36 (B) A member of the county executive or the county
- 37 executive's designee from each participating county.
- 38 (C) The county health officer or the health officer's
- 39 designee from each participating county.
- 40 (D) The county surveyor of each participating county or
- 41 the county surveyor's designee.
- 42 (E) A representative of each soil and water conservation

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1 district that:

2 (i) is subject to IC 14-32;

3 (ii) includes territory in a participating county; and

4 (iii) includes territory in the St. Joseph River basin.

5 (F) The director of the St. Joseph watershed

6 development commission or the director's designee.

7 Sec. 3. (a) For purposes of this section, the following definitions

8 apply:

9 (1) "Commission" refers to the Upper Wabash River basin

10 commission.

11 (2) "Participating county" refers to a county that has joined

12 the Upper Wabash River basin commission under

13 IC 14-30-6-4.

14 (3) "Upper Wabash River basin" means the area located in

15 Adams County, Huntington County, Jay County, or Wells

16 County that is drained by the Wabash River, including the

17 tributaries of the Wabash River.

18 (b) The commission:

19 (1) may; but

20 (2) is not required to;

21 consider a proposal to transform the commission from a river

22 basin commission subject to IC 14-30-6 into a watershed

23 development commission subject to IC 14-30.5.

24 (c) For the commission to be transformed from a river basin

25 commission subject to IC 14-30-6 into a watershed development

26 commission subject to IC 14-30.5:

27 (1) the county executives of all participating counties:

28 (A) must approve the proposal described in subsection

29 (b); and

30 (B) must adopt substantively identical ordinances that

31 set forth the information required by IC 14-30.5-2-1(b),

32 including, for the purposes of IC 14-30.5-2-0.5, the

33 designated watershed within which the proposed

34 watershed development commission would exercise its

35 powers; and

36 (2) a majority of the voting members of the commission must

37 vote in favor of the transformation of the commission into a

38 watershed development commission in accordance with the

39 ordinances adopted under subdivision (1)(B) and the

40 provisions of this section.

41 (d) For the county executive of a participating county to

42 approve a proposal described in subsection (b) under subsection

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1 (c)(1)(A), at least two (2) of the three (3) members of the county
2 executive must vote in favor of the proposal.

3 (e) If a member of the county executive of a participating
4 county has designated another individual under IC 14-30-6-6 to
5 perform the member's duties on the commission, the individual
6 designated to perform the member's duties may vote under
7 subsection (c)(2) on the proposal described in subsection (b).

8 (f) If the county executives of all participating counties
9 approve a proposal described in subsection (b) under subsection
10 (c)(1)(A) and adopt substantively identical ordinances under
11 subsection (c)(1)(B), a majority of the voting members of the
12 commission vote in favor of the transformation of the commission
13 into a watershed development commission under subsection (c)(2),
14 and the department approves the transformation of the
15 commission into a watershed development commission with the
16 purposes set forth in the ordinances adopted under subsection
17 (c)(1)(B), the following apply:

18 (1) The commission shall notify the department of the
19 approval of the proposal.

20 (2) The officers of the commission elected under IC 14-30-6-7
21 shall take the actions necessary and appropriate to the
22 transformation of the commission from a river basin
23 commission subject to IC 14-30-6 into a watershed
24 development commission subject to IC 14-30.5.

25 (3) The board of the watershed development commission
26 consists of the following:

27 (A) The director of the department or the director's
28 designee.

29 (B) The county surveyor of each county participating in
30 the commission.

31 (C) An individual other than the county surveyor
32 representing each county participating in the
33 commission, appointed by the county executive.

34 (D) Either:

35 (i) one (1) individual appointed to represent each
36 second class city that is located in a participating
37 county and within the upper Wabash River basin;
38 or

39 (ii) if a participating county does not include a
40 second class city that is located within the upper
41 Wabash River basin, one (1) individual appointed to
42 represent the municipality that has the largest

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1 population of all municipalities that are located in
 2 the participating county and within the upper
 3 Wabash River basin.

4 An individual appointed to represent a second class city
 5 under item (i) shall be appointed by the board of storm
 6 water management (as described in IC 8-1.5-5-4) of the
 7 second class city or, if the second class city has no board
 8 of storm water management, by the executive of the
 9 second class city. An individual appointed under item
 10 (ii) to represent the municipality that has the largest
 11 population of all municipalities that are located in the
 12 participating county and within the upper Wabash
 13 River basin shall be appointed by the board of storm
 14 water management (as described in IC 8-1.5-5-4) of the
 15 municipality or, if the municipality has no board of
 16 storm water management, by the executive of the
 17 municipality.

18 (4) The director of the department or the director's designee:

19 (A) shall advise the commission on the transformation of
 20 the commission into a watershed development
 21 commission subject to IC 14-30.5; and

22 (B) when the board of the watershed development
 23 commission is formed, shall assume the position on the
 24 board of the watershed development commission
 25 specified in IC 14-30.5-4-1(a)(2)(A).

26 (5) The watershed development commission board may not
 27 meet until the department has given the approval referred to
 28 in this subsection. Upon the convening of the first meeting
 29 under IC 14-30.5-4 of the board of the watershed
 30 development commission:

31 (A) the Upper Wabash River basin commission ceases to
 32 exist as a separate municipal corporation under
 33 IC 14-30-6;

34 (B) the Upper Wabash watershed development
 35 commission is established as a public body corporate
 36 and politic under IC 14-30.5;

37 (C) the participating counties of the Upper Wabash
 38 River basin commission become member counties of the
 39 Upper Wabash watershed development commission
 40 under IC 14-30.5; and

41 (D) each participating county of the Upper Wabash
 42 River basin commission is authorized to appoint an



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1 individual described in subdivision (3)(C) to represent
2 the county on the board of the Upper Wabash watershed
3 development commission.

4 (g) If established under this section, the Upper Wabash
5 watershed development commission:

- 6 (1) is a continuation of;
- 7 (2) retains the property and rights of; and
- 8 (3) is responsible for the actions and subject to the liabilities
9 of;

10 the former Upper Wabash River basin commission.

11 (h) If established under this section, the Upper Wabash
12 watershed development commission has all of the powers and
13 duties of a watershed development commission under IC 14-30.5
14 in the areas of the watershed of the Wabash River and the
15 tributaries of the Wabash River that are within the boundaries of
16 the member counties of the Upper Wabash watershed development
17 commission. For the purposes of IC 14-30.5, the areas of the
18 watershed of the Wabash River and the tributaries of the Wabash
19 River that are within the boundaries of the member counties of the
20 Upper Wabash watershed development commission comprise the
21 designated watershed of the Upper Wabash watershed
22 development commission.

23 (i) If the Upper Wabash watershed development commission
24 is established under this section, the board of the Upper Wabash
25 watershed development commission shall appoint an executive
26 director under IC 14-30.5-4-2(e). An individual who was the
27 executive director of the Upper Wabash River basin commission
28 may be appointed executive director of the Upper Wabash
29 watershed development commission under this subsection.

30 (j) If the Upper Wabash watershed development commission
31 is established under this section, all property, records, and funds
32 of the former Upper Wabash River basin commission:

- 33 (1) become property, records, and funds of the Upper
34 Wabash watershed development commission; and
- 35 (2) shall be transmitted to the Upper Wabash watershed
36 development commission not more than sixty (60) days after
37 the appointment of the executive director under subsection
38 (i).

39 SECTION 40. IC 14-30.5-2-0.5, AS ADDED BY P.L.251-2023,
40 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2026]: Sec. 0.5. (a) Notwithstanding subsection (b), this
42 chapter does not authorize the creation of a watershed development

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1 commission if the area in which the watershed development
2 commission could exercise the powers conferred by this article would
3 include any part of the area in which a river basin commission
4 established ~~under~~ by **IC 14-30-6-2**

- 5 ~~(1) IC 14-30-2;~~
- 6 ~~(2) IC 14-30-3; or~~
- 7 ~~(3) IC 14-30-4;~~

8 is authorized to exercise its powers.

9 (b) This section does not prohibit:

- 10 (1) the transformation of the Maumee River basin commission
- 11 into a watershed development commission under ~~IC 14-30-2-25;~~
- 12 **IC 14-30-7-1;**
- 13 (2) the transformation of the St. Joseph River basin commission
- 14 into a watershed development commission under ~~14-30-3-33;~~
- 15 **IC 14-30-7-2;** or
- 16 (3) the transformation of the upper Wabash River basin
- 17 commission into a watershed development commission under
- 18 ~~IC 14-30-4-20;~~ **IC 14-30-7-3;**

19 on the grounds that the watershed development commission resulting
20 from the transformation would be authorized to exercise its powers in
21 all or any part of the area in which the transformed river basin
22 commission was authorized to exercise its powers before the
23 transformation.

24 SECTION 41. IC 14-30.5-2-2, AS AMENDED BY P.L.92-2025,
25 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2026]: Sec. 2. (a) If one (1) county executive submits an
27 ordinance and a written request for recognition of a proposed
28 watershed development commission under section 1(c) of this chapter,
29 the natural resources commission shall decide under subsections (c)
30 through (e) whether to recognize the proposed commission.

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

- 36 (1) the natural resources commission may not decide whether to
- 37 recognize the proposed commission unless the provisions of the
- 38 ordinances submitted under section 1(c)(1) of this chapter are
- 39 essentially identical in:
 - 40 (A) identifying the designated watershed; and
 - 41 (B) stating the purposes of the proposed commission; and
- 42 (2) if the natural resources commission determines that the

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

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1 address the flood damage reduction, drainage, storm water
 2 management, recreation, or water infrastructure needs of each
 3 county that submitted an ordinance under section 1(c)(1) of this
 4 chapter?
 5 (4) Is it reasonable to expect that the establishment of a
 6 commission that has powers under this article only in the area or
 7 areas inside the geographic boundaries of the designated
 8 watershed would effectively address the flood damage reduction,
 9 drainage, storm water management, recreation, or water
 10 infrastructure needs of each county that submitted an ordinance
 11 under section 1(c)(1) of this chapter?
 12 (5) Is the territory of the proposed commission at least as large
 13 as the entirety of the same eight (8) digit U.S. Geological Survey
 14 hydrologic unit code?
 15 (6) Has a regional watershed study or watershed management
 16 plan been conducted in consultation with the Indiana finance
 17 authority and the department of natural resources that assesses
 18 water use, water quality, drinking water systems, wastewater
 19 management systems, storm water management, flood control,
 20 drainage management, recreational uses, natural resources, and
 21 water infrastructure needs of the watershed of the proposed
 22 commission? If so, can the establishment of the proposed
 23 commission be expected to address the needs identified in that
 24 study or management plan?
 25 (f) If:
 26 (1) one (1) county's executive submits an ordinance and a
 27 request for recognition of a proposed commission under section
 28 1(c) of this chapter; and
 29 (2) the natural resources commission answers all of the questions
 30 set forth in subsection (e) favorably;
 31 the natural resources commission shall issue an order recognizing the
 32 watershed development commission and recognizing the county
 33 referred to in subdivision (1) as a member of the watershed
 34 development commission.
 35 (g) If:
 36 (1) executives of two (2) or more counties submit ordinances and
 37 requests for recognition of a proposed watershed development
 38 commission under section 1(c) of this chapter; and
 39 (2) the natural resources commission answers all of the questions
 40 set forth in subsection (e) favorably with respect to at least one
 41 (1) of the counties;
 42 the natural resources commission shall issue an order recognizing the

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

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

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

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

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

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

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

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

28 SECTION 42. IC 14-30.5-2-6, AS AMENDED BY P.L.92-2025,
 29 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2026]: Sec. 6. (a) A county to which section 4 or 5 of this
 31 chapter applies may not become a member of an existing watershed
 32 development commission unless:

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

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

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

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1 existing commission. Any interested person attending a public hearing
 2 held under this subsection shall have the right to:
 3 (1) address the natural resources commission; and
 4 (2) provide written comments;
 5 concerning the proposed membership of the county in the existing
 6 commission. The **division of water, on behalf of the** natural resources
 7 commission, may convene the meeting, record the testimony given, and
 8 receive the written comments provided.
 9 (c) The **division of water, on behalf of the** natural resources
 10 commission, shall give notice of a public hearing to be held under
 11 subsection (b):
 12 (1) by publication at least one (1) time in one (1) newspaper of
 13 general circulation in the county in which the hearing will be
 14 held; and
 15 (2) through the website of the natural resources commission.
 16 (d) In deciding whether to recognize a county to which section 4
 17 or 5 of this chapter applies as a member of an existing commission, the
 18 natural resources commission shall determine the answer to each of the
 19 following questions:
 20 (1) Do the stated purposes for which the watershed development
 21 commission was established correspond to the flood damage
 22 reduction, drainage, storm water management, recreation, or
 23 water infrastructure needs of the county, as stated under section
 24 4(b)(3) or 5(b)(3) of this chapter?
 25 (2) Is it reasonable to expect that the county's flood damage
 26 reduction, drainage, storm water management, recreation, or
 27 water infrastructure needs, as stated under section 4(b)(3) or
 28 5(b)(3) of this chapter, would be addressed more effectively if
 29 the county were a member of the existing commission than those
 30 needs have previously been addressed?
 31 (3) Would the county's membership in the existing commission
 32 diminish the effectiveness of the existing watershed
 33 development commission in addressing the flood damage
 34 reduction, drainage, storm water management, recreation, or
 35 water infrastructure needs of other member counties?
 36 (4) Is the territory of the proposed commission at least as large
 37 as the entirety of the same eight (8) digit U.S. Geological Survey
 38 hydrologic unit code?
 39 (5) Has a regional watershed study or watershed management
 40 plan been conducted in consultation with Indiana finance
 41 authority and the department of natural resources that assesses
 42 water use, water quality, drinking water systems, wastewater

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

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

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

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

21 SECTION 43. IC 14-30.5-4-5, AS ADDED BY P.L.251-2023,
22 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2026]: Sec. 5. (a) There is established for each watershed
24 development commission an advisory committee to provide counsel to
25 the board of the commission.

26 (b) Except as provided in subsection (c), a watershed development
27 commission advisory committee established under this section consists
28 of a member or representative of the board of supervisors of the soil
29 and water conservation district of each county that is a member of the
30 commission, selected by the board of supervisors.

31 (c) If the St. Joseph watershed development commission is
32 established under ~~IC 14-30-3-33~~: **IC 14-30-7-2**:

33 (1) the individuals serving as members of the St. Joseph River
34 basin commission under ~~IC 14-30-3-8~~ **IC 14-30-6-5** become
35 members of the advisory committee of the St. Joseph watershed
36 development commission;

37 (2) the term of office of an individual who becomes a member of
38 the advisory committee of the St. Joseph watershed development
39 commission under subdivision (1) is as provided in
40 ~~IC 14-30-3-9~~; **IC 14-30-7-2**; and

41 (3) upon:
42 (A) the expiration under ~~IC 14-30-3-9~~; **IC 14-30-6-5**; or

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1 (B) the termination under any other circumstances;
2 of the term of office of an individual described in subdivision
3 (1), the office of the individual shall be filled by a successor
4 according to ~~IC 14-30-3-33(i)(4)~~. **IC 14-30-7-2(j)(4)**.

5 SECTION 44. IC 14-33-2-19 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19. (a) In determining
7 the facts, the **division of water, on behalf of the** commission, shall **do**
8 **the following:**

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

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

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

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

19 SECTION 45. IC 14-33-2-22 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 22. The commission,
21 **in coordination with the department**, shall make a report of the
22 commission's findings to the court, including findings on the territorial
23 limits of the proposed district. The commission shall make this report
24 within one hundred twenty (120) days after the petition is referred to
25 the commission, unless the commission requests and receives approval
26 from the court for additional periods of thirty (30) days each.

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