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SENATE BILL No. 224

Proposed Changes to January 27, 2026 printing by AM022411

DIGEST OF PROPOSED AMENDMENT

River basin commissions. Establishes a consolidated chapter for river basin commission administration. Repeals existing, separate chapters for the Maumee River basin commission, the St. Joseph River basin commission, and the Upper Wabash River basin commission. Creates a new chapter for a river basin commission's conversion into a watershed development commission. Makes technical and conforming changes.

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

SB 224—LS 6685/DI 150



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1 (6) For purposes of IC 14-30-4, the meaning set forth in
 2 IC 14-30-4-1.
 3 SECTION 3. IC 14-8-2-48, AS AMENDED BY P.L.251-2023,
 4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2026]: Sec. 48. (a) "Commission", except as provided in this
 6 section, refers to the natural resources commission.
 7 (b) "Commission", for purposes of IC 14-13-1, has the meaning set
 8 forth in IC 14-13-1-1.
 9 (c) "Commission", for purposes of IC 14-13-2, has the meaning set
 10 forth in IC 14-13-2-2.
 11 (d) "Commission", for purposes of IC 14-13-4, has the meaning set
 12 forth in IC 14-13-4-1.
 13 (e) "Commission", for purposes of IC 14-13-5, has the meaning set
 14 forth in IC 14-13-5-1.
 15 (f) "Commission", for purposes of IC 14-13-6, has the meaning set
 16 forth in IC 14-13-6-2.
 17 (g) "Commission", for purposes of IC 14-13-9, has the meaning set
 18 forth in IC 14-13-9-2.
 19 (h) "Commission", for purposes of IC 14-20-11, has the meaning
 20 set forth in IC 14-20-11-1.
 21 (i) "Commission", for purposes of IC 14-28-4, has the meaning set
 22 forth in IC 14-28-4-1.
 23 (j) "Commission", for purposes of ~~IC 14-30-2~~, **IC 14-30-6**, has the
 24 meaning set forth in ~~IC 14-30-2-2~~. **IC 14-30-6-1**.
 25 (k) "Commission", for purposes of ~~IC 14-30-3~~, **IC 14-30-7-1**, has
 26 the meaning set forth in ~~IC 14-30-3-2~~. **IC 14-30-7-1**.
 27 (l) "Commission", for purposes of ~~IC 14-30-4~~, **IC 14-30-7-2**, has
 28 the meaning set forth in ~~IC 14-30-4-2~~. **IC 14-30-7-2**.
 29 **(m) "Commission", for purposes of IC 14-30-7-3, has the**
 30 **meaning set forth in IC 14-30-7-3.**
 31 ~~(m)~~ **(n)** "Commission", for purposes of IC 14-30.5, has the
 32 meaning set forth in IC 14-30.5-1-2.
 33 ~~(n)~~ **(o)** "Commission", for purposes of IC 14-33-20, has the
 34 meaning set forth in IC 14-33-20-2.
 35] SECTION ~~4~~ [4]. IC 14-8-2-57 IS REPEALED [EFFECTIVE
 36 JULY 1, 2026]. Sec. 57. "Corporation", for purposes of IC 14-12-3, has
 37 the meaning set forth in IC 14-12-3-1.
 38 [SECTION 5. IC 14-8-2-86.2, AS ADDED BY P.L.251-2023,
 39 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2026]: Sec. 86.2. "Executive", for purposes of ~~IC 14-30-3-3~~
 41 **and IC 14-30.5, has the meaning set forth in IC 14-30.5-1-4.**
 42] SECTION ~~6~~ [6]. IC 14-8-2-107, AS AMENDED BY

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SB 224—LS 6685/DI 150



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

- 4 (1) For purposes of IC 14-9-5, the meaning set forth in
 5 IC 14-9-5-1.
 6 (2) For purposes of IC 14-9-8-21, the meaning set forth in
 7 IC 14-9-8-21.
 8 (3) For purposes of IC 14-9-8-21.5, the meaning set forth in
 9 IC 14-9-8-21.5.
 10 (4) For purposes of IC 14-9-9, the meaning set forth in
 11 IC 14-9-9-3.
 12 (5) For purposes of IC 14-12-1, the meaning set forth in
 13 IC 14-12-1-1.
 14 (6) For purposes of IC 14-12-2, the meaning set forth in
 15 IC 14-12-2-2.
 16 ~~(7) For purposes of IC 14-12-3, the meaning set forth in~~
 17 ~~IC 14-12-3-2.~~
 18 ~~(8)~~ (7) For purposes of IC 14-13-1, the meaning set forth in
 19 IC 14-13-1-2.
 20 ~~(9)~~ (8) For purposes of IC 14-13-2, the meaning set forth in
 21 IC 14-13-2-3.
 22 ~~(10)~~ (9) For purposes of IC 14-16-1, the meaning set forth in
 23 IC 14-16-1-30.
 24 ~~(11)~~ (10) For purposes of IC 14-19-8, the meaning set forth in
 25 IC 14-19-8-1.
 26 ~~(12)~~ (11) For purposes of IC 14-19-11, the meaning set forth in
 27 IC 14-19-11-3.1.
 28 ~~(13)~~ (12) For purposes of IC 14-20-11, the meaning set forth in
 29 IC 14-20-11-2.
 30 ~~(14)~~ (13) For purposes of IC 14-22-3, the meaning set forth in
 31 IC 14-22-3-1.
 32 ~~(15)~~ (14) For purposes of IC 14-22-4, the meaning set forth in
 33 IC 14-22-4-1.
 34 ~~(16)~~ (15) For purposes of IC 14-22-5, the meaning set forth in
 35 IC 14-22-5-1.
 36 ~~(17)~~ (16) For purposes of IC 14-22-8, the meaning set forth in
 37 IC 14-22-8-1.
 38 ~~(18)~~ (17) For purposes of IC 14-22-34, the meaning set forth in
 39 IC 14-22-34-2.
 40 ~~(19)~~ (18) For purposes of IC 14-23-3, the meaning set forth in
 41 IC 14-23-3-1.
 42 ~~(20)~~ (19) For purposes of IC 14-25-2-4, the meaning set forth in

SB 224—LS 6685/DI 150



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

SB 224—LS 6685/DI 150



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IC 14-30-7-3.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SB 224—LS 6685/DI 150



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1 IC 14-22-34-6.

2 SECTION ~~<8>~~[16]. IC 14-10-1-7 IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) The commission
 4 shall have at least four (4) regular meetings in each fiscal year and as
 5 many additional or special meetings as the commission's business,
 6 powers, or duties require.

7 (b) The chairman:

8 (1) may call a special meeting; and

9 (2) shall call a special meeting at the request of any five (5)
 10 members.

11 (c) A:

12 (1) meeting of the commission; or

13 (2) public hearing;

14 is subject to IC 5-14-1.5.

15 SECTION ~~<8>~~[17]. IC 14-10-2-9 IS ADDED TO THE INDIANA
 16 CODE AS A NEW SECTION TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) A person who wishes to
 18 obtain judicial review of a final agency action under this title must
 19 serve copies of a petition for judicial review upon:

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

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

22 (A) If the department or the state historic preservation
 23 review board is a party to a proceeding, a copy of the
 24 petition required under IC 4-21.5-5-8(a)(4) must be
 25 served upon the department or state historic
 26 preservation review board, as applicable, to the address
 27 published on the website of the department.

28 (B) If the Indiana board of licensure for professional
 29 geologists is a party to a proceeding, a copy of the
 30 petition required under IC 4-21.5-5-8(a)(4) must be
 31 served upon the Indiana board of licensure for
 32 professional geologists at the address published on the
 33 website of the state geologist.

34 (C) If the Indiana board of registration for soil scientists
 35 is a party to a proceeding, a copy of the petition
 36 required under IC 4-21.5-5-8(a)(4) must be served upon
 37 the Indiana board of registration for soil scientists to the
 38 address published on the website of the office of the state
 39 chemist.

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

SB 224—LS 6685/DI 150



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- 1 **(1) The department.**
 2 **(2) The state geologist.**
 3 **(3) The office of the state chemist.**
 4 SECTION ~~18~~[18]. IC 14-11-2-1, AS AMENDED BY
 5 P.L.246-2005, SECTION 116, IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The department
 7 may adopt rules under IC 4-22-2 for ~~the conduct~~ of the following:
 8 (1) Department meetings.
 9 (2) Upon the recommendation of the director, the work of the
 10 department and the divisions.
 11 (b) The department may not adopt rules under IC 4-22-2 for the
 12 establishment of fees for the following:
 13 (1) Programs of the department or the commission.
 14 (2) Facilities owned or operated by the department or the
 15 commission or a lessee of the department or commission.
 16 (3) Licenses issued by the commission, the department, or the
 17 director.
 18 (4) Inspections or other similar services under this title
 19 performed by the department or an assistant or employee of the
 20 department.
 21 **(c) The director shall:**
 22 **(1) adopt provisional rules under IC 4-22-2-37.1;**
 23 **(2) adopt interim rules under IC 4-22-2-37.2; and**
 24 **(3) approve for preliminary adoption rules for re-adoption**
 25 **under IC 4-22-2.6 that do not contain changes to the rules.**
 26 SECTION 1~~9~~[9]. IC 14-11-2-2 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. A person who
 28 violates a rule adopted under this chapter commits a Class C infraction,
 29 **unless otherwise specified by law.**
 30 SECTION ~~20~~[20]. IC 14-11-4-1, AS AMENDED BY
 31 P.L.89-2016, SECTION 4, IS AMENDED TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2026]: Sec. 1. This chapter applies to
 33 applications for licenses under the following:
 34 (1) IC 14-26-2 (lake preservation).
 35 (2) IC 14-26-5 (~~dams~~): **(lowering of Ten Acre Lake).**
 36 **(3) IC 14-27 (levees, dams, and drainage).**
 37 ~~(4)~~**(4)** IC 14-28-1 (flood control).
 38 **(5) IC 14-29-1 (navigable waterways).**
 39 ~~(6)~~**(6)** IC 14-29-3 (~~removal of substances from streams~~): **(sand**
 40 **and gravel permits).**
 41 ~~(7)~~**(7)** IC 14-29-4 (construction of channels).
 42 SECTION ~~21~~[21]. IC 14-12-3 IS REPEALED [EFFECTIVE

SB 224—LS 6685/DI 150



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

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

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

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

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

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

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

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

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

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

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

35 (d) The fund consists of the following:

36 (1) Appropriations made by the general assembly.

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

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

39 (4) Money donated to the fund.

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

41 (e) The treasurer of state shall invest the money in the fund not
 42 currently needed to meet the obligations of the fund in the same

SB 224—LS 6685/DI 150



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1 manner as other public funds may be invested. Interest that accrues
 2 from these investments shall be deposited in the fund.

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

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

7] SECTION ~~<13>~~ [24]. IC 14-15-3-19 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19. Provisions of this
 9 chapter concerning the operation of boats or motorboats apply as
 10 follows:

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

14 (2) To each object and person.

15 SECTION ~~<14>~~ [25]. IC 14-15-3-20 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 20. A person operating
 17 a motorboat may not tow a water ski, a watersled, **a wakeboard,**
 18 **barefoot water skis,** an aquaplane, or a similar object, including a
 19 person on the waterski, watersled, **wakeboard, barefoot water skis,**
 20 aquaplane, or similar object, unless:

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

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

26 SECTION ~~<15>~~ [26]. IC 14-15-4-2, AS AMENDED BY
 27 P.L.111-2016, SECTION 11, IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) The operator of
 29 a boat involved in an accident or a collision ~~resulting in:~~ **shall provide**
 30 **the information required under subsection (b) if the following**
 31 **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:

SB 224—LS 6685/DI 150



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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 ~~<16>~~[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 ~~<17>~~[28]. IC 14-21-1-25.1 IS ADDED TO THE
 26 INDIANA 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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(D) A description of the activities anticipated to:

- (i) erect;**
 - (ii) alter; or**
 - (iii) repair;**
- a structure.**

(E) Each area that may contain new construction in connection with the proposed construction areas.

(5) Recent photographs of the burial ground or cemetery and the grounds adjacent to and within one hundred (100) feet of the burial ground or cemetery.

SECTION ~~48~~ [29]. IC 14-21-1-25.5 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 25.5: (a) If a Native American Indian burial ground is discovered, the department shall immediately provide notice to the Native American Indian affairs commission established by IC 4-23-32.

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

- (1) Any written findings or reports that result from the analysis and study of the human remains.
- (2) Written notice to the Native American Indian affairs commission that the analysis and study of the human remains are complete.

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

SECTION ~~49~~ [30]. IC 14-22-6-4, AS AMENDED BY P.L.144-2022, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) For purposes of this section, a trap is designed to capture and kill a furbearing animal if the animal's death is the result of:

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

(b) A person may not do the following:

- (1) Tend or visit a trap or remove a furbearing animal from a trap that is not the person's property without the permission of the owner.
- (2) For a trap that is designed to capture but not kill a furbearing animal:

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

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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 ~~20~~[31]. IC 14-22-10-2, AS AMENDED BY
14 P.L.113-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS
15 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) As used in this section and
16 section 2.5 of this chapter, "governmental entity" means any of the
17 following:

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

19 (2) The state.

20 (3) A county.

21 (4) A city.

22 (5) A town.

23 (6) A township.

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

27 (A) An agency.

28 (B) A board.

29 (C) A commission.

30 (D) A committee.

31 (E) A council.

32 (F) A department.

33 (G) A district.

34 (H) A public body corporate and politic.

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

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

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

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

SB 224—LS 6685/DI 150



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

- 3 (1) has a fee interest in;
4 (2) is a tenant, a lessee, or an occupant of; or
5 (3) is in control of;

6 a tract of land.

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

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

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

22 (e) The owner of the premises does not

- 23 ~~(1) assume responsibility; or~~
24 ~~(2) incur liability;~~

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

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

36 (f) This section does not affect the following:

- 37 ~~(1) Existing Indiana case law on the liability of owners or~~
38 ~~possessors of premises with respect to the following:~~
39 ~~(A) Business invitees in commercial establishments.~~
40 ~~(B) Invited guests.~~

- 41 (1) **Business invitees in for-profit establishments.**
42 (2) The attractive nuisance doctrine.

SB 224—LS 6685/DI 150



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

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

6 SECTION ~~21~~[32]. IC 14-22-10-2.5 IS AMENDED TO READ
7 AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2.5. (a) A person
8 who goes upon or through the premises, including caves, of another:

9 (1) with or without permission; and

10 (2) either:

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

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

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

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

19 (1) assume responsibility; or

20 (2) incur liability;

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

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

25 (1) Business invitees in commercial establishments.

26 (2) The attractive nuisance doctrine.

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

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

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

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

42 (1) prescribed burn; or

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- 1 (2) smoke produced by the prescribed burn.
 2 (b) The immunity described in subsection (a) does not apply if the
 3 harm was the result of the certified prescribed burn manager's:
 4 (1) negligence; or
 5 (2) willful and wanton misconduct.
 6 (c) Subject to subsection (d), a landowner or landowner's agent
 7 who conducts prescribed burning on the landowner's property in
 8 accordance with section 6 of this chapter is immune from civil liability
 9 for harm caused by the:
 10 (1) prescribed burn; or
 11 (2) smoke produced by the prescribed burn.
 12 (d) The immunity described in subsection (c) does not apply if the
 13 harm was the result of the:
 14 (1) negligence of the landowner or the landowner's agent; or
 15 (2) willful and wanton misconduct of the landowner or the
 16 landowner's agent.
 17 (e) The ~~division of forestry's~~ **department's** officers, agents, and
 18 employees are immune from civil liability, in accordance with
 19 IC 34-13-3, arising out of any of the following:
 20 (1) Participation in planning, undertaking, or assisting with
 21 prescribed burning.
 22 (2) Administration of the prescribed burn certification program,
 23 including revocation of prescribed burn certifications issued
 24 under the program.
 25 SECTION ~~<24. IC 14-30-3-16 IS AMENDED>~~ [35. IC 14-30-2 IS
 26 REPEALED [EFFECTIVE JULY 1, 2026]. (Maumee River Basin
 27 Commission).
 28 SECTION 36. IC 14-30-3 IS REPEALED [EFFECTIVE JULY 1,
 29 2026]. (St. Joseph River Basin Commission).
 30 SECTION 37. IC 14-30-4 IS REPEALED [EFFECTIVE JULY 1,
 31 2026]. (Upper Wabash River Basin Commission).
 32 SECTION 38. IC 14-30-6 IS ADDED TO THE INDIANA CODE
 33 AS A NEW CHAPTER] TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2026]:<Sec. 16. (a) The commission, in coordination with
 35 the department, shall keep a record>[
 36 Chapter 6. River Basin Commission Administration
 37 Sec. 1. For purposes of this chapter, the following definitions
 38 apply:
 39 (1) "Commission" refers to a river basin commission
 40 established by section 2 of this chapter.
 41 (2) "Participating county" refers to a county that:
 42 (A) joins a commission under section 4 of this chapter;

SB 224—LS 6685/DI 150



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and
(B) has territory within the commission.
Sec. 2. (a) The following river basin commissions are established:
(1) The Maumee River basin commission.
(2) The St. Joseph River basin commission.
(3) The Upper Wabash River basin commission.
(b) After consulting with the surveyor of each county in a river basin, the director shall certify the boundaries of a commission established by subsection (a). However, a river basin commission established by subsection (a)(1), (a)(2), or (a)(3) is not required to recertify the commission's boundaries under this subsection.
Sec. 3. A commission established by this chapter:
(1) is a separate municipal corporation; and
(2) may sue and be sued.
Sec. 4. The executive of a county that includes territory in a commission may do the following:
(1) Elect to participate in the commission by designating the county as a participating county.
(2) Revoke the designation described in subdivision (1).
Sec. 5. (a) Except as provided in subsection (d), the following shall serve as voting members] of the <commission's resolutions, transactions, and findings. This record is a public record:
~~—(b) The~~>[commission:
(1) A member of the county executive for a participating county.
(2) The executive director or, if a county does not have an executive director, the chairman or manager of a soil and water conservation district that:
(A) is subject to IC 14-32;
(B) includes territory in a participating county; and
(C) includes territory in the basin.
(3) The county surveyor of each participating county.
(b) In addition to the members required under subsection (a), the required members of a commission may appoint the following voting members:
(1) Each member of the county executive for a participating county.
(2) The executive of each second class city within the territory of the commission.
(3) If a participating county does not have a second class city, the executive of the municipality with the largest population

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

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1 the member's duties as provided in the state travel policies and
 2 procedures established by the Indiana department of
 3 administration and approved by the budget agency. Money paid
 4 under subdivision (1) may only be paid from money available to
 5 the commission at the time of reimbursement.

6 (b) A county may pay members of a commission the salary per
 7 diem provided by IC 4-10-11-2.1(b) for the performance of the
 8 member's duties on the commission.

9 Sec. 9. (a) A commission shall meet at least four (4) times each
 10 calendar year.

11 (b) The following may call a meeting:

12 (1) The chairperson.

13 (2) The executive director.

14 (3) A quorum of the commission's members.

15 (c) A commission shall adopt bylaws specifying a quorum
 16 requirement.

17 (d) A member may waive notice of any meeting by filing a
 18 written waiver with the secretary of the commission.

19 Sec. 10. (a) A commission may do the following:

20 (1) Manage the commission's internal affairs.

21 (2) Employ staff.

22 (3) Subject to section 12 of this chapter, enter into contracts
 23 for purposes of this chapter.

24 (4) Exercise the powers of a political subdivision specified in
 25 a cooperative agreement described in section 12 of this
 26 chapter.

27 (5) Provide a forum for the discussion, study, and evaluation
 28 of water resource issues of common concern in the river
 29 basin.

30 (6) Facilitate and foster cooperative planning and
 31 coordinated management of the basin's water and related
 32 land resources.

33 (7) Develop positions on major water resource issues and
 34 serve as an advocate of the basin's interests before Congress
 35 and federal, state, and local governmental agencies.

36 (8) Develop plans and tools to improve water quality or
 37 mitigate flooding in the basin.

38 (9) Publicize, advertise, and distribute reports on the
 39 commission's purposes, objectives, studies, and findings.

40 (10) When requested, make recommendations in matters
 41 related to the commission's functions and objectives to
 42 political subdivisions in the basin and to other public and

SB 224—LS 6685/DI 150



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1 private agencies.

2 (11) When requested, act as a coordinating agency for
 3 programs and activities of other public and private agencies
 4 that are related to the commission's objectives.

5 (12) Invite government officials of other states within the
 6 river basin to:

7 (A) attend the commission's meetings; and

8 (B) advise the commission upon the commission's
 9 request.

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

13 (c) This section does not exempt the commission from any
 14 other statute.

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

16 (1) Keep a record of the commission's resolutions,
 17 transactions, and findings. A record under this subdivision
 18 is a public record.

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

22 (A) The governor.

23 (B) Any member of the general assembly.

24 (3) Prepare and adopt an annual budget.

25 (4) Submit the budget described in subdivision (3) to the
 26 executive of each participating county and, upon request,
 27 make the budget available to each agency appropriating
 28 money to the commission.

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

33 (b) If a commission intends to enter into a cooperative
 34 agreement under subsection (a), the commission shall post public
 35 notice of the proposed cooperative agreement at least ten (10)
 36 business days before the meeting at which the cooperative
 37 agreement is scheduled to be voted on by the commission.

38 (c) Before a commission may vote on the cooperative
 39 agreement under this section, the cooperative agreement must be
 40 approved by the department.

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

SB 224—LS 6685/DI 150



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- 1 (1) Require that increased water runoff resulting from new
- 2 construction be impounded on the construction site.
- 3 (2) Permit the requirement of onsite water impoundment
- 4 under subdivision (1) to be waived upon payment of a
- 5 reasonable fee by the developer of the new construction.
- 6 (3) Restrict construction within the one hundred (100) year
- 7 flood plains of the river basin.
- 8 Sec. 14. (a) The commission may establish an executive board
- 9 consisting of the following:
- 10 (1) The chairperson of the commission.
- 11 (2) One (1) member from each participating county that is
- 12 not represented by the chairperson, to be chosen in a manner
- 13 prescribed by the commission's bylaws.
- 14 (b) The commission may delegate to the executive board the
- 15 power to do the following:
- 16 (1) Recommend agenda items and activities to the
- 17 commission.
- 18 (2) Conduct hearings on proposed commission projects.
- 19 (3) Perform other administrative duties assigned by the
- 20 commission.
- 21 Sec. 15. (a) The commission may appoint an advisory
- 22 committee to assist the commission.
- 23 (b) A member of an advisory committee is not entitled to
- 24 compensation for serving on the advisory committee.
- 25 Sec. 16. The commission may adopt a bylaw to govern member
- 26 participation in:
- 27 (1) a commission's; or
- 28 (2) an executive board's;
- 29 meeting by electronic communication.
- 30 Sec. 17. (a) A commission may receive grants and
- 31 appropriations from the following:
- 32 (1) Federal, state, and local governments.
- 33 (2) Individuals, foundations, and other organizations.
- 34 However, a commission is not eligible for funding through the
- 35 Wabash River heritage corridor commission established by
- 36 IC 14-13-6-6.
- 37 (b) The commission may enter into an agreement or contract
- 38 regarding the acceptance or use of the grants and appropriations
- 39 described in subsection (a) for the purpose of carrying out the
- 40 commission's activities under this chapter.
- 41 Sec. 18. (a) A participating county may budget, appropriate,
- 42 and disburse money to carry out the purposes of the commission

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under this chapter.

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

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

(2) divided equally among the participating counties.

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

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

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

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

(1) prescribe the methods and forms for keeping; and

(2) periodically audit;

the accounts, records, and books of the commission.

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

(1) Applicable statutes.

(2) Procedures established by the commission.

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

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

(A) within; or

(B) adjacent to if part of the same parcel;

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

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

(A) within; or

(B) adjacent to if part of the same parcel;

the one hundred (100) year flood plains of the basin for the

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purpose of removing those improvements.
(3) Acquire, dispose of, hold, use, improve, maintain, operate, own, manage, or lease real or personal property by grant, gift, purchase, or devise for the purposes of this chapter.

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

- (1) For purposes of IC 32-23-5.
- (2) To contribute to the following:
 - (A) Flood mitigation.
 - (B) Flood damage reduction.
 - (C) Improvements in water quality.
 - (D) Soil conservation.

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

- (1) enter the land lying within the one hundred (100) year flood plain of any watercourse in the river basin; and
- (2) enter land lying outside the one hundred (100) year flood plain to gain access to land lying within the one hundred (100) year flood plain in the river basin;

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

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

- (1) an owner of the affected land;
- (2) a contract purchaser of the affected land; or
- (3) if the land is municipal property (as described in IC 6-1.1-10-5(a)), the executive of the municipality;

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

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

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

- (1) crops; or

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1 (2) fences, buildings, and other structures.
2 (e) Neither the commission, the executive board, nor
3 employees or authorized representatives of the commission acting
4 under this chapter commits criminal trespass under IC 35-43-2-2
5 by entering land described in subsection (a) for a purpose set forth
6 in subsection (a).
7 SECTION 39. IC 14-30-7 IS ADDED TO THE INDIANA CODE
8 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2026]:
10 Chapter 7. Conversion to Watershed Development
11 Commission
12 Sec. 1. (a) For purposes of this section, the following definitions
13 apply:
14 (1) "Commission" refers to the Maumee River basin
15 commission.
16 (2) "Maumee River basin" means the area in Adams County,
17 Allen County, DeKalb County, Noble County, Steuben
18 County, and Wells County that drains into the Maumee
19 River and the tributaries of the Maumee River.
20 (3) "Participating county" refers to a county that has joined
21 the Maumee River basin commission under IC 14-30-6-4.
22 (b) The commission:
23 (1) may; but
24 (2) is not required to;
25 consider a proposal to transform the commission from a river
26 basin commission subject to IC 14-30-6 into a watershed
27 development commission subject to IC 14-30.5.
28 (c) For the commission to be transformed from a river basin
29 commission subject to IC 14-30-6 into a watershed development
30 commission subject to IC 14-30.5:
31 (1) the county executives of all participating counties:
32 (A) must approve the proposal described in subsection
33 (b); and
34 (B) must adopt substantively identical ordinances that
35 set forth the flood damage reduction, drainage, storm
36 water management, or soil and water conservation
37 purposes for which the proposed watershed
38 development commission would be established, and, for
39 purposes of IC 14-30.5-2-0.5, the designated watershed
40 within which the proposed watershed development
41 commission would exercise its powers; and
42 (2) a majority of the voting members of the commission must

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1 vote in favor of the transformation of the commission into a
 2 watershed development commission in accordance with the
 3 ordinances adopted under subdivision (1)(B) and the
 4 provisions of this section.

5 (d) For the county executive of a participating county to
 6 approve a proposal described in subsection (b) under subsection
 7 (c)(1)(A), at least two (2) of the three (3) members of the county
 8 executive must vote in favor of the proposal.

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

15 (f) If the county executives of all participating counties
 16 approve a proposal described in subsection (b) under subsection
 17 (c)(1)(A) and adopt substantively identical ordinances under
 18 subsection (c)(1)(B), a majority of the voting members of the
 19 commission vote in favor of the transformation of the commission
 20 into a watershed development commission under subsection (c)(2),
 21 and the department approves the transformation of the
 22 commission into a watershed development commission with the
 23 purposes set forth in the ordinances adopted under subsection
 24 (c)(1)(B), the following apply:

25 (1) The commission shall notify the department of the
 26 approval of the proposal.

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

32 (3) The board of the watershed development commission
 33 consists of the following:

34 (A) The director of the department or the director's
 35 designee.

36 (B) The county surveyor of each county participating in
 37 the commission.

38 (C) A member of the county executive from each county
 39 participating in the commission or the member's
 40 designee.

41 (D) One (1) individual to represent each second class city
 42 that is located in a participating county and within the

SB 224—LS 6685/DI 150



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Maumee River basin, appointed by:

- (i) the board of storm water management (as described in IC 8-1.5-5-4) of the second class city;
- or
- (ii) if the second class city has no board of storm water management, the executive of the second class city.

(E) A member of the county soil and water conservation district board from each participating county within the Maumee River basin or the member's designee.

(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)(1)(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 under IC 14-30.5-4 of the board of the watershed development commission:

- (A) the Maumee River basin commission ceases to exist as a separate municipal corporation under IC 14-30-6;
- (B) the Maumee watershed development commission is established as a public body corporate and politic under IC 14-30.5;
- (C) the participating counties of the Maumee River basin commission become member counties of the Maumee watershed development commission under IC 14-30.5; and
- (D) each participating county of the Maumee River basin commission is authorized to appoint a member of the county executive or the member's designee under IC 14-30.5-4-1 to represent the county on the board of the Maumee watershed development commission.

(g) If established under this section, the Maumee watershed development commission:

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

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of;
the former Maumee River basin commission.

(h) If established under this section, the Maumee watershed development commission has all of the powers and duties of a watershed development commission under IC 14-30.5 in the areas of the watershed of the Maumee River and the tributaries of the Maumee River that are within the boundaries of the member counties of the Maumee watershed development commission. For the purposes of IC 14-30.5, the areas of the watershed of the Maumee River and the tributaries of the Maumee River that are within the boundaries of the member counties of the Maumee watershed development commission comprise the designated watershed of the Maumee watershed development commission.

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

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

- (1) become property, records, and funds of the Maumee watershed development commission; and
- (2) shall be transmitted to the Maumee watershed development commission not more than sixty (60) days after the appointment of the executive director under subsection (i).

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

- (1) "Commission" refers to the St. Joseph River basin commission.
- (2) "Participating county" refers to a county that has joined the St. Joseph River basin commission under IC 14-30-6-4.
- (3) "St. Joseph River basin" means the area in Elkhart County, Kosciusko County, LaGrange County, Noble County, St. Joseph County, and Steuben County that drains into the St. Joseph River.

(b) The commission:

- (1) may; but
- (2) is not required to;

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1 consider a proposal to transform the commission from a river
2 basin commission subject to IC 14-30-6 into a watershed
3 development commission subject to IC 14-30.5.

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

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

8 (A) must approve the proposal described in subsection
9 (b); and

10 (B) must adopt substantively identical ordinances that
11 set forth the information required by IC 14-30.5-2-1(b),
12 including, for purposes of IC 14-30.5-2-0.5, the
13 designated watershed within which the proposed
14 watershed development commission would exercise its
15 powers; and

16 (2) a majority of the voting members of the commission must
17 vote in favor of the transformation of the commission into a
18 watershed development commission in accordance with the
19 ordinances adopted under subdivision (1)(B) and the
20 provisions of this section.

21 (d) For the county executive of a participating county to
22 approve a proposal described in subsection (b) under subsection
23 (c)(1)(A), at least two (2) of the three (3) members of the county
24 executive must vote in favor of the proposal.

25 (e) If a member of the county executive of a participating
26 county has designated another individual under IC 14-30-6-6 to fill
27 the member's position on the commission, the individual
28 designated to fill the member's position may vote under subsection
29 (c)(2) on the proposal described in subsection (b).

30 (f) If the county executives of all participating counties
31 approve a proposal described in subsection (b) under subsection
32 (c)(1)(A) and adopt substantively identical ordinances under
33 subsection (c)(1)(B), a majority of the voting members of the
34 commission vote in favor of the transformation of the commission
35 into a watershed development commission under subsection (c)(2),
36 and the department approves the transformation of the
37 commission into a watershed development commission with the
38 purposes set forth in the ordinances adopted under subsection
39 (c)(1)(B), the following apply:

40 (1) The commission shall notify the department of the
41 approval of the proposal.

42 (2) The officers of the commission elected under IC 14-30-6-7

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shall take the actions necessary and appropriate to the transformation of the commission from a river basin commission subject to IC 14-30-6 into a watershed development commission subject to IC 14-30.5.

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

(A) The director of the department or the director's 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

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(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 under IC 14-30.5-4 of the board of the watershed development commission:

(A) the St. Joseph River basin commission ceases to exist as a separate municipal corporation under IC 14-30-6;

(B) the St. Joseph watershed development commission is established as a public body corporate and politic under IC 14-30.5;

(C) the participating counties of the St. Joseph River basin commission become member counties of the St. Joseph watershed development commission under IC 14-30.5; and

(D) each participating county of the St. Joseph River basin commission is authorized to appoint an individual described in subdivision (3)(C) to represent the county on the board of the St. Joseph watershed development commission.

(g) If established under this section, the St. Joseph watershed development commission:

(1) is a continuation of;

(2) retains the property and rights of; and

(3) is responsible for the actions and subject to the liabilities of;

the former St. Joseph River basin commission.

(h) If established under this section, the St. Joseph watershed development commission has all of the powers and duties of a watershed development commission under IC 14-30.5 in the areas of the watershed of the St. Joseph River and the tributaries of the St. Joseph River that are within the boundaries of the member counties of the St. Joseph watershed development commission. For the purposes of IC 14-30.5, the areas of the watershed of the St. Joseph River and the tributaries of the St. Joseph River that are within the boundaries of the member counties of the St. Joseph watershed development commission comprise the designated watershed of the St. Joseph watershed development commission.

(i) If the St. Joseph watershed development commission is

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1 established under this section, the board of the St. Joseph
2 watershed development commission shall appoint an executive
3 director under IC 14-30.5-4-2(e). An individual who was the
4 executive director of the St. Joseph River basin commission may be
5 appointed executive director of the St. Joseph watershed
6 development commission under this subsection.

7 (j) If the St. Joseph watershed development commission is
8 established under this section, the following apply:

9 (1) All property, records, and funds of the St. Joseph River
10 basin commission:

11 (A) become property, records, and funds of the St.
12 Joseph watershed development commission; and

13 (B) shall be transmitted to the St. Joseph watershed
14 development commission not more than sixty (60) days
15 after the appointment of the executive director under
16 subsection (i).

17 (2) Any advisory committee appointed under IC 14-30-6-15
18 is dissolved.

19 (3) The individuals serving as members of the St. Joseph
20 River basin commission under IC 14-30-6 become the
21 members of the advisory committee of the St. Joseph
22 watershed development commission. Upon the expiration
23 under IC 14-30-6-5 or other termination of the term of office
24 of an individual described in this subdivision, the office of the
25 individual shall be filled by a successor according to
26 subdivision (4).

27 (4) As provided in subdivision (3) and IC 14-30.5-4-5(c)(3),
28 upon the termination of the terms of office of all of the
29 individuals who become members of the advisory committee
30 under subdivision (3), the advisory committee of the St.
31 Joseph watershed development commission shall consist of
32 the following members:

33 (A) From each participating county the following:

34 (i) The executive of each second class city that is
35 located in the participating county and within the
36 St. Joseph River basin, or the executive's designee.

37 (ii) If the county does not have a second class city
38 that is located within the St. Joseph River basin, the
39 executive of the municipality that has the largest
40 population of all municipalities that are located in
41 the participating county and within the St. Joseph
42 River basin, or the executive's designee.

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- 1 (B) A member of the county executive or the county
- 2 executive's designee from each participating county.
- 3 (C) The county health officer or the health officer's
- 4 designee from each participating county.
- 5 (D) The county surveyor of each participating county or
- 6 the county surveyor's designee.
- 7 (E) A representative of each soil and water conservation
- 8 district that:
 - 9 (i) is subject to IC 14-32;
 - 10 (ii) includes territory in a participating county; and
 - 11 (iii) includes territory in the St. Joseph River basin.
- 12 (F) The director of the St. Joseph watershed
- 13 development commission or the director's designee.

14 Sec. 3. (a) For purposes of this section, the following definitions
 15 apply:

- 16 (1) "Commission" refers to the Upper Wabash River basin
- 17 commission.
- 18 (2) "Participating county" refers to a county that has joined
- 19 the Upper Wabash River basin commission under
- 20 IC 14-30-6-4.
- 21 (3) "Upper Wabash River basin" means the area located in
- 22 Adams County, Huntington County, Jay County, or Wells
- 23 County that is drained by the Wabash River, including the
- 24 tributaries of the Wabash River.

25 (b) The commission:

- 26 (1) may; but
- 27 (2) is not required to;

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

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

- 34 (1) the county executives of all participating counties:
 - 35 (A) must approve the proposal described in subsection
 - 36 (b); and
 - 37 (B) must adopt substantively identical ordinances that
 - 38 set forth the information required by IC 14-30.5-2-1(b),
 - 39 including, for the purposes of IC 14-30.5-2-0.5, the
 - 40 designated watershed within which the proposed
 - 41 watershed development commission would exercise its
 - 42 powers; and

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1 (2) a majority of the voting members of the commission must
 2 vote in favor of the transformation of the commission into a
 3 watershed development commission in accordance with the
 4 ordinances adopted under subdivision (1)(B) and the
 5 provisions of this section.

6 (d) For the county executive of a participating county to
 7 approve a proposal described in subsection (b) under subsection
 8 (c)(1)(A), at least two (2) of the three (3) members of the county
 9 executive must vote in favor of the proposal.

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

15 (f) If the county executives of all participating counties
 16 approve a proposal described in subsection (b) under subsection
 17 (c)(1)(A) and adopt substantively identical ordinances under
 18 subsection (c)(1)(B), a majority of the voting members of the
 19 commission vote in favor of the transformation of the commission
 20 into a watershed development commission under subsection (c)(2),
 21 and the department approves the transformation of the
 22 commission into a watershed development commission with the
 23 purposes set forth in the ordinances adopted under subsection
 24 (c)(1)(B), the following apply:

25 (1) The commission shall notify the department of the
 26 approval of the proposal.

27 (2) The officers of the commission elected under IC 14-30-6-7
 28 shall take the actions necessary and appropriate to the
 29 transformation of the commission from a river basin
 30 commission subject to IC 14-30-6 into a watershed
 31 development commission subject to IC 14-30.5.

32 (3) The board of the watershed development commission
 33 consists of the following:

34 (A) The director of the department or the director's
 35 designee.

36 (B) The county surveyor of each county participating in
 37 the commission.

38 (C) An individual other than the county surveyor
 39 representing each county participating in the
 40 commission, appointed by the county executive.

41 (D) Either:

42 (i) one (1) individual appointed to represent each

SB 224—LS 6685/DI 150



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second class city that is located in a participating county and within the upper Wabash River basin; or (ii) if a participating county does not include a second class city that is located within the upper Wabash 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 upper Wabash 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 upper Wabash 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 under IC 14-30.5-4 of the board of the watershed development commission:

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

(B) the Upper Wabash watershed development commission is established as a public body corporate

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

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1 development commission not more than sixty (60) days after
 2 the appointment of the executive director under subsection
 3 (i).
 4 SECTION 40. IC 14-30.5-2-0.5, AS ADDED BY P.L.251-2023,
 5 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2026]: Sec. 0.5. (a) Notwithstanding subsection (b), this
 7 chapter does not authorize the creation of a watershed development
 8 commission if the area in which the watershed development
 9 commission could exercise the powers conferred by this article would
 10 include any part of the area in which a river basin commission
 11 established ~~under:~~ by IC 14-30-6-2
 12 (1) IC 14-30-2;
 13 (2) IC 14-30-3; or
 14 (3) IC 14-30-4;
 15 is authorized to exercise its powers.
 16 (b) This section does not prohibit:
 17 (1) the transformation of the Maumee River basin commission
 18 into a watershed development commission under ~~IC 14-30-2-25;~~
 19 IC 14-30-7-1;
 20 (2) the transformation of the St. Joseph River basin commission
 21 into a watershed development commission under ~~14-30-3-33;~~
 22 IC 14-30-7-2; or
 23 (3) the transformation of the upper Wabash River basin
 24 commission into a watershed development commission under
 25 ~~IC 14-30-4-20; IC 14-30-7-3;~~
 26 on the grounds that the watershed development commission resulting
 27 from the transformation would be authorized to exercise its powers in
 28 all or any part of the area in which the transformed river basin
 29 commission was authorized to exercise its powers before the
 30 transformation.
 31 SECTION 41]. IC 14-30.5-2-2, AS AMENDED BY P.L.92-2025,
 32 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2026]: Sec. 2. (a) If one (1) county executive submits an
 34 ordinance and a written request for recognition of a proposed
 35 watershed development commission under section 1(c) of this chapter,
 36 the natural resources commission shall decide under subsections (c)
 37 through (e) whether to recognize the proposed commission.
 38 (b) If the county executives of two (2) or more counties submit
 39 ordinances and written requests under section 1(c) of this chapter for
 40 recognition of a single proposed watershed development commission
 41 empowered to act in a single designated watershed that includes areas
 42 within both or all of the counties:

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SB 224—LS 6685/DI 150



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

5 (A) identifying the designated watershed; and

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

7 (2) if the natural resources commission determines that the
 8 requirement set forth in subdivision (1) is met, the natural
 9 resources commission shall decide under subsections (c) through
 10 (e) whether to recognize the proposed commission.

11 (c) Before making a decision whether to recognize a proposed
 12 commission under this section, the **division of water, on behalf of the**
 13 **]**natural resources commission, shall hold at least one (1) public
 14 hearing concerning the proposed commission in each county whose
 15 executive submitted an ordinance and a written request for recognition
 16 of the proposed commission under section 1(c) of this chapter. Any
 17 interested person attending a public hearing held under this subsection
 18 shall have the right to:

19 (1) address the natural resources commission; and

20 (2) provide written comments;

21 on whether the proposed commission should be established. The
 22 **division of water, on behalf of the** natural resources commission, may
 23 convene the meeting, record the testimony given, and receive the
 24 written comments provided.

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

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

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

32 (e) In deciding whether to recognize a proposed commission, the
 33 natural resources commission shall determine the answer to each of the
 34 following questions:

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

40 (2) Do the purposes of the proposed commission, as set forth in
 41 the ordinance or ordinances under section 1(b)(3) of this chapter,
 42 correspond to legitimate flood damage reduction, drainage,

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SB 224—LS 6685/DI 150



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

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SB 224—LS 6685/DI 150



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- 1 (1) executives of two (2) or more counties submit ordinances and
- 2 requests for recognition of a proposed watershed development
- 3 commission under section 1(c) of this chapter; and
- 4 (2) the natural resources commission answers all of the questions
- 5 set forth in subsection (e) favorably with respect to at least one
- 6 (1) of the counties;

7 the natural resources commission shall issue an order recognizing the
 8 watershed development commission and recognizing as a member of
 9 the watershed development commission each county with respect to
 10 which the natural resources commission answered all of the questions
 11 set forth in subsection (e) favorably.

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

- 15 (1) inform the executive of the county in writing of its decision;
- 16 and
- 17 (2) specify in the writing the reason or reasons for each
- 18 unfavorable answer.

19 (i) The action of the natural resources commission under this
 20 section in declining to recognize a proposed watershed development
 21 commission for a particular watershed does not preclude the later
 22 submission of one (1) or more new ordinances and written requests for
 23 recognition of a proposed watershed development commission for the
 24 same designated watershed.

25 (j) An action of the natural resources commission under this
 26 section declining to recognize a particular county as a member of a
 27 watershed development commission does not preclude the later
 28 submission of:

- 29 (1) another ordinance and written request under section 1(c) of
- 30 this chapter for recognition of the county as a member of another
- 31 proposed watershed development commission; or
- 32 (2) an ordinance and written request under section 4 or 5 of this
- 33 chapter proposing the county for membership in an established
- 34 watershed development commission.

35 SECTION ~~26~~[42]. IC 14-30.5-2-6, AS AMENDED BY
 36 P.L.92-2025, SECTION 51, IS AMENDED TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) A county to which section 4
 38 or 5 of this chapter applies may not become a member of an existing
 39 watershed development commission unless:

- 40 (1) the executives of all of the counties that are members of the
- 41 existing commission adopt ordinances accepting the county as a
- 42 member county of the existing commission; and

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SB 224—LS 6685/DI 150



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

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SB 224—LS 6685/DI 150



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1 (4) Is the territory of the proposed commission at least as large
 2 as the entirety of the same eight (8) digit U.S. Geological Survey
 3 hydrologic unit code?
 4 (5) Has a regional watershed study or watershed management
 5 plan been conducted in consultation with Indiana finance
 6 authority and the department of natural resources that assesses
 7 water use, water quality, drinking water systems, wastewater
 8 management systems, storm water management, flood control,
 9 drainage management, recreational uses, natural resources, and
 10 water infrastructure needs of the watershed of the proposed
 11 commission? If so, can the establishment of the proposed
 12 commission be expected to address the needs identified in that
 13 study or management plan?
 14 (e) If the natural resources commission answers all of the
 15 questions set forth in subsection (d) favorably, the natural resources
 16 commission shall issue an order recognizing the membership of the
 17 county in the existing commission.
 18 (f) If the natural resources commission does not answer all of the
 19 questions set forth in subsection (d) favorably, the natural resources
 20 commission shall inform the executive of the county to which section
 21 4 or 5 of this chapter applies in writing of its decision and specify in the
 22 writing the reason or reasons for each unfavorable answer.
 23 (g) An action of the natural resources commission under this
 24 section declining to recognize a county as a member of an established
 25 watershed development commission does not preclude the later
 26 submission of another ordinance under section 4 or 5 of this chapter
 27 seeking membership for the county in an existing commission.
 28 [SECTION 43. IC 14-30.5-4-5, AS ADDED BY P.L.251-2023,
 29 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2026]: Sec. 5. (a) There is established for each watershed
 31 development commission an advisory committee to provide counsel to
 32 the board of the commission.
 33 (b) Except as provided in subsection (c), a watershed development
 34 commission advisory committee established under this section consists
 35 of a member or representative of the board of supervisors of the soil
 36 and water conservation district of each county that is a member of the
 37 commission, selected by the board of supervisors.
 38 (c) If the St. Joseph watershed development commission is
 39 established under ~~IC 14-30-3-33~~: IC 14-30-7-2:
 40 (1) the individuals serving as members of the St. Joseph River
 41 basin commission under ~~IC 14-30-3-8~~ IC 14-30-6-5 become
 42 members of the advisory committee of the St. Joseph watershed

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1 development commission;
 2 (2) the term of office of an individual who becomes a member of
 3 the advisory committee of the St. Joseph watershed development
 4 commission under subdivision (1) is as provided in
 5 IC 14-30-3-9; IC 14-30-7-2; and
 6 (3) upon:
 7 (A) the expiration under IC 14-30-3-9; IC 14-30-6-5; or
 8 (B) the termination under any other circumstances;
 9 of the term of office of an individual described in subdivision
 10 (1), the office of the individual shall be filled by a successor
 11 according to IC 14-30-3-33(i)(4). IC 14-30-7-2(j)(4).

12] SECTION ~~27~~[44]. IC 14-33-2-19 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 19. (a) In determining
 14 the facts, the **division of water, on behalf of the** commission, shall **do**
 15 **the following:**

- 16 (1) Hold hearings at which the **commission division of water**
 17 shall give any interested person the right to be heard.
- 18 (2) At the request of an interested person, **the commission shall**
 19 hold hearings at the county seat of a county containing land in
 20 the proposed district.
- 21 (3) **The commission shall** Choose the county seat.

22 (b) The **commission division of water** shall give notice of the
 23 hearings by publication at least one (1) time in one (1) newspaper of
 24 general circulation in each county containing land in the proposed
 25 district.

26 SECTION ~~28~~[45]. IC 14-33-2-22 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 22. The commission,
 28 **in coordination with the department**, shall make a report of the
 29 commission's findings to the court, including findings on the territorial
 30 limits of the proposed district. The commission shall make this report
 31 within one hundred twenty (120) days after the petition is referred to
 32 the commission, unless the commission requests and receives approval
 33 from the court for additional periods of thirty (30) days each. [
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