

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

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

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

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

SENATE ENROLLED ACT No. 230

AN ACT to amend the Indiana Code concerning agriculture and animals.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 14-32-4-1, AS AMENDED BY P.L.129-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 1. (a) The governing body of a district consists of five (5) supervisors as follows:

- (1) Two (2) who are appointed.
 - (2) Three (3) who are elected.
- (b) To hold the position of elected supervisor, an individual:
- (1) must be an occupier of a tract of land that is located within the district;
 - (2) must maintain the individual's permanent residence within the district; ~~and~~
 - (3) must be qualified by training and experience to perform the duties that this article imposes on supervisors; **and**
 - (4) **must complete training provided by the division of soil conservation within a year of being placed on the governing body of a district.**
- (c) To hold the position of appointed supervisor, an individual:
- (1) must be of voting age;
 - (2) must maintain the individual's permanent residence within the district; ~~and~~
 - (3) must be qualified by training and experience to perform the

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duties that this article imposes on supervisors; and
(4) must complete training provided by the division of soil conservation within a year of being placed on the governing body of a district.

SECTION 2. IC 14-32-4-6, AS AMENDED BY P.L.129-2011, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) During the first quarter of each calendar year, each district shall hold an annual meeting of all land occupiers in the district. The meeting shall be held on a date designated by the supervisors. The supervisors shall give due notice of the time and place of the meeting.

(b) At the meeting:

- (1) the supervisors shall make a full and an accurate report of the activities and financial affairs of the district since the previous annual meeting; and
- (2) an election shall be conducted by the land occupiers present to elect one (1) supervisor to a three (3) year term of office beginning on the date of the meeting.

(c) ~~The supervisors shall provide a copy of the annual report presented at the meeting to the board and;~~ **Each district shall provide a copy of its annual report to the local governing body, the public, and the division of soil conservation at the district's annual meeting. A district shall also make the report available, upon request, to:**

- (1) other cooperating agencies;
- (2) residents of the district; and
- (3) any other individual or entity that requests a copy of the annual report.

SECTION 3. IC 14-32-4-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 7. (a) The election held at the annual meeting of land occupiers shall be conducted by an election committee appointed under this section.

(b) ~~In~~ **Not later than October 31**, the district chairman shall do the following:

- (1) Appoint an election committee made up of a supervisor as chairman and two (2) ~~interested~~ **citizens who reside in the county.**
- (2) Submit the names of the committee members to the board by November 1.

Associate supervisors and staff of the division of soil conservation shall not serve on the election committee.

SECTION 4. IC 14-32-4-8, AS AMENDED BY P.L.129-2011,



SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. **(a)** The election committee appointed under section 7 of this chapter shall do the following:

- (1) Select qualified individuals as prospective nominees to fill any vacancies that exist among the elected supervisors of the district.
- (2) Contact and ascertain the willingness and ability of each individual to serve if elected.
- (3) Submit the list of nominees with the qualifications for certification and printing of a sample ballot to the board by December 1.
- (4) Place the names of the prospective nominees selected under subdivisions (1) and (2) in nomination at the meeting and provide an opportunity for additional nominations to be made from the floor.
- (5) After nominations are closed:
 - (A) if only one (1) candidate is nominated, allow for the election of the sole candidate by the land occupiers by a show of hands; and
 - (B) if more than one (1) candidate is nominated, distribute a ballot to each land occupier present at the meeting.
- (6) If a ballot is distributed, collect and count the ballots after each land occupier present at the meeting has had an opportunity to vote.
- (7) Report the results of the election to the chairman.

(b) If an election committee does not fulfill the requirements of subsection (a):

- (1) no election shall be held; and**
- (2) the governing body of a district shall fill the positions in the manner described by section 13 of this chapter.**

SECTION 5. IC 14-32-4-10.5, AS ADDED BY P.L.175-2006, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10.5. (a) The ~~board~~ **governing body of a district** may appoint associate supervisors to assist in performing duties in each district.

(b) Associate supervisors are nonvoting members of the ~~board~~ **governing body of a district** and may not hold officer positions on the ~~board~~ **governing body of a district**.

(c) Associate supervisors may be reimbursed for approved expenses but are not entitled to per diem.

SECTION 6. IC 14-32-4-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 13. (a) If a vacancy in the position of elected supervisor occurs during the district's operating



year:

- (1) the district supervisors shall, within thirty (30) days after the vacancy occurs, recommend to the board in writing one (1) or more individuals qualified to fill the position;
- (2) at the first board meeting held after the board receives a recommendation under subdivision (1), the board shall act upon the recommendation and appoint an individual to temporarily fill the vacancy; and
- (3) the board shall notify the supervisors of the appointment made by the board.

(b) The individual appointed to temporarily fill a vacancy under subsection (a) shall serve until the district's next annual meeting.

(c) At the annual meeting immediately following the appointment of an individual to temporarily fill a vacant elected supervisor's position, the position shall be filled through the regular election procedure set forth in sections 6 through 9 of this chapter.

(d) If three (3) or more vacant unexpired terms occur simultaneously in the district, the board shall make appointments to fill the vacancies.

SECTION 7. IC 14-32-5-4, AS AMENDED BY P.L.120-2008, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) As used in this section, "landfill" means a facility where solid waste is to be disposed of through placement on or beneath the surface of the ground. However, the term does not include any of the following:

- (1) A land application operation regulated under 327 IAC 6.
- (2) A surface impoundment.
- (3) An injection well.
- (4) A facility for the disposal of solid waste other than sludge from a municipal wastewater treatment plant that is:
 - (A) generated at the site of the facility; or
 - (B) generated by the owner or operator of the facility.
- (5) An operation permitted under IC 14-34.

(b) As used in this section, "underground injection" means the subsurface emplacement of fluids through:

- (1) a bored, drilled, or driven shaft; or
- (2) a dug hole, the depth of which is greater than the hole's largest surface dimension.

(c) A district shall inspect every landfill located within the boundaries of the district for compliance with rules adopted under IC 13-18 or IC 13-19 concerning erosion and sediment control. Each landfill shall be inspected under this section at least two (2) times each

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calendar year as follows:

- (1) One (1) time before July 1.
- (2) One (1) time after June 30 and before December 31.

(d) Not later than ten (10) days after an inspection of a landfill under this section, the individual who conducted the inspection on behalf of the district shall prepare a written report on the results of the inspection and send the report to the following:

- (1) The executive of the county.
- (2) The commissioner of the department of environmental management.
- ~~(3) The director of the division of soil conservation established within the Indiana state department of agriculture by IC 15-11-4-1.~~

SECTION 8. IC 14-32-8-8, AS AMENDED BY P.L.95-2016, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) In addition to funds provided to a district under section 7 of this chapter or from any other source, the division of soil conservation shall pay to the district one dollar (\$1) for every one dollar (\$1) the district receives:

- (1) from a political subdivision; or
- (2) if a district receives no funding from a political subdivision, from any other funding source.

The board shall consider funds received from a source referred to in subdivision (2) as qualifying for matching payments under this subsection.

(b) Except as provided in section 8.2 of this chapter, the state is not obligated to match more than ten thousand dollars (\$10,000) under this section.

(c) In order to receive funding under this section each year, a district must certify to the division of soil conservation the amount of money the district received from all sources described in subsection (a)(1) or (a)(2) during the one (1) year period beginning January 1 of the previous year. The information prepared under this subsection must be part of the annual financial statement prepared and provided to the board under IC 14-32-4-22. The division of soil conservation shall make distributions under this section not later than July 15 of each year.

(d) Before making distributions under this section, the division of soil conservation shall determine the total amount of money that has been certified by all districts as having been provided by sources described in subsection (a)(1) or (a)(2). If the cumulative amount to be distributed to all districts exceeds the amount appropriated to the fund,

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the division of soil conservation shall reduce the distribution to each district proportionately.

(e) A district must spend money received under this section for the purposes of the district.

(f) If a district fails to provide a copy of its annual financial statement to the board by March 1, the district's funding shall be withheld until the financial statement is received by the board.

SECTION 9. IC 15-11-2-3, AS AMENDED BY P.L.9-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) As used in this section, "biomass" means agriculturally based sources of renewable energy, including the following:

- (1) Agricultural crops.
- (2) Agricultural wastes and residues.
- (3) Wood and wood byproducts, including the following:
 - (A) Wood residue.
 - (B) Forest thinning.
 - (C) Mill residue wood.
- (4) Animal wastes.
- (5) Animal byproducts.
- (6) Aquatic plants.
- (7) Algae.

The term does not include waste from construction and demolition.

(b) The department shall do the following:

- (1) Provide administrative and staff support for the following:
 - (A) The state fair board for purposes of carrying out the director's duties under IC 15-13-5.
 - (B) The Indiana corn marketing council for purposes of administering the duties of the director under IC 15-15-12.
 - (C) The Indiana dairy industry development board for purposes of administering the duties of the director under IC 15-18-5.
 - ~~(D)~~ **(D)** The Indiana land resources council under IC 15-12-5.
 - ~~(E)~~ **(D)** The Indiana grain buyers and warehouse licensing agency under IC 26-3-7.
 - ~~(F)~~ **(E)** The Indiana grain indemnity corporation under IC 26-4-3.
 - ~~(G)~~ **(F)** The division.
- (2) Administer the election of state fair board members under IC 15-13-5.
- (3) Administer state programs and laws promoting agricultural trade.

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(4) Administer state livestock or agriculture marketing grant programs.

(5) Administer economic development efforts for agriculture by doing the following:

(A) Promoting value added agricultural resources.

(B) Marketing Indiana agriculture to businesses internationally.

(C) Assisting Indiana agricultural businesses with developing partnerships with the Indiana economic development corporation.

(D) Soliciting private funding for selective economic development and trade initiatives.

(E) Providing for the orderly economic development and growth of Indiana's agricultural economy.

(F) Facilitating the use of biomass and algae production systems to generate renewable energy.

(6) Carry out the department's duties under IC 23-15-12.

SECTION 10. IC 15-12-5 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Indiana Land Resources Council).



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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