

PROPOSED AMENDMENT

SB 14 # 1

DIGEST

Vegetable gardens and livestock. Adds language that does the following: (1) Prohibits a county, city, or town (unit) from adopting or enforcing an ordinance that prevents a person from cultivating a vegetable garden on property in a residential zoning district (residential property). (2) Allows a unit to adopt or enforce an ordinance or regulation that imposes the same standards and requirements as those imposed on other residential property. Allows a unit to adopt ordinances and regulations regarding the keeping of livestock on residential property. Adds a provision prohibiting a unit from adopting an ordinance or regulation prohibiting an agricultural use on property that is zoned for agricultural use. Removes provisions regarding the right to grow food. Deletes language that: (1) prohibits a unit from preventing land from being used to grow food; and (2) allows a unit to regulate land use for growing food.

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- 1 Delete the title and insert the following:
2 A BILL FOR AN ACT to amend the Indiana Code concerning local
3 government.
4 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
5 "SECTION 1. IC 36-7-2.6 IS ADDED TO THE INDIANA CODE
6 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2025]:
8 **Chapter 2.6. Vegetable Gardens and Livestock in Residential**
9 **Districts**
10 **Sec. 1. As used in this chapter, "livestock" has the meaning set**
11 **forth in IC 15-11-5-1.**
12 **Sec. 2. As used in this chapter, "residential property" means**
13 **property that is zoned under IC 36-7-4 for residential use.**
14 **Sec. 3. As used in this chapter, "vegetable garden" means**
15 **property wholly located within a person's residential property that**
16 **is used to grow produce, herbs, fungi, or grains for one's own**
17 **consumption and enjoyment."**
18 Page 2, delete lines 1 through 13, begin a new paragraph and insert:
19 **"Sec. 4. A unit may not adopt or enforce an ordinance or**
20 **regulation that prohibits or has the effect of prohibiting a person**
21 **from cultivating a vegetable garden on:**
22 **(1) the person's residential property; or**

1 (2) the residential property of another person with the
2 permission of the property owner.

3 **Sec. 5. A unit may adopt ordinances and regulations imposing**
4 **standards and requirements on residential property containing a**
5 **vegetable garden if the standards and requirements are the same**
6 **as those imposed on other residential property, including standards**
7 **and requirements regarding:**

- 8 (1) height;
- 9 (2) setback;
- 10 (3) water use;
- 11 (4) fertilizer use; or
- 12 (5) control of invasive or unlawful species;

13 **to the extent that the standards and requirements do not conflict**
14 **with section 4 of this chapter.**

15 **Sec. 6. A unit may adopt and enforce ordinances and regulations**
16 **that restrict the keeping of livestock on residential property,**
17 **including restrictions on:**

- 18 (1) the types of livestock;
- 19 (2) the number of livestock;
- 20 (3) accessory buildings required for housing livestock; or
- 21 (4) the square footage of property required for the keeping of
- 22 **livestock."**

23 Page 2, line 14, delete "2." and insert "7."

24 Page 2, line 14, delete ":".

25 Page 2, delete lines 15 through 17.

26 Page 2, line 18, delete "(2)".

27 Page 2, run in lines 14 through 18.

28 Page 2, after line 20, begin a new paragraph and insert:

29 "SECTION 2. IC 36-7-2.7 IS ADDED TO THE INDIANA CODE
30 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2025]:

32 **Chapter 2.7. Agricultural Uses on Agricultural Property**

33 **Sec. 1. This chapter does not apply to the regulation of**
34 **beekeeping by a unit under IC 36-1-28-1.**

35 **Sec. 2. As used in this chapter, "agricultural property" means**
36 **property that is zoned under IC 36-7-4 for agricultural use.**

37 **Sec. 3. As used in this chapter, "agricultural use" has the**
38 **meaning set forth in IC 36-7-4-616 and IC 36-7-11.1-13.1.**

39 **Sec. 4. A unit may not adopt or enforce an ordinance or**
40 **regulation that prohibits or has the effect of prohibiting an**

1 **agricultural use on:**
2 **(1) the person's agricultural property; or**
3 **(2) the agricultural property of another person with the**
4 **permission of the owner.**

5 **Sec. 5. Nothing in this chapter prevents a unit from rezoning the**
6 **property to a use that is not an agricultural use. If the property is**
7 **rezoned, the use may be continued as an agricultural**
8 **nonconforming use under IC 36-7-4-616 or 36-7-11.1-13.1."**

(Reference is to SB 14 as introduced.)