

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington St., Suite 301
Indianapolis, IN 46204
(317) 233-0696
iga.in.gov

FISCAL IMPACT STATEMENT

LS 7012
BILL NUMBER: HB 1402

NOTE PREPARED: Jan 10, 2024
BILL AMENDED:

SUBJECT: Local Government Permits for Shoreline Structures.

FIRST AUTHOR: Rep. Smaltz
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: The bill amends the law concerning public freshwater lakes to provide that a person who intends to construct a boathouse or any other permanent structure that has both walls and a roof over, along, or lakeward of the shoreline or water line of a public freshwater lake must obtain a construction permit from the local building department of the county or municipality in which the construction would take place and need not obtain a permit from the Department of Natural Resources (DNR).

The bill amends the law concerning construction in floodways to provide that a person who intends to construct a boathouse or any other permanent structure that has both walls and a roof at the edge of a body of water in a floodway must obtain a construction permit from the local building department of the county or municipality in which the construction would take place and need not obtain a permit from the DNR.

Effective Date: July 1, 2024.

Explanation of State Expenditures: The bill could minimally reduce workload for the DNR as certain permit applications previously reviewed by the DNR would now be filed only with local permitting authorities.

Explanation of State Revenues: The bill could minimally reduce revenue to the DNR's Land and Water Resources fund as certain permits would no longer be required. These permit applications have a one-time fee of \$200.

Explanation of Local Expenditures: Local permitting authorities would no longer need to obtain prior approval from the Natural Resources Commission to issue a permit for construction of a boathouse or

permanent structure in a floodway or a public freshwater lake.

Explanation of Local Revenues:

State Agencies Affected: Department of Natural Resources; Natural Resources Commission.

Local Agencies Affected: Local floodplain permitting authorities; local building departments.

Information Sources:

<https://www.in.gov/dnr/water/files/wa-indiana-model-flood-damage-prevention-ordinance.pdf>

<https://www.in.gov/dnr/water/files/wa-local-floodplain-administrators-guide.pdf>

Fiscal Analyst: Heather Puletz, 317-234-9484.