

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1108

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AN ACT to amend the Indiana Code concerning local government.

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

SECTION 1. IC 36-7-2-14 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: **Sec. 14. (a) This section does not apply to development on a site that is located within an area that:**

**(1) the department of natural resources has determined to be the watershed area of a reservoir; and**

**(2) is a source of drinking water for a municipality.**

**(b) As used in this section, "development" means an improvement of any kind on land, including:**

**(1) residential dwellings;**

**(2) commercial buildings;**

**(3) accessory structures;**

**(4) driveways; and**

**(5) utilities.**

**(c) A unit may not adopt or enforce an ordinance or resolution that prohibits or has the effect of prohibiting development exclusively on the basis of slope, if the predevelopment slope of the site is less than twenty-five percent (25%).**

SECTION 2. IC 36-7-4-201.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: **Sec. 201.4. (a) This section does not apply to development on a site that is located within an area that:**

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**(1) the department of natural resources has determined to be the watershed area of a reservoir; and**

**(2) is a source of drinking water for a municipality.**

**(b) As used in this section, "development" means an improvement of any kind on land, including:**

**(1) residential dwellings;**

**(2) commercial buildings;**

**(3) accessory structures;**

**(4) driveways; and**

**(5) utilities.**

**(c) A unit may not adopt or enforce an ordinance or resolution that prohibits or has the effect of prohibiting development exclusively on the basis of slope, if the predevelopment slope of the site is less than twenty-five percent (25%).**



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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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