



January 23, 2024

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## SENATE BILL No. 105

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DIGEST OF SB 105 (Updated January 18, 2024 3:44 pm - DI 140)

**Citations Affected:** IC 36-9.

**Synopsis:** Updated Indiana Drainage Handbook. Requires the state department of agriculture (department) to oversee and take all actions necessary for the preparation and publication of an updated version of the Indiana Drainage Handbook. Authorizes the department to select a contractor to draft the updated version of the Indiana Drainage Handbook. Requires the secretary of agriculture and rural development to appoint an advisory board to advise the contractor and the department and to review and comment on the structure and the text of drafts of the updated Indiana Drainage Handbook. Provides that the advisory board must include representatives of certain organizations and state agencies and may include other members appointed by the secretary of agriculture and rural development.

**Effective:** July 1, 2024.

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January 8, 2024, read first time and referred to Committee on Natural Resources.  
January 22, 2024, reported favorably — Do Pass.

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SB 105—LS 6473/DI 55





January 23, 2024

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.

## SENATE BILL No. 105

A BILL FOR AN ACT to amend the Indiana Code concerning natural resources.

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

- 1 SECTION 1. IC 36-9-27.2 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2024]:  
4 **Chapter 27.2. Indiana Drainage Handbook**  
5 **Sec. 1. As used in this chapter, "department" refers to the**  
6 **Indiana state department of agriculture.**  
7 **Sec. 2. As used in this chapter, "Indiana Drainage Handbook"**  
8 **refers to the publication "Indiana Drainage Handbook: An**  
9 **Administrative and Technical Guide for Activities within Indiana**  
10 **Streams and Ditches", which was prepared by the Christopher B.**  
11 **Burke Engineering company in accordance with P.L. 329-1995,**  
12 **published in 1996, and revised and republished in 1999.**  
13 **Sec. 3. (a) The department shall oversee and take all actions**  
14 **necessary for the preparation and publication of an updated**  
15 **version of the Indiana Drainage Handbook.**  
16 **(b) The department may select a contractor to draft the updated**  
17 **version of the Indiana Drainage Handbook. The contractor**

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1 selected under this subsection shall be subject to the supervision of  
 2 the department, and the text developed by the contractor shall be  
 3 subject to review and comment by the advisory board established  
 4 by section 4 of this chapter.

5 Sec. 4. (a) The secretary of agriculture and rural development  
 6 shall appoint an Indiana Drainage Handbook advisory board to:

7 (1) advise the contractor and the department on the  
 8 preparation of the updated version of the Indiana Drainage  
 9 Handbook; and

10 (2) review and comment on:

11 (A) the structure of; and

12 (B) the text of drafts of;

13 the updated version of the Indiana Drainage Handbook.

14 (b) The advisory board must include the following:

15 (1) A representative of the department.

16 (2) A representative of the Indiana County Surveyor's  
 17 Association.

18 (3) A representative of the Indiana Association of County  
 19 Commissioners.

20 (4) A representative of the Indiana Association of Soil and  
 21 Water Conservation Districts.

22 (5) A representative of the American Council of Engineering  
 23 Companies.

24 (6) A representative of the department of natural resources.

25 (7) A representative of the department of environmental  
 26 management.

27 (8) A representative of the Indiana Farm Bureau, Inc.

28 (c) The secretary of agriculture and rural development:

29 (1) shall appoint one (1) member of the advisory board as  
 30 chairperson; and

31 (2) may appoint to the advisory board other individuals and  
 32 representatives of other organizations who, in the judgment  
 33 of the secretary of agriculture and rural development, have  
 34 knowledge and interests appropriate to membership on the  
 35 advisory board.

36 (d) A member of the advisory board serves until:

37 (1) the updated version of the Indiana Drainage Handbook is  
 38 published on the website of the department of natural  
 39 resources or the state department of agriculture; and

40 (2) the secretary of agriculture and rural development  
 41 declares that the work of the advisory board is concluded.

42 (e) The advisory board shall meet at the call of the chairperson.



- 1       **After the contractor is selected under section 3 of this chapter, the**  
2       **advisory board:**  
3               **(1) shall meet at least two (2) times to review the work of the**  
4               **contractor; and**  
5               **(2) may meet at other times at the call of the chairperson as**  
6               **the contractor's work on the updated Indiana Drainage**  
7               **Handbook progresses.**  
8               **(f) The department shall staff the advisory board.**  
9               **(g) The expenses of the advisory board shall be paid from funds**  
10              **appropriated to the department.**  
11              **(h) Each member of the advisory board who is not a state**  
12              **employee is entitled to the minimum salary per diem provided by**  
13              **IC 4-10-11-2.1(b). The member is also entitled to reimbursement**  
14              **for traveling expenses as provided under IC 4-13-1-4 and other**  
15              **expenses actually incurred in connection with the member's duties**  
16              **as provided in the state policies and procedures established by the**  
17              **Indiana department of administration and approved by the budget**  
18              **agency.**  
19              **(i) A vacancy on the advisory board shall be filled by**  
20              **appointment by the secretary of agriculture and rural**  
21              **development.**



COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Senate Bill No. 105, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 105 as introduced.)

GLICK, Chairperson

Committee Vote: Yeas 8, Nays 0

