

SENATE BILL No. 210

DIGEST OF INTRODUCED BILL

Citations Affected: IC 15-19-8.

Synopsis: Exclusive authority for in-state regulators. Provides that no out-of-state person or entity may enforce or carry out the laws, including administrative rules, of another state to inspect grounds or facilities located in Indiana and used for the production or raising of livestock, poultry, dairy products, or eggs. Provides that only in-state regulators with authority under Indiana law may enforce and carry out the laws, including administrative rules, of Indiana to inspect grounds or facilities located in Indiana and used for the production or raising of livestock, poultry, dairy products, or eggs. Provides that any testimony or evidence regarding any condition or event at grounds or facilities located in Indiana and used for the production or raising of livestock, poultry, dairy products, or eggs is not admissible in any criminal prosecution unless the testimony or evidence is offered under certain conditions.

Effective: July 1, 2022.

Tomes

January 6, 2022, read first time and referred to Committee on Agriculture.



Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

SENATE BILL No. 210



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

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

1 SECTION 1. IC 15-19-8 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2022]:

4 **Chapter 8. Inspection Authority**

5 **Sec. 1. (a) Subject to subsection (c), no out-of-state person or**
6 **entity may enforce or carry out the laws, including administrative**
7 **rules, of another state to inspect grounds or facilities located in**
8 **Indiana and used for the production or raising of livestock,**
9 **poultry, dairy products, or eggs.**

10 **(b) Subject to subsection (c), only in-state regulators with**
11 **authority under Indiana law may enforce and carry out the laws,**
12 **including administrative rules, of Indiana to inspect grounds or**
13 **facilities located in Indiana and used for the production or raising**
14 **of livestock, poultry, dairy products, or eggs. In-state regulators**
15 **with such authority include the following:**

16 **(1) Indiana state board of animal health established by**
17 **IC 15-17-3-1.**



- 1 **(2) The state veterinarian as appointed by the Indiana state**
 2 **board of animal health under IC 15-17-4-1(a).**
 3 **(3) Creamery examining board established by IC 15-18-2-9.**
 4 **(4) Indiana dairy industry development board established by**
 5 **IC 15-18-5-9.**
 6 **(5) State egg board established by IC 16-42-11-4.**
 7 **(c) This section does not apply in the following instances:**
 8 **(1) A property owner consents to or specifically requests an**
 9 **inspection or search to be performed by an individual or**
 10 **entity, regardless of whether the individual or entity has the**
 11 **statutory or regulatory authority to perform the inspection or**
 12 **search.**
 13 **(2) An inspection or search performed:**
 14 **(A) by the federal government or its authorized**
 15 **representative pursuant to federal law;**
 16 **(B) pursuant to a warrant of arrest or search warrant**
 17 **issued by proper authority; or**
 18 **(C) on any further processing component of any**
 19 **production agriculture farm.**
 20 **Sec. 2. Any testimony or evidence regarding any condition or**
 21 **event at grounds or facilities located in Indiana and used for the**
 22 **production or raising of livestock, poultry, dairy products, or eggs**
 23 **is not admissible in any criminal prosecution unless the testimony**
 24 **or evidence is offered by any of the following:**
 25 **(1) An in-state regulator as described by section 1(b) of this**
 26 **chapter.**
 27 **(2) A person or entity that performs an inspection or search**
 28 **as described in section 1(c) of this chapter.**
 29 **(3) A person who observed a condition or event at the grounds**
 30 **or facilities from public land or private land owned or rented**
 31 **by the person offering the testimony or evidence.**

