



February 20, 2015

SENATE BILL No. 481

DIGEST OF SB 481 (Updated February 19, 2015 11:20 am - DI 101)

Citations Affected: Noncode.

Synopsis: Stormwater drain maintenance. Urges the legislative council to assign to an appropriate study committee the topic of the maintenance of stormwater drains in subdivisions not located within a municipality. Provides that if the topic is assigned to a committee, the committee shall issue a final report, including any recommendations for legislation, to the legislative council not later than November 1, 2015.

Effective: July 1, 2015.

Buck

January 14, 2015, read first time and referred to Committee on Utilities.
February 19, 2015, amended, reported favorably — Do Pass.

SB 481—LS 7220/DI 55



February 20, 2015

First Regular Session 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 481

A BILL FOR AN ACT concerning local government.

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

1 SECTION 1. [EFFECTIVE JULY 1, 2015] (a) **As used in this**
2 **SECTION, "legislative council" refers to the legislative council**
3 **established by IC 2-5-1.1-1.**

4 (b) **As used in this SECTION, "committee" refers to:**

5 (1) **the interim study committee on energy, utilities, and**
6 **telecommunications established by IC 2-5-1.3-4(8); or**

7 (2) **another interim study committee having subject matter**
8 **jurisdiction relating to the topic described in subsection (c), as**
9 **determined by the legislative council.**

10 (c) **The legislative council is urged to assign to a committee**
11 **during the 2015 legislative interim the topic of the maintenance of**
12 **stormwater drains in subdivisions that are not located within a**
13 **municipality.**

14 (d) **If the topic described in subsection (c) is assigned to a**
15 **committee, the committee shall consider the following as part of its**
16 **study:**

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- 1 **(1) The responsibility for performing maintenance on a**
- 2 **stormwater drain with respect to which the developer of the**
- 3 **subdivision in which the stormwater drain is located has**
- 4 **transferred the developer's interest in the stormwater drain**
- 5 **to the county in which the stormwater drain is located.**
- 6 **(2) The responsibility for the costs associated with stormwater**
- 7 **drain maintenance described in subdivision (1).**
- 8 **(e) If the topic described in subsection (c) is assigned to a**
- 9 **committee, the committee shall issue a final report to the legislative**
- 10 **council containing the committee's findings and recommendations,**
- 11 **including any recommended legislation concerning the topic**
- 12 **described in subsection (c) or the specific issues described in**
- 13 **subsection (d), in an electronic format under IC 5-14-6 not later**
- 14 **than November 1, 2015.**
- 15 **(f) This SECTION expires December 31, 2015.**



COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Senate Bill No. 481, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning local government.

Page 1, delete lines 1 through 4, begin a new paragraph and insert:

"SECTION 1. [EFFECTIVE JULY 1, 2015] **(a) As used in this SECTION, "legislative council" refers to the legislative council established by IC 2-5-1.1-1.**

(b) As used in this SECTION, "committee" refers to:

(1) the interim study committee on energy, utilities, and telecommunications established by IC 2-5-1.3-4(8); or

(2) another interim study committee having subject matter jurisdiction relating to the topic described in subsection (c), as determined by the legislative council."

Page 1, line 5, delete "Sec. 1. This chapter applies only to", begin a new paragraph and insert:

"(c) The legislative council is urged to assign to a committee during the 2015 legislative interim the topic of the maintenance of".

Page 1, line 5, delete "a".

Page 1, line 6, delete "subdivision that is" and insert **"subdivisions that are"**.

Page 1, delete lines 7 through 16, begin a new paragraph and insert:

"(d) If the topic described in subsection (c) is assigned to a committee, the committee shall consider the following as part of its study:

(1) The responsibility for performing maintenance on a stormwater drain with respect to which the developer of the subdivision in which the stormwater drain is located has transferred the developer's interest in the stormwater drain to the county in which the stormwater drain is located.

(2) The responsibility for the costs associated with stormwater drain maintenance described in subdivision (1).

(e) If the topic described in subsection (c) is assigned to a committee, the committee shall issue a final report to the legislative council containing the committee's findings and recommendations, including any recommended legislation concerning the topic described in subsection (c) or the specific issues described in subsection (d), in an electronic format under IC 5-14-6 not later than November 1, 2015.



(f) This SECTION expires December 31, 2015."

Delete pages 2 through 3.

and when so amended that said bill do pass.

(Reference is to SB 481 as introduced.)

MERRITT, Chairperson

Committee Vote: Yeas 9, Nays 0.

