

HOUSE BILL No. 1013

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-14; IC 8-23; IC 9-13-2-173.3; IC 36-3-7-7; IC 36-9-42.2-4.5.

Synopsis: Conservancy district road funding. Provides that if a conservancy district assumes responsibility in its district plan for the road construction and maintenance of the public highways, bridges, and streets in the conservancy district (eligible conservancy district), distributions from the motor vehicle highway account to a county, city, or town that shares territory with the eligible conservancy district are proportionately reduced and the amount of the reduction is instead distributed to the eligible conservancy district. Provides that if a county, city, or town shares territory with an eligible conservancy district, distributions from the local road and street account are proportionately reduced and the amount of the reduction is instead distributed to the eligible conservancy district. Provides that an eligible conservancy district may apply for a loan from the distressed road fund. Provides that an eligible conservancy district may apply for a matching grant from the local road and bridge matching grant fund. Eliminates the primary highway system special account.

Effective: July 1, 2024.

Cherry

January 8, 2024, read first time and referred to Committee on Roads and Transportation.



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 BILL No. 1013



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

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

1 SECTION 1. IC 8-14-1-3, AS AMENDED BY THE TECHNICAL
2 CORRECTIONS BILL OF THE 2024 GENERAL ASSEMBLY, IS
3 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]:
4 Sec. 3. (a) The money collected for the motor vehicle highway account
5 fund and remaining after refunds and the payment of all expenses
6 incurred in the collection of the money and after transferring three
7 hundred twenty-five thousand dollars (\$325,000) each month to the
8 motor carrier regulation fund (IC 8-2.1-23), shall be allocated to and
9 distributed among the department and subdivisions designated as
10 follows:
11 (1) Of the net amount in the motor vehicle highway account the
12 ~~auditor of state~~ **comptroller** shall set aside for the cities and
13 towns of the state twelve and thirteen hundredths percent
14 (12.13%). This sum shall be allocated to the cities and towns
15 upon the basis that the population of each city and town bears to
16 the total population of all the cities and towns and shall be used
17 for the construction or reconstruction and maintenance of streets



1 and alleys and shall be annually budgeted as now provided by
 2 law. However, no part of such sum shall be used for any other
 3 purpose than for the purposes defined in this chapter. If any funds
 4 allocated to any city or town shall be used by any officer or
 5 officers of such city or town for any purpose or purposes other
 6 than for the purposes as defined in this chapter, such officer or
 7 officers shall be liable upon their official bonds to such city or
 8 town in such amount so used for other purposes than for the
 9 purposes as defined in this chapter, together with the costs of said
 10 action and reasonable attorney fees, recoverable in an action or
 11 suit instituted in the name of the state of Indiana on the relation
 12 of any taxpayer or taxpayers resident of such city or town. A
 13 monthly distribution thereof of funds accumulated during the
 14 preceding month shall be made by the ~~auditor of state~~ **comptroller**.

16 (2) Of the net amount in the motor vehicle highway account, the
 17 ~~auditor of state~~ **comptroller** shall set aside for the counties of the
 18 state twenty-five and eighty-seven hundredths percent (25.87%).
 19 However, as to the allocation to cities and towns under
 20 subdivision (1) and as to the allocation to counties under this
 21 subdivision, in the event that the amount in the motor vehicle
 22 highway account fund remaining after refunds and after the
 23 payment of all expenses incurred in the collection thereof is less
 24 than twenty-two million six hundred fifty thousand dollars
 25 (\$22,650,000) in any fiscal year, then the amount so set aside in
 26 the next calendar year for distributions to counties shall be
 27 reduced fifty-four percent (54%) of such deficit and the amount
 28 so set aside for distribution in the next calendar year to cities and
 29 towns shall be reduced thirteen percent (13%) of such deficit.
 30 Such reduced distributions shall begin with the distribution
 31 January 1 of each year.

32 (3) The amount set aside for the counties of the state under the
 33 provisions of subdivision (2) shall be allocated monthly upon the
 34 following basis:

35 (A) Five percent (5%) of the amount allocated to the counties
 36 to be divided equally among the ninety-two (92) counties.

37 (B) Sixty-five percent (65%) of the amount allocated to the
 38 counties to be divided on the basis of the ratio of the actual
 39 miles, now traveled and in use, of county roads in each county
 40 to the total mileage of county roads in the state, which shall be
 41 annually determined, accurately, by the department and
 42 submitted to the ~~auditor of state~~ **comptroller** before April 1 of



1 each year.

2 (C) Thirty percent (30%) of the amount allocated to the
3 counties to be divided on the basis of the ratio of the motor
4 vehicle registrations of each county to the total motor vehicle
5 registration of the state. The bureau of motor vehicles shall
6 annually determine the amount under this clause and submit
7 its determination to the ~~auditor of state~~ **comptroller** before
8 April 1 each year.

9 All money so distributed to the several counties of the state shall
10 constitute a special road fund for each of the respective counties
11 and shall be under the exclusive supervision and direction of the
12 board of county commissioners in the construction,
13 reconstruction, maintenance, or repair of the county highways or
14 bridges on such county highways within such county.

15 (4) Each month the remainder of the net amount in the motor
16 vehicle highway account shall be credited to the state highway
17 fund for the use of the department.

18 (5) Money in the fund may not be used for any toll road or toll
19 bridge project.

20 (6) Notwithstanding any other provisions of this section, money
21 in the motor vehicle highway account fund may be appropriated
22 to the Indiana department of transportation from the amounts
23 distributed to the political subdivisions of the state to pay the
24 costs incurred by the department in providing services to those
25 subdivisions.

26 (7) Notwithstanding any other provisions of this section or of
27 IC 8-14-8, for the purpose of maintaining a sufficient working
28 balance in accounts established primarily to facilitate the
29 matching of federal and local money for highway projects, money
30 may be appropriated to the Indiana department of transportation
31 as follows:

32 (A) One-half (1/2) from the amounts set aside under
33 subdivisions (1) and (2) for counties and for those cities and
34 towns with a population greater than five thousand (5,000).

35 (B) One-half (1/2) from the distressed road fund under
36 IC 8-14-8.

37 **(b) If a conservancy district established under IC 14-33 includes**
38 **any part of the territory of a city or town and the conservancy**
39 **district has assumed responsibility in the district plan for the**
40 **construction, reconstruction, and maintenance of the streets and**
41 **alleys within the conservancy district, the amount allocated to the**
42 **city or town under subsection (a)(1) shall be reduced by an amount**



1 that bears the same ratio to the amount allocated to the city or
2 town under subsection (a)(1) as the population in the territory
3 shared by the conservancy district and the city or town bears to the
4 population of the city or town. The department shall determine the
5 population shared by the conservancy district and the city or town.
6 The amount of the reduction determined under this subsection
7 shall be allocated instead to the conservancy district. The amount
8 allocated to a conservancy district under this subsection shall be
9 used for the construction or reconstruction and maintenance of
10 streets and alleys in the territory shared between the conservancy
11 district and the city or town and shall be annually budgeted as now
12 provided by law. However, no part of the amount allocated to the
13 conservancy district shall be used for any other purpose than for
14 the purposes defined in this chapter. If any funds allocated to any
15 conservancy district shall be used by any officer or officers of the
16 conservancy district for any purpose or purposes other than for the
17 purposes as defined in this chapter, the officer or officers shall be
18 liable upon their official bonds to the conservancy district for the
19 amount so used for other purposes than for the purposes as defined
20 in this chapter, together with the costs of the action and reasonable
21 attorney's fees, recoverable in an action or suit instituted in the
22 name of the state of Indiana on the relation of any taxpayer or
23 taxpayers resident of the conservancy district. The state
24 comptroller shall make a monthly distribution of the amount that
25 is determined under this subsection and accumulated during the
26 preceding month to the conservancy district. The restrictions in
27 section 5 of this chapter apply to the use of money distributed to a
28 conservancy district under this subsection.

29 (c) If a conservancy district established under IC 14-33 includes
30 unincorporated territory of a county and the conservancy district
31 has assumed responsibility in the district plan for the construction,
32 reconstruction, maintenance, or repair of the county highways or
33 bridges on the county highways within the conservancy district, the
34 amount allocated to the county under subsection (a)(3) shall be
35 reduced by the sum of the following:

36 (1) The amount that bears the same ratio to the amount
37 allocated to the county under subsection (a)(3)(A) as the
38 unincorporated area of the conservancy district in the county
39 bears to the area of the county. The department shall annually
40 determine the unincorporated area of the conservancy district
41 in the county and submit its determination to the state
42 comptroller before April 1 each year.



1 **(2) The amount that bears the same ratio to the amount**
 2 **allocated to the county under subsection (a)(3)(B) as the**
 3 **actual miles, now traveled and in use, of county roads in the**
 4 **conservancy district bears to the actual miles, now traveled**
 5 **and in use, of county roads in the county. The actual miles,**
 6 **now traveled and in use, of the county roads in the**
 7 **conservancy district, shall be annually determined,**
 8 **accurately, and submitted to the state comptroller before**
 9 **April 1 each year.**

10 **(3) The amount that bears the same ratio to the amount**
 11 **allocated to the county under subsection (a)(3)(C) as the**
 12 **motor vehicle registrations of the unincorporated area of the**
 13 **conservancy district in the county bears to the motor vehicle**
 14 **registrations of the county. The bureau of motor vehicles shall**
 15 **annually determine the amount under this subdivision and**
 16 **submit its determination to the state comptroller before April**
 17 **1 each year.**

18 **The amount of the reduction determined under this subsection**
 19 **shall be allocated instead to the conservancy district. All money**
 20 **distributed to a conservancy district under this subsection shall**
 21 **constitute a special road fund for the conservancy district and shall**
 22 **be under the exclusive supervision and direction of the board of**
 23 **directors of the conservancy district in the construction,**
 24 **reconstruction, maintenance, or repair of the county highways or**
 25 **bridges on the county highways within the conservancy district.**
 26 **The restrictions in section 4 of this chapter apply to the use of**
 27 **money distributed to a conservancy district under this subsection.**

28 SECTION 2. IC 8-14-1-11, AS AMENDED BY THE TECHNICAL
 29 CORRECTIONS BILL OF THE 2024 GENERAL ASSEMBLY, IS
 30 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]:
 31 Sec. 11. (a) The department may create a local agency revolving fund
 32 from money appropriated under section ~~3(7)~~ **3(a)(7)** of this chapter for
 33 the purpose of maintaining a sufficient working balance in accounts
 34 established primarily to facilitate the matching of federal and local
 35 money for highway projects.

36 (b) The revolving fund balance must be maintained through
 37 reimbursement from a local unit for money used by that unit to match
 38 federal funds.

39 (c) If the local unit fails to reimburse the revolving fund, the
 40 department shall notify the local unit that the department has found the
 41 outstanding accounts receivable to be uncollectible.

42 (d) The attorney general shall review the outstanding accounts



1 receivable and if the attorney general agrees with the department's
 2 assessment of the account's status, the attorney general shall certify to
 3 the ~~auditor of state~~ **comptroller** that the outstanding accounts
 4 receivable is uncollectible and request a transfer of funds as provided
 5 in subsection (e).

6 (e) Upon receipt of a certificate as specified in subsection (d), the
 7 ~~auditor of state~~ **comptroller** shall:

- 8 (1) immediately notify the delinquent local unit of the claim; and
 9 (2) if proof of payment is not furnished to the ~~auditor of state~~
 10 **comptroller** within thirty (30) days after the notification, transfer
 11 an amount equal to the outstanding accounts receivable to the
 12 department from the delinquent local unit's allocations from the
 13 motor vehicle highway account for deposit in the local agency
 14 revolving fund.

15 (f) Transfers shall be made under subsection (e) until the unpaid
 16 amount has been paid in full under the terms of the agreement.
 17 However, the agreement may be amended if both the department and
 18 the unit agree to amortize the transfer over a period not to exceed five
 19 (5) years.

20 (g) Money in the fund at the end of a fiscal year does not revert to
 21 the state general fund.

22 SECTION 3. IC 8-14-2-1 IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2024]: Sec. 1. **As used in The following**
 24 **definitions apply throughout** this chapter:

25 (1) Primary highway system special account means the account of
 26 the state known as the "primary highway system special account"
 27 to which is credited monthly fifty-five percent (55%) of the
 28 money deposited in the highway, road and street fund:

29 (2) Local road and street account means the account of the state
 30 known as the "local road and street account" to which is credited
 31 monthly forty-five percent (45%) of the money deposited in the
 32 highway, road and street fund:

33 (3) The term "department" refers to the Indiana department of
 34 transportation created under IC 8-23-2.

35 (4) The term "primary highways" shall mean that portion of the
 36 federal-aid highway system designated by the department and
 37 approved by the United States department of transportation as
 38 being the state "primary highway system".

39 (5) The term "construction" shall mean both construction and
 40 reconstruction to a degree that new, supplementary, or
 41 substantially improved traffic service is provided; and significant
 42 geometric or structural improvements are effected:



- 1 ~~(6)~~ **(1) "Arterial road system" shall mean means** the system of
2 roads including bridges in each county of Indiana, under the
3 jurisdiction of the board of county commissioners, or successor
4 body, including a department of transportation of a consolidated
5 city, designated as such by the board under IC 8-23-4-3, but not
6 including local county roads.
- 7 **(2) "Arterial street system" means the system of streets,**
8 **including bridges in each city or town in Indiana, under the**
9 **jurisdiction of municipal street authorities or successor**
10 **bodies, including a department of transportation of a**
11 **consolidated city, designated as such by the board under**
12 **IC 8-23-4-4, but not including local streets.**
- 13 **(3) "Construction" means both construction and**
14 **reconstruction to a degree that new, supplementary, or**
15 **substantially improved traffic service is provided, and**
16 **significant geometric or structural improvements are effected.**
- 17 **(4) "Department" refers to the Indiana department of**
18 **transportation established under IC 8-23-2.**
- 19 **(5) "Eligible conservancy district" means a conservancy**
20 **district that is eligible to receive a distribution from the motor**
21 **vehicle highway account under IC 8-14-1-3.**
- 22 ~~(7)~~ **(6) "Local county roads" shall mean means** all county roads
23 and bridges which are not designated as being in the arterial road
24 system.
- 25 ~~(8)~~ **"Arterial street system" means the system of streets, including**
26 **bridges in each city or town in Indiana, under the jurisdiction of**
27 **municipal street authorities or successor bodies, including a**
28 **department of transportation of a consolidated city, designated as**
29 **such by the board under IC 8-23-4-4, but not including local**
30 **streets.**
- 31 **(7) Local road and street account means the account of the**
32 **state known as the "local road and street account" to which**
33 **is credited monthly thirty-seven percent (37%) of the money**
34 **deposited in the highway, road and street fund.**
- 35 ~~(8)~~ **(8) "Local streets" shall mean means** all city and town streets
36 and bridges which are not designated as being in the arterial street
37 system in each city or town.
- 38 **(9) "Primary highways" means that portion of the federal aid**
39 **highway system designated by the department and approved**
40 **by the United States Department of Transportation as being**
41 **the state "primary highway system".**
- 42 ~~(10)~~ **"Resurfacing" means the placement of additional pavement**



1 layers (including protective systems for bridge decks) over the
 2 existing (or restored or rehabilitated) roadway or bridge deck
 3 surface to provide additional strength or to improve serviceability
 4 for a substantial time period.

5 ~~(H)~~ (10) "Restoration and rehabilitation" means work required to
 6 return the existing structure (roadway pavement or bridge deck)
 7 to a suitable condition for an additional stage of construction
 8 (bridge deck protective system or resurfacing) or to a suitable
 9 condition to perform satisfactorily for a substantial time period.

10 (11) "Resurfacing" means the placement of additional
 11 pavement layers (including protective systems for bridge
 12 decks) over the existing (or restored or rehabilitated) roadway
 13 or bridge deck surface to provide additional strength or to
 14 improve serviceability for a substantial time period.

15 SECTION 4. IC 8-14-2-2 IS AMENDED TO READ AS FOLLOWS
 16 [EFFECTIVE JULY 1, 2024]: Sec. 2. It is hereby declared to be the
 17 intent of the general assembly that the monies deposited **under this**
 18 **chapter** in the ~~primary highway system special account~~ **state highway**
 19 **fund** and the local road and street account shall be used exclusively for
 20 engineering, land acquisition, construction, resurfacing, restoration,
 21 and rehabilitation of highway facilities.

22 SECTION 5. IC 8-14-2-4, AS AMENDED BY THE TECHNICAL
 23 CORRECTIONS BILL OF THE 2024 GENERAL ASSEMBLY, IS
 24 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]:
 25 Sec. 4. (a) The ~~auditor of state~~ **comptroller** shall establish a special
 26 account to be called the "local road and street account" and credit this
 27 account monthly with thirty-seven percent (37%) of the money
 28 deposited in the highway, road and street fund.

29 (b) The ~~auditor~~ **state comptroller** shall distribute to units of local
 30 government money from this account each month. ~~Before making any~~
 31 ~~other distributions under this chapter, the auditor shall distribute E85~~
 32 ~~incentive payments to all political subdivisions entitled to a payment~~
 33 ~~under section 8 of this chapter.~~

34 (c) ~~After distributing E85 incentive payments required under section~~
 35 ~~8 of this chapter, The auditor of state~~ **comptroller** shall allocate to each
 36 county the remaining money in this account on the basis of the ratio of
 37 each county's passenger car registrations to the total passenger car
 38 registrations of the state. The ~~auditor~~ **state comptroller** shall further
 39 determine the suballocation between the county and the cities within
 40 the county as follows:

41 (1) In counties having a population of more than fifty thousand
 42 (50,000), sixty percent (60%) of the money shall be distributed on



1 the basis of the population of the city or town as a percentage of
 2 the total population of the county and forty percent (40%)
 3 distributed on the basis of the ratio of city and town street mileage
 4 to county road mileage.

5 (2) In counties having a population of fifty thousand (50,000) or
 6 less, twenty percent (20%) of the money shall be distributed on
 7 the basis of the population of the city or town as a percentage of
 8 the total population of the county and eighty percent (80%)
 9 distributed on the basis of the ratio of city and town street mileage
 10 to county road mileage.

11 (3) For the purposes of allocating funds as provided in this
 12 section, towns which become incorporated as a town between the
 13 effective dates of decennial censuses shall be eligible for
 14 allocations upon the effectiveness of a corrected population count
 15 for the town under IC 1-1-3.5.

16 (4) Money allocated under the provisions of this section to
 17 counties containing a consolidated city shall be credited or
 18 allocated to the department of transportation of the consolidated
 19 city.

20 **(d) If an eligible conservancy district includes any**
 21 **unincorporated area in a county to which subsection (c)(1) applies,**
 22 **the county's allocation under subsection (c)(1) shall be reduced by**
 23 **the sum of:**

24 **(1) an amount that bears the same ratio to sixty percent**
 25 **(60%) of the county's allocation under subsection (c)(1) as the**
 26 **population of the unincorporated area of the eligible**
 27 **conservancy district in the county bears to the population of**
 28 **the unincorporated area of the county; and**

29 **(2) an amount that bears the same ratio to forty percent**
 30 **(40%) of the county's allocation under subsection (c)(1) as the**
 31 **county road mileage in the unincorporated area of the eligible**
 32 **conservancy district bears to the county road mileage of the**
 33 **unincorporated area of the county.**

34 **The amount of the reduction of the county's allocation determined**
 35 **under this subsection shall be allocated instead to the eligible**
 36 **conservancy district.**

37 **(e) If an eligible conservancy district includes any**
 38 **unincorporated area in a county to which subsection (c)(2) applies,**
 39 **the county's allocation under subsection (c)(2) shall be reduced by**
 40 **the sum of:**

41 **(1) an amount that bears the same ratio to twenty percent**
 42 **(20%) of the county's allocation under subsection (c)(2) as the**



1 population of the unincorporated area of the eligible
 2 conservancy district in the county bears to the population of
 3 the unincorporated area of the county; and
 4 (2) an amount that bears the same ratio to eighty percent
 5 (80%) of the county's allocation under subsection (c)(2) as the
 6 county road mileage in the unincorporated area of the eligible
 7 conservancy district bears to the county road mileage of the
 8 unincorporated area of the county.

9 The amount of the reduction of the county's allocation determined
 10 under this subsection shall be allocated instead to the eligible
 11 conservancy district.

12 (f) If an eligible conservancy district includes any area of a city
 13 or town to which subsection (c)(1) applies, the city's or town's
 14 allocation under subsection (c)(1) shall be reduced by the sum of:

15 (1) an amount that bears the same ratio to sixty percent
 16 (60%) of the city's or town's allocation under subsection (c)(1)
 17 as the population of the area shared by the eligible
 18 conservancy district and the city or town bears to the
 19 population of the city or town; and

20 (2) an amount that bears the same ratio to forty percent
 21 (40%) of the city's or town's allocation under subsection (c)(1)
 22 as the street mileage in the area shared by the eligible
 23 conservancy district and the city or town bears to the street
 24 mileage of the city or town.

25 The amount of the reduction of the city's or town's allocation
 26 determined under this subsection shall be allocated instead to the
 27 eligible conservancy district.

28 (g) If an eligible conservancy district includes any area of a city
 29 or town to which subsection (c)(2) applies, the city's or town's
 30 allocation under subsection (c)(2) shall be reduced by the sum of:

31 (1) an amount that bears the same ratio to twenty percent
 32 (20%) of the city's or town's allocation under subsection (c)(2)
 33 as the population of the area shared by the eligible
 34 conservancy district and the city or town bears to the
 35 population of the city or town; and

36 (2) an amount that bears the same ratio to eighty percent
 37 (80%) of the city's or town's allocation under subsection (c)(2)
 38 as the street mileage in the area shared by the eligible
 39 conservancy district and the city or town bears to the street
 40 mileage of the city or town.

41 The amount of the reduction of the city's or town's allocation
 42 determined under this subsection shall be allocated instead to the



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eligible conservancy district.

~~(d)~~ **(h)** Each month the ~~auditor~~ of state **comptroller** shall inform the department of the amounts allocated to each unit of local government from the local road and street account.

SECTION 6. IC 8-14-8-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. The intent of this chapter is to create a method of providing financial assistance to counties, cities, **and towns, and eligible conservancy districts** (referred to as "units" in this chapter) which have serious road and street deficiencies. This chapter has the purpose of enhancing public safety and ensuring the free flow of commerce.

SECTION 7. IC 8-14-8-3, AS AMENDED BY P.L.104-2022, SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. **For purposes of The following definitions apply throughout** this chapter:

(1) "Eligible conservancy district" means a conservancy district that is eligible to receive a distribution from the motor vehicle highway account under IC 8-14-1-3.

(2) "Qualified county" refers to any of the following counties:

~~(1)~~ **(A)** A county having a population of more than sixty thousand (60,000) and less than sixty-five thousand (65,000).

~~(2)~~ **(B)** A county having a population of more than forty-three thousand five hundred (43,500) and less than forty-five thousand (45,000).

~~(3)~~ **(C)** A county having a population of more than thirty-three thousand (33,000) and less than thirty-three thousand one hundred (33,100).

~~(4)~~ **(D)** A county having a population of more than thirty-three thousand three hundred (33,300) and less than thirty-four thousand (34,000).

~~(5)~~ **(E)** A county having a population of more than twenty-five thousand (25,000) and less than twenty-six thousand (26,000).

~~(6)~~ **(F)** A county having a population of more than nineteen thousand (19,000) and less than nineteen thousand eight hundred (19,800).

~~(7)~~ **(G)** A county having a population of more than nineteen thousand eight hundred (19,800) and less than nineteen thousand eight hundred fifty (19,850).

~~(8)~~ **(H)** A county having a population of more than twelve thousand two hundred (12,200) and less than twelve thousand five hundred (12,500).

~~(9)~~ **(I)** A county having a population of more than nine



1 thousand eight hundred (9,800) and less than ten thousand
2 (10,000).

3 ~~(I)~~ **(J)** A county having a population of more than ten
4 thousand (10,000) and less than twelve thousand (12,000).

5 SECTION 8. IC 8-23-9-54, AS AMENDED BY P.L.47-2006,
6 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2024]: Sec. 54. (a) To provide funds for carrying out the
8 provisions of this chapter, there is created a state highway fund from
9 the following sources:

10 (1) All money in the general fund to the credit of the state
11 highway account.

12 (2) All money that is received from the Department of
13 Transportation or other federal agency and known as federal aid.

14 (3) All money paid into the state treasury to reimburse the state
15 for money paid out of the state highway fund.

16 (4) All money provided by Indiana law for the construction,
17 maintenance, reconstruction, repair, and control of public
18 highways, as provided under this chapter.

19 (5) All money that on May 22, 1933, was to be paid into the state
20 highway fund under contemplation of any statute in force as of
21 May 22, 1933.

22 (6) All money that may at any time be appropriated from the state
23 treasury.

24 (7) Any part of the state highway fund unexpended at the
25 expiration of any fiscal year, which shall remain in the fund and
26 be available for the succeeding years.

27 (8) Any money credited to the state highway fund from the motor
28 vehicle highway account under ~~IC 8-14-1-3(4)~~. **IC 8-14-1-3(a)(4)**.

29 (9) Any money credited to the state highway fund from the
30 highway road and street fund under IC 8-14-2-3.

31 (10) Any money credited to the state highway fund under
32 IC 6-6-1.1-801.5, IC 6-6-4.1-5, or IC 8-16-1-17.1.

33 (11) Any money distributed to the state highway fund under
34 IC 8-14-14, IC 8-15.5, or IC 8-15.7.

35 (b) All expenses incurred in carrying out this chapter shall be paid
36 out of the state highway fund.

37 SECTION 9. IC 8-23-30-1, AS ADDED BY P.L.146-2016,
38 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2024]: Sec. 1. The following definitions apply throughout this
40 chapter:

41 **(1) "Eligible conservancy district" means a conservancy**
42 **district that is eligible to receive a distribution from the motor**



1 **vehicle highway account under IC 8-14-1-3.**

2 ~~(1)~~ **(2)** "Eligible project" means a project:

3 (A) that is undertaken by a local unit;

4 (B) that repairs or increases the capacity of local roads and
5 bridges; and

6 (C) that is part of the local unit's transportation asset
7 management plan.

8 ~~(2)~~ **(3)** "Fund" refers to the local road and bridge matching grant
9 fund established by section 2 of this chapter.

10 ~~(3)~~ **(4)** "Local unit" means a county, ~~or a municipality,~~ **or an**
11 **eligible conservancy district.**

12 ~~(4)~~ **(5)** "Transportation asset management plan" includes planning
13 for drainage systems and rights-of-way that affect transportation
14 assets.

15 SECTION 10. IC 8-23-30-6, AS AMENDED BY P.L.218-2017,
16 SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2024]: Sec. 6. If the department approves a grant to a local
18 unit under this chapter, the required local matching amount by the local
19 unit is equal to the following applicable percentage of the total cost of
20 the eligible project:

21 (1) For a county applicant, the following:

22 (A) Fifty percent (50%), if the county has a population greater
23 than or equal to fifty thousand (50,000).

24 (B) Twenty-five percent (25%), if the county has a population
25 of less than fifty thousand (50,000).

26 (2) For a city or town applicant, the following:

27 (A) Fifty percent (50%), if the city or town has a population
28 greater than or equal to ten thousand (10,000).

29 (B) Twenty-five percent (25%), if the city or town has a
30 population of less than ten thousand (10,000).

31 **(3) For an eligible conservancy district applicant, the**
32 **following:**

33 **(A) Fifty percent (50%), if the eligible conservancy district**
34 **has a population greater than or equal to ten thousand**
35 **(10,000).**

36 **(B) Twenty-five percent (25%), if the eligible conservancy**
37 **district has a population of less than ten thousand (10,000).**

38 SECTION 11. IC 9-13-2-173.3, AS ADDED BY P.L.216-2014,
39 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2024]: Sec. 173.3. "State highway fund" refers to the state
41 highway fund established by IC 8-23-9-54. ~~The term is synonymous~~
42 ~~with the primary highway system special account described in~~



1 ~~IC 8-14-2-1(1)~~;
2 SECTION 12. IC 36-3-7-7, AS ADDED BY P.L.179-2023,
3 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2024]: Sec. 7. (a) The definitions in IC 8-14-1 apply
5 throughout this section.
6 (b) Beginning in calendar year 2024, the following amounts must be
7 used by the consolidated city for the construction, reconstruction, and
8 preservation of the consolidated city's local streets (as defined in
9 ~~IC 8-14-2-1(9)) IC 8-14-2-1(8)~~) and alleys:
10 (1) One hundred percent (100%) of the money distributed to the
11 consolidated city under section 2(2) of this chapter that is
12 attributable to the consolidated city's population in Wayne, Pike,
13 and Decatur townships not included in the population of the fire
14 special service district.
15 (2) In addition to the money distributed under subdivision (1), an
16 appropriation by the consolidated city in an amount that is the
17 greater of the following:
18 (A) Eight million dollars (\$8,000,000).
19 (B) The amount distributed to the consolidated city under
20 subdivision (1) for the prior calendar year.
21 (c) The appropriation required under subsection (b)(2)(B) may not
22 include revenue allocated to public safety purposes under IC 6-3.6-6.
23 SECTION 13. IC 36-9-42.2-4.5, AS ADDED BY P.L.218-2017,
24 SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2024]: Sec. 4.5. As used in this chapter, "transportation asset
26 management plan" has the meaning set forth in ~~IC 8-23-30-1(4)~~.
27 **IC 8-23-30-1.**

