

HOUSE BILL No. 1037

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-1-3-14.

Synopsis: Storm water management. Provides that a unit does not have the power to adopt a law, rule, ordinance, or regulation that is more stringent than or exceeds in any manner the requirements of the department of environmental management's (IDEM) construction stormwater general permit (CSGP). Provides that if a law, rule, ordinance, or regulation is more stringent than or exceeds the CSGP, then: (1) the law, rule, ordinance, or regulation is void; and (2) the unit must continue to discharge its duties under IDEM's CSGP program.

Effective: Upon passage.

Morrison

January 8, 2025, read first time and referred to Committee on Environmental Affairs.



First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

HOUSE BILL No. 1037

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

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

- 1 SECTION 1. IC 36-1-3-14 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: **Sec. 14. (a) A unit does not have the power to**
4 **adopt:**
5 **(1) a law;**
6 **(2) a rule;**
7 **(3) an ordinance; or**
8 **(4) a regulation;**
9 **that is more stringent than or exceeds in any manner the**
10 **requirements of the department of environmental management's**
11 **construction stormwater general permit, including financial**
12 **assurances and any post-construction drainage reports.**
13 **(b) If a law, rule, ordinance, or regulation violates subsection**
14 **(a):**
15 **(1) the law, rule, ordinance, or regulation is void; and**
16 **(2) the unit in violation of subsection (a) shall continue to**
17 **discharge its duties under the department of environmental**



1 management's construction stormwater general permit
2 program, if any.

3 SECTION 2. An emergency is declared for this act.

