

HOUSE BILL No. 1089

DIGEST OF INTRODUCED BILL

Citations Affected: IC 25-36.5-1-19.

Synopsis: Regulation of timber sales. Prohibits a unit (a county, city, town, or township) from regulating the sale or removal of merchantable timber from private property. Prohibits a unit from charging a person who sells or removes merchantable timber from private property a fee or requiring a bond for a road cut or other access to a highway that exceeds a fee or bond that the unit requires for new residential construction.

Effective: July 1, 2017.

Ellington

January 5, 2017, read first time and referred to Committee on Natural Resources.



First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

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

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

1 SECTION 1. IC 25-36.5-1-19 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2017]: **Sec. 19. (a) As used in this section,**
4 **"merchantable timber" has the meaning set forth in IC 14-23-4-2.**
5 **(b) As used in this section, "unit" means a county, city, town, or**
6 **township.**
7 **(c) Nothing in this section prohibits a unit from enforcing an**
8 **ordinance or resolution concerning:**
9 **(1) the use of a road, including vehicle weight limits; or**
10 **(2) damage to a road;**
11 **located in the unit.**
12 **(d) Except as provided in subsection (c), a unit may not regulate**
13 **the sale or removal of merchantable timber from private property.**
14 **(e) A unit may not charge a person who sells or removes**
15 **merchantable timber from private property a fee or require a bond**
16 **for a road cut or other access to a highway that exceeds a fee or**
17 **bond that the unit requires for new residential construction.**

