



February 7, 2017

HOUSE BILL No. 1089

DIGEST OF HB 1089 (Updated February 6, 2017 12:24 pm - DI 109)

Citations Affected: IC 25-36.5.

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 commercial construction.

Effective: July 1, 2017.

Ellington, Judy, Bacon

January 5, 2017, read first time and referred to Committee on Natural Resources.
February 6, 2017, amended, reported — Do Pass.

HB 1089—LS 6847/DI 77



February 7, 2017

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.

HOUSE BILL No. 1089

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 commercial construction.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1089, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 17, delete "residential" and insert "**commercial**".

and when so amended that said bill do pass.

(Reference is to HB 1089 as introduced.)

EBERHART

Committee Vote: yeas 6, nays 2.

