



February 11, 2021

HOUSE BILL No. 1395

DIGEST OF HB 1395 (Updated February 9, 2021 3:20 pm - DI 139)

Citations Affected: IC 6-3.1; IC 14-8; IC 14-10; IC 14-11; IC 14-22; IC 14-28; IC 14-34; IC 14-37; IC 25-36.5; IC 31-25; IC 35-52.

Synopsis: Various natural resources matters. Provides that a taxpayer who completes the preservation or rehabilitation of a historic property and obtains a certain certification is entitled to a credit of 20% or \$20,000, whichever is less. Repeals certain provisions related to commercial fishing. Provides that the natural resources commission (commission) may adopt rules to electronically notify the public of rules adopted by the commission. Removes the requirement that the director of the department of natural resources (department) send, to a person who has a license that is placed on probationary status, notice that includes a description of the amount of child support in arrears and an explanation of the procedures to pay child support arrearage. Provides that wild animal permits do not apply to: (1) zoological parks; (2) circuses or carnivals; (3) research facilities and universities licensed or registered by the United States Department of Agriculture (USDA); and (4) organizations or persons temporarily housing a wild or exotic animal at the request of the department. Provides that wild animal permits also do not apply to commercial animal dealers, breeders, and exhibitors licensed by the USDA who only possess wild or exotic animals that do not require a license by the department. Provides that the department, department employees, and law enforcement officers are not liable for any damages caused by a permitted animal that escapes its enclosure and poses a threat to public safety. Provides that local floodplain administrators in counties having a population of more than 140,000 but less than 150,000 may issue a
(Continued next page)

Effective: July 1, 2021.

Eberhart, Abbott, Bartels

January 14, 2021, read first time and referred to Committee on Natural Resources.
February 11, 2021, amended, reported — Do Pass.

HB 1395—LS 6688/DI 139



Digest Continued

variance approving a structure located in a floodway without a permit issued by the director of the department if: (1) the structure is not used as an abode or residence; (2) the structure is constructed after January 1, 2018, but not later than July 1, 2020; and (3) the lowest floor of the structure is not more than 0.15 of a foot below two feet above the 100 year flood elevation. Provides that the department may impose and collect fees for regulating underground petroleum storage. Provides standards for contracts for the purchase of timber. Provides for damages in certain proceedings regarding the purchase of timber. Provides for additional violations of rules associated with timber buyers. Provides that timber buyers shall maintain complete and accurate records of certain transactions for five years from the date of the transaction. Provides for suspensions of timber buyers licenses for 90 day periods. Makes technical corrections.

HB 1395—LS 6688/DI 139



February 11, 2021

First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1395

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 6-3.1-22-8, AS AMENDED BY P.L.166-2014,
2 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2021]: Sec. 8. (a) Subject to section 14 of this chapter, a
4 taxpayer is entitled to a credit against the taxpayer's state tax liability
5 in the taxable year in which the taxpayer completes the preservation or
6 rehabilitation of historic property and obtains the certifications required
7 under section 9 of this chapter.
8 (b) The amount of the credit is equal to twenty percent (20%) of the
9 qualified expenditures **or twenty thousand dollars (\$20,000),**
10 **whichever is less** that:
11 (1) the taxpayer makes for the preservation or rehabilitation of
12 historic property; and
13 (2) are approved by the office.
14 (c) In the case of a husband and wife who:
15 (1) own and rehabilitate a historic property jointly; and

HB 1395—LS 6688/DI 139



1 (2) file separate tax returns;
 2 the husband and wife may take the credit in equal shares or one (1)
 3 spouse may take the whole credit.

4 SECTION 2. IC 14-8-2-44 IS REPEALED [EFFECTIVE JULY 1,
 5 2021]. Sec. 44: "Commercial fishing"; for purposes of IC 14-22-14, has
 6 the meaning set forth in IC 14-22-14-1.

7 SECTION 3. IC 14-8-2-46 IS REPEALED [EFFECTIVE JULY 1,
 8 2021]. Sec. 46: "Commercial fishing license"; for purposes of
 9 IC 14-22-14, has the meaning set forth in IC 14-22-14-3.

10 SECTION 4. IC 14-8-2-138 IS REPEALED [EFFECTIVE JULY 1,
 11 2021]. Sec. 138: "Lake Michigan"; for purposes of IC 14-22-14, has the
 12 meaning set forth in IC 14-22-14-4.

13 SECTION 5. IC 14-10-2-4, AS AMENDED BY P.L.164-2020,
 14 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2021]: Sec. 4. (a) The commission shall adopt rules under
 16 IC 4-22-2 to carry out the commission's duties under this title.

17 (b) The commission may adopt rules to exempt an activity from
 18 licensing under this title, except:

- 19 (1) IC 14-34;
 20 (2) IC 14-36-1; and
 21 (3) IC 14-38-2;

22 if the activity poses not more than a minimal potential for harm.

23 (c) Except as provided in subsection (d), whenever the department
 24 or the director has the authority to adopt rules under IC 4-22-2, the
 25 commission shall exclusively exercise the authority.

26 (d) Emergency rules adopted under section 5 of this chapter shall be
 27 adopted by the director.

28 **(e) The commission may adopt rules under IC 4-22-2 to notify**
 29 **the public electronically of new rules adopted by the commission,**
 30 **in lieu of publishing notice in a newspaper of general circulation in**
 31 **Indiana.**

32 ~~(e)~~ (f) A person who violates a rule adopted by the commission
 33 commits a Class C infraction, unless otherwise specified under state
 34 law.

35 SECTION 6. IC 14-11-3-4, AS AMENDED BY P.L.150-2018,
 36 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2021]: Sec. 4. (a) Upon receiving an order from the bureau
 38 under IC 31-25-4-32(j) or IC 31-25-4-34(e), the director shall place on
 39 probationary status any license issued under IC 14-22-12, ~~IC 14-22-14,~~
 40 IC 14-22-16, IC 14-22-17, IC 14-22-19, IC 14-24-7, or IC 14-31-3 and
 41 held by the person who is the subject of the order. The director shall
 42 send the person a notice that does the following:



- 1 (1) States that the person's license has been placed on
 2 probationary status.
- 3 (2) States that the person's license will be suspended if the
 4 director has not received notice from the bureau under
 5 IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days
 6 after the date of the notice.
- 7 ~~(3) Describes the amount of child support that the person is in~~
 8 ~~arrears:~~
- 9 ~~(4) Explains the procedures to:~~
- 10 ~~(A) pay the person's child support arrearage in full; and~~
 11 ~~(B) establish a payment plan with the bureau to pay the~~
 12 ~~arrearage, which must include an income withholding order~~
 13 ~~under IC 31-16-15-2 or IC 31-16-15-2.5.~~
- 14 (b) If the director has not received notice from the bureau under
 15 IC 31-25-4-32(m) or IC 31-25-4-34(g) within twenty (20) days after the
 16 date of the notice in subsection (a), the director shall suspend the
 17 license issued to the person under IC 14-22-12, ~~IC 14-22-14,~~
 18 IC 14-22-16, IC 14-22-17, IC 14-22-19, IC 14-24-7, or IC 14-31-3.
- 19 (c) The director may not reinstate a license placed on probationary
 20 status or suspended under this section until the director receives a
 21 notice from the bureau under IC 31-25-4-32(m) or IC 31-25-4-34(g)
 22 that the person has addressed the delinquency.
- 23 SECTION 7. IC 14-22-2-10, AS AMENDED BY P.L.154-2019,
 24 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2021]: Sec. 10. (a) Notwithstanding any law in this article, the
 26 commission may adjust a license and permit fee, including an
 27 application fee, in an amount that is above the minimum fee
 28 established under the following:
- 29 (1) Section 4 of this chapter (Licenses and permits written by the
 30 director).
- 31 (2) IC 14-22-9-10 (Aquatic vegetation control).
- 32 (3) IC 14-22-13-1 (Commercial fishing).
- 33 (4) IC 14-22-13-2 (Commercial fishing on the Ohio River).
- 34 (5) IC 14-22-13-2.5 (Roe harvester or dealer).
- 35 ~~(6) IC 14-22-14-9 (Commercial fishing on Lake Michigan):~~
- 36 ~~(7) IC 14-22-14-10 (Commercial fishing on Lake Michigan):~~
- 37 ~~(8) (6) IC 14-22-15-2 (Fishing guide).~~
- 38 ~~(9) (7) IC 14-22-15.5-3 (Hunting guide).~~
- 39 ~~(10) (8) IC 14-22-16-1 (Bait dealer).~~
- 40 ~~(11) (9) IC 14-22-19-2 (Fur buyer).~~
- 41 ~~(12) (10) IC 14-22-20-1 (Game breeder).~~
- 42 ~~(13) (11) IC 14-22-21-2 (Taxidermist).~~



- 1 ~~(+4)~~ **(12)** IC 14-22-22-2 (Scientific purposes).
 2 ~~(+5)~~ **(13)** IC 14-22-23-3 (Falconry).
 3 ~~(+6)~~ **(14)** IC 14-22-24-2 (Field trials).
 4 ~~(+7)~~ **(15)** IC 14-22-25-3 (Fish and wild animal importation).
 5 ~~(+8)~~ **(16)** IC 14-22-26-4 (Wild animal possession).
 6 ~~(+9)~~ **(17)** IC 14-22-27-2 (Fish stocking).
 7 ~~(+0)~~ **(18)** IC 14-22-31-2 (Private shooting preserve).
 8 (b) Before adopting fees under this section, the commission shall
 9 consider the amount that is reasonably necessary to generate revenue
 10 sufficient to offset the costs incurred in carrying out the department's
 11 responsibilities and operating any related programs.
 12 (c) A fee that is submitted with an application for a license or permit
 13 listed under subsection (a) is not refundable.
 14 SECTION 8. IC 14-22-14-1 IS REPEALED [EFFECTIVE JULY 1,
 15 2021]. ~~Sec. 1: As used in this chapter, "commercial fishing" means the~~
 16 ~~taking of fish by means of commercial fishing gear.~~
 17 SECTION 9. IC 14-22-14-3 IS REPEALED [EFFECTIVE JULY 1,
 18 2021]. ~~Sec. 3: As used in this chapter, "commercial fishing license"~~
 19 ~~refers to a commercial fishing license issued under this chapter.~~
 20 SECTION 10. IC 14-22-14-4 IS REPEALED [EFFECTIVE JULY
 21 1, 2021]. ~~Sec. 4: As used in this chapter, "Lake Michigan" refers to the~~
 22 ~~waters of Lake Michigan that are within Indiana.~~
 23 SECTION 11. IC 14-22-14-5 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. A person ~~must have~~
 25 ~~a commercial fishing license to may not~~ take fish from **the waters of**
 26 **Lake Michigan that are within Indiana** with commercial fishing gear.
 27 SECTION 12. IC 14-22-14-6 IS REPEALED [EFFECTIVE JULY
 28 1, 2021]. ~~Sec. 6: To be eligible to hold a commercial fishing license;~~
 29 ~~the following conditions must be met:~~
 30 ~~(1) If the person is not a corporation, all individuals comprising~~
 31 ~~the person must be residents of Indiana.~~
 32 ~~(2) If the person is a corporation, the corporation must be an~~
 33 ~~Indiana corporation and all shareholders in the corporation must~~
 34 ~~be residents of Indiana.~~
 35 SECTION 13. IC 14-22-14-7 IS REPEALED [EFFECTIVE JULY
 36 1, 2021]. ~~Sec. 7: The department may renew a commercial fishing~~
 37 ~~license; but may not issue an original commercial fishing license.~~
 38 SECTION 14. IC 14-22-14-8 IS REPEALED [EFFECTIVE JULY
 39 1, 2021]. ~~Sec. 8: Commercial fishing licenses are designated as~~
 40 ~~follows:~~
 41 ~~(1) Class 1:~~
 42 ~~(2) Class 2:~~



1 (3) Class 3:

2 SECTION 15. IC 14-22-14-9 IS REPEALED [EFFECTIVE JULY
3 1, 2021]. Sec. 9: (a) A commercial fishing license:

4 (1) expires December 31 of the year for which the license was
5 issued or reserved;

6 (2) may be renewed or reserved annually; however, if an
7 application to renew or reserve a license is not received by the
8 department before February 1 of the year following the expiration
9 or reserved period of the license, the license may not be renewed;
10 reserved; or reinstated;

11 (3) that is reserved is inactive and may not be used, merged;
12 transferred; or converted during the reserved year; and

13 (4) subject to IC 14-22-2-10, may be reserved for one (1) year for
14 a minimum fee of twenty-five dollars (\$25):

15 (b) The department shall report annually to the natural resources
16 committees of the house of representatives and the senate for the
17 purpose of updating the status of yellow perch in Lake Michigan as it
18 affects sport and commercial fishing and fishermen in Indiana.

19 SECTION 16. IC 14-22-14-10 IS REPEALED [EFFECTIVE JULY
20 1, 2021]. Sec. 10: Subject to IC 14-22-2-10, the minimum renewal fees
21 for commercial fishing licenses are as follows:

22 (1) Class 1, three thousand dollars (\$3,000):

23 (2) Class 2, six thousand dollars (\$6,000):

24 (3) Class 3, nine thousand dollars (\$9,000):

25 SECTION 17. IC 14-22-14-11 IS REPEALED [EFFECTIVE JULY
26 1, 2021]. Sec. 11: Except as provided under section 9 of this chapter,
27 and subject to section 12 of this chapter, a commercial fishing license
28 may be transferred from one (1) person to another:

29 SECTION 18. IC 14-22-14-12 IS REPEALED [EFFECTIVE JULY
30 1, 2021]. Sec. 12: (a) Except as provided in sections 13 and 14 of this
31 chapter, a person may not hold or have an interest in more than one (1)
32 commercial fishing license:

33 (b) If a person having an interest in one (1) commercial fishing
34 license acquires an interest in a second commercial fishing license:

35 (1) the second license is valid; and

36 (2) the person is considered to have surrendered the first license:

37 The first license may not be reinstated:

38 SECTION 19. IC 14-22-14-13 IS REPEALED [EFFECTIVE JULY
39 1, 2021]. Sec. 13: A person holding a Class 1 or Class 2 license may
40 acquire another license for the purpose of merging the licenses to form
41 a Class 2 or Class 3 license as follows:

42 (1) At the time a person holding a Class 1 license acquires



1 another Class 1 license; the two (2) licenses merge and become a
2 Class 2 license.

3 (2) At the time a person holding:

4 (A) a Class 1 license acquires a Class 2 license; or

5 (B) a Class 2 license acquires a Class 1 license;

6 the two (2) licenses merge and become a Class 3 license.

7 SECTION 20. IC 14-22-14-14 IS REPEALED [EFFECTIVE JULY
8 1, 2021]. Sec. 14: A person holding a Class 1 license and a person
9 holding a Class 3 license may convert the licenses to two (2) Class 2
10 licenses:

11 SECTION 21. IC 14-22-14-15 IS REPEALED [EFFECTIVE JULY
12 1, 2021]. Sec. 15: (a) The commission may adopt rules to establish
13 procedures for the:

14 (1) transfer;

15 (2) merger; or

16 (3) exchange;

17 of commercial fishing licenses:

18 (b) The fee for processing:

19 (1) a transfer;

20 (2) a merger; or

21 (3) an exchange;

22 of a commercial fishing license under this chapter is one hundred
23 dollars (\$100):

24 SECTION 22. IC 14-22-14-16 IS REPEALED [EFFECTIVE JULY
25 1, 2021]. Sec. 16: A Class 2 or Class 3 commercial fishing license may
26 be surrendered to the department in exchange for a Class 1 or Class 2
27 license. This is not considered to be the issuance of an original license.

28 SECTION 23. IC 14-22-14-17 IS REPEALED [EFFECTIVE JULY
29 1, 2021]. Sec. 17: Each boat engaged in commercial fishing must carry
30 documentation specified by rules adopted by the commission that the
31 boat is operating under the authority of a commercial fishing license.

32 SECTION 24. IC 14-22-14-18 IS REPEALED [EFFECTIVE JULY
33 1, 2021]. Sec. 18: (a) The holder of a commercial fishing license must,
34 in the manner established by rules adopted by the commission,
35 designate an individual as captain of a boat operated by the holder of
36 a commercial fishing license. A designated captain must meet the
37 following conditions:

38 (1) Be a resident of Indiana.

39 (2) Have experience as a commercial fisherman.

40 (3) Possess other qualifications established by rules adopted by
41 the commission.

42 (b) Except in an emergency; as defined under rules adopted by the



1 commission; an individual who is designated as a captain by the holder
2 of one (1) commercial fishing license may not:

- 3 (1) be designated as a captain by; or
4 (2) work for;

5 the holder of another commercial fishing license. Notice to the
6 department of the emergency designation of a captain must be provided
7 under rules adopted by the commission:

8 SECTION 25. IC 14-22-14-19 IS REPEALED [EFFECTIVE JULY
9 1, 2021]. Sec. 19: An individual designated as captain under section 18
10 of this chapter must be aboard each commercial fishing boat of the
11 holder of the commercial fishing license while the boat is engaged in
12 an activity related to commercial fishing:

13 SECTION 26. IC 14-22-14-20 IS REPEALED [EFFECTIVE JULY
14 1, 2021]. Sec. 20: (a) The department shall regulate commercial fishing
15 in Lake Michigan to protect the resource of fish for commercial and
16 sport fishing:

17 (b) To protect the resource of fish in Lake Michigan, the department
18 shall regulate the number of nets that may be used by persons who have
19 been issued a commercial fishing license as follows:

- 20 (1) Persons who have a Class 2 license are entitled to use two (2)
21 times the number of nets as persons who have a Class 1 license:
22 (2) Persons who have a Class 3 license are entitled to use three (3)
23 times the number of nets as persons who have a Class 1 license:

24 SECTION 27. IC 14-22-14-21 IS REPEALED [EFFECTIVE JULY
25 1, 2021]. Sec. 21: The commission may adopt rules to establish
26 restrictions on the following:

- 27 (1) Localities that may be fished:
28 (2) The kind, mesh size, and quantity of fishing gear that may be
29 used:
30 (3) The quantity of fish that may be taken.
31 (4) Other restrictions the commission considers necessary to
32 protect the fishing resource in Lake Michigan:

33 SECTION 28. IC 14-22-14-22 IS REPEALED [EFFECTIVE JULY
34 1, 2021]. Sec. 22: (a) Fish may not be taken from Lake Michigan by
35 means of a gill net:

36 (b) The commercial fishing license of a person who takes fish from
37 Lake Michigan by means of a gill net:

- 38 (1) terminates at the time of the violation; and
39 (2) may not be reinstated:

40 SECTION 29. IC 14-22-14-23 IS REPEALED [EFFECTIVE JULY
41 1, 2021]. Sec. 23: (a) A person who has a commercial fishing license
42 must keep accurate records of each day's catch showing the following:



- 1 (1) The number of pounds of each kind of fish taken:
 2 (2) The locality fished:
 3 (3) The kind and amount of fishing gear employed:
 4 (4) The length of time each unit of gear was fished without being
 5 lifted:
 6 (5) Other information the commission considers to be relevant
 7 under this chapter.
- 8 (b) Before the sixteenth day of each month, each person holding a
 9 commercial fishing license shall report, under oath when requested to
 10 do so, all the data for the preceding month required under subsection
 11 (a) to the director upon forms furnished by the director. The reports
 12 required by this section shall be made each month whether or not any
 13 fish were taken during the preceding month. If no fish were taken, that
 14 fact shall be noted.
- 15 SECTION 30. IC 14-22-14-24 IS REPEALED [EFFECTIVE JULY
 16 1, 2021]. Sec. 24: A commercial fishing license is issued upon the
 17 condition that the licensee agrees to make all reports to the director
 18 required by the following:
- 19 (1) This chapter:
 20 (2) Rules adopted under this chapter:
- 21 SECTION 31. IC 14-22-14-25 IS REPEALED [EFFECTIVE JULY
 22 1, 2021]. Sec. 25: Inadvertent failure to comply with the terms of:
- 23 (1) a license;
 24 (2) this chapter or IC 14-2-12 (before its repeal); or
 25 (3) rules adopted or orders issued under:
 26 (A) IC 14-2-12 (before its repeal); or
 27 (B) this chapter;
- 28 is grounds for suspension of the license for not more than one (1) year.
- 29 SECTION 32. IC 14-22-14-26 IS REPEALED [EFFECTIVE JULY
 30 1, 2021]. Sec. 26: (a) Knowing or intentional failure to comply with the
 31 terms of:
- 32 (1) a license;
 33 (2) this chapter or IC 14-2-12 (before its repeal); or
 34 (3) rules adopted or orders issued under:
 35 (A) IC 14-2-12 (before its repeal); or
 36 (B) this chapter;
- 37 is grounds for revocation of the license:
- 38 (b) A license revoked under this section may not be reinstated.
- 39 SECTION 33. IC 14-22-14-27 IS REPEALED [EFFECTIVE JULY
 40 1, 2021]. Sec. 27: (a) The director may do all things necessary to carry
 41 out this chapter:
 42 (b) The commission shall adopt rules under IC 4-22-2 to implement



- 1 this chapter.
- 2 SECTION 34. IC 14-22-18-4 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. Section 2 of this
- 4 chapter does not authorize a resident to fish during a free sport fishing
- 5 day in violation of the license requirements set forth in the following:
- 6 (1) IC 14-22-13.
- 7 ~~(2) IC 14-22-14.~~
- 8 ~~(3) (2) IC 14-22-15.~~
- 9 ~~(4) (3) IC 14-22-16.~~
- 10 ~~(5) (4) IC 14-22-17.~~
- 11 SECTION 35. IC 14-22-20-1, AS AMENDED BY P.L.195-2017,
- 12 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 13 JULY 1, 2021]: Sec. 1. (a) The owner of a hunting preserve licensed
- 14 under IC 15-17-14.7 is not required to obtain a game breeder's license
- 15 under this section.
- 16 (b) The owner of a cervidae livestock operation under IC 15-17-14.5
- 17 is not required to obtain a game breeder's license under this section.
- 18 (c) The department may, under rules adopted under IC 4-22-2, issue
- 19 to a resident of Indiana, upon the payment of a minimum fee of fifteen
- 20 dollars (\$15), a license to:
- 21 (1) propagate in captivity; and
- 22 (2) possess, buy, or sell; ~~for this purpose only;~~
- 23 ~~game birds; game mammals; or furbearing mammals~~ **wild animals**
- 24 protected by Indiana law.
- 25 (d) The fee in subsection (c) is subject to IC 14-22-2-10.
- 26 SECTION 36. IC 14-22-20-2, AS AMENDED BY P.L.151-2012,
- 27 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 28 JULY 1, 2021]: Sec. 2. (a) A license issued under this chapter
- 29 authorizes the **possession or sale of nonmigratory game birds; game**
- 30 **mammals; or furbearing mammals for breeding purposes; for release;**
- 31 ~~or for food purposes.~~ **wild animals.**
- 32 (b) An individual who:
- 33 (1) acquires a furbearing mammal alive, legally in open season;
- 34 or
- 35 (2) purchases the bird or mammal from a licensed game breeder;
- 36 may apply for a breeder's license within five (5) days after acquiring
- 37 the animal from the licensed game breeder or within five (5) days after
- 38 the last day of the open season for the animal. ~~Otherwise, the animal~~
- 39 ~~shall be released.~~
- 40 SECTION 37. IC 14-22-20-3 IS AMENDED TO READ AS
- 41 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. An animal raised
- 42 domestically by an out-of-state breeder may be imported into Indiana.



1 and sold for food purposes. A purchaser of such an animal raised
 2 domestically by an out-of-state breeder must be able to show legal
 3 proof of out-of-state origin for all animals possessed.

4 SECTION 38. IC 14-22-26-1 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. (a) This chapter does
 6 not apply to **the following** licensed: ~~commercial animal dealers,~~

7 (1) Zoological parks.

8 (2) Circuses or carnivals.

9 (3) **Research facilities and universities licensed or registered**
 10 **by the United States Department of Agriculture.**

11 (4) **Organizations or persons temporarily housing a wild or**
 12 **exotic animal at the request of the department.**

13 (b) **If commercial animal dealers, breeders, and exhibitors**
 14 **licensed by the United States Department of Agriculture only**
 15 **possess wild or exotic animals that do not require a license by the**
 16 **department under this article, this chapter does not apply.**

17 SECTION 39. IC 14-22-26-2 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. As used in this
 19 chapter, "zoological park" means:

20 (1) a permanent establishment that is ~~a member of~~ **accredited by**
 21 **the American Association of Zoological Parks Zoos and**
 22 **Aquariums or the Zoological Association of America;** or

23 (2) an agency of local government, open to and administered for
 24 the public, to provide education, conservation, and preservation
 25 of the earth's fauna **that does not possess a wild animal that**
 26 **presents a real or potential threat to human safety as defined**
 27 **by the department.**

28 SECTION 40. IC 14-22-26-3 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. The director may
 30 adopt rules under IC 4-22-2 to require and issue the following:

31 (1) A permit to possess a wild animal protected by statute or rule.

32 (2) A permit to possess a wild animal that may be harmful or
 33 dangerous to ~~plants or people,~~ **domestic animals, or wild**
 34 **animals. A separate permit is required for each wild animal**
 35 **described in this subdivision.**

36 SECTION 41. IC 14-22-26-5 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. (a) If an emergency
 38 exists, the director may summarily suspend a permit issued under this
 39 chapter. The director may summarily seize and hold an animal for
 40 which a permit is required under this chapter, pending the outcome of
 41 the proceedings under this section, if either of the following conditions
 42 exist:



- 1 (1) A permit has not been issued to possess the animal.
- 2 (2) A permit has been issued to possess the animal, but the
- 3 director believes that an emergency exists because at least one (1)
- 4 of the following conditions exists:
- 5 (A) The animal is in a position to harm another animal.
- 6 (B) The life or health of the animal is in peril.
- 7 (b) After suspending a permit or seizing and holding an animal
- 8 under subsection (a), the department shall proceed as quickly as
- 9 feasible to provide the opportunity for completed adjudicative
- 10 proceedings under IC 4-21.5. The proceedings may result in the
- 11 revocation, temporary suspension, or modification of the permit.
- 12 Provision may be made for a final disposition with respect to the wild
- 13 animal, including confiscation of the animal. IC 4-21.5 provides the
- 14 exclusive remedy available to a person aggrieved by a determination
- 15 of the department under this section.
- 16 (c) The director may contract with experts in the handling of
- 17 animals for which a permit is required under this chapter to assist the
- 18 director in seizing and holding an animal under this section. A person
- 19 who seizes and holds an animal under a contract with the director is not
- 20 subject to legal action arising from the seizure or holding to the same
- 21 extent as if the person was an employee of the department.
- 22 (d) The owner of an animal seized under this section is liable for the
- 23 costs of seizing and holding the animal and of the proceedings under
- 24 this section, including a trial, if any.
- 25 **(e) The department, the department's employees, and law**
- 26 **enforcement officers are not liable for any damages caused by an**
- 27 **animal permitted under this chapter that escapes its enclosure and**
- 28 **poses a threat to public safety.**
- 29 SECTION 42. IC 14-28-1-22.1 IS ADDED TO THE INDIANA
- 30 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 31 [EFFECTIVE JULY 1, 2021]: **Sec. 22.1. (a) This section applies to**
- 32 **local floodplain administrators in a county having a population of**
- 33 **more than one hundred forty thousand (140,000) but less than one**
- 34 **hundred fifty thousand (150,000).**
- 35 **(b) A local floodplain administrator may issue a variance**
- 36 **approving a structure located within a floodway without a permit**
- 37 **issued by the director of the department under section 22 of this**
- 38 **chapter if:**
- 39 **(1) the structure is not used as an abode or residence;**
- 40 **(2) the structure is constructed after January 1, 2018, but not**
- 41 **later than July 1, 2020; and**
- 42 **(3) the lowest floor of the structure is not more than**



- 1 **fifteen-hundredths (0.15) of a foot below two (2) feet above the**
 2 **one hundred (100) year flood elevation.**
 3 **(c) This section expires July 1, 2022.**
 4 SECTION 43. IC 14-34-4-5 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 5. (a) If written
 6 objections are filed and an informal conference or a public hearing is
 7 requested, the director shall hold the conference or public hearing in
 8 the locality of the proposed surface coal mining operation within a
 9 reasonable time of receipt of the objections or request. The director
 10 shall advertise in a newspaper of general circulation in the county in
 11 which the proposed surface coal mining operation is located at least
 12 two (2) weeks before the scheduled conference or public hearing the
 13 date, time, and location of the conference or public hearing.
 14 (b) The director may arrange with the applicant, upon request by
 15 any party to the administrative proceeding, access to the proposed
 16 mining area for the purpose of gathering information relevant to the
 17 proceeding.
 18 (c) An electronic or a stenographic record shall be made of the
 19 conference or public hearing. ~~unless waived by all parties.~~ The director
 20 shall maintain the record and have the record accessible to the parties
 21 until final release of the applicant's performance bond.
 22 (d) The director may not hold the conference or public hearing if
 23 any of the following conditions exist:
 24 (1) All parties requesting the conference or public hearing
 25 stipulate agreement before the conference or public hearing and
 26 withdraw their request.
 27 (2) The request fails to comply with the requirements of section
 28 4 of this chapter.
 29 (3) The objections do not concern a matter within the scope of
 30 this article or the commission's rules.
 31 SECTION 44. IC 14-37-3-9 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 9. **(a)** The commission
 33 shall regulate the drilling, deepening, operating, plugging, and
 34 abandoning of the following:
 35 (1) Wells for underground storage of petroleum products.
 36 (2) Other wells for oil and gas purposes that may affect
 37 underground storage reservoirs.
 38 **(b) The commission may impose and collect fees for regulating**
 39 **underground petroleum storage.**
 40 SECTION 45. IC 25-36.5-1-2.1 IS ADDED TO THE INDIANA
 41 CODE AS A NEW SECTION TO READ AS FOLLOWS
 42 [EFFECTIVE JULY 1, 2021]: **Sec. 2.1. (a) Contracts for the**



- 1 **purchase of timber shall be:**
 2 **(1) in writing;**
 3 **(2) pursuant to the Uniform Commercial Code (IC 26-1); and**
 4 **(3) in accordance with rules adopted by the division.**
 5 **(b) A timber buyer shall only purchase timber pursuant to a**
 6 **written contract under subsection (a).**
 7 **(c) If a timber buyer purchases timber without a written**
 8 **contract under subsection (a), the person will receive a separate**
 9 **violation for each instance of buying timber without a contract.**
 10 **(d) Failure to have a written contract under subsection (a) does**
 11 **not limit a timber grower from seeking damages under this**
 12 **chapter.**
 13 SECTION 46. IC 25-36.5-1-3.2, AS AMENDED BY P.L.57-2013,
 14 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2021]: Sec. 3.2. (a) This section refers to an adjudicative
 16 proceeding against:
 17 (1) a timber buyer; or
 18 (2) a person who cuts timber but is not a timber buyer (referred to
 19 as a "timber cutter" in this section).
 20 (b) The department may under IC 4-21.5-3-8 commence a
 21 proceeding against a timber buyer or a timber cutter if there is reason
 22 to believe that:
 23 (1) the timber buyer or timber cutter has acquired timber from a
 24 timber grower under a written contract for the sale of the timber
 25 without payment having been made to the timber grower as
 26 specified in the contract; or
 27 (2) if:
 28 (A) there is no written contract for the sale of the timber; or
 29 (B) there is a written contract for the sale of the timber but the
 30 contract does not set forth the purchase price for the timber;
 31 the timber buyer or timber cutter has cut timber or acquired
 32 timber from the timber grower without payment having been
 33 made to the timber grower equal to the value of the timber as
 34 determined under IC 26-1-2.
 35 (c) A proceeding may be commenced under this section at the
 36 request of a timber grower.
 37 (d) The necessary parties to a proceeding initiated under this section
 38 are:
 39 (1) the timber grower; and
 40 (2) the timber buyer or timber cutter.
 41 (e) After the commencement of a proceeding under this section
 42 through the service of a complaint under IC 4-21.5-3-8, a party to the



1 proceeding may move for the joinder of any of the following persons
 2 having a relationship to the site or subject of the complaint:

- 3 (1) The surety of the timber buyer.
 4 (2) A timber buyer.
 5 (3) A timber cutter.
 6 (4) A landowner.
 7 (5) An owner of land adjacent to the land from which the timber
 8 was cut.
 9 (6) A consultant receiving a fee for services related to the timber.
 10 (7) A professional surveyor performing an American Land Title
 11 Association and American Congress on Surveying and Mapping
 12 (ALTA/ACSM) land title survey.
 13 (8) The department of natural resources, if the department has a
 14 relationship to the site or subject of the complaint as a landowner
 15 or owner of adjacent land.

16 (f) The complaint served under IC 4-21.5-3-8 to commence a
 17 proceeding under this section may seek the following:

- 18 (1) Damages in compensation for damage actually resulting from
 19 the wrongful activities of a timber buyer or timber cutter.
 20 (2) Damages equal to three (3) times the stumpage value of any
 21 timber that is wrongfully cut or appropriated without payment.
 22 **(3) Reasonable costs and expenses associated with the**
 23 **proceeding, including attorney's fees.**
 24 **(4) Damages from the breach of contract between the timber**
 25 **buyer and timber grower, which must be specified in writing.**

26 (g) Notwithstanding subsection (f), the liability on the surety bond
 27 of a timber cutter is limited to the value of any timber wrongfully cut
 28 or appropriated.

29 (h) A proceeding under this section is governed by IC 4-21.5.
 30 Before a hearing is convened in the proceeding, a prehearing
 31 conference shall be conducted to provide the parties with an
 32 opportunity for settlement, including an opportunity for mediation.

33 (i) In determining the site for a hearing in a proceeding under this
 34 section, the administrative law judge shall consider the convenience of
 35 the parties.

36 (j) A final agency action in a proceeding under this section must
 37 address all issues of damage and responsibility and, after the
 38 completion of the opportunity for judicial review, may be enforced in
 39 a civil proceeding as a judgment.

40 SECTION 47. IC 25-36.5-1-4 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4. It shall be unlawful
 42 and a violation of this chapter.



- 1 (a) For any timber buyer to fail to pay, as agreed, for any timber
 2 purchased.
- 3 (b) For any timber buyer to cut or cause to be cut or appropriate any
 4 timber not purchased.
- 5 (c) For a timber buyer to willfully make any false statement in
 6 connection with the application, bond or other information required to
 7 be given to the department or a timber grower.
- 8 (d) To fail to honestly account to the timber grower or the
 9 department for timber purchased or cut if the buyer is under a duty to
 10 do so, and
- 11 (e) For a timber buyer to commit any fraudulent act in connection
 12 with the purchase or cutting of timber.
- 13 **(f) For a timber buyer to violate a provision of this chapter.**
- 14 **(g) For a timber buyer to violate a rule adopted by the**
 15 **department under this chapter.**
- 16 SECTION 48. IC 25-36.5-1-4.9 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4.9. The director may
 18 refuse to issue a timber buyer registration certificate to an applicant
 19 that has:
- 20 (1) been convicted of a felony;
- 21 (2) violated a provision of this chapter; ~~or~~
- 22 (3) violated a rule adopted by the department under this chapter;
- 23 **or**
- 24 **(4) an active or pending suspension of the timber buyer**
 25 **registration certificate under section 16 of this chapter.**
- 26 SECTION 49. IC 25-36.5-1-8 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 8. **(a)** The department
 28 may inspect the premises used by any timber buyer in the conduct of
 29 ~~his~~ **the buyer's** business at any reasonable time and the books,
 30 accounts, records and papers of every such timber buyer shall at all
 31 times during business hours be subject to inspection by the department.
- 32 **(b) A timber buyer shall keep complete and accurate records**
 33 **and accounts pertaining to the timber buyer's registration**
 34 **certificate, and shall retain those records and accounts for at least**
 35 **five (5) years from the date of the final settlement of each**
 36 **transaction.**
- 37 **(c) The information obtained under this section is confidential**
 38 **for purposes of IC 5-14-3-4(a)(1).**
- 39 **(d) Unless otherwise required by court order, the information**
 40 **obtained under this section may be disclosed only to the director,**
 41 **the director's designee, or the timber grower.**
- 42 SECTION 50. IC 25-36.5-1-12 IS REPEALED [EFFECTIVE JULY



1 1, 2021]. ~~Sec. 12: The department may, after notice and a hearing,~~
 2 ~~revoke the registration certificate or license of any person who violates~~
 3 ~~any of the provisions of this chapter. All proceedings under this chapter~~
 4 ~~to revoke a license shall be conducted in the manner prescribed by~~
 5 ~~IC 4-21.5-3.~~

6 SECTION 51. IC 25-36.5-1-16 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 16. **(a)** The director
 8 may revoke, ~~or~~ suspend, **deny**, or refuse to issue any license or agent's
 9 registration under that license if the applicant or holder of that license
 10 has:

- 11 (1) been convicted of a felony;
- 12 (2) violated any provision of this chapter; or
- 13 (3) violated any rule or regulation of the department promulgated
 14 under this chapter.

15 Revocation or suspension of a license or an agent's registration shall be
 16 determined by the director after an administrative hearing as provided
 17 in ~~section 12 of this chapter.~~ **subsection (d).**

18 **(b) The director may immediately suspend a license under**
 19 **IC 4-21.5-4 for ninety (90) days before a final adjudication if the**
 20 **director finds that a licensee represents a clear and immediate**
 21 **danger to public health, safety, or property if the licensee is**
 22 **allowed to continue to operate.**

23 **(c) A suspension under subsection (b) may be immediately**
 24 **renewed at intervals of ninety (90) days.**

25 **(d) A proceeding to revoke, suspend, deny, or refuse to issue a**
 26 **license under this chapter is made under IC 4-21.5-3.**

27 SECTION 52. IC 31-25-4-32, AS AMENDED BY P.L.150-2018,
 28 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2021]: Sec. 32. (a) When the Title IV-D agency finds that an
 30 obligor is delinquent, the Title IV-D agency shall send, to a verified
 31 address, a notice to the obligor that does the following:

- 32 (1) Specifies that the obligor is delinquent.
- 33 (2) Describes the amount of child support that the obligor is in
 34 arrears.
- 35 (3) States that unless the obligor:
 36 (A) pays the obligor's child support arrearage in full;
 37 (B) establishes a payment plan with the Title IV-D agency to
 38 pay the arrearage, which includes an income withholding
 39 order; or
 40 (C) requests a hearing under section 33 of this chapter;
 41 within twenty (20) days after the date the notice is mailed, the
 42 Title IV-D agency shall issue an order to the bureau of motor



- 1 vehicles stating that the obligor is delinquent and that the
 2 obligor's driving privileges shall be suspended.
- 3 (4) Explains that the obligor has twenty (20) days after the notice
 4 is mailed to do one (1) of the following:
- 5 (A) Pay the obligor's child support arrearage in full.
 6 (B) Establish a payment plan with the Title IV-D agency to
 7 pay the arrearage, which includes an income withholding order
 8 under IC 31-16-15-2 or IC 31-16-15-2.5.
 9 (C) Request a hearing under section 33 of this chapter.
- 10 (5) Explains that if the obligor has not satisfied any of the
 11 requirements of subdivision (4) not later than twenty (20) days
 12 after the notice is mailed, that the Title IV-D agency shall issue a
 13 notice to:
- 14 (A) the board or department that regulates the obligor's
 15 profession or occupation, if any, that the obligor is delinquent
 16 and that the obligor may be subject to sanctions under
 17 IC 25-1-1.2, including suspension or revocation of the
 18 obligor's professional or occupational license;
 19 (B) the supreme court disciplinary commission if the obligor
 20 is licensed to practice law;
 21 (C) the department of education established by IC 20-19-3-1
 22 if the obligor is a licensed teacher;
 23 (D) the Indiana horse racing commission if the obligor holds
 24 or applies for a license issued under IC 4-31-6;
 25 (E) the Indiana gaming commission if the obligor holds or
 26 applies for a license issued under IC 4-33 and IC 4-35;
 27 (F) the commissioner of the department of insurance if the
 28 obligor holds or is an applicant for a license issued under
 29 IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3;
 30 (G) the director of the department of natural resources if the
 31 obligor holds or is an applicant for a license issued by the
 32 department of natural resources under:
 33 (i) IC 14-22-12 (fishing, hunting, and trapping licenses);
 34 ~~(ii) IC 14-22-14 (Lake Michigan commercial fishing~~
 35 ~~license);~~
 36 ~~(iii)~~ (ii) IC 14-22-16 (bait dealer's license);
 37 ~~(iv)~~ (iii) IC 14-22-17 (mussel license);
 38 ~~(v)~~ (iv) IC 14-22-19 (fur buyer's license);
 39 ~~(vi)~~ (v) IC 14-24-7 (nursery dealer's license); or
 40 ~~(vii)~~ (vi) IC 14-31-3 (ginseng dealer's license); or
 41 (H) the alcohol and tobacco commission if the obligor holds or
 42 applies for an employee's permit under IC 7.1-3-18-9(a)(3).



- 1 (6) Explains that the only basis for contesting the issuance of an
 2 order under subdivision (3) or (5) is a mistake of fact.
- 3 (7) Explains that an obligor may contest the Title IV-D agency's
 4 determination to issue an order under subdivision (3) or (5) by
 5 making written application to the Title IV-D agency not later than
 6 twenty (20) days after the date the notice is mailed.
- 7 (8) Explains the procedures to:
- 8 (A) pay the obligor's child support arrearage in full; and
 9 (B) establish a payment plan with the Title IV-D agency to pay
 10 the arrearage, which must include an income withholding
 11 order under IC 31-16-15-2 or IC 31-16-15-2.5.
- 12 (b) Whenever the Title IV-D agency finds that an obligor is
 13 delinquent and has failed to:
- 14 (1) pay the obligor's child support arrearage in full;
 15 (2) establish a payment plan with the Title IV-D agency to pay the
 16 arrearage, which includes an income withholding order under
 17 IC 31-16-15-2 or IC 31-16-15-2.5; or
 18 (3) request a hearing under section 33 of this chapter not later
 19 than twenty (20) days after the date the notice described in
 20 subsection (a) is mailed;
- 21 the Title IV-D agency shall issue an order to the bureau of motor
 22 vehicles stating that the obligor is delinquent.
- 23 (c) An order issued under subsection (b) must require the following:
- 24 (1) If the obligor who is the subject of the order holds a driving
 25 license or permit on the date the order is issued, that the driving
 26 privileges of the obligor be suspended until further order of the
 27 Title IV-D agency.
 28 (2) If the obligor who is the subject of the order does not hold a
 29 driving license or permit on the date the order is issued, that the
 30 bureau of motor vehicles may not issue a driving license or permit
 31 to the obligor until the bureau of motor vehicles receives a further
 32 order from the Title IV-D agency.
- 33 (d) The Title IV-D agency shall provide the:
- 34 (1) full name;
 35 (2) date of birth;
 36 (3) verified address; and
 37 (4) Social Security number or driving license number;
 38 of the obligor to the bureau of motor vehicles.
- 39 (e) Whenever the Title IV-D agency finds that an obligor who is an
 40 applicant (as defined in IC 25-1-1.2-1) or a practitioner (as defined in
 41 IC 25-1-1.2-6) is delinquent and the applicant or practitioner has failed
 42 to:



- 1 (1) pay the obligor's child support arrearage in full;
 2 (2) establish a payment plan with the Title IV-D agency to pay the
 3 arrearage, which includes an income withholding order under
 4 IC 31-16-15-2 or IC 31-16-15-2.5; or
 5 (3) request a hearing under section 33 of this chapter;
 6 the Title IV-D agency shall issue an order to the board regulating the
 7 practice of the obligor's profession or occupation stating that the
 8 obligor is delinquent.
- 9 (f) An order issued under subsection (e) must direct the board or
 10 department regulating the obligor's profession or occupation to impose
 11 the appropriate sanctions described under IC 25-1-1.2.
- 12 (g) Whenever the Title IV-D agency finds that an obligor who is an
 13 attorney or a licensed teacher is delinquent and the attorney or licensed
 14 teacher has failed to:
- 15 (1) pay the obligor's child support arrearage in full;
 16 (2) establish a payment plan with the Title IV-D agency to pay the
 17 arrearage, which includes an income withholding order under
 18 IC 31-16-15-2 or IC 31-16-15-2.5; or
 19 (3) request a hearing under section 33 of this chapter;
 20 the Title IV-D agency shall notify the supreme court disciplinary
 21 commission if the obligor is an attorney, or the department of education
 22 if the obligor is a licensed teacher, that the obligor is delinquent.
- 23 (h) Whenever the Title IV-D agency finds that an obligor who holds
 24 a license issued under IC 4-31-6, IC 4-33, or IC 4-35 has failed to:
- 25 (1) pay the obligor's child support arrearage in full;
 26 (2) establish a payment plan with the Title IV-D agency to pay the
 27 arrearage, which includes an income withholding order under
 28 IC 31-16-15-2 or IC 31-16-15-2.5; or
 29 (3) request a hearing under section 33 of this chapter;
 30 the Title IV-D agency shall issue an order to the Indiana horse racing
 31 commission if the obligor holds a license issued under IC 4-31-6, or to
 32 the Indiana gaming commission if the obligor holds a license issued
 33 under IC 4-33 or IC 4-35, stating that the obligor is delinquent and
 34 directing the commission to impose the appropriate sanctions described
 35 in IC 4-31-6-11, IC 4-33-8.5-3, or IC 4-35-6.7-2.
- 36 (i) Whenever the Title IV-D agency finds that an obligor who holds
 37 a license issued under IC 27-1-15.6, IC 27-1-15.8, or IC 27-10-3 has
 38 failed to:
- 39 (1) pay the obligor's child support arrearage in full;
 40 (2) establish a payment plan with the Title IV-D agency to pay the
 41 arrearage, which includes an income withholding order under
 42 IC 31-16-15-2 or IC 31-16-15-2.5; or



1 (3) request a hearing under section 33 of this chapter;
 2 the Title IV-D agency shall issue an order to the commissioner of the
 3 department of insurance stating that the obligor is delinquent and
 4 directing the commissioner to impose the appropriate sanctions
 5 described in IC 27-1-15.6-29 or IC 27-10-3-20.

6 (j) Whenever the Title IV-D agency finds that an obligor who holds
 7 a license issued by the department of natural resources under
 8 IC 14-22-12, ~~IC 14-22-14~~, IC 14-22-16, IC 14-22-17, IC 14-22-19,
 9 IC 14-24-7, or IC 14-31-3 has failed to:

10 (1) pay the obligor's child support arrearage in full;

11 (2) establish a payment plan with the Title IV-D agency to pay the
 12 arrearage, which includes an income withholding order under
 13 IC 31-16-15-2 or IC 31-16-15-2.5; or

14 (3) request a hearing under section 33 of this chapter;

15 the Title IV-D agency shall issue an order to the director of the
 16 department of natural resources stating that the obligor is delinquent
 17 and directing the director to suspend or revoke a license issued to the
 18 obligor by the department of natural resources as provided in
 19 IC 14-11-3.

20 (k) If the Title IV-D agency finds that an obligor who holds an
 21 employee's permit issued under IC 7.1-3-18-9(a)(3) has failed to:

22 (1) pay the obligor's child support arrearage in full;

23 (2) establish a payment plan with the Title IV-D agency to pay the
 24 arrearage, which includes an income withholding order under
 25 IC 31-16-15-2 or IC 31-16-15-2.5; or

26 (3) request a hearing under section 33 of this chapter;

27 the Title IV-D agency shall issue an order to the alcohol and tobacco
 28 commission stating that the obligor is delinquent and directing the
 29 alcohol and tobacco commission to impose the appropriate sanctions
 30 under IC 7.1-3-23-44.

31 (l) A person's most recent address on file with the bureau constitutes
 32 a verified address for purposes of this section.

33 (m) When an obligor who was the subject of an order issued by the
 34 Title IV-D agency under subsection (b), (e), (g), (h), (i), (j), or (k) has:

35 (1) paid the obligor's child support arrearage in full; or

36 (2) established a payment plan with the Title IV-D agency to pay
 37 the arrearage, which includes an income withholding order under
 38 IC 31-16-15-2 or IC 31-16-15-2.5;

39 the Title IV-D agency shall provide notice to the appropriate entity
 40 under subsection (b), (e), (g), (h), (i), (j), or (k) that the obligor has
 41 addressed the delinquency.

42 SECTION 53. IC 31-25-4-34, AS AMENDED BY P.L.150-2018,



1 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2021]: Sec. 34. (a) As used in this section, "board" has the
3 meaning set forth in IC 25-1-1.2-2.

4 (b) If an obligor holds a license issued by a board and requests a
5 hearing under section 33 of this chapter but fails to appear or appears
6 and is found to be delinquent, the Title IV-D agency shall issue an
7 order to the board that issued the obligor's license:

8 (1) stating that the obligor is delinquent; and

9 (2) requiring the board to comply with the actions required under
10 IC 25-1-1.2-8.

11 (c) If an obligor holds a license issued under IC 4-31-6, IC 4-33, or
12 IC 4-35 and requests a hearing under section 33 of this chapter but fails
13 to appear or appears and is found to be delinquent, the Title IV-D
14 agency shall issue an order to the:

15 (1) Indiana horse racing commission, if the obligor holds a license
16 issued under IC 4-31-6; or

17 (2) Indiana gaming commission, if the obligor holds a license
18 issued under IC 4-33 or IC 4-35;

19 stating that the obligor is delinquent and requiring the commission to
20 comply with the actions required under IC 4-31-6-11, IC 4-33-8.5-3, or
21 IC 4-35-6.7-2.

22 (d) If an obligor holds a license issued under IC 27-1-15.6,
23 IC 27-1-15.8, or IC 27-10-3 and requests a hearing under section 33 of
24 this chapter but fails to appear or appears and is found to be delinquent,
25 the Title IV-D agency shall issue an order to the commissioner of the
26 department of insurance:

27 (1) stating that the obligor is delinquent; and

28 (2) requiring the commissioner to comply with the actions
29 required under IC 27-1-15.6-29 or IC 27-10-3-20.

30 (e) If an obligor holds a license issued by the department of natural
31 resources under IC 14-22-12, ~~IC 14-22-14~~, IC 14-22-16, IC 14-22-17,
32 IC 14-22-19, IC 14-24-7, or IC 14-31-3 and requests a hearing under
33 section 33 of this chapter but fails to appear, or appears and is found to
34 be delinquent, the Title IV-D agency shall issue an order to the director
35 of the department of natural resources:

36 (1) stating that the obligor is delinquent; and

37 (2) requiring the director to suspend or revoke a license issued by
38 the department as provided in IC 14-11-3.

39 (f) If an obligor:

40 (1) holds an employee's permit issued under IC 7.1-3-18-9(a)(3);
41 and

42 (2) requests a hearing under section 33 of this chapter but fails to



1 appear or appears and is found to be delinquent;
 2 the Title IV-D agency shall issue an order to the alcohol and tobacco
 3 commission stating that the obligor is delinquent and requiring the
 4 commission to impose the appropriate sanctions under IC 7.1-3-23-44.

5 (g) When an obligor who was the subject of an order issued by the
 6 Title IV-D agency under subsection (b), (c), (d), (e), or (f) has:

7 (1) paid the obligor's child support arrearage in full; or

8 (2) established a payment plan with the Title IV-D agency to pay
 9 the arrearage, which includes an income withholding order under
 10 IC 31-16-15-2 or IC 31-16-15-2.5;

11 the Title IV-D agency shall provide notice to the appropriate entity
 12 under subsection (b), (c), (d), (e), or (f) that the obligor has addressed
 13 the delinquency.

14 SECTION 54. IC 35-52-14-24 IS REPEALED [EFFECTIVE JULY
 15 1, 2021]. ~~Sec. 24. IC 14-22-14-5 defines a crime concerning fishing~~
 16 ~~licenses.~~

17 SECTION 55. IC 35-52-14-25 IS REPEALED [EFFECTIVE JULY
 18 1, 2021]. ~~Sec. 25. IC 14-22-14-22 defines a crime concerning fishing~~
 19 ~~licenses.~~



COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1395, 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 11, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 42. IC 14-28-1-22.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 22.1. (a) This section applies to local floodplain administrators in a county having a population of more than one hundred forty thousand (140,000) but less than one hundred fifty thousand (150,000).**

(b) A local floodplain administrator may issue a variance approving a structure located within a floodway without a permit issued by the director of the department under section 22 of this chapter if:

- (1) the structure is not used as an abode or residence;**
- (2) the structure is constructed after January 1, 2018, but not later than July 1, 2020; and**
- (3) the lowest floor of the structure is not more than fifteen-hundredths (0.15) of a foot below two (2) feet above the one hundred (100) year flood elevation.**

(c) This section expires July 1, 2022."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1395 as introduced.)

EBERHART

Committee Vote: yeas 11, nays 0.

