

HOUSE BILL No. 1573

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-7-4-1103.

Synopsis: Agricultural and forestry activity. Provides that the planning and zoning law does not authorize a unit that has adopted the advisory planning law to prevent forestry or agricultural activities outside the corporate boundaries of a municipality. Makes stylistic changes.

Effective: July 1, 2021.

Ellington

January 14, 2021, read first time and referred to Committee on Local Government.



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. 1573

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 36-7-4-1103, AS AMENDED BY P.L.154-2020,
2 SECTION 46, AND P.L.164-2020, SECTION 65, IS AMENDED TO
3 READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1103. (a)
4 ~~ADVISORY—AREA. AREA.~~ For purposes of this section, urban areas
5 include all lands and lots within the corporate boundaries of a
6 municipality, any other lands or lots used for residential purposes
7 where there are at least eight (8) residences within any quarter mile
8 square area, and other lands or lots that have been or are planned for
9 residential areas contiguous to the municipality.

10 (b) ~~ADVISORY—AREA. AREA.~~ This chapter does not authorize
11 an ordinance or action of a plan commission that would prevent ~~outside~~
12 ~~of urban areas~~; the complete use and alienation of any mineral
13 resources or forests **outside of urban areas** by the owner or alienee of
14 ~~them: the mineral resources or forests.~~

15 (c) **ADVISORY. This chapter does not authorize an ordinance**
16 **or action of a plan commission that would prevent:**
17 (1) **the complete use and alienation of any forests outside the**



1 corporate boundaries of a municipality by the owner or
2 alienee of the forests; or
3 (2) an agricultural use on property outside the corporate
4 boundaries of a municipality.

