

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1626

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AN ACT to amend the Indiana Code concerning natural resources.

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

SECTION 1. IC 14-10-2-5, AS AMENDED BY P.L.164-2020, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The department may adopt emergency rules under IC 4-22-2-37.1 to carry out the duties of the department under the following:

- (1) IC 14-9.
- (2) This article.
- (3) IC 14-11.
- (4) IC 14-12-2.
- (5) IC 14-14.
- (6) IC 14-15.
- (7) IC 14-17-3.
- (8) IC 14-18, except IC 14-18-6 and IC 14-18-8.
- (9) IC 14-19-1 and IC 14-19-8.
- (10) IC 14-21.
- (11) IC 14-22-3, IC 14-22-4, and IC 14-22-5.
- (12) IC 14-23-1.
- (13) IC 14-24.
- (14) IC 14-25, except IC 14-25-8-3 and IC 14-25-13.
- (15) IC 14-26.
- (16) IC 14-27.
- (17) IC 14-28.

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(18) IC 14-29.

(19) IC 14-35-1, IC 14-35-2, and IC 14-35-3.

(20) IC 14-37.

(21) IC 14-38, except IC 14-38-3.

**(22) IC 14-39.**

(b) A rule adopted under subsection (a) expires not later than one (1) year after the rule is accepted for filing by the publisher of the Indiana Register.

(c) A person who violates an emergency rule adopted by the department commits a Class C infraction, unless otherwise specified under state law.

SECTION 2. IC 14-39-0.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:

**Chapter 0.5. Rulemaking**

**Sec. 1. The natural resources commission shall adopt rules under IC 4-22-2 to implement this article.**

**Sec. 2. The rules adopted by the commission under section 1 of this chapter:**

**(1) must include the provisions necessary to the department's discharge of the duties imposed upon the department under this article; and**

**(2) may establish fees for the administration and implementation of this article after review by the budget committee. In addition, the amount of the fee determined under this subdivision may not subsequently be increased unless the increase is reviewed by the budget committee.**

**Sec. 3. Notwithstanding IC 14-10-2-5(b), an emergency rule adopted by the department under IC 14-10-2-5(a)(22) concerning the department's discharge of the duties imposed upon the department under this article expires upon the earlier of the following:**

**(1) One (1) year after the rule is accepted for filing by the publisher of the Indiana Register.**

**(2) Upon the adoption of a rule under this chapter concerning the department's discharge of the duties imposed upon the department under this article.**

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



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Speaker of the House of Representatives

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President of the Senate

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President Pro Tempore

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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