



January 17, 2024

SENATE BILL No. 36

DIGEST OF SB 36 (Updated January 16, 2024 11:44 am - DI 106)

Citations Affected: IC 25-21.5.

Synopsis: Interference with boundary marker. Creates a civil penalty for a person who knowingly or intentionally disturbs or removes a boundary marker, and permits a court to order a person who disturbs or removes a boundary marker to pay for the cost of reestablishing the boundary marker.

Effective: July 1, 2024.

Doriot

January 8, 2024, read first time and referred to Committee on Corrections and Criminal Law.
January 16, 2024, amended, reported favorably — Do Pass.

SB 36—LS 6180/DI 150



January 17, 2024

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

SENATE BILL No. 36

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

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

1 SECTION 1. IC 25-21.5-1-3.2 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2024]: **Sec. 3.2. "Boundary marker" means**
4 **a symbol, sign, or object placed by a:**

5 (1) **professional surveyor; or**
6 (2) **person acting under the direct supervision of a**
7 **professional surveyor;**
8 **for the purpose of demarking any point, course, or line in the**
9 **boundary of a tract of land.**

10 SECTION 2. IC 25-21.5-1-6.7 IS ADDED TO THE INDIANA
11 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
12 [EFFECTIVE JULY 1, 2024]: **Sec. 6.7. "Person" means the**
13 **following:**

14 (1) **An entity.**
15 (2) **A corporation.**
16 (3) **An individual.**
17 (4) **A limited liability company.**

SB 36—LS 6180/DI 150



1 **(5) A partnership.**
2 SECTION 3. IC 25-21.5-13-1.5 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2024]: **Sec. 1.5. (a) A person, not having an**
5 **ownership interest in land, who knowingly or intentionally disturbs**
6 **or removes a boundary marker on the tract of land commits a**
7 **Class C infraction.**
8 **(b) In addition to the judgment awarded under IC 34-28-5-4, the**
9 **court may order a person who violates subsection (a) to pay to the**
10 **landowner the cost of reestablishing the boundary marker.**



COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill No. 36, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, delete lines 8 through 9, begin a new paragraph and insert:

"(b) In addition to the judgment awarded under IC 34-28-5-4, the court may order a person who violates subsection (a) to pay to the landowner the cost of reestablishing the boundary marker."

and when so amended that said bill do pass.

(Reference is to SB 36 as introduced.)

FREEMAN, Chairperson

Committee Vote: Yeas 8, Nays 0.

