

Second Regular Session 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 105

AN ACT to amend the Indiana Code concerning agriculture and animals.

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

SECTION 1. IC 15-11-2-3, AS AMENDED BY P.L.97-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3. (a) As used in this section, "biomass" means agriculturally based sources of renewable energy, including the following:

- (1) Agricultural crops.
- (2) Agricultural wastes and residues.
- (3) Wood and wood byproducts, including the following:
 - (A) Wood residue.
 - (B) Forest thinning.
 - (C) Mill residue wood.
- (4) Animal wastes.
- (5) Animal byproducts.
- (6) Aquatic plants.
- (7) Algae.

The term does not include waste from construction and demolition.

(b) The department shall do the following:

- (1) Provide administrative and staff support for the following:
 - (A) The state fair board for purposes of carrying out the director's duties under IC 15-13-5.
 - (B) The Indiana corn marketing council for purposes of

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administering the duties of the director under IC 15-15-12.

~~(C) The Indiana organic peer review panel under IC 15-15-8.~~

~~(D) (C)~~ The Indiana dairy industry development board for purposes of administering the duties of the director under IC 15-18-5.

~~(E) (D)~~ The Indiana land resources council under IC 15-12-5.

~~(F) (E)~~ The Indiana grain buyers and warehouse licensing agency under IC 26-3-7.

~~(G) (F)~~ The Indiana grain indemnity corporation under IC 26-4-3.

~~(H) (G)~~ The division.

(2) Administer the election of state fair board members under IC 15-13-5.

(3) Administer state programs and laws promoting agricultural trade.

(4) Administer state livestock or agriculture marketing grant programs.

(5) Administer economic development efforts for agriculture by doing the following:

(A) Promoting value added agricultural resources.

(B) Marketing Indiana agriculture to businesses internationally.

(C) Assisting Indiana agricultural businesses with developing partnerships with the Indiana economic development corporation.

(D) Soliciting private funding for selective economic development and trade initiatives.

(E) Providing for the orderly economic development and growth of Indiana's agricultural economy.

(F) Facilitating the use of biomass and algae production systems to generate renewable energy.

(6) Carry out the department's duties under IC 23-15-12.

SECTION 2. IC 15-15-8 IS REPEALED [EFFECTIVE JULY 1, 2018]. (Indiana Organic Certification Accreditation).

SECTION 3. IC 15-15-9 IS REPEALED [EFFECTIVE JULY 1, 2018]. (Certification of Agricultural Products).

SECTION 4. IC 15-17-20 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]:

Chapter 20. Certification of Animals and Animal Products

Sec. 1. The state veterinarian may certify that certain animals and animal products meet:



(1) the specifications of a buyer; or
 (2) international import standards;
 for purposes of shipment of the animals or animal products to a person.

Sec. 2. The state veterinarian may charge a fee to cover the costs of certification under this chapter. The state veterinarian shall deposit fees collected under this section to the board of animal health operating account within the state general fund.

Sec. 3. The state veterinarian and the state are immune from liability for lawful actions taken under this chapter.

Sec. 4. A person who intentionally or knowingly forges a certification or the identification of animals or animal products certified under this chapter commits a Level 6 felony.

SECTION 5. IC 15-19-5 IS REPEALED [EFFECTIVE JULY 1, 2018]. (Livestock Certification).

SECTION 6. IC 34-6-2-74.1, AS ADDED BY P.L.155-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 74.1. "Livestock", for purposes of IC 34-30-5, has the meaning set forth in ~~IC 15-19-5-3~~; means any animal or fowl raised for commercial purposes.

SECTION 7. IC 34-30-2-59 IS REPEALED [EFFECTIVE JULY 1, 2018]. Sec. 59: ~~IC 15-15-9-7 (Concerning administrator and state for certification of agricultural products):~~

SECTION 8. IC 34-30-2-63 IS REPEALED [EFFECTIVE JULY 1, 2018]. Sec. 63: ~~IC 15-19-5-7 (Concerning the state and the livestock certification administrator for acts taken under the livestock certification program):~~

SECTION 9. IC 34-30-2-64.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 64.3. **IC 15-17-20-3 (Concerning the state and the state veterinarian for acts taken under the animals and animal products certification program).**

SECTION 10. IC 35-52-15-4 IS REPEALED [EFFECTIVE JULY 1, 2018]. Sec. 4: ~~IC 15-15-9-8 defines a crime concerning horticulture products:~~

SECTION 11. IC 35-52-15-26.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 26.5. **IC 15-17-20-4 defines a crime concerning animals and animal products.**

SECTION 12. IC 35-52-15-32 IS REPEALED [EFFECTIVE JULY 1, 2018]. Sec. 32: ~~IC 15-19-5-8 defines a crime concerning livestock:~~



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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