

# SENATE BILL No. 209

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 4-13.6-2-3; IC 4-23-25.1-6; IC 4-37; IC 14-8-2; IC 14-9-4-1; IC 14-10-3-1; IC 14-12-2; IC 14-20; IC 34-30-2.1-18; IC 35-52-14-7.5.

**Synopsis:** Historic sites. Establishes the division of historic sites (division) in the department of natural resources. Transfers management of historic sites from the Indiana state museum and historic sites corporation to the division. Makes an appropriation.

**Effective:** July 1, 2024.

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## Leising, Byrne

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January 9, 2024, read first time and referred to Committee on Natural Resources.

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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. 209

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources and to make an appropriation.

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

1 SECTION 1. IC 4-13.6-2-3, AS AMENDED BY P.L.166-2013,  
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2024]: Sec. 3. (a) This article applies to every expenditure of  
4 public funds, regardless of their source, including federal assistance  
5 money, by any governmental body for any public works project.  
6 (b) This article does not apply to the following:  
7 (1) The Indiana commission for higher education.  
8 (2) State educational institutions.  
9 (3) Military officers and military and armory boards of the state.  
10 (4) The state fair commission.  
11 (5) Any entity established by the general assembly as a body  
12 corporate and politic having authority and power to issue bonds  
13 to be secured and repaid solely by revenues pledged for that  
14 purpose. However, such an entity shall comply with this article if  
15 the law creating the entity requires it to do so.  
16 (6) The Indiana department of transportation, except to the extent  
17 that the Indiana department of transportation uses the services



1 provided by the department under this article.

2 (7) The Indiana state museum ~~and historic sites~~ corporation.

3 SECTION 2. IC 4-23-25.1-6, AS AMENDED BY P.L.43-2021,  
4 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2024]: Sec. 6. (a) The commission consists of the following  
6 seventeen (17) members:

7 (1) Seven (7) members who represent an organization whose  
8 mission involves education, culture, women's history, or civic  
9 engagement, appointed by the governor.

10 (2) One (1) member of the house of representatives, appointed by  
11 the speaker of the house of representatives.

12 (3) One (1) member of the house of representatives, appointed by  
13 the minority leader of the house of representatives.

14 (4) One (1) member of the senate, appointed by the president pro  
15 tempore of the senate.

16 (5) One (1) member of the senate, appointed by the minority  
17 leader of the senate.

18 (6) The lieutenant governor or the lieutenant governor's designee.

19 (7) The chief justice of Indiana or the chief justice's designee.

20 (8) The chairperson of the Indiana commission for women or the  
21 chairperson's designee.

22 (9) The secretary of education or the secretary's designee.

23 (10) The chief executive officer of the Indiana state museum ~~and~~  
24 ~~historic sites~~ corporation or the chief executive officer's designee.

25 (11) The director of the Indiana archives and records  
26 administration or the director's designee.

27 (b) A legislative member of the commission appointed under  
28 subsection (a)(2) through (a)(5) is a nonvoting advisory member.

29 SECTION 3. IC 4-37-1-3, AS ADDED BY P.L.167-2011,  
30 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
31 JULY 1, 2024]: Sec. 3. "Chief executive officer" refers to the chief  
32 executive officer of the Indiana state museum ~~and historic sites~~  
33 corporation appointed under IC 4-37-2-5 and the director of the state  
34 museum.

35 SECTION 4. IC 4-37-1-4, AS ADDED BY P.L.167-2011,  
36 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
37 JULY 1, 2024]: Sec. 4. "Corporation" refers to the Indiana state  
38 museum ~~and historic sites~~ corporation established by IC 4-37-2-1.

39 SECTION 5. IC 4-37-1-6, AS ADDED BY P.L.167-2011,  
40 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
41 JULY 1, 2024]: Sec. 6. "Fund" refers to the state museum ~~and historic~~  
42 ~~sites~~ development fund established by IC 4-37-7-1.



1 SECTION 6. IC 4-37-1-7 IS REPEALED [EFFECTIVE JULY 1,  
2 2024]. ~~Sec. 7. "Historic site" refers to a state historic site established~~  
3 ~~and maintained by the board under the criteria established by the board.~~

4 SECTION 7. IC 4-37-1-9, AS ADDED BY P.L.167-2011,  
5 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
6 JULY 1, 2024]: Sec. 9. "State ~~museums~~ **museum**" refers to the  
7 following:

8 ~~(1) The state museum located in the White River State Park.~~

9 ~~(2) The historic sites.~~

10 SECTION 8. IC 4-37-2-1, AS ADDED BY P.L.167-2011,  
11 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
12 JULY 1, 2024]: Sec. 1. The Indiana state museum ~~and historic sites~~  
13 corporation is established.

14 SECTION 9. IC 4-37-2-8, AS ADDED BY P.L.167-2011,  
15 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
16 JULY 1, 2024]: Sec. 8. (a) After June 30, ~~2011~~, **2024**, rules that  
17 concern the division of state museums and historic sites that were  
18 adopted by the natural resources commission **to govern the state**  
19 **museum** shall be treated as rules applying to the corporation.

20 **(b) After June 30, 2024, rules that concern the division of state**  
21 **museums and historic sites that were adopted by the natural**  
22 **resources commission to govern historic sites shall be treated as**  
23 **rules applying to the division of historic sites (IC 14-20-1.5).**

24 **(c) After June 30, 2011, 2024**, a reference to the department of  
25 natural resources in a statute or rule concerning the division of state  
26 museums and historic sites' **management of the state museum** shall  
27 be treated as a reference to the corporation.

28 **(d) After June 30, 2024, a reference to the department of natural**  
29 **resources in a statute or rule concerning the division of state**  
30 **museums and historic sites' management of historic sites shall be**  
31 **treated as a reference to the division of historic sites (IC 14-20-1.5).**

32 SECTION 10. IC 4-37-4-1, AS ADDED BY P.L.167-2011,  
33 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
34 JULY 1, 2024]: Sec. 1. The title to the following shall be held in the  
35 name of the state of Indiana:

36 (1) Property constituting the state ~~museums~~, **museum**, except to  
37 the extent that the property is subject to a use and occupancy  
38 agreement between the Indiana finance authority and the Indiana  
39 department of administration.

40 (2) Property acquired by the board.

41 SECTION 11. IC 4-37-4-2, AS ADDED BY P.L.167-2011,  
42 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2024]: Sec. 2. The board shall do the following:

- 2 (1) Operate and administer the state ~~museums~~ **museum**.  
 3 (2) Maintain accreditation of the state ~~museums~~ **museum**.  
 4 (3) Collect, preserve, display, and interpret artifacts and materials  
 5 reflecting the cultural and natural history of Indiana.  
 6 (4) Prepare and maintain a statewide inventory of the artifacts and  
 7 materials described in subdivision (3).  
 8 (5) Uphold the highest professional and ethical standards, as  
 9 adopted by the American Association of Museums.

10 SECTION 12. IC 4-37-4-3, AS AMENDED BY P.L.189-2018,  
 11 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2024]: Sec. 3. The board may do the following:

- 13 (1) Do any and all acts and things necessary, proper, or  
 14 convenient to carry out this article.  
 15 (2) Hold meetings under IC 5-14-1.5 at the times and places in  
 16 Indiana that are prescribed by the board's bylaws.  
 17 (3) Adopt an official seal.  
 18 (4) Adopt bylaws.  
 19 (5) Make and execute contracts and other instruments necessary  
 20 or convenient to the exercise of the board's powers.  
 21 (6) Acquire by grant, purchase, gift, devise, or lease or otherwise  
 22 and hold, use, sell, lease, manage, operate, clear, improve,  
 23 encumber, transfer, convey, exchange, or dispose of the  
 24 following:  
 25 (A) Real and personal property and any interest in real or  
 26 personal property.  
 27 (B) Facilities.  
 28 (C) Money or stocks.  
 29 (D) Any right or interest necessary or useful for carrying out  
 30 the board's powers and duties under this article.  
 31 (7) Procure insurance against any loss in connection with the  
 32 board's operations.  
 33 (8) Enter into contractual or other arrangements with the Indiana  
 34 department of administration in connection with the financing of  
 35 the state ~~museums under IC 4-13.5~~ **museum**.  
 36 (9) Notwithstanding IC 4-13.5-4-5 (before its repeal), allocate  
 37 space in museums financed by the Indiana finance authority under  
 38 IC 4-13.5.  
 39 (10) Fix and collect rents, admission charges, fees, tolls, and other  
 40 user charges for:  
 41 (A) the state ~~museums~~ **museum**;  
 42 (B) restaurants;



- 1 (C) other facilities; and  
 2 (D) programs, lectures, classes, tours, and trips.  
 3 (11) Maintain shops and restaurants on property that the board  
 4 manages and at other locations and employ or contract with  
 5 persons to manage the shops and restaurants.  
 6 (12) Make or sell the following:  
 7 (A) Pictures, models, books, and other representations of the  
 8 museum and its artifacts and exhibits.  
 9 (B) Souvenirs, crafts, art, videotapes, digital video discs, and  
 10 other merchandise.  
 11 (13) Pay royalties, license fees, or charges for exhibits, artifacts,  
 12 artwork, or materials.  
 13 (14) Own copyrights, trademarks, and service marks and enforce  
 14 the board's rights with respect to ownership.  
 15 (15) Conduct market research concerning the state ~~museums~~  
 16 **museum**.  
 17 (16) Adopt rules under IC 4-22-2 to carry out the purposes of this  
 18 article.

19 SECTION 13. IC 4-37-4-3.5 IS ADDED TO THE INDIANA CODE  
 20 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY  
 21 1, 2024]: **Sec. 3.5. The board shall not do the following:**

- 22 **(1) Operate and administer the historic sites (as defined in**  
 23 **IC 14-20-1.5-2).**  
 24 **(2) Maintain accreditation of the historic sites (as defined in**  
 25 **IC 14-20-1.5-2).**

26 SECTION 14. IC 4-37-4-4, AS AMENDED BY P.L.166-2013,  
 27 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2024]: Sec. 4. (a) ~~The board may accept or refuse to accept an~~  
 29 ~~offered gift of historic property to be administered by the board.~~

30 ~~(b)~~ **(a)** Notwithstanding IC 4-20.5-7 and IC 5-22-22, the board may  
 31 improve, encumber, sell, lease, transfer, convey, or exchange historic  
 32 property administered by the board.

33 ~~(c)~~ **(b)** Notwithstanding IC 5-22-22, the board may, in accordance  
 34 with the board's policies, sell, donate, or exchange artifacts in the state  
 35 ~~museums'~~ **museum's** collections to or with other public or nonprofit  
 36 museums or historical societies.

37 ~~(d)~~ **(c)** **Subject to subsection (d)**, the board may by rule establish  
 38 a procedure for evaluating the merits of proposals to:

- 39 (1) accept gifts of;  
 40 (2) sell;  
 41 (3) encumber;  
 42 (4) transfer;



1 (5) convey; or  
 2 (6) exchange;  
 3 artifacts or historic property.

4 **(d) The board may not by rule establish any procedures that**  
 5 **impact historic sites (as defined in IC 14-20-1.5-2).**

6 (e) The board may donate or make short term loans of artifacts in  
 7 the ~~museums'~~ **museum's** collections to other:

- 8 (1) public or nonprofit museums; or  
 9 (2) historical societies.

10 SECTION 15. IC 4-37-5-2, AS ADDED BY P.L.167-2011,  
 11 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2024]: Sec. 2. The board shall do the following:

- 13 (1) Establish policies for the governance and management of the  
 14 ~~staffs~~ **staff** of the state ~~museums;~~ **museum**.  
 15 (2) Establish the rights and duties of corporation employees,  
 16 including a pay scale and benefit package.  
 17 (3) Employ or contract with consultants, attorneys, or other  
 18 persons as are required in the judgment of the board and pay  
 19 compensation from funds available to the board.

20 SECTION 16. IC 4-37-5-5, AS ADDED BY P.L.167-2011,  
 21 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 22 JULY 1, 2024]: Sec. 5. (a) The board may hire, fix the compensation  
 23 of, review the performance of, and dismiss, subject to the governor's  
 24 approval, a chief executive officer who:

- 25 (1) is the director of ~~the state museums;~~ **museum;**  
 26 (2) is the chief administrative officer of the corporation; and  
 27 (3) supervises and directs the work of the state ~~museums' staffs~~  
 28 **museum's staff** and contractors.

29 (b) The chief executive officer may hire, fix the compensation of,  
 30 review the performance of, and dismiss employees of the corporation.

31 SECTION 17. IC 4-37-5-7, AS ADDED BY P.L.167-2011,  
 32 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2024]: Sec. 7. The board may assist in the professional  
 34 development of the ~~museums' staffs;~~ **museum's staff**.

35 SECTION 18. IC 4-37-7-1, AS ADDED BY P.L.167-2011,  
 36 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2024]: Sec. 1. The state museum ~~and historic sites~~  
 38 development fund is established. The corporation or an entity  
 39 designated by the board shall administer the fund.

40 SECTION 19. IC 4-37-7-5, AS ADDED BY P.L.167-2011,  
 41 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2024]: Sec. 5. Except as provided in section 8 of this chapter,



1 the following shall be deposited in the fund:

- 2 (1) Proceeds from admission and user fees.  
 3 (2) Sales at **the museum shops: shop.**  
 4 (3) Facility rentals.  
 5 (4) Restaurant sales.  
 6 (5) Any other income generated by the state ~~museums: museum.~~  
 7 (6) Gifts of money or the proceeds from the sale of gifts donated  
 8 to the state ~~museums: museum.~~

9 SECTION 20. IC 4-37-7-7, AS ADDED BY P.L.167-2011,  
 10 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2024]: Sec. 7. The chief executive officer shall report annually  
 12 to the board and the budget committee on the activities, revenues,  
 13 expenditures, and profits of the ~~museums' museum's~~ shops, facility  
 14 rentals, and restaurants.

15 SECTION 21. IC 14-8-2-77, AS AMENDED BY P.L.127-2022,  
 16 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2024]: Sec. 77. "Division" has the following meaning:

- 18 (1) For purposes of IC 14-9-8, the meaning set forth in  
 19 IC 14-9-8-2.  
 20 (2) For purposes of IC 14-19-11, the meaning set forth in  
 21 IC 14-19-11-2.  
 22 **(3) For purposes of IC 14-20-1.5, the meaning set forth in**  
 23 **IC 14-20-1.5-1.**  
 24 ~~(3)~~ **(4)** For purposes of IC 14-21, the division of historic  
 25 preservation and archeology.  
 26 ~~(4)~~ **(5)** For purposes of IC 14-22, the division of fish and wildlife.  
 27 ~~(5)~~ **(6)** For purposes of IC 14-24, the division of entomology and  
 28 plant pathology.  
 29 ~~(6)~~ **(7)** For purposes of IC 14-25.5, the division of water.  
 30 ~~(7)~~ **(8)** For purposes of IC 14-31-2, the meaning set forth in  
 31 IC 14-31-2-4.  
 32 ~~(8)~~ **(9)** For purposes of IC 14-32, the division of soil conservation  
 33 of the Indiana state department of agriculture established by  
 34 IC 15-11-4-1.  
 35 ~~(9)~~ **(10)** For purposes of IC 14-37, the division of reclamation.

36 SECTION 22. IC 14-8-2-124, AS AMENDED BY P.L.167-2011,  
 37 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2024]: Sec. 124. "Historic property", for purposes of  
 39 **IC 14-20-1.5 and IC 14-21-1**, means:

- 40 (1) a historic site;  
 41 (2) a historic structure; or  
 42 (3) other personal or real property located on or in a historic site





- 1 or historic structure.
- 2 SECTION 23. IC 14-8-2-125, AS AMENDED BY P.L.111-2016,  
3 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2024]: Sec. 125. "Historic site" has the following meanings:
- 5 (1) For purposes of IC 14-21-1, means a site that is important to  
6 the general, archeological, agricultural, economic, social,  
7 political, architectural, industrial, or cultural history of Indiana.  
8 The term includes adjacent property that is necessary for the  
9 preservation or restoration of the site.
- 10 (2) For purposes of IC 14-22-6, the meaning set forth in  
11 ~~IC 4-37-1-7~~: **IC 14-20-1.5-2**.
- 12 SECTION 24. IC 14-8-2-126, AS AMENDED BY P.L.167-2011,  
13 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
14 JULY 1, 2024]: Sec. 126. "Historic structure", for purposes of  
15 **IC 14-20-1.5 and** IC 14-21-1, means a structure that is important to the  
16 general, archeological, agricultural, economic, social, political,  
17 architectural, industrial, or cultural history of Indiana. The term  
18 includes adjacent property that is necessary for the preservation or  
19 restoration of the structure.
- 20 SECTION 25. IC 14-8-2-258, AS AMENDED BY P.L.167-2011,  
21 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
22 JULY 1, 2024]: Sec. 258. "Site", for purposes of **IC 14-20-1.5 and**  
23 IC 14-21, includes the following:
- 24 (1) An aboriginal mound, a fort, an earthwork, a village location,  
25 a burial ground, a ruin, a mine, a cave, a battleground, a  
26 shipwreck, or other similar location on land or under water.
- 27 (2) A location that contains or did contain a structure.
- 28 SECTION 26. IC 14-8-2-268, AS AMENDED BY P.L.167-2011,  
29 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30 JULY 1, 2024]: Sec. 268. "Structure" has the following meaning:
- 31 (1) For purposes of **IC 14-20-1.5 and** IC 14-21, a manmade  
32 construction.
- 33 (2) For purposes of IC 14-27-7.5, the meaning set forth in  
34 IC 14-27-7.5-5.
- 35 SECTION 27. IC 14-9-4-1, AS AMENDED BY P.L.127-2022,  
36 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
37 JULY 1, 2024]: Sec. 1. The following divisions are established within  
38 the department:
- 39 (1) Administrative support services.  
40 (2) Asset management.  
41 (3) Engineering.  
42 (4) Entomology and plant pathology.



- 1 (5) Finance.  
 2 (6) Fish and wildlife.  
 3 (7) Forestry.  
 4 (8) Historic preservation and archeology.  
 5 **(9) Historic sites.**  
 6 ~~(9)~~ **(10)** Human resources.  
 7 ~~(10)~~ **(11)** Land acquisition.  
 8 ~~(11)~~ **(12)** Law enforcement.  
 9 ~~(12)~~ **(13)** Management information systems.  
 10 ~~(13)~~ **(14)** Nature preserves.  
 11 ~~(14)~~ **(15)** Communications.  
 12 ~~(15)~~ **(16)** Reclamation.  
 13 ~~(16)~~ **(17)** State parks.  
 14 ~~(17)~~ **(18)** Water.  
 15 ~~(18)~~ **(19)** State land office.
- 16 SECTION 28. IC 14-10-3-1, AS AMENDED BY P.L.127-2022,  
 17 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2024]: Sec. 1. This chapter applies to the property managers  
 19 of each of the following divisions of the department:  
 20 (1) State parks.  
 21 (2) Forestry.  
 22 (3) Fish and wildlife.  
 23 **(4) Historic sites.**
- 24 SECTION 29. IC 14-12-2-14, AS AMENDED BY P.L.127-2022,  
 25 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 26 JULY 1, 2024]: Sec. 14. (a) The President Benjamin Harrison  
 27 conservation trust project committee is established.  
 28 (b) The project committee consists of the following ~~twenty~~ **twenty-one (21)**  
 29 **members:**  
 30 (1) The director of the division of fish and wildlife.  
 31 (2) The director of the division of forestry.  
 32 (3) The director of the division of nature preserves.  
 33 (4) The director of the division of state parks.  
 34 (5) The chief executive officer of the Indiana state museum ~~and~~  
 35 ~~historic sites~~ corporation established by IC 4-37-2-1.  
 36 **(6) The director of the division of historic sites.**  
 37 ~~(6)~~ **(7)** The chairperson of the board of directors of the natural  
 38 resources foundation.  
 39 ~~(7)~~ **(8)** Ten (10) individuals appointed by the governor. The  
 40 governor shall appoint individuals so that all the following are  
 41 satisfied:  
 42 (A) The individuals must be residents of Indiana.



- 1 (B) The individuals must have a demonstrated interest or
- 2 experience in:
- 3 (i) conservation of natural resources; or
- 4 (ii) management of public property.
- 5 (C) There must be two (2) committee members from each of
- 6 the following regions of Indiana:
- 7 (i) Northwest.
- 8 (ii) Northeast.
- 9 (iii) Southwest.
- 10 (iv) Southeast.
- 11 (v) Central.
- 12 ~~(8)~~ **(9)** The following four (4) nonvoting members:
- 13 (A) One (1) member of the house of representatives appointed
- 14 by the speaker of the house of representatives.
- 15 (B) One (1) member of the house of representatives appointed
- 16 by the minority leader of the house of representatives.
- 17 (C) One (1) member of the senate appointed by the president
- 18 pro tempore of the senate.
- 19 (D) One (1) member of the senate appointed by the minority
- 20 leader of the senate.
- 21 (c) The individuals appointed by the governor under subsection
- 22 ~~(b)(7)~~ **(b)(8)** must represent one (1) or more of the following:
- 23 (1) The environmentalist community.
- 24 (2) The land trust community.
- 25 (3) Organized hunting and fishing groups.
- 26 (4) The forest products community.
- 27 (5) The parks and recreation community.
- 28 Each group and community listed in subdivisions (1) through (5) must
- 29 be represented on the project committee.
- 30 SECTION 30. IC 14-12-2-15, AS AMENDED BY P.L.127-2022,
- 31 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 32 JULY 1, 2024]: Sec. 15. (a) As used in this section, "appointing
- 33 authority" refers to:
- 34 (1) the governor in the case of a member appointed under section
- 35 ~~14(b)(7)~~ **14(b)(8)** of this chapter; or
- 36 (2) the speaker of the house of representatives, the minority leader
- 37 of the house of representatives, the president pro tempore of the
- 38 senate, or the minority leader of the senate in the case of a
- 39 member appointed under section ~~14(b)(8)~~ **14(b)(9)** of this
- 40 chapter, whichever is applicable.
- 41 (b) As used in this section, "member" refers to a member of the
- 42 project committee appointed under section ~~14(b)(7)~~ **14(b)(8)** through



- 1 ~~14(b)(8)~~ **14(b)(9)** of this chapter.
- 2 (c) Except as provided in subsection (e), the term of a member
- 3 begins on the later of the following:
- 4 (1) The day the term of the member who the individual is
- 5 appointed to succeed expires.
- 6 (2) The day the individual is appointed by the appointing
- 7 authority.
- 8 (d) Except as provided in subsection (e), the term of a member
- 9 expires July 1 of the second year after the member is appointed or until
- 10 a successor is appointed. However, a member serves at the pleasure of
- 11 the appointing authority.
- 12 (e) This subsection applies to a member appointed under section
- 13 ~~14(b)(8)~~ **14(b)(9)** of this chapter. The member's term begins on the date
- 14 of the appointment and ends on the last day of the member's term as a
- 15 member of the general assembly. However, the member serves at the
- 16 pleasure of the appointing authority.
- 17 (f) The appointing authority may reappoint a member for a new
- 18 term.
- 19 (g) The appointing authority shall appoint an individual to fill a
- 20 vacancy among the members.
- 21 SECTION 31. IC 14-12-2-18, AS AMENDED BY P.L.127-2022,
- 22 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 23 JULY 1, 2024]: Sec. 18. (a) ~~Eight (8)~~ **Nine (9)** members of the project
- 24 committee constitute a quorum.
- 25 (b) The affirmative vote of a majority of the voting members of the
- 26 project committee present and voting is necessary for the project
- 27 committee to take any action.
- 28 (c) A member of the project committee described in section 14(b)(1)
- 29 through 14(b)(5) of this chapter may designate in writing a
- 30 representative from the respective division to serve as a member of the
- 31 project committee when the member of the project committee is unable
- 32 to attend a meeting.
- 33 SECTION 32. IC 14-20-1.5 IS ADDED TO THE INDIANA CODE
- 34 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 35 JULY 1, 2024]:
- 36 **Chapter 1.5. Division of Historic Sites**
- 37 **Sec. 0.5. (a) All real property, personal property, and artifacts**
- 38 **used in the:**
- 39 **(1) administration;**
- 40 **(2) operation; or**
- 41 **(3) acquisition;**
- 42 **of state historic sites by the corporation established by IC 4-37-2-1**



1 are transferred to the division of historic sites.

2 (b) All powers, duties, assets, and liabilities of the corporation  
3 regarding state historic sites are transferred to the division of  
4 historic sites.

5 (c) On July 1, 2024, the budget agency shall determine and  
6 transfer funds:

7 (1) used to operate and maintain historic sites from the state  
8 museum development fund (IC 4-37-7-1); and

9 (2) from any other account intended for the use of state  
10 historic sites, including programs, education, and collections  
11 funds;

12 to the state historic sites development fund established by section  
13 19 of this chapter.

14 (d) The budget agency shall transfer to the department  
15 appropriations for the corporation for the period beginning July  
16 1, 2023, and ending June 30, 2025, that were intended for the  
17 operation and improvement of the historic sites according to an  
18 allotment schedule under IC 4-13-2-18.

19 Sec. 1. As used in this chapter, "division" refers to the division  
20 of historic sites.

21 Sec. 1.5. As used in this chapter, "foundation" refers to the  
22 Indiana historic sites foundation, established by section 20 of this  
23 chapter.

24 Sec. 2. As used in this chapter, "historic site" refers to a state  
25 historic site established and maintained by the trustees under the  
26 criteria established by the trustees.

27 Sec. 3. As used in this chapter, "state agency" has the meaning  
28 set forth in IC 4-1-13-1.

29 Sec. 4. As used in this chapter, "trustees" refers to the board of  
30 trustees for the division of historic sites established by IC 14-9-4-1.

31 Sec. 5. The division of historic sites shall administer and develop  
32 the programs and policies established by this chapter.

33 Sec. 6. The division may do the following:

34 (1) Undertake the action necessary to qualify the state for  
35 participation in sources of federal aid to preserve historic  
36 property, materials, items, sites, and memorials.

37 (2) Provide information on historic property, materials, items,  
38 sites, and memorials within Indiana to federal, state, and local  
39 governmental agencies, private individuals, and  
40 organizations.

41 (3) Advise and coordinate the activities of local historical  
42 associations, historic district commissions, historic



1 commissions, and other interested groups or persons.

2 (4) Provide technical and financial assistance to local  
3 historical associations, historic district commissions, historic  
4 commissions, and other interested groups or persons.

5 (5) Develop a program of interpretation and publication of the  
6 state's historical, architectural, and archeological resources.

7 (6) Collect and preserve objects of scientific and cultural  
8 value representing past and present flora and fauna, the life  
9 and work of mankind, geological history, natural resources,  
10 the manufacturing arts, and fine arts.

11 **Sec. 7. The division shall do the following:**

12 (1) Establish standards and criteria for the acquisition of  
13 historic properties and for the preservation, restoration,  
14 administration, and operation of the sites and structures  
15 acquired.

16 (2) Acquire by purchase, lease, or gift appropriate historic  
17 sites and historic structures.

18 (3) Operate and administer the historic sites and historic  
19 structures owned or acquired by the state in accordance with  
20 this chapter.

21 **Sec. 8. (a) The board of trustees for the division of historic sites**  
22 **is established.**

23 **(b) The trustees consist of thirteen (13) members as follows:**

24 (1) The director of the department, who serves as chairperson.

25 (2) Twelve (12) members appointed by the governor as  
26 follows:

27 (A) One (1) member of the Indiana historic sites  
28 foundation, nominated by the foundation.

29 (B) Two (2) members who are recognized supporters of  
30 historic sites.

31 (C) Not more than seven (7) members may be members of  
32 the same political party.

33 (D) Not more than two (2) members may be from the same  
34 county.

35 Each congressional district in Indiana must be represented by  
36 at least one (1) member.

37 **(c) The terms of the appointed members shall be staggered, as**  
38 **determined by the governor.**

39 **Sec. 9. Each appointed member of the trustees:**

40 (1) serves at the pleasure of the governor for a term of three

41 (3) years beginning September 1; and

42 (2) may not serve more than three (3) consecutive terms.



1           **Sec. 10.** A vacancy on the board of trustees shall be filled for the  
2 unexpired term in the same manner as for a full term.

3           **Sec. 11. (a)** Each member of the trustees who is not a state  
4 employee is entitled to the minimum salary per diem provided by  
5 IC 4-10-11-2.1(b). The member is also entitled to reimbursement  
6 for traveling expenses as provided under IC 4-13-1-4 and other  
7 expenses actually incurred in connection with the member's duties  
8 as provided in the state policies and procedures established by the  
9 Indiana department of administration and approved by the budget  
10 agency.

11           **(b)** Each member of the trustees who is a state employee is  
12 entitled to reimbursement for traveling expenses as provided under  
13 IC 4-13-1-4 and other expenses actually incurred in connection  
14 with the member's duties as provided in the state policies and  
15 procedures established by the Indiana department of  
16 administration and approved by the budget agency.

17           **Sec. 12.** The trustees shall select a vice chairperson from the  
18 trustees' membership for a term of one (1) year expiring  
19 September 1 following the selection. The division director is the  
20 secretary of the trustees.

21           **Sec. 13.** Seven (7) members of the trustees constitute a quorum.

22           **Sec. 14.** The trustees shall do the following:

23           **(1)** Nominate, when the position of division director is vacant,  
24 a person to be appointed by the director to the position. If the  
25 director rejects a nominee's appointment, the trustees shall  
26 nominate another person.

27           **(2)** Recommend, when appropriate, the dismissal of a division  
28 director.

29           **(3)** Make recommendations concerning the salary ranges of  
30 the administrative, professional, and technical staff of the  
31 division.

32           **(4)** Review the budget needs and requests of the division and  
33 make recommendations concerning the needs and requests to  
34 the governor through the director.

35           **(5)** Recommend that the department accept or reject, hold, or  
36 dispose of grants of property to be administered by the  
37 division for the purpose of preservation, research, or  
38 interpretation of significant areas, events, or grants to Indiana  
39 citizens for the purpose of preserving, studying, and  
40 interpreting archeological and natural phenomena, cultural  
41 trends, and accomplishments.

42           **(6)** Review, guide, and assist in the development of statewide



- 1 outreach programs.
- 2 (7) Review, guide, and assist in the development of
- 3 professionalism of the staff and operations.
- 4 (8) Review, recommend, and devise methods to enable the
- 5 division to do the following:
- 6 (A) Increase the division's physical plant.
- 7 (B) Expand educational areas.
- 8 (C) Meet storage needs.
- 9 (9) Develop a plan of growth to meet physical, program, and
- 10 financial needs for both the immediate and long range future,
- 11 monitor the plan at regular intervals, and ensure that the
- 12 division stays within the developed plan.
- 13 (10) Recommend policies, procedures, and practices that the
- 14 commission, the director, and the secretary shall consider.
- 15 (11) Give advice or make recommendations to the governor
- 16 and the general assembly when requested or on the initiative
- 17 of the trustees.
- 18 (12) Review the conduct of the work of the division. To
- 19 implement this duty, the trustees have access at any
- 20 reasonable time to copies of all records pertaining to the work
- 21 of the division.
- 22 (13) Adopt bylaws consistent with this chapter for the
- 23 division's internal control and management and file a copy of
- 24 the bylaws with the director.
- 25 (14) Hold meetings at the times and places in Indiana that are
- 26 prescribed by the bylaws, but at least quarterly.
- 27 (15) Keep minutes of the transactions of each regular and
- 28 special meeting and file the minutes with the director. The
- 29 minutes are public records.
- 30 (16) Promote the welfare of the division.
- 31 (17) Make recommendations concerning the administration of
- 32 the historic site acquisition fund established by section 16 of
- 33 this chapter.
- 34 **Sec. 15. (a) The commission may, on recommendation of the**
- 35 **trustees, accept or refuse to accept an offered gift of historic**
- 36 **property that would be administered by the department.**
- 37 **(b) The commission may, on recommendation of the trustees,**
- 38 **sell or exchange historic property administered by the department**
- 39 **under IC 4-20.5-7 or IC 5-22-22.**
- 40 **(c) The commission may, on recommendation of the trustees and**
- 41 **in accordance with rules adopted by the commission under**
- 42 **IC 4-22-2, sell, donate, or exchange artifacts in the museum's**





1 collection to or with other public or nonprofit museums or  
 2 historical societies. However, the commission may donate an  
 3 artifact in the museum's collection to a public or nonprofit museum  
 4 or historical society under this subsection only if the museum or  
 5 historical society is located in Indiana.

6 (d) The commission may, on recommendation of the trustees,  
 7 adopt rules under IC 4-22-2 to establish a procedure for evaluating  
 8 the merits of proposals to:

- 9 (1) accept gifts of;  
 10 (2) sell; or  
 11 (3) exchange;

12 artifacts or historic property.

13 Sec. 16. (a) The historic site acquisition fund is established. The  
 14 division shall administer the fund.

15 (b) The following shall be deposited in the fund:

- 16 (1) Gifts of money to the fund or the proceeds from the sale of  
 17 gifts donated to the fund.  
 18 (2) The proceeds from sales under this chapter.

19 (c) The treasurer of state shall invest the money in the fund not  
 20 currently needed to meet the obligations of the fund in the same  
 21 manner as other public money may be invested.

22 (d) The expenses of administering the fund shall be paid from  
 23 money in the fund.

24 (e) The division may, on recommendation of the trustees,  
 25 purchase with money in the fund objects for the state museum  
 26 collection. All money accruing to the fund is continuously  
 27 appropriated for this purpose.

28 (f) Money in the fund at the end of a state fiscal year does not  
 29 revert to the state general fund.

30 Sec. 17. A person who:

- 31 (1) knowingly; and  
 32 (2) without a permit;

33 alters historic property within the boundaries of property owned  
 34 or leased by the state commits a Class B misdemeanor.

35 Sec. 18. (a) The department may, by contract, delegate the  
 36 management of historic sites property held and managed by the  
 37 department to the foundation under terms the department  
 38 considers advisable.

39 (b) Under a contract entered into under subsection (a), the  
 40 department may:

- 41 (1) provide office facilities and administrative support to the  
 42 foundation;



- 1           (2) assign department employees to administrative and  
2           program duties at the state museum;  
3           (3) act in an advisory capacity for the foundation; and  
4           (4) accept donations on behalf of the foundation.

5           **Sec. 19. (a)** The state historic sites development fund is  
6           established for the purpose of promoting interest in and use of  
7           Indiana historic sites.

8           **(b)** The fund shall be administered by the department or an  
9           entity designated by the department. The fund consists of the  
10          following:

- 11          (1) Money appropriated to the fund by the general assembly.  
12          (2) Revenue generated by exhibit fees.  
13          (3) Concessions.  
14          (4) Donations.  
15          (5) Grants.  
16          (6) Other miscellaneous revenue.

17          **(c)** Money in the fund at the end of a state fiscal year does not  
18          revert to the state general fund.

19          **(d)** The balance of the fund is continuously appropriated and  
20          may be used at the request of the department with the approval of  
21          the budget agency after review by the budget committee.

22          **Sec. 20.** The board may designate, by adopting a resolution, an  
23          existing nonprofit corporation or establish a nonprofit subsidiary  
24          corporation, known as or to be known as the Indiana historic sites  
25          foundation, that is exempt from federal income taxation under  
26          Section 501(c)(3) of the Internal Revenue Code to solicit and accept  
27          private funding, gifts, donations, bequests, devises, and  
28          contributions.

29          **Sec. 21.** The foundation:

- 30          (1) shall use money received under section 20 of this chapter  
31          to carry out in any manner the purposes and programs under  
32          this chapter; and  
33          (2) may deposit money received under section 20 of this  
34          chapter in an account or fund that is:  
35                  (A) administered by the foundation; and  
36                  (B) not part of the state treasury.

37          **Sec. 22.** The foundation is governed by a board of trustees who  
38          may appoint a director.

39          **Sec. 23.** Employees of the division shall provide administrative  
40          support for the foundation.

41          **Sec. 24.** The foundation is subject to compliance audits by the  
42          state board of accounts.



1 SECTION 33. IC 14-20-6-3, AS AMENDED BY P.L.167-2011,  
 2 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2024]: Sec. 3. The real property shall be administered,  
 4 maintained, managed, and controlled by the ~~Indiana state museum and~~  
 5 ~~historic sites corporation (IC 4-37-2-1)~~ **division of historic sites**  
 6 **(IC 14-20-1.5-8)** and shall be known as The James F.D. Lanier Home.

7 SECTION 34. IC 14-20-7-3, AS AMENDED BY P.L.167-2011,  
 8 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 JULY 1, 2024]: Sec. 3. The ~~Indiana state museum and historic sites~~  
 10 ~~corporation (IC 4-37-2-1)~~ **division of historic sites (IC 14-20-1.5-8)**  
 11 may receive donations for the upkeep of the monument provided for in  
 12 this chapter.

13 SECTION 35. IC 14-20-8-3, AS AMENDED BY P.L.167-2011,  
 14 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15 JULY 1, 2024]: Sec. 3. The real property shall be administered by the  
 16 ~~Indiana state museum and historic sites corporation (IC 4-37-2-1)~~  
 17 **division of historic sites (IC 14-20-1.5-8)** as a historic property and  
 18 shall be known as the William S. Culbertson Mansion.

19 SECTION 36. IC 14-20-8-4, AS AMENDED BY P.L.167-2011,  
 20 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2024]: Sec. 4. The Indiana state museum ~~and historic sites~~  
 22 ~~corporation (IC 4-37-2-1)~~ may receive the following:

23 (1) Donations for the maintenance of the mansion.

24 (2) Other money that is necessary to carry out this chapter.

25 SECTION 37. IC 14-20-9-1, AS AMENDED BY P.L.167-2011,  
 26 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2024]: Sec. 1. This section and sections 2 through 5 of this  
 28 chapter do not apply if:

29 (1) the Wilbur Wright memorial is transferred to the Wilbur  
 30 Wright Birthplace Preservation Society after June 30, 1995; or

31 (2) the board of trustees ~~of the Indiana state museum and historic~~  
 32 ~~sites corporation (IC 4-37-2-1)~~ **for the division of historic sites**  
 33 **(IC 14-20-1.5-8)** declares the memorial to be surplus to the needs  
 34 of the ~~state museum and historic sites corporation.~~ **division of**  
 35 **historic sites.**

36 SECTION 38. IC 14-20-9-4, AS AMENDED BY P.L.167-2011,  
 37 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2024]: Sec. 4. The Indiana state museum ~~and historic sites~~  
 39 ~~corporation (IC 4-37-2-1)~~ shall administer the real property, which  
 40 shall be known as the Wilbur Wright Birthplace.

41 SECTION 39. IC 14-20-9-5, AS AMENDED BY P.L.167-2011,  
 42 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2024]: Sec. 5. The ~~Indiana state museum and historic sites~~  
 2 ~~corporation (IC 4-37-2-1)~~ **division of historic sites (IC 14-20-1.5-8)**  
 3 may do the following:

4 (1) Receive any appropriations made by the federal government  
 5 to assist in memorializing the achievements of Wilbur Wright.

6 (2) Expend the money received from the federal government in  
 7 conformity with this chapter or the federal law making the  
 8 appropriation.

9 SECTION 40. IC 14-20-10-2, AS AMENDED BY P.L.167-2011,  
 10 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JULY 1, 2024]: Sec. 2. The real property shall be administered by the  
 12 ~~Indiana state museum and historic sites corporation (IC 4-37-2-1)~~  
 13 **division of historic sites (IC 14-20-1.5-8)** as a historic property and  
 14 shall be known as the Ernie Pyle Birthplace.

15 SECTION 41. IC 14-20-12-3, AS AMENDED BY P.L.78-2019,  
 16 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2024]: Sec. 3. Thousands of Hoosiers all over the nation have  
 18 contributed toward the moving and restoration of this historic house  
 19 and because the house has already proven to be an outstanding tourist  
 20 attraction and in keeping with our great American heritage, it is the  
 21 intent of this chapter that the office of tourism development (before  
 22 July 1, 2020) or the Indiana destination development corporation (after  
 23 June 30, 2020), the ~~Indiana state museum and historic sites corporation~~  
 24 ~~(IC 4-37-2-1)~~, **division of historic sites (IC 14-20-1.5-8)**, and other  
 25 appropriate state boards and agencies give widespread publicity to this  
 26 memorial by brochure, pamphlet, or other means.

27 SECTION 42. IC 14-20-16-1, AS AMENDED BY P.L.167-2011,  
 28 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2024]: Sec. 1. (a) The governors' portraits collection is placed  
 30 in the custody of the ~~Indiana state museum and historic sites~~  
 31 ~~corporation (IC 4-37-2-1)~~. The collection shall be permanently  
 32 displayed in public areas of the state house under the supervision of the  
 33 ~~Indiana state museum and historic sites corporation~~, which is charged  
 34 with its care and maintenance.

35 (b) The chief executive officer of the ~~Indiana state museum and~~  
 36 ~~historic sites corporation~~ shall inspect each painting in the collection  
 37 annually in the company of one (1) or more experts in the field of art  
 38 conservation selected by the chief executive officer of the ~~Indiana state~~  
 39 ~~museum and historic sites corporation~~.

40 (c) After the inauguration of each governor, the chief executive  
 41 officer of the ~~Indiana state museum and historic sites corporation~~, with  
 42 the concurrence of the governor, shall select and commission an artist



1 to paint the governor's portrait. The portrait must be hung in the  
 2 permanent collection immediately following the completion and  
 3 acceptance of the portrait by the chief executive officer of the Indiana  
 4 state museum ~~and historic sites~~ corporation and the governor.

5 (d) The Indiana state museum ~~and historic sites~~ corporation shall  
 6 include in its budget requests the amount the Indiana state museum ~~and~~  
 7 ~~historic sites~~ corporation considers necessary to:

8 (1) provide for the proper care, maintenance, and display of the  
 9 governors' portraits collection; and

10 (2) commission the painting of an oil portrait of each governor for  
 11 the collection.

12 The Indiana state museum ~~and historic sites~~ corporation may use  
 13 appropriated funds or any other funds provided for these purposes.

14 (e) The chief executive officer of the Indiana state museum ~~and~~  
 15 ~~historic sites~~ corporation, in discharging the duties under this section,  
 16 shall use the appropriate cultural and technical resources of the state,  
 17 including the department, Indiana historical bureau, and the Indiana  
 18 department of administration.

19 SECTION 43. IC 14-20-16-2, AS AMENDED BY P.L.167-2011,  
 20 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 21 JULY 1, 2024]: Sec. 2. (a) The governors' portraits fund is established  
 22 as a dedicated fund to be administered by the Indiana state museum  
 23 ~~and historic sites~~ corporation (IC 4-37-2-1). Money in the fund may be  
 24 expended by the chief executive officer of the Indiana state museum  
 25 ~~and historic sites~~ corporation exclusively for the preservation and  
 26 exhibition of the state owned portraits of former governors of Indiana.

27 (b) The proceeds from the sale of items as directed by law or by the  
 28 chief executive officer of the Indiana state museum ~~and historic sites~~  
 29 corporation, from gifts of money or the proceeds from the sale of gifts  
 30 donated to the fund, and from investment earnings from any portion of  
 31 the fund, shall be deposited in the governors' portraits fund.

32 (c) The treasurer of state shall invest the money in the fund not  
 33 currently needed to meet the obligations of the fund in the same  
 34 manner as other public money may be invested.

35 (d) All money accruing to the governors' portraits fund is  
 36 continuously allotted and appropriated for the purposes specified in this  
 37 section.

38 (e) Money in the fund at the end of the fiscal year does not revert to  
 39 the state general fund.

40 SECTION 44. IC 34-30-2.1-18, AS ADDED BY P.L.105-2022,  
 41 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 42 JULY 1, 2024]: Sec. 18. IC 4-37-3-5 (Concerning actions of members



1 of the board of trustees for the Indiana state museum ~~and historic sites~~  
2 corporation).

3 SECTION 45. IC 35-52-14-7.5 IS ADDED TO THE INDIANA  
4 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2024]: **Sec. 7.5. IC 14-20-1.5-17 defines a**  
6 **crime concerning altering a historic property owned or leased by**  
7 **the state.**

