

# SENATE BILL No. 335

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 14-8-2-294.5; IC 14-18-10-2.

**Synopsis:** Utility easements. Defines "utility" for purposes of IC 14-18-10 (the law concerning utility easements) to include a communications service provider. Provides that the director of the department of natural resources may not impose a charge to issue a permit to erect or construct a utility line upon or across a public highway right-of-way that passes through state land.

**Effective:** July 1, 2015.

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January 8, 2015, read first time and referred to Committee on Utilities.

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First Regular Session 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## SENATE BILL No. 335

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

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

1 SECTION 1. IC 14-8-2-294.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW SECTION TO READ AS FOLLOWS**  
3 [EFFECTIVE JULY 1, 2015]: **Sec. 294.5. "Utility", for purposes of**  
4 **IC 14-18-10, includes a communications service provider (as**  
5 **defined in IC 8-1-32.5-4).**

6 SECTION 2. IC 14-18-10-2 IS AMENDED TO READ AS  
7 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. The director may  
8 issue to any person, without charge, a permit to erect or construct a  
9 utility, telephone, or telegraph line as described in section 1 of this  
10 chapter under the rules and restrictions that the director considers  
11 necessary:

- 12 (1) for the protection and preservation of the natural scenic  
13 conditions of the land; or
- 14 (2) to prevent the line from interfering with or obstructing the use  
15 and enjoyment of the property by the public.

16 **However, the director shall not impose a charge to issue a permit**



1 to erect or construct a utility, telephone, or telegraph line as  
2 described in section 1(5) of this chapter.

