



## 2022 Indiana General Assembly

### Bills of INAFSM Interest

~~Senate Bill 35: Logjam Removal Fund~~

**Senate Bill 85: Drainage Task Force**

~~Senate Bill 255: Climate and Environmental Justice Task Force~~

**Senate Bill 269: Regulation of Dams**

**Senate Bill 342: Floodplain Management**

~~Senate Bill 412: Regulation of Coal Combustion Residuals~~

~~House Bill 1036: Watershed Development Commissions~~

~~House Bill 1139: Regulation of Dams~~

~~House Bill 1287: Climate Change Commission~~

~~House Bill 1327: Ownership of Kankakee Meanderlands~~

~~House Bill 1334: Property Tax Deduction for Wetlands~~

~~House Bill 1335: Closure of Coal Combustion Residual Impoundments~~

**New Information Added**

~~Bills No Longer Active~~

## **Important Dates for the 2022 Short Session of the Indiana Legislature:**

~~Monday January 10, 2022 – Last day the session must reconvene.~~

~~Monday January 31, 2022 – Last day for Third Reading of House Bills in the House.~~

~~Tuesday February 1, 2022 – Last day for Third Reading of Senate Bills in the Senate.~~

Monday February 28, 2022 – Last day for Third Reading of Senate Bills in the House.

Monday February 28, 2022 – Last day for House Adoption of Conference Committee Reports.

Tuesday March 1, 2022 – Last day for Third Reading of House Bills in the Senate.

Tuesday March 1, 2022 – Last day for Senate Adoption of conference Committee Reports.

Monday March 14, 2022 – last day for Adjournment of both Houses.

**Senate Bill 85 Drainage Task Force**

<http://iga.in.gov/legislative/2022/bills/senate/85>

Introduced by Senators Leising, Glick, Raatz

Referred to Senate Committee on Natural Resources

Committee Hearing Date: January 10, 2022, Statehouse Room 130

Committee Vote: 6 – 0, Pass

2<sup>nd</sup> Reading Date: January 18, 2022

3<sup>rd</sup> Reading Date: January 20, 2022

Senate Vote: 45 – 2, Pass

Sponsored by Representative Lehe

Referred to House Committee on Agriculture and Rural Development

House Committee Hearing: February 7, 2022, Statehouse Room 156-C, 10:30 a.m.

2<sup>nd</sup> Reading Date:

3<sup>rd</sup> Reading Date:

House Vote:

Synopsis: Establishes a drainage task force consisting of six members of the senate, six members of the house of representatives, and six other individuals. Requires the task force to: (1) review the responsibilities of landowners and state and local authorities under current laws relating to the drainage of land; (2) make certain determinations concerning drainage and regulatory matters; and (3) determine whether the balance between state authority and local authority over drainage of agricultural land favors state authority more in Indiana than in neighboring states. Authorizes the task force to make recommendations. Requires the task force to issue a report and, not later than December 1, 2023, submit the report to the executive director of the legislative services agency for distribution to the members of the general assembly and to the governor.

**What it Means:** After information was provided during testimony last session for Senate Bill 389, additional scrutiny of state and local laws, rules and regulations will occur. Other members of the task force will represent the Department of Natural Resources, the Department of Environmental Management, a County Drainage Board, a County Surveyor, a Soil and Water Conservation District and two agricultural interests' representatives.

**Senate Bill 269 *Regulation of Dams***

<http://iga.in.gov/legislative/2022/bills/senate/269>

Introduced by Senator Donato

Referred to Senate Committee on Natural Resources

Committee Hearing Date: Monday January 24, 2022, 10:00 a.m. Statehouse Room 130

Committee Vote: 6 – 1, Pass

2<sup>nd</sup> Reading Date: January 31, 2022

3<sup>rd</sup> Reading Date: February 1, 2022

Senate Vote: 39 – 10, Pass

House Committee Hearing:

2<sup>nd</sup> Reading Date:

3<sup>rd</sup> Reading Date:

House Vote:

Synopsis: Provides that the laws regulating dams apply only to a structure that meets two or more of the following conditions: (1) Exceeds 20 feet in height. (2) Has a drainage area above the dam of more than one square mile. (3) Impounds a volume of more than 100 acre-feet of water. Requires the department of natural resources (department) to establish a classification system for dams based on: (1) the height of the structure and the volume of water impounded by the structure; and (2) the force of the water and the likely consequences resulting from the uncontrolled release of its contents due to a failure or mis-operation of the structure. Changes the classification categories for dams from high hazard, significant hazard, and low hazard to high capacity, significant capacity, and low capacity. Changes the standard to determine potential consequences for a failure from "may cause" to "likely to cause". Requires the department to have jurisdiction over a dam to raise the dam's classification to high capacity upon receiving a request from a downstream owner. Provides that changes to the law do not affect past inspections.

**What it Means:** Would significantly alter existing law administered by the Department of Natural Resources by reducing number of dams subject to Department's jurisdiction.

**Senate Bill 342 Floodplain Management**

<http://iga.in.gov/legislative/2022/bills/senate/342>

Introduced by Senators Raatz, Kruse

Referred to Senate Committee on Natural Resources

Committee Hearing Date: Monday January 24, 2022, 10:00 a.m. Statehouse Room 130

Committee Vote: 7 – 1, Pass

2<sup>nd</sup> Reading Date: January 27, 2022

3<sup>rd</sup> Reading Date: February 1, 2022

Senate Vote: 40 – 8, Pass

House Committee Hearing:

2<sup>nd</sup> Reading Date:

3<sup>rd</sup> Reading Date:

House Vote:

Synopsis: Prohibits the director of the department of natural resources from exercising the director's statutory authority to remove or eliminate an abode or residence from a floodway if: (1) a permit for the construction of the abode or residence was issued by the county in which the abode or residence was constructed; (2) the location of the abode or residence was not shown as being within a special flood hazard area in the Federal Emergency Management Agency Flood Insurance Rate Maps available to the county official when the county official issued the permit; (3) the abode or residence was built in compliance with the county construction permit; and (4) the county official who issued the permit did so in good faith and in the belief that the construction of the abode or residence would not violate the prohibition against building an abode or residence in a floodway.

**What it Means:** May allow residences in the floodway under certain circumstances and may impact local and/or state participation in the National Flood Insurance Program. Bill revised in committee to apply to only one County with population between 65,000 – 66,000 (Wayne County?).