
PRELIMINARY DRAFT

No. 3007

PREPARED BY
LEGISLATIVE SERVICES AGENCY
2026 GENERAL ASSEMBLY

DIGEST

Citations Affected: IC 14-8-2; IC 14-13-6; IC 14-30; IC 14-30.5.

Synopsis: River basin commissions. Establishes a consolidated chapter for river basin commission administration. Repeals existing, separate chapters for the Maumee River basin commission, the St. Joseph River basin commission, and the Upper Wabash River basin commission. Creates a new chapter for a river basin commission's conversion into a watershed development commission. Makes technical and conforming changes.

Effective: July 1, 2026.



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:

SECTION 1. IC 14-8-2-20, AS AMENDED BY P.L.99-2025,
SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2026]: Sec. 20. "Basin" has the following meaning:

(1) For purposes of IC 14-13-9, the meaning set forth in
IC 14-13-9-1.

(2) For purposes of IC 14-25-1, the meaning set forth in section
1.2 of IC 14-25-15-1.

(3) For purposes of IC 14-25-17, the meaning set forth in
IC 14-25-17-3.

~~(4) For purposes of IC 14-30-2, the meaning set forth in
IC 14-30-2-1.~~

~~(5) For purposes of IC 14-30-3, the meaning set forth in
IC 14-30-3-1.~~

~~(6) For purposes of IC 14-30-4, the meaning set forth in
IC 14-30-4-1.~~

SECTION 2. IC 14-8-2-48, AS AMENDED BY P.L.251-2023,
SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2026]: Sec. 48. (a) "Commission", except as provided in this
section, refers to the natural resources commission.

(b) "Commission", for purposes of IC 14-13-1, has the meaning set
forth in IC 14-13-1-1.

(c) "Commission", for purposes of IC 14-13-2, has the meaning set
forth in IC 14-13-2-2.

(d) "Commission", for purposes of IC 14-13-4, has the meaning set
forth in IC 14-13-4-1.

(e) "Commission", for purposes of IC 14-13-5, has the meaning set
forth in IC 14-13-5-1.

(f) "Commission", for purposes of IC 14-13-6, has the meaning set
forth in IC 14-13-6-2.

(g) "Commission", for purposes of IC 14-13-9, has the meaning set
forth in IC 14-13-9-2.



(h) "Commission", for purposes of IC 14-20-11, has the meaning set forth in IC 14-20-11-1.

(i) "Commission", for purposes of IC 14-28-4, has the meaning set forth in IC 14-28-4-1.

(j) "Commission", for purposes of ~~IC 14-30-2~~, **IC 14-30-6**, has the meaning set forth in ~~IC 14-30-2-2~~, **IC 14-30-6-1**.

(k) "Commission", for purposes of ~~IC 14-30-3~~, **IC 14-30-7-1**, has the meaning set forth in ~~IC 14-30-3-2~~, **IC 14-30-7-1**.

(l) "Commission", for purposes of ~~IC 14-30-4~~, **IC 14-30-7-2**, has the meaning set forth in ~~IC 14-30-4-2~~, **IC 14-30-7-2**.

(m) "Commission", for purposes of IC 14-30-7-3, has the meaning set forth in IC 14-30-7-3.

~~(n)~~ **(n)** "Commission", for purposes of IC 14-30.5, has the meaning set forth in IC 14-30.5-1-2.

~~(n)~~ **(o)** "Commission", for purposes of IC 14-33-20, has the meaning set forth in IC 14-33-20-2.

SECTION 3. IC 14-8-2-159 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 159. "Maumee River basin", for purposes of ~~IC 14-30-2~~, **IC 14-30-6 and IC 14-30-7**, has the meaning set forth in ~~IC 14-30-2-3~~, **IC 14-30-7-1**.

SECTION 4. IC 14-8-2-198 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 198. "Participating county" has the following meaning:

(1) For purposes of ~~IC 14-30-2~~, **IC 14-30-6**, the meaning set forth in ~~IC 14-30-2-4~~, **IC 14-30-6-1**.

(2) For purposes of ~~IC 14-30-3~~, **IC 14-30-7-1**, the meaning set forth in ~~IC 14-30-3-3~~, **IC 14-30-7-1**.

(3) For purposes of ~~IC 14-30-4~~, **IC 14-30-7-2**, the meaning set forth in ~~IC 14-30-4-3~~, **IC 14-30-7-2**.

(4) For purposes of IC 14-30-7-3, the meaning set forth in IC 14-30-7-3.

SECTION 5. IC 14-8-2-206 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 206. "Plan" has the following meaning:

(1) For purposes of IC 14-21-1, the meaning set forth in IC 14-21-1-8.

(2) For purposes of ~~IC 14-30-2~~, **IC 14-30-6**, the meaning set forth in ~~IC 14-30-2-5~~, **IC 14-30-6-1**.

~~(3) For purposes of IC 14-30-4, the meaning set forth in IC 14-30-4-4.~~

SECTION 6. IC 14-8-2-263 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 263. "St. Joseph River basin", for purposes of ~~IC 14-30-3~~, **IC 14-30-6 and IC 14-30-7**, has the meaning set forth in ~~IC 14-30-3-4~~, **IC 14-30-7-2**.

SECTION 7. IC 14-8-2-291.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 291.5. "Upper Wabash



River basin", for purposes of ~~IC 14-30-4~~, **IC 14-30-6 and IC 14-30-7**, has the meaning set forth in ~~IC 14-30-4-5~~; **IC 14-30-7-3**.

SECTION 8. IC 14-13-6-20, AS AMENDED BY P.L.118-2009, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 20. The commission may use the Wabash River heritage corridor commission fund to pay:

- (1) reimbursement of the expenses of members under section 13 of this chapter;
- (2) other administrative costs and expenses reasonably incurred under this chapter, including expenses for publications and postage; and
- (3) costs incurred in fulfilling the directives of the Wabash River heritage corridor commission master plan, including multicounty projects and marketing and educational tools such as video tape productions, signs, and promotional literature.

However, the commission may not use money in the fund for the upper Wabash River basin commission established by ~~IC 14-30-4-6~~. **IC 14-30-6**.

SECTION 9. IC 14-13-6-23, AS ADDED BY P.L.69-2009, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 23. (a) The Wabash River heritage corridor fund is established for the purpose of:

- (1) providing grants to aid the sustainable development of property under the Wabash River heritage corridor commission master plan and purposes of the commission; and
- (2) paying costs incurred in fulfilling the directives of the Wabash River heritage corridor commission master plan, including multicounty projects.

However, the commission may not use money in the fund for the upper Wabash River basin commission established by ~~IC 14-30-4-6~~. **IC 14-30-6**.

(b) The fund shall be administered by the director under the direction of the commission.

(c) The expenses of administering the fund shall be paid from money in the fund.

(d) The fund consists of the following:

- (1) Appropriations made by the general assembly.
- (2) Interest as provided in subsection (e).
- (3) Funds deposited under IC 14-38-1-13(d).
- (4) Money donated to the fund.
- (5) Money transferred to the fund from other funds.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

(f) Money in the fund at the end of a fiscal year does not revert to



the state general fund.

(g) Money in the fund is annually appropriated to the department of natural resources for its use in fulfilling the purposes of this section.

SECTION 10. IC 14-30-2 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Maumee River Basin Commission).

SECTION 11. IC 14-30-3 IS REPEALED [EFFECTIVE JULY 1, 2026]. (St. Joseph River Basin Commission).

SECTION 12. IC 14-30-4 IS REPEALED [EFFECTIVE JULY 1, 2026]. (Upper Wabash River Basin Commission).

SECTION 13. IC 14-30-6 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 6. River Basin Commission Administration

Sec. 1. For purposes of this chapter, the following definitions apply:

(1) "Commission" refers to a river basin commission established under section 2 of this chapter.

(2) "Participating county" refers to a county that joins the commission under section 4 of this chapter.

(3) "Plan" refers to a plan described in section 12(a)(1) of this chapter.

Sec. 2. (a) The following river basin commissions are established:

(1) The Maumee River basin commission.

(2) The St. Joseph River basin commission.

(3) The Upper Wabash River basin commission.

(b) After consulting with the surveyor of each county in a river basin, the director shall certify the boundaries of a commission established under subsection (a).

Sec. 3. A commission established under this chapter:

(1) is a separate municipal corporation; and

(2) may sue and be sued.

Sec. 4. The executive of a county that includes territory in a commission may do the following:

(1) Elect to participate in the commission by designating the county as a participating county.

(2) Revoke the designation described in subdivision (1).

Sec. 5. (a) The following shall serve as voting members of the commission:

(1) A member of the county executive for a participating county.

(2) The executive director or, if a county does not have an executive director, the chairman of a soil and water conservation district that:

(A) is subject to IC 14-32;

(B) includes territory in a participating county; and



- 1 (C) includes territory in the basin.
- 2 (3) The county surveyor of each participating county.
- 3 (b) In addition to the members required under subsection (a),
- 4 the required members of a commission may appoint the following
- 5 voting members:
- 6 (1) Each member of the county executive for a participating
- 7 county.
- 8 (2) The executive of each second class city in a participating
- 9 county.
- 10 (3) If a participating county does not have a second class city,
- 11 the executive of the municipality with the largest population.
- 12 (4) A participating county's health officer.
- 13 (5) A representative of each soil and water conservation
- 14 district that:
- 15 (A) is subject to IC 14-32;
- 16 (B) includes territory in a participating county; and
- 17 (C) includes territory in the basin.
- 18 (6) A representative of the department of natural resources.
- 19 However, the representative may not be an employee or
- 20 elected official of a city, town, or county governmental unit.
- 21 (c) A representative described in subsection (b)(5) or (b)(6):
- 22 (1) serves a three (3) year term;
- 23 (2) is eligible for reappointment; and
- 24 (3) continues until a successor is appointed.
- 25 Sec. 6. (a) A member of the commission may:
- 26 (1) designate another individual to perform the duties of the
- 27 member on the commission; and
- 28 (2) revoke the designation described in subdivision (1).
- 29 (b) A designation or a revocation of a designation under this
- 30 section must be filed with the commission to be effective.
- 31 Sec. 7. (a) A commission shall annually elect from among the
- 32 voting members the following officers:
- 33 (1) A chairperson.
- 34 (2) A vice chairperson.
- 35 (3) A secretary.
- 36 (4) A treasurer.
- 37 (b) The officers elected under subsection (a) shall perform the
- 38 duties specified in the commission's bylaws.
- 39 (c) A commission may establish other offices, including an
- 40 executive director, and determine the means for filling the offices.
- 41 Sec. 8. (a) Each member of a commission is entitled to
- 42 reimbursement for traveling expenses and other expenses actually
- 43 incurred in connection with the member's duties as provided in the
- 44 state travel policies and procedures established by the Indiana
- 45 department of administration and approved by the budget agency.
- 46 Money paid under this section may only be paid from money



1 available to the commission.

2 (b) A county may pay members of a commission the salary per
3 diem provided by IC 4-10-11-2.1(b) for the performance of the
4 member's duties on the commission.

5 Sec. 9. (a) A commission shall meet at least four (4) times each
6 calendar year.

7 (b) The following may call a meeting:

8 (1) The chairperson.

9 (2) The executive director.

10 (3) A quorum of the commission's members.

11 (c) A commission shall adopt bylaws specifying a quorum
12 requirement.

13 (d) A member may waive notice of any meeting by filing a
14 written waiver with the secretary of the commission.

15 Sec. 10. (a) A commission may do the following:

16 (1) Manage the commission's internal affairs.

17 (2) Employ staff.

18 (3) Enter into contracts for purposes of this chapter.

19 (4) Exercise the powers of a political subdivision specified in
20 a cooperative agreement described in section 12 of this
21 chapter.

22 (5) Provide a forum for the discussion, study, and evaluation
23 of water resource issues of common concern in the river
24 basin.

25 (6) Facilitate and foster cooperative planning and coordinated
26 management of the basin's water and related land resources.

27 (7) Develop positions on major water resource issues and
28 serve as an advocate of the basin's interests before Congress
29 and federal, state, and local governmental agencies.

30 (8) Develop plans and tools to improve water quality or
31 mitigate flooding in the basin.

32 (9) Publicize, advertise, and distribute reports on the
33 commission's purposes, objectives, studies, and findings.

34 (10) When requested, make recommendations in matters
35 related to the commission's functions and objectives to
36 political subdivisions in the basin and to other public and
37 private agencies.

38 (11) When requested, act as a coordinating agency for
39 programs and activities of other public and private agencies
40 that are related to the commission's objectives.

41 (12) Invite government officials of other states within the river
42 basin to:

43 (A) attend the commission's meetings; and

44 (B) advise the commission upon the commission's request.

45 (b) This section does not exempt the commission from any other
46 statute.



Sec. 11. A commission shall do the following:

- (1) Keep a record of the commission's resolutions, transactions, and findings. This record is a public record.
- (2) Make an annual report of the commission's activities to the executive of each participating county. The commission shall upon request make an annual report to the following:
 - (A) The governor.
 - (B) Any member of the general assembly.
- (3) Prepare and adopt an annual budget.
- (4) Submit the budget described in subdivision (3) to the executive of each participating county and, upon request, make the budget available to each agency appropriating money to the commission.

Sec. 12. (a) A political subdivision in a participating county may under IC 36-1-7 enter into a cooperative agreement with a commission and at least one (1) other legal entity to authorize the commission to:

- (1) develop a plan to improve water quality, improve drainage, or mitigate flooding in the part of the basin that is described in the cooperative agreement;
- (2) exercise any of the other powers of the political subdivision to regulate water courses in the basin;
- (3) organize and coordinate the installation of trails along the basin through partnerships with other organizations; or
- (4) develop and promote good soil and water conservation practices and procedures, including erosion control and bank stabilization.

(b) In developing the plan under subsection (a)(1), a commission shall determine the best method and manner of establishing flood mitigation, giving consideration to the following:

- (1) The reservoir method.
- (2) The channel improvement method.
- (3) The levee method.
- (4) Flood plain regulation.
- (5) The wetland restoration method.
- (6) The increase infiltration method.
- (7) All nonstructural methods.

Sec. 13. (a) The commission shall give the public an opportunity to participate in the development of the plan by holding public hearings at which public testimony is heard and by accepting written recommendations from the public.

(b) Before the plan is implemented by a political subdivision, the plan must be approved by the department of natural resources in accordance with IC 14-25 through IC 14-29.

Sec. 14. A commission may adopt rules under IC 4-22-2 to do the following:



(1) Require that increased water runoff resulting from new construction be impounded on the construction site.

(2) Permit the requirement of onsite water impoundment under subdivision (1) to be waived upon payment of a reasonable fee by the developer of the new construction.

(3) Restrict construction within the one hundred (100) year flood plains of the river basin.

Sec. 15. (a) The commission may establish an executive board consisting of the following:

(1) The chairperson of the commission.

(2) One (1) member from each participating county that is not represented by the chairperson, to be chosen in a manner prescribed by the commission.

(b) The commission may delegate to the executive board the power to do the following:

(1) Recommend agenda items and activities to the commission.

(2) Conduct hearings on proposed commission projects.

(3) Perform other administrative duties assigned by the commission.

Sec. 16. (a) The commission may appoint an advisory committee to assist the commission.

(b) A member of an advisory committee is not entitled to compensation for serving on the advisory committee.

Sec. 17. (a) This section applies to meetings under IC 5-14-1.5 of:

(1) the commission; or

(2) an executive board appointed under section 15 of this chapter.

(b) The definitions in IC 5-14-1.5 apply to this section.

(c) A commission member may participate in a meeting by an electronic means that allows:

(1) all participating members; and

(2) all members of the public who are physically present at the meeting;

to simultaneously communicate with each other. The member shall be considered present for purposes of establishing a quorum and may participate in any final action taken at the meeting.

(d) Both of the following apply to a meeting under this section:

(1) At least one-third (1/3) of the members must be physically present at the place where the meeting is conducted.

(2) All votes during the meeting must be taken by roll call vote.

Nothing in this section affects the public's right to attend a meeting at the place where the meeting is conducted and the minimum number of members is physically present.



(e) Each member of the commission is required to physically attend at least one (1) meeting of the commission annually. Each member of the executive board is required to physically attend at least one (1) meeting of the executive board annually.

(f) The commission may adopt a policy to govern participation in the meetings of the commission or the executive board by electronic communication. The policy may do any of the following:

(1) Require a member to request authorization to participate in a meeting by electronic communication within a certain number of days before the meeting to allow for arrangements to be made for the member's participation by electronic communication.

(2) Limit the number of meetings in a calendar year in which any one (1) member may participate by electronic communication.

(3) Provide that a member who participates in a meeting by electronic communication may not cast the deciding vote on any official action. For purposes of this chapter, a member casts the deciding vote on an official action if, regardless of the order in which the votes are cast:

(A) the member votes with the majority; and

(B) the official action is adopted or defeated by one (1) vote.

(4) Require a member participating in a meeting by electronic communication to confirm in writing the votes cast by the member during the meeting within a certain number of days after the date of the meeting.

(5) Provide that in addition to the location where a meeting is conducted, the public may also attend some or all meetings, excluding executive sessions, at a public place or public places at which a member is physically present and participates by electronic communication. If the commission's policy includes this provision, a meeting notice must provide the following information:

(A) The identity of each member who will be physically present at a public place and participate in the meeting by electronic communication.

(B) The address and telephone number of each public place where a member will be physically present and participate by electronic communication.

(C) Unless the meeting is an executive session, a statement that a location described in clause (B) will be open and accessible to the public.

(6) Establish any other procedures, limitations, or conditions that govern participation in meetings of the commission by electronic communication and are not in conflict with this



chapter.

(g) Nothing in this section affects the commission's right to exclude the public from an executive session in which a member participates by electronic communication.

Sec. 18. A commission may:

(1) explore the desirability of entering into an interstate compact to improve water quality or mitigate flooding in the commission's basin; and

(2) make recommendations on the content of a potential interstate compact under subdivision (1).

Sec. 19. (a) A commission may receive grants and appropriations from the following:

(1) Federal, state, and local governments.

(2) Individuals, foundations, and other organizations.

However, a commission is not eligible for funding through the Wabash River heritage corridor commission established by IC 14-13-6-6.

(b) The commission may enter into an agreement or contract regarding the acceptance or use of the grants and appropriations described in subsection (a) for the purpose of carrying out the commission's activities under this chapter.

Sec. 20. (a) A participating county may budget, appropriate, and disburse money to carry out the purposes of the commission under this chapter.

(b) The appropriation from the participating county that is needed for all or part of the commission's budget must be apportioned among the participating counties in direct relationship to the amount of land area in each participating county certified under section 2 of this chapter.

(c) The apportionment that is needed from each participating county shall be presented to the county executive at the same time that budgets are presented by county officers.

Sec. 21. (a) The commission shall make expenditures only as budgeted. However, the commission may revise the budget at any time to authorize unbudgeted expenditures.

(b) Any appropriated amounts remaining unexpended or unencumbered at the end of the fiscal year become part of a nonreverting cumulative fund to be held in the name of the commission. The commission may authorize unbudgeted expenditures from this fund.

(c) The commission is responsible for the safekeeping and deposit of money the commission receives under this chapter. The state board of accounts shall:

(1) prescribe the methods and forms for keeping; and

(2) periodically audit;

the accounts, records, and books of the commission.



(d) The treasurer of the commission may receive, disburse, and handle money belonging to the commission, subject to the following:

- (1) Applicable statutes.
- (2) Procedures established by the commission.

Sec. 22. (a) For the purposes of this chapter, the commission may do the following:

- (1) Acquire by grant, gift, purchase, or devise, and dispose of, conservation easements under IC 32-23-5 in land within the one hundred (100) year flood plains and the wetlands in the basin.
- (2) Acquire, by grant, gift, purchase, or devise, improvements within the one hundred (100) year flood plains of the basin for the purpose of removing those improvements.
- (3) Acquire, dispose of, hold, use, improve, maintain, operate, own, manage, or lease real or personal property by grant, gift, purchase, or devise.

(b) The commission may exercise the powers granted by this section as follows:

- (1) For purposes of IC 32-23-5.
- (2) To contribute to the following:
 - (A) Flood mitigation.
 - (B) Flood damage reduction.
 - (C) Improvements in water quality.
 - (D) Soil conservation.

Sec. 23. (a) The commission, the executive board, or employees or authorized representatives of the commission acting under this chapter may:

- (1) enter the land lying within the one hundred (100) year flood plain of any watercourse in the river basin; and
- (2) enter land lying outside the one hundred (100) year flood plain to gain access to land lying within the one hundred (100) year flood plain in the river basin;

if necessary to investigate, examine, or survey the land or investigate suspected violations of the Indiana flood control laws.

(b) The commission must give twenty-one (21) days written notice to:

- (1) an owner of the affected land;
- (2) a contract purchaser of the affected land; or
- (3) if the land is municipal property (as described in IC 6-1.1-10-5(a)), the executive of the municipality;

before exercising the right to enter land under this section. The notice must state the purpose of the entry and that there is a right of appeal under this section.

(c) A person described in subsection (b)(1) through (b)(3) may, within the twenty-one (21) day notice period required by



subsection (b), appeal the proposed entry under subsection (a) to the commission on the grounds that the proposed entry is not necessary. If a person appeals under this subsection, the commission shall hold a hearing on the necessity of the entry before the right of entry is exercised.

(d) A person entering land under this section must use due care to avoid damage to

(1) crops; or

(2) fences, buildings, and other structures.

(e) Neither the commission, the executive board, nor employees or authorized representatives of the commission acting under this chapter commits criminal trespass under IC 35-43-2-2 by entering land described in subsection (a) for a purpose set forth in subsection (a).

SECTION 14. IC 14-30-7 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 7. Conversion to Watershed Development Commission

Sec. 1. (a) For purposes of this section, the following definitions apply:

(1) "Commission" refers to the Maumee River basin commission.

(2) "Maumee River basin" means the area in Indiana drained by the Maumee River and the tributaries of the Maumee River.

(3) "Participating county" refers to a county that has joined the Maumee River basin commission under IC 14-30-6-4.

(b) The commission:

(1) may; but

(2) is not required to;

consider a proposal to transform the commission from a river basin commission subject to IC 14-30-6 into a watershed development commission subject to IC 14-30.5.

(c) For the commission to be transformed from a river basin commission subject to IC 14-30-6 into a watershed development commission subject to IC 14-30.5:

(1) the county executives of all participating counties:

(A) must approve the proposal described in subsection (b); and

(B) must adopt substantively identical ordinances that set forth the flood damage reduction, drainage, storm water management, or soil and water conservation purposes for which the proposed watershed development commission would be established, and, for the purposes of IC 14-30.5-2-0.5, the designated watershed within which the proposed watershed development commission would



1 exercise its powers; and
 2 (2) a majority of the voting members of the commission must
 3 vote in favor of the transformation of the commission into a
 4 watershed development commission in accordance with the
 5 ordinances adopted under subdivision (1)(B) and the
 6 provisions of this section.

7 (d) For the county executive of a participating county to
 8 approve a proposal described in subsection (b) under subsection
 9 (c)(1)(A), at least two (2) of the three (3) members of the county
 10 executive must vote in favor of the proposal.

11 (e) If a member of the county executive of a participating county
 12 has designated another individual under IC 14-30-6-6 to perform
 13 the member's duties on the commission, the individual designated
 14 to perform the duties of the member of the county executive may
 15 vote under subsection (c)(2) on the proposal described in
 16 subsection (b).

17 (f) If the county executives of all participating counties approve
 18 a proposal described in subsection (b) under subsection (c)(1)(A)
 19 and adopt substantively identical ordinances under subsection
 20 (c)(1)(B), a majority of the voting members of the commission vote
 21 in favor of the transformation of the commission into a watershed
 22 development commission under subsection (c)(2), and the natural
 23 resources commission approves the transformation of the
 24 commission into a watershed development commission with the
 25 purposes set forth in the ordinances adopted under subsection
 26 (c)(1)(B), the following apply:

27 (1) The commission shall notify the natural resources
 28 commission and the department of the approval of the
 29 proposal.

30 (2) The officers of the commission elected under IC 14-30-6-7
 31 shall take the actions necessary and appropriate to the
 32 transformation of the commission from a river basin
 33 commission subject to this chapter into a watershed
 34 development commission subject to IC 14-30.5.

35 (3) The board of the watershed development commission
 36 consists of the following:

37 (A) The director of the department or the director's
 38 designee.

39 (B) The county surveyor of each county participating in
 40 the commission.

41 (C) A member of the county executive from each county
 42 participating in the commission or the member's designee.

43 (D) One (1) individual to represent each second class city
 44 that is located in a participating county and within the
 45 Maumee River basin, appointed by:

46 (i) the board of storm water management (as described



- 1 in IC 8-1.5-5-4) of the second class city; or
 2 (ii) if the second class city has no board of storm water
 3 management, the executive of the second class city.
 4 (E) A member of the county soil and water conservation
 5 district board from each participating county within the
 6 Maumee River basin or the member's designee.
 7 (4) The director of the department or the director's designee:
 8 (A) shall advise the commission on the transformation of
 9 the commission into a watershed development commission
 10 subject to IC 14-30.5; and
 11 (B) when the board of the watershed development
 12 commission is formed, shall assume the position on the
 13 board of the watershed development commission specified
 14 in IC 14-30.5-4-1(a)(1)(A).
 15 (5) The watershed development commission board may not
 16 meet until the natural resources commission has given the
 17 approval referred to in this subsection. Upon the convening of
 18 the first meeting under IC 14-30.5-4 of the board of the
 19 watershed development commission:
 20 (A) the Maumee River basin commission ceases to exist as
 21 a separate municipal corporation under IC 14-30-6;
 22 (B) the Maumee watershed development commission is
 23 established as a public body corporate and politic under
 24 IC 14-30.5;
 25 (C) the participating counties of the Maumee River basin
 26 commission become member counties of the Maumee
 27 watershed development commission under IC 14-30.5; and
 28 (D) each participating county of the Maumee River basin
 29 commission is authorized to appoint a member of the
 30 county executive or the member's designee under
 31 IC 14-30.5-4-1 to represent the county on the board of the
 32 Maumee watershed development commission.
 33 (g) If established under this section, the Maumee watershed
 34 development commission:
 35 (1) is a continuation of;
 36 (2) retains the property and rights of; and
 37 (3) is responsible for the actions and subject to the liabilities
 38 of;
 39 the former Maumee River basin commission.
 40 (h) If established under this section, the Maumee watershed
 41 development commission has all of the powers and duties of a
 42 watershed development commission under IC 14-30.5 in the areas
 43 of the watershed of the Maumee River and the tributaries of the
 44 Maumee River that are within the boundaries of the member
 45 counties of the Maumee watershed development commission. For
 46 the purposes of IC 14-30.5, the areas of the watershed of the



1 Maumee River and the tributaries of the Maumee River that are
 2 within the boundaries of the member counties of the Maumee
 3 watershed development commission comprise the designated
 4 watershed of the Maumee watershed development commission.

5 (i) If the Maumee watershed development commission is
 6 established under this section, the board of the Maumee watershed
 7 development commission shall appoint an executive director under
 8 IC 14-30.5-4-2(e). An individual who was executive director of the
 9 Maumee River basin commission may be appointed executive
 10 director of the Maumee watershed development commission under
 11 this subsection.

12 (j) If the Maumee watershed development commission is
 13 established under this section, all property, records, and funds of
 14 the former Maumee River basin commission:

15 (1) become property, records, and funds of the Maumee
 16 watershed development commission; and

17 (2) shall be transmitted to the Maumee watershed
 18 development commission not more than sixty (60) days after
 19 the appointment of the executive director under subsection (i).

20 Sec. 2. (a) For purposes of this section, the following definitions
 21 apply:

22 (1) "Commission" refers to the St. Joseph River basin
 23 commission.

24 (2) "Participating county" refers to a county that has joined
 25 the St. Joseph River basin commission under IC 14-30-6-4.

26 (3) "St. Joseph River basin" means the area in Elkhart
 27 County, Kosciusko County, LaGrange County, Noble County,
 28 St. Joseph County, and Steuben County that drains into the
 29 St. Joseph River.

30 (b) The commission:

31 (1) may; but

32 (2) is not required to;

33 consider a proposal to transform the commission from a river
 34 basin commission subject to IC 14-30-6 into a watershed
 35 development commission subject to IC 14-30.5.

36 (c) For the commission to be transformed from a river basin
 37 commission subject to IC 14-30-6 into a watershed development
 38 commission subject to IC 14-30.5:

39 (1) the county executives of all participating counties:

40 (A) must approve the proposal described in subsection (b);
 41 and

42 (B) must adopt substantively identical ordinances that set
 43 forth the information required by IC 14-30.5-2-1(b),
 44 including, for the purposes of IC 14-30.5-2-0.5, the
 45 designated watershed within which the proposed
 46 watershed development commission would exercise its



1 powers; and

2 (2) a majority of the voting members of the commission must
3 vote in favor of the transformation of the commission into a
4 watershed development commission in accordance with the
5 ordinances adopted under subdivision (1)(B) and the
6 provisions of this section.

7 (d) For the county executive of a participating county to
8 approve a proposal described in subsection (b) under subsection
9 (c)(1)(A), at least two (2) of the three (3) members of the county
10 executive must vote in favor of the proposal.

11 (e) If a member of the county executive of a participating county
12 has designated another individual under IC 14-30-6-6 to fill the
13 member's position on the commission, the individual designated to
14 fill the member's position may vote under subsection (c)(2) on the
15 proposal described in subsection (b).

16 (f) If the county executives of all participating counties approve
17 a proposal described in subsection (b) under subsection (c)(1)(A)
18 and adopt substantively identical ordinances under subsection
19 (c)(1)(B), a majority of the voting members of the commission vote
20 in favor of the transformation of the commission into a watershed
21 development commission under subsection (c)(2), and the natural
22 resources commission approves the transformation of the
23 commission into a watershed development commission with the
24 purposes set forth in the ordinances adopted under subsection
25 (c)(1)(B), the following apply:

26 (1) The commission shall notify the natural resources
27 commission and the department of the approval of the
28 proposal.

29 (2) The officers of the commission elected under IC 14-30-6-7
30 shall take the actions necessary and appropriate to the
31 transformation of the commission from a river basin
32 commission subject to IC 14-30-6 into a watershed
33 development commission subject to IC 14-30.5.

34 (3) The board of the watershed development commission
35 consists of the following:

36 (A) The director of the department or the director's
37 designee.

38 (B) The county surveyor of each county participating in
39 the commission.

40 (C) An individual other than the county surveyor
41 representing each county participating in the commission,
42 appointed by the county executive.

43 (D) Either:

44 (i) one (1) individual appointed to represent each second
45 class city that is located in a participating county and
46 within the St. Joseph River basin; or



(ii) if a participating county does not include a second class city that is located within the St. Joseph River basin, one (1) individual appointed to represent the municipality that has the largest population of all municipalities that are located in the participating county and within the St. Joseph River basin.

An individual appointed to represent a second class city under item (i) shall be appointed by the board of storm water management (as described in IC 8-1.5-5-4) of the second class city or, if the second class city has no board of storm water management, by the executive of the second class city. An individual appointed under item (ii) to represent the municipality that has the largest population of all municipalities that are located in the participating county and within the St. Joseph River basin shall be appointed by the board of storm water management (as described in IC 8-1.5-5-4) of the municipality or, if the municipality has no board of storm water management, by the executive of the municipality.

(4) The director of the department or the director's designee:

(A) shall advise the commission on the transformation of the commission into a watershed development commission subject to IC 14-30.5; and

(B) when the board of the watershed development commission is formed, shall assume the position on the board of the watershed development commission specified in IC 14-30.5-4-1(a)(2)(A).

(5) The watershed development commission board may not meet until the natural resources commission has given the approval referred to in this subsection. Upon the convening of the first meeting under IC 14-30.5-4 of the board of the watershed development commission:

(A) the St. Joseph River basin commission ceases to exist as a separate municipal corporation under IC 14-30-6;

(B) the St. Joseph watershed development commission is established as a public body corporate and politic under IC 14-30.5;

(C) the participating counties of the St. Joseph River basin commission become member counties of the St. Joseph watershed development commission under IC 14-30.5; and

(D) each participating county of the St. Joseph River basin commission is authorized to appoint an individual described in subdivision (3)(C) to represent the county on the board of the St. Joseph watershed development commission.

(g) If established under this section, the St. Joseph watershed



development commission:

(1) is a continuation of;

(2) retains the property and rights of; and

(3) is responsible for the actions and subject to the liabilities of;

the former St. Joseph River basin commission.

(h) If established under this section, the St. Joseph watershed development commission has all of the powers and duties of a watershed development commission under IC 14-30.5 in the areas of the watershed of the St. Joseph River and the tributaries of the St. Joseph River that are within the boundaries of the member counties of the St. Joseph watershed development commission. For the purposes of IC 14-30.5, the areas of the watershed of the St. Joseph River and the tributaries of the St. Joseph River that are within the boundaries of the member counties of the St. Joseph watershed development commission comprise the designated watershed of the St. Joseph watershed development commission.

(i) If the St. Joseph watershed development commission is established under this section, the board of the St. Joseph watershed development commission shall appoint an executive director under IC 14-30.5-4-2(e). An individual who was executive director of the St. Joseph River basin commission may be appointed executive director of the St. Joseph watershed development commission under this subsection.

(j) If the St. Joseph watershed development commission is established under this section, the following apply:

(1) All property, records, and funds of the St. Joseph River basin commission:

(A) become property, records, and funds of the St. Joseph watershed development commission; and

(B) shall be transmitted to the St. Joseph watershed development commission not more than sixty (60) days after the appointment of the executive director under subsection (i).

(2) Any advisory committee appointed under IC 14-30-6-16 is dissolved.

(3) The individuals serving as members of the St. Joseph River basin commission under IC 14-30-6 become the members of the advisory committee of the St. Joseph watershed development commission. Upon the expiration under IC 14-30-6-5 or other termination of the term of office of an individual described in this subdivision, the office of the individual shall be filled by a successor according to subdivision (4).

(4) As provided in subdivision (3) and IC 14-30.5-4-5(c)(3), upon the termination of the terms of office of all of the



1 individuals who become members of the advisory committee
 2 under subdivision (3), the advisory committee of the St.
 3 Joseph watershed development commission shall consist of the
 4 following members:

5 (A) From each participating county the following:

6 (i) The executive of each second class city that is located
 7 in the participating county and within the St. Joseph
 8 River basin, or the executive's designee.

9 (ii) If the county does not have a second class city that is
 10 located within the St. Joseph River basin, the executive
 11 of the municipality that has the largest population of all
 12 municipalities that are located in the participating
 13 county and within the St. Joseph River basin, or the
 14 executive's designee.

15 (B) A member of the county executive or the county
 16 executive's designee from each participating county.

17 (C) The county health officer or the health officer's
 18 designee from each participating county.

19 (D) The county surveyor of each participating county or
 20 the county surveyor's designee.

21 (E) A representative of each soil and water conservation
 22 district that:

23 (i) is subject to IC 14-32;

24 (ii) includes territory in a participating county; and

25 (iii) includes territory in the St. Joseph river basin.

26 (F) The director of the St. Joseph watershed development
 27 commission or the director's designee.

28 Sec. 3. (a) For purposes of this section, the following definitions
 29 apply:

30 (1) "Commission" refers to the Upper Wabash River basin
 31 commission.

32 (2) "Upper Wabash River basin" means the area located in
 33 Adams County, Huntington County, Jay County, or Wells
 34 County that is drained by the Wabash River, including the
 35 tributaries of the Wabash River.

36 (3) "Participating county" refers to a county that has joined
 37 the Upper Wabash River basin commission under
 38 IC 14-30-6-4.

39 (b) The commission:

40 (1) may; but

41 (2) is not required to;

42 consider a proposal to transform the commission from a river
 43 basin commission subject to IC 14-30-6 into a watershed
 44 development commission subject to IC 14-30.5.

45 (c) For the commission to be transformed from a river basin
 46 commission subject to IC 14-30-6 into a watershed development



commission subject to IC 14-30.5:

(1) the county executives of all participating counties:

(A) must approve the proposal described in subsection (b);
and

(B) must adopt substantively identical ordinances that set forth the information required by IC 14-30.5-2-1(b), including, for the purposes of IC 14-30.5-2-0.5, the designated watershed within which the proposed watershed development commission would exercise its powers; and

(2) a majority of the voting members of the commission must vote in favor of the transformation of the commission into a watershed development commission in accordance with the ordinances adopted under subdivision (1)(B) and the provisions of this section.

(d) For the county executive of a participating county to approve a proposal described in subsection (b) under subsection (c)(1)(A), at least two (2) of the three (3) members of the county executive must vote in favor of the proposal.

(e) If a member of the county executive of a participating county has designated another individual under IC 14-30-6-6 to perform the member's duties on the commission, the individual designated to perform the member's duties may vote under subsection (c)(2) on the proposal described in subsection (b).

(f) If the county executives of all participating counties approve a proposal described in subsection (b) under subsection (c)(1)(A) and adopt substantively identical ordinances under subsection (c)(1)(B), a majority of the voting members of the commission vote in favor of the transformation of the commission into a watershed development commission under subsection (c)(2), and the natural resources commission approves the transformation of the commission into a watershed development commission with the purposes set forth in the ordinances adopted under subsection (c)(1)(B), the following apply:

(1) The commission shall notify the natural resources commission and the department of the approval of the proposal.

(2) The officers of the commission elected under IC 14-30-6-7 shall take the actions necessary and appropriate to the transformation of the commission from a river basin commission subject to IC 14-30-6 into a watershed development commission subject to IC 14-30.5.

(3) The board of the watershed development commission consists of the following:

(A) The director of the department or the director's designee.



(B) The county surveyor of each county participating in the commission.

(C) An individual other than the county surveyor representing each county participating in the commission, appointed by the county executive.

(D) Either:

(i) one (1) individual appointed to represent each second class city that is located in a participating county and within the upper Wabash River basin; or

(ii) if a participating county does not include a second class city that is located within the upper Wabash River basin, one (1) individual appointed to represent the municipality that has the largest population of all municipalities that are located in the participating county and within the upper Wabash River basin.

An individual appointed to represent a second class city under item (i) shall be appointed by the board of storm water management (as described in IC 8-1.5-5-4) of the second class city or, if the second class city has no board of storm water management, by the executive of the second class city. An individual appointed under item (ii) to represent the municipality that has the largest population of all municipalities that are located in the participating county and within the upper Wabash River basin shall be appointed by the board of storm water management (as described in IC 8-1.5-5-4) of the municipality or, if the municipality has no board of storm water management, by the executive of the municipality.

(4) The director of the department or the director's designee:

(A) shall advise the commission on the transformation of the commission into a watershed development commission subject to IC 14-30.5; and

(B) when the board of the watershed development commission is formed, shall assume the position on the board of the watershed development commission specified in IC 14-30.5-4-1(a)(2)(A).

(5) The watershed development commission board may not meet until the natural resources commission has given the approval referred to in this subsection. Upon the convening of the first meeting under IC 14-30.5-4 of the board of the watershed development commission:

(A) the Upper Wabash River basin commission ceases to exist as a separate municipal corporation under IC 14-30-6;

(B) the Upper Wabash watershed development commission is established as a public body corporate and politic under



1 IC 14-30.5;

2 (C) the participating counties of the Upper Wabash River
3 basin commission become member counties of the Upper
4 Wabash watershed development commission under
5 IC 14-30.5; and

6 (D) each participating county of the Upper Wabash River
7 basin commission is authorized to appoint an individual
8 described in subdivision (3)(C) to represent the county on
9 the board of the Upper Wabash watershed development
10 commission.

11 (g) If established under this section, the Upper Wabash
12 watershed development commission:

13 (1) is a continuation of;

14 (2) retains the property and rights of; and

15 (3) is responsible for the actions and subject to the liabilities
16 of;

17 the former Upper Wabash River basin commission.

18 (h) If established under this section, the Upper Wabash
19 watershed development commission has all of the powers and
20 duties of a watershed development commission under IC 14-30.5
21 in the areas of the watershed of the Wabash River and the
22 tributaries of the Wabash River that are within the boundaries of
23 the member counties of the Upper Wabash watershed development
24 commission. For the purposes of IC 14-30.5, the areas of the
25 watershed of the Wabash River and the tributaries of the Wabash
26 River that are within the boundaries of the member counties of the
27 Upper Wabash watershed development commission comprise the
28 designated watershed of the Upper Wabash watershed
29 development commission.

30 (i) If the Upper Wabash watershed development commission is
31 established under this section, the board of the Upper Wabash
32 watershed development commission shall appoint an executive
33 director under IC 14-30.5-4-2(e). An individual who was executive
34 director of the Upper Wabash River basin commission may be
35 appointed executive director of the Upper Wabash watershed
36 development commission under this subsection.

37 (j) If the Upper Wabash watershed development commission is
38 established under this section, all property, records, and funds of
39 the former Upper Wabash River basin commission:

40 (1) become property, records, and funds of the Upper Wabash
41 watershed development commission; and

42 (2) shall be transmitted to the Upper Wabash watershed
43 development commission not more than sixty (60) days after
44 the appointment of the executive director under subsection (i).

45 SECTION 15. IC 14-30.5-2-0.5, AS ADDED BY P.L.251-2023,
46 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



JULY 1, 2026]: Sec. 0.5. (a) Notwithstanding subsection (b), this chapter does not authorize the creation of a watershed development commission if the area in which the watershed development commission could exercise the powers conferred by this article would include any part of the area in which a river basin commission established under **IC 14-30-6-4**

(1) ~~IC 14-30-2;~~

(2) ~~IC 14-30-3; or~~

(3) ~~IC 14-30-4;~~

is authorized to exercise its powers.

(b) This section does not prohibit:

(1) the transformation of the Maumee River basin commission into a watershed development commission under ~~IC 14-30-2-25;~~ **IC 14-30-7-1;**

(2) the transformation of the St. Joseph River basin commission into a watershed development commission under ~~14-30-3-33;~~ **IC 14-30-7-2;** or

(3) the transformation of the upper Wabash River basin commission into a watershed development commission under ~~IC 14-30-4-20;~~ **IC 14-30-7-3;**

on the grounds that the watershed development commission resulting from the transformation would be authorized to exercise its powers in all or any part of the area in which the transformed river basin commission was authorized to exercise its powers before the transformation.

SECTION 16. IC 14-30.5-4-5, AS ADDED BY P.L.251-2023, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) There is established for each watershed development commission an advisory committee to provide counsel to the board of the commission.

(b) Except as provided in subsection (c), a watershed development commission advisory committee established under this section consists of a member or representative of the board of supervisors of the soil and water conservation district of each county that is a member of the commission, selected by the board of supervisors.

(c) If the St. Joseph watershed development commission is established under ~~IC 14-30-3-33;~~ **IC 14-30-7-2:**

(1) the individuals serving as members of the St. Joseph River basin commission under ~~IC 14-30-3-8~~ **IC 14-30-6-5** become members of the advisory committee of the St. Joseph watershed development commission;

(2) the term of office of an individual who becomes a member of the advisory committee of the St. Joseph watershed development commission under subdivision (1) is as provided in ~~IC 14-30-3-9;~~ **IC 14-30-7-2;** and

(3) upon:



- 1 (A) the expiration under ~~IC 14-30-3-9~~; **IC 14-30-6-5**; or
- 2 (B) the termination under any other circumstances;
- 3 of the term of office of an individual described in subdivision (1),
- 4 the office of the individual shall be filled by a successor according
- 5 to ~~IC 14-30-3-33(i)(4)~~; **IC 14-30-7-2(j)(4)**.

