

First Regular Session 112th General Assembly (2001)

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 2000 General Assembly.

## SENATE ENROLLED ACT No. 152

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AN ACT to amend the Indiana Code concerning local government.

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

SECTION 1. IC 36-9-27-69.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: **Sec. 69.5. (a) Unless otherwise required by an ordinance of the county, a person who lays out a subdivision of lots or lands outside the corporate boundaries of any municipality must submit plans and specifications for the drainage of the subdivision in accordance with this section. The county drainage board must approve the drainage plan before the person may proceed with development of the subdivision.**

**(b) A drainage plan and specifications submitted under subsection (a) to the county drainage board must comply with this chapter. Except as provided in subsection (c), the plan must comply with the following standards:**

- (1) The plan must maintain the amount of drainage through the tract that existed when the tract was created. If any tiles are cut, broken down, or rendered useless during the construction activity on the tract, the landowner will be responsible for the repair, replacement, or relocation of the tile.**
- (2) The plan may not change the locations where surface water enters the tract and exits the tract from the locations**

SEA 152 — Concur+



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that existed when the tract was created.

**(3) Water which sheds off of a new structure, especially when the new structure is elevated or near a property line, or both, must exit the tract in the same location where it did when the tract was created.**

**(c) The county drainage board may approve an alternate plan that does not comply with the standard set forth in subsection (b)(2).**

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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

Approved: \_\_\_\_\_

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Governor of the State of Indiana

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SEA 152 — Concur+

