



Reprinted
January 26, 2010

SENATE BILL No. 92

DIGEST OF SB 92 (Updated January 25, 2010 4:20 pm - DI 84)

Citations Affected: IC 25-21.5.

Synopsis: Land surveyors. Allows a licensed land surveyor to enter any land or property within Indiana to conduct a survey. Provides procedures for notifying a landowner and makes a surveyor liable for damage caused by the entry.

Effective: July 1, 2010.

Boots, Randolph

January 5, 2010, read first time and referred to Committee on Local Government.
January 21, 2010, amended, reported favorably — Do Pass.
January 25, 2010, read second time, amended, ordered engrossed.

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SB 92—LS 6341/DI 14+



Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

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SENATE BILL No. 92

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

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

- 1 SECTION 1. IC 25-21.5-9-7 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2010]: **Sec. 7. Subject to section 8 of this chapter, a land surveyor
4 may enter upon, over, or under any land or property within
5 Indiana for the limited purpose of the practice of land surveying as
6 defined in IC 25-21.5-1-7. The land surveyor may not interfere
7 with any construction, operation, or maintenance activity being
8 conducted upon the land or water by the owner or occupant.**
9 SECTION 2. IC 25-21.5-9-8 IS ADDED TO THE INDIANA CODE
10 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
11 1, 2010]: **Sec. 8. (a) Before a land surveyor may enter upon, over,
12 or under any land or water under section 7 of this chapter, the land
13 surveyor must notify the occupant of the land or water of the entry
14 by any means as long as the land surveyor can provide proof that
15 notice was given.**
16 **(b) A land surveyor shall present written identification to the
17 occupant of the land or water to be entered under section 7 of this**



1 **chapter before entering the land or water.**
2 **(c) A land surveyor shall be liable for any damage that may**
3 **occur to the land or property as a result of entry upon, over, or**
4 **under the land or property under section 7 of this chapter.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill No. 92, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 5, delete "to conduct a survey or investigation by manual or" and insert "**for the limited purpose of the practice of land surveying as defined in IC 25-21.5-1-7. The land surveyor may not interfere with any construction, operation, or maintenance activity being conducted upon the land or water by the owner or occupant.**".

Page 1, delete lines 6 through 17.

Page 2, line 5, after "entry" insert "**by any means as long as the land surveyor can provide proof that notice was given.**".

Page 2, delete lines 6 through 7.

Page 2, line 35, delete "by:" and insert "**by two (2) disinterested residents of the county, of whom one**".

Page 2, delete lines 36 through 38.

Page 2, run in lines 35 through 39.

and when so amended that said bill do pass.

(Reference is to SB 92 as introduced.)

LAWSON C, Chairperson

Committee Vote: Yeas 10, Nays 1.

SENATE MOTION

Madam President: I move that Senate Bill 92 be amended to read as follows:

Page 1, line 3, delete "sections 8 and 9" and insert "**section 8**".

Page 2, line 2, delete "At the same time and in the same manner as the occupant of" and insert "**A land surveyor shall be liable for any damage that may occur to the land or property as a result of entry upon, over, or under the land or property under section 7 of this chapter.**".

Page 2, delete lines 3 through 42.



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Delete page 3.

Renumber all SECTIONS consecutively.

(Reference is to SB 92 as printed January 22, 2010.)

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