

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 2010 Regular Session of the General Assembly.

## SENATE ENROLLED ACT No. 374

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

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

SECTION 1. IC 25-21.5-9-7 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2011]: **Sec. 7. (a) As used in this section, "public utility" means a corporation, company, partnership, limited liability company, political subdivision (as defined in IC 36-1-2-13), individual, association of individuals, or their lessees, trustees, or receivers appointed by a court that own, operate, manage, or control any plant or equipment within Indiana for the:**

- (1) conveyance of telephone messages;**
- (2) production, transmission, delivery, or furnishing of heat, light, water, or power; or**
- (3) collection, treatment, purification, and disposal in a sanitary manner of liquid and solid waste, sewage, night soil, and industrial waste.**

**(b) Subject to section 8 of this chapter and except as provided in subsection (c), a land surveyor and any personnel under the supervision of a land surveyor may enter upon, over, or under any land, water, or property within Indiana for the limited purpose of the practice of land surveying. The land surveyor and any personnel under the supervision of the land surveyor may not interfere with any construction, operation, or maintenance activity being conducted upon the land, water, or property by the owner or**

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**occupant.**

**(c) Notwithstanding subsection (b), a land surveyor and any personnel under the supervision of a land surveyor may not enter:**

**(1) property owned or controlled by:**

**(A) the Indiana department of homeland security; or**

**(B) a public utility; or**

**(2) a building, dwelling, or structure on the land or property.**

SECTION 2. IC 25-21.5-9-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 8. (a) To the extent practicable, before entering upon, over, or under any land, water, or property under section 7 of this chapter, a land surveyor and any personnel under the supervision of a land surveyor shall present written identification to the occupant of the land, water, or property.**

**(b) A land surveyor and any personnel under the supervision of a land surveyor is liable for any damage that may occur to the land, water, or property as a result of entry upon, over, or under the land, water, or property under section 7 of this chapter.**

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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

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Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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