
PRELIMINARY DRAFT
No. 3496

PREPARED BY
LEGISLATIVE SERVICES AGENCY
2009 GENERAL ASSEMBLY

DIGEST

Citations Affected: IC 14-8-2-203; IC 14-24-4-2.

Synopsis: Pests and pathogens. Includes pests and pathogens that are injurious to natural resources in the definition of "pest or pathogen" for purposes of certain laws concerning entomology and plant pathology. Allows the director of the department of natural resources to prescribe the boundaries of an area where a pest or pathogen is located and to declare the area to be an infested area. (The introduced version of this bill was prepared by the natural resources study committee.)

Effective: July 1, 2009.



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:

1 SECTION 1. IC 14-8-2-203, AS AMENDED BY P.L.225-2005,
2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2009]: Sec. 203. "Pest or pathogen" has the following
4 meaning:

5 (1) Except as provided in IC 14-24-4.5, for purposes of IC 14-24,
6 means:

- 7 (A) an arthropod;
8 (B) a nematode;
9 (C) a microorganism;
10 (D) a fungus;
11 (E) a parasitic plant;
12 (F) a mollusk;
13 (G) a plant disease; or
14 (H) an exotic weed;

15 that may be injurious to nursery stock, agricultural crops, other
16 vegetation, **natural resources**, or bees.

17 (2) For purposes of IC 14-24-4.5, the meaning set forth in
18 IC 14-24-4.5-2(4).

19 SECTION 2. IC 14-24-4-2 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. If as a result of an
21 inspection under section 1 of this chapter a site is determined to be
22 infested with a pest or pathogen that is likely to spread or communicate
23 to adjacent or contiguous territory in an adjoining ~~township~~, **area**, the
24 director may ~~declare all or a part of the township~~ **prescribe the**
25 **boundaries of an area** where the pest or pathogen is located **and**
26 **declare the area** to be an infested area.

