

SENATE BILL No. 390

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-9-27-21.

Synopsis: Drain assessments. Specifies that if a drainage board imposes an assessment on a drain located on a certain type of parcel, the drainage board is prohibited from imposing another assessment on the drain for the same purpose.

Effective: July 1, 2003.

Dillon

January 16, 2003, read first time and referred to Committee on Governmental Affairs and Interstate Cooperation.

C
O
P
Y



First Regular Session 113th General Assembly (2003)

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 2002 Regular or Special Session of the General Assembly.

C
o
p
y

SENATE BILL No. 390



A BILL FOR AN ACT to amend the Indiana Code concerning local government.

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

1 SECTION 1. IC 36-9-27-21 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 21. (a) A drain that is
 3 located partly or wholly within the corporate boundaries of a
 4 municipality is subject to this chapter only if it was constructed by the
 5 municipality under this chapter, IC 19-4 (repealed February 26, 1982),
 6 or a statute repealed by Acts 1965, c.305, s.1003.

7 (b) If a municipal drain not subject to this chapter flows directly or
 8 indirectly into a regulated drain that is subject to this chapter, the board
 9 shall assess the land benefited by the municipal drain to the extent that
 10 it is benefited by the construction, reconstruction, or maintenance of
 11 the regulated drain.

12 (c) This subsection applies to any parcel of land that is partly within
 13 the corporate boundaries of a municipality having a drain affected by
 14 subsection (b). Notwithstanding section 38 of this chapter, **if the**
 15 **drainage board may make only one (1) assessment for the same**
 16 **purpose on each individual drain on the parcel: imposes an assessment**
 17 **on a drain located on a parcel, the drainage board is prohibited**



1 **from imposing any other assessment on the drain for the same**
2 **purpose.** For purposes of making this one (1) assessment, the total
3 acreage of the parcel must be considered to be located where most of
4 the land in the parcel is situated, either within the boundaries or outside
5 the boundaries.

C
o
p
y

