

# SENATE BILL No. 292

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 14-18-12-3.

**Synopsis:** Vacating roads in state parks and preserves. Provides that, before issuing an order vacating all or part of a public highway located on or within the boundaries of certain property owned by the state, the director of the department of natural resources must obtain the written approval of the executive of the political subdivision responsible for the construction, reconstruction, maintenance, and operation of the public highway.

**Effective:** January 1, 2013 (retroactive).

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January 8, 2013, read first time and referred to Committee on Agriculture and Natural Resources.

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First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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## SENATE BILL No. 292

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 14-18-12-3 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE JANUARY 1, 2013 (RETROACTIVE)]:  
 3 Sec. 3. (a) ~~Whenever~~ **If** the director:  
 4 (1) determines that the proper operation or administration of:  
 5 (1) (A) a state park;  
 6 (2) (B) a state forest;  
 7 (3) (C) a state game preserve; or  
 8 (4) (D) a scenic or historic place;  
 9 necessitates the abandonment of all or part of a public highway,  
 10 except a state highway, that is located on or within the boundaries  
 11 of the property; **and**  
 12 (2) **after December 31, 2012, obtains written approval of the**  
 13 **abandonment plan from the executive (as defined in**  
 14 **IC 36-1-2-5) of the political subdivision responsible for the**  
 15 **construction, reconstruction, maintenance, and operation of**  
 16 **the public highway;**  
 17 the director may issue an order vacating all or part of the public



1 highway.

2 (b) The director shall have a copy of the order posted in five (5)  
3 conspicuous places in the township where the public highway is  
4 located fifteen (15) days before the order takes effect.

5 (c) If any privately owned land would become inaccessible by a  
6 public highway due to the order and vacation, as much of the highway  
7 that provides the only public access to and outlet from the land is not  
8 vacated as long as the condition exists.

9 SECTION 2. **An emergency is declared for this act.**

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