
HOUSE BILL No. 1289

DIGEST OF INTRODUCED BILL

Citations Affected: IC 14-27-3.

Synopsis: Levee repair and reimbursement. Requires a committee in charge of a levee to apportion and assess costs of levee repairs not more than 90 days after the statement of costs and expenses for repairs is filed with the county auditor. Allows the county council to appoint a voting member to the committee while the county is being reimbursed for the costs and expenses for repairs to the levee.

Effective: July 1, 2013.

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January 14, 2013, read first time and referred to Committee on 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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HOUSE BILL No. 1289



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 14-27-3-8 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. To raise the
3 necessary money to reimburse the county, the committee **in charge of**
4 **a levee** shall apportion and assess the costs upon the land and
5 corporations to be benefited by the repairs in proportion to the benefits
6 **not more than ninety (90) days after filing the statement of costs**
7 **and expenses for repairs under section 7(b)(3) of this chapter.** The
8 costs may not exceed the benefits. However, if the repairs have been
9 made necessary by the act or negligence of:

- 10 (1) the owner or occupant of land; or
 - 11 (2) an employee or agent of the owner or occupant;
- 12 the cost of the repairs shall be assessed against that land alone.

13 SECTION 2. IC 14-27-3-8.5 IS ADDED TO THE INDIANA CODE
14 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
15 1, 2013]: **Sec. 8.5. (a) Notwithstanding any other law, during the**
16 **period:**

- 17 (1) **beginning when a committee in charge of a levee files a**



1 **statement of costs and expenses for repairs under section**
2 **7(b)(3) of this chapter; and**
3 **(2) ending when the county has been reimbursed for the costs**
4 **and expenses for repairs to the levee;**
5 **the county council may appoint an individual to serve as a voting**
6 **member of the committee.**
7 **(b) A member of a committee in charge of a levee appointed**
8 **under this section serves at the pleasure of the county council.**

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