

IC 14-27-4

Chapter 4. Levee Associations; Merged

IC 14-27-4-1

Applicability of chapter

Sec. 1. This chapter applies to a levee association or corporation that meets the following conditions:

(1) The levee association or corporation was a levee association originally organized under Acts 1913, c.165, that:

(A) accepted the provisions of:

(i) IC 23-7-1 (before its repeal on September 2, 1971);

(ii) IC 23-7-1.1 (before its repeal on August 1, 1991); or

(iii) IC 23-17; and

(B) merged with a levee association originally organized under IC 23-7-1.

(2) The surviving corporation or association of the merger has in the articles of merger restated the provisions of the corporation's or association's articles to do the following:

(A) Include among the corporation's or association's purposes the construction, extension, changing, improvement, maintenance, or repair of a levee, dike, breakwater, dam, sewer, ditch, drain, diversion channel, creek, water course, pumping station, syphon, flood gate, waste gate, or a combination of more than one (1) of these objects or in any work determined to be necessary for or to be an aid to the protection, drainage, reclamation, or improvement of wet or overflowed land subject to overflow.

(B) Use all statutes relating to levees, ditches, and drains.

(3) At least one (1) of the following has occurred:

(A) The levee association has entered into a commitment with a state or federal authority or agency for the construction of a levee or for the planning of a levee.

(B) Federal or state money has been appropriated or expended in feasibility studies or for preconstruction planning before March 10, 1967, as a consequence of the commitment.

As added by P.L.1-1995, SEC.20.

IC 14-27-4-2

Effect of repeal on surviving corporation

Sec. 2. A surviving corporation:

(1) may continue and possesses all the rights, powers, duties, and privileges of any law repealed by IC 19-3-2-106 (repealed April 1, 1980); and

(2) is not affected by the repeal.

As added by P.L.1-1995, SEC.20.

IC 14-27-4-3

Effect on rights and obligations of surviving corporation

Sec. 3. A surviving corporation has all the specific rights, powers,

privileges, and obligations conferred on levee associations organized under Acts 1913, c.165, as amended.
As added by P.L.1-1995, SEC.20.