

SENATE BILL No. 186

DIGEST OF INTRODUCED BILL

Citations Affected: IC 1-1-2-5.

Synopsis: Right to food. Provides that an individual has the right to: (1) save and exchange seeds to grow food; and (2) grow, raise, produce, harvest, and consume the food that the individual chooses; for the individual's own nourishment, sustenance, bodily health, and well-being. Specifies certain acts that are prohibited. Provides that a zoning ordinance may restrict but may not prohibit the growing or raising of food. Specifies that the Indiana state board of animal health may enforce a state or federal law, rule, or regulation concerning animals. Specifies that the right to grow and raise food may not impair the terms of a lease or contract.

Effective: July 1, 2024.

Byrne, Doriot

January 9, 2024, read first time and referred to Committee on Agriculture.



Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

SENATE BILL No. 186



A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

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

1 SECTION 1. IC 1-1-2-5 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1,
3 2024]: **Sec. 5. (a) Except as provided in subsections (b) and (c), an**
4 **individual has the right to:**
5 (1) **save and exchange seeds to grow food; and**
6 (2) **grow, raise, produce, harvest, and consume the food that**
7 **the individual chooses;**
8 **for the individual's own nourishment, sustenance, bodily health,**
9 **and well-being. However, an individual may not trade or exchange**
10 **trademarked or patented seeds.**
11 **(b) Nothing in this section allows an individual to commit:**
12 (1) **trespassing;**
13 (2) **theft;**
14 (3) **the illegal:**
15 (A) **taking;**
16 (B) **catching;**
17 (C) **killing;**



- 1 (D) possession; or
 2 (E) transportation;
 3 of an animal;
 4 (4) animal cruelty; or
 5 (5) an abuse of:
 6 (A) private property rights;
 7 (B) public lands; or
 8 (C) natural resources;
 9 in the growing, raising, production, harvesting, consumption, or
 10 acquisition of seeds or food.
 11 (c) A unit of local government that exercises planning and
 12 zoning under IC 36-7-4 may adopt and enforce ordinances and
 13 resolutions under IC 36-7-4 that regulate the growing or raising of
 14 food. However, a unit of local government may not adopt or
 15 enforce ordinances or resolutions under IC 36-7-4 that prohibit or
 16 have the effect of prohibiting the growing or raising of food.
 17 (d) Nothing in subsection (a) prohibits the Indiana state board
 18 of animal health from enforcing a state or federal law, rule, or
 19 regulation concerning animals, including the humane slaughter of
 20 animals.
 21 (e) Nothing in subsection (a) may impair the terms of a lease or
 22 contract, including the governing documents (as defined in
 23 IC 32-25.5-2-3) of a homeowners association.

