

Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

## HOUSE ENROLLED ACT No. 1131

---

AN ACT to amend the Indiana Code concerning utilities.

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

SECTION 1. IC 8-1-1.9-3, AS ADDED BY P.L.126-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. As used in this chapter, "water or wastewater utility" means:

- (1) a public utility that provides water service, wastewater service, or both water service and wastewater service to the public; **or**
- (2) **a municipally owned utility that provides water service to less than eight thousand (8,000) customers.**

SECTION 2. IC 8-1-1.9-4, AS ADDED BY P.L.126-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) Notwithstanding IC 8-1-2.7 and any other law under which a water or wastewater utility is exempt from or may withdraw from the jurisdiction of the commission, a water or wastewater utility that is organized ~~as a legal entity~~ after June 30, 2018, is subject to the jurisdiction of the commission with respect to:

- (1) rates and charges;
- (2) stocks, bonds, notes, or other evidence of indebtedness;
- (3) rules; and
- (4) the annual report filing requirement;

for the period of ten (10) years beginning on the day on which the water or wastewater utility is organized. ~~as a legal entity~~.

(b) This section does not affect:

- (1) any statutes requiring or permitting a water or wastewater

HEA 1131 — CC 1



utility to petition the commission before providing service to the public; or

(2) the commission's jurisdiction regarding statutes and petitions referred to in subdivision (1).

SECTION 3. IC 8-1-2-46.2, AS ADDED BY P.L.91-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 46.2. (a) As used in this section, "water or wastewater utility" means a public utility, other than a not-for-profit utility, as defined in section 125(a) of this chapter, that provides water or wastewater service to the public.

(b) Notwithstanding any law or rule governing extension of service, a water or wastewater utility may, on a nondiscriminatory basis, extend service for economic development purposes or to rural areas without a deposit or other adequate assurance of performance from the customer, to the extent that the extension of service results in a positive contribution to the utility's overall cost of service over a twenty (20) year period. However, if the water or wastewater utility determines that the extension of service will not result in a positive contribution to the utility's overall cost of service over a twenty (20) year period, the water or wastewater utility may require a deposit or other adequate assurance of performance from:

(1) the developer of the project; or

(2) a local, regional, or state economic development organization.

(c) Subsection (d) applies if:

(1) a county executive, a municipal legislative body, or, in Marion County, the county fiscal body, establishes an infrastructure development zone under IC 6-1.1-12.5-4; and

(2) the county executive, municipal legislative body, or county fiscal body requests a public utility to extend water or wastewater utility service to the geographic territory established as the infrastructure development zone.

(d) A water or wastewater utility that receives a request described in subsection (c)(2) may file a petition with the commission seeking approval of the requested extension of service. If the commission approves the petition, in future general rate cases, the commission shall approve rate schedules that include a surcharge payable only by customers located in the geographic area within the jurisdiction of the governmental entity described in subsection (c), **including or, if requested by the governmental entity, only within** the geographic area established as an infrastructure development zone. The surcharge shall recover depreciation expense, weighted cost of capital, and federal and state income tax applicable to the extension of water or



wastewater utility service.

SECTION 4. IC 8-1-2-101.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 101.5. (a) This section applies to:**

- (1) a water main extension;**
- (2) a wastewater main extension; or**
- (3) an agreement that:**
  - (A) is for a water main extension or a wastewater main extension; and**
  - (B) is entered into after June 30, 2020, by a utility and the person requesting the extension.**

**(b) As used in this section, "utility" means a municipally owned utility (as defined in IC 8-1-2-1(h)) that provides water service or wastewater service, or both, to the public.**

**(c) With respect to any water main extension or wastewater main extension, a utility shall comply with the commission's rules governing water main extensions or wastewater main extensions, as applicable, including:**

- (1) 170 IAC 6-1.5, in the case of a water main extension; or**
  - (2) 170 IAC 8.5-4, in the case of a wastewater main extension;**
- as may be amended by the commission, regardless of whether the utility is subject to the jurisdiction of the commission for the approval of rates and charges. However, a utility is not required to comply with any provisions in the commission's main extension rules that require reporting to the commission.**

**(d) Disputes arising under this section may be submitted as informal complaints to the commission's consumer affairs division, in accordance with IC 8-1-2-34.5(b) and the commission's rules under 170 IAC 16, including provisions for referrals and appeals to the full commission, regardless of whether the person requesting the extension is a customer of the utility.**

**(e) The commission shall adopt by:**

- (1) order; or**
- (2) rule under IC 4-22-2;**

**other procedures not inconsistent with this section that the commission determines to be reasonable or necessary to administer this section. In adopting the rules under this section, the commission may adopt emergency rules in the manner provided by IC 4-22-2-37.1. Notwithstanding IC 4-22-2-37.1(g), an emergency rule adopted by the commission under this subsection and in the manner provided by IC 4-22-2-37.1 expires on the date on which a rule that supersedes the emergency rule is adopted by the**



commission under IC 4-22-2-24 through IC 4-22-2-36.

(f) If the commission determines that it requires additional staff to handle the volume of informal complaints submitted under this section, the commission may impose a fee under this section. Any fee charged by the commission under this section may:

(1) not exceed:

(A) the commission's actual costs in administering this section; or

(B) seven hundred fifty dollars (\$750);

whichever is less; and

(2) be assessed against the party against whom a decision is rendered under this section.

SECTION 5. IC 8-1-30.3-5, AS AMENDED BY P.L.229-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) This section applies if:

(1) a utility company acquires property from an offered utility in a transaction involving a willing buyer and a willing seller; and

(2) at least one (1) utility company described in subdivision (1) is subject to the jurisdiction of the commission under this article.

(b) Subject to subsection (c), there is a rebuttable presumption that a cost differential is reasonable.

(c) If the acquisition:

(1) is made under IC 8-1.5-2-6.1, and to the extent the purchase price does not exceed the appraised value as determined under IC 8-1.5-2-5; or

**(2) is not made under IC 8-1.5-2-6.1, and to the extent the purchase price does not exceed the appraised value as determined under section 5.5 of this chapter;**

the purchase price is considered reasonable for purposes of subsection (d) and any resulting cost differential is considered reasonable.

(d) Before closing on the acquisition, the utility company that acquires the utility property may petition the commission to include any cost differential as part of its rate base in future rate cases. The commission shall approve the petition if the commission finds the following:

(1) The utility property is used and useful to the offered utility in providing water service, wastewater service, or both water and wastewater service.

(2) The offered utility is too small to capture economies of scale or has failed to furnish or maintain adequate, efficient, safe, and reasonable service and facilities.

(3) The utility company will improve economies of scale or, if



otherwise needed, make reasonable and prudent improvements to the offered utility's plant, the offered utility's operations, or both, so that customers of the offered utility will receive adequate, efficient, safe, and reasonable service.

(4) The acquisition of the utility property is the result of a mutual agreement made at arms length.

(5) The actual purchase price of the utility property is reasonable.

(6) The utility company and the offered utility are not affiliated and share no ownership interests.

(7) The rates charged by the utility company will not increase unreasonably in future general rate cases solely as a result of acquiring the utility property from the offered utility. For purposes of this subdivision, the rates and charges will not increase unreasonably in future general rate cases so long as the net original cost proposed to be recorded under subsection (f) is not greater than two percent (2%) of the acquiring utility's net original cost rate base as determined in the acquiring utility's most recent general rate case. If the amount proposed to be recorded under subsection (f) is greater than two percent (2%) of the acquiring utility's net original cost rate base as determined in the acquiring utility's most recent general rate case, the commission shall proceed to determine whether the rates charged by the utility company will increase unreasonably in future general rate cases solely as a result of acquiring the utility property from the offered utility and, in making the determination, may consider evidence of:

(A) the anticipated dollar value increase; and

(B) the increase as a percentage of the average bill.

(8) The cost differential will be added to the utility company's rate base to be amortized as an addition to expense over a reasonable time with corresponding reductions in the rate base.

(e) In connection with its petition under subsection (d), the acquiring utility company shall provide the following:

(1) Notice to customers of the acquiring utility company that a petition has been filed with the commission under this chapter. The notice provided under this subdivision must include the cause number assigned to the petition. Notice under this subdivision may be provided to customers in a billing insert.

(2) Notice to the office of the utility consumer counselor.

(3) A statement of known infrastructure, environmental, or other issues affecting the offered utility, and the process for determining reasonable and prudent improvements upon



completing the acquisition.

(f) In a proceeding under subsection (d), the commission shall issue its final order not later than two hundred ten (210) days after the filing of the petitioner's case in chief. If the commission grants the petition, the commission's order shall authorize the acquiring utility company to make accounting entries recording the acquisition and that reflect:

- (1) the full purchase price;
- (2) incidental expenses; and
- (3) other costs of acquisition;

as the net original cost of the utility plant in service assets being acquired, allocated in a reasonable manner among appropriate utility plant in service accounts.

SECTION 6. IC 8-1-30.3-5.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5.5. (a) For purposes of this section, an individual, or the company employing the individual, is qualified to perform an appraisal if the individual is:**

- (1) an engineer registered under IC 25-31; or
- (2) an appraiser licensed under IC 25-34.1-8.

**(b) For purposes of this section, an individual performing an appraisal, or the company employing the individual, is disinterested if:**

- (1) the fee for the appraisal services is fixed before the individual performs the appraisal;
- (2) the individual is not an employee of one (1) of the parties to the acquisition;
- (3) the individual is not a state or municipal employee; and
- (4) the:
  - (A) individual; and
  - (B) company, if applicable;

**do not have affiliated interests (as defined in IC 8-1-2-49) in one (1) of the parties to the acquisition.**

**(c) An appraisal under section 5(c)(2) of this chapter must be performed by three (3) qualified and disinterested appraisers, including:**

- (1) at least one (1) appraiser qualified under subsection (a)(1); and
- (2) at least one (1) appraiser qualified under subsection (a)(2).

**(d) If the three (3) appraisers performing an appraisal for purposes of section 5(c)(2) of this chapter cannot agree as to an appraised value, the appraisal is sufficient for purposes of section 5(c)(2) of this chapter if the appraisal is signed by two (2) of the**



**appraisers.**

SECTION 7. IC 8-1-30.3-6, AS AMENDED BY P.L.229-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. For purposes of section 5(d)(2) of this chapter, an offered utility is too small to capture economies of scale or is not furnishing or maintaining adequate, efficient, safe, and reasonable service and facilities if the commission finds one (1) or more of the following:

- (1) The offered utility violated one (1) or more state or federal statutory or regulatory requirements in a manner that the commission determines affects the safety, adequacy, efficiency, or reasonableness of its services or facilities.
- (2) The offered utility has inadequate financial, managerial, or technical ability or expertise.
- (3) The offered utility fails to provide water in sufficient amounts, that is palatable, or at adequate volume or pressure.
- (4) The offered utility, due to necessary improvements to its plant or distribution or collection system or operations, is unable to furnish and maintain adequate service to its customers at rates equal to or less than those of the acquiring utility company.
- (5) The offered utility serves fewer than ~~five~~ **eight** thousand ~~(5,000)~~ **(8,000)** customers.
- (6) Any other facts that the commission determines demonstrate the offered utility's inability to capture economies of scale or to furnish or maintain adequate, efficient, safe, or reasonable service or facilities.

SECTION 8. IC 36-4-3-4, AS AMENDED BY P.L.206-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The legislative body of a municipality may, by ordinance, annex any of the following:

- (1) Territory that is contiguous to the municipality.
- (2) Territory that is not contiguous to the municipality and is occupied by a municipally owned or operated as either of the following:
  - (A) An airport or landing field.
  - (B) A wastewater treatment facility or water treatment facility. After a municipality annexes territory under this clause, the municipality may annex additional territory to enlarge the territory for the use of the wastewater treatment facility or water treatment facility only if the county legislative body approves that use of the additional territory by ordinance.
- (3) Territory that is not contiguous to the municipality but is



found by the legislative body to be occupied by:

- (A) a municipally owned or regulated sanitary landfill, golf course, or hospital; or
- (B) a police station of the municipality.

However, if territory annexed under subdivision (2) or (3) ceases to be used for the purpose for which the territory was annexed for at least one (1) year, the territory reverts to the jurisdiction of the unit having jurisdiction before the annexation if the unit that had jurisdiction over the territory still exists. If the unit no longer exists, the territory reverts to the jurisdiction of the unit that would currently have jurisdiction over the territory if the annexation had not occurred. The clerk of the municipality shall notify the offices required to receive notice of a disannexation under section 19 of this chapter when the territory reverts to the jurisdiction of the unit having jurisdiction before the annexation. Territory that is annexed under subdivision (2) (including territory that is enlarged under subdivision (2)(B) for the use of the wastewater treatment facility or water treatment facility) or subdivision (3) may not be considered a part of the municipality for purposes of annexing additional territory.

(b) This subsection applies to municipalities in a county having any of the following populations:

- (1) More than seventy thousand fifty (70,050) but less than seventy-one thousand (71,000).
- (2) More than seventy-five thousand (75,000) but less than seventy-seven thousand (77,000).
- (3) More than seventy-one thousand (71,000) but less than seventy-five thousand (75,000).
- (4) More than forty-seven thousand (47,000) but less than forty-seven thousand five hundred (47,500).
- (5) More than thirty-eight thousand five hundred (38,500) but less than thirty-nine thousand (39,000).
- (6) More than thirty-seven thousand (37,000) but less than thirty-seven thousand one hundred twenty-five (37,125).
- (7) More than thirty-three thousand three hundred (33,300) but less than thirty-three thousand five hundred (33,500).
- (8) More than twenty-three thousand three hundred (23,300) but less than twenty-four thousand (24,000).
- (9) More than one hundred eighty-five thousand (185,000) but less than two hundred fifty thousand (250,000).
- (10) More than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000).
- (11) More than thirty-two thousand five hundred (32,500) but less





than thirty-three thousand (33,000).

(12) More than seventy-seven thousand (77,000) but less than eighty thousand (80,000).

Except as provided in subsection (c), the legislative body of a municipality to which this subsection applies may, by ordinance, annex territory that is not contiguous to the municipality, has its entire area not more than two (2) miles from the municipality's boundary, is to be used for an industrial park containing one (1) or more businesses, and is either owned by the municipality or by a property owner who consents to the annexation. However, if territory annexed under this subsection is not used as an industrial park within five (5) years after the date of passage of the annexation ordinance, or if the territory ceases to be used as an industrial park for at least one (1) year, the territory reverts to the jurisdiction of the unit having jurisdiction before the annexation if the unit that had jurisdiction over the territory still exists. If the unit no longer exists, the territory reverts to the jurisdiction of the unit that would currently have jurisdiction over the territory if the annexation had not occurred. The clerk of the municipality shall notify the offices entitled to receive notice of a disannexation under section 19 of this chapter when the territory reverts to the jurisdiction of the unit having jurisdiction before the annexation.

(c) A city in a county with a population of more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000) may not annex territory as prescribed in subsection (b) until the territory is zoned by the county for industrial purposes.

(d) Notwithstanding any other law, territory that is annexed under subsection (b) or (h) is not considered a part of the municipality for the purposes of:

(1) annexing additional territory:

(A) in a county that is not described by clause (B); or

(B) in a county having a population of more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000), unless the boundaries of the noncontiguous territory become contiguous to the city, as allowed by Indiana law;

(2) expanding the municipality's extraterritorial jurisdictional area; or

(3) changing an assigned service area under IC 8-1-2.3-6(1).

(e) As used in this section, "airport" and "landing field" have the meanings prescribed by IC 8-22-1.

(f) As used in this section, "hospital" has the meaning prescribed by



IC 16-18-2-179(b).

(g) An ordinance adopted under this section must assign the territory annexed by the ordinance to at least one (1) municipal legislative body district.

(h) This subsection applies to a city having a population of more than twenty-nine thousand nine hundred (29,900) but less than thirty-one thousand (31,000). The city legislative body may, by ordinance, annex territory that:

- (1) is not contiguous to the city;
- (2) has its entire area not more than eight (8) miles from the city's boundary;
- (3) does not extend more than:
  - (A) one and one-half (1 1/2) miles to the west;
  - (B) three-fourths (3/4) mile to the east;
  - (C) one-half (1/2) mile to the north; or
  - (D) one-half (1/2) mile to the south;
 of an interchange of an interstate highway (as designated by the federal highway authorities) and a state highway (as designated by the state highway authorities); and
- (4) is owned by the city or by a property owner that consents to the annexation.

**(i) This subsection applies to a city having a population of more than thirty-one thousand seven hundred twenty-five (31,725) but less than thirty-five thousand (35,000) in a county having a population of at least one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000). The city legislative body may, by ordinance, annex territory under section 5.1 of this chapter:**

- (1) that is not contiguous to the city;**
- (2) that is south of the southernmost boundary of the city;**
- (3) the entire area of which is not more than four (4) miles from the city's boundary; and**
- (4) that does not extend more than one (1) mile to the east of a state highway (as designated by the state highway authorities).**

**Territory annexed under this subsection is not considered a part of the city for purposes of annexation of additional territory. A city may not require connection to a sewer installed to provide service to territory annexed under this subsection.**

SECTION 9. IC 36-4-3-5.1, AS AMENDED BY P.L.228-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5.1. (a) Owners of land **that is** located outside



but contiguous to a municipality **or that is located in territory described in section 4(i) of this chapter** may file a petition with the legislative body of the municipality:

(1) requesting an ordinance annexing the area described in the petition; and

(2) signed by:

(A) one hundred percent (100%) of the landowners that reside within the territory that is proposed to be annexed, in the case of a petition filed before July 1, 2015; and

(B) in the case of a petition filed after June 30, 2015, one hundred percent (100%) of the owners of land within the territory that is proposed to be annexed.

(b) Sections 2.1 and 2.2 of this chapter do not apply to an annexation under this section.

(c) The petition circulated by the landowners must include on each page where signatures are affixed a heading that is substantially similar to the following:

"PETITION FOR ANNEXATION INTO THE (insert whether city or town) OF (insert name of city or town).".

(d) The municipality may:

(1) adopt an annexation ordinance annexing the territory; and

(2) adopt a fiscal plan and establish a definite policy by resolution of the legislative body;

after the legislative body has held a public hearing on the proposed annexation.

(e) The municipality may introduce and hold the public hearing on the annexation ordinance not later than thirty (30) days after the petition is filed with the legislative body. Notice of the public hearing may be published one (1) time in accordance with IC 5-3-1 at least twenty (20) days before the hearing. All interested parties must have the opportunity to testify at the hearing as to the proposed annexation.

(f) The municipality may adopt the annexation ordinance not earlier than fourteen (14) days after the public hearing under subsection (e).

(g) A landowner may withdraw the landowner's signature from the petition not more than thirteen (13) days after the municipality adopts the fiscal plan by providing written notice to the office of the clerk of the municipality. If a landowner withdraws the landowner's signature, the petition shall automatically be considered a voluntary petition that is filed with the legislative body under section 5 of this chapter, fourteen (14) days after the date the fiscal plan is adopted. All provisions applicable to a petition initiated under section 5 of this chapter apply to the petition.



(h) If the municipality does not adopt an annexation ordinance within sixty (60) days after the landowners file the petition with the legislative body, the landowners may file a duplicate petition with the circuit or superior court of a county in which the territory is located. The court shall determine whether the annexation shall take place as set forth in section 5 of this chapter.

(i) A remonstrance under section 11 of this chapter may not be filed. However, an appeal under section 15.5 of this chapter may be filed.

(j) In the absence of an appeal under section 15.5 of this chapter, an annexation ordinance adopted under this section takes effect not less than thirty (30) days after the adoption of the ordinance and upon the filing and recording of the ordinance under section 22 of this chapter.

SECTION 10. IC 36-9-25-11.3, AS ADDED BY P.L.175-2006, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11.3. (a) This section applies to:

(1) a board and district created under section 3(b)(2) of this chapter; **and**

**(2) a board and district to which the following apply:**

**(A) The district is within the jurisdiction of a department established under section 1(a)(2) of this chapter.**

**(B) The district is under an order or party to an agreement with one (1) or more state or federal agencies to remediate environmental conditions.**

(b) For purposes of this section, "commission" refers to the Indiana utility regulatory commission created by IC 8-1-1-2.

(c) For purposes of this section, "fees" means fees:

(1) for the treatment and disposal of sewage and other waste discharged into the sewer system of the district; and

(2) related to property that is subject to full taxation.

(d) Fees do not take effect until the fees are:

(1) approved by the board; and

(2) either:

(A) approved in an ordinance adopted by the legislative body of each municipality in the district; or

(B) established by the commission under this section.

(e) Not earlier than thirty (30) days after fees are approved under subsection (d)(1), the board may petition the commission to establish the fees under:

(1) the procedures set forth in IC 8-1-2; and

(2) subsection (f).

(f) The commission shall observe the following requirements when establishing fees for a district:



- (1) Fees must be sufficient to enable the district to furnish reasonably adequate services and facilities.
- (2) Fees for a service must be nondiscriminatory, reasonable, and just and must produce sufficient revenue, together with taxes levied under this chapter, to do the following:
  - (A) Pay all legal and other necessary expenses incident to the operation of the utility, including the following:
    - (i) Maintenance costs.
    - (ii) Operating charges.
    - (iii) Upkeep.
    - (iv) Repairs.
    - (v) Depreciation.
    - (vi) Interest charges on bonds or other obligations, including leases.
  - (B) Provide a sinking fund for the liquidation of bonds or other obligations, including leases.
  - (C) Provide a debt service reserve for bonds or other obligations, including leases, in an amount established by the board. The amount may not exceed the maximum annual debt service on the bonds or obligations or the maximum annual lease rentals, if any.
  - (D) Provide adequate money for working capital.
  - (E) Provide adequate money for making extensions and replacements to the extent not provided for through depreciation in clause (A).
  - (F) Provide money for the payment of taxes that may be assessed against the district.
- (3) The fees charged by the district must produce an income sufficient to maintain district property in a sound physical and financial condition to render adequate and efficient service. Fees may not be too low to meet these requirements.
- (4) If the board petitions the commission under subsection (e), the fees established must produce a reasonable return on the sanitary district facilities.
- (5) Fees other than fees established for a municipally owned utility taxed under IC 6-1.1-8-3 must be sufficient to compensate the municipality for taxes that would be due the municipality on the utility property located in the municipality if the property were privately owned.
- (6) The commission must grant a request by the board to postpone an increase in fees until after the occurrence of a future event.
- (g) The board may transfer fees in lieu of taxes established under



subsection (f)(5) to the general fund of the appropriate municipality.

(h) Fees established by the commission under this section take effect to the same extent as if the fees were approved by an ordinance adopted by the legislative body of each municipality in the district.

**SECTION 11. An emergency is declared for this act.**



---

Speaker of the House of Representatives

---

President of the Senate

---

President Pro Tempore

---

Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

**HEA 1131 — CC 1**

