

HOUSE BILL No. 1318

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-11-2-41.1; IC 13-20-12-2.

Synopsis: Construction/demolition site in Gary. Provides that the prohibition against establishing a sanitary landfill within one-half mile of an area subdivided for residential purposes does not apply to the establishment of a construction/demolition site located within the corporate limits of a city that has a population of more than 80,000 and less than 80,400 and whose fiscal body and executive have filed a petition with the distressed unit appeal board seeking to have the city designated as a distressed political subdivision.

Effective: July 1, 2018.

Harris

January 16, 2018, read first time and referred to Committee on Environmental Affairs.



Second Regular Session of the 120th General Assembly (2018)

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 2017 Regular Session of the General Assembly.

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A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

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

1 SECTION 1. IC 13-11-2-41.1 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2018]: **Sec. 41.1. "Construction/demolition**
4 **site", for purposes of IC 13-20-12-2, has the meaning set forth in**
5 **329 IAC 10-2.5-1(b)(11).**

6 SECTION 2. IC 13-20-12-2 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. **(a)** A person may not
8 establish a sanitary landfill for the disposal of garbage, rubbish, or
9 refuse on land in Indiana within one-half (1/2) mile of an area:

- 10 (1) that has been subdivided for residential purposes; and
- 11 (2) for which the plat is on file in the office of the county recorder
- 12 at the time the landfill is established.

13 **(b) This section does not apply to the establishment, by an entity**
14 **that manages construction/demolition waste under rules adopted**
15 **by the board concerning solid waste land disposal facilities, of a**
16 **construction/demolition site within the corporate limits of a city:**

- 17 (1) that has a population of more than eighty thousand



1 **(80,000) and less than eighty thousand four hundred (80,400);**
2 **and**
3 **(2) whose fiscal body and executive have filed a petition with**
4 **the distressed unit appeal board under IC 6-1.1-20.3-6 seeking**
5 **to have the city designated as a distressed political**
6 **subdivision.**

