



January 26, 2018

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## HOUSE BILL No. 1318

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DIGEST OF HB 1318 (Updated January 24, 2018 11:29 am - DI 84)

**Citations Affected:** IC 13-11; IC 13-20.

**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.

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**Harris, Smith V, Brown C, Soliday**

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January 16, 2018, read first time and referred to Committee on Environmental Affairs.  
January 25, 2018, reported — Do Pass.

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HB 1318—LS 6939/DI 55





January 26, 2018

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.

## HOUSE BILL No. 1318

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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

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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.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1318, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1318 as introduced.)

WOLKINS

Committee Vote: Yeas 12, Nays 0

