



January 18, 2024

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## HOUSE BILL No. 1399

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DIGEST OF HB 1399 (Updated January 17, 2024 5:29 pm - DI 150)

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

**Synopsis:** PFAS chemicals. Defines "PFAS chemicals" and requires the environmental rules board to use the definition in certain rules concerning industrial processes and research and development.

**Effective:** July 1, 2024.

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### Lindauer

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January 11, 2024, read first time and referred to Committee on Environmental Affairs.  
January 18, 2024, amended, reported — Do Pass.

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HB 1399—LS 6830/DI 150





January 18, 2024

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.

## HOUSE BILL No. 1399

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 13-11-2-163.2 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2024]: **Sec. 163.2. (a) "PFAS chemicals", for**  
4 **purposes of IC 13-13-8-16, means:**

5 (1) **a non-polymeric perfluoroalkyl substance;**  
6 (2) **a non-polymeric saturated polyfluoroalkyl substance; or**  
7 (3) **side-chain fluorinated polymers;**  
8 **a molecule of which contains at least two (2) fully fluorinated**  
9 **sequential carbon atoms.**  
10 (b) **The term does not include gases and substances that become**  
11 **gases in use.**

12 SECTION 2. IC 13-13-8-16 IS ADDED TO THE INDIANA CODE  
13 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
14 1, 2024]: **Sec. 16. The board shall use the definition of "PFAS**  
15 **chemicals" set forth in IC 13-11-2-163.2 when adopting a rule**  
16 **concerning:**

17 (1) **perfluoroalkyl substances; or**

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- 1           **(2) polyfluoroalkyl substances;**
- 2           **that are used or produced in industrial processes or research and**
- 3           **development.**



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1399, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 6 through 11, begin a new line block indented and insert:

**"(2) a non-polymeric saturated polyfluoroalkyl substance; or  
(3) side-chain fluorinated polymers;  
a molecule of which contains at least two (2) fully fluorinated sequential carbon atoms.**

**(b) The term does not include gases and substances that become gases in use."**

and when so amended that said bill do pass.

(Reference is to HB 1399 as introduced.)

MORRISON

Committee Vote: yeas 7, nays 5.

