

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 33

AN ACT concerning environmental law.

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

SECTION 1. [EFFECTIVE JULY 1, 2023] (a) **The following definitions apply throughout this SECTION:**

- (1) **"Department"** refers to the department of environmental management established by IC 13-13-1-1.
- (2) **"Solar panel"** means a device that is designed to receive the direct rays of the sun and convert the rays into heat, electricity, or another form of energy to provide heating, cooling, or electrical power.
- (3) **"Wind power device"** has the meaning set forth in IC 8-1-41-7.

(b) **The department shall conduct a study concerning the decommissioning and disposal of solar panels and wind power devices located in Indiana. In conducting the study, the department shall consider the following:**

- (1) **Creation of a state program to manage the decommissioning and disposal of solar panels and wind power devices.**
- (2) **The appropriate state agency to administer a state program described in subdivision (1).**
- (3) **Potential financial mechanisms to fund the decommissioning and disposal of solar panels and wind power devices, including bonding requirements or state mandated**

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and collected fees in connection with the following:

- (A) The installation of solar panels and wind power devices.
- (B) The construction or operation of solar facilities and wind power devices.
- (4) The availability of financial assistance for the decommissioning and disposal of solar panels and wind power devices.
- (5) The attribution and allocation of financial liability for the decommissioning and disposal of solar panels and wind power devices.
- (6) Issues related to:
 - (A) the decommissioning and disposal of leased solar panels or wind power devices located on property not owned by the lessee; and
 - (B) the disposal of abandoned, operable solar panels and wind power devices.
- (7) Best practices for the disposal or recycling of solar panels, wind power devices, and related components.
- (8) Criteria:
 - (A) to establish an expected service life of solar panels and wind power devices; and
 - (B) for the classification of solar panels and wind power devices as inoperable or irreparable.
- (9) Other topics considered relevant by the department.

The department may consult with the Indiana utility regulatory commission as necessary to conduct the study required by this subsection.

- (c) Not later than October 1, 2024, the department shall:
 - (1) file a report on its findings and recommendations resulting from the study with the chairman of the legislative council; and
 - (2) present the report to the interim study committee on energy, utilities, and telecommunications established by IC 2-5-1.3-4(8).

The report required by this subsection must be in an electronic format under IC 5-14-6.

- (d) This SECTION expires January 1, 2025.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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