

SENATE BILL No. 298

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-20-22-1.

Synopsis: Solid waste disposal fee. Increases the fee on the disposal or incineration of solid waste in a final disposal facility in Indiana: (1) from 50 cents per ton to \$1 per ton, in the case of solid waste delivered to the final disposal facility by a motor vehicle having a registered gross vehicle weight greater than 9,000 pounds; and (2) from 50 cents per load to \$1 per load, in the case of solid waste delivered to the final disposal facility by a lighter motor vehicle.

Effective: July 1, 2014.

Stoops

January 14, 2014, read first time and referred to Committee on Environmental Affairs.



Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

SENATE BILL No. 298



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 13-20-22-1, AS AMENDED BY P.L.131-2006,
2 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2014]: Sec. 1. (a) Unless the legislative body of a county
4 having a consolidated city elects by ordinance to participate in the
5 rules, ordinances, and governmental structures enacted or created
6 under this chapter, the collection of fees on the disposal of solid waste
7 in a final disposal facility located in that county are exempt until
8 December 2, 2008, from regulation or control under this chapter.
9 (b) A fee is imposed on the disposal or incineration of solid waste
10 in a final disposal facility in Indiana. Except as provided in section 14
11 of this chapter, the amount of the fee is as follows:
12 (1) For solid waste generated in Indiana and delivered to a final
13 disposal facility in a motor vehicle having a registered gross
14 vehicle weight greater than nine thousand (9,000) pounds, ~~fifty~~
15 ~~cents (\$0.50)~~ **a one dollar (\$1) per ton.**
16 (2) For solid waste generated outside Indiana and delivered to a



1 final disposal facility in a motor vehicle having a registered gross
2 vehicle weight greater than nine thousand (9,000) pounds:

3 (A) ~~fifty cents (\$0.50)~~ a **one dollar (\$1)** per ton; and

4 (B) if the solid waste management board has adopted rules
5 under subsection (c), an additional amount imposed under the
6 rules.

7 (3) For solid waste generated in Indiana or outside Indiana and
8 delivered to a final disposal facility in:

9 (A) a motor vehicle having a registered gross vehicle weight
10 of not more than nine thousand (9,000) pounds; or

11 (B) a passenger motor vehicle (as defined in IC 9-13-2-123);
12 ~~fifty cents (\$0.50)~~ **one dollar (\$1)** for each load delivered by the
13 motor vehicle.

14 (c) The solid waste management board may adopt rules to establish
15 and impose a fee on the disposal or incineration of solid waste that is:

16 (1) generated outside Indiana; and

17 (2) disposed of or incinerated in a final disposal facility in
18 Indiana.

19 If rules are adopted under this subsection, the fee shall be set at an
20 amount necessary to offset the costs incurred by the state or a county,
21 municipality, or township that can be attributed to the importation of
22 the solid waste into Indiana and the presence of the solid waste in
23 Indiana.

24 (d) Revenue from fees collected under subsection (b)(1) and
25 (b)(2)(A) shall be deposited in the state solid waste management fund
26 established by section 2 of this chapter. Revenue from fees collected
27 under subsection (b)(2)(B) shall be deposited in the hazardous
28 substances response trust fund established by IC 13-25-4-1, except that
29 any part of the revenue that the board finds is necessary to offset costs
30 incurred by counties, municipalities, and townships shall be distributed
31 to solid waste management districts pro rata on the basis of the district's
32 population.

33 (e) If solid waste has been subject to a fee under this section, the
34 total amount of the fee paid shall be credited against any other fee to
35 which the solid waste may later be subject under this section.

36 (f) A fee may not be imposed upon material used as alternate daily
37 cover pursuant to a permit issued by the department under 329
38 IAC 10-20-13.

