

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE ENROLLED ACT No. 474

AN ACT concerning utilities.

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

SECTION 1. [EFFECTIVE UPON PASSAGE] **(a) The following definitions apply throughout this SECTION:**

- (1) "Authority" refers to the Indiana finance authority created by IC 4-4-11-4.**
- (2) "Commission" refers to the Indiana utility regulatory commission created by IC 8-1-1-2.**
- (3) "Small water utility" means a water utility that serves fewer than ten thousand (10,000) customers.**
- (4) "State educational institution" has the meaning set forth in IC 21-7-13-32.**
- (5) "Water utility" means any of the following:**
 - (A) A public utility, as defined in IC 8-1-2-1(a), that furnishes water to its customers.**
 - (B) A municipally owned utility, as defined in IC 8-1-2-1(h), that furnishes water to its customers.**
 - (C) A not-for-profit utility, as defined in IC 8-1-2-125(a), that furnishes water to its customers.**
 - (D) A utility that:**
 - (i) is owned cooperatively by its customers; and**
 - (ii) furnishes water to its customers.**
 - (E) A conservancy district established under IC 14-33 that**

SEA 474



furnishes water to its customers.

(F) A regional district established under IC 13-26 that furnishes water to its customers.

(b) The authority shall:

- (1) conduct a survey of the operations; and
- (2) prepare an analysis of the planning and long range needs; of the water utilities described in subsection (c).

(c) The subject of the survey and analysis conducted by the authority under subsection (b) must be:

- (1) the water utilities that serve the fifteen (15) most populous cities in Indiana, as determined according to the 2010 decennial census; and
- (2) five (5) small water utilities selected by the authority as subjects for the survey and analysis.

(d) In preparing the analysis required by this SECTION, the authority shall gather and consider:

- (1) information concerning the plans of each water utility for:
 - (A) continued access to water resources;
 - (B) fiscal sustainability, including ratepayer protection; and
 - (C) regional cooperation among water utilities; and
- (2) other information the authority considers relevant to the planning and long range needs of water utilities.

(e) In preparing the analysis required by this SECTION, the authority:

- (1) shall consult with:
 - (A) the water utilities that are the subject of the survey and analysis; and
 - (B) the commission; and
- (2) may consult with any other entity or individual having information the authority considers relevant to the planning and long range needs of water utilities.

(f) The authority may hold public meetings to gather information for the purposes of preparing the analysis required by this SECTION.

(g) The authority may enter into contracts with one (1) or more professionals or state educational institutions under which the professionals or state educational institutions will perform some or all of the duties imposed on the authority by this SECTION. The authority may compensate the professionals or state educational institutions for work performed under this SECTION with:

- (1) money from the drinking water revolving loan fund



established by IC 13-18-21-2; or

(2) any other funds appropriated to the authority.

(h) In preparing the analysis required by this SECTION, the authority shall use aggregated data in a manner that:

(1) protects the confidential information of individual water utilities; and

(2) is consistent with IC 5-14-3-4.

(i) The authority shall complete the analysis required by this SECTION and submit the analysis to the legislative council not later than November 1, 2015, in an electronic format under IC 5-14-6, in place of the annual report to the legislative council that the commission would otherwise be required to submit under IC 8-1-30.5-3(c)(1) not later than November 1, 2015.

(j) For the calendar year 2015, the commission is not required to:

(1) make recommendations; or

(2) prepare and submit reports to:

(A) the legislative council; and

(B) the interim study committee on energy, utilities, and telecommunications;

under IC 8-1-30.5-3.

(k) This SECTION expires January 1, 2016.

SECTION 2. An emergency is declared for this act.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

SEA 474

