

SENATE BILL No. 97

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-30-6-1.

Synopsis: Violation of environmental rules. Removes rules or standards adopted by a board from the category of environmental violations that are Class D felonies.

Effective: July 1, 1998.

Kenley

January 8, 1998, read first time and referred to Committee on Judiciary.



Introduced

Second Regular Session 110th General Assembly (1998)

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 1997 General Assembly.

SENATE BILL No. 97

A BILL FOR AN ACT to amend the Indiana Code concerning environment.

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

- 1 SECTION 1. IC 13-30-6-1, AS ADDED BY P.L.1-1996, SECTION
2 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
3 1998]: Sec. 1. (a) A person who intentionally, knowingly, or recklessly
4 violates:
5 (1) environmental management laws;
6 (2) air pollution control laws;
7 (3) water pollution control laws; **or**
8 ~~(4) a rule or standard adopted by one (1) of the boards; or~~
9 **(5) (4)** a determination, a permit, or an order made or issued by
10 the commissioner under environmental management laws or
11 IC 13-7 (before its repeal);
12 commits a Class D felony.
13 (b) Notwithstanding IC 35-50-2-7(a), a person who is convicted of
14 a Class D felony under this section (or IC 13-7-13-3(a) before its
15 repeal) may, in addition to the term of imprisonment established under
16 IC 35-50-2-7(a), be punished by:
17 (1) a fine of not less than two thousand five hundred dollars

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1 (\$2,500) and not more than twenty-five thousand dollars
2 (\$25,000) per day of violation; or
3 (2) if the conviction is for a violation committed after a first
4 conviction of the person under this section (or IC 13-7-13-3(a)
5 before its repeal), a fine of not more than fifty thousand dollars
6 (\$50,000) per day of violation.

