

January 30, 1998

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## SENATE BILL No. 97

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DIGEST OF SB0097 (Updated January 28, 1998 12:40 pm - DI 51)

**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.

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**Kenley**

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January 6, 1998, read first time and referred to Committee on Judiciary.  
January 29, 1998, reported favorably — Do Pass.

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SB 97—LS 6624/DI 78



January 30, 1998

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.

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## 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.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Judiciary, to which was referred Senate Bill 97, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 97 as introduced.)

BRAY, Chairperson

Committee Vote: Yeas 7, Nays 1.

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