



Reprinted  
March 31, 1999

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# ENGROSSED HOUSE BILL No. 1725

DIGEST OF HB 1725 (Updated March 30, 1999 4:03 pm - DI 69)

**Citations Affected:** IC 13-17.

**Synopsis:** Lead-based paint activities. Prohibits a state, a municipal corporation, a county, a municipality, and a township from being required to pay a fee established by the air pollution control board for a license to engage in lead-based paint activities. Prohibits a state, a municipal corporation, a county, a municipality, a township, certain corporations, certain trusts, and certain other entities exempt from federal income taxation from being required to pay a fee established by the air pollution control board for a lead-based paint training program seeking approval of a lead-based paint training course.

**Effective:** Upon passage.

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## Crawford

(SENATE SPONSORS — CLARK, HOWARD)

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January 26, 1999, read first time and referred to Committee on Public Health.  
February 8, 1999, reported — Do Pass.  
February 11, 1999, read second time, ordered engrossed. Engrossed.  
February 15, 1999, read third time, passed. Yeas 94, nays 0.

SENATE ACTION

February 22, 1999, read first time and referred to Committee on Environmental Affairs.  
March 23, 1999, reported favorably — Do Pass.  
March 30, 1999, read second time, amended, ordered engrossed.

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EH 1725—LS 7942/DI 69+



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First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

## ENGROSSED HOUSE BILL No. 1725

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 13-17-14-5 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The board  
3 shall adopt rules under IC 4-22-2 and IC 13-14-9 to implement this  
4 chapter. The rules must contain at least the elements required to receive  
5 program authorization under 40 CFR 76, Subpart L and must do the  
6 following:
- 7 (1) Establish minimum requirements for the issuance of a license  
8 for lead-based paint activities inspectors, risk assessors, project  
9 designers, supervisors, abatement workers, and contractors.
  - 10 (2) Establish minimum requirements for approval of the providers  
11 of lead-based paint activities training courses.
  - 12 (3) Establish minimum qualifications for lead-based paint  
13 activities training course instructors.
  - 14 (4) Extend the applicability of the licensing requirements to other  
15 facilities as determined necessary by the board.
  - 16 (5) Establish work practice standards.

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- 1 (6) Establish a department or third-party examination process.
- 2 (7) Identify activities, if any, that are exempted from licensing
- 3 requirements.
- 4 (8) Establish a fee of not more than one hundred fifty dollars
- 5 (\$150) per person, per license, per year for a person seeking a
- 6 license under section 3 of this chapter. **However, the following**
- 7 **may not be required to pay a fee established under this**
- 8 **subdivision:**
  - 9 (A) A state.
  - 10 (B) A municipal corporation (as defined in IC 36-1-2-10).
  - 11 (C) A unit (as defined in IC 36-1-2-23).
- 12 (9) Establish a fee of not more than one thousand dollars (\$1,000)
- 13 per course, per year, for a lead-based paint training program
- 14 seeking approval of a lead-based paint training course under
- 15 section 4 of this chapter. **However, the following may not be**
- 16 **required to pay a fee established under this subdivision:**
  - 17 (A) A state.
  - 18 (B) A municipal corporation (as defined in IC 36-1-2-10).
  - 19 (C) A unit (as defined in IC 36-1-2-23).
  - 20 (D) An organization exempt from income taxation under
  - 21 **26 U.S.C. 501(a).**
- 22 (b) The amount of the fees under subsection (a) may not be more
- 23 than is necessary to recover the cost of administering this chapter.
- 24 (c) The proceeds of the fees under subsection (a) must be deposited
- 25 in the lead trust fund established by section 6 of this chapter.
- 26 **SECTION 2. An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1725, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BROWN C, Chair

Committee Vote: yeas 10, nays 0.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Environmental Affairs, to which was referred House Bill No. 1725, 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 House Bill 1725 as printed February 9, 1999.)

GARD, Chairperson

Committee Vote: Yeas 7, Nays 0.

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SENATE MOTION

Mr. President: I move that Engrossed House Bill 1725 be amended to read as follows:

Page 2, line 6, after "chapter." insert "**However, the following may not be required to pay a fee established under this subdivision:**

(A) A state.

(B) A municipal corporation (as defined in IC 36-1-2-10).

(C) A unit (as defined in IC 36-1-2-23)."

(Reference is to EHB 1725 as printed March 24, 1999.)

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