

HOUSE BILL No. 1368

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-21-13-2.

Synopsis: Solid waste district fees. Requires a solid waste district to distribute money in the district's solid waste management fund at the end of the fiscal year as follows: (1) 12.5% to the county or municipality in which a final disposal facility is located for use on roads, parks, or other infrastructure projects within the township or municipality in which the facility is located; and (2) 12.5% to the school corporation in which the facility is located for educational programs that concern the environment.

Effective: July 1, 1999.

Kuzman

January 12, 1999, read first time and referred to Committee on Environmental Affairs.

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Introduced

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.

HOUSE BILL No. 1368

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 13-21-13-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) A board that has
3 imposed fees under section 1 of this chapter shall establish and
4 continuously maintain a separate fund under this section to be known
5 as the "_____ district solid waste management fund".
6 (b) All fees remitted to the district under section 1 of this chapter
7 shall be deposited in the fund.
8 (c) Money in the fund may be used only for the following purposes:
9 (1) To pay expenses of administering the fund.
10 (2) To pay costs associated with the development and
11 implementation of the district plan.
12 (3) **As provided in subsection (f).**
13 (d) The controller of the district shall administer a fund established
14 under this section. Money in the fund that is not currently needed for
15 the purposes set forth in subsection (c) may be invested in the same
16 manner as other county money may be invested. Interest that accrues
17 from these investments shall be deposited in the fund. **Except as**

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- 1 **provided in subsection (f),** money in the fund at the end of a district's
 2 fiscal year does not revert to:
- 3 (1) a county general fund; or
 - 4 (2) any other fund.
- 5 (e) The controller of a district shall:
- 6 (1) file an individual surety bond; or
 - 7 (2) revise an existing bond;
- 8 in a sufficient amount determined under IC 5-4-1-18 to reflect the
 9 liability associated with the handling of the district's money.
- 10 **(f) Money in the fund at the end of a district's fiscal year that is**
 11 **not pledged for debt service shall be distributed as follows:**
- 12 (1) **Twelve and one-half percent (12.5%) to:**
 - 13 (A) **the county fiscal officer for deposit in the county**
 14 **general fund, if the final disposal facility is located within**
 15 **the unincorporated part of the county; or**
 - 16 (B) **the municipal fiscal officer for deposit in the municipal**
 17 **general fund, if the final disposal facility is located within**
 18 **a municipality;**
 - 19 **to be used, as determined by the county or municipal fiscal**
 20 **body, on roads, parks, or other infrastructure projects within**
 21 **the township or municipality in which the final disposal**
 22 **facility is located.**
 - 23 (2) **Twelve and one-half percent (12.5%) to the treasurer of**
 24 **the school corporation in which the final disposal facility is**
 25 **located for deposit in the general fund of the school**
 26 **corporation to be used as determined by the governing body**
 27 **for educational programs that concern the environment,**
 28 **including programs about recycling or waste reduction.**

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