

# HOUSE BILL No. 2076

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 34-19-1-2.

**Synopsis:** Nuisance actions and solid waste districts. Allows a civil action to abate or enjoin a nuisance to be brought by an attorney representing a solid waste management district in which a nuisance exists.

**Effective:** July 1, 1999.

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**Kruzan, Wolkins**

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January 27, 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. 2076

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

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

- 1 SECTION 1. IC 34-19-1-2 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 2. (a) An action to  
3 abate or enjoin a nuisance may be brought by any person whose:  
4 (1) property is injuriously affected; or  
5 (2) personal enjoyment is lessened;  
6 by the nuisance.  
7 (b) A civil action to abate or enjoin a nuisance may also be brought  
8 by:  
9 (1) an attorney representing the:  
10 (A) county; or  
11 (B) **solid waste management district established under**  
12 **IC 13-21-3-1;**  
13 in which a nuisance exists; or  
14 (2) the attorney of any city or town in which a nuisance exists.  
15 (c) A county, city, ~~or~~ town, **or solid waste management district**  
16 that brings a successful action under this section (or IC 34-1-52-2  
17 before its repeal) to abate or enjoin a nuisance caused by the unlawful

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1 dumping of solid waste is entitled to recover reasonable attorney's fees  
2 incurred in bringing the action.

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