



April 8, 2003

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## ENGROSSED HOUSE BILL No. 1659

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DIGEST OF HB 1659 (Updated April 7, 2003 12:18 PM - DI 52)

**Citations Affected:** IC 13-26.

**Synopsis:** Regional sewer districts. Provides that the rates or charges by a regional sewer district for a sewage works shall be just, equitable, and nondiscriminatory. Requires a district in the establishment of rates or charges to use industry accepted standards and to apply the methodology used to establish the rates or charges consistently within each rate class and among all rate classes.

**Effective:** July 1, 2003.

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**Wolkins, Bottorff**  
(SENATE SPONSORS — GARD, HUME)

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January 21, 2003, read first time and referred to Committee on Environmental Affairs.  
February 26, 2003, amended, reported — Do Pass.  
March 3, 2003, read second time, amended, ordered engrossed.  
March 4, 2003, engrossed. Read third time, passed. Yeas 96, nays 2.

SENATE ACTION

March 10, 2003, read first time and referred to Committee on Environmental Affairs.  
April 7, 2003, amended, reported favorably — Do Pass.

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EH 1659—LS 7485/DI 75+



April 8, 2003

First Regular Session 113th General Assembly (2003)

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 2002 Regular or Special Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1659

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

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

- 1 SECTION 1. IC 13-26-11-2 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. **(a)** The rates or  
3 charges for a sewage works **shall be just, equitable, and**  
4 **nondiscriminatory. The rates** may be determined based on the  
5 following:  
6 (1) A flat charge for each connection.  
7 (2) The amount of water used on the premises.  
8 (3) The number and size of water outlets on the premises.  
9 (4) The amount, strength, or character of sewage discharged into  
10 the sewers.  
11 (5) The size of sewer connections.  
12 (6) Whether the property served has been or will be required to  
13 pay separately for the cost of any of the facilities of the works.  
14 (7) A combination of these or other factors that the board  
15 determines is necessary to establish just, ~~and~~ equitable, **and**  
16 **nondiscriminatory** rates or charges.  
17 **(b) In the establishment of rates or charges under subsection (a),**

EH 1659—LS 7485/DI 75+



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- 1 **the district shall:**
- 2 **(1) use industry accepted standards; and**
- 3 **(2) apply the methodology used to establish the rates or**
- 4 **charges consistently:**
- 5 **(A) within each rate class; and**
- 6 **(B) among all rate classes.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1659, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 2, delete "(a)".

Page 1, line 13, after "establish" insert "**fair**".

Page 1, line 13, after "just" insert ",".

Page 1, delete lines 15 through 17.

Delete pages 2 through 4.

and when so amended that said bill do pass.

(Reference is to HB 1659 as introduced.)

BOTTORFF, Chair

Committee Vote: yeas 12, nays 0.

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## HOUSE MOTION

Mr. Speaker: I move that House Bill 1659 be amended to read as follows:

Page 1, line 2, delete "The" and insert "**(a) Except as provided in subsection (b), the**".

Page 1, after line 14, begin a new paragraph and insert:

**"(b) This subsection applies only to contracts between a board and a campground entered into or renewed after June 30, 2003. If a campground is billed for sewage service at a flat rate under subsection (a), the campground may instead elect to be billed for the sewage service under this subsection by installing, at the campground's expense, a meter to measure the actual amount of sewage discharged by the campground into the sewers for one (1) year. The highest monthly meter reading for the campground during the year shall be used to determine the resident equivalent units for the campground. The basic monthly charge for the campground's sewage service must be equal to the number of the campground's resident equivalent units multiplied by the rate charged by the board for a resident unit. The board may impose additional charges on a campground under this subsection if the board incurs additional costs that are caused by any unique factors that apply to providing sewage service for the campground, including:**

**(1) installation of oversized pipe; and  
(2) the installation of any other unique equipment;  
necessary to provide sewage service for the campground."**

(Reference is to HB 1659 as printed February 27, 2003.)

WOLKINS

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COMMITTEE REPORT

Mr. President: The Senate Committee on Environmental Affairs, to which was referred House Bill No. 1659, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete everything after the enacting clause and insert the

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1659 as reprinted March 4, 2003.)

GARD, Chairperson

Committee Vote: Yeas 10, Nays 0.

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