
HOUSE BILL No. 1355

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-11-2; IC 13-20-25.

Synopsis: Recycled newsprint fee and promotion fund. Imposes a monthly fee on a newspaper publisher's use of newsprint in a newspaper published in Indiana equal to: (1) \$25 multiplied by each metric ton of newsprint used by the publisher; minus (2) \$25 multiplied by each metric ton of newsprint used by the publisher that is newsprint that contains at least 40% post-consumer recycled content. Establishes the recycled newsprint promotion fund. Provides that the monthly fees must be: (1) deposited in the recycled newsprint promotion fund; and (2) used by the department of environmental management to award grants to assist publishers who wish to upgrade their presses to facilitate the use of recycled newsprint. Provides that money in the fund is continuously appropriated.

Effective: July 1, 2010.

Wolkins

January 13, 2010, read first time and referred to Committee on Environmental Affairs.

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Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

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HOUSE BILL No. 1355



A BILL FOR AN ACT to amend the Indiana Code concerning environmental law and to make an appropriation.

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

1 SECTION 1. IC 13-11-2-177.7 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2010]: **Sec. 177.7. "Publisher", for purposes**
4 **of IC 13-20-25, means a person who is the publisher of a newspaper**
5 **published in Indiana.**

6 SECTION 2. IC 13-11-2-179.6 IS ADDED TO THE INDIANA
7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2010]: **Sec. 179.6. "Recycled newsprint", for**
9 **purposes of IC 13-20-25, means newsprint that contains at least**
10 **forty percent (40%) post-consumer recycled content.**

11 SECTION 3. IC 13-20-25 IS ADDED TO THE INDIANA CODE
12 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2010]:

Chapter 25. Newsprint Recycling

15 **Sec. 1. A fee is imposed on a publisher's use of newsprint in a**
16 **newspaper published in Indiana during a calendar month for each**
17 **metric ton of newsprint used by the publisher, offset by each metric**



1 ton of recycled newsprint used by the publisher as determined in
2 section 2 of this chapter.

3 Sec. 2. The amount of the fee imposed under this chapter is the
4 amount determined in STEP FIVE of the following formula:

5 STEP ONE: Determine the total number of metric tons of
6 newsprint used by a publisher in a calendar month.

7 STEP TWO: Multiply the STEP ONE amount by twenty-five
8 dollars (\$25).

9 STEP THREE: Determine the total number of metric tons of
10 newsprint used by the publisher in the calendar month that is
11 recycled newsprint.

12 STEP FOUR: Multiply the STEP THREE amount by
13 twenty-five dollars (\$25).

14 STEP FIVE: Subtract the STEP FOUR amount from the
15 STEP TWO amount.

16 Sec. 3. (a) Each calendar month a publisher is required to pay
17 a fee imposed under section 1 of this chapter, the publisher shall:

- 18 (1) submit a report to the department that contains:
 - 19 (A) the total number of metric tons of newsprint used by
 - 20 the publisher for the calendar month;
 - 21 (B) the total number of metric tons of newsprint used by
 - 22 the publisher for the calendar month that is recycled
 - 23 newsprint; and
 - 24 (C) any other information required by the department;
 - 25 and

- 26 (2) pay the fee to the department that is determined in section
27 2 of this chapter for the calendar month;
- 28 not later than fifteen (15) days after the end of the calendar month.

29 (b) The department shall prescribe the form of the report
30 required under this section.

31 Sec. 4. The department shall deposit the fees paid by publishers
32 under this chapter in the recycled newsprint promotion fund
33 established by section 5 of this chapter.

34 Sec. 5. (a) The recycled newsprint promotion fund is established.
35 The fund must be used to:

- 36 (1) implement this chapter; and
- 37 (2) establish and operate the grant program described in
38 section 6 of this chapter.

39 The fund shall be administered by the department.

40 (b) The fund consists of the following:

- 41 (1) Fees deposited in the fund under section 4 of this chapter.
- 42 (2) Money appropriated by the general assembly.

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1 **(3) Grants, gifts, contributions, and money received from any**
 2 **other source.**
 3 **(c) The treasurer of state shall invest the money in the fund not**
 4 **currently needed to meet the obligations of the fund in the same**
 5 **manner as other public funds may be invested.**
 6 **(d) All money accruing to the fund is appropriated continuously**
 7 **for the purposes specified in this chapter.**
 8 **(e) Money in the fund at the end of a fiscal year does not revert**
 9 **to the state general fund.**
 10 **Sec. 6. (a) The department shall establish and operate a grant**
 11 **program using money deposited in the recycled newsprint**
 12 **promotion fund established by section 5 of this chapter. The**
 13 **department shall use the grant program to assist publishers who**
 14 **wish to upgrade their presses to facilitate the use of recycled**
 15 **newsprint.**
 16 **(b) The department shall establish the:**
 17 **(1) amounts for grants awarded under this section; and**
 18 **(2) criteria for awarding grants under this section.**
 19 **(c) A publisher who wishes to obtain a grant from the**
 20 **department under this section must file an application with the**
 21 **department in the manner prescribed by the department.**
 22 **Sec. 7. The board may adopt rules under IC 4-22-2 and**
 23 **IC 13-14-9 to implement this chapter.**

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