

HOUSE BILL No. 1234

DIGEST OF INTRODUCED BILL

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

Synopsis: Recycled newsprint fee. Imposes a monthly fee on a newspaper publisher's use of newsprint in a newspaper published at least five days per week 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% postconsumer recycled content. Requires the monthly fees to be deposited in the state solid waste management fund.

Effective: July 1, 2011.

Wolkins

January 12, 2011, read first time and referred to Committee on Environmental Affairs.

C
o
p
y



First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

C
o
p
y

HOUSE BILL No. 1234



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 13-11-2-177.7 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2011]: **Sec. 177.7. "Publisher", for purposes**
4 **of IC 13-20-25, means a person who is the publisher of a newspaper**
5 **published at least five (5) days per week.**

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, 2011]: **Sec. 179.6. "Recycled newsprint", for**
9 **purposes of IC 13-20-25, means newsprint that contains at least**
10 **forty percent (40%) postconsumer recycled content.**

11 SECTION 3. IC 13-20-22-2, AS AMENDED BY P.L.137-2007,
12 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
13 JULY 1, 2011]: Sec. 2. (a) The state solid waste management fund is
14 established to provide money for the following:

- 15 (1) Programs that provide grants and loans that provide education
16 and promote the following:
 - 17 (A) Recycling and the use of recycled materials.



- 1 (B) Waste reduction.
- 2 (C) Management of yard waste.
- 3 (2) Providing grants to implement household hazardous waste
- 4 source reduction or recycling projects.
- 5 (3) Providing grants for household hazardous waste and
- 6 conditionally exempting small quantity generator waste
- 7 collection, recycling, or disposal projects under IC 13-20-20.
- 8 (4) Payments by the department under IC 13-20-17.7-6.
- 9 (b) The expenses of administering the fund shall be paid from
- 10 money in the fund.
- 11 (c) The sources of money for the fund are the following:
- 12 (1) All fees deposited into the fund under section 12(2) of this
- 13 chapter.
- 14 (2) Accrued interest and other investment earnings of the fund.
- 15 (3) Appropriations made by the general assembly.
- 16 (4) Gifts and donations from any person to the fund.
- 17 (5) Civil penalties imposed under IC 13-30-4 for violations of
- 18 IC 13-20-17.7 and proceeds received following a criminal
- 19 conviction in connection with a violation of IC 13-20-17.7.
- 20 (6) Subject to subsection (f), assets assigned and other
- 21 contributions made by persons.
- 22 (7) Transfers from the Indiana recycling promotion and assistance
- 23 fund under IC 4-23-5.5-14(i).
- 24 (8) Money credited to the fund from the environmental
- 25 management special fund under IC 13-14-12-1(c).
- 26 **(9) Fees deposited into the fund under IC 13-20-25-4.**
- 27 (d) The treasurer of state shall invest the money in the fund not
- 28 currently needed to meet the obligations of the fund in the same
- 29 manner as other public money may be invested.
- 30 (e) Money in the fund at the end of a state fiscal year does not revert
- 31 to the state general fund.
- 32 (f) Money in the fund resulting from assets assigned and other
- 33 contributions made under subsection (c)(6) may be used only by the
- 34 department of environmental management to make payments under
- 35 IC 13-20-17.7-6.
- 36 SECTION 4. IC 13-20-25 IS ADDED TO THE INDIANA CODE
- 37 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 38 JULY 1, 2011]:
- 39 **Chapter 25. Newsprint Recycling**
- 40 **Sec. 1. A fee is imposed on a publisher's use of newsprint in a**
- 41 **newspaper published in Indiana during a calendar month for each**
- 42 **metric ton of newsprint used by the publisher, offset by each metric**

COPY



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 state solid waste management fund**
 33 **established by IC 13-20-22-2.**
 34 **Sec. 5. The board may adopt rules under IC 4-22-2 and**
 35 **IC 13-14-9 to implement this chapter.**

C
O
P
Y

