February 15, 2012

ENGROSSED
HOUSE BILL No. 1060

DIGEST OF HB 1060 (Updated February 13, 2012 2:08 pm - DI 118)

Citations Affected: IC 6-6.

Synopsis: Hazardous waste disposal tax. Authorizes a county to use a part of its hazardous waste disposal tax revenue to pay costs associated with the maintenance or repair of county roads. Provides that any annual expenditures for county roads may not exceed 10% of the balance of the county's separate fund for the deposit of hazardous waste disposal taxes as of January 1 of the calendar year in which the expenditures are made.

Effective: July 1, 2012.

Baird
(SENATE SPONSOR — LAWSON C)

January 9, 2012, read first time and referred to Committee on Ways and Means.
January 17, 2012, reported — Do Pass.
January 25, 2012, read second time, ordered engrossed. Engrossed.
January 26, 2012, read third time, passed. Yeas 96, nays 0.

SENATE ACTION

February 1, 2012, read first time and referred to Committee on Energy and Environmental Affairs.
February 14, 2012, reported favorably — Do Pass.

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February 15, 2012

Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

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HOUSE BILL No. 1060

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

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

SECTION 1. IC 6-6-6.6-3, AS AMENDED BY P.L.81-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) Seventy-five percent (75%) of the revenue produced by the levy imposed under section 2 of this chapter shall be deposited in the hazardous substances response trust fund established by IC 13-25-4-1 and twenty-five percent (25%) of the revenue shall be paid over to the county in which the disposal facility is located.

(b) Except as provided in subsection (e), and subject to ~~subsection~~ **subsections** (f) **and (g),** the revenue paid over to the county under subsection (a) shall be deposited in a separate fund established by the county for the purposes of the following:

(1) Establishing monitoring wells on land near the site of the disposal facility.

(2) Analyzing samples from the monitoring wells established under subdivision (1).

(3) Conducting other types of testing and surveillance for hazardous waste contamination of land near the disposal facility.

(4) Providing training for county and local public health and public safety officers in the proper procedures for dealing with emergencies involving hazardous substances or hazardous waste.

(5) Providing special clothing and equipment needed by county and local public health and public safety officers for dealing with emergencies involving hazardous substances or hazardous waste.

(6) Funding research on alternatives to land disposal as a means of eliminating hazardous waste.

(7) Paying the cost of hazardous waste, hazardous substance, or solid waste removal and remedial action at a site located within the county.

(8) Meeting the county's requirements under IC 13-21 for the planning and implementation of a solid waste management district plan.

(9) Paying the costs associated with the construction or rehabilitation of a facility used for training described in subdivision (4).

(10) Paying the costs associated with any other project that has identifiable environmental benefits.

(11) Paying the costs associated with the construction, structural rehabilitation, and equipment of a facility used for either of the following purposes:

(A) A county public safety central dispatch.

(B) A county emergency operations center.

(12) Paying costs associated with the maintenance or repair of county roads.

(c) The county fund established under subsection (b) shall be administered by the county treasurer, and the expenses of administering the fund shall be paid from money in the fund. Money in the fund not currently needed to meet the obligations of the fund may be invested in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the fund. Money in the fund at the end of a particular fiscal year does not revert to the county general fund.

(d) No money in the county fund established under subsection (b) shall be used for activities authorized in subsection (b)(8) or (b)(9) until the purposes listed in subsection (b)(1) through (b)(7) have been fulfilled.

(e) Subsection (b)(9), (b)(10), and (b)(11) do not apply to a county having a population of more than **three hundred thousand** (300,000) but less than **four hundred thousand** (400,000).

(f) The county may not pay from the county fund established under

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subsection (b) in a calendar year for the purposes set forth in subsection (b)(11) an amount that exceeds ten percent (10%) of the balance in the fund as of January 1 of that calendar year.

(g) If a county expends money in the county fund established under subsection (b) for the maintenance or repair of county roads, the county may not annually expend more than ten percent (10%) of the balance in the fund (as determined on January 1 of the calendar year in which the expenditures are made) for those purposes.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1060, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

ESPICH, Chair

Committee Vote: yeas 15, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Energy and Environmental Affairs, to which was referred House Bill No. 1060, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1060 as printed January 17, 2012.)

GARD, Chairperson

Committee Vote: Yeas 10, Nays 0.

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