

HOUSE BILL No. 1035

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-1.5-3-9.2.

Synopsis: Nonjurisdictional municipal utilities. Legalizes and validates the removal from the jurisdiction of the utility regulatory commission (IURC) of an electric utility owned and operated by a second class city that, before January 1, 2013, followed certain statutory procedures to remove the electric utility from IURC jurisdiction.

Effective: January 1, 2013 (retroactive).

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January 7, 2013, read first time and referred to Committee on Utilities and Energy.

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First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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HOUSE BILL No. 1035



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

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

- 1 SECTION 1. IC 8-1.5-3-9.2 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
- 3 JANUARY 1, 2013 (RETROACTIVE)]: **Sec. 9.2. (a) This section**
- 4 **applies to an electric utility owned and operated by a second class**
- 5 **city that, before January 1, 2013, follows the procedures set forth**
- 6 **in section 9.1 of this chapter to remove a utility from the**
- 7 **jurisdiction of the commission for the approval of rates and**
- 8 **charges and of the issuance of stocks, bonds, notes, or other**
- 9 **evidence of indebtedness.**
- 10 **(b) Notwithstanding section 9 of this chapter, the removal from**
- 11 **the jurisdiction of the commission for the approval of:**
- 12 **(1) rates and charges; and**
- 13 **(2) the issuance of stocks, bonds, notes, or other evidence of**
- 14 **indebtedness;**
- 15 **of an electric utility described in subsection (a) is legalized and**
- 16 **validated.**
- 17 **(c) A municipally owned electric utility described in subsection**



1 (b) is otherwise subject to the requirements of this chapter.
2 SECTION 2. An emergency is declared for this act.

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