



Reprinted
February 28, 2014

ENGROSSED HOUSE BILL No. 1183

DIGEST OF HB 1183 (Updated February 27, 2014 3:20 pm - DI 55)

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

Synopsis: Recycling reporting, state goal, and study. Requires every recycler that recycles materials generated by two or more persons to report to the commissioner of the department of environmental management (commissioner) on the recycling activities conducted by the recycler. Allows a recycler the option of reporting annually or quarterly. Allows certain persons who are not subject to the reporting requirement, including those who recycle materials other than municipal waste, to report voluntarily. Requires the commissioner to post on the department's Internet web site a uniform recycling activity report form to be used in making the recycling activity reports. Requires the commissioner to submit an annual written report summarizing the information obtained through the recycling activity reports submitted to the commissioner. Establishes a state goal of recycling at least 50% of all municipal waste. Urges the legislative council to assign to the appropriate study committee, for the 2014 interim period, the task of producing a written report setting forth the committee's analysis of a number of recycling-related subjects.

Effective: Upon passage; July 1, 2014.

Wolkins, Errington, Lutz, Morris, Pierce, Frye R, Forestal

(SENATE SPONSORS — CHARBONNEAU, STOOPS, ECKERTY,
RANDOLPH)

January 14, 2014, read first time and referred to Committee on Environmental Affairs.
January 15, 2014, reported — Do Pass.
January 27, 2014, read second time, amended, ordered engrossed.
January 28, 2014, engrossed.
January 29, 2014, read third time, passed. Yeas 97, nays 0.

SENATE ACTION

February 4, 2014, read first time and referred to Committee on Environmental Affairs.
February 25, 2014, amended, reported favorably — Do Pass.
February 27, 2014, read second time, amended, ordered engrossed.

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February 28, 2014

Second Regular Session 118th General Assembly (2014)

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 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1183

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 13-11-2-85.3 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2014]: **Sec. 85.3. "Fiscal year", for purposes**
4 **of IC 13-20-25, has the meaning set forth in IC 13-20-25-2.**
5 SECTION 2. IC 13-11-2-133, AS AMENDED BY P.L.178-2009,
6 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2014]: Sec. 133. (a) "Municipal waste", for purposes of:
8 (1) IC 13-20-4;
9 (2) IC 13-20-6;
10 (3) IC 13-20-21;
11 (4) IC 13-20-23;
12 (5) IC 13-20.5-10;
13 (6) IC 13-22-1 through IC 13-22-8; and
14 (7) IC 13-22-13 through IC 13-22-14;
15 means any garbage, refuse, industrial lunchroom or office waste, and
16 other similar material resulting from the operation of residential,

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1 municipal, commercial, or institutional establishments and community
2 activities.

3 (b) The term does not include the following:

4 (1) Hazardous waste regulated under:

5 (A) IC 13-22-1 through IC 13-22-8 and IC 13-22-13 through
6 IC 13-22-14; or

7 (B) the federal Solid Waste Disposal Act (42 U.S.C. 6901 et
8 seq.), as in effect on January 1, 1990.

9 (2) Infectious waste (as defined in IC 16-41-16-4).

10 (3) Wastes that result from the combustion of coal and that are
11 referred to in IC 13-19-3-3.

12 (4) Materials that are being transported to a facility for
13 reprocessing or reuse.

14 (c) As used in subsection (b)(4), "reprocessing or reuse" does not
15 include either of the following:

16 (1) Incineration.

17 (2) Placement in a landfill.

18 (d) **"Municipal waste", for purposes of IC 13-20-25, has the**
19 **meaning set forth in IC 13-20-25-3.**

20 SECTION 3. IC 13-11-2-158, AS AMENDED BY P.L.114-2012,
21 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 UPON PASSAGE]: Sec. 158. (a) "Person", for purposes of:

23 (1) IC 13-21;

24 (2) air pollution control laws;

25 (3) water pollution control laws; and

26 (4) environmental management laws, except as provided in
27 subsections (c), (d), and (e);

28 means an individual, a partnership, a copartnership, a firm, a company,
29 a corporation, an association, a joint stock company, a trust, an estate,
30 a municipal corporation, a city, a school city, a town, a school town, a
31 school district, a school corporation, a county, any consolidated unit of
32 government, political subdivision, state agency, a contractor, or any
33 other legal entity.

34 (b) "Person", for purposes of:

35 (1) IC 13-18-10;

36 (2) IC 13-18-10.5;

37 (3) IC 13-20-10.5; and

38 (4) IC 13-20-17;

39 means an individual, a partnership, a copartnership, a firm, a company,
40 a corporation, an association, a joint stock company, a trust, an estate,
41 a political subdivision, a state agency, or other legal entity, or their
42 legal representative, agent, or assigns.



1 (c) "Person", for purposes of:

- 2 (1) IC 13-20-13;
 3 (2) IC 13-20-14;
 4 (3) IC 13-20-16; and
 5 (4) IC 13-25-6;

6 means an individual, a corporation, a limited liability company, a
 7 partnership, or an unincorporated association.

8 **(d) "Person", for purposes of IC 13-20-25, means an individual,**
 9 **a corporation, a limited liability company, a partnership, an**
 10 **unincorporated association, or a solid waste management district**
 11 **established under IC 13-21.**

12 ~~(d)~~ **(e) "Person", for purposes of IC 13-23, has the meaning set forth**
 13 **in subsection (a). The term includes a consortium, a joint venture, a**
 14 **commercial entity, and the United States government.**

15 ~~(e)~~ **(f) "Person", for purposes of IC 13-20-17.5 and IC 13-25-3,**
 16 **means an individual, a corporation, a limited liability company, a**
 17 **partnership, a trust, an estate, or an unincorporated association.**

18 ~~(f)~~ **(g) "Person", for purposes of IC 13-26, means an individual, a**
 19 **firm, a partnership, an association, a limited liability company, or a**
 20 **corporation other than an eligible entity.**

21 ~~(g)~~ **(h) "Person", for purposes of IC 13-29-1, means any individual,**
 22 **corporation, business enterprise, or other legal entity either public or**
 23 **private and any legal successor, representative, agent, or agency of that**
 24 **individual, corporation, business enterprise, or legal entity.**

25 SECTION 4. IC 13-11-2-179.5 IS ADDED TO THE INDIANA
 26 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 27 [EFFECTIVE JULY 1, 2014]: **Sec. 179.5. "Recyclable material", for**
 28 **purposes of IC 13-20-25, has the meaning set forth in**
 29 **IC 13-20-25-4.**

30 SECTION 5. IC 13-11-2-179.6 IS ADDED TO THE INDIANA
 31 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2014]: **Sec. 179.6. "Recyclable materials**
 33 **broker", for purposes of IC 13-20-25, has the meaning set forth in**
 34 **IC 13-20-25-5.**

35 SECTION 6. IC 13-11-2-179.7 IS ADDED TO THE INDIANA
 36 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2014]: **Sec. 179.7. "Recycle", for purposes of**
 38 **IC 13-20-25, has the meaning set forth in IC 13-20-25-6.**

39 SECTION 7. IC 13-11-2-179.9, AS ADDED BY P.L.178-2009,
 40 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2014]: Sec. 179.9. (a) "Recycler", for purposes of sections
 42 31.1 and 31.2 of this chapter and IC 13-20.5, means an individual or



1 public or private entity that accepts covered electronic devices from
 2 covered entities and collectors for the purpose of recycling. ~~(b)~~ The
 3 term does not include a manufacturer that accepts products for
 4 refurbishment or repair.

5 **(b) "Recycler", for purposes of IC 13-20-25, has the meaning set**
 6 **forth in IC 13-20-25-7.**

7 SECTION 8. IC 13-11-2-202.8 IS ADDED TO THE INDIANA
 8 CODE AS A NEW SECTION TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2014]: **Sec. 202.8. "Single stream recyclable**
 10 **materials", for purposes of IC 13-20-25, has the meaning set forth**
 11 **in IC 13-20-25-8.**

12 SECTION 9. IC 13-20-25 IS ADDED TO THE INDIANA CODE
 13 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 14 UPON PASSAGE]:

15 **Chapter 25. Resource Conservation and Recycling**

16 **Sec. 1. The goal of the state is to recycle at least fifty percent**
 17 **(50%) of its municipal waste.**

18 **Sec. 2. As used in this chapter, "fiscal year" means a period:**

- 19 (1) beginning July 1 in a calendar year; and
- 20 (2) ending June 30 of the succeeding calendar year.

21 **Sec. 3. As used in this chapter, "municipal waste" means any:**

- 22 (1) garbage;
- 23 (2) refuse;
- 24 (3) industrial lunchroom waste;
- 25 (4) office waste; or
- 26 (5) other, similar material;

27 **that results from the operation of residential, municipal,**
 28 **commercial, or institutional establishments and community**
 29 **activities.**

30 **Sec. 4. As used in this chapter, "recyclable material" means**
 31 **municipal waste that is suitable for recycling.**

32 **Sec. 5. As used in this chapter, "recyclable materials broker"**
 33 **means a person that:**

- 34 (1) engages in the business of arranging for the collection,
 35 transportation, delivery, recycling, or reuse of recyclable
 36 materials; but
- 37 (2) does not take title to, or physical possession of, the
 38 recyclable materials.

39 **Sec. 6. As used in this chapter, "recycle" means to take action**
 40 **by which recyclable materials are recovered from the solid waste**
 41 **stream for purposes of:**

- 42 (1) use or reuse;



- 1 (2) conversion into raw materials; or
 2 (3) use in the production of new products.
- 3 **Sec. 7. (a) As used in this chapter, "recycler" means a person**
 4 **who recycles recyclable materials generated by more than one (1)**
 5 **person.**
- 6 **(b) The term includes the following:**
- 7 (1) A recyclable materials broker.
 8 (2) The owner or operator of a solid waste disposal facility
 9 regulated under IC 13-20-8 at which recycling occurs.
 10 (3) The owner or operator of a material recovery facility.
 11 (4) A solid waste management district established under
 12 IC 13-21 or IC 13-9.5 (before its repeal).
- 13 **Sec. 8. As used in this chapter, "single stream recyclable**
 14 **materials" means a combination of two (2) or more types of**
 15 **recyclable materials that have been commingled and cannot be**
 16 **separated into individual types without processing.**
- 17 **Sec. 9. (a) A recycler shall report the recycler's recycling**
 18 **activities under this section. A recycler may elect to report the**
 19 **recycler's recycling activities on an annual basis under subsection**
 20 **(b) or on a quarterly basis under subsection (c).**
- 21 **(b) A recycler that elects to report on an annual basis shall, in**
 22 **2015 and each succeeding calendar year, before August 1, submit**
 23 **to the commissioner a completed recycling activity report**
 24 **concerning the recycling activities conducted by the recycler**
 25 **during the fiscal year that ended on the most recent June 30.**
- 26 **(c) A recycler that elects to report on a quarterly basis shall, for**
 27 **the July through September quarter of 2014 and each succeeding**
 28 **quarter, not more than thirty (30) days after the end of the**
 29 **quarter, submit to the commissioner a completed recycling activity**
 30 **report concerning the recycling activities conducted by the recycler**
 31 **during the quarter. A quarterly report submitted under this**
 32 **subsection must concern the recycling activities conducted by the**
 33 **recycler during the period of:**
- 34 (1) July through September;
 35 (2) October through December;
 36 (3) January through March; or
 37 (4) April through June.
- 38 **(d) A recycler shall submit a separate recycling activity report**
 39 **under this section for each reporting period, whether annual or**
 40 **quarterly, for each facility:**
- 41 (1) that was owned or operated by the recycler; and
 42 (2) at which the recycler conducted recycling activities;



1 during the reporting period.

2 **Sec. 10. (a) A person:**

3 (1) who:

4 (A) is not required to submit a recycling activity report
5 under section 9 of this chapter; but

6 (B) recycled recyclable materials during a fiscal year;

7 (2) who:

8 (A) meets the definition of "scrap metal processing
9 facility" set forth in IC 8-23-1-36;

10 (B) meets the definition of "automotive salvage recycler"
11 set forth in IC 9-13-2-10;

12 (C) meets the definition of "disposal facility" set forth in
13 IC 9-13-2-44;

14 (D) is engaged in business subject to IC 9-22-3;

15 (E) meets the definition of "automotive salvage rebuilder"
16 set forth in IC 9-32-2-5;

17 (F) meets the definition of "scrap metal processor" set
18 forth in IC 13-11-2-196.5;

19 (G) meets the definition of "core buyer" set forth in
20 IC 25-37.5-1-0.2; or

21 (H) meets the definition of "valuable metal dealer" set
22 forth in IC 25-37.5-1-1(b); or

23 (3) who:

24 (A) is not required to submit a recycling activity report
25 under section 9 of this chapter; but

26 (B) took action during a fiscal year to recover, from the
27 solid waste stream, for purposes of:

28 (i) use or reuse;

29 (ii) conversion into raw materials; or

30 (iii) use in the production of new products;

31 materials that were not municipal waste;

32 may voluntarily submit a recycling activity report to the
33 commissioner concerning the person's recycling activity during the
34 fiscal year.

35 (b) The commissioner shall include information reported to the
36 commissioner under this section in the annual reports that the
37 commissioner is required to submit under section 14 of this
38 chapter.

39 **Sec. 11. (a)** Except as provided in subsection (b), a recycling
40 activity report submitted to the commissioner under this chapter
41 must be submitted on the uniform recycling activity report form
42 posted by the commissioner on the department's Internet web site



1 under section 12 of this chapter.

2 (b) If a uniform recycling activity report form is not posted on
3 the department's Internet web site by July 1 in a calendar year in
4 which a recycler is required to submit a completed recycling
5 activity report under section 9(a) of this chapter, the recycler may
6 satisfy the recycler's duties under this chapter by submitting to the
7 commissioner, by a letter postmarked before August 1 of the
8 calendar year, the types of information about the recycler's
9 recycling activities during the fiscal year that are set forth in
10 section 12 of this chapter.

11 Sec. 12. (a) Not later than July 1, 2015, the commissioner shall
12 post on the department's Internet web site a uniform recycling
13 activity report form. The form must do the following:

14 (1) Provide for reporting of the:

15 (A) name and location of; and

16 (B) principal business activities conducted at;
17 the recycler's establishment.

18 (2) Include:

19 (A) an appropriate space for; and

20 (B) instructions requiring the completion of;
21 an appropriate certification, by signature of the recycler (if
22 the recycler is an individual) or a senior official with
23 management responsibility for the recycler (if the recycler is
24 not an individual), of the accuracy and completeness of the
25 recycling activity report.

26 (3) Provide for reporting of the quantity, in tons, of each type
27 of recyclable material listed in subsection (b) that was in
28 storage at the reporting recycler's establishment:

29 (A) at the start of the fiscal year; and

30 (B) at the close of the fiscal year.

31 (4) Provide for reporting of the quantity, in tons, of each type
32 of recyclable material listed in subsection (b) that was
33 transported from the reporting recycler's establishment, or
34 (in the case of a recycler that is a recyclable materials broker)
35 that was transported or delivered by arrangement of the
36 recycler, to any of the following:

37 (A) Other recyclers located in Indiana.

38 (B) Persons that are located in Indiana but are not
39 recyclers, including persons who may employ the
40 recyclable material as a raw material or a new product
41 without further recycling.

42 (C) Persons located outside Indiana.



1 (b) The uniform recycling activity report form posted on the
2 department's Internet web site under subsection (a) must specify
3 that the information to be reported by a recycler under subsection
4 (a)(3) and (a)(4) must be reported separately for each of the
5 following types of recyclable materials:

- 6 (1) Glass.
7 (2) Metal, including white goods (ferrous).
8 (3) Metal (nonferrous).
9 (4) Paper and paper products (all grades).
10 (5) Plastic and plastic products.
11 (6) Single stream recyclable materials.
12 (7) Any other distinct type of recyclable material not specified
13 in subdivisions (1) through (6).

14 Sec. 13. A recycler is not required to measure directly the
15 weight of recyclable materials for purposes of submitting a
16 recycling activities report under this chapter. For the purposes of
17 reporting the quantity, in tons, of a type of recyclable material
18 recycled, a recycler may estimate the weight of the recyclable
19 material by converting the volume of the recyclable material to
20 weight based on the density of the recyclable material.

21 Sec. 14. Not later than December 31, 2015, and each succeeding
22 calendar year, the commissioner shall submit to the executive
23 director of the legislative services agency, in an electronic format
24 under IC 5-14-6, a report summarizing the information obtained
25 through the recycling activity reports submitted to the
26 commissioner under this chapter concerning the fiscal year most
27 recently ended. The executive director of the legislative services
28 agency shall forward the report to the members of the standing
29 committees of the senate and the house having subject matter
30 jurisdiction most closely related to the subject of recycling.

31 Sec. 15. The environmental rules board may adopt rules under
32 IC 4-22-2 and IC 13-14-9 to administer this chapter.

33 Sec. 16. (a) The general assembly urges the legislative council to
34 assign to the appropriate study committee for the 2014 interim
35 period the tasks set forth in this section.

36 (b) Not later than November 1, 2014, the appropriate study
37 committee assigned the task under subsection (a) shall produce a
38 written report that includes the following:

- 39 (1) An analysis of all policy options that would increase the
40 recycling of municipal solid waste in Indiana, and a good faith
41 estimate of the number of tons of municipal solid waste that
42 would be recovered from the waste stream in Indiana for



- 1 recycling into new products as the result of the
 2 implementation of each policy option.
- 3 (2) An analysis of the role of the solid waste management
 4 districts established under IC 13-21-3 and how the solid waste
 5 management districts can help to increase the rate of
 6 recycling in Indiana.
- 7 (3) An analysis of the role of the Indiana recycling market
 8 development board created by IC 4-23-5.5-2 and how the
 9 recycling market development board can help to increase the
 10 rate of recycling in Indiana.
- 11 (4) An analysis of the role of the state solid waste management
 12 fund established by IC 13-20-22-2 and how the state solid
 13 waste management fund can help to increase the rate of
 14 recycling in Indiana.
- 15 (5) An analysis of alternatives to landfill disposal of municipal
 16 waste and the relationship of these alternatives to increasing
 17 the rate of recycling in Indiana.
- 18 (c) The report produced under subsection (b) must include all
 19 written testimony and materials presented to the study committee
 20 concerning the subjects set forth in subsection (b)(1) through
 21 (b)(5), including citations to all sources referenced or relied upon.
 22 However, the report must not:
- 23 (1) make recommendations concerning; or
 24 (2) otherwise limit consideration of;
 25 any policy option for increasing the recycling of municipal solid
 26 waste for any reason.
- 27 (d) This section expires December 31, 2014.
- 28 SECTION 10. An emergency is declared for this act.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1183, 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.

(Reference is to HB 1183 as introduced.)

Committee Vote: Yeas 11, Nays 0

Representative Wolkins

HOUSE MOTION

Mr. Speaker: I move that House Bill 1183 be amended to read as follows:

Page 4, line 6, delete "A scrap metal processor, as defined in IC 13-11-2-196.5." and insert "**A solid waste management district established under IC 13-21 or IC 13-9.5 (before its repeal).**".

Page 4, delete lines 11 through 24, begin a new paragraph and insert:

"Sec. 9. (a) A recycler shall report the recycler's recycling activities under this section. A recycler may elect to report the recycler's recycling activities on an annual basis under subsection (b) or on a quarterly basis under subsection (c).

(b) A recycler that elects to report on an annual basis shall, in 2015 and each succeeding calendar year, before August 1, submit to the commissioner a completed recycling activity report concerning the recycling activities conducted by the recycler during the fiscal year that ended on the most recent June 30.

(c) A recycler that elects to report on a quarterly basis shall, for the July through September quarter of 2014 and each succeeding quarter, not more than thirty (30) days after the end of the quarter, submit to the commissioner a completed recycling activity report concerning the recycling activities conducted by the recycler during the quarter. A quarterly report submitted under this subsection must concern the recycling activities conducted by the recycler during the period of:

- (1) July through September;**
- (2) October through December;**
- (3) January through March; or**
- (4) April through June.**

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(d) A recycler shall submit a separate recycling activity report under this section for each reporting period, whether annual or quarterly, for each facility:

- (1) that was owned or operated by the recycler; and
- (2) at which the recycler conducted recycling activities;

during the reporting period.

Sec. 10. (a) A person:

(1) who:

(A) is not required to submit a recycling activity report under section 9 of this chapter; but

(B) recycled recyclable materials during a fiscal year; or

(2) who:

(A) meets the definition of "scrap metal processing facility" set forth in IC 8-23-1-36;

(B) meets the definition of "automotive salvage recycler" set forth in IC 9-13-2-10;

(C) meets the definition of "disposal facility" set forth in IC 9-13-2-44;

(D) is engaged in business subject to IC 9-22-3;

(E) meets the definition of "automotive salvage rebuilder" set forth in IC 9-32-2-5;

(F) meets the definition of "scrap metal processor" set forth in IC 13-11-2-196.5;

(G) meets the definition of "core buyer" set forth in IC 25-37.5-1-0.2; or

(H) meets the definition of "valuable metal dealer" set forth in IC 25-37.5-1-1(b);".

Page 5, line 4, delete "A not" and insert "**Not**".

Page 6, line 22, delete "October" and insert "**November**".

Page 6, line 26, delete "good-faith" and insert "**good faith**".

Page 7, delete lines 4 through 6, begin a new line block indented and insert:

"(5) An analysis of alternatives to landfill disposal of municipal waste, including incineration and the use of waste-to-energy facilities, and the relationship of these alternatives to the recycling goal set forth in section 1 of this chapter."

Page 7, line 18, delete "April" and insert "**June**".

(Reference is to HB 1183 as printed January 16, 2014.)

MORRIS



COMMITTEE REPORT

Madam President: The Senate Committee on Environmental Affairs, to which was referred House Bill No. 1183, 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:

Page 3, line 12, delete "waste by 2019." and insert "**waste.**".

and when so amended that said bill do pass.

(Reference is to HB 1183 as reprinted January 28, 2014.)

CHARBONNEAU, Chairperson

Committee Vote: Yeas 7, Nays 1.

 SENATE MOTION

Madam President: I move that Engrossed House Bill 1183 be amended to read as follows:

Page 2, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 3. IC 13-11-2-158, AS AMENDED BY P.L.114-2012, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 158. (a) "Person", for purposes of:

- (1) IC 13-21;
- (2) air pollution control laws;
- (3) water pollution control laws; and
- (4) environmental management laws, except as provided in subsections (c), (d), and (e);

means an individual, a partnership, a copartnership, a firm, a company, a corporation, an association, a joint stock company, a trust, an estate, a municipal corporation, a city, a school city, a town, a school town, a school district, a school corporation, a county, any consolidated unit of government, political subdivision, state agency, a contractor, or any other legal entity.

(b) "Person", for purposes of:

- (1) IC 13-18-10;
- (2) IC 13-18-10.5;
- (3) IC 13-20-10.5; and
- (4) IC 13-20-17;

means an individual, a partnership, a copartnership, a firm, a company, a corporation, an association, a joint stock company, a trust, an estate,



a political subdivision, a state agency, or other legal entity, or their legal representative, agent, or assigns.

(c) "Person", for purposes of:

- (1) IC 13-20-13;
- (2) IC 13-20-14;
- (3) IC 13-20-16; and
- (4) IC 13-25-6;

means an individual, a corporation, a limited liability company, a partnership, or an unincorporated association.

(d) "Person", for purposes of IC 13-20-25, means an individual, a corporation, a limited liability company, a partnership, an unincorporated association, or a solid waste management district established under IC 13-21.

~~(e)~~ (e) "Person", for purposes of IC 13-23, has the meaning set forth in subsection (a). The term includes a consortium, a joint venture, a commercial entity, and the United States government.

~~(f)~~ (f) "Person", for purposes of IC 13-20-17.5 and IC 13-25-3, means an individual, a corporation, a limited liability company, a partnership, a trust, an estate, or an unincorporated association.

~~(g)~~ (g) "Person", for purposes of IC 13-26, means an individual, a firm, a partnership, an association, a limited liability company, or a corporation other than an eligible entity.

~~(h)~~ (h) "Person", for purposes of IC 13-29-1, means any individual, corporation, business enterprise, or other legal entity either public or private and any legal successor, representative, agent, or agency of that individual, corporation, business enterprise, or legal entity."

Page 5, line 1, delete "or".

Page 5, line 17, after "25-37.5-1-1(b);" insert "or".

Page 5, between lines 17 and 18, begin a new line block indented and insert:

"(3) who:

(A) is not required to submit a recycling activity report under section 9 of this chapter; but

(B) took action during a fiscal year to recover, from the solid waste stream, for purposes of:

- (i) use or reuse;**
- (ii) conversion into raw materials; or**
- (iii) use in the production of new products;**

materials that were not municipal waste;".

Page 5, line 22, delete "written".

Page 5, line 23, delete "to the environmental".

Page 5, line 24, delete "quality service council".



Page 7, line 9, delete "environmental" and insert "**executive director of the legislative services agency, in an electronic format under IC 5-14-6, a**".

Page 7, line 10, delete "quality service council established by IC 13-13-7-1 a written".

Page 7, line 13, after "ended." insert "**The executive director of the legislative services agency shall forward the report to the members of the standing committees of the senate and the house having subject matter jurisdiction most closely related to the subject of recycling.**".

Page 7, between lines 15 and 16, begin a new paragraph and insert:

"Sec. 16. (a) The general assembly urges the legislative council to assign to the appropriate study committee for the 2014 interim period the tasks set forth in this section."

Page 7, line 16, delete "Sec. 16. (a)" and insert "**(b)**".

Page 7, line 16, delete "environmental" and insert "**appropriate study committee assigned the task under subsection (a)**".

Page 7, line 17, delete "quality service council established by IC 13-13-7-1".

Page 7, line 27, delete "most effectively contribute to" and insert "**help to increase the rate of recycling in Indiana.**".

Page 7, delete lines 28 through 29.

Page 7, line 32, delete "most effectively" and insert "**help to increase the rate of recycling in Indiana.**".

Page 7, delete lines 33 through 34.

Page 7, line 37, delete "most effectively contribute to" and insert "**help to increase the rate of recycling in Indiana.**".

Page 7, delete lines 38 through 39.

Page 7, line 41, delete "waste, including incineration and the use of waste-to-energy" and insert "**waste**".

Page 8, line 1, delete "facilities,".

Page 8, line 1, delete "to the" and insert "**to increasing the rate of recycling in Indiana.**".

Page 8, delete line 2.

Page 8, line 3, delete "(b)" and insert "**(c)**".

Page 8, line 3, delete "(a)" and insert "**(b)**".

Page 8, line 4, delete "environmental" and insert "**study committee**".

Page 8, line 5, delete "quality service council".

Page 8, line 6, delete "(a)(1)" and insert "**(b)(1)**".

Page 8, line 6, delete "(a)(5)," and insert "**(b)(5)**".

Page 8, delete lines 12 through 17.



Page 8, line 18, delete "(e)" and insert "(d)".
Renumber all SECTIONS consecutively.

(Reference is to EHB 1183 as printed February 26, 2014.)

CHARBONNEAU

