

SENATE BILL No. 65

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-23-5.5.

Synopsis: Availability of funds to recycling board. Authorizes the Indiana recycling market development board (board) to make a loan or a grant from the recycling promotion and assistance fund (fund) without the approval of the governor and the budget agency if: (1) the board provides notice in writing to the governor and the budget agency of the board's intention to make the loan or grant; and (2) the governor and the budget agency do not inform the board in writing of their disapproval of the proposed loan or grant within 60 days after being provided notice of the proposed loan or grant. Provides that in each state fiscal year the board, without the approval of the governor and the budget agency, may make loans and grants from the fund in a total amount not greater than 10% of the balance in the fund on the first day of the state fiscal year.

Effective: July 1, 2017.

Breaux

January 3, 2017, read first time and referred to Committee on Environmental Affairs.



First Regular Session 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

SENATE BILL No. 65

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 4-23-5.5-1, AS AMENDED BY P.L.34-2013,
- 2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 3 JULY 1, 2017]: Sec. 1. As used in this chapter:
- 4 (1) "board" refers to the Indiana recycling market development
- 5 board created by this chapter;
- 6 (2) "division" refers to the division of pollution prevention
- 7 established by IC 13-27-2-1; ~~and~~
- 8 (3) "fiscal year" means a period:
- 9 (A) beginning July 1 in a calendar year; and
- 10 (B) ending June 30 of the succeeding calendar year; and
- 11 ~~(4)~~ (4) "office" refers to the Indiana office of energy development
- 12 established by IC 4-3-23-3.
- 13 SECTION 2. IC 4-23-5.5-7, AS AMENDED BY P.L.204-2007,
- 14 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 15 JULY 1, 2017]: Sec. 7. (a) The board ~~upon approval by the governor~~
- 16 ~~and the budget agency~~, may make the following expenditures:
- 17 (1) Matching grants to federal, state, and local governmental



1 agencies for research and development of:

2 (A) recycling projects; and

3 (B) recycling market development projects;
4 in Indiana.

5 (2) Matching grants to individuals, corporations, limited liability
6 companies, partnerships, educational institutions, and other
7 private sector groups for recycling and recycling market research
8 and development.

9 (3) Direct grants, loans, or loan guarantees to those individuals
10 and organizations specified in subdivision (1) or (2). ~~of this~~
11 ~~section.~~

12 (4) Contractual services for recycling and recycling market
13 research and development programs.

14 (5) Other projects and expenses consistent with this chapter.

15 **(b) Except as provided in subsections (c) and (d), the board may**
16 **make expenditures described in subsection (a) only with the**
17 **approval of the governor and the budget agency.**

18 **(c) If:**

19 **(1) the board accepts an application under section 9(3) of this**
20 **chapter for:**

21 **(A) a loan under section 14(d) of this chapter; or**

22 **(B) a grant under section 14(f) of this chapter;**
23 **from the recycling promotion and assistance fund;**

24 **(2) the board provides notice in writing to the governor and**
25 **the budget agency of:**

26 **(A) the board's intention to make the loan or grant;**

27 **(B) the identity of the prospective recipient of the loan or**
28 **grant;**

29 **(C) the amount of the loan or grant; and**

30 **(D) the purpose for which the prospective recipient will use**
31 **the loan or grant, as expressed in the prospective**
32 **recipient's application; and**

33 **(3) the governor and the budget agency do not inform the**
34 **board in writing of their disapproval of the proposed loan or**
35 **grant within sixty (60) days after the board provides notice to**
36 **the governor and the budget agency concerning the proposed**
37 **loan or grant under subdivision (2);**

38 **the board may make the loan or grant from the recycling**
39 **promotion and assistance fund without the approval of the**
40 **governor and the budget agency.**

41 **(d) In each fiscal year, the board may make one (1) or more:**

42 **(1) loans under section 14(d) of this chapter; and**



1 **(2) grants under section 14(f) of this chapter;**
2 **from the recycling promotion and assistance fund without the**
3 **approval of the governor and the budget agency, but the total**
4 **amount of all loans and grants made by the board under this**
5 **subsection during the fiscal year may not exceed ten percent (10%)**
6 **of the balance in the recycling promotion and assistance fund at the**
7 **beginning of the first day of the fiscal year.**
8 **(e) A loan or grant that the board is authorized to make without**
9 **the approval of the governor and the budget agency under**
10 **subsection (c) shall be disregarded in determining the total amount**
11 **of loans and grants that the board is authorized to make without**
12 **the approval of the governor and the budget agency under**
13 **subsection (d).**

