

SENATE BILL No. 73

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-30-3-1.2.

Synopsis: Reports of potential violations to IDEM. Authorizes the department of environmental management (department) to facilitate the submission of reports of potential environmental violations by means of a printed form, a dedicated telephone number, and an online form available through the department's Internet web site. Provides: (1) that the printed report form must include a space in which the individual submitting the report is directed to write the individual's name and address; (2) that when a call is made to the dedicated telephone number, the caller must be asked to give the caller's name and address; and (3) that the online form must include fields in which the individual submitting the report is to enter the individual's name and address, and that the department's Internet web site must be programmed so as not to allow the submission of a report unless those fields are filled in. Provides that, upon the request of a person to whom a report of a potential violation refers, the department shall disclose the identity of the individual who made the report unless the individual's identity is excepted from disclosure under the public records law.

Effective: July 1, 2020.

Tomes

January 6, 2020, read first time and referred to Committee on Environmental Affairs.



Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

SENATE BILL No. 73

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 13-30-3-1.2 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2020]: **Sec. 1.2. (a) The department may receive reports from**
- 4 **members of the public concerning potential violations of the**
- 5 **following:**
- 6 (1) **Environmental management laws.**
- 7 (2) **Air pollution control laws.**
- 8 (3) **Water pollution control laws.**
- 9 (4) **IC 36-9-30-35.**
- 10 (5) **A rule or standard adopted under the following:**
- 11 (A) **Environmental management laws.**
- 12 (B) **Air pollution control laws.**
- 13 (C) **Water pollution control laws.**
- 14 (b) **The department may facilitate the submission of reports**
- 15 **described in subsection (a) by doing the following:**
- 16 (1) **Making available a printed form for use in submitting**
- 17 **reports to the department in writing.**



- 1 **(2) Providing a dedicated telephone number for use in**
2 **submitting reports to the department by telephone.**
- 3 **(3) Establishing a means for the submission of reports to the**
4 **department through the department's Internet web site.**
- 5 **(c) A form made available under subsection (b)(1) must include**
6 **a space in which the individual submitting the report is directed to**
7 **write the individual's name and address.**
- 8 **(d) When a call is made to a dedicated telephone number**
9 **provided under subsection (b)(2), the officer or employee of the**
10 **department answering the call shall ask the caller to give the**
11 **caller's name and address.**
- 12 **(e) If an online form is provided under subsection (b)(3) for the**
13 **submission of a report through the department's Internet web site:**
- 14 **(1) the form must include fields in which the individual**
15 **submitting the report is to enter the individual's name and**
16 **address; and**
- 17 **(2) the department's Internet web site must be programmed**
18 **so as not to allow the submission of a report to the department**
19 **unless the fields referred to in subdivision (1) are filled in.**
- 20 **(f) This subsection applies to reports submitted after June 30,**
21 **2020. Upon the request of a person:**
- 22 **(1) to whom a report of a potential violation described in**
23 **subsection (a) refers; or**
- 24 **(2) who owns, occupies, or uses property to which a report of**
25 **a potential violation described in subsection (a) relates;**
- 26 **the department shall disclose to the person the identity of the**
27 **individual who made the report to the department unless the**
28 **individual's identity is excepted from disclosure under IC 5-14-3-4.**

