



January 28, 2025

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## SENATE BILL No. 307

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DIGEST OF SB 307 (Updated January 27, 2025 11:04 am - DI 140)

**Citations Affected:** IC 5-1.2.

**Synopsis:** Environmental waste inventory and grant program. Allows the Indiana brownfields fund to be used to pay for: (1) studies conducted under the Indiana brownfields program; and (2) the creation of an inventory of brownfields in Indiana (inventory). Authorizes the Indiana finance authority (authority) to create and maintain the inventory. Authorizes the authority to: (1) contract with one or more state supported colleges or universities for assistance in creating and maintaining the inventory; and (2) pay costs arising from the creation and maintenance of the inventory with funds appropriated to the Indiana brownfields fund. Provides that, if the inventory is created, the authority shall report the contents of the inventory to the interim study committee on environmental affairs in 2026 and in each even-numbered calendar year thereafter. Provides for confidentiality regarding documents and information submitted to the authority.

**Effective:** July 1, 2025.

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**Zay**

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January 13, 2025, read first time and referred to Committee on Environmental Affairs.  
January 27, 2025, reported favorably — Do Pass.

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SB 307—LS 6952/DI 150





January 28, 2025

First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

## SENATE BILL No. 307

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

1 SECTION 1. IC 5-1.2-2-6.5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2025]: **Sec. 6.5. "Brownfield", for purposes of IC 5-1.2-12, has**  
4 **the meaning set forth in IC 13-11-2-19.3.**

5 SECTION 2. IC 5-1.2-2-37.4 IS ADDED TO THE INDIANA  
6 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
7 [EFFECTIVE JULY 1, 2025]: **Sec. 37.4. "Inventory", for purposes**  
8 **of IC 5-1.2-12, refers to the inventory of brownfields located in**  
9 **Indiana which the authority is authorized to create and maintain**  
10 **under IC 5-1.2-12-14.**

11 SECTION 3. IC 5-1.2-12-3, AS AMENDED BY P.L.176-2023,  
12 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2025]: Sec. 3. (a) The Indiana brownfields fund is established  
14 to provide money for:

- 15 (1) grants, loans, and other financial assistance **provided** to or for  
16 the benefit of political subdivisions;  
17 (2) **studies conducted on brownfields located in Indiana; or**

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- 1           **(3) the creation of an inventory;**  
2           under this chapter. The authority shall administer, hold, and manage  
3           the Indiana brownfields fund.  
4           (b) Money in the fund at the end of a state fiscal year does not revert  
5           to the state general fund.  
6           (c) Expenses of administering the Indiana brownfields fund shall be  
7           paid from money in the Indiana brownfields fund.  
8           (d) The Indiana brownfields fund consists of the following:  
9           (1) Appropriations made by the general assembly.  
10          (2) Grants and gifts intended for deposit in the Indiana  
11          brownfields fund.  
12          (3) Repayments of loans and other financial assistance from the  
13          Indiana brownfields fund, including premiums, interest, and  
14          penalties.  
15          (4) Proceeds from the sale of loans and other financial assistance  
16          under section 8 of this chapter.  
17          (5) Interest, premiums, gains, or other earnings on the Indiana  
18          brownfields fund.  
19          (6) Money transferred from the hazardous substances response  
20          trust fund under IC 13-25-4-1(a)(9).  
21          (7) Fees collected under section 6 of this chapter.  
22          (8) Money transferred from the petroleum storage tank excess  
23          liability trust fund under IC 13-23-7 for the purpose of  
24          environmental assessment and remediation on a property  
25          containing at least one (1) underground storage tank or  
26          aboveground storage tank.  
27          (9) Money transferred from the petroleum trust fund under  
28          IC 13-23-12-4(1) for the purpose of corrective actions that  
29          involve releases of regulated substances from underground  
30          storage tanks or aboveground storage tanks and are ineligible to  
31          receive funds from the petroleum storage tank excess liability  
32          trust fund under IC 13-23-7.  
33          (e) The authority shall invest the money in the Indiana brownfields  
34          fund not currently needed to meet the obligations of the Indiana  
35          brownfields fund in accordance with an investment policy adopted by  
36          the authority. Interest, premiums, gains, or other earnings from the  
37          investments shall be credited to and deposited in the Indiana  
38          brownfields fund.  
39          (f) As an alternative to subsection (e), the authority may invest or  
40          cause to be invested all or a part of the Indiana brownfields fund in a  
41          fiduciary account or accounts with a trustee that is a financial  
42          institution. Notwithstanding any other law, any investment may be



1 made by the trustee in accordance with one (1) or more trust  
2 agreements or indentures. A trust agreement or indenture may allow  
3 disbursements by the trustee to the authority, a participant, or any other  
4 person as provided in the trust agreement or indenture.

5 SECTION 4. IC 5-1.2-12-14 IS ADDED TO THE INDIANA CODE  
6 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
7 1, 2025]: **Sec. 14. (a) The authority may create and maintain an  
8 inventory of brownfields located in Indiana. If created under this  
9 section, the inventory must include all properties in Indiana that  
10 are known to the authority to meet the definition of "brownfield"  
11 set forth in IC 13-11-2-19.3.**

12 **(b) Pursuant to section 10 of this chapter, the authority shall  
13 adopt guidelines to create an identification system by which  
14 brownfields may be classified when added to the inventory.**

15 **(c) If an inventory is created under this section, in order to  
16 receive financial assistance from the authority through the  
17 authority's Indiana brownfield program, a brownfield property  
18 must be listed on the authority's inventory.**

19 **(d) The authority may contract with one (1) or more state  
20 supported colleges or universities in Indiana for assistance in  
21 creating and maintaining the inventory.**

22 **(e) The authority may pay costs arising from the creation and  
23 maintenance of the inventory with funds appropriated to the  
24 Indiana brownfields fund established by section 3 of this chapter.**

25 **(f) If an inventory is created under this section, the authority  
26 shall report the contents of the inventory in writing:**

27 **(1) not later than September 1, 2026, in calendar year 2026;  
28 and**

29 **(2) not later than September 1 in each even-numbered  
30 calendar year after 2026;**

31 **to the interim study committee on environmental affairs  
32 established by IC 2-5-1.3-4(9). A report prepared under this  
33 subsection may include findings and recommendations of the  
34 authority concerning brownfields and shall be transmitted to the  
35 executive director of the legislative services agency in an electronic  
36 format under IC 5-14-6 for distribution to the members of the  
37 interim study committee on environmental affairs.**

38 **(g) Documents and information provided to the authority in  
39 creating and maintaining the inventory may be kept confidential  
40 consistent with IC 5-14-3-4 until the time the information is listed  
41 on the authority's inventory.**



COMMITTEE REPORT

Mr. President: The Senate Committee on Environmental Affairs, to which was referred Senate Bill No. 307, 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 to SB 307 as introduced.)

NIEMEYER, Chairperson

Committee Vote: Yeas 9, Nays 0

