

HOUSE BILL No. 1242

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-23-9-1.7.

Synopsis: Excess liability trust fund. Adds "above ground or below ground" to existing tank language.

Effective: July 1, 2024.

Morrison

January 9, 2024, read first time and referred to Committee on Environmental Affairs.



Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1242

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 13-23-9-1.7, AS ADDED BY P.L.176-2023,
2 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2024]: Sec. 1.7. (a) The administrator may pay an ELTF claim
4 for fifty percent (50%) of the costs of decommissioning or replacing an
5 underground petroleum storage tank, provided that:
6 (1) the applicant is the owner of the tank;
7 (2) such decommissioning or replacement is necessary, in the
8 judgment of the administrator, to protect human health and the
9 environment considering the age, obsolescence, and level of
10 deterioration of the tank; and
11 (3) the costs:
12 (A) are reasonable and cost effective; and
13 (B) result from or reimburse the claimant for work performed
14 decommissioning the tank or replacing the tank with a new
15 **above ground or below ground** tank.
16 (b) The expenses described in subsection (a) that are paid from the
17 ELTF in a state fiscal year may not exceed:



1 (1) ten million dollars (\$10,000,000) each year for claims
2 submitted by applicants owning not more than twelve (12)
3 underground petroleum storage tanks;
4 (2) seven million five hundred thousand dollars (\$7,500,000) each
5 year for claims submitted by applicants owning more than twelve
6 (12) but not more than one hundred (100) underground petroleum
7 storage tanks; and
8 (3) two million five hundred thousand dollars (\$2,500,000) each
9 year for claims submitted by applicants owning more than one
10 hundred (100) underground petroleum storage tanks.

