



January 31, 2020

SENATE BILL No. 46

DIGEST OF SB 46 (Updated January 30, 2020 11:41 am - DI 87)

Citations Affected: Noncode.

Synopsis: Interim study committee. Urges the legislative council to assign to an appropriate interim study committee the task of studying storm water fees.

Effective: Upon passage.

Freeman, Doriot

January 6, 2020, read first time and referred to Committee on Local Government.
January 30, 2020, amended, reported favorably — Do Pass.

SB 46—LS 6229/DI 129



January 31, 2020

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. 46

A BILL FOR AN ACT concerning environmental law.

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

- 1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **As used in this**
2 **SECTION, "storm water district" means the special taxing district**
3 **created under IC 8-1.5-5-5.**
4 (b) **As used in this SECTION, "storm water fees" means fees**
5 **that are assessed on property by a storm water management board**
6 **under IC 8-1.5-5-7 or a county drainage board under**
7 **IC 36-9-27-114.**
8 (c) **The general assembly finds that storm water fees assessed by**
9 **some local governments are:**
10 (1) **a financial burden for religious organizations and school**
11 **corporations (as defined in IC 20-18-2-16(a)); and**
12 (2) **in some cases, being assessed on properties that do not use,**
13 **do not affect, or are not served by the storm water**
14 **improvements for which the storm water fee is assessed.**
15 (d) **The legislative council is urged to assign to an appropriate**
16 **interim study committee the task of studying storm water fees. An**
17 **interim study committee assigned a study under this SECTION**

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- 1 shall consider the following:
- 2 (1) The manner in which storm water fees are assessed against
- 3 properties.
- 4 (2) The amount of outstanding indebtedness incurred by:
- 5 (A) storm water districts; and
- 6 (B) county drainage boards for storm water improvements
- 7 under IC 36-9-27-114.
- 8 (3) Placing limits on property owners' exposure to excessive
- 9 storm water fee assessments resulting from the large
- 10 outstanding debts incurred by the entities listed in subdivision
- 11 (2).
- 12 (4) Alleviating the financial burden of storm water fees
- 13 assessed on property:
- 14 (A) where religious services are held regularly; or
- 15 (B) that belongs to a school corporation (as defined in
- 16 IC 20-18-2-16(a)) and is used for educational purposes.
- 17 (e) This SECTION expires January 1, 2021.
- 18 SECTION 2. An emergency is declared for this act.



COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill No. 46, 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:

Delete the title and insert the following:

A BILL FOR AN ACT concerning environmental law.

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "storm water district" means the special taxing district created under IC 8-1.5-5-5.**

(b) As used in this SECTION, "storm water fees" means fees that are assessed on property by a storm water management board under IC 8-1.5-5-7 or a county drainage board under IC 36-9-27-114.

(c) The general assembly finds that storm water fees assessed by some local governments are:

- (1) a financial burden for religious organizations and school corporations (as defined in IC 20-18-2-16(a)); and**
- (2) in some cases, being assessed on properties that do not use, do not affect, or are not served by the storm water improvements for which the storm water fee is assessed.**

(d) The legislative council is urged to assign to an appropriate interim study committee the task of studying storm water fees. An interim study committee assigned a study under this SECTION shall consider the following:

- (1) The manner in which storm water fees are assessed against properties.**
- (2) The amount of outstanding indebtedness incurred by:**
 - (A) storm water districts; and**
 - (B) county drainage boards for storm water improvements under IC 36-9-27-114.**
- (3) Placing limits on property owners' exposure to excessive storm water fee assessments resulting from the large outstanding debts incurred by the entities listed in subdivision (2).**
- (4) Alleviating the financial burden of storm water fees assessed on property:**
 - (A) where religious services are held regularly; or**
 - (B) that belongs to a school corporation (as defined in IC 20-18-2-16(a)) and is used for educational purposes.**

(e) This SECTION expires January 1, 2021.



SECTION 2. **An emergency is declared for this act.**
Delete pages 2 through 4.

and when so amended that said bill do pass.

(Reference is to SB 46 as introduced.)

BUCK, Chairperson

Committee Vote: Yeas 9, Nays 1.

