

SENATE BILL No. 177

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-5-54.

Synopsis: Agrivoltaics task force. Establishes an agrivoltaics task force (task force) to review issues related to agrivoltaics. Sets forth the membership, and requires the task force to issue a report to the general assembly and the governor not later than November 1, 2024.

Effective: July 1, 2024.

Yoder

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.

SENATE BILL No. 177

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

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

1 SECTION 1. IC 2-5-54 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2024]:
4 **Chapter 54. Agrivoltaics Task Force**
5 **Sec. 1. As used in this chapter, "agrivoltaic" means the dual**
6 **operation of a solar photovoltaic facility and agriculture on a single**
7 **piece of land.**
8 **Sec. 2. The agrivoltaics task force is established as a temporary**
9 **task force, which serves the general assembly.**
10 **Sec. 3. As used in this chapter, "task force" refers to the**
11 **agrivoltaics task force established by section 2 of this chapter.**
12 **Sec. 4. (a) The task force consists of the following nineteen (19)**
13 **voting members:**
14 **(1) Five (5) members of the senate, appointed as follows:**
15 **(A) Three (3) members appointed by the president pro**
16 **tempore.**
17 **(B) Two (2) members appointed by the minority leader of**



- 1 the senate.
- 2 **(2) Five (5) members of the house of representatives,**
- 3 **appointed as follows:**
- 4 **(A) Three (3) members appointed by the speaker.**
- 5 **(B) Two (2) members appointed by the minority leader of**
- 6 **the house of representatives.**
- 7 **(3) One (1) officer or employee of the department of**
- 8 **environmental management, appointed by the governor.**
- 9 **(4) One (1) officer or employee of the department of natural**
- 10 **resources, appointed by the governor.**
- 11 **(5) One (1) officer or employee of the department of**
- 12 **agriculture, appointed by the governor.**
- 13 **(6) One (1) officer or employee of the office of energy**
- 14 **development, appointed by the governor.**
- 15 **(7) One (1) officer or employee of the Indiana Farm Bureau,**
- 16 **appointed by the governor.**
- 17 **(8) One (1) member who is a resident of Indiana and has**
- 18 **research experience from Purdue University's Institute for a**
- 19 **Sustainable Future, appointed by the governor.**
- 20 **(9) One (1) member who is a resident of Indiana and has**
- 21 **research experience from Indiana University's Environmental**
- 22 **Resilience Institute, appointed by the governor.**
- 23 **(10) One (1) member who is a resident of Indiana and has at**
- 24 **least ten (10) years of professional experience in electric utility**
- 25 **policy, appointed by the governor.**
- 26 **(11) One (1) member who is a representative from a farmer**
- 27 **member organization based in Indiana, appointed by the**
- 28 **governor.**
- 29 **(b) The president pro tempore shall designate one (1) of the**
- 30 **members appointed under subsection (a)(1)(A) as co-chair of the**
- 31 **task force.**
- 32 **(c) The speaker shall designate one (1) of the members**
- 33 **appointed under subsection (a)(2)(A) as co-chair of the task force.**
- 34 **(d) A member of the task force serves for the duration of the**
- 35 **task force. If a vacancy occurs on the task force, the appointing**
- 36 **authority that appointed the member whose position is vacant shall**
- 37 **appoint an individual to fill the vacancy.**
- 38 **(e) An individual appointed to fill a vacancy must have the**
- 39 **qualifications that a member appointed by the appointing**
- 40 **authority must have.**
- 41 **(f) An individual appointed to fill a vacancy serves for the**
- 42 **remainder of the term of the member the individual is appointed**



1 to succeed.

2 (g) Appointments to the task force under this section shall be
3 made not later than July 1, 2024.

4 Sec. 5. (a) Ten (10) members of the task force constitute a
5 quorum.

6 (b) The affirmative votes of a majority of the members
7 appointed to the task force are required for the task force to take
8 action on any measure, including final reports.

9 (c) The task force shall meet at the call of the co-chairs.

10 Sec. 6. All meetings of the task force shall be open to the public
11 in accordance with and subject to IC 5-14-1.5. All records of the
12 task force shall be subject to the requirements of IC 5-14-3.

13 Sec. 7. The task force shall do the following:

14 (1) Review available research and data on the effects of dual
15 operation of solar photovoltaic facilities and agriculture on
16 single pieces of land.

17 (2) Solicit and consider relevant stakeholder testimony
18 regarding agrivoltaic projects.

19 (3) Discuss policies and regulations to facilitate the
20 installation of agrivoltaic projects in Indiana, while
21 simultaneously considering the impact agrivoltaic has on:

22 (A) land use and categorizations;

23 (B) water quality;

24 (C) soil health; and

25 (D) food production.

26 (4) Review best practices for third party certification,
27 including the following:

28 (A) Consistent standards.

29 (B) Streamlined review.

30 (C) Quality control.

31 (D) Verification.

32 (5) Review best practices on carbon accounting and other
33 methods for quantifying the greenhouse gas emissions
34 sequestered with respect to agricultural land.

35 Sec. 8. The task force shall make recommendations based upon
36 the study conducted under section 7 of this chapter.

37 Sec. 9. The task force shall:

38 (1) issue a report setting forth the determinations and
39 recommendations it makes under this chapter; and

40 (2) not later than November 1, 2024, submit the report:

41 (A) in an electronic format under IC 5-14-6 to the
42 executive director of the legislative services agency for



1 distribution to the members of the general assembly; and
2 (B) to the governor.

3 Sec. 10. The legislative services agency shall provide staff
4 support to the task force.

5 Sec. 11. (a) Each legislative member and each lay member of the
6 task force is entitled to receive the same per diem, mileage, and
7 travel allowances paid to individuals serving as legislative and lay
8 members, respectively, on an interim study committee established
9 by the legislative council.

10 (b) A member of the task force who is a state employee is not
11 entitled to a per diem. However, the member is entitled to receive
12 the same travel allowances paid to members of the task force
13 described in subsection (a).

14 Sec. 12. The task force's expenses, including the payment of per
15 diem, mileage, and travel allowances under section 11 of this
16 chapter, are payable from amounts appropriated to the legislative
17 council.

18 Sec. 13. This chapter expires December 31, 2024.

