

# SENATE BILL No. 248

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 13-11-2-38.3; IC 13-18-10.7.

**Synopsis:** Annual inspections of CAFOs. Requires the department of environmental management, at least once per year, to conduct an onsite inspection of every concentrated animal feeding operation (CAFO), which, under federal regulations, is: (1) a large CAFO, at which more than 1,000 head of beef cattle, 700 dairy cows, 2,500 swine weighing more than 55 pounds, or 125,000 broiler chickens are confined onsite for more than 45 days during a year; (2) a medium CAFO, at which 300 to 999 head of beef cattle, 200 to 699 dairy cows, 750 to 2,499 swine weighing more than 55 pounds, or 37,500 to 124,999 broiler chickens are confined onsite for more than 45 days during a year, and from which pollutants are discharged directly or through a manmade device into waters of the United States; or (3) a small CAFO, at which fewer animals are confined than at a medium CAFO but which has been determined to be a significant contributor of pollutants to waters of the United States.

**Effective:** July 1, 2020.

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## Niemeyer

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January 9, 2020, read first time and referred to Committee on Environmental Affairs.

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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. 248

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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 13-11-2-38.3 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 38.3. "Concentrated  
3 animal feeding operation" or "CAFO", for purposes of ~~IC 13-18-10~~  
4 **IC 13-18-10.7** and IC 13-18-20, has the meaning set forth in 40 CFR  
5 122.23.

6 SECTION 2. IC 13-18-10.7 IS ADDED TO THE INDIANA CODE  
7 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2020]:

9 **Chapter 10.7. Annual Inspections of Concentrated Animal**  
10 **Feeding Operations**

11 **Sec. 1. This chapter applies only to concentrated animal feeding**  
12 **operations, as defined in IC 13-11-2-38.3.**

13 **Sec. 2. The department shall conduct an onsite inspection of**  
14 **every concentrated animal feeding operation at least once per year.**

