

**2017 Indiana General Assembly  
Enacted Legislation**

**Below is a summary of enacted legislation from the 2017 legislative session that may be of interest to RSDs. Not all bills will have a direct affect but we feel RSDs should at least be aware of them. The list represents only enacted legislation that the IRSDA has been following and may not be all inclusive for some districts. We encourage you to familiarize yourself with each enrolled act in its entirety. As always we suggest that each district seek legal advice to assist you in interpreting what changes, if any, may need to be made as a result of the legislation. A complete listing of all enacted legislation can be found using the following**

**link: [https://iga.in.gov/legislative/2017/session/enrolled\\_act\\_summary/](https://iga.in.gov/legislative/2017/session/enrolled_act_summary/)**

**SENATE BILL No. 416**

**Citations Affected:** IC 4-4; IC 13-11-2; IC 13-18-25; IC 35-52-13-3.5.

**Synopsis: Infrastructure assistance fund.** Establishes the infrastructure assistance fund (fund) to provide grants, loans, and other financial assistance for the planning, designing, acquisition, construction, renovation, improvement, and expansion of public water systems. Requires the Indiana finance authority (IFA) to administer the fund and to establish criteria for the making of grants, loans, and other financial assistance from the fund. Authorizes the IFA to sell loans and other obligations from the fund and to deposit the proceeds of the sales in the fund or in certain other funds. Authorizes the IFA to pledge loans and other obligations from the fund to secure other loans or financial assistance from the fund or from certain other funds. Requires the public finance director to submit a report on the fund to the budget committee and the legislative council not later than August 1 of each even numbered year through 2020. Provides that a person who, with intent to defraud, knowingly or intentionally makes a material misstatement in connection with an application for a loan or other financial assistance from the fund commits a Level 6 felony.

**<https://iga.in.gov/legislative/2017/bills/senate/416#document-8ff1545b>**

**SENATE BILL No. 421**

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

**Synopsis: Above ground storage tanks.** Repeals the law requiring owners of certain above ground storage tanks to register their tanks with the department of environmental management. Authorizes the person responsible for the operation of a public water system to gather information from potential sources of contamination for the purpose of developing or updating the public water system's threat minimization and response plan. Provides that, depending on the circumstances, the information gathered from potential sources of contamination may be excepted from inspection and copying under the public records law. Urges the legislative council to assign to the interim study committee on environmental affairs for study during the 2017 interim the topic of public water supply protection, including: (1) the potential creation of a central repository for all information about above ground storage tanks that is reported to various agencies by the owners and operators of the above ground storage tanks; and (2) resources available to the

operators of public water systems for developing and maintaining emergency plans for responding to threats to the drinking water supply.

<https://iga.in.gov/legislative/2017/bills/senate/421#document-00186600>

#### **SENATE BILL No. 472**

**Citations Affected:** IC 8-1-26.

**Synopsis: Requests to locate underground utility facilities.** Amends the statute concerning the locating and marking of underground utility facilities (Indiana's 811 law) to allow a person responsible for: (1) a construction project; or (2) any other project or operation; that will involve an excavation or demolition operation to provide voluntary notice to the association known as the Indiana Underground Plant Protection Service (association) before commencing preliminary engineering studies or construction planning activities in the project area that will be affected by the excavation or demolition. Provides that the notice must be received by the association at least 10 full working days but not more than 20 calendar days before the commencement of the preliminary engineering studies or construction planning activities. Specifies the information that must be included in the notice. Provides that the submission of a notice of preliminary engineering studies or construction activities does not relieve a person responsible for the excavation or demolition operation involved in the project from providing the notice required under the law before commencing the excavation or demolition operation. Requires each utility operator notified of preliminary engineering studies or construction planning activities to locate and mark the operator's facilities in the project area that will be affected by the proposed excavation or demolition not later than 10 full working days after receiving the notice.

<https://iga.in.gov/legislative/2017/bills/senate/472#document-44e89e40>

#### **HOUSE BILL No. 1031**

**Citations Affected:** IC 5-11-5-1.5; IC 6-1.1-17-16.3.

**Synopsis: State examiner findings.** Specifies requirements for corrective action when audited entities fail to comply with certain guidelines or laws. Requires the department of local government finance to deny the budget or supplemental appropriation of an audited entity under certain circumstances.

<https://iga.in.gov/legislative/2017/bills/house/1031#document-41262376>

#### **HOUSE BILL No. 1211**

**Citations Affected:** IC 14-30-5.

**Synopsis: Transborder groundwater authority.** Establishes the Indiana-Kentucky transborder groundwater authority (authority). Requires the authority to study ownership rights in the groundwater resources shared by Indiana and Kentucky and to explore the desirability of entering into an interstate compact with Kentucky concerning the use of the groundwater underlying southern Indiana and northern

Kentucky. Authorizes a county that borders the Ohio River or that borders another county that borders the Ohio River to elect to participate in the authority. Provides for the authority to include elected officials from municipal and county government in the participating counties, county health officers of the participating counties, a member of the board of the soil and water conservation district of a participating county, and the director of the department of natural resources. Authorizes the authority to invite government officials from Kentucky to attend the authority's meetings and advise the authority. Authorizes the authority to receive grants and appropriations from governmental and private sources. Provides that participating counties may appropriate money for the authority's budget. Requires the state board of accounts to prescribe the methods and forms for keeping and to periodically audit the accounts, records, and books of the authority. Provides that the authority expires July 1, 2022.

<https://iga.in.gov/legislative/2017/bills/house/1211#document-aa078e31>

### **HOUSE BILL No. 1272**

**Citations Affected:** IC 5-3-1-2; IC 36-9.

**Synopsis: Local government matters.** Provides that if a newspaper or locality newspaper does not refuse to publish a timely notice, but subsequently fails to publish it, notice is nonetheless sufficient if the notice is timely posted: (1) in printed form, in three prominent places in the political subdivision; or (2) on the political subdivision's Internet web site. Increases the amount of debt that a municipal sewage works or sanitation department can write off as uncollectable.

<https://iga.in.gov/legislative/2017/bills/house/1272#document-08a22590>

### **HOUSE BILL No. 1495**

**Citations Affected:** IC 4-23-5.5-2; IC 13-11-2; IC 13-20; IC 13-20.5; IC 13-23-9-1.3; IC 13-26-5-7.

**Synopsis: Environmental management.** Authorizes an ex officio advisory member of the Indiana recycling ..... Amends the law concerning regional water, sewage, and solid waste districts to eliminate a provision under which a contract providing for a governmental or private body to supply water to or treat the sewage and solid waste of a regional district is subject to the approval of the department.

<https://iga.in.gov/legislative/2017/bills/house/1495#document-47087be5>