

HOUSE BILL No. 1126

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-22-5-8; IC 15-7-10.

Synopsis: Biofuels. Requires the use of blended biodiesel fuel in state vehicles and tractors when feasible. Establishes the biofuels task force as a permanent legislative study group operating under the policies of the legislative council.

Effective: July 1, 2004.

Heim, Grubb, Friend

January 13, 2004, read first time and referred to Committee on Rules and Legislative Procedures.

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Second Regular Session 113th General Assembly (2004)

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 2003 Regular Session of the General Assembly.

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HOUSE BILL No. 1126



A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

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

1 SECTION 1. IC 5-22-5-8, AS ADDED BY P.L.274-2001,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2004]: Sec. 8. (a) This section does not apply to a political
4 subdivision.

5 **(b) As used in this section, "blended biodiesel" has the meaning
6 set forth in IC 6-3.1-27-2.**

7 ~~(b)~~ **(c)** As used in this section, "ethanol" means agriculturally
8 derived ethyl alcohol.

9 ~~(c)~~ **(d)** As used in this section, "gasohol" means gasoline that
10 contains:

- 11 (1) at least ten percent (10%) ethanol; or
- 12 (2) ethyl tertiary butyl ether (ETBE) additives derived from
- 13 ethanol.

14 ~~(d)~~ **(e)** As used in this section, "gasoline fueled vehicle" refers to a
15 vehicle that is capable of using gasoline to fuel its primary motor.

16 ~~(e)~~ **(f)** As used in this section, "vehicle" includes the following:
17 (1) An automobile.



1 (2) A truck.
 2 (3) A tractor.
 3 ~~(f)~~ **(g)** Except as provided by subsection ~~(g)~~, **(i)**, a governmental
 4 body shall whenever possible purchase gasohol to fuel the gasoline
 5 fueled vehicles owned or operated by the governmental body.
 6 **(h) Except as provided by subsection (i), a governmental body**
 7 **shall whenever possible purchase blended biodiesel fuel to fuel the**
 8 **diesel fueled vehicles owned or operated by the governmental body.**
 9 ~~(g)~~ **(i)** The following vehicles are exempt from the requirements of
 10 ~~subsection (f): subsections (g) and (h):~~
 11 (1) A vehicle that is leased by the governmental body for thirty
 12 (30) days or less.
 13 (2) A vehicle whose official operating manual, as issued by the
 14 manufacturer of the vehicle, contains a statement that the use of
 15 gasohol **or blended biodiesel fuel** will damage the engine of the
 16 vehicle.
 17 (3) A vehicle that:
 18 (A) is primarily powered by ~~a diesel~~ or an electric motor; or
 19 (B) can use only propane, compressed or liquified natural gas,
 20 or methanol as its fuel source.
 21 SECTION 2. IC 15-7-10 IS ADDED TO THE INDIANA CODE AS
 22 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
 23 1, 2004]:
 24 **Chapter 10. Biofuels Task Force**
 25 **Sec. 1. As used in this chapter, "biofuels" includes biodiesel,**
 26 **ethanol, and other agriculture based alternatives to petroleum**
 27 **based fuels.**
 28 **Sec. 2. As used in this chapter, "task force" refers to the biofuels**
 29 **task force established by this chapter.**
 30 **Sec. 3. The biofuels task force is established.**
 31 **Sec. 4. The task force consists of eleven (11) members as follows:**
 32 **(1) Two (2) members of the house of representatives**
 33 **appointed by the speaker of the house of representatives.**
 34 **(2) Two (2) members of the house of representatives**
 35 **appointed by the minority leader of the house of**
 36 **representatives.**
 37 **(3) Two (2) members of the senate appointed by the president**
 38 **pro tempore of the senate.**
 39 **(4) Two (2) members of the senate appointed by the minority**
 40 **leader of the senate.**
 41 **(5) Three (3) members appointed by the governor.**
 42 **Sec. 5. In making appointments under this chapter, the governor**

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1 shall give special consideration to persons who are members of or
2 who represent the following organizations or interest groups:

- 3 (1) Farm organizations.
- 4 (2) Fat and oil processors.
- 5 (3) Petroleum producers and refiners.
- 6 (4) Environmental and public health interest groups.
- 7 (5) Grower organizations.
- 8 (6) Research and education experts.
- 9 (7) Consumers.

10 Sec. 6. Each member of the task force serves at the pleasure of
11 the person who appointed the member.

12 Sec. 7. The task force shall operate under the legislative
13 council's policies governing study committees.

14 Sec. 8. The legislative services agency shall serve as staff to the
15 task force.

16 Sec. 9. The task force shall do the following:

- 17 (1) Investigate methods to increase research, development,
18 production, and use of biofuels.
- 19 (2) Advise the commissioner of agriculture on matters related
20 to biofuels.
- 21 (3) Give priority consideration to review of biofuel projects
22 and policies that will provide maximum economic and
23 environmental benefits to Indiana.
- 24 (4) Submit recommendations to the legislative council and to
25 legislative committees that have subject matter jurisdiction
26 over biofuel matters as directed by the legislative council. The
27 submissions to the legislative council must be in an electronic
28 format under IC 5-14-6.

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