

HOUSE BILL No. 1279

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-26-11-2.

Synopsis: Computation of campground sewer fees. For a campground that: (1) is served by a regional sewage district; and (2) elects to be billed based on the actual amount of sewage discharged by the campground during a calendar year; provides that the campground's highest monthly meter reading during the year shall be used to determine the resident equivalent units for monthly billing purposes. (Current law bases the resident equivalent units on the campground's highest weekly meter reading during the year.)

Effective: January 1, 2005 (retroactive).

Wolkins

January 11, 2005, read first time and referred to Committee on Environmental Affairs.

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First Regular Session 114th General Assembly (2005)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

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HOUSE BILL No. 1279



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 13-26-11-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JANUARY 1, 2005 (RETROACTIVE)]:
3 Sec. 2. (a) Except as provided in subsection (b), the rates or charges for
4 a sewage works may be determined based on the following:
5 (1) A flat charge for each connection.
6 (2) The amount of water used on the premises.
7 (3) The number and size of water outlets on the premises.
8 (4) The amount, strength, or character of sewage discharged into
9 the sewers.
10 (5) The size of sewer connections.
11 (6) Whether the property served has been or will be required to
12 pay separately for the cost of any of the facilities of the works.
13 (7) A combination of these or other factors that the board
14 determines is necessary to establish nondiscriminatory, just, and
15 equitable rates or charges.
16 (b) This subsection applies only to a district in which a campground
17 brought a legal action after January 1, 2000, and before April 1, 2003,



1 against a board concerning sewage service billed at a flat rate. If a
 2 campground is billed for sewage service at a flat rate under subsection
 3 (a), the campground may instead elect to be billed for the sewage
 4 service under this subsection by installing, at the campground's
 5 expense, a meter to measure the actual amount of sewage discharged
 6 by the campground into the sewers for one (1) year. **For a calendar**
 7 **year beginning after December 31, 2004**, the highest **monthly** meter
 8 reading ~~for a calendar week~~ for the campground during the year shall
 9 be used to determine the resident equivalent units for the campground.
 10 The basic monthly charge for the campground's sewage service must
 11 be equal to the number of the campground's resident equivalent units
 12 multiplied by the rate charged by the board for a resident unit. The
 13 board may impose additional charges on a campground under this
 14 subsection if the board incurs additional costs that are caused by any
 15 unique factors that apply to providing sewage service for the
 16 campground, including, but not limited to:
 17 (1) the installation of:
 18 (A) oversized pipe; or
 19 (B) any other unique equipment;
 20 necessary to provide sewage service for the campground; and
 21 (2) excessive biochemical oxygen demand (BOD).
 22 **SECTION 2. An emergency is declared for this act.**

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