

SENATE BILL No. 312

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-1-2.7-1.3.

Synopsis: Local water corporations. Provides that the statute allowing local water corporations to withdraw from the jurisdiction of the utility regulatory commission (IURC) for certain purposes applies to a conservancy district that: (1) has as a purpose of the district the provision of water service; and (2) provides water service to less than 2,000 customers. (Currently the statute applies only to a water or sewer utility that: (1) is privately owned and serves less than 300 customers; (2) is a not-for-profit utility; or (3) is a cooperative corporation exempt from state and federal income taxes.)

Effective: July 1, 2007.

Hershman

January 11, 2007, read first time and referred to Committee on Utilities & Regulatory Affairs.

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First Regular Session 115th General Assembly (2007)

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 2006 Regular Session of the General Assembly.

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SENATE BILL No. 312



A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

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

- 1 SECTION 1. IC 8-1-2.7-1.3 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1.3. (a) This chapter
- 3 applies to the following:
- 4 (1) A public utility established to provide water service that is:
- 5 (A) privately owned and serves less than three hundred (300)
- 6 customers;
- 7 (B) a not-for-profit utility (as defined by IC 8-1-2-125(a)); ~~or~~
- 8 (C) a cooperative corporation exempt from state and federal
- 9 income taxation; ~~or~~
- 10 **(D) a conservancy district established under IC 14-33-2**
- 11 **that:**
- 12 **(i) has as a purpose of the district the provision of a**
- 13 **water supply, including the treatment and distribution of**
- 14 **water, for domestic, industrial, and public use; and**
- 15 **(ii) provides water service to less than two thousand**
- 16 **(2,000) customers.**
- 17 (2) A public utility established to provide sewage disposal service



1 (as defined in IC 8-1-2-89(a)(1)) that holds a certificate of
2 territorial authority as required by IC 8-1-2-89, and that is:
3 (A) privately owned and serves less than three hundred (300)
4 customers;
5 (B) a not-for-profit utility (as defined in IC 8-1-2-125(a)); or
6 (C) a cooperative corporation exempt from state and federal
7 income taxation.
8 (3) Except as provided in subsection (b), a legal entity providing
9 only sewage treatment service to a not-for-profit sewage disposal
10 company.
11 (b) Subsection (a)(3) does not include a sewage treatment provider
12 that is otherwise subject to the commission's jurisdiction.

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