

# PROPOSED AMENDMENT

## SB 366 # 4

### DIGEST

Solid waste management districts. Changes the mandate for each county to have its own solid waste management district or to be a member of a joint solid waste management district into a "may".

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- 1 Delete everything after the enacting clause and insert the following:  
2 SECTION 1. IC 13-21-3-1 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 1. (a) Except as  
4 provided in subsection (b), each county shall, by ordinance of the  
5 county executive:  
6 (1) join with one (1) or more other counties in establishing a joint  
7 solid waste management district that includes the entire area of all  
8 the acting counties; or  
9 (2) designate itself as a county solid waste management district.  
10 **This subsection expires July 1, 2017.**  
11 **(b) After June 30, 2017, a county may, by ordinance of the**  
12 **county executive:**  
13 **(1) join with one (1) or more other counties in establishing a**  
14 **joint solid waste management district that includes the entire**  
15 **area of all the acting counties; or**  
16 **(2) designate itself as a county solid waste management**  
17 **district.**  
18 ~~(b)~~ (c) Notwithstanding subsection (a)(1), if a county withdraws  
19 from a joint solid waste management district under IC 13-21-4, the  
20 county executive of the county may adopt an ordinance to join another  
21 or establish another joint solid waste management district with one (1)  
22 or more other counties:  
23 (1) not earlier than fifteen (15) days; or  
24 (2) not later than forty-five (45) days;  
25 after the date the ordinance is introduced.  
26 ~~(c)~~ (d) An ordinance adopted under subsection (a)(1) or ~~(b)~~ (c) must  
27 include the approval of an agreement governing the operation of the

1 joint district.

2 ~~(d)~~ **(e)** If a county fails to comply with this section, the  
3 commissioner shall designate the county as a solid waste management  
4 district. **This subsection expires July 1, 2017.**

5 **(f) After June 30, 2017, the county executive of a county, by**  
6 **adopting an ordinance and plan, may:**

7 **(1) dissolve the county solid waste management district; or**  
8 **(2) withdraw from a joint solid waste management district**  
9 **under IC 13-21-4 and determine that the county will not:**

10 **(A) be designated as a county solid waste management**  
11 **district; or**

12 **(B) be a member of another joint solid waste management**  
13 **district.**

14 **The plan adopted by the county executive under this subsection**  
15 **must provide for the satisfaction of the solid waste management**  
16 **district's legal obligations and for the disposition of the**  
17 **unexpended revenue of the district and the assets of the district not**  
18 **needed to satisfy the legal obligations of the district.**

(Reference is to SB 366 as introduced.)