

HOUSE BILL No. 1120

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-1.

Synopsis: Retirement of electric generation resources. Amends the statute concerning public utilities' annual electric resource planning reports to the Indiana utility regulatory commission (IURC) to provide that for an annual report submitted after December 31, 2026, if: (1) after an investigation under the statute, the IURC does not issue an order to prohibit the retirement of a public utility's electric generation resource; (2) the public utility proceeds with plans to retire the electric generation resource before: (A) the date specified for the retirement in the public utility's most recently filed integrated resource plan; or (B) the end of the electric generation resource's economically useful life; and (3) the retirement is not required to comply with environmental laws, regulations, or court orders; the public utility may not recover a return on any asset retirement obligations related to the retirement in any future general rate case or other regulatory proceeding. Makes a conforming amendment to a provision concerning public utilities' depreciation rates and asset retirement obligations.

Effective: Upon passage.

Ledbetter

January 5, 2026, read first time and referred to Committee on Utilities, Energy and Telecommunications.



Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1120

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

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

1 SECTION 1. IC 8-1-2-19, AS AMENDED BY P.L.170-2023,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 19. (a) Every public utility shall carry a
4 separate, proper and adequate depreciation account whenever the
5 commission, after investigation, shall determine that such depreciation
6 account reasonably can be required.

7 (b) The commission, from time to time, shall ascertain and
8 determine the proper and adequate rates of depreciation of the several
9 classes of property of each public utility. Depreciation rates under this
10 subsection shall be calculated to recover a reasonable estimate of the
11 future cost of removing retired assets of the public utility.

12 (c) A public utility's rates, tolls and charges shall be such as will
13 provide the amounts required over and above the reasonable and
14 necessary operating expenses, to maintain such property in an
15 operating state of efficiency corresponding to the progress of the
16 industry. **Subject to IC 8-1-8.5-13(x)**, in a proceeding in which the
17 costs of a capital asset are being recognized for ratemaking purposes,



1 a public utility may account for any asset retirement obligations and
 2 recover, through rates charged to customers, reasonably and prudently
 3 incurred costs associated with asset retirement obligations, to the extent
 4 the specific asset retirement obligation costs are incremental and have
 5 not otherwise been included in depreciation rates. Each public utility
 6 shall conform its depreciation accounts to the rates so ascertained and
 7 determined by the commission.

8 (d) Subject to IC 8-1-8.5-2.1(d), the commission shall make changes
 9 in a public utility's rates of depreciation, from time to time, as the
 10 commission finds necessary, including as necessary to reflect changes
 11 in:

- 12 (1) the public utility's estimated asset retirement costs, including
- 13 all reasonable and prudent costs of removing retired assets; and
- 14 (2) the estimated retirement dates of assets of the public utility.

15 SECTION 2. IC 8-1-8.5-13, AS AMENDED BY P.L.217-2025,
 16 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 UPON PASSAGE]: Sec. 13. (a) The general assembly finds that it is
 18 in the public interest to support the reliability, availability, and
 19 diversity of electric generating capacity in Indiana for the purpose of
 20 providing reliable and stable electric service to customers of public
 21 utilities.

22 (b) As used in this section, "appropriate regional transmission
 23 organization", with respect to a public utility, refers to the regional
 24 transmission organization approved by the Federal Energy Regulatory
 25 Commission for the control area that includes the public utility's
 26 assigned service area (as defined in IC 8-1-2.3-2).

27 (c) As used in this section, "capacity market" means an auction
 28 conducted by an appropriate regional transmission organization to
 29 determine a market clearing price for capacity based on the planning
 30 reserve margin requirements established by the appropriate regional
 31 transmission organization for a planning year with respect to which an
 32 auction has not yet been conducted.

33 (d) As used in this section, "fall unforced capacity", or "fall UCAP",
 34 with respect to an electric generating facility, means:

- 35 (1) the capacity value of the electric generating facility's installed
- 36 capacity rate adjusted for the electric generating facility's average
- 37 forced outage rate for the fall period, calculated as required by the
- 38 appropriate regional transmission organization or by the Federal
- 39 Energy Regulatory Commission;
- 40 (2) a metric that is similar to the metric described in subdivision
- 41 (1) and that is required by the appropriate regional transmission
- 42 organization; or



(3) if the appropriate regional transmission organization does not require a metric described in subdivision (1) or (2), a metric that:

(A) can be used to demonstrate that a public utility has sufficient capacity to:

(i) provide reliable electric service to Indiana customers for the fall period; and

(ii) meet its planning reserve margin requirement and other federal reliability requirements described in subsection (n)(6); and

(B) is acceptable to the commission.

(e) As used in this section, "MISO" refers to the regional transmission organization known as the Midcontinent Independent System Operator that operates the bulk power transmission system serving most of the geographic territory in Indiana.

(f) As used in this section, "planning reserve margin requirement", with respect to a public utility for a particular resource planning year, means the planning reserve margin requirement for that planning year that the public utility is obligated to meet in accordance with the public utility's membership in the appropriate regional transmission organization.

(g) As used in this section, "refuel" or "refueling" means a planned fuel conversion from one fuel source to another fuel source with respect to an electric generation resource with a nameplate capacity of at least one hundred twenty-five (125) megawatts by a public utility.

(h) As used in this section, "reliability adequacy metrics", with respect to a public utility, means calculations used to demonstrate all of the following:

(1) Subject to subsection (u)(2), that the public utility:

(A) has in place sufficient summer UCAP; or

(B) can reasonably acquire not more than:

(i) thirty percent (30%) of its total summer UCAP from capacity markets, with respect to a report filed with the commission under subsection (n) before July 1, 2023; or

(ii) fifteen percent (15%) of its total summer UCAP from capacity markets, with respect to a report filed with the commission under subsection (n) after June 30, 2023;

such that it will have sufficient summer UCAP;

to provide reliable electric service to Indiana customers, and to meet its planning reserve margin requirement and other federal reliability requirements described in subsection (n)(6).

(2) Subject to subsection (u)(2), that the public utility:

(A) has in place sufficient winter UCAP; or



(B) can reasonably acquire not more than:

- (i) thirty percent (30%) of its total winter UCAP from capacity markets, with respect to a report filed with the commission under subsection (n) before July 1, 2023; or
- (ii) fifteen percent (15%) of its total winter UCAP from capacity markets, with respect to a report filed with the commission under subsection (n) after June 30, 2023;

such that it will have sufficient winter UCAP;

to provide reliable electric service to Indiana customers, and to meet its planning reserve margin requirement and other federal reliability requirements described in subsection (n)(6).

(3) Subject to subsection (u)(2), with respect to a report filed with the commission under subsection (n) after June 30, 2026, that the public utility:

(A) has in place sufficient spring UCAP; or

(B) can reasonably acquire not more than fifteen percent (15%) of its total spring UCAP from capacity markets, such that it will have sufficient spring UCAP;

to provide reliable electric service to Indiana customers, and to meet its planning reserve margin requirement and other federal reliability requirements described in subsection (n)(6).

(4) Subject to subsection (u)(2), with respect to a report filed with the commission under subsection (n) after June 30, 2026, that the public utility:

(A) has in place sufficient fall UCAP; or

(B) can reasonably acquire not more than fifteen percent (15%) of its total fall UCAP from capacity markets, such that it will have sufficient fall UCAP;

to provide reliable electric service to Indiana customers, and to meet its planning reserve margin requirement and other federal reliability requirements described in subsection (n)(6).

(i) As used in this section, "retire" or retirement" means a planned permanent ceasing of electric generation operations with respect to an electric generation resource with a nameplate capacity of at least one hundred twenty-five (125) megawatts by a public utility.

(j) As used in this section, "spring unforced capacity", or "spring UCAP", with respect to an electric generating facility, means:

- (1) the capacity value of the electric generating facility's installed capacity rate adjusted for the electric generating facility's average forced outage rate for the spring period, calculated as required by the appropriate regional transmission organization or by the Federal Energy Regulatory Commission;



(2) a metric that is similar to the metric described in subdivision (1) and that is required by the appropriate regional transmission organization; or

(3) if the appropriate regional transmission organization does not require a metric described in subdivision (1) or (2), a metric that:

(A) can be used to demonstrate that a public utility has sufficient capacity to:

(i) provide reliable electric service to Indiana customers for the spring period; and

(ii) meet its planning reserve margin requirement and other federal reliability requirements described in subsection (n)(6); and

(B) is acceptable to the commission.

(k) As used in this section, "summer unforced capacity", or "summer UCAP", with respect to an electric generating facility, means:

(1) the capacity value of the electric generating facility's installed capacity rate adjusted for the electric generating facility's average forced outage rate for the summer period, calculated as required by the appropriate regional transmission organization or by the Federal Energy Regulatory Commission; or

(2) a metric that is similar to the metric described in subdivision (1) and that is required by the appropriate regional transmission organization.

(l) As used in this section, "winter unforced capacity", or "winter UCAP", with respect to an electric generating facility, means:

(1) the capacity value of the electric generating facility's installed capacity rate adjusted for the electric generating facility's average forced outage rate for the winter period, calculated as required by the appropriate regional transmission organization or by the Federal Energy Regulatory Commission;

(2) a metric that is similar to the metric described in subdivision (1) and that is required by the appropriate regional transmission organization; or

(3) if the appropriate regional transmission organization does not require a metric described in subdivision (1) or (2), a metric that:

(A) can be used to demonstrate that a public utility has sufficient capacity to:

(i) provide reliable electric service to Indiana customers for the winter period; and

(ii) meet its planning reserve margin requirement and other federal reliability requirements described in subsection (n)(6); and



- 1 (B) is acceptable to the commission.
- 2 (m) A public utility that owns and operates an electric generating
- 3 facility serving customers in Indiana shall operate and maintain the
- 4 facility using good utility practices and in a manner:
- 5 (1) reasonably intended to support the provision of reliable and
- 6 economic electric service to customers of the public utility;
- 7 (2) reasonably consistent with the resource reliability
- 8 requirements of MISO or any other appropriate regional
- 9 transmission organization; and
- 10 (3) **that** reasonably maximizes the economic value of the electric
- 11 generating facility.
- 12 (n) Not later than thirty (30) days after the deadline for submitting
- 13 an annual planning reserve margin report to MISO, each public utility
- 14 providing electric service to Indiana customers shall, regardless of
- 15 whether the public utility is required to submit an annual planning
- 16 reserve margin report to MISO, file with the commission a report, in a
- 17 form specified by the commission, that provides the following
- 18 information for each of the next three (3) resource planning years,
- 19 beginning with the planning year covered by the planning reserve
- 20 margin report to MISO described in this subsection:
- 21 (1) The:
- 22 (A) capacity;
- 23 (B) location; and
- 24 (C) fuel source;
- 25 for each electric generating facility that is owned and operated by
- 26 the electric utility and that will be used to provide electric service
- 27 to Indiana customers.
- 28 (2) With respect to a report submitted to the commission after
- 29 December 31, 2025, the amount of generating resource capacity
- 30 or energy, or both, that the public utility plans to retire and that is
- 31 owned and operated by the public utility and used to provide retail
- 32 electric service in Indiana, including the:
- 33 (A) capacity;
- 34 (B) location;
- 35 (C) fuel source; and
- 36 (D) planned retirement date;
- 37 for each electric generating facility. The public utility must
- 38 include information as to whether the planned retirement is
- 39 required in order to comply with environmental laws, regulations,
- 40 or court orders, including consent decrees, that are or will be in
- 41 effect at the time of the planned retirement. In addition, the public
- 42 utility must provide its economic rationale for the planned



retirement, including anticipated ratepayer impacts, and information concerning the public utility's plan or plans with respect to the amount of replacement capacity identified to provide approximately the same accredited capacity within the appropriate regional transmission organization as the amount of capacity of the facility to be retired.

(3) With respect to a report submitted to the commission after December 31, 2025, the amount of generating resource capacity or energy, or both, that the public utility plans to refuel, including the:

- (A) capacity;
- (B) location;
- (C) existing fuel source;
- (D) proposed fuel source; and
- (E) planned completion date of the refueling;

with respect to each electric generating facility that the public utility plans to refuel. The public utility must provide its economic rationale for the planned refueling, including anticipated ratepayer impacts, and information concerning the public utility's plan or plans with respect to the extent to which the refueling will maintain or increase the current generating resource accredited capacity or energy, or both, that the electric generating facility provides, so as to provide approximately the same accredited capacity within the appropriate regional transmission organization.

(4) The amount of generating resource capacity or energy, or both, that the public utility has procured under contract and that will be used to provide electric service to Indiana customers, including the:

- (A) capacity;
- (B) location; and
- (C) fuel source;

for each electric generating facility that will supply capacity or energy under the contract, to the extent known by the public utility.

(5) The amount of demand response resources available to the public utility under contracts and tariffs.

(6) The following:

- (A) The planning reserve margin requirements established by MISO for the planning years covered by the report, to the extent known by the public utility with respect to any particular planning year covered by the report.



(B) If applicable, any other planning reserve margin requirement that:

- (i) applies to the planning years covered by the report; and
- (ii) the public utility is obligated to meet in accordance with the public utility's membership in an appropriate regional transmission organization;

to the extent known by the public utility with respect to any particular planning year covered by the report.

(C) Other federal reliability requirements that the public utility is obligated to meet in accordance with its membership in an appropriate regional transmission organization with respect to the planning years covered by the report, to the extent known by the public utility with respect to any particular planning year covered by the report.

For each planning reserve margin requirement reported under clause (A) or (B), the public utility shall include a comparison of that planning reserve margin requirement to the planning reserve margin requirement established by the same regional transmission organization for the 2021-2022 planning year.

(7) The reliability adequacy metrics of the public utility, as forecasted for the three (3) planning years covered by the report.

(o) Upon request by a public utility, the commission shall determine whether information provided in a report filed by the public utility under subsection (n):

- (1) is confidential under IC 5-14-3-4 or is a trade secret under IC 24-2-3;
- (2) is exempt from public access and disclosure by Indiana law; and
- (3) shall be treated as confidential and protected from public access and disclosure by the commission.

(p) A joint agency created under IC 8-1-2.2 may file the report required under subsection (n) as a consolidated report on behalf of any or all of the municipally owned utilities that make up its membership.

(q) A:

- (1) corporation organized under IC 23-17 that is an electric cooperative and that has at least one (1) member that is a corporation organized under IC 8-1-13; or
- (2) general district corporation within the meaning of IC 8-1-13-23;

may file the report required under subsection (n) as a consolidated report on behalf of any or all of the cooperatively owned electric utilities that it serves.



(r) In reviewing a report filed by a public utility under subsection (n), the commission may request technical assistance from MISO or any other appropriate regional transmission organization in determining:

(1) the planning reserve margin requirements or other federal reliability requirements that the public utility is obligated to meet, as described in subsection (n)(6); and

(2) whether the resources available to the public utility under subsections (n)(1) through (n)(5) will be adequate to support the provision of reliable electric service to the public utility's Indiana customers.

(s) With respect to a report submitted under subsection (n) after December 31, 2025, commission staff shall review the reports submitted by public utilities and shall, not later than ninety (90) days after the date of submission of the reports, submit to the commission a staff report concerning any planned retirements included in the reports under subsection (n)(2). The report must make recommendations to the commission based on whether each planned retirement:

(1) is consistent with the standards set forth in subsection (m);

(2) will be replaced with an amount of replacement capacity that will provide approximately the same accredited capacity within the appropriate regional transmission organization as the amount of capacity of the facility to be retired;

(3) will not adversely and unreasonably impact a public utility's ability to provide safe, reliable, and economical electric utility service to the public utility's customers;

(4) will result in the provision to Indiana customers of electric utility service with the attributes of:

(A) reliability;

(B) affordability;

(C) resiliency;

(D) stability; and

(E) environmental sustainability;

as set forth in IC 8-1-2-0.6; and

(5) is required in order to comply with environmental laws, regulations, or court orders, including consent decrees, that are or will be in effect at the time of the planned retirement.

(t) The commission shall make the staff reports prepared under subsection (s) publicly available by posting the staff reports on the commission's website. Upon the posting of a staff report on the commission's website, the commission shall accept public comments on the report for a period not to exceed thirty (30) days after the date



1 of posting.

2 (u) If, after reviewing a report filed by a public utility under
3 subsection (n) and any staff report prepared with respect to the public
4 utility under subsection (s), the commission is not satisfied that the
5 public utility can either:

6 (1) satisfy both:

7 (A) its planning reserve margin requirement or other federal
8 reliability requirements that the public utility is obligated to
9 meet, as described in subsection (n)(6); and

10 (B) the reliability adequacy metrics set forth in subsection (h);
11 or

12 (2) provide sufficient reason as to why the public utility is unable
13 to satisfy both:

14 (A) its planning reserve margin requirement or other federal
15 reliability requirements that the public utility is obligated to
16 meet, as described in subsection (n)(6); and

17 (B) the reliability adequacy metrics set forth in subsection (h);

18 during one (1) more of the planning years covered by the report, the
19 commission shall conduct an investigation under IC 8-1-2-58 through
20 IC 8-1-2-60 as to the reasons for the public utility's potential inability
21 to meet the requirements described in subdivision (1) or provide
22 sufficient reason as to that inability, as described in subdivision (2). In
23 addition, if the public utility has indicated in its report under subsection
24 (n)(2) that it plans to retire an electric generating facility within one (1)
25 year of the date of the report, the commission must conduct an
26 investigation under IC 8-1-2-58 through IC 8-1-2-60 as to the reasons
27 for the public utility's potential inability to meet the requirements
28 described in subdivision (1) or provide sufficient reason as to that
29 inability, as described in subdivision (2). However, a public utility may
30 request, not earlier than three (3) years before the planned retirement
31 date of an electric generation facility, that the commission conduct an
32 investigation under IC 8-1-2-58 through IC 8-1-2-60, for the purposes
33 described in this subsection, with respect to the planned retirement. If
34 the commission conducts an investigation at the request of a public
35 utility within the three (3) year period before the planned retirement
36 date of an electric generation facility, the commission may not conduct
37 a subsequent investigation that would otherwise be required under this
38 subsection with respect to the retirement of that same electric
39 generation facility unless the commission is not satisfied, as of the time
40 that an investigation would otherwise be required under this
41 subsection, that the public utility can meet the requirements described
42 in subdivision (1) or provide sufficient reason as to that inability, as



described in subdivision (2). If a certificate is granted by the commission under this chapter for a facility intended to repower or replace a generation unit that is planned for retirement, and the certificate includes findings that the project will result in at least equivalent accredited capacity and will provide economic benefit to ratepayers as compared to the continued operation of the generating unit to be retired, the certificate under this chapter constitutes approval by the commission for purposes of an investigation required by this subsection. However, if the commission finds that facts and circumstances regarding the planned retirement have changed significantly since the certificate was granted and that those changes concern the public utility's ability to meet the requirements described in subdivision (1), the commission may conduct an investigation into the planned retirement of the unit.

(v) If, upon investigation under IC 8-1-2-58 through IC 8-1-2-60, and after notice and hearing, as required by IC 8-1-2-59, the commission determines that the capacity resources available to the public utility under subsections (n)(1) through (n)(5) will not be adequate to allow the public utility to satisfy both its planning reserve margin requirements or other federal reliability requirements that the public utility is obligated to meet (as described in subsection (n)(6)) and the reliability adequacy metrics set forth in subsection (h), the commission shall issue an order:

- (1) directing the public utility to acquire or construct; or
- (2) prohibiting the retirement or refueling of;

such capacity resources that are reasonable and necessary to enable the public utility to provide reliable electric service to its Indiana customers, and to satisfy both its planning reserve margin requirements or other federal reliability requirements described in subsection (n)(6) and the reliability adequacy metrics set forth in subsection (h). The commission shall issue an order under this subsection not later than one hundred twenty (120) days after the initiation of the investigation under subsection (u). If the commission does not issue an order within the one hundred twenty (120) day period prescribed by this subsection, the public utility is considered to be able to meet the requirements described in subsection (u)(1) with respect to the retirement of ~~the~~ **any** electric generation facility under investigation. Not later than ninety (90) days after the date of an order by the commission under this subsection, the public utility shall file for approval with the commission a plan to comply with the commission's order. Notwithstanding IC 8-1-3 or any other law, any appeal of an order by the commission under this subsection is entitled to priority review and



1 shall be given expedited consideration in accordance with Rule 21 of
2 the Indiana Rules of Appellate Procedure.

3 (w) With respect to a report submitted under subsection (n) after
4 December 31, 2025, if the commission issues an order under
5 subsection (v) to prohibit the retirement or refueling of an electric
6 generation resource, the commission shall create a sub-docket to
7 authorize the public utility to recover in rates the costs of the continued
8 operation of the electric generation resource that was proposed to be
9 retired or refueled. The commission must find that the continued costs
10 of operation are just and reasonable before authorizing their recovery
11 in the public utility's rates. The creation of a sub-docket under this
12 subsection is not subject to the one hundred twenty (120) day time
13 frame for the commission to issue an order under subsection (v).

14 **(x) With respect to a report submitted under subsection (n) after**
15 **December 31, 2026, if:**

16 **(1) the commission does not issue an order under subsection**
17 **(v) to prohibit the retirement of a public utility's electric**
18 **generation resource after an investigation of the planned**
19 **retirement under subsection (u);**

20 **(2) the public utility proceeds with plans to retire the electric**
21 **generation resource before:**

22 **(A) the date specified for the retirement in the public**
23 **utility's most recently filed integrated resource plan, if**
24 **applicable; or**

25 **(B) the end of the electric generation resource's**
26 **economically useful life, as determined by the commission**
27 **upon the evidence presented; and**

28 **(3) the retirement is not required to comply with**
29 **environmental laws, regulations, or court orders, including**
30 **consent decrees, that are or will be in effect at the time of the**
31 **planned retirement;**

32 **the public utility may not recover a return on any asset retirement**
33 **obligations related to the retirement in any future general rate case**
34 **or other regulatory proceeding.**

35 ~~(x)~~ (y) A public utility's plan under subsection (v) may include:

36 (1) a request for a certificate of public convenience and necessity
37 under this chapter; or

38 (2) an application under IC 8-1-8.8;

39 or both.

40 ~~(y)~~ (z) Beginning in 2022, the commission shall include in its
41 annual report under IC 8-1-1-14 the following information:

42 (1) The commission's analysis regarding the ability of public



1 utilities to:

2 (A) provide reliable electric service to Indiana customers; and

3 (B) satisfy both:

4 (i) their planning reserve margin requirements or other
5 federal reliability requirements; and

6 (ii) the reliability adequacy metrics set forth in subsection
7 (h);

8 for the next three (3) utility resource planning years, based on the
9 most recent reports filed by public utilities under subsection (n).

10 (2) A summary of:

11 (A) the projected demand for retail electricity in Indiana over
12 the next calendar year;

13 (B) the amount and type of capacity resources committed to
14 meeting the projected demand;

15 (C) beginning with the commission's annual report due before
16 October 1, 2026, and in each subsequent annual report, the
17 planned retirements or refuelings of electric generation
18 resources and the plans to replace or retain the capacity or
19 energy, or both, of the electric generation resources planned to
20 be retired or refueled; and

21 (D) beginning with the commission's annual report due before
22 October 1, 2026, and in each subsequent annual report, the
23 reports of commission staff under subsection (s).

24 In preparing the summary required under this subdivision, the
25 commission may consult with the forecasting group established
26 under section 3.5 of this chapter.

27 (3) Beginning with the commission's annual report filed under
28 IC 8-1-1-14 in 2025, the commission's analysis regarding the
29 appropriate percentage or portion of:

30 (A) total spring UCAP that public utilities should be
31 authorized to acquire from capacity markets under subsection
32 (h)(3)(B); and

33 (B) total fall UCAP that public utilities should be authorized
34 to acquire from capacity markets under subsection (h)(4)(B).

35 ~~(z)~~ **(aa)** The commission may adopt rules under IC 4-22-2 to
36 implement this section.

37 **SECTION 3. An emergency is declared for this act.**

