

HOUSE BILL No. 1231

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-11-2; IC 13-20.7.

Synopsis: Battery recycling. Provides that a retailer may not sell, offer for sale, or distribute for sale a covered battery unless: (1) the producer joins a battery stewardship organization; and (2) the battery is approved under a battery stewardship plan. Provides that a battery stewardship organization shall submit a battery stewardship plan (plan) to the Indiana department of environmental management (department) for approval. Sets out certain requirements with respect to a plan. Establishes the battery stewardship fund to cover the department's expenses in administering this act. Requires the department to publish certain information regarding battery recycling on the department's website. Provides that a battery stewardship organization may recover, under certain circumstances, all costs associated with collecting a covered battery from the producer. Prohibits a person from improperly recycling a covered battery. Defines certain terms.

Effective: July 1, 2026.

**Miller D, Baird, Errington,
Hamilton**

January 5, 2026, read first time and referred to Committee on Environmental Affairs.



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. 1231

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 13-11-2-17.5 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2026]: **Sec. 17.5. "Battery stewardship**
4 **organization", for purposes of sections 31.7 and 180.3 of this**
5 **chapter and IC 13-20.7, means an organization designated by a**
6 **producer to implement a battery stewardship plan approved by the**
7 **department under IC 13-20.7.**

8 SECTION 2. IC 13-11-2-31.7 IS ADDED TO THE INDIANA
9 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2026]: **Sec. 31.7. "Collection rate", for**
11 **purposes of IC 13-20.7, means the percentage calculated by**
12 **dividing:**

13 (1) the total weight of covered batteries collected by a battery
14 stewardship organization in Indiana during a calendar year;
15 by
16 (2) the average annual weight of covered batteries estimated
17 to have been sold by all producers in Indiana during the



previous three (3) calendar years.

SECTION 3. IC 13-11-2-47.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 47.3. "Covered battery", for purposes of this chapter and IC 13-20.7, means a portable battery or a medium format battery.**

SECTION 4. IC 13-11-2-128.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 128.1. "Medium format battery", for purposes of section 47.3 of this chapter, means a:**

(1) nonrechargeable battery that weighs more than four and four-tenths (4.4) pounds but less than or equal to twenty-five (25) pounds; or

(2) rechargeable battery that:

(A) weighs more than eleven (11) pounds or has a rating of more than three hundred (300) watt hours; and

(B) weighs less than or equal to twenty-five (25) pounds and has a rating of less than or equal to two thousand (2,000) watt hours.

SECTION 5. IC 13-11-2-166.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 166.7. "Portable battery", for purposes of section 47.3 of this chapter, means a:**

(1) nonrechargeable battery that weighs less than or equal to four and four-tenths (4.4) pounds; or

(2) rechargeable battery that weighs less than or equal to eleven (11) pounds and has a rating of less than or equal to three hundred (300) watt hours.

SECTION 6. IC 13-11-2-171.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 171.5. "Producer", for purposes of sections 17.5 and 31.7 of this chapter and IC 13-20.7, means a person who manufactures a covered battery.**

SECTION 7. IC 13-11-2-178.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 178.3. "Rechargeable battery", for purposes of sections 128.1 and 166.7 of this chapter, means a battery that:**

(1) contains one (1) or more voltaic or galvanic cells electrically connected to produce electric energy; and

(2) is designed to be recharged.

SECTION 8. IC 13-11-2-180, AS AMENDED BY P.L.54-2023,



SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 180. (a) "Recycling", for purposes of IC 13-20-17.5 and IC 13-21:

(1) means a process by which materials that would otherwise become solid waste are:

(A) collected;

(B) separated or processed; and

(C) converted into materials or products for reuse or sale; and

(2) includes advanced recycling.

(b) "Recycling", for purposes of section 179.9 of this chapter and IC 13-20.5, means the process of collecting and preparing video display devices or covered electronic devices for use in manufacturing processes or for recovery of useable materials followed by delivery of the materials for use. The term does not include the following:

(1) Destruction of recyclable materials by incineration or another process.

(2) Land disposal of recyclable materials.

(3) Reuse, repair, or any other process through which video display devices or covered electronic devices are returned to use for covered entities in their original form.

(c) "Recycling", for purposes of IC 13-20.7, means the process of collecting and preparing a covered battery for:

(1) use in a manufacturing process; or

(2) the recovery and delivery of usable materials.

However, the term does not include the destruction of a covered battery, land disposal of recyclable materials, or any process by which a covered battery is returned to its original form such as a repair.

SECTION 9. IC 13-11-2-180.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 180.3. "Recycling efficiency rate", for purposes of IC 13-20.7, means the percentage calculated by dividing:**

(1) the weight of components and materials recycled by a battery stewardship organization; by

(2) the weight of covered batteries collected by the battery stewardship organization.

SECTION 10. IC 13-11-2-194, AS AMENDED BY P.L.176-2023, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 194. (a) "Retailer", for purposes of IC 13-20-14, means a person engaged in the business of selling new tires at retail in Indiana.



(b) "Retailer", for purposes of IC 13-20-16, means a person engaged in the business of selling lead acid batteries at retail in Indiana.

(c) "Retailer", for purposes of section 195.7 of this chapter and IC 13-20.5, means a person that sells, rents, or leases, through sales outlets, catalogs, or the Internet, a video display device to a covered entity and not for resale in any form.

(d) "Retailer", for purposes of IC 13-20.7, means a person that:

- (1) sells;**
- (2) offers for sale; or**
- (3) distributes;**

a covered battery.

~~(d)~~ (e) "Retailer", for purposes of section 0.4 of this chapter and IC 13-23, means a person who purchases motor fuel for sale to the general public for ultimate consumption.

SECTION 11. IC 13-20.7 IS ADDED TO THE INDIANA CODE AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

ARTICLE 20.7. RECYCLING OF BATTERIES

Chapter 1. Applicability

Sec. 1. Except as provided in IC 13-20.7-5-2, this article does not apply to a covered battery:

- (1) regulated by IC 13-20-16;**
- (2) sold or packaged with a product;**
- (3) that is:**
 - (A) in a product; and**
 - (B) not designed to be easily removable from the product;**
- (4) that contains an electrolyte as a free liquid;**
- (5) designed to power a motor vehicle, in whole or part, or a component of a motor vehicle; or**
- (6) that has been recalled for safety reasons.**

Chapter 2. Requirements

Sec. 1. Beginning January 1, 2030, a retailer may not sell, offer for sale, or distribute for sale a covered battery unless:

- (1) the producer has joined a battery stewardship organization; and**
- (2) the battery is approved under a battery stewardship plan described in this article.**

Sec. 2. (a) This section applies to a covered battery that:

- (1) is greater than or equal to one-half (1/2) inch in diameter;**
- or**
- (2) contains a surface with a length that exceeds one-half (1/2) inch.**



(b) Except as provided in subsection (c), beginning January 1, 2030, a covered battery must include the following on the battery:

- (1) The identity of the producer.
- (2) The chemistry of the battery.
- (3) A disclaimer that the battery should not be disposed of as ordinary waste.

(c) If a covered battery can fit entirely, in any orientation, into the small parts cylinder described in 16 CFR 1501.4, the marks described in subsection (b)(1) and (b)(3) must be placed on the packaging of the covered battery.

Chapter 3. Battery Stewardship Plans

Sec. 1. A battery stewardship organization shall submit to the department a battery stewardship plan focused on improving the quantity and effectiveness of recycling.

Sec. 2. A battery stewardship plan must include the following:

- (1) A list of each:
 - (A) producer; and
 - (B) brand of covered battery;

intended to be covered by the battery stewardship plan.
- (2) A list of each collection site and producer intended to be used as part of the battery stewardship plan.
- (3) A performance plan that includes:
 - (A) collection rate goals;
 - (B) recycling efficiency rate goals; and
 - (C) education and safety standards;

with respect to covered batteries intended to be covered by the battery stewardship plan.
- (4) A financial plan that fully funds compliance with this article without shifting costs to consumers.
- (5) Any other information required by the department.

Sec. 3. The department shall approve or deny a battery stewardship plan not later than one hundred twenty (120) days after a plan is submitted.

Sec. 4. The department shall notify a battery stewardship organization in writing of a denial, including the reason for the denial.

Sec. 5. If a battery stewardship organization intends to materially change an approved plan, the battery stewardship organization shall submit an amendment to the department for approval. An amendment is subject to the same procedures described in sections 3 and 4 of this chapter.

Sec. 6. An updated battery stewardship plan must be submitted



to the department every five (5) years after an initial plan is approved by the department unless the battery stewardship organization files a notice with the department of the organization's intent to disband.

Sec. 7. The department shall impose an annual fee of one hundred thousand dollars (\$100,000) on each battery stewardship organization that has:

- (1) submitted an approved battery stewardship plan; and
- (2) not filed a notice described in section 6 of this chapter.

Sec. 8. A person may not charge a fee to a consumer to defray the costs of implementing a battery stewardship plan under this chapter.

Sec. 9. (a) A battery stewardship organization that has:

- (1) submitted an approved battery stewardship plan; and
- (2) not filed a notice described in section 6 of this chapter;

shall submit an annual progress report to the department.

(b) The department shall provide standards for the contents of progress reports described in subsection (a).

Chapter 4. Battery Stewardship Fund

Sec. 1. (a) The battery stewardship fund is established.

(b) The expenses of administering the fund shall be paid from the money in the fund.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(e) The sources of money for the fund are the following:

- (1) Annual fees paid under IC 13-20.7-3-7.
- (2) Appropriations made by the general assembly, gifts, and donations intended for deposit in the fund.

(f) The commissioner shall use money in the fund to pay the expenses of administering this article.

Chapter 5. Miscellaneous Provisions

Sec. 1. The department shall publish the following on the department's website:

- (1) A copy of each active battery stewardship plan approved by the department under this article, including any amendments.
- (2) The name of each producer covered by a battery stewardship plan approved by the department under this



1 article.

2 (3) The name of each brand of covered batteries covered by a
3 battery stewardship plan approved by the department under
4 this article.

5 (4) A copy of each annual progress report submitted to the
6 department under IC 13-20.7-3-9.

7 Sec. 2. (a) A battery stewardship organization is not required to
8 collect a covered battery that is:

9 (1) sold or packaged with a product; or

10 (2) recalled for safety reasons.

11 (b) If:

12 (1) a battery stewardship organization collects a covered
13 battery described in subsection (a)(1); and

14 (2) the producer is not covered by the organization's battery
15 stewardship plan approved by the department under this
16 article;

17 the battery stewardship organization may recover all costs
18 associated with collecting the covered battery from the producer,
19 including legal fees.

20 (c) If a battery stewardship organization collects a covered
21 battery described in subsection (a)(2), the battery stewardship
22 organization may recover all costs associated with collecting the
23 covered battery from the producer, including legal fees.

24 Sec. 3. Nothing in this article prohibits a person from collecting
25 and sending a covered battery to a battery stewardship
26 organization for recycling pursuant to a battery stewardship plan
27 approved by the department under this article.

28 Sec. 4. Beginning January 1, 2029, a person may not knowingly
29 cause or allow:

30 (1) the placing of a covered battery into a container intended
31 for collection and disposal at a facility that is not authorized
32 under IC 13-22 or federal law for operation as a hazardous
33 waste facility; or

34 (2) the disposal of a covered battery in a facility that is not
35 authorized under IC 13-22 or federal law for operation as a
36 hazardous waste facility.

37 Sec. 5. (a) A person that violates section 4 of this chapter is not
38 subject to:

39 (1) a criminal or civil action or penalty; or

40 (2) any other sanction;

41 under this title or any other state law.

42 (b) A violation of this chapter does not create a cause of action.



1 **Sec. 6. The department may adopt rules under IC 4-22-2 and**
2 **IC 13-14-9 to implement this article.**

