



January 22, 2026

HOUSE BILL No. 1231

DIGEST OF HB 1231 (Updated January 22, 2026 11:03 am - DI 150)

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

Synopsis: Battery recycling. Provides that a retailer may not sell, offer for sale, or distribute for sale a covered battery or battery containing product 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. Allows fee based and nonfee based collection and recycling programs to operate under certain conditions. Prohibits a person from improperly recycling a covered battery. Defines certain terms. Provides that a producer and battery stewardship organization are exempt from state antitrust law with respect to planning, reporting, or operating a battery stewardship program.

Effective: July 1, 2026.

Miller D, Baird, Errington, Hamilton

January 5, 2026, read first time and referred to Committee on Environmental Affairs.
January 22, 2026, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 126.3.

HB 1231—LS 6858/DI 153



January 22, 2026

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 13-11-2-17.3 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2026]: Sec. 17.3. (a) **"Battery containing**
4 **product", for purposes of section 171.5 of this chapter and**
5 **IC 13-20.7, means a product that contains or is packaged with a**
6 **covered battery.**

7 (b) **The term does not include computers, small scale servers,**
8 **computer monitors, electronic keyboards and mice, printers, fax**
9 **machines, scanners, televisions, digital video disc players and**
10 **recorders, video cassette recorders, digital converter boxes, cable**
11 **receivers, satellite receivers, portable digital music players, and**
12 **video game consoles.**

13 SECTION 2. IC 13-11-2-17.5 IS ADDED TO THE INDIANA
14 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
15 [EFFECTIVE JULY 1, 2026]: Sec. 17.5. **"Battery stewardship**
16 **organization", for purposes of sections 31.7 and 180.3 of this**
17 **chapter and IC 13-20.7, means an organization designated by a**

HB 1231—LS 6858/DI 153



1 **producer to implement a battery stewardship plan approved by the**
2 **department under IC 13-20.7.**

3 SECTION 3. IC 13-11-2-31.7 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2026]: Sec. 31.7. "Collection rate", for
6 purposes of IC 13-20.7, means the percentage calculated by
7 dividing:

- 8 (1) the total weight of covered batteries collected by a battery
9 stewardship organization in Indiana during a calendar year;
10 by
11 (2) the average annual weight of covered batteries estimated
12 to have been sold by all producers in Indiana during the
13 previous three (3) calendar years.

14 SECTION 4. IC 13-11-2-47.3 IS ADDED TO THE INDIANA
15 CODE AS A NEW SECTION TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2026]: Sec. 47.3. "Covered battery", for
17 purposes of this chapter and IC 13-20.7, means a portable battery
18 or a medium format battery.

19 SECTION 5. IC 13-11-2-128.1 IS ADDED TO THE INDIANA
20 CODE AS A NEW SECTION TO READ AS FOLLOWS
21 [EFFECTIVE JULY 1, 2026]: Sec. 128.1. "Medium format battery",
22 for purposes of section 47.3 of this chapter, means a:

- 23 (1) nonrechargeable battery that weighs more than four and
24 four-tenths (4.4) pounds but less than or equal to twenty-five
25 (25) pounds; or
26 (2) rechargeable battery that:
 - 27 (A) weighs more than eleven (11) pounds or has a rating of
28 more than three hundred (300) watt hours; and
 - 29 (B) weighs less than or equal to twenty-five (25) pounds
30 and has a rating of less than or equal to two thousand
31 (2,000) watt hours.

32 SECTION 6. IC 13-11-2-166.7 IS ADDED TO THE INDIANA
33 CODE AS A NEW SECTION TO READ AS FOLLOWS
34 [EFFECTIVE JULY 1, 2026]: Sec. 166.7. "Portable battery", for
35 purposes of section 47.3 of this chapter, means a:

- 36 (1) nonrechargeable battery that weighs less than or equal to
37 four and four-tenths (4.4) pounds; or
38 (2) rechargeable battery that weighs less than or equal to
39 eleven (11) pounds and has a rating of less than or equal to
40 three hundred (300) watt hours.

41 SECTION 7. IC 13-11-2-171.5 IS ADDED TO THE INDIANA
42 CODE AS A NEW SECTION TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2026]: Sec. 171.5. (a) "Producer", for
2 purposes of sections 17.5 and 31.7 of this chapter and IC 13-20.7,
3 means the following:

4 (1) For a covered battery, the following:

5 (A) If the battery is sold under the brand of the battery
6 manufacturer, the battery manufacturer.

7 (B) If the battery is sold under a retail brand or under a
8 brand owned by a person other than the manufacturer, the
9 brand owner.

10 (C) If clauses (A) and (B) are inapplicable, the licensee of
11 a brand or trademark under which the battery is:

12 (i) used in a commercial enterprise;

13 (ii) sold;

14 (iii) offered for sale; or

15 (iv) distributed.

16 (2) For a battery containing product, the following:

17 (A) If the battery containing product is sold under the
18 brand of the product manufacturer, the product
19 manufacturer.

20 (B) If the battery containing product is sold under a retail
21 brand or under a brand owned by a person other than the
22 manufacturer, the brand owner.

23 (C) If clauses (A) and (B) are inapplicable, the licensee of
24 a brand or trademark under which the product is:

25 (i) used in a commercial enterprise;

26 (ii) sold;

27 (iii) offered for sale; or

28 (iv) distributed.

29 (b) The term does not include a person who would otherwise be
30 considered a producer under subsection (a)(2) if:

31 (1) the supplier of the battery used in the product has joined
32 a registered battery stewardship organization with respect to
33 the battery; and

34 (2) the supplier provides written certification of its
35 membership in the approved battery stewardship
36 organization to the person who would otherwise be considered
37 a producer under subsection (a)(2).

38 SECTION 8. IC 13-11-2-178.3 IS ADDED TO THE INDIANA
39 CODE AS A NEW SECTION TO READ AS FOLLOWS
40 [EFFECTIVE JULY 1, 2026]: Sec. 178.3. "Rechargeable battery",
41 for purposes of sections 128.1 and 166.7 of this chapter, means a
42 battery that:



- 1 **(1) contains one (1) or more voltaic or galvanic cells**
2 **electrically connected to produce electric energy; and**
3 **(2) is designed to be recharged.**

4 SECTION 9. IC 13-11-2-180, AS AMENDED BY P.L.54-2023,
5 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2026]: Sec. 180. (a) "Recycling", for purposes of
7 IC 13-20-17.5 and IC 13-21:

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

- 10 (A) collected;
11 (B) separated or processed; and
12 (C) converted into materials or products for reuse or sale; and
13 (2) includes advanced recycling.

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

- 19 (1) Destruction of recyclable materials by incineration or another
20 process.
21 (2) Land disposal of recyclable materials.
22 (3) Reuse, repair, or any other process through which video
23 display devices or covered electronic devices are returned to use
24 for covered entities in their original form.

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

- 27 (1) use in a manufacturing process; or
28 (2) the recovery and delivery of usable materials.

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

33 SECTION 10. IC 13-11-2-180.3 IS ADDED TO THE INDIANA
34 CODE AS A NEW SECTION TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2026]: Sec. 180.3. "Recycling efficiency
36 rate", for purposes of IC 13-20.7, means the percentage calculated
37 by dividing:

- 38 (1) the weight of components and materials recycled by a
39 battery stewardship organization; by
40 (2) the weight of covered batteries collected by the battery
41 stewardship organization.

42 SECTION 11. IC 13-11-2-194, AS AMENDED BY P.L.176-2023,



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

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

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

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

- 12 (1) sells;
13 (2) offers for sale; or
14 (3) distributes;

15 a covered battery.

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

19 SECTION 12. IC 13-20.7 IS ADDED TO THE INDIANA CODE
20 AS A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY
21 1, 2026]:

22 ARTICLE 20.7. RECYCLING OF BATTERIES

23 Chapter 1. Applicability

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

26 (1) a covered battery regulated by IC 13-20-16, except that
27 this article does apply to a covered battery:

28 (A) that:

- 29 (i) contains lead and sulfuric acid; and
30 (ii) has nominal voltage of at least six (6) volts; and

31 (B) that is used in a motorized toy;

32 (2) a covered battery contained within a device, as defined in
33 21 U.S.C. 321(h), that is not designed and marketed for sale or
34 resale principally to consumers for personal use;

35 (3) a covered battery that is:

36 (A) in a product; and

37 (B) not designed to be easily removable from the product;

38 (4) a covered battery that contains an electrolyte as a free
39 liquid;

40 (5) a covered battery designed to power a motor vehicle, in
41 whole or part, or a component of a motor vehicle;

42 (6) a covered battery or battery containing product or that



1 **has been recalled for safety reasons; or**
2 **(7) a covered battery that is a part of a utility scale battery**
3 **energy storage system (as defined in IC 22-14-8-3).**

4 **Chapter 2. Requirements**

5 **Sec. 1. Beginning January 1, 2030, a retailer may not sell, offer**
6 **for sale, or distribute for sale a covered battery or battery**
7 **containing product unless:**

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

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

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

17 **(b) Except as provided in subsection (c), beginning January 1,**
18 **2030, a covered battery or battery in a battery containing product**
19 **must include the following on the battery:**

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

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

28 **Chapter 3. Battery Stewardship Plans**

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

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

- 33 **(1) A list of each:**
34 **(A) producer; and**
35 **(B) brand of covered battery;**
36 **intended to be covered by the battery stewardship plan.**
37 **(2) A list of each collection site intended to be used as part of**
38 **the battery stewardship plan.**
39 **(3) A performance plan that includes:**
40 **(A) collection rate goals;**
41 **(B) recycling efficiency rate goals; and**
42 **(C) education and safety standards, including collection**



site safety training procedures related to covered battery collection activities at collection sites, such as appropriate protocols to reduce risks of spills or fires and response protocols in the event of a spill or fire, and a protocol for safe management of damaged batteries that are returned to collection sites;

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 and that reimburses units of local government for collecting covered batteries.

(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 the following fees:

(1) A review fee of ten thousand dollars (\$10,000) the first time a battery stewardship organization submits its plan to the department for approval.

(2) An annual fee sufficient to cover the costs of the department in administering this article, as determined by the department, for each approved battery stewardship organization.

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 article.

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

(4) A copy of each annual progress report submitted to the department under IC 13-20-7-3(a).

Sec. 3. (a) A battery stewardship organization;

(1) shall provide for the collection of loose covered batteries; and

and
(2) may, but is not required to, provide for the collection of:

(A) battery-containing products; or

- (A) battery containing products, or
- (B) covered batteries or battery containing products recalled for safety reasons.

recalled for safety reasons.



1 **battery or battery containing product described in subsection
2 (a)(2)(B), the battery stewardship organization may recover all
3 costs incurred in collecting, transporting, and processing the
4 covered battery or battery containing product from the producer.**

5 **Sec. 3. (a) A person may operate a fee based collection and
6 recycling program that collects covered batteries independently of
7 a battery stewardship organization or a similar program that is not
8 fee based for government sites if the following conditions are met:**

9 **(1) The person accepts all covered batteries.**

10 **(2) The person receives no compensation from a battery
11 stewardship organization with respect to the covered
12 batteries, unless the battery stewardship organization has an
13 agreement with the person.**

14 **(3) The person provides the following information to the
15 department on an annual basis, as established by the
16 department, with respect to each covered battery collected by
17 the person:**

18 **(A) The weight, by chemistry, of covered batteries
19 collected.**

20 **(B) The weight of materials recovered from covered
21 batteries collected, in total and by method of battery
22 recycling.**

23 **(C) The percentage calculated by dividing:**

24 **(i) the weight of components and materials recycled by
25 the person; by**

26 **(ii) the weight of covered batteries collected by the
27 person;**

28 **for each recycling process.**

29 **(D) A description of how each facility used for the final
30 disposition of covered batteries, whether recycled or
31 otherwise, managed the batteries and battery components.**

32 **(E) The weight and chemistry of covered batteries sent to
33 each facility that is used for final disposition of the
34 batteries.**

35 **(b) If a battery stewardship organization's performance goals
36 would be impacted by the information provided under subsection
37 (a)(3), the department shall:**

38 **(1) consider the information when calculating the recycling
39 efficiency rate for the battery stewardship organization; and**

40 **(2) provide the information to the battery stewardship
41 organization.**

42 **Sec. 4. Beginning January 1, 2029, a person may not knowingly**



1 **cause or allow:**

- 2 (1) the placing of a covered battery into a container intended
3 for collection and disposal at a facility that is not authorized
4 under IC 13-22 or federal law for operation as a hazardous
5 waste facility; or
6 (2) the disposal of a covered battery in a facility that is not
7 authorized under IC 13-22 or federal law for operation as a
8 hazardous waste facility.

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

- 11 (1) a criminal or civil action or penalty; or
12 (2) any other sanction;

13 **under this title or any other state law.**

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

15 **Sec. 6. A producer and battery stewardship organization are
16 exempt from the provisions of IC 24-1 with respect to planning,
17 reporting, or operating a battery stewardship program, including:**

- 18 (1) the creation, implementation, or management of a battery
19 stewardship organization and any battery stewardship plan,
20 regardless of whether it is submitted, denied, or approved;
21 (2) the determination of the cost and structure of a battery
22 stewardship plan; and
23 (3) the types or quantities of batteries being recycled or
24 otherwise managed under this article.

25 **Sec. 7. The department may adopt rules under IC 4-22-2 and
26 IC 13-14-9 to implement this article.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1231, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 13-11-2-17.3 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 17.3. (a) "Battery containing product", for purposes of section 171.5 of this chapter and IC 13-20.7, means a product that contains or is packaged with a covered battery.

(b) The term does not include computers, small scale servers, computer monitors, electronic keyboards and mice, printers, fax machines, scanners, televisions, digital video disc players and recorders, video cassette recorders, digital converter boxes, cable receivers, satellite receivers, portable digital music players, and video game consoles."

Page 2, line 31, after "Sec. 171.5." insert "(a)".

Page 2, line 32, delete "a".

Page 2, delete line 33 and insert **"the following:**

(1) For a covered battery, the following:

(A) If the battery is sold under the brand of the battery manufacturer, the battery manufacturer.

(B) If the battery is sold under a retail brand or under a brand owned by a person other than the manufacturer, the brand owner.

(C) If clauses (A) and (B) are inapplicable, the licensee of a brand or trademark under which the battery is:

(i) used in a commercial enterprise;

(ii) sold;

(iii) offered for sale; or

(iv) distributed.

(2) For a battery containing product, the following:

(A) If the battery containing product is sold under the brand of the product manufacturer, the product manufacturer.

(B) If the battery containing product is sold under a retail brand or under a brand owned by a person other than the manufacturer, the brand owner.

(C) If clauses (A) and (B) are inapplicable, the licensee of



a brand or trademark under which the product is:

- (i) used in a commercial enterprise;**
- (ii) sold;**
- (iii) offered for sale; or**
- (iv) distributed.**

(b) The term does not include a person who would otherwise be considered a producer under subsection (a)(2) if:

- (1) the supplier of the battery used in the product has joined a registered battery stewardship organization with respect to the battery; and**
- (2) the supplier provides written certification of its membership in the approved battery stewardship organization to the person who would otherwise be considered a producer under subsection (a)(2).".**

Page 4, delete lines 21 through 30 and insert "apply to:

(1) a covered battery regulated by IC 13-20-16, except that this article does apply to a covered battery:

(A) that:

- (i) contains lead and sulfuric acid; and**
- (ii) has nominal voltage of at least six (6) volts; and**

(B) that is used in a motorized toy;

(2) a covered battery contained within a device, as defined in 21 U.S.C. 321(h), that is not designed and marketed for sale or resale principally to consumers for personal use;

(3) a covered battery that is:

(A) in a product; and

(B) not designed to be easily removable from the product;

(4) a covered battery that contains an electrolyte as a free liquid;

(5) a covered battery designed to power a motor vehicle, in whole or part, or a component of a motor vehicle;

(6) a covered battery or battery containing product or that has been recalled for safety reasons; or

(7) a covered battery that is a part of a utility scale battery energy storage system (as defined in IC 22-14-8-3).".

Page 4, line 33, after "covered battery" insert "or battery containing product".

Page 5, line 2, after "covered battery" insert "or battery in a battery containing product".

Page 5, line 20, delete "and producer".

Page 5, line 25, delete "standards;" and insert "standards, including collection site safety training procedures related to covered battery



collection activities at collection sites, such as appropriate protocols to reduce risks of spills or fires and response protocols in the event of a spill or fire, and a protocol for safe management of damaged batteries that are returned to collection sites;".

Page 5, line 29, delete "consumers." and insert "**consumers and that reimburses units of local government for collecting covered batteries.**".

Page 6, delete lines 5 through 9, begin a new paragraph and insert:
"Sec. 7. The department shall impose the following fees:

- (1) A review fee of ten thousand dollars (\$10,000) the first time a battery stewardship organization submits its plan to the department for approval.**
- (2) An annual fee sufficient to cover the costs of the department in administering this article, as determined by the department, for each approved battery stewardship organization."**

Page 7, delete lines 7 through 27, begin a new paragraph and insert:
"Sec. 2. (a) A battery stewardship organization:

- (1) shall provide for the collection of loose covered batteries; and**
 - (2) may, but is not required to, provide for the collection of:**
 - (A) battery containing products; or**
 - (B) covered batteries or battery containing products recalled for safety reasons.**
- (b) If a battery stewardship organization collects a covered battery or battery containing product described in subsection (a)(2)(B), the battery stewardship organization may recover all costs incurred in collecting, transporting, and processing the covered battery or battery containing product from the producer.**

Sec. 3. (a) A person may operate a fee based collection and recycling program that collects covered batteries independently of a battery stewardship organization or a similar program that is not fee based for government sites if the following conditions are met:

- (1) The person accepts all covered batteries.**
- (2) The person receives no compensation from a battery stewardship organization with respect to the covered batteries, unless the battery stewardship organization has an agreement with the person.**
- (3) The person provides the following information to the department on an annual basis, as established by the department, with respect to each covered battery collected by the person:**



- (A) The weight, by chemistry, of covered batteries collected.
 - (B) The weight of materials recovered from covered batteries collected, in total and by method of battery recycling.
 - (C) The percentage calculated by dividing:
 - (i) the weight of components and materials recycled by the person; by
 - (ii) the weight of covered batteries collected by the person;
 for each recycling process.
 - (D) A description of how each facility used for the final disposition of covered batteries, whether recycled or otherwise, managed the batteries and battery components.
 - (E) The weight and chemistry of covered batteries sent to each facility that is used for final disposition of the batteries.
- (b) If a battery stewardship organization's performance goals would be impacted by the information provided under subsection (a)(3), the department shall:
- (1) consider the information when calculating the recycling efficiency rate for the battery stewardship organization; and
 - (2) provide the information to the battery stewardship organization.".

Page 7, after line 42, begin a new paragraph and insert:

"Sec. 6. A producer and battery stewardship organization are exempt from the provisions of IC 24-1 with respect to planning, reporting, or operating a battery stewardship program, including:

- (1) the creation, implementation, or management of a battery stewardship organization and any battery stewardship plan, regardless of whether it is submitted, denied, or approved;
- (2) the determination of the cost and structure of a battery stewardship plan; and
- (3) the types or quantities of batteries being recycled or otherwise managed under this article.".

Page 8, line 1, delete "Sec. 6." and insert "Sec. 7."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1231 as introduced.)

BAIRD

HB 1231—LS 6858/DI 153



Committee Vote: yeas 11, nays 0.

HB 1231—LS 6858/DI 153

