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# HOUSE BILL No. 1231

AM123101 has been incorporated into introduced printing.

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**Synopsis:** Battery recycling.

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Introduced

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**

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1       **organization", for purposes of sections 31.7 and 180.3 of this**  
 2       **chapter and IC 13-20.7, means an organization designated by a**  
 3       **producer to implement a battery stewardship plan approved by the**  
 4       **department under IC 13-20.7.**

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

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

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

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

25       (1) **nonrechargeable battery that weighs more than four and**  
 26       **four-tenths (4.4) pounds but less than or equal to twenty-five**  
 27       **(25) pounds; or**  
 28       (2) **rechargeable battery that:**  
 29       (A) **weighs more than eleven (11) pounds or has a rating**  
 30       **of more than three hundred (300) watt hours; and**  
 31       (B) **weighs less than or equal to twenty-five (25) pounds**  
 32       **and has a rating of less than or equal to two thousand**  
 33       **(2,000) watt hours.**

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

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



1           SECTION 7. IC 13-11-2-171.5 IS ADDED TO THE INDIANA  
2       CODE AS A NEW SECTION TO READ AS FOLLOWS  
3       [EFFECTIVE JULY 1, 2026]: Sec. 171.5. (a) "Producer", for  
4       purposes of sections 17.5 and 31.7 of this chapter and IC 13-20.7,  
5       means the following:

6           **(1) For a covered battery, the following:**

7           (A) If the battery is sold under the brand of the battery  
8       manufacturer, the battery manufacturer.  
9           (B) If the battery is sold under a retail brand or under  
10      a brand owned by a person other than the  
11      manufacturer, the brand owner.  
12           (C) If clauses (A) and (B) are inapplicable, the licensee  
13      of a brand or trademark under which the battery is:  
14           (i) used in a commercial enterprise;  
15           (ii) sold;  
16           (iii) offered for sale; or  
17           (iv) distributed.

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

19           (A) If the battery containing product is sold under the  
20      brand of the product manufacturer, the product  
21      manufacturer.  
22           (B) If the battery containing product is sold under a  
23      retail brand or under a brand owned by a person other  
24      than the manufacturer, the brand owner.  
25           (C) If clauses (A) and (B) are inapplicable, the licensee  
26      of a brand or trademark under which the product is:  
27           (i) used in a commercial enterprise;  
28           (ii) sold;  
29           (iii) offered for sale; or  
30           (iv) distributed.

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

33           (1) the supplier of the battery used in the product has joined  
34      a registered battery stewardship organization with respect  
35      to the battery; and  
36           (2) the supplier provides written certification of its  
37      membership in the approved battery stewardship  
38      organization to the person who would otherwise be  
39      considered a producer under subsection (a)(2).

40           SECTION 8. IC 13-11-2-178.3 IS ADDED TO THE INDIANA  
41       CODE AS A NEW SECTION TO READ AS FOLLOWS  
42       [EFFECTIVE JULY 1, 2026]: Sec. 178.3. "Rechargeable battery",



1       **for purposes of sections 128.1 and 166.7 of this chapter, means a**  
 2       **battery that:**

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

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

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

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

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

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

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

30           (1) use in a manufacturing process; or  
 31           (2) the recovery and delivery of usable materials.

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

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

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



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

SECTION 11. 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 12. 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:**

(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

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## Chapter 2. Requirements

11                   **Sec. 1. Beginning January 1, 2030, a retailer may not sell, offer**  
12                   **for sale, or distribute for sale a covered battery or battery**  
13                   **containing product 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 or battery in a battery containing product 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 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, 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 13-20.7-3-9.

**Sec. 2. (a) A battery stewardship organization:**

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

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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**

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1       **would be impacted by the information provided under subsection  
2        (a)(3), the department shall:**

3           **(1) consider the information when calculating the recycling  
4            efficiency rate for the battery stewardship organization; and  
5            (2) provide the information to the battery stewardship  
6            organization.**

7       **Sec. 4. Beginning January 1, 2029, a person may not knowingly  
8        cause or allow:**

9           **(1) the placing of a covered battery into a container intended  
10        for collection and disposal at a facility that is not authorized  
11        under IC 13-22 or federal law for operation as a hazardous  
12        waste facility; or  
13           (2) the disposal of a covered battery in a facility that is not  
14        authorized under IC 13-22 or federal law for operation as a  
15        hazardous waste facility.**

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

18           **(1) a criminal or civil action or penalty; or  
19           (2) any other sanction;**

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

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

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

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

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

