

SENATE BILL No. 79

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-1; IC 36-7-4-1112.

Synopsis: Data center development. Requires the Indiana utility regulatory commission (commission) to establish a working group to: (1) determine an estimate of the future electricity demands of the data center industry in Indiana; and (2) report to the general assembly regarding the working group's findings and recommendations not later than October 31, 2026. Requires: (1) a person that operates a data center in Indiana to submit to the commission a quarterly report of the amount of electricity used by the data center in the immediately preceding quarter; and (2) the commission to publish a summary of the reported information on the commission's website. Provides that a county, municipality, or township shall, before issuing a permit to a person for construction of a data center: (1) require the person to disclose the projected power and water usage of the facility; and (2) perform a site assessment to determine the possible effects of the data center.

Effective: Upon passage; July 1, 2026.

Ford J.D.

December 8, 2025, read first time and referred to Committee on Utilities.



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.

SENATE BILL No. 79

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 8-1-1-17 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: **Sec. 17. (a) The following definitions apply**
4 **throughout this section:**

5 (1) "Data center" has the meaning set forth in IC 8-1-44.5-1.

6 (2) "Electricity supplier" means a:

7 (A) public utility (as defined in IC 8-1-2-1(a));

8 (B) municipally owned utility (as defined in IC 8-1-2-1(h));

9 (C) corporation organized under IC 8-1-13; or

10 (D) corporation organized under IC 23-17 that is an
11 electric cooperative and that has at least one (1) member
12 that is a corporation organized under IC 8-1-13;

13 that furnishes retail electric service to customers in Indiana.

14 (b) The commission shall establish a working group composed
15 of:

16 (1) the chairman of the commission, or the chairman's
17 designee;



(2) the secretary of commerce, or the secretary's designee;
and

(3) the following members appointed by the chairman of the
commission:

(A) One (1) or more representatives of electricity suppliers.

(B) One (1) or more representatives of the data center
industry.

(C) One (1) or more representatives of regional
transmission agencies whose control area, as approved by
the Federal Energy Regulatory Commission, includes any
part of Indiana.

(D) One (1) or more other stakeholders with respect to
electric utility service in Indiana.

(c) The chairman of the commission, or the chairman's designee,
serves as:

(1) the chair; and

(2) a nonvoting member;
of the working group.

(d) The working group shall meet at the call of the working
group's chair.

(e) A majority of the members of the working group constitutes
a quorum.

(f) A member of the working group who is a member of the
general assembly is a nonvoting member of the working group.

(g) The affirmative vote of a majority of the voting members of
the working group is required for the working group to take action
on any measure, including adoption of the report under subsection
(m).

(h) The commission shall staff and provide oversight for the
working group.

(i) Except as provided under subsection (l), the expenses of the
working group shall be paid from funds appropriated to the
commission.

(j) A member of the working group who is not a state employee
is not entitled to the minimum salary per diem provided by
IC 4-10-11-2.1(b). The member is, however, entitled to
reimbursement for mileage and traveling expenses as provided
under IC 4-13-1-4 and other expenses actually incurred in
connection with the member's duties as provided in the state
policies and procedures established by the Indiana department of
administration and approved by the budget agency.

(k) Each member of the working group who is a state employee,



but who is not a member of the general assembly, is entitled to reimbursement for mileage and traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(l) Each member of the working group who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this section shall be paid from appropriations made to the legislative council or the legislative services agency.

(m) The working group shall:

(1) determine an estimate of the future electricity demands of the data center industry in Indiana; and

(2) not later than October 31, 2026, adopt and submit to the director of the legislative services agency, for distribution to the members of the general assembly, a report containing:

(A) the working group's findings under subdivision (1); and

(B) any legislative or administrative agency action the working group recommends in light of the working group's findings under subdivision (1).

The report submitted under subdivision (2) must be in an electronic format under IC 5-14-6.

(n) This section expires January 1, 2027.

SECTION 2. IC 8-1-44.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

Chapter 44.5. Data Centers

Sec. 1. As used in this chapter, "data center" means a facility:

(1) the primary services of which are the storage, management, and processing of digital data; and

(2) that is used to house:

(A) computer and network systems, including associated components such as servers, network equipment, telecommunications equipment, and data storage systems;

(B) systems for monitoring and managing infrastructure performance;

(C) equipment used for the transformation, transmission, distribution, or management of at least one (1) megawatt



1 of electrical power, including substations, uninterruptible
 2 power supply systems, and all electrical plant equipment;
 3 (D) Internet related equipment and services;
 4 (E) data communications connections;
 5 (F) environmental controls, including cooling equipment
 6 and associated air handlers;
 7 (G) fire protection systems; and
 8 (H) security systems and services.

9 Sec. 2. (a) A person that operates a data center in Indiana shall
 10 submit to the commission a quarterly report of the amount of
 11 electricity, disaggregated by the source of the electricity, used by
 12 the data center in the immediately preceding quarter.

13 (b) The commission shall publish a summary of the information
 14 reported to the commission under subsection (a), in aggregated and
 15 deidentified form, on the commission's website.

16 SECTION 3. IC 36-7-4-1112 IS ADDED TO THE INDIANA
 17 CODE AS A NEW SECTION TO READ AS FOLLOWS
 18 [EFFECTIVE JULY 1, 2026]: Sec. 1112. (a) The definitions in
 19 section 1109 of this chapter apply throughout this section.

20 (b) As used in this section, "data center" has the meaning set
 21 forth in IC 8-1-44.5-1.

22 (c) A local authority of a unit shall, before issuing a permit to a
 23 person for construction of a data center:

24 (1) require the person to disclose the projected power and
 25 water usage of the facility at the facility's full operating
 26 capacity; and

27 (2) perform a site assessment to determine the possible effects
 28 of the data center on:

29 (A) water usage in the unit;

30 (B) the electrical grid serving the unit;

31 (C) carbon emissions; and

32 (D) agricultural, historic, and cultural resources in the
 33 unit.

34 SECTION 4. An emergency is declared for this act.

