

# SENATE BILL No. 237

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 13-11-2; IC 13-14-2.

**Synopsis:** PFAS chemicals. Defines "decision", "PFAS chemicals", and "state prioritized PFAS chemicals". Prohibits the department of environmental management (department) from basing a decision primarily on federal risk values that have not been promulgated through federal rulemaking. Instructs the department to avoid the use of federal risk values that are at or below background concentrations in air, water, soil, or sediment. Provides that the department shall focus on state prioritized PFAS chemicals when PFAS chemicals are relevant to carrying out the department's duties.

**Effective:** July 1, 2026.

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**Baldwin**

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January 8, 2026, read first time and referred to Committee on Environmental Affairs.

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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. 237

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 13-11-2-49.5 IS ADDED TO THE INDIANA
- 2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 3 [EFFECTIVE JULY 1, 2026]: **Sec. 49.5. "Decision", for purposes of**
- 4 **IC 13-14-2-10, includes standards, permits, enforcement actions,**
- 5 **and clean up levels.**
- 6 SECTION 2. IC 13-11-2-163.3 IS ADDED TO THE INDIANA
- 7 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 8 [EFFECTIVE JULY 1, 2026]: **Sec. 163.3. "PFAS chemicals", for**
- 9 **purposes of IC 13-14-2-11, means non-polymeric perfluoroalkyl**
- 10 **substances or non-polymeric saturated polyfluoroalkyl substances**
- 11 **that are a group of manmade chemicals that:**
- 12 **(1) are likely to be persistent in the environment; and**
- 13 **(2) have bioaccumulation potential in humans, animals, or the**
- 14 **environment.**
- 15 SECTION 3. IC 13-11-2-221.3 IS ADDED TO THE INDIANA
- 16 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
- 17 [EFFECTIVE JULY 1, 2026]: **Sec. 221.3. (a) "State prioritized PFAS**



chemicals", for purposes of IC 13-14-2-11, means non-polymeric perfluoroalkyl substances or non-polymeric saturated polyfluoroalkyl substances that are a group of manmade chemicals that:

- (1) contain at least two (2) fully fluorinated sequential carbon atoms;
- (2) are likely to be persistent in the environment;
- (3) have bioaccumulation potential in humans, animals, or the environment; and
- (4) are regulated by the United States Environmental Protection Agency under the federal Safe Drinking Water Act (42 U.S.C. 300f et seq.) with respect to maximum contaminant levels.

(b) The term includes the following targeted fluorinated substances:

- (1) Perfluorooctanoic acid (PFOA) and its salts.
- (2) Perfluorooctanesulfonic acid or perfluorooctane sulfonate (PFOS) and its salts.

(c) The term does not include gases or substances that become gases in use.

SECTION 4. IC 13-14-2-10 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 10. (a) The department may not base a decision primarily on federal risk values that have not been promulgated through federal rulemaking, including:

- (1) reference doses;
- (2) reference concentrations;
- (3) inhalation unit risks; or
- (4) hazard determinations, assessments, evaluations, goals, or toxicity or risk values;

developed or issued under the United States Environmental Protection Agency's Integrated Risk Information System, 42 U.S.C. 300g-1, or 15 U.S.C. 2605.

(b) The department shall avoid the use of federal risk values that are at or below background concentrations in air, water, soil, or sediment.

SECTION 5. IC 13-14-2-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. The department shall focus on state prioritized PFAS chemicals when PFAS chemicals are relevant to carrying out the department's duties under this title, including research, outreach, testing, and risk communication.

