



SENATE MOTION

MR. PRESIDENT:

I move that Senate Bill 277 be amended to read as follows:

1 Page 6, between lines 28 and 29, begin a new line block indented
2 and insert:
3 **"(8) Food waste."**
4 Page 98, between lines 21 and 22, begin a new paragraph and insert:
5 "SECTION 200. IC 13-20-10-1, AS AMENDED BY P.L.200-2017,
6 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2026]: Sec. 1. (a) This chapter applies to composting (as
8 defined in IC 13-11-2-38) of vegetative matter and other organic
9 material.
10 (b) This chapter does not apply to the following:
11 (1) A person who conducts a composting operation on the
12 person's property for vegetative matter and other types of organic
13 material that are generated by the person's activities.
14 (2) A person who conducts a composting operation in an area of
15 less than three hundred (300) square feet.
16 (3) Temporary storage of vegetative matter where only an
17 incidental amount of composting will occur before removal of the
18 matter.
19 (c) **Digestate from an anaerobic digestion facility may be
20 composted under this chapter.**
21 SECTION 201. IC 13-20-10-4, AS AMENDED BY P.L.200-2017,
22 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2026]: Sec. 4. (a) Except as provided in sections 5 and 6 of
24 this chapter, the active area of a composting facility may not be located
25 within:
26 (1) two hundred (200) feet of a well that supplies potable water;
27 or

(2) two hundred (200) feet of a residential structure that exists at the time that the composting facility initially registers under this chapter.

(b) A composting facility:

(1) must be located outside the ten (10) year floodplain, except for a composting facility that is either:

(A) operated in conjunction with a publicly owned works permitted under IC 13-15-3; or

(B) designed and operated to prevent ground or surface water contamination in the event of a ten (10) year flood;

(2) must be designed and operated to prevent ground water and surface water contamination from:

(A) stormwater; and

(B) leachate runoff from the composting facility;

(3) must not locate compost within five (5) feet of the seasonal high water table unless the composting facility provides adequate controls to prevent ground water or surface water contamination; and

(4) must provide controls for the following:

(A) Dust.

(B) Odor

(C) Noise

(c) If compost material that contains food waste, **except digested food waste**, is present in a composting facility, the composting facility must provide controls for vectors and pathogens in addition to the controls required by subsection (b)(4).

(d) A composting facility composting dewatered digestate from an anaerobic digestion facility may not be required to provide:

(1) a pad for composting: or

(2) a liner for leachate runoff collection:

in order to satisfy subsection (b)(2).".

Page 99 line 4 after "Sec. 3" insert "(a)"

Page 99, line 4, after "Sec. 3. Insert (a) .
Page 99, between lines 7 and 8, begin a new paragraph and insert:
**"(b) Anaerobic digestion and gasification facilities required to
maintain a permit under IC 13-17 are not required to seek
approval under this chapter.".**

Renumber all **SECTIONS** consecutively.

(Reference is to SB 277 as printed January 23, 2026.)

Senator BOHACEK