



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, 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