



March 24, 1999

**ENGROSSED
HOUSE BILL No. 1628**

DIGEST OF HB 1628 (Updated March 23, 1999 11:48 am - DI 75)

Citations Affected: IC 8-1.

Synopsis: IURC enforcement authority. Gives the Indiana utility regulatory commission (IURC) authority to impose a civil penalty of not more than \$2,500 per offense if the IURC finds that a telecommunications provider has violated: (1) the law prohibiting the unauthorized switching of telecommunications providers or the billing of unauthorized services; or (2) rules prohibiting the unauthorized switching of telecommunications providers or the billing of unauthorized services. Requires civil penalties to be deposited in the state general fund.

Effective: July 1, 1999.

Bottorff, Crosby, Yount
(SENATE SPONSORS — LONG, LEWIS)

January 21, 1999, read first time and referred to Committee on Commerce and Economic Development.
February 25, 1999, amended, reported — Do Pass.
March 1, 1999, read second time, amended, ordered engrossed.
March 2, 1999, engrossed. Read third time, passed. Yeas 97, nays 0.
SENATE ACTION
March 8, 1999, read first time and referred to Committee on Commerce and Consumer Affairs.
March 23, 1999, reported favorably — Do Pass.

EH 1628—LS 7791/DI 75+



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March 24, 1999

First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

ENGROSSED HOUSE BILL No. 1628

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-1-29-7.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1999]: **Sec. 7.5. (a) If after notice and hearing the commission**
4 **finds that a telecommunications provider has violated:**
5 **(1) section 5 of this chapter; or**
6 **(2) rules adopted under section 6 of this chapter;**
7 **the commission may impose a civil penalty of not more than two**
8 **thousand five hundred dollars (\$2,500) for each offense.**
9 **(b) The secretary of the commission shall deposit civil penalties**
10 **collected under subsection (a) in the state general fund.**

EH 1628—LS 7791/DI 75+



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COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce and Economic Development, to which was referred House Bill 1628, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill do pass.

(Reference is to HB 1628 as introduced.)

CROOKS, Chair

Committee Vote: yeas 11, nays 1.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1628 be amended to read as follows:

Page 1, line 3, before "If" insert "(a)".

Page 1, line 7, delete "fine" and insert "**civil penalty**".

Page 1, after line 8, begin a new paragraph and insert:

"(b) The secretary of the commission shall deposit civil penalties collected under subsection (a) in the state general fund."

(Reference is to HB 1628 as printed February 26, 1999.)

BOTTORFF

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COMMITTEE REPORT

Mr. President: The Senate Committee on Commerce and Consumer Affairs, to which was referred House Bill No. 1628, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1628 as reprinted March 2, 1999.)

MILLS, Chairperson

Committee Vote: Yeas 6, Nays 0.

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