

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 429 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 5-3-1-2 IS AMENDED TO READ AS
- 4 FOLLOWS: Sec. 2. (a) This section applies only when notice of an
- 5 event is required to be given by publication in accordance with
- 6 IC 5-3-1.
- 7 (b) If the event is a public hearing or meeting concerning any
- 8 matter not specifically mentioned in subsection (c), (d), (e), (f), (g), or
- 9 (h) notice shall be published one (1) time, at least ten (10) days before
- 10 the date of the hearing or meeting.
- 11 (c) If the event is an election, notice shall be published one (1)
- 12 time, at least ten (10) days before the date of the election.
- 13 (d) If the event is a sale of bonds, notes, or warrants, notice shall
- 14 be published two (2) times, at least one (1) week apart, with:
- 15 (1) the first publication made at least fifteen (15) days before the
- 16 date of the sale; and
- 17 (2) the second publication made at least three (3) days before the
- 18 date of the sale.
- 19 (e) If the event is the receiving of bids, notice shall be published
- 20 two (2) times, at least one (1) week apart, with the second publication
- 21 made at least ~~ten (10)~~ **seven (7)** days before the date the bids will be
- 22 received.
- 23 (f) If the event is the establishment of a cumulative or sinking
- 24 fund, notice of the proposal and of the public hearing that is required
- 25 to be held by the political subdivision shall be published two (2) times,

1 at least one (1) week apart, with the second publication made at least
2 three (3) days before the date of the hearing.

3 (g) If the event is the submission of a proposal adopted by a
4 political subdivision for a cumulative or sinking fund for the approval
5 of the state board of tax commissioners, the notice of the submission
6 shall be published one (1) time. The political subdivision shall publish
7 the notice when directed to do so by the state board of tax
8 commissioners.

9 (h) If the event is the required publication of an ordinance, notice
10 of the passage of the ordinance shall be published one (1) time within
11 thirty (30) days after the passage of the ordinance.

12 (I) If the event is one about which notice is required to be
13 published after the event, notice shall be published one (1) time within
14 thirty (30) days after the date of the event.

15 (j) If the event is anything else, notice shall be published two (2)
16 times, at least one (1) week apart, with the second publication made at
17 least three (3) days before the event.

18 (k) In case any officer charged with the duty of publishing any
19 notice required by law is unable to procure advertisement at the price
20 fixed by law, or the newspaper refuses to publish the advertisement, it
21 is sufficient for the officer to post printed notices in three (3) prominent
22 places in the political subdivision, instead of advertisement in
23 newspapers.

24 (l) If a notice of budget estimates for a political subdivision is
25 published as required in IC 6-1.1-17-3, and the published notice
26 contains an error due to the fault of a newspaper, the notice as
27 presented for publication is a valid notice under this chapter.

28 (m) Notwithstanding subsection (j), if a notice of budget estimates
29 for a political subdivision is published as required in IC 6-1.1-17-3, and
30 if the notice is not published at least ten (10) days before the date fixed
31 for the public hearing on the budget estimate due to the fault of a
32 newspaper, the notice is a valid notice under this chapter if it is
33 published one (1) time at least three (3) days before the hearing."

34 Page 2, line 25, after "not" insert "**be less than ten percent**
35 **(10%) or**".

36 Page 2, between lines 26 and 27, begin a new paragraph and
37 insert:

38 "SECTION 4. IC 5-22-17-4 IS AMENDED TO READ AS
39 FOLLOWS: Sec. 4. (a) ~~This section does not apply to a~~ **A** contract that
40 contains ~~any~~ **a** provision for escalation of the price of the ~~contract~~:
41 **contract may be renewed under this section if the price escalation**
42 **is computed using:**

- 43 **(1) a commonly accepted index named in the contract; or**
- 44 **(2) a formula set forth in the contract.**

45 (b) Subject to section 5 of this chapter, with the agreement of the
46 contractor and the purchasing agency, a contract may be renewed any
47 number of times.

48 (c) The term of a renewed contract may not be longer than the
49 term of the original contract."
50

- 1 Renumber all SECTIONS consecutively.
(Reference is to ESB429 as printed March 26, 1999.)

Representative SCHOLER