

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 470 be amended to read as follows:

- 1 Page 5, after line 5 , begin a new paragraph and insert:
- 2 "SECTION 2. IC 15-7-10 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2000]:
- 5 **Chapter 10. Agricultural Marketing and Production Contracts**
- 6 **Sec. 1. As used in this chapter, "good faith" means honesty in**
- 7 **fact and the observance of reasonable commercial standards of fair**
- 8 **dealing.**
- 9 **Sec. 2. As used in this chapter, "marketing contract" means a**
- 10 **contract between a producer and a processor regarding the**
- 11 **purchase by the processor of the producer's agricultural**
- 12 **commodity.**
- 13 **Sec. 3. As used in this chapter, "production contract" means**
- 14 **a contract between:**
- 15 **(1) a producer and a processor regarding the producer's**
- 16 **production of the processor's agricultural commodity; or**
- 17 **(2) two (2) producers regarding the production by one (1)**
- 18 **producer of the other producer's agricultural commodity.**
- 19 **Sec. 4. A marketing or production contract must meet the**
- 20 **following conditions:**
- 21 **(1) be executed in good faith, with full disclosure of all**
- 22 **relevant information by each party; and**
- 23 **(2) provide that:**
- 24 **(A) Indiana law governs and controls the contract; and**
- 25 **(B) venue for any actions concerning the contract must**
- 26 **lie in a county in Indiana where at least one (1) party**
- 27 **resides."**

(Reference is to ESB 470 as printed February 17, 2000.)

Representative FRIEND