
SENATE BILL No. 214

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-31-3-14; IC 4-33-14.

Synopsis: Minority contractors, Indiana farm products. Requires the Indiana horse racing commission to develop a strategic assessment and recommend targeted priorities for the use of Indiana produced agricultural commodities, goods, products, and services within the equine industry. Requires a person issued a riverboat owner's license to establish goals of expending at least 12% of the dollar value of the licensee's contracts for goods and services with minority business enterprises and at least 7% of the dollar value of the licensee's contracts for goods and services with women's business enterprises. (Current law requires a licensee to establish goals of expending at least 10% and 5% of the dollar value of the licensee's contracts with minority and women's business enterprises, respectively.) Requires the Indiana gaming commission to conduct a biennial audit of riverboat licenses to determine compliance with the 12% and 7% expenditure goals.

Effective: July 1, 2000.

Nugent, Rogers

January 10, 2000, read first time and referred to Committee on Agriculture and Small Business.

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Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

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SENATE BILL No. 214



A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

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

1 SECTION 1. IC 4-31-3-14 IS ADDED TO THE INDIANA CODE
2 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2000]: **Sec. 14. (a) The commission, in conjunction with the**
4 **commissioner of agriculture, shall develop a strategic assessment**
5 **and recommend targeted priorities for the use of Indiana produced**
6 **agricultural commodities, goods, products, and services within the**
7 **equine industry and particularly at a race track licensed to conduct**
8 **pari-mutuel wagering under this article.**

9 (b) **The commission shall adopt rules under section 9 of this**
10 **chapter to implement the strategic assessment and targeted**
11 **priorities for the use of Indiana produced agricultural**
12 **commodities, goods, products, and services.**

13 SECTION 2. IC 4-33-14-5 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2000]: **Sec. 5. (a) As used in this**
15 **section, "goods and services" does not include the following:**

- 16 (1) Utilities and taxes.
- 17 (2) Financing costs, mortgages, loans, or other debt.



1 (3) Medical insurance.

2 (4) Fees and payments to a parent or an affiliated company of the
3 person holding an owner's license, other than fees and payments
4 for goods and services supplied by nonaffiliated persons through
5 an affiliated company for the use or benefit of the person holding
6 the owner's license.

7 (5) Rents paid for real property or payments constituting the price
8 of an interest in real property as a result of a real estate
9 transaction.

10 (b) Notwithstanding any law or rule to the contrary, a person issued
11 an owner's license shall establish goals of expending at least:

12 (1) ~~ten twelve~~ percent (~~10%~~) (12%) of the dollar value of the
13 licensee's contracts for goods and services with minority business
14 enterprises; and

15 (2) ~~five seven~~ percent (~~5%~~) (7%) of the dollar value of the
16 licensee's contracts for goods and services with women's business
17 enterprises.

18 A person holding an owner's license shall submit annually to the
19 commission a report that includes the total dollar value of contracts
20 awarded for goods or services and the percentage awarded to minority
21 and women's business enterprises.

22 (c) A person holding an owner's license shall make a good faith
23 effort to meet the requirements of this section and shall annually
24 demonstrate to the commission that an effort was made to meet the
25 requirements.

26 (d) A person holding an owner's license may fulfill not more than
27 seventy percent (70%) of an obligation under this chapter by requiring
28 a vendor to set aside a part of a contract for minority or women's
29 business enterprises. Upon request, the licensee shall provide the
30 commission with proof of the amount of the set aside.

31 SECTION 3. IC 4-33-14-6 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 6. (a) **The commission
33 shall biennially audit each person holding an owner's license to
34 evaluate the person's compliance with the requirements of section
35 5 of this chapter.**

36 (b) If the commission determines that the provisions of this chapter
37 relating to expenditures and assignments to minority and women's
38 business enterprises have not been met by a licensee, the commission
39 may suspend, limit, or revoke the owner's license or fine or impose
40 appropriate conditions on the licensee to ensure that the goals for
41 expenditures and assignments to minority and women's business
42 enterprises are met. However, if a determination is made that a person



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- 1 holding an owner's license has failed to demonstrate compliance with
- 2 this chapter, the person has ninety (90) days from the date of the
- 3 determination of noncompliance to comply.

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