



Reprinted  
February 2, 2010

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## SENATE BILL No. 117

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DIGEST OF SB 117 (Updated February 1, 2010 3:02 pm - DI 96)

**Citations Affected:** IC 9-23.

**Synopsis:** Unfair practices of vehicle dealers' franchises. Provides that it is an unfair practice for a vehicle manufacturer or distributor to enter into an agreement in which a vehicle dealer is required to waive certain provisions dealing with unfair practices in the vehicle sales profession or franchise practices. Establishes an exception for voluntary agreements in which separate consideration is offered and accepted.

**Effective:** July 1, 2010.

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January 5, 2010, read first time and referred to Committee on Commerce, Public Policy & Interstate Cooperation.  
January 28, 2010, amended, reported favorably — Do Pass.  
February 1, 2010, read second time, amended, ordered engrossed.

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SB 117—LS 6247/DI 96+



Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

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## SENATE BILL No. 117

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A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

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

1 SECTION 1. IC 9-23-3-7 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2010]: Sec. 7. **(a)** It is an unfair practice for a  
3 manufacturer or distributor to violate IC 23-2-2.7.  
4 **(b) It is an unfair practice for a manufacturer or distributor to**  
5 **enter into an agreement in which a dealer is required to waive the**  
6 **provisions of:**  
7 **(1) this chapter; or**  
8 **(2) IC 23-2-2.7.**  
9 **However, this subsection does not apply to a voluntary agreement**  
10 **in which separate consideration is offered and accepted.**



COMMITTEE REPORT

Madam President: The Senate Committee on Commerce, Public Policy and Interstate Cooperation, to which was referred Senate Bill No. 117, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 8, after "IC 23-2-2.7." begin a new line blocked left and insert:

**"However, this subsection does not apply to a voluntary agreement in which separate consideration is offered and accepted."**

and when so amended that said bill do pass.

(Reference is to SB 117 as introduced.)

ALTING, Chairperson

Committee Vote: Yeas 9, Nays 0.

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SENATE MOTION

Madam President: I move that Senate Bill 117 be amended to read as follows:

Page 1, line 5, delete "asked to or".

(Reference is to SB 117 as printed January 29, 2010.)

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