

Adopted	Rejected
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COMMITTEE REPORT

YES: 7
NO: 0

MR. SPEAKER:

*Your Committee on Courts and Criminal Code, to which was referred Senate Bill 559, 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:*

- 1 Page 6, line 6, delete "or".
- 2 Page 6, line 7, delete "." and insert "; or".
- 3 Page 6, between lines 7 and 8, begin a new line double block
- 4 indented and insert:
- 5 **"(E) a member of, or a person appointed by, the board of**
- 6 **trustees of a state supported college or university."**
- 7 Page 6, line 11, delete "This subsection does not apply to a member
- 8 of, or a person".
- 9 Page 6, delete line 12.
- 10 Page 6, line 13, delete "university".
- 11 Page 7, after line 4, begin a new paragraph and insert:
- 12 "SECTION 2. IC 35-44-1-7, AS AMENDED BY P.L.222-2005,
- 13 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 14 JULY 1, 2011]: Sec. 7. (a) As used in this section, "pecuniary interest"

- 1 has the meaning set forth in section ~~3(g)~~ **3(a)(3)** of this chapter.
- 2 (b) A person who knowingly or intentionally:
- 3 (1) obtains a pecuniary interest in a contract or purchase with an
- 4 agency within one (1) year after separation from employment or
- 5 other service with the agency; and
- 6 (2) is not a public servant for the agency but who as a public
- 7 servant approved, negotiated, or prepared on behalf of the agency
- 8 the terms or specifications of:
- 9 (A) the contract; or
- 10 (B) the purchase;
- 11 commits profiteering from public service, a Class D felony.
- 12 (c) This section does not apply to negotiations or other activities
- 13 related to an economic development grant, loan, or loan guarantee.
- 14 (d) This section does not apply if the person receives less than two
- 15 hundred fifty dollars (\$250) of the profits from the contract or
- 16 purchase.
- 17 (e) It is a defense to a prosecution under this section that:
- 18 (1) the person was screened from any participation in the contract
- 19 or purchase;
- 20 (2) the person has not received a part of the profits of the contract
- 21 or purchase; and
- 22 (3) notice was promptly given to the agency of the person's
- 23 interest in the contract or purchase."
- (Reference is to SB 559 as printed February 16, 2011.)

and when so amended that said bill do pass.

Representative Steuerwald