



Reprinted
February 24, 2012

ENGROSSED SENATE BILL No. 402

DIGEST OF SB 402 (Updated February 23, 2012 3:27 pm - DI 69)

Citations Affected: IC 2-5.

Synopsis: Indiana uniform law commission. Specifies the membership of the Indiana uniform law commission (commission), which is the Indiana delegation of the National Conference of Commissioners on Uniform State Laws (NCCUSL). Specifies the commission is to work with the NCCUSL to research, draft, and promote the enactment of uniform state laws in areas of state law where uniformity is desirable and practical. Provides for the reimbursement of expenses incurred by commission members in attending the annual meeting of the NCCUSL.

Effective: July 1, 2012.

Simpson, Bray, Randolph

(HOUSE SPONSOR — FOLEY)

January 9, 2012, read first time and referred to Committee on Judiciary.
January 19, 2012, amended, reported favorably — Do Pass.
January 23, 2012, read second time, ordered engrossed.
January 24, 2012, engrossed. Read third time, passed. Yeas 50, nays 0.

HOUSE ACTION

January 31, 2012, read first time and referred to Committee on Judiciary.
February 21, 2012, reported — Do Pass.
February 23, 2012, read second time, amended, ordered engrossed.

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ES 402—LS 7049/DI 55+



Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

ENGROSSED SENATE BILL No. 402

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

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

1 SECTION 1. IC 2-5-35 IS ADDED TO THE INDIANA CODE AS
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2012]:

4 **Chapter 35. Indiana Uniform Law Commission**

5 **Sec. 1. As used in this chapter, "commission" refers to the**
6 **Indiana uniform law commission established by section 2 of this**
7 **chapter.**

8 **Sec. 2. The Indiana uniform law commission is established.**

9 **Sec. 3. The commission is comprised of the following members:**

10 (1) **A member of the senate appointed by the president pro**
11 **tempore of the senate.**

12 (2) **A member of the senate appointed by the minority leader**
13 **of the senate.**

14 (3) **A member of the house of representatives appointed by the**
15 **speaker of the house of representatives.**

16 (4) **A member of the house of representatives appointed by the**
17 **minority leader of the house of representatives.**

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1 (5) The revisor of statutes of the general assembly.
2 (6) A current or former law professor with expertise in
3 commercial law appointed by the chief justice of Indiana.
4 (7) Five (5) members appointed by the governor, not more
5 than three (3) of whom may be from the same political party.
6 Sec. 4. (a) Except for the member appointed under section 3(6)
7 of this chapter, each member of the commission must be:
8 (1) an attorney in good standing admitted to the practice of
9 law in Indiana;
10 (2) an attorney in good standing admitted to the practice of
11 law in another state; or
12 (3) a current or former law professor at a law school located
13 in Indiana.
14 (b) An appointed member of the commission serves at the
15 pleasure of the authority who appointed the member. If a member
16 ceases to have the qualifications set forth in this chapter for the
17 position to which the member was appointed, the member's term
18 ends and a vacancy is created.
19 (c) A vacancy on the commission in the position of an appointed
20 member shall be filled by the appointment of a new member to the
21 position by the authority entitled under section 3 of this chapter to
22 make appointments to the position.
23 Sec. 5. (a) A member of the commission is entitled to
24 reimbursement of actual expenses that are:
25 (1) incurred by the member in participating on the
26 commission under this chapter; and
27 (2) not reimbursed from any other source.
28 Participation on the commission under this chapter includes
29 attending the annual meeting of the National Conference of
30 Commissioners on Uniform State Laws.
31 (b) Expenses incurred by members in participating on the
32 commission under this chapter shall be reimbursed as follows:
33 (1) The expenses of members appointed under section 3(1)
34 through 3(4) of this chapter shall be reimbursed from money
35 appropriated to the senate, the house of representatives, the
36 legislative council, or the legislative services agency.
37 (2) The expenses of the revisor of statutes shall be reimbursed
38 from funds appropriated to the legislative services agency.
39 (3) The expenses of members appointed under section 3(6) and
40 3(7) of this chapter shall be reimbursed from money
41 appropriated to the commission.
42 Sec. 6. The commission shall work with the National Conference

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1 of Commissioners on Uniform State Laws to:
2 (1) research;
3 (2) draft; and
4 (3) promote the enactment of;
5 uniform state laws in areas of state law where uniformity is
6 desirable and practical.

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COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 402, 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 2, line 2, after "(6)" insert "**A current or former law professor with expertise in commercial law appointed by the chief justice of Indiana.**

(7)".

Page 2, line 2, after "governor" insert ", **not more than three (3) of whom may be from the same political party**".

Page 2, line 3, delete "Each" and insert "**Except for the member appointed under section 3(6) of this chapter, each**".

Page 2, line 3, after "be" insert ":

(1)".

Page 2, line 4, delete "." and insert ";

(2) **an attorney in good standing admitted to the practice of law in another state; or**

(3) **a current or former law professor at a law school located in Indiana.**"

Page 2, line 30, after "3(6)" insert "**and 3(7)**".

and when so amended that said bill do pass.

(Reference is to SB 402 as introduced.)

BRAY, Chairperson

Committee Vote: Yeas 8, Nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 402, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

FOLEY, Chair

Committee Vote: yeas 10, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 402 be amended to read as follows:

Page 2, after line 41, begin a new paragraph and insert:

"Sec. 6. The commission shall work with the National Conference of Commissioners on Uniform State Laws to:

- (1) research;**
- (2) draft; and**
- (3) promote the enactment of;**

uniform state laws in areas of state law where uniformity is desirable and practical."

(Reference is to ESB 402 as printed February 21, 2012.)

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