

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

- 1 Page 4, between lines 4 and 5, begin a new paragraph and insert:
- 2 "SECTION 2. IC 23-15-9-2 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 4 1, 2012]: **Sec. 2. (a) The Indiana Chamber of Commerce shall**
- 5 **provide the same benefits to a business that is conducting business**
- 6 **in Indiana but is not a member of the Indiana Chamber of**
- 7 **Commerce as the Indiana Chamber of Commerce provides to a**
- 8 **business that is a dues paying member of the Indiana Chamber of**
- 9 **Commerce.**
- 10 **(b) A knowing or intentional, direct or indirect, violation of**
- 11 **subsection (a) by the Indiana Chamber of Commerce is a Class A**
- 12 **misdemeanor.**
- 13 **(c) A business may file a complaint that alleges a violation or**
- 14 **threatened violation of this chapter with the attorney general or**
- 15 **the prosecuting attorney of the county in which the business**
- 16 **conducts business. Upon receiving a complaint under this section,**
- 17 **the attorney general or prosecuting attorney shall:**
- 18 **(1) investigate the complaint; and**
- 19 **(2) enforce compliance if a violation of this chapter is found.**
- 20 **(d) If a business suffers an injury:**
- 21 **(1) as the result of any act or practice that violates subsection**
- 22 **(a); or**
- 23 **(2) from a threatened violation of subsection (a);**
- 24 **the business may bring a civil action.**

- 1 **(e) A court may order an award of any or all of the following to**
- 2 **a business that prevails in an action under subsection (d):**
- 3 **(1) Actual and consequential damages resulting from the**
- 4 **violation or threatened violation.**
- 5 **(2) A civil penalty against the Indiana Chamber of Commerce**
- 6 **of not more than one thousand dollars (\$1,000).**
- 7 **(3) Reasonable attorney's fees, litigation expenses, and costs.**
- 8 **(4) Declaratory or equitable relief, including injunctive relief.**
- 9 **(5) Other relief the court considers proper.**
- 10 **(f) The remedies and penalties set forth in subsection (e) are:**
- 11 **(1) cumulative; and**
- 12 **(2) in addition to other remedies and penalties imposed for a**
- 13 **violation of this section."**
- 14 Renumber all SECTIONS consecutively.
(Reference is to HB 1001 as printed January 12, 2012.)

Representative Bartlett