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WITHDRAWN	Noes _____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

HOUSE MOTION ____

MR. SPEAKER:

I move that House Bill 1091 be amended to read as follows:

Page 1, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 2. IC 32-35-3 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]:

Chapter 3. Choice of Forum Clauses

Sec. 1. For purposes of this chapter, "choice of forum clause" means language in a contract that:

(1) requires a party to resolve a dispute in:

(A) a court outside Indiana; or

(B) arbitration or another dispute resolution process at a location outside Indiana; or

(2) purports to be the consent to:

(A) the jurisdiction of a court outside Indiana; or

(B) arbitration or another dispute resolution process at a location outside Indiana.

Sec. 2. This chapter applies only to a contract:

(1) entered into, extended, or renewed after June 30, 2012;

(2) that is the subject of a lawsuit in which the complaint seeks actual damages that are less than twenty-five thousand dollars ($25,000); and

(3) involving goods, services, or leases related to agricultural products (as defined in IC 34-6-2-8), livestock, poultry, livestock products, poultry products, or an agricultural

operation (as defined in IC 32-30-6-1).

Sec. 3. Except as provided in the Uniform Commercial Code (IC 26-1), a choice of forum clause in a contract described in section 2 of this chapter for:

(1) goods;

(2) services; or

(3) leases;

is not enforceable.

SECTION 3. IC 34-6-2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. "Agricultural product", for purposes of IC 34-30-3 **and IC 32-35-3,** means a natural product of a farm, a nursery, a grove, an orchard, a vineyard, a garden, or an apiary. The term includes trees and firewood.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1091 as reprinted January 14, 2012.)

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Representative Grubb