



February 5, 2013

# HOUSE BILL No. 1376

DIGEST OF HB 1376 (Updated February 4, 2013 2:47 pm - DI 107)

**Citations Affected:** IC 8-1; IC 24-5; IC 25-1; IC 35-51.

**Synopsis:** Various privacy issues. Makes the following changes to the statute concerning telephone caller identification services: (1) Repeals the definition of "telecommunications service provider". (2) Adds the definition of "provider". In the statutes concerning: (1) telephone caller identification services; and (2) telephone solicitations; replaces the term "caller ID" with the term "caller identification", as used in the federal Caller ID Act of 2009. Provides that a person shall not knowingly and with the intent to defraud or cause harm to another person, or to wrongfully obtain anything of value, cause any caller identification service to transmit misleading or inaccurate caller identification information to a subscriber in Indiana. Exempts certain activities from the prohibition. Provides that a violation of the prohibition is: (1) a Class B misdemeanor; and (2) a deceptive act actionable by the attorney general. Provides that a subsequent violation is a Class A misdemeanor. Provides a cause of action for: (1) damages; and (2) injunctive relief; for any person aggrieved by a violation. Prohibits the professional licensing agency (PLA) or a board administered by the PLA from disclosing to the public personal information of an individual who: (1) applies for or holds a license, certificate, registration, or permit issued by a board; or (2) is a member of a board administered by the PLA; subject to certain exceptions specified by law.

**Effective:** Upon passage; July 1, 2013.

**Koch**

January 22, 2013, read first time and referred to Committee on Judiciary.  
February 5, 2013, amended, reported — Do Pass.

HB 1376—LS 6771/DI 101+



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February 5, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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## HOUSE BILL No. 1376

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

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

1 SECTION 1. IC 8-1-2.9-0.5 IS REPEALED [EFFECTIVE JULY 1,  
2 2013]. Sec. 0.5: As used in this chapter, "telecommunications service  
3 provider" means a person that offers telecommunications service (as  
4 defined in 47 U.S.C. 153(46)).

5 SECTION 2. IC 8-1-2.9-1, AS AMENDED BY P.L.27-2006,  
6 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
7 JULY 1, 2013]: Sec. 1. As used in this chapter, "caller ~~H~~  
8 **identification** service" means an optional service provided by a  
9 telecommunications service provider that permits a  
10 telecommunications service customer equipped with a display device  
11 to view the telephone number from which a call is being placed before  
12 answering the call: **has the meaning set forth in IC 24-5-14.5-3.**

13 SECTION 3. IC 8-1-2.9-1.5 IS ADDED TO THE INDIANA CODE  
14 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
15 1, 2013]: Sec. 1.5. As used in this chapter, "provider" has the

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1 **meaning set forth in IC 24-5-14.5-6.**

2 SECTION 4. IC 8-1-2.9-2, AS AMENDED BY P.L.27-2006,  
3 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2013]: Sec. 2. (a) The commission shall approve any petition  
5 by a ~~telecommunications service~~ provider for commission approval of  
6 caller ~~ID~~ **identification** service. The commission may not require that  
7 caller ~~ID~~ **identification** service be provided with blocking, except that  
8 the commission may approve either per-call or per-line blocking for  
9 law enforcement and crisis intervention agencies that are certified by  
10 the commission.

11 (b) Rates and charges for caller ~~ID services~~ **identification service**  
12 are not subject to commission approval under this section.

13 SECTION 5. IC 24-5-0.5-4, AS AMENDED BY P.L.226-2011,  
14 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
15 JULY 1, 2013]: Sec. 4. (a) A person relying upon an uncured or  
16 incurable deceptive act may bring an action for the damages actually  
17 suffered as a consumer as a result of the deceptive act or five hundred  
18 dollars (\$500), whichever is greater. The court may increase damages  
19 for a willful deceptive act in an amount that does not exceed the greater  
20 of:

21 (1) three (3) times the actual damages of the consumer suffering  
22 the loss; or

23 (2) one thousand dollars (\$1,000).

24 Except as provided in subsection (j), the court may award reasonable  
25 attorney fees to the party that prevails in an action under this  
26 subsection. This subsection does not apply to a consumer transaction  
27 in real property, including a claim or action involving a construction  
28 defect (as defined in IC 32-27-3-1(5)) brought against a construction  
29 professional (as defined in IC 32-27-3-1(4)), except for purchases of  
30 time shares and camping club memberships. This subsection does not  
31 apply with respect to a deceptive act described in section 3(a)(20) of  
32 this chapter. This subsection also does not apply to a violation of  
33 IC 24-4.7, IC 24-5-12, ~~or~~ IC 24-5-14, **or IC 24-5-14.5**. Actual damages  
34 awarded to a person under this section have priority over any civil  
35 penalty imposed under this chapter.

36 (b) Any person who is entitled to bring an action under subsection  
37 (a) on the person's own behalf against a supplier for damages for a  
38 deceptive act may bring a class action against such supplier on behalf  
39 of any class of persons of which that person is a member and which has  
40 been damaged by such deceptive act, subject to and under the Indiana  
41 Rules of Trial Procedure governing class actions, except as herein  
42 expressly provided. Except as provided in subsection (j), the court may



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1 award reasonable attorney fees to the party that prevails in a class  
 2 action under this subsection, provided that such fee shall be determined  
 3 by the amount of time reasonably expended by the attorney and not by  
 4 the amount of the judgment, although the contingency of the fee may  
 5 be considered. Except in the case of an extension of time granted by the  
 6 attorney general under IC 24-10-2-2(b) in an action subject to IC 24-10,  
 7 any money or other property recovered in a class action under this  
 8 subsection which cannot, with due diligence, be restored to consumers  
 9 within one (1) year after the judgment becomes final shall be returned  
 10 to the party depositing the same. This subsection does not apply to a  
 11 consumer transaction in real property, except for purchases of time  
 12 shares and camping club memberships. This subsection does not apply  
 13 with respect to a deceptive act described in section 3(a)(20) of this  
 14 chapter. Actual damages awarded to a class have priority over any civil  
 15 penalty imposed under this chapter.

16 (c) The attorney general may bring an action to enjoin a deceptive  
 17 act, including a deceptive act described in section 3(a)(20) of this  
 18 chapter, notwithstanding subsections (a) and (b). However, the attorney  
 19 general may seek to enjoin patterns of incurable deceptive acts with  
 20 respect to consumer transactions in real property. In addition, the court  
 21 may:

- 22 (1) issue an injunction;
- 23 (2) order the supplier to make payment of the money unlawfully  
 24 received from the aggrieved consumers to be held in escrow for  
 25 distribution to aggrieved consumers;
- 26 (3) order the supplier to pay to the state the reasonable costs of  
 27 the attorney general's investigation and prosecution related to the  
 28 action; and
- 29 (4) provide for the appointment of a receiver.

30 (d) In an action under subsection (a), (b), or (c), the court may void  
 31 or limit the application of contracts or clauses resulting from deceptive  
 32 acts and order restitution to be paid to aggrieved consumers.

33 (e) In any action under subsection (a) or (b), upon the filing of the  
 34 complaint or on the appearance of any defendant, claimant, or any  
 35 other party, or at any later time, the trial court, the supreme court, or the  
 36 court of appeals may require the plaintiff, defendant, claimant, or any  
 37 other party or parties to give security, or additional security, in such  
 38 sum as the court shall direct to pay all costs, expenses, and  
 39 disbursements that shall be awarded against that party or which that  
 40 party may be directed to pay by any interlocutory order by the final  
 41 judgment or on appeal.

42 (f) Any person who violates the terms of an injunction issued under



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1 subsection (c) shall forfeit and pay to the state a civil penalty of not  
 2 more than fifteen thousand dollars (\$15,000) per violation. For the  
 3 purposes of this section, the court issuing an injunction shall retain  
 4 jurisdiction, the cause shall be continued, and the attorney general  
 5 acting in the name of the state may petition for recovery of civil  
 6 penalties. Whenever the court determines that an injunction issued  
 7 under subsection (c) has been violated, the court shall award  
 8 reasonable costs to the state.

9 (g) If a court finds any person has knowingly violated section 3 or  
 10 10 of this chapter, other than section 3(a)(19) or 3(a)(20) of this  
 11 chapter, the attorney general, in an action pursuant to subsection (c),  
 12 may recover from the person on behalf of the state a civil penalty of a  
 13 fine not exceeding five thousand dollars (\$5,000) per violation.

14 (h) If a court finds that a person has violated section 3(a)(19) of this  
 15 chapter, the attorney general, in an action under subsection (c), may  
 16 recover from the person on behalf of the state a civil penalty as follows:

17 (1) For a knowing or intentional violation, one thousand five  
 18 hundred dollars (\$1,500).

19 (2) For a violation other than a knowing or intentional violation,  
 20 five hundred dollars (\$500).

21 A civil penalty recovered under this subsection shall be deposited in  
 22 the consumer protection division telephone solicitation fund  
 23 established by IC 24-4.7-3-6 to be used for the administration and  
 24 enforcement of section 3(a)(19) of this chapter.

25 (i) An elderly person relying upon an uncured or incurable  
 26 deceptive act, including an act related to hypnotism, may bring an  
 27 action to recover treble damages, if appropriate.

28 (j) An offer to cure is:

29 (1) not admissible as evidence in a proceeding initiated under this  
 30 section unless the offer to cure is delivered by a supplier to the  
 31 consumer or a representative of the consumer before the supplier  
 32 files the supplier's initial response to a complaint; and

33 (2) only admissible as evidence in a proceeding initiated under  
 34 this section to prove that a supplier is not liable for attorney's fees  
 35 under subsection (k).

36 If the offer to cure is timely delivered by the supplier, the supplier may  
 37 submit the offer to cure as evidence to prove in the proceeding in  
 38 accordance with the Indiana Rules of Trial Procedure that the supplier  
 39 made an offer to cure.

40 (k) A supplier may not be held liable for the attorney's fees and  
 41 court costs of the consumer that are incurred following the timely  
 42 delivery of an offer to cure as described in subsection (j) unless the

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1 actual damages awarded, not including attorney's fees and costs, exceed  
2 the value of the offer to cure.

3 (l) If a court finds that a person has knowingly violated section  
4 3(a)(20) of this chapter, the attorney general, in an action under  
5 subsection (c), may recover from the person on behalf of the state a  
6 civil penalty not exceeding one thousand dollars (\$1,000) per  
7 consumer. In determining the amount of the civil penalty in any action  
8 by the attorney general under this subsection, the court shall consider,  
9 among other relevant factors, the frequency and persistence of  
10 noncompliance by the debt collector, the nature of the noncompliance,  
11 and the extent to which the noncompliance was intentional. A person  
12 may not be held liable in any action by the attorney general for a  
13 violation of section 3(a)(20) of this chapter if the person shows by a  
14 preponderance of evidence that the violation was not intentional and  
15 resulted from a bona fide error, notwithstanding the maintenance of  
16 procedures reasonably adapted to avoid the error. A person may not be  
17 held liable in any action for a violation of this chapter for contacting a  
18 person other than the debtor, if the contact is made in compliance with  
19 the Fair Debt Collection Practices Act.

20 SECTION 6. IC 24-5-12-25 IS AMENDED TO READ AS  
21 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 25. (a) If a person  
22 makes a solicitation to a prospect that is outside of the course of  
23 dealing (as described in IC 26-1-1-205), whether personally, through  
24 salespersons, or through the use of an automated dialing and answering  
25 device, the person may not knowingly or intentionally block or attempt  
26 to block the display of the person's:

- 27 (1) telephone number; or  
28 (2) identity;

29 by a caller ~~to~~ **identification** service (as defined by ~~IC 8-1-2.9-1~~ **in**  
30 **IC 24-5-14.5-3**) when attempting to initiate a telephone conversation  
31 for the purpose of making a solicitation to a prospect.

32 (b) A person who knowingly or intentionally violates this section  
33 commits a Class B misdemeanor. However, the offense is a Class A  
34 misdemeanor if the person has a previous unrelated conviction under  
35 this subsection.

36 SECTION 7. IC 24-5-14.5 IS ADDED TO THE INDIANA CODE  
37 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
38 JULY 1, 2013]:

39 **Chapter 14.5. False or Misleading Caller Identification**

40 **Sec. 1. This chapter applies to the transmission of information**  
41 **through a caller identification service with respect to calls made**  
42 **after June 30, 2013, to a subscriber.**

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1       **Sec. 2.** As used in this chapter, "caller identification  
2 information" means information provided by a caller identification  
3 service regarding the telephone number of, or other information  
4 regarding the origination of, a call made using a  
5 telecommunications service or interconnected VOIP service.

6       **Sec. 3. (a)** As used in this chapter, "caller identification service"  
7 means any service or device designed to provide the user of the  
8 service or device with the telephone number of, or other  
9 information regarding the origination of, a call made using a  
10 telecommunications service or interconnected VOIP service.

11       **(b)** The term includes automatic number identification (as  
12 defined in 47 CFR 20.3) services.

13       **Sec. 4.** As used in this chapter, "interconnected VOIP service"  
14 has the meaning set forth in 47 CFR 9.3.

15       **Sec. 5.** As used in this chapter, "place of primary use" means  
16 the street address representative of where a subscriber's use of a  
17 telecommunications service or interconnected VOIP service  
18 primarily occurs, which must be:

19       **(1)** the residential street address or the primary business  
20 street address of the subscriber or, in the case of a subscriber  
21 of interconnected VOIP service, the subscriber's registered  
22 location (as defined in 47 CFR 9.3);

23       **(2)** within the licensed service area of the provider; and

24       **(3)** in the case of:

25       **(A)** mobile telecommunications service, determined in the  
26 manner provided in IC 6-8.1-15; and

27       **(B)** nonmobile telecommunications communications  
28 service, determined in the manner provided in IC 6-2.5-12.

29       **Sec. 6.** As used in this chapter, "provider" means a person that  
30 offers telecommunications service or interconnected VOIP service.

31       **Sec. 7.** As used in this chapter, "subscriber" means a person:

32       **(1)** that subscribes to a caller identification service in  
33 connection with:

34       **(A)** a telecommunications service; or

35       **(B)** an interconnected VOIP service;

36       to which the person subscribes; and

37       **(2)** whose place of primary use for the service described in  
38 subdivision **(1)(A)** or **(1)(B)** is in Indiana.

39       **Sec. 8.** As used in this chapter, "telecommunications service"  
40 has the meaning set forth in 47 U.S.C. 153.

41       **Sec. 9.** Except as provided in section 10 of this chapter, a person  
42 shall not, in connection with any telecommunications service or

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1 interconnected VOIP service, knowingly and with the intent to  
 2 defraud or cause harm to another person or to wrongfully obtain  
 3 anything of value, cause any caller identification service to  
 4 transmit misleading or inaccurate caller identification information  
 5 to a subscriber.

6 **Sec. 10. This chapter does not prohibit or restrict any of the**  
 7 **following:**

8 (1) Subject to IC 24-5-12-25, blocking the capability of a caller  
 9 identification service to transmit caller identification  
 10 information.

11 (2) Any authorized activity of a law enforcement agency.

12 (3) Any lawfully authorized investigative, protective, or  
 13 intelligence activity of:

14 (A) the United States or an intelligence agency of the  
 15 United States;

16 (B) the state or a political subdivision of the state; or

17 (C) any other state or a political subdivision of that state.

18 (4) A court order that specifically authorizes the use of caller  
 19 identification manipulation.

20 (5) The right of the attorney general to bring a civil action  
 21 under 47 U.S.C. 227(e)(6) to enforce the federal Truth in  
 22 Caller ID Act of 2009 (47 U.S.C. 227).

23 **Sec. 11. A person who knowingly violates this chapter commits**  
 24 **a Class B misdemeanor. However, the offense is a Class A**  
 25 **misdemeanor if the person has a previous unrelated conviction**  
 26 **under this chapter.**

27 **Sec. 12. A person who violates this chapter commits a deceptive**  
 28 **act that is:**

29 (1) actionable by the attorney general under IC 24-5-0.5-4(c);  
 30 and

31 (2) subject to the penalties set forth in IC 24-5-0.5.

32 **An action by the attorney general for a violation of this chapter**  
 33 **may be brought in the circuit or superior court of Marion County.**

34 **Sec. 13. (a) Except as provided in section 14 of this chapter, any**  
 35 **person who is aggrieved by a violation of this chapter may bring an**  
 36 **action for the recovery of the person's actual damages, including**  
 37 **court costs and attorney's fees, against any person:**

38 (1) responsible for; or

39 (2) who knowingly participated in;

40 **the violation. An action under this subsection may be brought in**  
 41 **the circuit or superior court of the aggrieved person's county of**  
 42 **residence or principal place of business in Indiana.**



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1 (b) Upon petition by any person that another person has  
 2 violated this chapter, the circuit or superior court of the  
 3 petitioner's county of residence or principal place of business in  
 4 Indiana may enjoin the respondent from further violations. The  
 5 injunctive relief available under this subsection is in addition to  
 6 any damages to which a person may be entitled under subsection  
 7 (a).

8 **Sec. 14. A person does not have a cause of action against a**  
 9 **provider for a violation of this chapter unless the violation resulted**  
 10 **from the provider's gross negligence or intentional wrongdoing.**

11 SECTION 8. IC 25-1-5-11, AS ADDED BY P.L.157-2006,  
 12 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 UPON PASSAGE]: Sec. 11. (a) As used in this section, "applicant"  
 14 means an individual who applies for a license, certificate,  
 15 registration, or permit issued by a board under this title.

16 (b) As used in this section, "licensee" means an individual who  
 17 is licensed, certified, or registered by a board under this title.

18 (c) As used in this section, "personal information" means the  
 19 following:

- 20 (1) Social Security number.
- 21 (2) Home telephone number.
- 22 (3) Electronic mail address.

23 (d) Except as otherwise provided in this section, the personal  
 24 information of an individual who is:

- 25 (1) a licensee;
- 26 (2) an applicant; or
- 27 (3) a board member;

28 is confidential for purposes of IC 5-14-3-4 and may not be disclosed  
 29 to the public by the agency or a board.

30 (a) (e) An individual who applies for a license issued by a board  
 31 under this chapter applicant or who holds a license issued by a board  
 32 under this chapter a licensee shall provide the individual's applicant's  
 33 or licensee's Social Security number to the agency.

34 (b) (f) The agency and the boards shall collect and release the  
 35 applicant's or licensee's Social Security number as provided in state or  
 36 federal law.

37 (c) (g) Notwithstanding IC 4-1-10-3 or subsection (d), the agency  
 38 and the boards may allow access to the Social Security number of each  
 39 person who is licensed under this chapter or has applied for a license  
 40 under this chapter applicant or licensee to:

- 41 (1) a testing service that provides the examination for licensure,  
 42 certification, or registration to the agency or the boards; or



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1 (2) an individual state regulatory board or an organization  
 2 composed of state regulatory boards for the applicant's or  
 3 licensee's profession for the purpose of coordinating:  
 4 (A) licensure, **certification, or registration**; and  
 5 (B) disciplinary activities among the individual states.  
 6 **(h) Notwithstanding subsection (d), the agency or a board may**  
 7 **disclose personal information of an individual described in**  
 8 **subsection (d) if the person requesting the information provides**  
 9 **proof of identity and represents that the use of the personal**  
 10 **information will be strictly limited to at least one (1) of the**  
 11 **following:**  
 12 **(1) For use by a government agency, including a court or law**  
 13 **enforcement agency, in carrying out its functions, or a person**  
 14 **acting on behalf of a government agency in carrying out its**  
 15 **functions.**  
 16 **(2) For use in connection with a civil, a criminal, an**  
 17 **administrative, or an arbitration proceeding in a court or**  
 18 **government agency or before a self-regulatory body,**  
 19 **including the service of process, investigation in anticipation**  
 20 **of litigation, and the execution or enforcement of judgments**  
 21 **and orders, or under an order of a court.**  
 22 **(3) For use in research activities, and for use in producing**  
 23 **statistical reports, as long as the personal information is not**  
 24 **published, re-disclosed, or used to contact the individuals who**  
 25 **are the subject of the personal information.**  
 26 **(4) For use by any person, when the person demonstrates, in**  
 27 **a form and manner prescribed by the agency, that written**  
 28 **consent has been obtained from the individual who is the**  
 29 **subject of the information.**  
 30 **(5) For any other use specifically authorized by law that is**  
 31 **related to the agency or a board or to public safety.**  
 32 SECTION 9. IC 35-51-24-1, AS ADDED BY P.L.70-2011,  
 33 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2013]: Sec. 1. The following statutes define crimes in IC 24:  
 35 IC 24-1-1-3 (Concerning combinations in restraint of trade).  
 36 IC 24-1-2-1 (Concerning combinations in restraint of trade).  
 37 IC 24-1-2-2 (Concerning combinations in restraint of trade).  
 38 IC 24-1-2-3 (Concerning combinations in restraint of trade).  
 39 IC 24-1-3-1 (Concerning combinations in restraint of trade).  
 40 IC 24-1-4-3 (Concerning combinations in restraint of trade).  
 41 IC 24-2-2-3 (Concerning trademarks, trade names, and trade  
 42 secrets).

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- 1 IC 24-3-4-15 (Concerning regulated prices).
- 2 IC 24-3-4-16 (Concerning regulated prices).
- 3 IC 24-3-4-17 (Concerning regulated prices).
- 4 IC 24-3-5.4-24 (Concerning regulated prices).
- 5 IC 24-4-1-1 (Concerning regulated businesses).
- 6 IC 24-4-3-5 (Concerning regulated businesses).
- 7 IC 24-4-4-5 (Concerning regulated businesses).
- 8 IC 24-4-6-1 (Concerning regulated businesses).
- 9 IC 24-4-11-11 (Concerning regulated businesses).
- 10 IC 24-4-12-11 (Concerning regulated businesses).
- 11 IC 24-4-13-6 (Concerning regulated businesses).
- 12 IC 24-16.4-4 (Concerning regulated businesses).
- 13 IC 24-4.5-5-301 (Concerning Uniform Consumer Credit Code).
- 14 IC 24-4.5-5-302 (Concerning Uniform Consumer Credit Code).
- 15 IC 24-4.6-3-4 (Concerning unauthorized solicitation of money
- 16 using the name of a public safety agency).
- 17 IC 24-5-8-19 (Concerning consumer sales).
- 18 IC 24-5-12-22 (Concerning consumer sales).
- 19 IC 24-5-12-25 (Concerning consumer sales).
- 20 IC 24-5-14-10 (Concerning consumer sales).
- 21 **IC 24-5-14.5-11 (Concerning false or misleading caller**
- 22 **identification).**
- 23 IC 24-5-16-16 (Concerning consumer sales).
- 24 IC 24-5-23.5-9 (Concerning consumer sales).
- 25 IC 24-5.5-6-1 (Concerning mortgage rescue protection fraud).
- 26 IC 24-6-1-1 (Concerning standard weights and measures).
- 27 IC 24-6-3-15 (Concerning standard weights and measures).
- 28 IC 24-6-6-11 (Concerning standard weights and measures).
- 29 IC 24-7-9-1 (Concerning retail purchase agreements).
- 30 IC 24-7-9-2 (Concerning retail purchase agreements).
- 31 IC 24-7-9-3 (Concerning retail purchase agreements).
- 32 IC 24-8-6-1 (Concerning promotional gifts and contests).
- 33 IC 24-9-8-1 (Concerning home loan practices).
- 34 **SECTION 10. An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1376, 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:

Page 7, line 2, delete "defraud, cause harm, or wrongfully" and insert "**defraud or cause harm to another person or to wrongfully**".

Page 9, delete lines 31 through 42.

Delete pages 10 through 14.

Page 15, delete lines 1 through 27.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1376 as introduced.)

STEUERWALD, Chair

Committee Vote: yeas 10, nays 0.

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