

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Financial Institutions, to which was referred Senate Bill No. 237, 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:

- 1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
2 "SECTION 1. IC 24-7-5-12 IS ADDED TO THE INDIANA CODE
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
4 1, 2013]: **Sec. 12. (a) A lessor may contract for and receive a fee for
5 accepting rental payments by telephone in connection with a rental
6 purchase agreement, if all of the following conditions are met:**
7 **(1) The fee is assessed only upon request by the lessee for the
8 underlying payment by telephone service.**
9 **(2) The payment by telephone service is not established in
10 advance, under the rental purchase agreement or otherwise,
11 as the expected method for making rental payments under
12 such rental purchase agreement.**
13 **(3) The fee does not exceed two dollars and fifty cents (\$2.50).**
14 **(4) The lessee retains the right to make rental payments by
15 payment methods in connection with which no additional fee
16 would be assessed or incurred (including in-person payments
17 and payments by mail) as a result of such alternative payment
18 methods.**
19 **(5) The fee is contracted for and disclosed by the lessor in the
20 rental purchase agreement.**
21 **(6) The lessor posts a sign at each store location disclosing to**

- 1 **existing and prospective lessees:**
- 2 **(A) the amount of the fee;**
- 3 **(B) lessee's right and option to make rental payments by**
- 4 **alternative payment methods and not be assessed or incur**
- 5 **an additional fee; and**
- 6 **(C) the alternative payment methods offered by the lessor**
- 7 **in connection with which no additional fee would be**
- 8 **assessed or incurred.**
- 9 **(7) The lessor's books and records provide an audit trail**
- 10 **sufficient to allow the department and its examiners to**
- 11 **confirm the lessee's compliance with conditions (1) through**
- 12 **(6) of this subsection.**
- 13 **(b) No fee is permitted to be charged under this section unless**
- 14 **there is interaction between a live employee or representative of**
- 15 **the lessor and the lessee.**
- 16 SECTION 2. IC 24-7-5-13 IS ADDED TO THE INDIANA CODE
- 17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 18 1, 2013]: **Sec. 13. (a) The dollar amounts of the fees and charges in**
- 19 **sections 1, 4, 5, 6, 11, and 12 of this chapter are subject to change**
- 20 **pursuant to subsection (b).**
- 21 **(b) The dollar amounts in this chapter subject to change, as**
- 22 **provided in subsection (a), are subject to change under the**
- 23 **provisions for adjustment of dollar amounts in IC 24-4.5-1-106.**
- 24 **However, notwithstanding IC 24-4.5-1-106(1), the Reference Base**
- 25 **Index to be used under this subsection is the Index for October**
- 26 **2012."**
- 27 Delete page 2.
- 28 Page 3, delete lines 1 through 34.
- 29 Page 4, line 2, delete "one hundred eighty (180)" and insert "**one**
- 30 **hundred twenty (120)".**

- 1 Page 4, delete lines 4 through 42.
- 2 Delete page 5.
- 3 Renumber all SECTIONS consecutively.
(Reference is to SB 237 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 9, Nays 0.

Senator Holdman, Chairperson