

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1269 be amended to read as follows:

- 1 Page 1, line 12, after "contractor." insert "**Information shared**
- 2 **pursuant to this section is confidential and may not be published or**
- 3 **open to public inspection.**".
- 4 Page 3, line 33, after "contractor." insert "**Information shared**
- 5 **pursuant to this section is confidential and may not be published or**
- 6 **open to public inspection.**".
- 7 Page 6, line 21, delete "1057," and insert "**376,**".
- 8 Page 7, line 12, after "number" insert ",".
- 9 Page 7, line 12, delete "or".
- 10 Page 7, line 13, delete "number;" and insert "**number or federal tax**
- 11 **identification number;**".
- 12 Page 8, line 33, delete "13(d)" and insert "**19(e)**".
- 13 Page 11, line 21, after "(c)" insert "**Whenever the department**
- 14 **determines that a violation of this chapter has occurred, the**
- 15 **department shall notify the contractor or agent of the contractor**
- 16 **in writing of the violation.**".
- 17 Page 11, line 26, delete ", may, within ten (10) working days after"
- 18 and insert "**may seek a hearing on the determination by filing**".
- 19 Page 11, line 27, delete "receipt, file".
- 20 Page 11, line 27, delete "." and insert "**within ten (10) business**
- 21 **days after receipt of the determination and in accordance with**
- 22 **IC 4-21.5-3-2.**".
- 23 Page 11, line 37, delete "The" and insert "**Further, the**".
- 24 Page 11, line 40, delete ".The department shall rule on" and insert

- 1 **"contemporaneously with the filing of the petition."**
 2 Page 11, delete line 41.
 3 Page 11, line 42, delete "receipt."
 4 Page 12, line 1, after "review" insert **"and post a bond"**.
 5 Page 12, line 1, delete "working" and insert **"business"**.
 6 Page 12, line 3, after "(d)" insert **"If the contractor or agent of the**
 7 **contractor files a timely petition for review, the commissioner shall**
 8 **set a hearing on the alleged violation. The hearing must take place**
 9 **not more than forty-five (45) calendar days after the receipt of the**
 10 **request for the hearing by the department. The hearing must be**
 11 **held in accordance with IC 4-21.5.**
 12 **(e)".**
 13 Page 12, delete lines 5 through 10.
 14 Page 12, line 11, delete "period will result in immediate placement
 15 and publication of" and insert **"the department shall place"**.
 16 Page 12, line 13, delete "If".
 17 Page 12, delete lines 14 through 20.
 18 Page 12, line 21, delete "the contractor shall be added to the list."
 19 Page 12, line 27, after "list." insert **"If a contractor or agent of the**
 20 **contractor files a timely petition for review as set forth under**
 21 **subsection (c), the contractor's name shall not be added to the list**
 22 **until the department's determination that the contractor or agent**
 23 **of the contractor has violated this chapter is final."**
 24 Page 15, line 1, after "contractor." insert **"Information shared**
 25 **pursuant to this section is confidential and may not be published or**
 26 **open to public inspection."**
 27 Page 15, line 10, delete "established" and insert **"created"**.
 28 Page 15, line 14, after "contractor." insert **"Information shared**
 29 **pursuant to this section is confidential and may not be published or**
 30 **open to public inspection."**
 (Reference is to HB 1269 as printed January 22, 2008.)

Representative Niezgodski