

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WITHDRAWN	Noes _____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- 2 **pursuant to this section is confidential and may not be published or**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- 5 **pursuant to this section is confidential and may not be published or**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