

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 479 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 2-2.1-5 IS ADDED TO THE INDIANA CODE AS
- 4 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
- 5 PASSAGE]:
- 6 **Chapter 5. Good Faith Compliance with State Agreements**
- 7 **Sec. 1. This chapter applies to a contract, settlement agreement,**
- 8 **or other agreement entered into by any elected official, officer, or**
- 9 **state agency (as defined in IC 4-12-1-2), including:**
- 10 **(1) the Indiana economic development corporation; and**
- 11 **(2) the Indiana finance authority;**
- 12 **with another entity or individual whenever the other entity or**
- 13 **individual has complied or is ready and willing to comply in good**
- 14 **faith with the obligations of the other entity or individual under the**
- 15 **contract, settlement agreement, or other agreement.**
- 16 **Sec. 2. As used in this chapter, "agreement" refers to a contract,**
- 17 **settlement agreement, or other agreement described in section 1 of**
- 18 **this chapter.**
- 19 **Sec. 3. As used in this chapter, "state governmental entity or**
- 20 **employee" refers to an entity or individual described in section 1**
- 21 **of this chapter.**
- 22 **Sec. 4. A state governmental entity or employee may not renege,**
- 23 **breach, rescind, or otherwise fail to fulfil the obligations of the**
- 24 **state governmental entity or employee under an agreement without**

1 the consent of the general assembly given in a concurrent
2 resolution adopted by at least a two-thirds (2/3) majority of the
3 members of the house of representatives and at least a two-thirds
4 (2/3) majority of the members of the senate.

5 Sec. 5. The general assembly may not enact legislation that
6 would have the effect of directing or requiring another state
7 governmental entity or employee to renege, breach, rescind, or
8 otherwise fail to fulfil the obligations of the state governmental
9 entity or employee under an agreement without the consent of the
10 general assembly given in a concurrent resolution adopted by at
11 least a two-thirds (2/3) majority of the members of the house of
12 representatives and at least a two-thirds (2/3) majority of the
13 members of the senate."

14 Renumber all SECTIONS consecutively.

(Reference is to ESB 479 as printed March 29, 2013.)

Representative Wolkins