

Updated March 22, 2023 (11:48am)

HOUSE BILL No. 1504

AM150403 has been incorporated into February 16, 2023 printing.

Synopsis: Enforcement of deceptive consumer sales act.

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HB 1504—LS 7360/DI 101



DOCUMENT HAS NOT BEEN CHECKED FOR ACCURACY

February 16, 2023

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

HOUSE BILL No. 1504

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 24-5-0.5-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5. (a) No action may be
3 brought under this chapter, except under section 4(c) of this chapter,
4 unless (1) the deceptive act is incurable or (2) the consumer bringing
5 the action shall have given notice in writing to the supplier within the
6 sooner of (i) six (6) months after the initial discovery of the deceptive
7 act, (ii) one (1) year following such consumer transaction, or (iii) any
8 time limitation, not less than thirty (30) days, of any period of warranty
9 applicable to the transaction, which notice shall state fully the nature
10 of the alleged deceptive act and the actual damage suffered therefrom,
11 and unless such deceptive act shall have become an uncured deceptive
12 act.
13 (b) No action may be brought under this chapter except as
14 expressly authorized in section 4(a), 4(b), or 4(c) of this chapter. Any
15 action brought under **section 4(a) or 4(b) of this chapter** may not be
16 brought more than two (2) years after the occurrence of the deceptive
17 act. **An action brought under section 4(c) of this chapter may not**
18 **be brought more than five (5) years after the occurrence of the**

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1 **deceptive act.**

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