



PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 76 be amended to read as follows:

1       Page 4, delete lines 1 through 35, begin a new paragraph and insert:  
2       "SECTION 6. IC 5-2-18.2-5, AS AMENDED BY P.L.76-2024,  
3       SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4       UPON PASSAGE]: Sec. 5. (a) If the attorney general determines that  
5       probable cause exists that a governmental body or a postsecondary  
6       educational institution has violated this chapter, the attorney general  
7       shall bring an action to compel the governmental body or  
8       postsecondary educational institution to comply with this chapter  
9       notify the governor.  
10       (b) Upon receipt of a notification from the attorney general  
11       under subsection (a), the governor shall contract with outside  
12       counsel to investigate the matter. The outside counsel selected by  
13       the governor under this subsection may not:  
14           (1) have a present conflict of interest; or  
15           (2) have represented the person being sued in the previous five  
16           (5) years.  
17           (c) Outside counsel appointed under this section shall conduct  
18           an independent investigation into the matter.  
19           (d) If outside counsel determines a violation has occurred, the  
20           governor may direct outside counsel to bring an action and seek to:  
21           (1) enjoin an act or a practice constituting a violation;  
22           (2) obtain:

1                   **(A) compensatory damages; or**  
2                   **(B) liquidated damages of not more than ten thousand**  
3                   **dollars (\$10,000); and**  
4                   **(3) obtain other relief as may be reasonably necessary to**  
5                   **ensure compliance with this chapter.".**

6                   Renumber all SECTIONS consecutively.

(Reference is to ESB 76 as printed February 3, 2026.)

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Representative DeLaney