



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WITHDRAWN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.)

Representative DeLaney