



Reprinted  
January 27, 2026

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## SENATE BILL No. 219

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DIGEST OF SB 219 (Updated January 26, 2026 4:32 pm - DI 149)

**Citations Affected:** IC 23-0.7.

**Synopsis:** Uniform Antitrust Pre-merger Notification Act. Incorporates into Indiana's law governing businesses and other associations the Uniform Antitrust Pre-Merger Notification Act (Act), as approved and recommended for enactment in all states by the Uniform Law Commission. Specifies that the Act does not limit or replace certain reporting requirements of a health care entity. Provides that not later than one day after filing a pre-merger notification under the federal Hart-Scott-Rodino Act, a person shall file a complete electronic copy of the form required under that act with the attorney general if: (1) the person's principal place of business is in Indiana; or (2) the person conducts a specified level of sales in Indiana with respect to the goods or services involved in the proposed merger transaction. Requires the attorney general to provide a secure means to receive and store materials submitted. Provides that: (1) a form or additional documentary material under the federal act; and (2) other specified information related to the proposed merger transaction; are confidential for purposes of Indiana's public records act and may not be disclosed or made public by the attorney general. Provides an exception  
(Continued next page)

**Effective:** July 1, 2026.

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### Charbonneau, Koch, Taylor G

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January 8, 2026, read first time and referred to Committee on Judiciary.  
January 22, 2026, amended, reported favorably — Do Pass.  
January 26, 2026, read second time, amended, ordered engrossed.

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## Digest Continued

to this confidentiality requirement if: (1) the attorney general's disclosure is made pursuant to a protective order issued by an agency, court, or judicial officer in an administrative proceeding or judicial action; and (2) the proposed merger transaction is relevant to the proceeding or action. Authorizes the attorney general to: (1) share information with; and (2) disclose a form or additional documentary material under the federal act to; the attorney general of another state that has enacted the Uniform Antitrust Pre-Merger Notification Act or a substantively equivalent act. Requires the attorney general to receive assurance from the attorney general of another state that information shared with the other state will remain confidential. Requires the attorney general to destroy or return all documents submitted with a specified period of time. Requires the attorney general to send a written notice to a person that violates the bill's filing requirement. Allows the attorney general to impose a civil penalty if the violation is not remedied within three days of the notice.



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January 27, 2026

Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

## SENATE BILL No. 219

A BILL FOR AN ACT to amend the Indiana Code concerning  
business and other associations.

*Be it enacted by the General Assembly of the State of Indiana:*

1       SECTION 1. IC 23-0.7 IS ADDED TO THE INDIANA CODE AS  
2       A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
3       2026]:

4       **ARTICLE 0.7. UNIFORM ANTITRUST PRE-MERGER**  
5       **NOTIFICATION ACT**

6       **Chapter 1. General Provisions**

7       **Sec. 1. This article may be cited as the Uniform Antitrust**  
8       **Pre-Merger Notification Act.**

9       **Sec. 2. This article applies to a pre-merger notification filed**  
10       **after June 30, 2026.**

11       **Sec. 3. For purposes of applying and construing this article,**  
12       **consideration shall be given to the need to promote uniformity of**  
13       **the law among jurisdictions that enact the Uniform Antitrust**  
14       **Pre-Merger Notification Act.**

15       **Sec. 4. Nothing in this article may be construed to limit or**  
16       **replace a requirement imposed under IC 25-1-8.5 (reporting of**  
17       **health care entity mergers and acquisitions).**

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**Chapter 2. Definitions**

**Sec. 0.5.** The definitions in this chapter apply throughout this article.

**Sec. 1.** "Additional documentary material" means the additional documentary material filed with a Hart-Scott-Rodino form.

**Sec. 2.** "Electronic" means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

**Sec. 3.** "Filing threshold" means the minimum size of a transaction that requires the transaction to be reported under the Hart-Scott-Rodino Act, as in effect at the time a person files a pre-merger notification.

**Sec. 4.** "Hart-Scott-Rodino Act" refers to Section 201 of the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), as amended.

**Sec. 5.** "Hart-Scott-Rodino form" means the form filed with a pre-merger notification. The term does not include additional documentary material.

**Sec. 6.** "Person" means an individual, estate, business or not-for-profit entity, government or governmental subdivision, agency, or instrumentality, or other legal entity.

**Sec. 7.** "Pre-merger notification" means a notification filed under the Hart-Scott-Rodino Act with:

- (1) the Federal Trade Commission; or
- (2) the Antitrust Division of the United States Department of Justice;

or a successor of either agency.

**Sec. 8.** "State" means a state of the United States, the District of Columbia, Puerto Rico, the United States Virgin Islands, or any other territory or possession subject to the jurisdiction of the United States.

**Sec. 9.** "Uniform Antitrust Pre-Merger Notification Act" means the Uniform Antitrust Pre-Merger Notification Act drafted by the National Conference of Commissioners on Uniform State Laws.

**Chapter 3. Filing Requirement**

**Sec. 1.** (a) Except as provided in subsection (e), not later than one (1) business day after filing a pre-merger notification under the Hart-Scott-Rodino Act, a person shall file a completed electronic copy of the Hart-Scott Rodino form with the attorney general if:

- (1) the person's principal place of business is in Indiana; or
- (2) either:
  - (A) the person; or



(B) a person controlled directly or indirectly by the person; has annual net sales in Indiana, with respect to the goods or services involved in the proposed merger transaction, in an amount equal to at least twenty percent (20%) of the filing threshold.

(b) A person that files a Hart-Scott-Rodino form with the attorney general under subsection (a)(1) shall include with the filing a complete electronic copy of the additional documentary material.

(c) A person that files a Hart-Scott-Rodino form with the attorney general under subsection (a)(2) shall, upon request of the attorney general, provide a complete electronic copy of the additional documentary material to the attorney general not later than seven (7) days after the date of receipt of the attorney general's request.

(d) The attorney general may not charge a person a fee in connection with:

(1) filing a Hart-Scott-Rodino form; or

(2) filing or providing the additional documentary material; under this section.

(e) An Indiana health care entity that has filed a written notice of a merger or acquisition with the office of the attorney general under IC 25-1-8.5-4 is not required to file an electronic copy of the Hart-Scott-Rodino form under subsection (a). The Indiana health care entity is required to comply with all other requirements of this section.

(f) The attorney general shall provide a secure means to receive and store materials submitted to the attorney general under this section.

#### **Chapter 4. Confidentiality**

Sec. 1. (a) Except as provided in subsection (b) or IC 23-0.7-5-1, the following are confidential for purposes of IC 5-14-3 and may not be disclosed or made public by the attorney general:

(1) A Hart-Scott-Rodino form filed under IC 23-0.7-3-1.

(2) Additional documentary material filed or provided under IC 23-0.7-3-1.

(3) A Hart-Scott-Rodino form or additional documentary material provided to the attorney general by the attorney general of another state.

(4) The fact that a Hart-Scott-Rodino form or additional documentary material has been:

(A) filed or provided under IC 23-0.7-3-1; or



- 1           (B) provided by the attorney general of another state.
- 2           (5) The fact that the merger transaction that is the subject of
- 3           a Hart-Scott-Rodino form has been proposed or any
- 4           information related to the proposed merger transaction.
- 5           (b) The attorney general may disclose:
- 6               (1) a Hart-Scott-Rodino form;
- 7               (2) additional documentary material; or
- 8               (3) other information described in subsection (a);
- 9           pursuant to a protective order issued by an agency, court, or
- 10          judicial officer in an administrative proceeding or judicial action
- 11          if the proposed merger transaction is relevant to the proceeding or
- 12          action.
- 13          (c) This section does not:
- 14               (1) limit or annul any other:
- 15                   (A) confidentiality; or
- 16                   (B) information security;
- 17          obligation of the attorney general;
- 18               (2) preclude the attorney general from sharing information
- 19          with:
- 20                   (A) the Federal Trade Commission; or
- 21                   (B) the Antitrust Division of the United States Department
- 22          of Justice;
- 23          or a successor of either agency; or
- 24               (3) subject to subsection (d), preclude the attorney general
- 25          from sharing information with the attorney general of
- 26          another state that has enacted:
- 27                   (A) the Uniform Antitrust Pre-Merger Notification Act; or
- 28                   (B) a substantively equivalent act that includes
- 29          confidentiality provisions that are at least as protective as
- 30          the confidentiality provisions of the Uniform Antitrust
- 31          Pre-Merger Notification Act.
- 32          (d) Before sharing information with the attorney general of
- 33          another state under subsection (c)(3), the attorney general must
- 34          first receive assurance from the attorney general of the other state
- 35          that the information being shared will remain confidential.
- 36          (e) Except as otherwise provided by court order or law, not later
- 37          than one hundred twenty (120) days after the later of:
- 38               (1) the close of the transaction subject to disclosure under
- 39               IC 23-0.7-3; or
- 40               (2) the final conclusion of any legal proceeding directly
- 41               related to the transaction subject to disclosure under
- 42               IC 23-0.7-3;



1 the attorney general shall destroy or return all documents  
2 submitted to the attorney general under IC 23-0.7-3.

3 **Chapter 5. Reciprocity**

4 **Sec. 1. (a)** Subject to subsection (c), the attorney general may  
5 disclose a Hart-Scott-Rodino form and additional documentary  
6 material filed with or provided to the attorney general under  
7 IC 23-0.7-3-1 to the attorney general of another state that has  
8 enacted:

- 9 (1) the Uniform Antitrust Pre-Merger Notification Act; or  
10 (2) a substantively equivalent act that includes confidentiality  
11 provisions that are at least as protective as the confidentiality  
12 provisions of the Uniform Antitrust Pre-Merger Notification  
13 Act.

14 (b) At least five (5) business days before making a disclosure  
15 under subsection (a), the attorney general shall give notice to the  
16 person that filed or provided the Hart-Scott-Rodino form or  
17 additional documentary material under IC 23-0.7-3-1.

18 (c) Before sharing information with the attorney general of  
19 another state under subsection (a), the attorney general must first  
20 receive assurance from the attorney general of the other state that  
21 the information being shared by the attorney general will remain  
22 confidential.

23 **Chapter 6. Enforcement**

24 **Sec. 1. (a)** The attorney general shall send a written notice to a  
25 person that is in violation of IC 23-0.7-3-1.

26 (b) If after three (3) days the person has not cured the violation  
27 described in the notice sent under subsection (a), the attorney  
28 general may impose on the person a civil penalty of not more than  
29 ten thousand dollars (\$10,000) per day for each day that the  
30 violation remains unremedied.



## COMMITTEE REPORT

Mr. President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 219, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, between lines 14 and 15, begin a new paragraph and insert:

**"Sec. 4. Nothing in this article may be construed to limit or replace a requirement imposed under IC 25-1-8.5 (reporting of health care entity mergers and acquisitions)."**

Page 2, line 8, delete "Hart-Scott-Rodino" and insert **"Hart-Scott-Rodino"**.

Page 2, line 10, delete ""Hart-Scott-Rodino" and insert **""Hart-Scott-Rodino"**.

Page 2, line 11, delete "Hart-Scott-Rodino" and insert **"Hart-Scott-Rodino"**.

Page 2, line 13, delete ""Hart-Scott-Rodino" and insert **""Hart-Scott-Rodino"**.

Page 2, line 20, delete "Hart-Scott-Rodino" and insert **"Hart-Scott-Rodino"**.

Page 2, line 21, delete "and" and insert **"or"**.

Page 2, delete lines 30 through 33, begin a new paragraph and insert:

**"Sec. 1. (a) Except as provided in subsection (e), not later than one (1) business day after filing a pre-merger notification under the Hart-Scott-Rodino Act, a person shall file a completed electronic copy of the Hart-Scott Rodino form with the attorney general if:"**

Page 2, line 42, delete "Hart-Scott-Rodino" and insert **"Hart-Scott-Rodino"**.

Page 3, line 4, delete "Hart-Scott-Rodino" and insert **"Hart-Scott-Rodino"**.

Page 3, line 12, delete "Hart-Scott-Rodino" and insert **"Hart-Scott-Rodino"**.

Page 3, between lines 14 and 15, begin a new paragraph and insert:

**"(e) An Indiana health care entity that has filed a written notice of a merger or acquisition with the office of the attorney general under IC 25-1-8.5-4 is not required to file an electronic copy of the Hart-Scott-Rodino form under subsection (a). The Indiana health care entity is required to comply with all other requirements of this section."**

Page 3, line 19, delete "Hart-Scott-Rodino" and insert **"Hart-Scott-Rodino"**.





Page 3, line 22, delete "Hart-Scott-Rondino" and insert **"Hart-Scott-Rodino"**.

Page 3, line 25, delete "Hart-Scott-Rondino" and insert **"Hart-Scott-Rodino"**.

Page 3, line 30, delete "Hart-Scott-Rondino" and insert **"Hart-Scott-Rodino"**.

Page 3, line 33, delete "Hart-Scott-Rondino" and insert **"Hart-Scott-Rodino"**.

Page 4, line 5, delete "and" and insert "or".

Page 4, line 18, delete "Hart-Scott-Rondino" and insert **"Hart-Scott-Rodino"**.

Page 4, line 28, delete "Hart-Scott-Rondino" and insert **"Hart-Scott-Rodino"**.

and when so amended that said bill do pass.

(Reference is to SB 219 as introduced.)

CARRASCO, Chairperson

Committee Vote: Yeas 11, Nays 0.

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#### SENATE MOTION

Mr. President: I move that Senate Bill 219 be amended to read as follows:

Page 2, between lines 31 and 32, begin a new paragraph and insert:  
**"Sec. 9. "Uniform Antitrust Pre-Merger Notification Act" means the Uniform Antitrust Pre-Merger Notification Act drafted by the National Conference of Commissioners on Uniform State Laws."**

Page 3, between lines 23 and 24, begin a new paragraph and insert:  
**"(f) The attorney general shall provide a secure means to receive and store materials submitted to the attorney general under this section."**

Page 4, line 18, after "(3)" insert **"subject to subsection (d),"**.

Page 4, between lines 24 and 25, begin a new paragraph and insert:  
**"(d) Before sharing information with the attorney general of another state under subsection (c)(3), the attorney general must first receive assurance from the attorney general of the other state that the information being shared will remain confidential."**

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(e) Except as otherwise provided by court order or law, not later than one hundred twenty (120) days after the later of:

(1) the close of the transaction subject to disclosure under IC 23-0.7-3; or

(2) the final conclusion of any legal proceeding directly related to the transaction subject to disclosure under IC 23-0.7-3;

the attorney general shall destroy or return all documents submitted to the attorney general under IC 23-0.7-3."

Page 4, line 26, delete "The" and insert "Subject to subsection (c), the".

Page 4, line 35, delete "two (2)" and insert "five (5)".

Page 4, between lines 38 and 39, begin a new paragraph and insert:

"(c) Before sharing information with the attorney general of another state under subsection (a), the attorney general must first receive assurance from the attorney general of the other state that the information being shared by the attorney general will remain confidential."

Page 4, delete lines 40 through 42, begin a new paragraph and insert:

"Sec. 1. (a) The attorney general shall send a written notice to a person that is in violation of IC 23-0.7-3-1.

(b) If after three (3) days the person has not cured the violation described in the notice sent under subsection (a), the attorney general may impose on the person a civil penalty of not more than ten thousand dollars (\$10,000) per day for each day that the violation remains unremedied."

Delete page 5.

(Reference is to SB 219 as printed January 23, 2026.)

CHARBONNEAU

