

# PROPOSED AMENDMENT

## HB 1183 # 4

### DIGEST

Prohibited person. Adds a definition of "controlling person". Changes the definition of "prohibited person" to include only those business entities with a controlling person who is a citizen or business entity of a foreign adversary.

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1           Page 2, delete lines 33 through 42, begin a new paragraph and  
2 insert:

3           "SECTION 4. IC 32-22-3-1.7 IS ADDED TO THE INDIANA  
4 CODE AS A NEW SECTION TO READ AS FOLLOWS  
5 [EFFECTIVE JULY 1, 2024]: **Sec. 1.7. As used in this chapter,**  
6 **"controlling person" includes the following:**

7           **(1) A beneficial owner (as defined in IC 23-1-20-3.5) of five**  
8 **percent (5%) or more of the shares of a business entity.**

9           **(2) An officer, director, or other individual who possesses**  
10 **inside information about a business entity because of the**  
11 **person's relationship with the business entity.**

12           **(3) A person, individually or as a member of a group, who has**  
13 **the ability to directly or indirectly affect a business entity's**  
14 **management or policies.**

15           SECTION 5. IC 32-22-3-3.5 IS ADDED TO THE INDIANA CODE  
16 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
17 1, 2024]: **Sec. 3.5. As used in this chapter, "prohibited person"**  
18 **includes the following:**

19           **(1) An individual who is a citizen of a foreign adversary (as**  
20 **defined in 15 CFR 7.4).**

21           **(2) A foreign business entity organized under the laws of a**  
22 **foreign adversary (as defined in 15 CFR 7.4).**

23           **(3) A corporation, professional corporation, nonprofit**  
24 **corporation, limited liability company, partnership, or limited**  
25 **partnership with a controlling person who is either of the**  
26 **following:**

27           **(A) An individual who is a citizen of a foreign adversary**

1                   **(as defined in 15 CFR 7.4).**  
2                   **(B) A company or other entity, including a governmental**  
3                   **entity, that is owned or controlled by citizens of, or is**  
4                   **directly controlled by the government of, a foreign**  
5                   **adversary (as defined in 15 CFR 7.4)."**

6                   Page 3, delete lines 1 through 8.

7                   Renumber all SECTIONS consecutively.  
                    (Reference is to HB 1183 as introduced.)