

PROPOSED AMENDMENT

HB 1183 # 3

DIGEST

Enforcement. Amends provisions regarding the attorney general's enforcement powers for a transfer of agricultural land in violation of the law.

- 1 Page 3, delete lines 26 through 35, begin a new paragraph and
2 insert:
- 3 "SECTION 6. IC 32-22-3-6.5 IS ADDED TO THE INDIANA
4 CODE AS A NEW SECTION TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2024]: **Sec. 6.5. (a) Upon receipt of**
6 **information that leads the attorney general to believe an**
7 **acquisition or lease of agricultural land violates section 4.5 of this**
8 **chapter, the attorney general shall investigate the alleged violation**
9 **and may issue subpoenas requiring the:**
- 10 (1) appearance of witnesses;
11 (2) production of relevant records; and
12 (3) giving of relevant testimony.
- 13 (b) If the attorney general finds that agricultural land or an
14 interest in agricultural land was acquired in violation of section 4.5
15 of this chapter, the attorney general shall commence an action in
16 the circuit court where the agricultural land is located. Upon
17 commencing an action under this subsection, the attorney general
18 shall record a notice of the pendency of the action with the county
19 recorder.
- 20 (c) If the circuit court finds that agricultural land is held in
21 violation of this chapter, the circuit court must order that the
22 agricultural land be sold through judicial foreclosure. The
23 proceeds of the sale of agricultural land through judicial
24 foreclosure will be disbursed in the following order of priority:
- 25 (1) First, to any lien holders, in order of priority.
26 (2) Second, to the state, for the attorney general's costs and
27 expenses of the action, including reasonable attorney's fees

- 1 **and expert fees."**
- 2 Renumber all SECTIONS consecutively.
(Reference is to HB 1183 as introduced.)