

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 181

AN ACT to amend the Indiana Code concerning trade regulation.

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

SECTION 1. IC 24-1-2-5.1, AS ADDED BY P.L.135-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 5.1. **(a) The attorney general may bring an action on behalf of the state or a political subdivision (as defined in IC 34-6-2-110) for one (1) or more of the following, together with the costs and expenses of the suit, including reasonable attorney's fees and expert fees, in connection with a violation of this chapter:**

- (1) Appropriate injunctive or other equitable relief, including disgorgement of any gains derived from the violation.**
- (2) A civil penalty, as prescribed in subsection (c).**
- (3) Injuries or damages sustained directly or indirectly by the state or political subdivision as a result of a the violation. of this chapter.**

(b) The attorney general may bring an action in the name of the state as parens patriae on behalf of one (1) or more natural persons residing in Indiana for one (1) or more of the following, together with the costs and expenses of the suit, including reasonable attorney's fees and expert fees, in connection with a violation of this chapter:

- (1) Appropriate injunctive or other equitable relief, including disgorgement of any gains derived from the violation.**
- (2) A civil penalty, as prescribed in subsection (c).**

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(3) Injuries or damages sustained directly or indirectly by the one (1) or more natural persons as a result of the violation.

(c) In an action brought under subsection (a) or (b) after June 30, 2023, the attorney general may recover a civil penalty of not more than:

(1) one hundred thousand dollars (\$100,000) per violation from any natural person who violates this chapter; or

(2) one million dollars (\$1,000,000) from any other person (as defined in section 10 of this chapter), other than a natural person, that violates this chapter.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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