or

(2) have expired.

SECTION 12. IC 25-6.1-1-3 IS AMENDED TO READ AS FOLLOWS: Sec. 3. As used in this article:

"Auction" means a sale transaction conducted by means of oral or written exchanges between an auctioneer and the members of his audience, which exchanges consist of a series of invitations for offers for the purchase of goods or real estate made by the auctioneer and offers to purchase made by members of the audience and culminate in the acceptance by the auctioneer of the highest or most favorable offer made by a member of the participating audience.

"Auction company" means any person or persons who, as a part of its business, arranges, manages, sponsors, advertises, or carries out auctions.

"Auction house" means an established place of business including an auction barn, a sale barn, and a sale pavilion and its contiguous surroundings where two (2) or more auctions are held within any twelve (12) month period and where representations are regularly made that goods are sold at auction. Each day during which goods or real estate are being offered for sale at auction shall constitute one (1) auction. A sale barn or livestock auction market that is used exclusively for the auctioning of livestock and is licensed by the Indiana state board of animal health is not an auction house as defined herein.

"Auctioneer" means an individual who is engaged in, or who by advertising or otherwise holds himself out as being available to engage in, the calling for, the recognition of, and the acceptance of offers for the purchase of goods or real estate at an auction.

"Commission" means the Indiana auctioneer commission.

"Goods" means any goods, wares, chattels, merchandise, or other personal property, including domestic animals and farm products.

"Licensee" means any person licensed or issued a temporary permit under this article and, in the case of an auction house or auction company, includes the person required to obtain a license for such auction house or auction company.

"Organization" means a corporation, partnership, trust (specifically including a business trust), firm, association, or any other form of business enterprise which is owned by two (2) or more individuals.

"Person" means an organization or an individual.
"Real estate" means any right, title, or interest in real property including fixtures.

"Licensing agency" means the Indiana professional licensing agency established under IC 25-1-6.

SECTION 13. IC 25-6.1-3-2. AS AMENDED BY P.L.3-1990. SECTION 57. IS AMENDED TO READ AS FOLLOWS: Sec. 2. (a) Every individual, before acting as an auctioneer, must obtain a license from the commission.

(b) An applicant must be at least eighteen (18) years of age and must not have a conviction for:

(1) an act which would constitute a ground for disciplinary sanction under IC 25-1-1-1; IC 25-1-10; or

(2) a felony that has a direct bearing on the applicant's ability to practice competently.

(c) An individual seeking an initial license as an auctioneer under this article shall file with the commission a completed application on the form prescribed by the commission.

When filing an initial application for an auctioneer license, each individual shall:

(1) pay a nonrefundable examination fee of thirty-five dollars ($35);

(2) pay a surcharge under IC 25-6.1-8 for deposit in the auctioneer recovery fund; and

(3) provide the statements of two (2) individuals, not related to the applicant or to each other, who are residents of Indiana, recommending that the applicant be licensed as an auctioneer.

(d) When filing an application for a renewal of an auctioneer license, each individual shall:

(1) file with the commission a completed application on the form prescribed by the commission; and

(2) pay the license fee prescribed by section 5 of this chapter.

(e) Upon the receipt of a completed application for an initial or a renewal license, the commission shall examine the application and verify the information contained therein.

(f) An applicant who is seeking an initial license must pass an examination prepared and administered by the commission. The commission shall hold examinations as the commission may prescribe. The examination for an auctioneer's license shall include questions on the applicant's:

(1) ability to read and write;

(2) knowledge of the value of real estate and of various goods commonly sold at
an auction:

(3) ability to call bids;

(4) knowledge of sale preparation and proper sale advertising and sale summary;

(5) knowledge of mathematics; and

(6) knowledge of the provisions of this article and the commission's regulations.

(g) Any individual who fails to pass two (2) successive examinations administered by
the commission is not eligible to take another examination until the expiration of one
year from the date of the individual's most recent failure.

(h) The commission shall issue an auctioneer's license, in such form as it may
prescribe, to each individual who meets all of the requirements for licensing and pays
the appropriate fees.

(h) Auctioneer licenses shall be issued for a term of two (2) years. A license expires
at midnight, February 28 of the next even-numbered year following the year in which
the license is issued, unless renewed before that date. Renewal applications shall be filed
with the commission not later than January 15 of the year the license expires. If the
license has expired, it may be reinstated not more than one (1) year after the date it
expired upon the payment of the renewal fee plus the sum of twenty-five dollars ($25).

If the license has expired for a period of more than one (1) year, the person must file
an application and take the required examination. The holder of an expired license shall
cease to display the original wall certificate at the holder's place of business and shall
return the wall certificate to the commission upon notification by the commission of the
expiration of the holder's license.

(i) The commission may waive the requirement that a nonresident applicant pass
an examination and that the nonresident submit written statements by two (2)
individuals, if the nonresident applicant:

(1) is licensed to act as an auctioneer in the state of the applicant's domicile;

(2) submits with the application a duly certified letter of certification issued by the
licensing board of the applicant's domiciliary state; and

(3) is a resident of a state whose licensing requirements are substantially
equal to the requirements of Indiana;

(4) is a resident of a state that grants the same privileges to the licensees
of Indiana; and

(5) includes with the application an irrevocable consent that actions may be
commenced against the applicant. The consent shall stipulate that service of
process or pleadings on the commission shall be taken and held in all courts as
valid and binding as if service of process had been made upon the applicant
personally within this state. If any process or pleading mentioned in this
subsection is served upon the commission, it shall be by duplicate copies. One (1)
of the duplicate copies shall be filed in the office of the commission and one (1)
shall be immediately forwarded by the commission by registered or certified mail
to the applicant against whom the process or pleadings are directed.

(j) The commission may enter into a reciprocal agreement with another state
concerning nonresident applicants.

(k) The commission may, for good cause shown, upon the receipt of an application for
a license, issue a temporary permit for such reasonable period of time, not to exceed one
(1) year, as the commission deems appropriate. A temporary permit has the same effect
as a license and entitles and subjects the permittee to the same rights and obligations
as if he had obtained a license.

(l) An applicant for a temporary permit must do the following:

(1) File an examination application.

(2) Pass the examination at one (1) of the next two (2) regularly scheduled
examinations.

(m) An individual who does not pass the examination required under
subsection (l) may not be issued a temporary permit.

AMENDED TO READ AS FOLLOWS: Sec. 2. (a) If the total amount in the auctioneer
recovery fund (including principal and interest) is less than three hundred sixty
thousand dollars ($360,000) on June 30 in an odd-numbered year after the payment of
all claims and expenses, the auctioneer commission shall assess a surcharge according
to the following formula in order to maintain the fund at an approximate level of four
hundred thousand dollars ($400,000):

STEP ONE: Determine the amount remaining in the fund on June 30 of the
current year after all expenses and claims have been paid.
STEP TWO: Subtract the amount determined under STEP ONE from four
hundred thousand dollars ($400,000).
STEP THREE: Determine the number of licensees who had licenses in effect on
June 30 of the current year.
STEP FOUR: Divide the number determined under STEP TWO by the number
determined under STEP THREE.

(b) The auctioneer commission shall assess the surcharge described in subsection (a) against each licensee who:

1. receives an initial license; or
2. receives a renewal license; or
3. receives a temporary permit.

(c) The auctioneer commission shall assess the surcharge described in subsection (a) for the two (2) year period beginning on July 1 of the current year through June 30 of the next odd-numbered year.

(d) The surcharge assessed under this section is in addition to any other fee under this article.

SECTION 15. IC 25-7-1-1 IS AMENDED TO READ AS FOLLOWS: Sec. 1. A person may not:

1. practice barbering in this state without a certificate of registration as a registered barber, issued under this chapter by the board;
2. operate a school of barbering, unless it is at all times operated under the personal supervision and management of a registered barbering instructor;
3. operate a barber shop, unless it is at all times operated under the personal supervision and management of a registered barber;
4. employ, use, or allow a person to practice barbering in a barber shop who does not have a certificate of registration as a registered barber issued by the board under this chapter;
5. act or attempt to act as a barbering instructor without an Indiana certificate of registration as a registered barbering instructor issued by the board of barber examiners; or
6. employ or use barbering instructors as teachers in a barber school other than those barbering instructors registered under this chapter.

SECTION 16. IC 25-7-1-14 IS AMENDED TO READ AS FOLLOWS: Sec. 4. (a) No school of barbering shall be approved by the board unless it requires as a prerequisite to graduation a course of instruction of not less than one thousand five hundred (1,500) hours of training on the premises of an approved school for barbering. The course of instruction must include the following subjects:

1. Scientific fundamentals for barbering, hygiene, and bacteriology.
2. Histology of the hair, skin, muscles, and nerves.

HB 1768 DI 81 21 CC.No.05 1991
(3) Structure of the head, face, and neck.
(4) Elementary chemistry relating to sterilization and antiseptics.
(5) Diseases of the hair and glands, massaging, and manipulating of the muscles.
(6) Cutting, shaving, arranging, dressing, coloring, bleaching, and tinting of the
hair, which shall include at least ten (10) hours of study on skin and diseases of
the skin, under a certified dermatologist.
(b) The board shall issue, renew, or restore a barber school license upon payment of
the appropriate fee.
(c) A school of barbering shall report the total number of hours of instruction that a
student has received at the school to the board within seven (7) days of the date that
the school expels the student or the student discontinues the student's training at the
school.
(d) The board shall adopt rules under IC 4-22-2 that specify when a school may
conduct:
(1) classroom instruction; and
(2) sessions in which a student engages in the practice of barbering;
without the presence of a registered barbering instructor. The rules may set minimum
qualifications for a person who substitutes for an absent registered barbering instructor.
(e) The board may adopt a rule under IC 4-22-2 that prohibits a person from
engaging in the private practice of barbering during classroom or school hours when the
person is employed by the school as a registered barbering instructor.
SECTION 17. IC 25-7-1-5 IS AMENDED TO READ AS FOLLOWS: Sec. 5. (a) To
qualify for a certificate of registration to practice as a registered barber, an applicant
must:
(1) either:
(A) be at least eighteen (18) years of age; or
(B) be at least seventeen (17) years of age and be a graduate of an accredited
high school;
(2) not have been convicted of:
(A) an act which would constitute a ground for disciplinary sanction under
section 46-1 of this chapter; IC 25-1-10; or
(B) a felony that has a direct bearing on the applicant's ability to practice
competently;
(3) have graduated from an approved school of barbering with not less than one
a thousand five hundred (1,500) hours of training; and

have passed an examination provided by the board to determine the fitness to practice barbering with a score that is at least equal to the minimum passing score set by the board.

An applicant for a certificate of registration to practice as a registered barber who fails to pass the examination required by the board may, within ninety (90) days after the date of the examination, file a new application to take the examination and pay the required fee. If the applicant fails to apply within the ninety (90) day period, or fails to pass an examination, then the applicant shall not be permitted to file a new application until after completing two hundred fifty (250) additional hours of training in an approved school of barbering.

SECTION 18. IC 25-7-1-7 IS AMENDED TO READ AS FOLLOWS: Sec. 7. (a) Any person who:

(1) is at least eighteen (18) years of age;
(2) has not been convicted of:
   (A) an act which would constitute a ground for disciplinary action under section 16-1 of this chapter; IC 25-1-10; or
   (B) a felony that has a direct bearing on his ability to practice competently; and
(3) has a license or certificate of registration as a practicing barber from another state or country which:
   (A) has substantially the same requirements for licensing or registering barbers as are required by this chapter; and
   (B) grants the same privilege to the licensees of Indiana;
may be issued a barber certificate by the board without an examination upon payment of the required fee.

(b) If the jurisdiction issuing the license does not impose substantially equal requirements as required under subsection (a)(3)(A), the board may approve the combination of education hours plus actual licensed practice in the other jurisdiction when issuing a license to a person from that jurisdiction. One (1) year of licensed practice is equal to one hundred (100) hours of education to an applicant who has completed a minimum of one thousand (1,000) hours of education.

(c) The board by rule may require an applicant under subsection (a) to pass an examination to determine the applicant’s fitness to practice barbering.
SECTION 19. IC 25-7-1-8 IS AMENDED TO READ AS FOLLOWS: Sec. 8. Any
person who desires to practice barbering shall:

1. file with the secretary of the board:
   A. a written application, under oath, on a form prescribed by the board;
   B. two (2) five (5) inch by three (3) inch signed photographs of the applicant;
   and
   C. a statement that the applicant has not been convicted of:
      (i) an act which would constitute a ground for disciplinary action under
      section 16-1 of this chapter, IC 25-1-10; or
      (ii) a felony that has a direct bearing on his ability to practice competently;
      and
   (2) furnish the board with a certificate from an Indiana licensed physician selected
from a list of physicians of the county of the applicant, furnished by the board
showing:
      (A) that the applicant is free from any contagious, infectious, or communicable
disease; and
      (B) including the results of tubercular and Wasserman tests.

The certificate required by subdivision (2) must be dated less than thirty (30) days prior
to the date that the applicant is examined under section 9 of this chapter.

SECTION 20. IC 25-7-1-13 IS AMENDED TO READ AS FOLLOWS: Sec. 13. (a)
All licenses issued or renewed by the board under this chapter other than barber
school licenses shall be valid for a four (4) year period unless the license is revoked
or suspended by action of the board. The board may:

1. collect fees annually for all licenses; or
2. collect fees for four (4) years in advance at the annual fee rate, but stagger the
   renewal schedule of all holders of licenses so that approximately one-fourth (1/4)
   will be subject to renewal each year.

(b) The board shall charge and collect the following fees:

1. For the examination of an applicant for a certificate to practice as a barber, not
   less than thirty dollars ($30) but not more than fifty dollars ($50).
2. For issuance of the certificates to resident and nonresident applicants, ten
dollars ($10) per annum.
3. For renewal of the certificate to practice as a barber, ten dollars ($10) per
   annum.
(4) For restoration of an expired barber certificate, **fifty ten dollars ($50)** plus all unpaid renewal fees if payment is made not more than thirty (30) days after expiration of the certificate to practice as a barber.

(5) For restoration of an expired barber certificate, **fifty dollars ($50)** plus all unpaid renewal fees if payment is made after thirty (30) days and less than one hundred eighty-one (181) days after expiration of the certificate to practice as a barber.

(6) For restoration of an expired barber certificate, **one hundred dollars ($100)** plus all unpaid renewal fees if payment is made at least one hundred eighty-one (181) days after expiration of the certificate to practice as a barber.

(1) A duplicate certificate or permit shall be issued upon:

1. The filing of a statement covering the loss of a certificate, verified by the oath of the applicant;
2. The submitting of one (1) signed photograph; and
3. The payment of a fee of ten dollars ($10).

Each duplicate certificate must have the word "Duplicate" stamped across the face of the certificate and bear the same number as the certificate that it was issued to replace.

(1) The board shall issue a quadrennial license for the operation of each barber shop in Indiana and shall collect from the proprietor or operator of the barber shop a license fee of forty dollars ($40) payable in advance. For restoration of an expired shop license the board shall collect:

1. **Ten dollars ($10) plus all unpaid renewal fees** if payment is made thirty (30) days or less after receipt of written notice from the board of expiration of the license;
2. **Fifty dollars ($50) plus all unpaid renewal fees** if payment is made more than thirty (30) days and less than one hundred eighty-one (181) days after receipt of written notice from the board of expiration of the license; or
3. **One hundred dollars ($100) plus all unpaid renewal fees** if payment is made one hundred eighty-one (181) days or more and less than one hundred ninety-two (192) days after receipt of written notice from the board of expiration of the license.

A shop license may not be restored one hundred ninety-two (192) days or more after
receipt of written notice from the board of expiration of the license. However, the
barber shop may obtain a new license by making application, meeting the
requirements for licensure, and paying a fee of one hundred forty dollars ($140).

Before issuing an initial shop license to any applicant not previously licensed to
operate a barber shop at the location described in his application, the board shall have
the proposed shop, its location, and surroundings inspected to determine that all
sanitary practices and rules of the board have been observed.

The quadrennial barber shop licenses may be revoked or suspended by order of the
board, subject to section 17 of this chapter for any violations of the Indiana barber law.

The board shall collect the following:

1. From every applicant for barbering instructor, a fee of fifty dollars ($50) before
   allowing the applicant to take the examination required by this chapter.

2. For the renewal of the certificate to practice as a barbering instructor, twenty
dollars ($20) per annum.

3. For restoration of an expired barbering instructor certificate, seventy-five
dollars ($75) plus all unpaid renewal fees.

4. For issuance or renewal of a barber school license, one hundred fifty dollars
   ($150) per annum.

5. For restoration of an expired barber school license:
   (A) three hundred dollars ($300) plus all unpaid renewal fees if payment is
   made thirty (30) days or less after receipt of written notice from the board of
   expiration of the license;
   (B) four hundred fifty dollars ($450) plus all unpaid renewal fees if payment
   is made more than thirty (30) days and less than one hundred eighty-one (181)
days after receipt of written notice from the board of expiration of the license;
   or
   (C) five hundred dollars ($500) plus all unpaid renewal fees if payment is
   made one hundred eighty-one (181) days or more, and less than one hundred
   ninety-two (192) days, after receipt of written notice from the board of
   expiration of the license.

A barber school license may not be restored one hundred ninety-two (192) days or more
after receipt of written notice from the board of expiration of the license. However, the
barber school may obtain a new license by making application, meeting the
requirements for licensure, and paying a fee of four hundred dollars ($400).
(g) All license holders under this chapter article must inform the board by mail of any address change within thirty (30) days of the date of the change.

(h) Barber school licenses issued or renewed by the board under this article are valid for two (2) years.

SECTION 21. IC 25-7-1-14 IS AMENDED TO READ AS FOLLOWS: Sec. 14. (a) Every registered barber and every registered barbering instructor who continues in active practice or service shall, every four (4) years on or before the first day of September 1 of the fourth year of the license, renew his certificate of registration and pay the required fee.

(b) Every certificate of registration which has not been renewed in any year shall expire on the first day of September in that year.

(c) An expired barber certificate of registration may be restored by payment of the restoration fee plus all unpaid renewal fees within five (5) years of the expiration date of the certificate of registration. After five (5) years from the date that a registered barber's registration expires under this section, the person whose registration has expired may restore the registration only by:

(1) applying for its restoration;

(2) paying the fee set under section 13 of this chapter; and

(3) taking the same examination required under section 5 of this chapter for an applicant for a certificate of registration to practice as a registered barber.

(d) Each licensed barber shop shall, every four (4) years before September 2 of the fourth year of the license, renew the barber shop's license and pay the required fee.

(e) Each licensed barber school shall, every two (2) years before July 2 of the second year of the license, renew the barber school's license and pay the required fee.

SECTION 22. IC 25-7-1-24 IS AMENDED TO READ AS FOLLOWS: Sec. 24. (a) Each member of the board shall receive a salary per diem for each day actually employed in the discharge of his official duties, and his necessary expenses incurred therein. All reimbursements for travel expenses shall be made in accordance with travel policies and procedures established by the Indiana department of administration and the state budget agency.

(b) The licensing agency shall provide sufficient registered barber deputies, all of whom have been engaged in the active practice of barbering for at least one (1) year.
inspectors or licensing agency staff to carry out the provisions of this chapter!
However: All such deputies inspectors shall work under the direct supervision of the
board agency.

SECTION 23. IC 25-7-1-26 IS AMENDED TO READ AS FOLLOWS: Sec. 26. (a)
Each of the following is unlawful:

- (1) For any barber knowingly to continue the practice of barbering, or for any
  student knowingly to continue as a student in any school of barbering, while the
  person has an infectious, contagious, or communicable disease.

- (2) To own, manage, operate, or control any barber shop or school of barbering,
  unless continuously hot and cold running water is provided in the shop or school.

- (3) To own, manage, operate, or control any barber school or college, part or
  portion thereof, whether connected therewith or in a separate building, wherein
  the practice of barbering is engaged in or carried on unless all entrances to the
  place wherein the practice of barbering is so engaged in or carried on shall display
  a sign indicating that the work therein is done by students exclusively.

- (4) To own, manage, control, or operate any barber shop unless the shop
  displays a recognizable sign indicating that it is a barber shop, which sign shall be
  clearly visible at the main entrance to the shop.

- (5) To use a towel that is used on one (1) patron, on another patron unless the
  same has been relaundered.

- (6) Not to provide the headrest on each chair with a relaundered towel or a
  sheet of clean paper for each patron.

- (7) Not to place around the patron's neck a strip of cotton, towel, or neck
  band so that the hair-cloth does not come in contact with the neck or skin of the patron's
  body.

- (8) To use in the practice of barbering any styptic pencils, finger bowls,
  sponges, lump alum, or powder puffs. Possession of a styptic pencil, finger bowl,
  sponge, lump alum, or powder puff in a barber shop is prima facie evidence that
  the same is being used therein in the practice of barbering.

- (9) To use on any patron any razors, scissors, tweezers, combs, rubber discs,
  or parts of vibrators used on another person, unless the same be kept in a closed
  compartment and immersed in boiling water or in a solution of two percent (2%)
  carbolic acid, or its equivalent, for at least twenty (20) minutes before use upon
each client or customer.

(b) The state board of barber examiners may adopt other rules under IC 4-22-2, including other sanitary requirements, to supplement the standards in this section or to carry out this chapter.

c) Nothing in this section prohibits a person that:

1) is licensed under this article; and

2) is solicited through a barber shop licensed under this article to deliver barbering services to an individual:

from providing barbering services to the individual in the place where the individual resides or is confined.

SECTION 24. IC 25-7-2-2 IS AMENDED TO READ AS FOLLOWS: Sec. 2. For violation of this chapter or of any rule issued under this chapter, the board may decline to grant a barber's license or may suspend or revoke the license or certificate of registration.

Beginning on page 1, line 1, renumber SECTIONS 1 through 40 as SECTIONS 25 through 64.

Page 14, between lines 41 and 42, begin a new paragraph and insert the following:

"SECTION 65. IC 25-8-14-1 IS AMENDED TO READ AS FOLLOWS: Sec. 1. The board may under IC 4-21.5:

1) refuse to issue, renew, or restore a license issued under this article; or

2) suspend or revoke a license issued under this article; if it determines that the applicant or license holder has not complied with section 2 of this chapter. IC 25-1-10.

Page 14, line 42, renumber SECTION 41 as SECTION 66.

Page 15, line 7, before "contagious" insert in bold "a".

Page 15, line 8, before "communicable" insert in bold "a".

Page 15, between lines 8 and 9, begin a new paragraph and insert the following:

"SECTION 67. IC 25-9-1-22.5 IS AMENDED TO READ AS FOLLOWS: Sec. 22.5. Every person, club, corporation, or association holding or showing any boxing, sparring, or wrestling matches on a closed circuit telecast or subscription television viewed within this state, whether originating within this state or another state, and including paid per view cable telecasts, shall furnish the Indiana professional licensing agency (IC 25-1-6) a written report, under oath, stating the exact number of tickets or subscriptions sold for such showing and the amount of gross proceeds thereof. and

HB 1768 DI 81 29 CC.No.05'1991
such other matter as the commission may prescribe. and shall, within twenty-four (24) seventy-two (72) hours after the showing of said contest, pay to the state treasury a tax of ten percent (10%) of its total gross receipts from the sale of tickets or subscriptions for the showing of said boxing, sparring, or wrestling match. Money derived from such state tax shall be placed in the general fund of the state.

SECTION 68. IC 25-15-8-1 IS AMENDED TO READ AS FOLLOWS: Sec. 1. A licensee that:

1. promotes or participates in a scheme or plan in the nature of a burial association, burial certificate plan, or burial membership plan;
2. offers an individual has died, personally or through an agent solicits, makes, or offers to make a direct or indirect payment of a commission for the purpose of securing the individual's human remains;
3. fails to promptly surrender possession of human remains after receiving a demand from the person legally entitled to custody of the human remains;
4. transports or disposes of human remains without a permit required by law;
5. takes possession of human remains without authorization from the person legally entitled to custody of the human remains;
6. makes a misleading claim concerning the protective qualities of a casket, alternative container, or outer burial container; or
7. shows a casket, alternative container, or outer burial container to a consumer if the casket, alternative container, or outer burial container does not have a conspicuously displayed card or brochure that lists the price of the casket, alternative container, or outer burial container and briefly describes the casket, alternative container, or outer burial container:

may be disciplined under section 44 of this chapter: IC 25-1-10.

SECTION 69. IC 25-15-8-1.5 IS AMENDED TO READ AS FOLLOWS: Sec. 1.5. The board may discipline a licensee under section 44 of this chapter IC 25-1-10 if that licensee displays to the public credentials issued by the board that:

1. have been revoked by the board; or
2. have expired.

SECTION 70. IC 25-15-8-2 IS AMENDED TO READ AS FOLLOWS: Sec. 2. A funeral home licensee who:

1. operates a funeral home in the same location as another funeral home licensee;
2. operates a funeral home at any location without a separate funeral home...
license for that location:
(3) operates a funeral home without a manager who:
   A: has a funeral director license; and
   B: has filed an affidavit with the board acknowledging that the individual is
      the manager of the funeral home:
(4) operates a funeral home without having a funeral director either perform or
directly supervise each act of funeral service performed for the funeral home:
(5) fails to conspicuously display the certificate of licensure issued to the funeral
home licensee and the certificate of licensure or a duplicate original of the
certificate of licensure issued to the funeral director managing the funeral home
in a public area of the funeral home:
(6) fails to annually report to the board:
   (A) if the licensee is an individual, the name of the funeral home and principal
       address of residence of the funeral home licensee;
   (B) the location of the funeral home;
   (C) if the licensee is not an individual, the names and principal addresses of
       residences of the directors or other executive officers of the funeral home
       licensee;
   (D) the name of the manager in charge of the funeral home;
   (E) the name and principal address of residence of each practitioner that has
       engaged in the practice of funeral services for the funeral home in the preceding
       twelve (12) months and the period of time during which the practitioner worked
       for the funeral home; and
   (F) any other information required by the board:
(7) uses or knowingly cooperates in the use of fraud or material deception to obtain
a license to practice funeral service or operate a funeral home:
(8) engages in fraud or material deception in the course of operating a funeral
home or delivering funeral goods or funeral services to a consumer:
(9) advertises funeral services or funeral goods in a false or misleading manner:
(10) is convicted of a crime that has a direct bearing on the licensee's ability to
operate a funeral home competently:
(11) allows the licensee's name or license issued under this article to be used in
connection with any individual who is not trained, experienced, or competent in the
practice of funeral service: or
(12) knowingly violates any rule of construction, equipping, or operation for funeral homes adopted by the board under IC 25-15-3-7; may be disciplined under section 44 of this chapter. IC 25-1-10.

SECTION 71. IC 25-15-8-4 IS AMENDED TO READ AS FOLLOWS: Sec. 4. A practitioner who, when selling or offering to sell funeral goods or funeral services to a consumer, fails to:

(1) act compassionately;
(2) disclose prices related to arranging a funeral;
(3) answer questions, including telephone inquiries, accurately and to the reasonable satisfaction of the inquiring person;
(4) disclose that embalming human remains is not always required by law but may be desirable if viewing or visitation precedes disposition;
(5) explain which outer burial containers meet cemetery requirements, if any;
(6) explain requirements, including cremation requirements, for caskets and other alternative containers; or
(7) disclose whether the cash advance price of each:
   (A) funeral goods or funeral service described by the practitioner as "cash advance", "accommodation", or "cash disbursement", or a similar term; and
   (B) goods or service obtained from a third party and paid on behalf of the consumer by the funeral home licensee for which the practitioner is an agent;

is equal to the cost of the item to the funeral home selling it; may be disciplined under section 44 of this chapter. IC 25-1-10.

SECTION 72. IC 25-15-8-5 IS AMENDED TO READ AS FOLLOWS: Sec. 5. (a) This section does not apply to a practitioner acting as an exempted person. (b) A practitioner who, when selling funeral goods or services to a consumer, fails to give the consumer a written statement signed on behalf of a funeral home licensee by a funeral director that includes:

1. an itemized description of each funeral goods and funeral service for which the consumer has contracted and either the price of each item or the package price for all of the items:
2. an itemized description of any supplemental goods and services that the consumer has the option to purchase from the funeral home licensee and the price for each item:
3. an indication of the contract items on which the funeral home licensee is
advancing credit and the amount of the credit being advanced:

1. the total cost to the consumer of the contract items; and
2. a description of the method of payment agreed upon:

may be disciplined under section 44 of this chapter, IC 25-1-10.

SECTION 73. IC 25-15-8-6 IS AMENDED TO READ AS FOLLOWS: Sec. 6. (a)

This section does not apply to a practitioner who is acting as an exempted person or an embalmer.

(b) A practitioner who engages in the practice of funeral service may be disciplined under section 44 of this chapter, IC 25-1-10 if the practitioner:

1. does not act as the agent of one (1) or more funeral home licensees:
2. fails to register with the board in which funeral homes the practitioner is performing services and for which funeral home licensees the practitioner is an agent; or
3. fails to notify the board to cancel a registration described in subdivision (2), if the practitioner ceases to perform services in a funeral home or for a funeral home licensee.

SECTION 74. IC 25-15-8-7 IS AMENDED TO READ AS FOLLOWS: Sec. 7. A practitioner who fails to notify the board of a change in the practitioner's name or principal address of residence within thirty (30) days after the change may be disciplined under section 44 of this chapter, IC 25-1-10.

SECTION 75. IC 25-15-8-8 IS AMENDED TO READ AS FOLLOWS: Sec. 8. (a)

This section does not apply to a funeral director intern who is acting as an exempted person.

(b) A funeral director intern who engages in the practice of funeral service without the direct supervision of a funeral director may be disciplined under section 44 of this chapter, IC 25-1-10.

SECTION 76. IC 25-15-8-9 IS AMENDED TO READ AS FOLLOWS: Sec. 9. (a)

This section does not apply to an embalmer who is acting as an exempted person.

(b) An embalmer who performs any funeral service other than embalming may be disciplined under section 44 of this chapter, IC 25-1-10.

SECTION 77. IC 25-15-8-10 IS AMENDED TO READ AS FOLLOWS: Sec. 10. (a)

This section does not apply to a funeral director who is acting as an exempted person.

(b) A funeral director who:

1. is qualified to engage in the practice of funeral service only under
IC 25-15-4-3(d) and not under IC 25-15-4-3(b) or IC 25-15-4-3(c); and

(2) engages in embalming;

may be disciplined under section 14 of this chapter: IC 25-1-10.

SECTION 78. IC 25-15-8-11 IS AMENDED TO READ AS FOLLOWS: Sec. 11. A funeral director who:

(1) manages a funeral home without filing an affidavit with the board acknowledging that the funeral director is the manager of the funeral home; or

(2) fails to file an affidavit with the board indicating that the funeral director is no longer the manager of a funeral home when the funeral director ceases to manage the funeral home;

may be disciplined under section 14 of this chapter: IC 25-1-10.

SECTION 79. IC 25-15-8-12 IS AMENDED TO READ AS FOLLOWS: Sec. 12. A funeral director who has an affidavit on file with the board indicating that the individual is the manager of a funeral home and no affidavit on file with the board indicating that the individual has ceased to be its manager may be disciplined under section 14 of this chapter IC 25-1-10 if:

(1) the funeral home that the funeral director is registered to manage commits a violation under section 1 or 2 of this chapter, other than section 2(3) of this chapter; or

(2) a practitioner acting as an agent of the funeral home that the funeral director is registered to manage commits a violation under sections 3 through 11 of this chapter.

SECTION 80. IC 25-28.5-1-13. AS AMENDED BY P.L.143-1990. SECTION 4. IS AMENDED TO READ AS FOLLOWS: Sec. 13. (a) A person wishing to be licensed as a plumbing contractor or journeyman plumber must file with the commission a written application, on a form provided by the commission, that contains information the commission considers necessary to determine the qualifications of the applicant.

(b) All members of a firm, copartnership, or association who engage in the activities defined in this chapter as those of a plumbing contractor must be individually licensed as a plumbing contractor. In the case of a limited partnership, only the general partner must be licensed under this chapter.

(c) In the case of a corporation engaged in the business of a plumbing contractor, the corporation must be licensed as a plumbing contractor and must file with the commission an application as provided for in this chapter. A corporation may not be
licensed as a plumbing contractor unless one (1) of the officers or employees of the
corporation holds a valid license as a plumbing contractor issued by the commission.
Where a license is issued to a corporation, at least one (1) officer or employee of the
corporation must be:

(1) licensed as a plumbing contractor;
(2) designated in the application; and
(3) named in the license.

(d) An officer or employee of a corporation desiring to act as a plumbing contractor
in connection with the business of the corporation must take out a separate plumbing
contractor's license in the officer's or employee's own name.

(e) An application must be signed by the applicant, or the applicant's duly authorized
officer or officers. The applicant must make a statement that the applicant has not been
convicted of:

(1) an act that would constitute a ground for disciplinary sanction under section
   27-4 of this chapter; IC 25-1-10; or
(2) a felony that has a direct bearing on the applicant's ability to practice
   competently.

(f) A business that provides plumbing services and is required to file a certificate of
assumed business name under IC 23-15-1 must register the name, address, and
telephone number of the business with the commission.

SECTION 81. IC 25-28.5-1-27 IS AMENDED TO READ AS FOLLOWS: Sec. 27.
Subject to IC 25-1-7, the commission may, upon its own motion and shall, upon the
verified complaint in writing of any person setting forth specifically the wrongful act or
acts complained of, investigate any action or business transaction of any licensee in
accordance with section 27-4 of this chapter; IC 25-1-10. Approval by a majority of all
members of the commission shall be required for any action to be taken.

AMENDED TO READ AS FOLLOWS: Sec. 31. (a) A person who acts or advertises as
a plumbing contractor or journeyman plumber without first obtaining a license from the
commission or who continues to act as a plumbing contractor or journeyman plumber
after the person's license has been suspended, revoked, or otherwise restricted under
section 27-4 of this chapter IC 25-1-10 commits a Class A misdemeanor.

(b) A person who fails to renew the person's license and continues to act as a
plumbing contractor or journeyman plumber after the license has expired commits a
Class B misdemeanor.

(c) It is unlawful for a plumbing contractor to fail to include one (1) of the following names on written or printed advertising for plumbing services and on vehicles that are used to provide plumbing services:

1. The plumbing contractor's name.
2. The name of the business with which the plumbing contractor is associated.

SECTION 83. IC 25-28.5-2-4 IS AMENDED TO READ AS FOLLOWS: Sec. 4. (a) If any aggrieved person obtains a final judgment in any court against any plumbing contractor to recover damages for a violation of IC 25-28.5-1-27.1 under IC 25-1-10 or the plumbing codes of the state (with or without a finding by the plumbing commission) that results in an actual cash loss to the aggrieved person, the person may, upon termination of all proceedings, including appeals and proceedings supplemental to judgment for collection purposes, file a verified application in the court in which the judgment was entered for an order directing payment out of the plumbers recovery fund of the amount of actual and direct loss in the transaction that remains unpaid upon the judgment. The amount of actual and direct loss may include court costs but may not include attorney's fees or punitive damages awarded. The amount that may be paid from the plumbers recovery fund may not exceed twenty thousand dollars ($20,000) per judgment and an aggregate lifetime limit of fifty thousand dollars ($50,000) with respect to any one (1) licensee.

(b) This section applies only to a final judgment that awards damages for an act by the plumbing contractor described in subsection (a) that arises directly out of any transaction:

1. that occurred when the plumbing contractor was licensed;
2. for which a license was required under IC 25-28.5; and
3. that occurred after December 31, 1987.

SECTION 84. IC 25-28.5-2-7 IS AMENDED TO READ AS FOLLOWS: Sec. 7. An order for payment from the plumbers recovery fund may not be issued unless the action to recover from the plumbers recovery fund was commenced within two (2) years after the termination of all proceedings against the plumbing contractor for a violation of IC 25-28.5-1-27.1 under IC 25-1-10 or the plumbing codes of the state, including appeals and proceedings supplemental to judgment. When any person commences an action for a judgment that may result in an order for payment from the fund, the plumbing contractor against whom the action has been taken shall notify the

HB 1768 DI 81

CC.No.05-1991
commission in writing of the commencement of the action.

SECTION 85. IC 25-28.5-2-8 IS AMENDED TO READ AS FOLLOWS: Sec. 8. When any person files an application for an order directing payment from the plumbers recovery fund, the commission shall be made a party defendant to the proceedings. The court shall conduct a hearing on the application, and it may issue an order directing payment out of the plumbers recovery fund, as provided in section 9 of this chapter, subject to the limitation of section 4 of this chapter, if the court finds:

(1) that there is no collusion between the judgment creditor and the judgment debtor;
(2) that the judgment creditor is making application not more than one (1) year after the termination of all proceedings in connection with the judgment, including appeals and proceedings supplemental to judgment for collection purposes;
(3) that the judgment creditor has caused to be issued a writ of execution on the judgment and the officer executing the writ has made a return showing that no personal or real property of the judgment debtor liable to be levied upon in satisfaction of the judgment could be found or that the amount realized on the sale under the execution was insufficient to satisfy the judgment;
(4) that the judgment creditor has diligently pursued the creditor’s remedies against all the judgment debtors and all other persons liable to the creditor in the transaction for which the creditor seeks recovery from the plumbers recovery fund;
(5) that the violation of IC 25-28.5-27.1 under IC 25-1-10 or the plumbing codes of the state arose directly out of a transaction that occurred when the judgment debtor was licensed and acted in a capacity for which a license is required under this article and that the transaction occurred after December 31, 1987; and
(6) that, in the event of a default judgment or a judgment entered upon stipulation of the parties, the judgment debtor’s acts constituted a violation of IC 25-28.5-27.1 under IC 25-1-10 or the plumbing codes of the state.

SECTION 86. IC 25-30-1-2. AS AMENDED BY P.L.234-1989, SECTION 5. IS AMENDED TO READ AS FOLLOWS: Sec. 2. As used in this chapter:

(1) "Person" means an individual, firm, company, association, organization, partnership, or corporation.
(2) "Licensee" means a person licensed under this chapter.
(3) "Private detective" means a person who conducts a private detective business with or without the assistance of an employee.

(4) "Private detective business" means the business of:

- making, for hire or reward, investigation or investigations for the purpose of obtaining information with reference to:
  - (i) a crime against the state or wrongs done or threatened;
  - (ii) the habits, conduct, movements, whereabouts, association, transactions, reputation, or character of a person;
  - (iii) credibility of witnesses or other persons;
  - (iv) the location or recovery of lost or stolen property;
  - (v) the causes, origin, or responsibility for fires or accidents or injuries to real or personal property; or
  - (vi) the truth or falsity of a statement or representation;

(B) securing, for hire or reward, evidence to be used for authorized investigation committees or boards of award or arbitration or in the trial of civil or criminal cases; or

(C) furnishing, for hire or reward, a guard or guards or other persons to protect persons or property or to prevent the misappropriation or concealment of goods, wares and merchandise, money, bonds, stocks, choses in action, notes, or other valuable documents or papers.

(5) "Industrial plant" means a factory, business, or concern that is engaged primarily in the manufacture or assembly of goods or the processing of raw materials, or both.

(6) "Board" refers to the private detectives licensing board established under section 5.1 of this chapter.

(7) "Licensing agency" refers to the professional licensing agency established under IC 25-1-6.

(8) "Resident" means a person who has established an actual domicile in Indiana for a period of not less than one (1) year.

SECTION 87. IC 25-30-1-5.3. AS ADDED BY P.L.234-1989. SECTION 9. IS AMENDED TO READ AS FOLLOWS: Sec. 5.3. The board shall, at its first meeting of each year, elect a president and a vice president from among its membership by a majority vote of all the members of the board.

HB 1768 DI 81

38

CC.No.05 1991
AMENDED TO READ AS FOLLOWS: Sec. 8. (a) Before the application for a license is
granted the applicant must meet all of the following:
1. Be at least twenty-one (21) years of age.
2. Be a resident of Indiana for at least one (1) year, except for firms, partnerships, or corporations that are licensed in another state and who otherwise comply with this chapter.
3. Have:
   A) experience in private detective work under a licensee, or its equivalent:
   B) law enforcement experience:
   C) a degree in criminal justice: or
   D) any other experience relevant to the private detective business:
as determined by the board.
(b) If the applicant is a corporation or a partnership. the officers. one (1) officer, in
case of a corporation. or the individual partners. one (1) partner, in case of a partnership. must meet the personal qualifications as set out in subsection (a), unless otherwise provided.
(c) After a hearing. The board may deny a license unless the applicant makes a showing satisfactory to the board that the applicant has not, or if a partnership or corporation, that its officers. directors. employees or members. have the officer or partner in subsection (b) has not:
   (1) committed an act, which, if committed by a licensee would be ground for the suspension or revocation of a license under this chapter;
   (2) been convicted of a:
      A) felony: or
      B) a misdemeanor that has a direct bearing upon the applicant's ability to practice competently;
   (3) been refused a license under this chapter or had a license revoked: or
   (4) while unlicensed, committed. or aided and abetted commission of an act for which a license is required by this chapter.

SECTION 89. IC 25-30-1-10. AS AMENDED BY P.L.234-1989, SECTION 15. IS
AMENDED TO READ AS FOLLOWS: Sec. 10. (a) A license, when issued, shall be in
a form determined by the board and shall include the following:
1. The name of the licensee, or the names of the individual partners if the licensee
is a partnership, or the names of the officers and directors of the corporation if the
licensee is a corporation.
2. The name under which the licensee is to operate.
3. The number and date of the license.
4. Other information the board deems necessary.
(b) The license shall be posted in a conspicuous place in the principal place of business
of the licensee.
(c) Upon the issuance of a license, a pocket card of a design determined by the board
shall be issued without charge to each licensee other than a corporation. Whenever the
licensee is a corporation or partnership, the pocket card shall be issued to each
officer, partner, and manager of the corporation or partnership who also meet
the requirements under section 8 of this chapter. Each individual who is issued
a pocket card under this subsection the licensee shall affix furnish the board with
an appropriate picture for to the identification pocket card, and in addition to the
picture the pocket card shall also contain a fingerprint of the forefinger of the licensee.
When a license is revoked, the pocket card shall be surrendered and, within
five (5) days after revocation, shall be mailed or delivered by the licensee to the board
for cancellation.
(d) A licensee The board shall furnish each of the licensee's employees, except office
employees, with an identification card. The identification card shall contain a recent
picture of the employee, the employee's name and address, the license number of the
employee's employer, and a thumbprint of the employee. The licensee shall affix
each employee's picture and thumbprint to the identification card.
(e) A licensee shall, within thirty (30) days after a change, notify the board of any
changes of the licensee's address, of the name under which the licensee does business.
and of a change of the licensee's officers, directors, members, or partners.
(f) A license issued under this chapter is not assignable and is personal to the licensee.

SECTION 90, IC 25-30-1-11, AS AMENDED BY P.L.234-1989, SECTION 16. IS
AMENDED TO READ AS FOLLOWS: Sec. 11. (a) A licensee may employ, to assist
the licensee in the licensee's business as a private detective, as many unlicensed
persons as may be necessary. The licensee is civilly responsible for the good conduct of
an employee while the employee is acting on behalf of the licensee.
(b) A licensee shall maintain a record, relative to the licensee's employees, containing
the following information:
(1) A picture taken within thirty (30) days of the date that the employee commences employment with the licensee.

(2) A full set of fingerprints of both hands of the employee.

(c) A duplicate set of fingerprints must be filed with the board but instead of the employee's name the licensee shall assign a code number to the employee and that number must appear on the set of fingerprints filed with the board, and the set maintained by the licensee must include the employee's name and the number to correspond with the set in the board records. The set of fingerprints maintained in the record of the licensee must contain the correct name and number of the employee whose fingerprints are printed on the cards before an identification card is issued.

SECTION 91. IC 25-30-1-14, AS AMENDED BY P.L.234-1989. SECTION 18. IS AMENDED TO READ AS FOLLOWS: Sec. 14. (a) It shall be unlawful for a person agency, or corporation licensed by any other state to do business in Indiana unless the person agency, or corporation is authorized to do business in Indiana. A corporation person may not do business in Indiana until the corporation person is licensed with the board and meets the requirements for licensees of this state, except the residence requirement of one (1) year. In addition, an out-of-state licensee person must prove to the board that the licensee person is in good standing in the state the licensee person was issued a license.

(b) A person licensed under this section must have a resident licensee:

(1) whose name and license number appear on the license for the private detective business; and

(2) who, in writing to the board, assumes full responsibility for the following:

(A) All the employees of the private detective business.

(B) Maintaining all records required under this chapter in an Indiana location.

(C) Assuring compliance with this chapter.

(c) The resident licensee is responsible for informing the board, in writing, of the following:

(1) When the relationship with an out-of-state licensee is terminated.

(2) The location of the records maintained by the resident licensee.

(d) This section does not relieve a licensee of responsibility for complying with this chapter.
SECTION 92, IC 25-30-1-15. AS AMENDED BY P.L.234-1989. SECTION 19, IS AMENDED TO READ AS FOLLOWS: Sec. 15. (a) A license may not be issued under this chapter to An applicant for a private detective license who employs more than fourteen (14) others unless the applicant does both of the following:

1. Submit proof to the board that the applicant is insured by an insurance company authorized to do business in Indiana for the amount of one hundred thousand dollars ($100,000) liability per occurrence.

2. Posts with the board a surety bond that:
   (A) names the applicant as the principal;
   (B) obligates the surety in the amount of seven thousand dollars ($7,000) to the board in favor of the state;
   (C) requires the principal, if granted a license, to conduct the business of private detective faithfully and honestly and to observe all Indiana statutes; and
   (D) authorizes the board to declare the bond in default and to levy against the surety and the principal under the bond for the payment of actual damages to any person who is harmed as a result of the principal's violation of the requirements described in clause (C).

(b) A license may not be issued under this chapter to An applicant for a private detective license who employs less than fifteen (15) others unless the applicant posts must do one (1) of the following:

1. (A) Post with the board a surety bond that:
   (B) obligates the surety in the amount of seven thousand dollars ($7,000) to the board in favor of the state;
   (C) requires the principal, if granted a license, to conduct the business of private detective faithfully and honestly and to observe all Indiana statutes; and
   (D) authorizes the board to declare the bond in default and to levy against the surety and the principal under the bond for the payment of actual damages to any person who is harmed as a result of the principal's violation of the requirements described in subsection (a), clause (C).

2. Submit proof to the board that the applicant is insured by an insurance company authorized to do business in Indiana for the amount of one
hundred thousand dollars ($100,000) per liability occurrence.

(c) The insurance referred to in subsections (a) and (b)(2):

(1) must cover damages that the insured becomes legally obligated to pay for bodily injury or property damage proximately caused to a person by the insured in conducting business as a private detective;

(2) must include coverage for:

(A) false arrest, detention, or imprisonment;

(B) malicious prosecution; and

(C) wrongful entry or eviction, or other invasion of the right of private occupancy; and

(3) may not exclude coverage for an intentional act taken by or at the direction of the insured that results in bodily injury, if such injury arises solely from the use of reasonable force for the purpose of protecting persons or property.

(d) Every licensee who employs at least fifteen (15) others shall at all times maintain in force the insurance referred to in subsection (a), and maintain in force a surety bond on file with the board under subsections through (b).

Upon a licensee’s failure to comply with this subsection, the license of the licensee shall be suspended. A license suspended under this subsection may not be reinstated until an application for the license, in the form prescribed by the board, is filed with the board, together with proper proof of insurance and surety bond.

(e) Every licensee who employs less than fifteen (15) others shall at all times maintain in force a surety bond on file with the board under subsection (b)(1) or maintain in force the insurance referred to in subsection (b)(2). Upon a licensee’s failure to comply with this subsection, the license of the licensee shall be suspended. A license suspended under this subsection may not be reinstated until an application for the license, in the form prescribed by the board, is filed with the board, together with proper proof of insurance or surety bond.

(f) The board may deny an application for the reinstatement of a license suspended under this section, notwithstanding the applicant’s compliance with the insurance or the surety bond requirements of this section for any of the following:

(1) Any reason that would justify a refusal to issue, a suspension, or a revocation of a license.

(2) The performance by the applicant, while the applicant’s license was suspended.
under this section, of any practice for which a license under this chapter is
required.

(g) A surety bond posted with the board under this section may be canceled by
the surety thirty (30) days after the surety gives the board written notice of its
intent to cancel the bond. However, the cancellation of a bond under this subsection does
not terminate the liability of the surety on the bond in connection with any action
commenced before the cancellation of the bond.

SECTION 93. IC 25-30-1-16, AS AMENDED BY P.L.234-1989, SECTION 20. IS
AMENDED TO READ AS FOLLOWS: Sec. 16. (a) A license and the identification
cards of the licensee's employees issued under this chapter expire two (2) years from
the date of issuance of the license.

(b) A licensee desiring a renewal license must:

(1) file an application for renewal at least thirty (30) days before the expiration
of the licensee's license on the same a form as prescribed by the board for a new
license. The renewal shall be treated as a new license application and the licensee
must comply with this chapter as if the licensee were applying for an original
license and

(2) meet the license renewal requirements determined by the board.

(c) A license may be reinstated within thirty (30) days from the expiration of
the license after the applicant does the following:

(1) Files an application for renewal with the board.

(2) Meets the license requirements determined by the board.

(3) Pays the license and delinquent fees.

(d) Employee identification cards issued under this chapter expire at the same
time as the license referred to in subsection (a).

SECTION 94. IC 25-30-1-17, AS AMENDED BY P.L.234-1989, SECTION 21. IS
AMENDED TO READ AS FOLLOWS: Sec. 17. (a) The board shall charge and the
licensing agency shall collect the following private detective license fees:

(1) For an applicant desiring to engage in the private detective business who is
a resident of Indiana, seventy-five dollars ($75) per year plus five dollars ($5) per
year for each unlicensed employee who assists the licensee in business as a private
detective. For issuance or renewal of a private detective license, a fee of one
hundred fifty dollars ($150).

(2) For an applicant desiring to engage in the private detective business in Indiana
who is not a resident of Indiana; and who is licensed in another state, seventy-five dollars ($75) per year plus five dollars ($5) per year for each unlicensed employee who assists the licensee in that part of business as a private detective that is conducted in Indiana. For identification cards for unlicensed employees issued under section 10(d) of this chapter, a fee of:

(A) ten dollars ($10); or

(B) five dollars ($5) if application for the identification card is made in the second year of the licensee's license.

(3) For an applicant desiring to practice as an unlicensed employee of a duly licensed private detective business, five dollars ($5) payable by the applicant at the time the application is made to the board.

(3) For reinstatement of a license referred to in section 16(c) of this chapter, a delinquent fee of seventy-five dollars ($75).

(b) All fees collected under this chapter shall go into the general fund and shall be accounted for by the licensing agency.

(c) A license fee shall not be refunded unless a showing is made of ineligibility to receive the license by failure to meet the requirements of this chapter, or by a showing of mistake, inadvertence, or error in the collection of the fee.

SECTION 95. IC 25-30-1-19.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS: Sec. 19.5. A person who files a civil action to collect fees for performing acts regulated by this chapter must allege and prove that when the action arose the person was not in violation of section 22 of this chapter.

SECTION 96. IC 25-30-1-21 IS AMENDED TO READ AS FOLLOWS: Sec. 21. (a) Except as provided in subsection (b), a person who violates this chapter commits a Class A misdemeanor.

(b) A person who is not exempt under section 5 of this chapter, who does not have a private detective license, and who:

(1) engages in the private detective business;

(2) solicits or advertises for business as a private detective; or

(3) in any way represents to be a private detective;

commits a Class A infraction.

(c) The court shall add to a fine assessed against a person convicted of an offense under subsection (b) the amount of compensation earned by the person.
in the commission of the offense.

(d) Each transaction under subsection (b) constitutes a separate offense.

(e) A complaint for a violation of this chapter or for an injunction under section 22 of this chapter is sufficient if the complaint alleges that a person on a specific day in a specific county:

(1) acted as a private detective;

(2) solicited or advertised for business as a private detective; or

(3) represented to be a private detective.

without a private detective license.

SECTION 97. IC 25-30-1-22 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS: Sec. 22. (a) If the board determines that a person who is not licensed or exempt under this chapter is engaged in activities that require a license, the board may send a notice of hearing requiring the person to show cause why the challenged activities are not a violation of this chapter. The notice must be in writing and include the following information:

(1) The date, time, and place of the hearing.

(2) The alleged violation.

(3) That the affected person or the person's representative may present evidence concerning the alleged violation.

(b) A hearing conducted under this section must comply with the requirements under IC 4-21.5.

(c) If the board, after a hearing, determines that the activities that the person engaged in are subject to licensing under this chapter, the board may issue a cease and desist order that describes the person and activities that are the subject of the order.

(d) A cease and desist order issued under this section is enforceable in the circuit courts of Indiana.

(e) The attorney general, board, or the prosecuting attorney of any county where a violation of section 21(b) of this chapter occurs may file an action in the name of the state for an injunction.

SECTION 98. IC 25-31-1-12 IS AMENDED TO READ AS FOLLOWS: Sec. 12. (a) The following shall be considered as minimum evidence that the applicant is qualified for registration as a professional engineer:

(1) graduation in an approved engineering curriculum of four (4) years or more:
a specific record of four (4) years or more of experience in engineering work acquired subsequent to graduation, which experience indicates that the applicant is qualified to be placed in responsible charge of engineering work requiring the exercise of judgment in the application of engineering sciences to the sound solution of engineering problems; and the successful passing of an examination as provided for in section 14 of this chapter; or

(2) a specific record of eight (8) years or more of engineering education and experience in engineering work, which indicates that the applicant has acquired knowledge and skill and practical experience in engineering work approximating that required for registration as a professional engineer under the provisions of subsection (a)(1) of this section; and the successful passing of an examination as provided for in section 14 of this chapter.

(b) The following shall be considered as minimum evidence that the applicant is qualified for registration as a land surveyor:

(1) graduation in an approved land surveying curriculum of four (4) years or more which includes the fundamentals of land surveying, and a specific record of four (4) years or more of experience in land surveying work acquired subsequent to graduation, which experience indicates that the applicant is qualified to be placed in responsible charge of land surveying work requiring the exercise of judgment in the application of surveying sciences to the sound solution of land surveying problems, and the successful passing of an examination as provided for in section 14 of this chapter; or

(2) a specific record of eight (8) years or more of land surveying education and experience in land surveying work, which indicates that the applicant has acquired knowledge and skill and practical experience in land surveying work approximating that required for registration as a professional land surveyor under the provisions of subsection (b)(1) of this section; and the successful passing of an examination as provided for in section 14 of this chapter.

(c) The following shall be considered as minimum evidence that the applicant is qualified for certification as an engineer-in-training:

(1) graduation in an approved engineering curriculum of four (4) years or more, and the successful passing of an engineer-in-training examination as provided in section 14 of this chapter; or

(2) a specific record of four (4) years or more of engineering education and
experience in engineering work, indicating that the applicant has acquired knowledge and skill approximating that acquired through graduation in an approved engineering curriculum of four (4) years or more, and the successful passing of an engineer-in-training examination as provided in section 14 of this chapter.

(d) The following shall be considered as minimum evidence that the applicant is qualified for certification as a land-surveyor-in-training:

(1) graduation in an approved land surveying curriculum of four (4) years or more, and the successful passing of land-surveyor-in-training examination as provided in section 14 of this chapter; or

(2) a specific record of four (4) years or more of surveying education and experience in surveying work, indicating that the applicant has acquired knowledge and skill approximating that acquired through graduation in an approved surveying curriculum of four (4) years or more, and the successful passing of a land-surveyor-in-training examination as provided in section 14 of this chapter.

(e) The board may waive the examination in granting a certificate of registration as a professional engineer or land surveyor to any applicant who has held a like certificate of registration under the laws of the state of Indiana.

(f) No person shall be eligible for registration as a professional engineer or land surveyor or certification as an engineer-in-training or land-surveyor-in-training, who has been convicted of:

(1) an act which would constitute grounds for disciplinary sanction under section 22 of this chapter: IC 25-1-10; or

(2) a felony that has a direct bearing on his ability to practice competently.

(g) In considering the qualifications of applicants, responsible charge of engineering teaching shall be construed as responsible charge of engineering work, and responsible charge of surveying teaching shall be construed as responsible charge of surveying work. An applicant who holds a degree of master of science of engineering, or the equivalent thereof from a curriculum in engineering approved by the board, may be given a maximum credit of one (1) year of experience in addition to the credit of four (4) years of education. An applicant who holds a degree of doctor of philosophy, or the equivalent thereof from a curriculum in engineering approved by the board, may be given a maximum credit of two (2) years of experience in addition to a credit of four years of engineering education.
(4) years of education. Graduation in a course other than engineering or land surveying from a college or university acceptable to the board may be considered as equivalent to two (2) years' engineering or land surveying experience and education. The mere execution, as a contractor of work designed by a professional engineer, or the supervision of the construction of such work as a foreman or superintendent shall not be deemed to be engineering experience.

(h) Any person having the necessary qualifications prescribed in this chapter to entitle him to registration shall be eligible for such registration although he may not be engaged in engineering work or land surveying work at the time of making his application.

SECTION 99. IC 25-31-1-24 IS AMENDED TO READ AS FOLLOWS: Sec. 24. All hearings conducted by the board shall be held pursuant to IC 4-21.5-3. Approval by a majority of all members of the board shall be required for any action to be taken.

(b) The board for good and sufficient reasons may issue a certificate to any applicant who has been denied a certificate, or may revoke a certificate of registration to any person whose certificate has been revoked, provided that at least four (4) members vote in favor of such issuance or revocation.

SECTION 100. IC 25-34.1-3-3.1 IS AMENDED TO READ AS FOLLOWS: Sec. 3.1. (a) To obtain a salesperson license, an individual must:

(1) be at least eighteen (18) years of age before applying for a license and must not have a conviction for:

(A) an act that would constitute a ground for disciplinary sanction under IC 25-34.1-6.1; or IC 25-1-10; or

(B) a crime that has a direct bearing on the individual's ability to practice competently;

(2) have successfully completed courses in the principles, practices, and law of real estate, totaling eight (8) semester credit hours, or their equivalent, as a student at an accredited college or university, or have successfully completed an approved salesperson course as provided in IC 25-34.1-5-3(a);

(3) apply for a license by submitting the application fee prescribed by the commission and an application containing the name, address, and age of the applicant, the name under which the applicant intends to conduct business, the principal broker's address where the business is to be conducted, proof of compliance with subdivision (2), and any other information the commission...
requires:
(4) pass a written examination prepared and administered by the commission or
its duly appointed agent: and
(5) submit not more than one hundred twenty (120) days after the date
notice of passing the written examination under subdivision (4) is mailed:
   (A) the license fee of twenty-five dollars ($25); and
   (B) a sworn certification of a principal broker that the principal broker intends
   to associate with the applicant and maintain that association until notice of
   termination of the association is given to the commission.
(b) Upon the applicant's compliance with the requirements of subsection (a), the
commission shall:
   (1) issue a wall certificate in the name of the salesperson to the principal broker
   who certified the applicant's association with the principal broker: and
   (2) issue to the salesperson a pocket identification card which certifies that the
   salesperson is licensed and indicates the expiration date of the license and the
   name of the principal broker.
(c) Notice of passing the commission examination serves as a temporary permit to
act as a salesperson as soon as the applicant sends, by registered or certified mail with
return receipt requested, the license fee and certification as prescribed in subsection
(a)(5). (a)(5)(A) and (a)(5)(B). The temporary permit expires the earliest of the
following:
   (1) The date the license is issued.
   (2) The date the applicant's association with the certifying principal broker is
   terminated.
The temporary permit may not be renewed, extended, reissued, or otherwise effective
for any association other than with the initial certifying principal broker.
(d) A salesperson shall:
   (1) act under the auspices of the principal broker responsible for that salesperson's
   conduct under this article;
   (2) be associated with only one (1) principal broker;
   (3) maintain evidence of licensure in the office, branch office, or sales outlet of the
   principal broker;
   (4) advertise only in the name of the principal broker, with the principal broker's
   name in letters of advertising larger than that of the salesperson's name: and
(5) not maintain any real estate office apart from that office provided by the principal broker.

(e) Upon termination of a salesperson's association with a principal broker, the salesperson's license shall be returned to the commission within five (5) business days. The commission shall reissue the license to any principal broker whose certification, as prescribed in subsection (a)(5)(B), is filed with the commission, and the commission shall issue a new identification card to the salesperson reflecting that change.

(f) A salesperson license expires at midnight, December 31, of the next odd-numbered year following the year in which the license is issued or last renewed, unless the licensee renews the license prior to expiration by payment of a biennial license fee of twenty-five dollars ($25). An expired license may be reinstated within one hundred twenty (120) days after expiration, by payment of all unpaid license fees together with twenty dollars ($20). If the license is renewed within eighteen (18) months, but more than one hundred twenty (120) days, after expiration, the licensee must pay a late fee of one hundred dollars ($100) plus any unpaid license fees. If a salesperson fails to reinstate a license within eighteen (18) months after expiration, a license may not be issued unless that salesperson again complies with the requirements of subsection (a)(3), (a)(4), and (a)(5).

(g) A salesperson license may be issued to an individual who is not yet associated with a principal broker but who otherwise meets the requirements of subsection (a). A license issued under this subsection shall be held by the commission in an unassigned status until the date the individual submits the certification of a principal broker required by subsection (a)(5). If the individual does not submit the application for licensure within one hundred twenty (120) days after the mailing date of the notice of passing the commission examination, the commission shall void the application and may not issue a license to that applicant unless the applicant again complies with the requirements of subsections (a)(4) through (a)(5).

(h) If an individual holding a salesperson license is not associated with a principal broker for two (2) successive renewal periods, the commission shall notify the individual in writing that the individual's license will become void if the individual does not associate with a principal broker within thirty (30) days from the date the notification is mailed. A void license may not be renewed.

SECTION 101. IC 25-34.1-3-4.1 IS AMENDED TO READ AS FOLLOWS: Sec. 4.1.

HB 1768/DI 81 51 CC.No.05'1991
To obtain a broker license, an individual must:

1. be at least eighteen (18) years of age before applying for a license and must not have a conviction for:

   A: an act that would constitute a ground for disciplinary sanction under IC 25-1-10; or

   B: a crime that has a direct bearing on the individual's ability to practice competently;

2. have satisfied section 3.1(a)(2) of this chapter and have had continuous active experience for one (1) year immediately preceding the application as a licensed salesperson in the state of Indiana; however, this one (1) year experience requirement may be waived by the commission upon a finding of equivalent experience;

3. have successfully completed an approved broker course of study as prescribed in IC 25-34.1-5-51(b);

4. apply for a license by submitting the application fee prescribed by the commission and an application specifying the name, address, and age of the applicant, the name under which the applicant intends to conduct business, the address where the business is to be conducted, proof of compliance with subdivisions (2) and (3), and any other information the commission requires;

5. pass a written examination prepared and administered by the commission or its duly appointed agent; and

6. within one hundred twenty (120) days after the mailing date of the notice of passing the commission examination, submit the license fee of fifty dollars ($50).

If an individual applicant fails to file a timely license fee, the commission shall void the application and may not issue a license to that applicant unless that applicant again complies with the requirements of subdivisions (4), (5), and (6).

To obtain a broker license, a partnership must:

1. have as partners only individuals who are licensed brokers;

2. have at least one (1) partner who is a resident of Indiana;

3. cause each employee of the partnership who acts as a broker or salesperson to be licensed; and

4. submit the license fee of fifty dollars ($50) and an application setting forth the name and residence address of each partner and the information prescribed in subsection (a)(4).
(c) To obtain a broker license, a corporation must:
1. have a licensed broker residing in Indiana who is either an officer of the corporation or, if no officer resides in Indiana, the highest ranking corporate employee in Indiana with authority to bind the corporation in real estate transactions;
2. cause each employee of the corporation who acts as a broker or salesperson to be licensed; and
3. submit the license fee of fifty dollars ($50), an application setting forth the name and residence address of each officer and the information prescribed in subsection (a)(4), a copy of the certificate of incorporation, and a certificate of good standing of the corporation issued by the secretary of state of Indiana.

(d) Licenses granted to partnerships and corporations issue, expire, are renewed, and are effective on the same terms as licenses granted to individual brokers, except as provided in subsection (g), and except that expiration or revocation of the license of any partner in a partnership or all individuals in a corporation satisfying subsection (c)(1) terminates the license of that partnership or corporation.

(e) Upon the applicant's compliance with the requirements of subsection (a), (b), or (c), the commission shall issue the applicant a broker license and an identification card which certifies the issuance of the license and indicates the expiration date of the license. The license shall be displayed at the broker's place of business.

(f) Notice of passing the commission examination serves as a temporary permit for an individual applicant to act as a broker as soon as the applicant sends, by registered or certified mail with return receipt requested, a timely license fee as prescribed in subsection (a)(6). The temporary permit expires the earlier of one hundred twenty (120) days after the mailing date of the notice of passing the examination or the date a license is issued.

(g) A broker license expires, for individuals, at midnight, December 31 and, for corporations and partnerships, at midnight, June 30 of the next even-numbered year following the year in which the license is issued or last renewed, unless the licensee renews the license prior to expiration by payment of a biennial license fee of fifty dollars ($50). An expired license may be reinstated within one hundred twenty (120) days after expiration by payment of all unpaid license fees together with twenty dollars ($20). If the license is renewed within eighteen (18) months, but more than one hundred twenty (120) days, after expiration, the licensee must pay a late fee of one hundred dollars.
($100) plus any unpaid license fees. If a broker fails to reinstate a license within eighteen months after expiration, a license may not be issued unless the broker again complies with the requirements of subsection (a)(4), (a)(5), and (a)(6).

A partnership or a corporation may not be a broker-salesperson. An individual broker who associates as a broker-salesperson with a principal broker shall immediately notify the commission of the name and business address of the principal broker and of any changes of principal broker that may occur. The commission shall then change the address of the broker-salesperson on its records to that of the principal broker.

SECTION 102. IC 25-34.1-6-2 IS AMENDED TO READ AS FOLLOWS: Sec. 2. (a) A person who:

1. performs the acts of a salesperson without a salesperson license;
2. performs the acts of a broker without a broker license; or
3. conducts, or solicits or accepts enrollment of students for, a course as prescribed in IC 25-34.1-3 without course approval;

comits a Class B Class A infraction. Upon conviction for an offense under this section, the court shall add to any fine imposed, the amount of any fee or other compensation earned in the commission of the offense. Each transaction constitutes a separate offense.

(b) In all actions for the collection of a fee or other compensation for performing acts regulated by this article, it must be alleged and proved that, at the time the cause of action arose, the party seeking relief was not in violation of this section.

(c) The commission may issue a cease and desist order to prevent violations of this section.

1. If the commission determines that a person is violating this section, or is believed to be violating this section, the commission may issue an order to that person setting forth the time and place for a hearing at which the affected person may appear and show cause as to why the challenged activities are not in violation of this section.
2. After an opportunity for hearing, if the commission determines that the person is violating this section, the commission shall issue a cease and desist order which shall describe the person and activities which are the subject of the order.
3. A cease and desist order issued under this section is enforceable in the circuit courts of this state.

(d) The attorney general, the commission, or the prosecuting attorney of any county
in which a violation occurs may maintain an action in the name of the state of Indiana to
enjoin a person from violating this section.

e. In charging any person in a complaint for an injunction or in affidavit, information, or indictment with the violation of the provisions of this section, it is sufficient, without averring any further or more particular facts, to charge that the person upon a certain day and in a certain county either acted as a real estate broker or salesperson not having a license or conducted, or solicited or accepted enrollment of students for, a broker or salesperson course without course approval.

(f) Each enforcement procedure established in this section is supplemental to other enforcement procedures established in this section.

SECTION 103. IC 25-36-1-12 IS AMENDED TO READ AS FOLLOWS: Sec. 12. (a)

Television and radio service technician. An applicant for this license shall be at least eighteen (18) years of age, who has not been convicted of an act which would constitute a ground for disciplinary sanction under section 15.1 of this chapter IC 25-1-10 or a felony that has a direct bearing on his ability to practice competently and who:

(1) has been for an aggregate period of not less than two (2) years as an apprentice television and radio service technician under the direct and personal supervision of a television and radio service technician;

(2) shall have an aggregate period of not less than four (4) years experience in servicing equipment if such experience in servicing equipment has been had outside the state of Indiana;

(3) exhibits a diploma or certificate showing satisfactory completion of a course in servicing receiving equipment conducted in a school under the jurisdiction of the department of education or approved by the federal government for vocational training of honorably discharged veterans of the armed forces of the United States: or

(4) has successfully completed a course in servicing receiving equipment from a correspondence school or trade school, approved by the board, and has had experience as an apprentice television and radio service technician for not less than an aggregate period of one (1) year. However, if this experience has been had outside the state of Indiana, such experience must be for an aggregate period of not less than two (2) years.

(b) Apprentice television and radio service technician. An applicant for a registration
certificate as an apprentice television and radio service technician must be at least sixteen (16) years of age who has not been convicted of:

1. an act which would constitute a ground for disciplinary sanction under section 25-1.10 of this chapter; or
2. a felony that has a direct bearing on his ability to practice competently;

and shall have the application signed by the television and radio service technician under whose direct and personal supervision he will be learning to render service.

(c) Antenna installer. An applicant for an antenna installer license shall be at least eighteen (18) years of age who has not been convicted of an act which would constitute a ground for disciplinary sanction under section 25-1.10 or a felony that has a direct bearing on his ability to practice competently and who:

1. has been engaged for an aggregate period of not less than one (1) year as an apprentice in rendering service on antenna receiving systems under the direct and personal supervision of an antenna installer;
2. shall have had an aggregate period of not less than two (2) years experience in rendering service on antenna receiving systems if such experience has been had outside the state of Indiana;
3. exhibits a diploma or certificate showing satisfactory completion of a course in servicing antenna receiving systems conducted in a school under the jurisdiction of the department of education or approved by the federal government for vocational training of honorably discharged veterans of the armed forces of the United States; or
4. has successfully completed a course in servicing antenna receiving systems from a correspondence or trade school, approved by the board and has had experience as an apprentice antenna installer for not less than an aggregate period of six (6) months. If this experience has been had outside the state of Indiana, such experience must be for an aggregate period of not less than one (1) year;

(d) Apprentice antenna installer. An applicant for a registration certificate as an apprentice antenna installer must be at least sixteen (16) years of age who has not been convicted of:

1. an act which would constitute a ground for disciplinary sanction under section 25-1.10 of this chapter; or
2. a felony that has a direct bearing on his ability to practice competently:
and shall have the application signed by the antenna installer under whose direct and personal supervision he will be learning to render service.

SECTION 104. IC 25-36-1-16 IS AMENDED TO READ AS FOLLOWS: Sec. 16. (in part)

- i the board refuses to issue a license or a license portion for any of the
- in section 16 of the statute without having given the applicant
- to prepare therefor by mailing to the applicant or licensee by registered or certified mail
- to the address shown in his application or license a copy in writing of the grounds on
- which the application or license may be denied, suspended, or revoked.

- i in hearings before the board as well as appeals therefrom, shall be according to
- IC 4-21.5. Approval by a majority of all members of the board shall be required for any
- action to be taken.

Page 15, line 9, renumber SECTION 42 as SECTION 105.

Page 15, line 10, before "IC 25-8-4-16" insert in roman "IC 25-2-1-13.1:

Page 15, line 10, delete "." and insert in roman "IC 25-8-14-2: IC 25-8-14-3:
IC 25-34.1-8-8: IC 25-36-1-15.1."

Page 15, delete lines 11 through 16, begin a new paragraph and insert the following:

"SECTION 106. This act takes effect as follows:

SECTIONS 1 through 45 .......................... July 1, 1991

SECTIONS 46 .................................. January 1, 1992

SECTIONS 47 through 51 .......................... July 1, 1991

SECTIONS 52 through 53 .......................... January 1, 1992

SECTIONS 54 through 105 .......................... July 1, 1991"

Reference is to EHB 1768 as printed April 6, 1991.

BOWSER, Representative

WHEELER, Senator

O' DAY, Senator

HOUSE CONFEREES

SENATE CONFEREES
Citations Affected: IC 5-2-5-5; IC 25.

Synopsis: Professional licensing. Makes numerous changes in the law concerning cosmetology including: (1) establishing manicurist salon licenses; (2) establishing electrology salon licenses; (3) adding to the qualifications for state board of cosmetology membership; (4) providing for rules prescribing sanitary requirements for electrology salons, estheticians salons, and manicuring salons; (5) providing for temporary permits to perform cosmetology; (6) providing for restrictions on restoration of manicurist salon licenses, electrology licenses, and esthetician licenses; and (7) changing the licensing requirements for electrologist licenses, esthetician licenses, and manicurist licenses. Allows the release of a private detective applicant’s limited criminal history to the private detective licensing board and to the Indiana professional licensing agency. Creates standards of practice for all professions regulated by the Indiana professional licensing agency. Allows sanctions against accountants for not completing continued education requirements. Corrects internal references. Amends the requirements for the registration of out-of-state architects based upon the date the architect was registered in another jurisdiction. Allows the board of registration for architects to give a written examination or oral interview to an out-of-state architect who does not meet the examination requirements. Includes temporary permit holders under the definition of licensee. Removes the requirement that a person who fails two successive examinations must wait one year before taking another examination. Allows the Indiana auction commission to enter into reciprocal agreements with other states to waive the licensing examination. Establishes procedure for the application of a temporary permit. Expands coverage of sanctions from individuals to include a licensed organization. Requires holders of temporary permits to pay the auctioneer recovery fund surcharge. Makes numerous changes in the statute governing the licensure of barbers. Requires persons who provide pay per view cable telecasts of boxing or wrestling matches or the subscriptions to those telecasts to pay the gross sales tax. Requires the private detectives licensing board to elect a vice president. Deletes the 12 meeting per year restriction. Requires at least one partner or corporate officer to meet the personal qualifications. Changes identification requirements for employees. Makes a resident private detective responsible for a nonresident private detective. Requires insurance for private detective businesses with more than 15 employees and allows smaller businesses the choice between a bond or insurance. Amends the license renewal process. Establishes expiration of identification cards, late fees, and sanctions. Makes certain actions Class A infractions. Allows the board to issue cease and desist orders and seek injunctions. Repeals a section on prior licenses. Removes a provision allowing the engineering and land surveyors board to issue a certificate to persons who have been denied a certificate. Requires submitting a salesperson (in real estate) license and certification within 120 days after the date notice of passing the written examination administered by the commission is mailed. Provides for enforcement against individuals, corporations, or partnerships. Makes it a Class A infraction, rather than a Class B
infraction, to: (1) perform the acts of a salesperson without a salesperson license; (2) perform the acts of a broker without a broker license; or (3) conduct, solicit, or accept enrollment of students for a course not approved under the law governing approval of educational courses. Repeals numerous sections, including: (1) a section on qualifications for a cosmetology inspector; (2) a section on charges against an engineer or land surveyor; and (3) an obsolete section that refers to a law repealed in 1941.

BIBLIOGRAPHY


Facts About: The 150-Hour Education Requirement for Prospective CPA's. Indiana CPA Society.


Here is Your Indiana Government. (1989). Indiana State Chamber of Commerce.


