

IC 15-15-12

Chapter 12. Indiana Corn Market Development

IC 15-15-12-1

Application of chapter

Sec. 1. This chapter applies to all kinds and varieties of corn marketed or sold as corn by a producer in Indiana.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-2

"Bushel"

Sec. 2. As used in this chapter, "bushel" means fifty-six (56) pounds of corn by weight.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-3

"Corn"

Sec. 3. As used in this chapter, "corn" does not include sweet corn, seed corn, or popcorn.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-4

"Council"

Sec. 4. As used in this chapter, "council" refers to the Indiana corn marketing council established by section 17 of this chapter.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-5

"Dean of agriculture"

Sec. 5. As used in this chapter, "dean of agriculture" refers to the dean of agriculture of Purdue University.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-6

"Director"

Sec. 6. As used in this chapter, "director" refers to the director of the Indiana state department of agriculture or the person designated by the director of the Indiana state department of agriculture to carry out duties imposed on the director of the Indiana state department of agriculture under this chapter.

As added by P.L.2-2008, SEC.6. Amended by P.L.120-2008, SEC.52.

IC 15-15-12-7

"First purchase"

Sec. 7. As used in this chapter, "first purchase" means a sale of corn at the first point of delivery when the corn is weighed and graded and title to the corn is transferred.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-8**"First purchaser"**

Sec. 8. (a) As used in this chapter, "first purchaser" means a person who is engaged in Indiana in the business of buying corn from producers. The term refers to a person buying or acquiring corn from:

- (1) the producer of the corn; or
- (2) the Commodity Credit Corporation, if the corn is pledged as collateral for a loan issued under a price support loan program administered by the Commodity Credit Corporation.

(b) The term does not include a buyer of corn who buys less than one hundred thousand (100,000) bushels of corn annually for the buyer's own use as seed or feed.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-9**"Grain"**

Sec. 9. As used in this chapter "grain" has the meaning set forth in IC 26-4-1-13.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-10**"Market development"**

Sec. 10. As used in this chapter, "market development" means to:

- (1) provide for the development of new or larger domestic and foreign markets for corn;
- (2) promote the production and marketing of renewable fuels and new technologies that use corn; and
- (3) access federal government money available to the state to further the market development activities described in subdivisions (1) and (2).

As added by P.L.2-2008, SEC.6.

IC 15-15-12-11**"Marketing year"**

Sec. 11. As used in this chapter, "marketing year" means the twelve (12) month period beginning October 1 and ending the following September 30.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-12**"Person"**

Sec. 12. As used in this chapter, "person" means an individual, a partnership, a limited liability company, a public or private corporation, a political subdivision (as defined in IC 36-1-2-13), a cooperative, a society, an association, or a fiduciary.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-13**"Producer"**

Sec. 13. As used in this chapter, "producer" means a person engaged in the business of producing and marketing corn in Indiana under:

- (1) the producer's own name; or
- (2) the name of an entity in which the producer has ownership.

As added by P.L.2-2008, SEC.6. Amended by P.L.98-2012, SEC.4.

IC 15-15-12-14

"Promotion"

Sec. 14. As used in this chapter, "promotion" means:

- (1) communication directly with corn producers;
- (2) technical assistance; and
- (3) trade marketing activities;

to enhance the marketing opportunities of corn for corn products in domestic and foreign markets.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-15

"Research"

Sec. 15. As used in this chapter, "research" means a study to advance the:

- (1) marketability;
- (2) production;
- (3) product development;
- (4) quality; or
- (5) functional or nutritional value;

of corn or corn products, including a research activity designed to identify and analyze barriers to domestic and foreign sales of corn or corn products.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-16

"Sale"

Sec. 16. As used in this chapter, "sale" means a conveyance of title to corn or the pledge or other encumbrance of corn as security for a loan extended by the Commodity Credit Corporation under a federal price support loan program.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-17

Indiana corn marketing council established; membership; residence; per diem and travel expenses

Sec. 17. (a) The Indiana corn marketing council is established. The council is a public body corporate and politic, and though it is separate from the state, the exercise by the council of its powers constitutes an essential governmental function. The council may sue and be sued and plead and be impleaded.

(b) The council consists of seventeen (17) voting and eight (8) ex officio, nonvoting members. The elected members from districts

listed under section 21(a) of this chapter must:

- (1) be registered as voters in Indiana;
- (2) be at least eighteen (18) years of age;
- (3) be producers; and
- (4) have an assessment on corn under section 32 of this chapter made during the previous two (2) years.

(c) Each elected member of the council must reside in the district identified in section 21(a) of this chapter from which the member is elected.

(d) Each member of the council is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency. However, council members are not entitled to a salary or per diem.

As added by P.L.2-2008, SEC.6. Amended by P.L.98-2012, SEC.5.

IC 15-15-12-18

Terms

Sec. 18. (a) The term of office of an elected or appointed council member is three (3) years. A member's term of office expires at the end of the final marketing year in the term. However, a member continues in office until a successor who meets the qualifications set forth in section 17(b) of this chapter is elected.

(b) An elected or appointed council member may not hold office for more than three (3) consecutive full terms.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-19

Vacancies

Sec. 19. (a) If a member of the council elected or appointed under section 21(a), 21(b), 21(c), or 21(d) of this chapter ceases to meet one (1) or more of the qualifications set forth in section 17(b) of this chapter, the member's term of office terminates and the member's office becomes vacant.

(b) Whenever an elected council member's office becomes vacant before the expiration of the member's term of office, the council shall fill the vacancy by appointing a replacement member who meets the qualifications set forth in section 17(b) of this chapter. The appointee shall serve for the remainder of the unexpired term.

(c) Whenever the office of a member appointed under section 21(e), 21(f), 21(g), or 21(h) of this chapter becomes vacant, the appointing authority who appointed the member shall fill the vacancy. An appointee under this subsection shall serve for the remainder of the unexpired term.

As added by P.L.2-2008, SEC.6. Amended by P.L.98-2012, SEC.6.

IC 15-15-12-20

Appointment of nonvoting council members

Sec. 20. (a) When necessary, the council may appoint individuals who hold offices of importance to the corn industry or have special expertise concerning that industry to participate in the work of the council. These individuals may not participate in votes taken by the council but are eligible for reimbursement for traveling expenses.

(b) A person appointed under this section serves a term of three (3) years.

(c) A person appointed under this section may not serve for more than three (3) consecutive full terms.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-21

Election districts; qualifications; appointments; ex officio members

Sec. 21. (a) One (1) council member shall be elected from each of the following districts:

DISTRICT 1. The counties of Lake, Newton, Jasper, Benton, Porter, LaPorte, Starke, White, and Pulaski.

DISTRICT 2. The counties of St. Joseph, Elkhart, Marshall, Kosciusko, Fulton, Carroll, Cass, Miami, and Wabash.

DISTRICT 3. The counties of LaGrange, Steuben, Noble, DeKalb, Whitley, Allen, Huntington, Wells, and Adams.

DISTRICT 4. The counties of Montgomery, Fountain, Warren, Tippecanoe, Vermillion, Parke, Putnam, Vigo, Clay, and Owen.

DISTRICT 5. The counties of Clinton, Boone, Tipton, Howard, Grant, Hamilton, Madison, Hendricks, Marion, Hancock, Morgan, Johnson, Shelby, Rush, Bartholomew, and Decatur.

DISTRICT 6. The counties of Blackford, Jay, Delaware, Henry, Randolph, Wayne, Fayette, and Union.

DISTRICT 7. The counties of Sullivan, Greene, Knox, Daviess, Martin, Gibson, Pike, Dubois, Posey, Vanderburgh, Warrick, and Spencer.

DISTRICT 8. The counties of Monroe, Brown, Lawrence, Jackson, Orange, Washington, Perry, Crawford, Harrison, and Floyd.

DISTRICT 9. The counties of Franklin, Jennings, Jefferson, Ripley, Dearborn, Ohio, Clark, Switzerland, and Scott.

(b) Six (6) council members shall be elected to represent all counties in Indiana.

(c) The dean of agriculture shall appoint one (1) representative of the largest general farm organization in Indiana to serve as a member of the council.

(d) The dean of agriculture shall appoint one (1) representative of the second largest general farm organization in Indiana to serve as a member of the council.

(e) The director shall appoint two (2) representatives of first purchaser organizations to serve as nonvoting members of the council.

(f) Four (4) members serve on the council, to be appointed as nonvoting members as follows:

- (1) One (1) member appointed by the president pro tempore of the senate.
- (2) One (1) member appointed by the minority leader of the senate.
- (3) One (1) member appointed by the speaker of the house of representatives.
- (4) One (1) member appointed by the minority leader of the house of representatives.

The members appointed under this subsection are ex officio members of the council. The members of the senate must be of different political parties. The members of the house of representatives must be of different political parties. Notwithstanding any other law, the members appointed under this section are entitled to receive the per diem of members of the general assembly for time spent in attendance at the meetings of the council. Per diem of these members shall be paid by the council upon approval of the director.

(g) The dean of agriculture or the dean's designee shall serve as an ex officio, nonvoting member of the council.

(h) The secretary of agriculture or the secretary's designee shall serve as an ex officio, nonvoting member of the council.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-22

Date of election; notice

Sec. 22. An election of a council member shall be held in a district in the year in which the term of the district's council member is to expire. Between January 1 and March 15 of that year, the council shall notify the producers of the district of the impending election by publishing one (1) notice in a statewide agricultural publication and by making information available to the news media in the district.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-23

Ballots; petitions; forms

Sec. 23. (a) The ballot for the election of a district council member must include the name of each producer who:

- (1) meets the qualifications set forth in section 17(b) of this chapter; and
- (2) files with the council, not later than June 30 of the year of the election, a petition in support of candidacy signed by ten (10) other producers who reside in the district.

(b) The council shall provide petition forms upon request and shall make forms available:

- (1) at cooperative extension service offices located in the district; and
- (2) via the council's Internet web site.

(c) The council shall allow a producer to request a ballot through the council's Internet web site.

(d) A name other than the names of the producers who have

qualified under this section may not be printed on the ballot by the council. All names on the ballot must be listed in alphabetical order based on the producer's surname.

(e) The council shall require each producer who submits a ballot to provide a separate attestation that the person is an eligible producer.

As added by P.L.2-2008, SEC.6. Amended by P.L.98-2012, SEC.7.

IC 15-15-12-24

Absentee ballots

Sec. 24. (a) For purposes of the election of a district council member, the council shall provide an absentee ballot to every producer who:

(1) resides outside Indiana or expects to be absent from the district in which the producer resides on the day of the election; and

(2) requests an absentee ballot from the council at least five (5) days but not more than thirty (30) days before the election.

(b) A producer's absentee ballot is not valid unless the council receives the ballot from the producer at least two (2) days before the election.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-25

Election judges; teller committee; traveling expenses

Sec. 25. (a) The director shall appoint election judges for the election of council members. The director shall also appoint a teller committee to count absentee ballots and to canvass and certify results of elections of council members.

(b) Each election judge or teller committee member appointed under this section is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with official duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency, but is not entitled to any salary or per diem.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-26

Election; date and location

Sec. 26. The election of a district council member must be conducted by the council in August at voting places located in the district. The winner of an election takes office on the following October 1.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-27

Council's duties

Sec. 27. (a) The council shall do the following:

(1) Elect a president, vice president, secretary, treasurer, and

other officers the council considers necessary.

(2) Employ personnel and contract for services that are necessary for the proper implementation of this chapter.

(3) Bond the treasurer and such other persons as necessary to ensure adequate protection of funds received and administered by the council.

(4) Authorize the expenditure of funds and the contracting of expenditures to conduct proper activities under this chapter.

(5) Annually establish priorities and prepare and approve a budget consistent with the estimated resources of the council and the scope of this chapter.

(6) Annually publish an activities report and audit and present the report and audit to the director, the dean of agriculture, and the legislative council. The report and audit must be:

(A) sent to the legislative council in an electronic format under IC 5-14-6; and

(B) available on the council's Internet web site.

(7) Procure and evaluate data and information necessary for the proper implementation of this chapter.

(8) Formulate and execute assessment procedures and methods of collection.

(9) Receive and investigate, or cause to be investigated, complaints and violations of this chapter and take necessary action within the council's authority.

(10) Adopt bylaws and operating procedures governing operations of the council.

(11) Keep accurate accounts of all receipts and disbursements of funds handled by the council and have the receipts and disbursements audited annually by a certified public accountant.

(12) Establish and maintain an Internet web site.

(13) Take any other action necessary for the proper implementation of this chapter.

(b) A majority of the voting members of the council constitutes a quorum. The affirmative votes of at least a majority of the quorum, and at least nine (9) affirmative votes, are required for the council to take action.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-28

Council meetings

Sec. 28. (a) The council shall meet at least three (3) times in each marketing year at the call of the president or at the request of two-thirds (2/3) of the members of the council.

(b) The council shall comply with the requirements under IC 5-14-1.5 (open door law).

As added by P.L.2-2008, SEC.6.

IC 15-15-12-29

Payment of expenses; investments; market development

Sec. 29. (a) The council shall pay all expenses incurred under this chapter with money from the assessments remitted to the council under this chapter.

(b) The council may invest all money the council receives under this chapter, including gifts or grants that are given for the express purpose of implementing this chapter, in the same way allowed by law for public funds.

(c) The council may expend money from assessments and from investment income not needed for expenses for market development, promotion, and research.

(d) The council may not use money received, collected, or accrued under this chapter for any purpose other than the purposes authorized by this chapter. The amount of money expended on administering this chapter in the council's fiscal year may not exceed ten percent (10%) of the average amount of assessments, grants, and gifts received by the council as calculated under subsection (e).

(e) The council shall determine the amount that it may expend to administer this chapter, using the following formula:

STEP ONE: Determine the amount of assessments, grants, and gifts received by the council in each of the preceding five (5) fiscal years beginning with the immediately preceding fiscal year.

STEP TWO: Determine the average annual amount of assessments, grants, and gifts received by the council in each fiscal year using three (3) of the five (5) fiscal years described in STEP ONE after excluding the two (2) years in which the amount of assessments, grants, and gifts received by the council were the highest and lowest totals.

STEP THREE: Divide the amount in STEP TWO by ten (10). The amount in STEP THREE is the maximum amount that the council may expend on administering this chapter for the current fiscal year.

(f) The cost of processing refunds and applying for grants is not an administrative expense under this section.

As added by P.L.2-2008, SEC.6. Amended by P.L.148-2009, SEC.4; P.L.98-2012, SEC.8.

IC 15-15-12-30

Repealed

(As added P.L.2-2008, SEC.6. Repealed by P.L.148-2009, SEC.12.)

IC 15-15-12-30.5

Repealed

(As added by P.L.148-2009, SEC.5. Repealed by P.L.98-2012, SEC.9.)

IC 15-15-12-31

Liability for debts and actions of the council

Sec. 31. (a) Obligations incurred by the council and other liabilities and claims against the council may be enforced only against the assets of the council in the same manner as if the council were a corporation. Liabilities for the debts or actions of the council may not arise against:

- (1) the state;
- (2) a political subdivision (as defined in IC 34-6-2-110); or
- (3) a member, an officer, an employee, or an agent of the council in an individual capacity.

(b) The members and employees of the council may not be held responsible individually in any way to any person for errors in judgment, mistakes, or other acts either of commission or omission, as principal, agent, or employee, except for their own individual acts that result in the violation of any law.

(c) An employee of the council may not be held responsible individually for the act or omission of any member of the council.

(d) Any liability of the members of the council is several and not joint. A member of the council may not be held liable for the default of any other member.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-32

Assessments; collection; handling fee

Sec. 32. (a) An assessment of one-half cent (\$0.005) per bushel must be collected on all corn sold in Indiana. The assessment may be imposed and collected on a quantity of corn only once and must be collected by the first purchaser. A buyer of corn who purchases more than one hundred thousand (100,000) bushels annually for the buyer's own use as seed or feed is responsible only for collecting checkoff assessments on corn purchases made after the buyer exceeds the one hundred thousand (100,000) bushel threshold and becomes a first purchaser. The rate of the assessment imposed by this section may be changed only by the general assembly.

(b) The first purchaser of a quantity of corn shall deduct the assessment on the corn from the money to be paid to the producer based on the sale of the corn. A first purchaser shall accumulate assessments collected under this subsection throughout each of the following periods:

- (1) January, February, and March.
- (2) April, May, and June.
- (3) July, August, and September.
- (4) October, November, and December.

(c) At the end of each period, the first purchaser shall remit to the council all assessments collected during the period. A first purchaser who remits all assessments collected during a period within thirty (30) days after the end of the period is entitled to retain three percent (3%) of the total of the assessments as a handling fee.

(d) The assessment on the sale of the corn must occur when the payment for the corn is received by the producer.

(e) A first purchaser who is not subject to the assessment under this section shall sign and date an exemption form. The council shall prepare the exemption form.

As added by P.L.2-2008, SEC.6. Amended by P.L.98-2012, SEC.10.

IC 15-15-12-32.5

Repealed

(As added by P.L.148-2009, SEC.6. Repealed by P.L.98-2012, SEC.11.)

IC 15-15-12-33

Refunds to producers; application; proof of deduction of assessment from corn sale price; deadline for payment of refund

Sec. 33. (a) If a producer has sold corn and the state assessment was deducted from the sale price of the corn, the producer may secure a refund equal to the amount deducted upon filing a written application.

(b) A producer's application for a refund under this section must be made to the council not more than one hundred eighty (180) days after the state assessment is deducted from the sale price of the producer's corn.

(c) The council shall provide application forms to a first purchaser for purposes of this section upon request and make application forms available on the council's Internet web site. A first purchaser shall make application forms available in plain view at the first purchaser's place of business.

(d) Proof that an assessment has been deducted from the sale price of a producer's corn must be attached to each application for a refund submitted under this section by a producer. The proof that an assessment was deducted may be in the form of a duplicate or an original copy of the purchase invoice or settlement sheet from the first purchaser. The refund form and proof of assessment may be mailed or faxed to the council. The refund form must clearly state how to request a refund, the address where the form may be mailed, and the fax number where the form may be faxed.

(e) If a refund is due under this section, the council shall remit the refund to the producer as follows:

(1) For:

(A) refunds of more than twenty-five dollars (\$25); or

(B) multiple refunds that total more than twenty-five dollars (\$25);

not later than thirty (30) days after the date the producer's completed application and proof of assessment are received.

(2) For refunds of twenty-five dollars (\$25) or less:

(A) on March 31 if the producer's completed application and proof of assessment are received before March 1; or

(B) on September 30 if the producer's completed application and proof of assessment are received on or after March 1 and before September 1.

As added by P.L.2-2008, SEC.6. Amended by P.L.148-2009, SEC.7; P.L.98-2012, SEC.12.

IC 15-15-12-34

Information to be included in checkoff refund form

Sec. 34. The checkoff refund form must:

- (1) contain the address and fax number of the location to which the assessment refund form may be sent;
- (2) contain information concerning procedures to claim an assessment refund; and
- (3) contain any other information determined necessary by the council.

As added by P.L.2-2008, SEC.6. Amended by P.L.148-2009, SEC.8.

IC 15-15-12-35

Maintaining records and supplying information by first purchaser; audit by council; qualifications of auditor

Sec. 35. (a) A first purchaser shall keep detailed records of all assessments collected and remitted under this chapter for at least three (3) years.

(b) Upon request, a first purchaser shall supply the council with any information from records kept under subsection (a).

(c) The council may periodically audit a first purchaser's checkoff assessment and remittance records kept under subsection (a). An audit must be conducted by:

- (1) a qualified public accountant of the council's choosing; or
- (2) an auditor who is familiar with the:
 - (A) storage;
 - (B) conditioning;
 - (C) shipping; and
 - (D) handling;

of agricultural commodities.

The costs of the audit shall be paid by the council.

As added by P.L.2-2008, SEC.6. Amended by P.L.148-2009, SEC.9.

IC 15-15-12-36

Failure to remit assessments; hearing; civil action; penalty

Sec. 36. (a) If a first purchaser fails to remit the assessments collected during a period specified in section 32 of this chapter within thirty (30) days after the end of the period, the council shall contact the first purchaser and allow the first purchaser to present comments to the council concerning:

- (1) the status and amount of the assessments due; and
- (2) reasons why the council should not bring legal action against the first purchaser.

(b) After allowing a first purchaser the opportunity to present comments, the council:

- (1) may adjust the amount of the assessments due, if the first purchaser's comments reveal that the council's figure is

inaccurate;

(2) may assess a penalty against the first purchaser;

(3) shall:

(A) assess a fee for an unpaid assessment due the council, from a person responsible for remitting assessments, at the rate of two percent (2%) of the amount of the unpaid assessment each month, beginning with the day following the date the assessment is due under this subsection; and

(B) if there is any remaining amount due after the assessment of the fee under clause (A), assess a fee at the same rate on the corresponding day of each month thereafter until the entire amount of the unpaid assessment is paid;

(4) shall compute the amounts payable on unpaid assessments under this section monthly and include any unpaid late charges previously applied under this section; and

(5) shall determine the date of a payment for purposes of this subsection by the postmark applied to the remitting envelope.

(c) If a first purchaser fails to remit assessments after being allowed to present comments under subsection (a) or to pay any penalty assessed under subsection (b), the council may bring a civil action against the first purchaser in a circuit, superior, or municipal court of any county. The action shall be tried and a judgment rendered as in any other proceeding for the collection of a debt. In an action under this subsection, the council may obtain:

(1) a judgment in the amount of all unremitted assessments and any unpaid penalty; and

(2) an award of the costs of bringing the action.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-37

Restrictions on use of assessment

Sec. 37. (a) Proceeds of the checkoff assessment collected by the council under this chapter may not be used to influence legislation or governmental action or policy.

(b) Proceeds of the assessment collected under this chapter may be used to communicate information related to the:

(1) conduct;

(2) implementation; or

(3) results;

of promotion, research, and market development activities to appropriate government officials.

(c) After January 1, 2009, proceeds of the assessment collected under this chapter may be used for action designed to market corn or corn products directly to a foreign government or a political subdivision of a foreign government. However, not more than five percent (5%) of the annual amount collected may be used under this subsection.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-38

Procedures for termination if refunds are greater than 25%

Sec. 38. (a) For the marketing year beginning October 1, 2009, if at least twenty-five percent (25%) of the assessment is refunded during the marketing year, the council shall:

- (1) cease collecting the assessment on January 1 of the subsequent year;
- (2) maintain a sufficient amount of money to pay any refunds requested by producers; and
- (3) request that the legislative council have legislation prepared to repeal the corn market law.

(b) If for the marketing year beginning October 1, 2009, less than twenty-five percent (25%) of the assessments are refunded, the council shall review the refunds for each year beginning with the marketing year beginning October 1, 2010. If refunds exceed twenty-five percent (25%) in two (2) consecutive marketing years, the council shall:

- (1) cease collecting the assessment on January 1 of the subsequent year;
- (2) maintain a sufficient amount of money to pay any refunds requested by producers; and
- (3) request that the legislative council have legislation prepared to repeal the corn market law.

(c) The dean of agriculture and the council shall report to the legislative council the amounts collected and refunded. The report to the legislative council must be in an electronic format under IC 5-14-6.

As added by P.L.2-2008, SEC.6.

IC 15-15-12-39

Injunctions

Sec. 39. (a) If a person fails to discharge a duty imposed by this chapter other than remitted assessments, the council shall allow the person an opportunity to present comments to the council concerning reasons why the council should not bring legal action against the person. If it is necessary to obtain compliance with this chapter, the council may bring an action against the person in a circuit, superior, or municipal court of any county seeking an injunction mandating compliance and any other appropriate legal remedies.

(b) In an action under this section, the council may be granted injunctive relief without establishing the absence of an adequate remedy at law.

As added by P.L.2-2008, SEC.6.