

## **IC 12-12-5**

### **Chapter 5. Blind Vending Services**

#### **IC 12-12-5-1**

##### **Vending opportunities within exclusive right of bureau; purpose**

Sec. 1. Except as provided in section 3 of this chapter, the bureau is given sole vending opportunities in buildings owned, leased in whole, or operated by:

- (1) the state;
- (2) a county;
- (3) a township;
- (4) a city; or
- (5) a town;

for purposes of providing blind individuals with remunerative employment and enlarging the economic opportunities of the blind.

*As added by P.L.2-1992, SEC.6.*

#### **IC 12-12-5-2**

##### **Articles to be sold; location and type of vending facility**

Sec. 2. (a) Vending facilities shall be established for the purpose of selling newspapers, periodicals, confections, tobacco products, food, beverages, and other articles approved for sale by the bureau and the custodial authority of the building.

(b) The location and type of vending facility shall be determined by the bureau in cooperation with the custodial authority of the building in which the vending facility will be operated.

*As added by P.L.2-1992, SEC.6.*

#### **IC 12-12-5-3**

##### **Relinquishment of exclusive right; conditions**

Sec. 3. The bureau shall relinquish the bureau's exclusive right under section 1 of this chapter to operate vending services in a building if either of the following apply:

- (1) A blind vendor is not available to provide vending services in a particular building.
- (2) The custodial authority of the building shows to the satisfaction of the bureau that good cause exists for not granting the bureau the exclusive right to operate vending services in the building and the custodial authority files with the bureau a signed affidavit to that effect.

*As added by P.L.2-1992, SEC.6.*

#### **IC 12-12-5-4**

##### **Vending services contracts entered into following relinquishment by bureau of exclusive right**

Sec. 4. If the bureau relinquishes the bureau's exclusive right to operate vending services under section 3 of this chapter, the custodial authority of the building may enter into a contract with a person for the provision of vending services in the building. A contract entered into under this section may not exceed two (2) years.

*As added by P.L.2-1992, SEC.6.*

**IC 12-12-5-5**

**Vending services contracts entered into following relinquishment of exclusive right; notice to bureau**

Sec. 5. The custodial authority of a building shall notify the bureau before entering into or renewing a contract to operate vending services in the building with a person other than the bureau.

*As added by P.L.2-1992, SEC.6.*

**IC 12-12-5-6**

**Placement at new vending facility; operator already operating another facility**

Sec. 6. In placing blind vendors at vending facilities under this section, the bureau may not place at a new vending facility a blind vendor who is already operating a vending facility unless the placement of the vendor at the new vending facility would leave a vacant vending facility that could be:

- (1) immediately filled by another blind vendor;
- (2) transferred to the custodial authority under section 3 of this chapter; or
- (3) closed due to insufficient income producing potential.

*As added by P.L.2-1992, SEC.6.*

**IC 12-12-5-7**

**Duty of bureau to seek out vending opportunities**

Sec. 7. The bureau shall seek out vending opportunities for blind individuals in public and private buildings.

*As added by P.L.2-1992, SEC.6.*

**IC 12-12-5-8**

**Issuance of licenses; vending facilities in privately owned buildings and buildings owned or leased by the federal government**

Sec. 8. The division may do the following:

- (1) Issue licenses to blind individuals to operate vending stands under applicable federal and state laws.
- (2) Establish and operate vending facilities for the placement of blind individuals in buildings owned or leased by the federal government.
- (3) Establish and operate vending facilities in privately owned buildings.

*As added by P.L.2-1992, SEC.6.*

**IC 12-12-5-9**

**Training of vending facility operators; use of state, local, and federal money**

Sec. 9. Training of vending facility operators under this chapter may be paid from state, local, or federal money.

*As added by P.L.2-1992, SEC.6.*

**IC 12-12-5-10**

**Annual report**

Sec. 10. (a) Before December 1 of each year, the bureau shall submit to the legislative services agency a report in an electronic format under IC 5-14-6 detailing the number of blind vendors placed by the bureau in public and private buildings under this chapter.

(b) The legislative services agency shall submit copies of the report to the chairs of the health committees of the senate and the house of representatives.

*As added by P.L.2-1992, SEC.6. Amended by P.L.28-2004, SEC.96.*