

IC 24-1-4

Chapter 4. Combinations Compelling Manufacturers to Close Down

IC 24-1-4-1

Refusal to furnish product in ordinary commercial usage; violation of public policy; unlawful and void act

Sec. 1. From and after March 8, 1901, all arrangements, agreements, trusts, or combinations, or any agreement or arrangements that are made whereby a party or corporation refuses to furnish any article or articles required to be used in the manufacture of any article or merchandise when the party or corporation can furnish the same, or by charging more than the regular and ordinary price for the same or doing or refusing to do any act or acts that would cause such party to cease to manufacture such article or hinder such person or corporation from so doing, and all arrangements, contracts, or acts done or performed between any person or corporation made for the purpose of compelling any person or corporation engaged in the business of manufacturing any article of merchandise to cease manufacturing any such article, or compelling the same to close down or go out of business, are hereby declared to be against public policy, unlawful, and void.

(Formerly: Acts 1901, c.107, s.1.) As amended by P.L.152-1986, SEC.18.

IC 24-1-4-2

Violation of chapter; domestic corporations; forfeiture of charter and franchise; foreign corporations; prohibition; duty of attorney general

Sec. 2. (a) Any corporation chartered under the laws of this state which shall violate any of the provisions of this chapter shall thereby forfeit its charter and its franchise, and its corporate existence shall thereupon cease and terminate. Every foreign corporation which shall violate any of the provisions of this chapter is hereby denied the right to do and is prohibited from doing business in this state.

(b) It is hereby made the duty of the attorney general of the state to enforce the provisions of this chapter by due process of law.

(Formerly: Acts 1901, c.107, s.2.) As amended by P.L.152-1986, SEC.19.

IC 24-1-4-3 Version a

Offense

Note: This version of section effective until 7-1-2014. See also following version of this section, effective 7-1-2014.

Sec. 3. A person who knowingly violates this chapter commits a Class C felony.

(Formerly: Acts 1901, c.107, s.3.) As amended by Acts 1978, P.L.2, SEC.2406.

IC 24-1-4-3 Version b

Offense

Note: This version of section effective 7-1-2014. See also preceding version of this section, effective until 7-1-2014.

Sec. 3. A person who knowingly violates this chapter commits a Level 5 felony.

(Formerly: Acts 1901, c.107, s.3.) As amended by Acts 1978, P.L.2, SEC.2406; P.L.158-2013, SEC.270.

IC 24-1-4-4**Violation of chapter; civil action for damages; attorney general**

Sec. 4. (a) Any person who has suffered injuries or damages as a result of an arrangement, contract, agreement, trust, or combination described in section 1 of this chapter may bring an action in any court of competent jurisdiction in this state to recover the full consideration or sum paid by the person for any goods, wares or merchandise, or article the sale of which is controlled by the combination or trust. In addition, the person is entitled to recover a penalty of threefold the damages awarded in the action, plus reasonable costs and attorney's fees.

(b) The attorney general may bring an action under this section on behalf of the state or a political subdivision.

(Formerly: Acts 1901, c.107, s.4.) As amended by P.L.152-1986, SEC.20; P.L.135-2008, SEC.7.

IC 24-1-4-5**Attorney general's representation of the state or a political subdivision**

Sec. 5. The attorney general may bring an action on behalf of the state or any political subdivision (as defined in IC 34-6-2-110) that has been directly or indirectly injured or damaged by:

- (1) an arrangement, agreement, trust, or combination described in section 1 of this chapter; or
- (2) any other violation of this chapter.

As added by P.L.135-2008, SEC.8.