

## **IC 14-18-4**

### **Chapter 4. Contracts for Public Accommodations**

#### **IC 14-18-4-1**

##### **Determination by department**

Sec. 1. If the department determines that it would be in the best interest of the citizens of Indiana to enter into extended term contracts for the operation of hotels, inns, and lodges located in state parks under the department's jurisdiction, the department may negotiate and execute contracts in the manner prescribed by this chapter in addition to the methods established under other statutes.

*As added by P.L.1-1995, SEC.11.*

#### **IC 14-18-4-2**

##### **Contents of contract**

Sec. 2. (a) A contract authorized by this chapter must include in its terms the following provisions and conditions:

- (1) The term of the contract. The term may not exceed ten (10) years.
- (2) The manner of payment of rental.
- (3) The facilities must be available to the public without discrimination and at charges designed to make the facilities available to a maximum number of the citizens of Indiana.
- (4) A prohibition on the sale or public display of alcoholic beverages on the contract premises.
- (5) The establishment of a major maintenance and replacement fund.

(b) The contract may prescribe other terms and conditions that the department considers necessary and advisable to carry out the intent and purposes of this chapter.

*As added by P.L.1-1995, SEC.11.*

#### **IC 14-18-4-3**

##### **Initial draft of proposed lease and contract; notice of hearing**

Sec. 3. (a) The department shall do the following:

- (1) Draft and distribute copies of the following to the hotel and motel industry:
  - (A) A proposed lease and contract.
  - (B) A notice of the time and place that the department will hold a public hearing to consider the terms and conditions of the proposed lease and contract.
- (2) Submit a copy of the proposed lease to the office of tourism development.

(b) The office of tourism development shall submit an evaluation and recommendations for amendments for consideration before the public hearing.

*As added by P.L.1-1995, SEC.11. Amended by P.L.229-2005, SEC.15.*

#### **IC 14-18-4-4**

### **Hearing on proposed lease and contract**

Sec. 4. (a) The department shall give at least sixty (60) days notice of the public hearing by publishing notice in a newspaper of general circulation in Indiana.

(b) At the public hearing the department shall receive objections and suggested amendments to the terms of the proposed lease and contract from persons who are interested in leasing the land and constructing lodging and food facilities.

*As added by P.L.1-1995, SEC.11.*

### **IC 14-18-4-5**

#### **Final draft of proposed lease and contract**

Sec. 5. Following the hearing under section 4 of this chapter, the department shall do the following:

(1) Prepare a final draft of the proposed lease and contract.

(2) Submit the lease and contract to the commission, the governor, and the attorney general.

*As added by P.L.1-1995, SEC.11.*

### **IC 14-18-4-6**

#### **Notice to bidders; interview of bidders**

Sec. 6. If the commission, governor, and attorney general approve the lease and contract, the department shall do the following:

(1) Give at least ten (10) days notice in a newspaper of general circulation in Indiana, notifying the public and prospective bidders of the time and place that the department will receive bids.

(2) Interview each bidder to discover the resources and experience of the bidder.

*As added by P.L.1-1995, SEC.11.*

### **IC 14-18-4-7**

#### **Award of lease to highest and best bidder**

Sec. 7. After the interview, the department may award the lease to the highest and best bidder.

*As added by P.L.1-1995, SEC.11.*