

## SENATE BILL No. 169

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 3-5-2-32.7; IC 3-9; IC 3-13-1-10.5; IC 3-13-2-7; IC 3-5-2-32.5; IC 3-9-5-21.

**Synopsis:** Campaign finance. Makes the following changes in campaign finance law: (1) Defines the nomination date for a candidate selected to fill a candidate vacancy, a candidate nominated by petition, and for write-in candidates. (2) Requires electronic submission of campaign finance reports to conform to formats approved by the election commission and other standards. (3) Specifies campaign finance report filing deadlines. (4) Provides that the election division or a county election board may, but is not required to, accept filings by facsimile transmission. (5) Specifies that a committee is required to report an individual contributor's occupation only if the amount of contributions given or loans made to the committee exceed the threshold amount. (6) Provides that a report of a large contribution is required to be filed not later than noon four days before the election. (Under current law the report is required to be filed not later than noon  
(Continued next page)

**Effective:** Upon passage; July 1, 1997 (retroactive); January 1, 1998 (retroactive); July 1, 1998 (retroactive).

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Landske, Skillman, Breaux, Craycraft  
**Craycraft**

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January 6, 1998, read first time and referred to Committee on Elections.

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## Digest Continued

five days before the election.) (7) Provides that certain information about campaign finance laws must be provided to candidates who fill candidate vacancies. (Current law requires that this information must be provided to all other individuals who become candidates.) (8) Provides that the campaign finance computer data base must have campaign finance reports for calendar years 1997 and 1998 in searchable and digital form and the reports must be available on the Internet after December 31, 1998, but before January 1, 2000. (9) Specifies that legislative caucus committees and national party affiliate committees are political action committees through December 31, 1997. (10) Specifies reporting requirements under the 1997 campaign finance amendments for reports required during 1997. (11) Repeals the definition of national party affiliate committee and another obsolete statute. (12) Makes other technical changes to the campaign finance law. (The introduced version of this bill was prepared by the census data advisory committee.)



Introduced

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

## SENATE BILL No. 169

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A BILL FOR AN ACT to amend the Indiana Code concerning elections.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 3-5-2-32.7, AS ADDED BY P.L.3-1997, SECTION  
2 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON  
3 PASSAGE]: Sec. 32.7. "Nomination date" refers to the following:  
4 (1) For candidates nominated in a primary election, the date of the  
5 primary election.  
6 (2) For candidates nominated in a convention, the date of the  
7 convention **is scheduled to be called to order, according to the**  
8 **call of the convention issued by the political party.**  
9 (3) **For candidates selected to fill a ballot vacancy, the date the**  
10 **certificate of selection of the candidate is filed under**  
11 **IC 3-13-1-15 or IC 3-13-2-8.**  
12 (4) **For candidates nominated by petition, the final date the**  
13 **petition of nomination is permitted to be filed under**  
14 **IC 3-8-6-10(c).**  
15 (5) **For write-in candidates, the final date the candidate's**



1           **declaration of intent to be a write-in candidate is permitted to**  
 2           **be filed under IC 3-8-2-4.**

3           SECTION 2. IC 3-9-1-4, AS AMENDED BY P.L.3-1997,  
 4           SECTION 171, IS AMENDED TO READ AS FOLLOWS  
 5           [EFFECTIVE UPON PASSAGE]: Sec. 4. A committee must include  
 6           in its statement of organization the following:

- 7           (1) The name and address of the committee.  
 8           (2) The purpose for which the committee is formed, **unless the**  
 9           **committee is a candidate's committee that identifies a specific**  
 10           **office sought by the candidate.**  
 11           (3) The name and address of the chairman and treasurer.  
 12           (4) If applicable, the name, address, office sought, and political  
 13           party affiliation or independent status of each candidate whom the  
 14           committee is supporting.  
 15           (5) If the committee is **a legislative caucus committee, political**  
 16           **action committee, or regular party committee, and is**  
 17           supporting the entire ticket of a political party, the name of the  
 18           party.  
 19           (6) If the committee is **a political action committee** supporting  
 20           or opposing a public question, a brief statement of the question  
 21           supported or opposed.  
 22           (7) A listing of all banks, safety deposit boxes, and other  
 23           depositories used.  
 24           (8) Other information prescribed by the commission under  
 25           IC 3-6-4.1-14(a)(3).

26           SECTION 3. IC 3-9-2-13, AS ADDED BY P.L.3-1997, SECTION  
 27           181, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON  
 28           PASSAGE]: Sec. 13. An individual may not ~~make~~ **solicit** or receive a  
 29           contribution in violation of the following statutes:

- 30           (1) IC 4-23-7-3.5 (Indiana Library and Historical Department).  
 31           (2) IC 4-23-7.1-38 (Indiana State Library).  
 32           (3) IC 4-23-7.2-17 (Indiana Historical Bureau).  
 33           (4) IC 8-23-2-3 (Indiana Department of Transportation).  
 34           (5) IC 14-9-7-1 and IC 14-10-3-10 (Department of Natural  
 35           Resources).

36           SECTION 4. IC 3-9-4-4, AS AMENDED BY P.L.3-1997,  
 37           SECTION 186, IS AMENDED TO READ AS FOLLOWS  
 38           [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The election division  
 39           shall develop a filing, coding, and cross-indexing system consistent  
 40           with the purposes of this article. The election division and each county  
 41           election board shall use the filing, coding, and cross-indexing system.  
 42           The coding system must provide:



- 1 (1) codes to account for various campaign expenditure items; and  
 2 (2) a clear explanation of the kinds of expenditure items that must  
 3 be accounted for under each code.
- 4 (b) The election division shall develop and use a computer system  
 5 to store campaign finance reports required to be filed under IC 3-9-5-6,  
 6 ~~and~~ IC 3-9-5-10, **and IC 3-9-5-20**. The computer system must enable  
 7 the election division to do the following:
- 8 (1) Identify all candidates or committees that received  
 9 contributions from a contributor over the past three (3) years.  
 10 (2) Identify all contributors to a candidate or committee over the  
 11 past three (3) years.  
 12 (3) Provide for electronic submission, retrieval, storage, and  
 13 disclosure of campaign finance reports of candidates for the  
 14 following:
- 15 (A) Legislative office.  
 16 (B) State office.
- 17 The election division shall provide training at no cost to  
 18 candidates to enable candidates described in this subdivision to  
 19 file campaign finance reports electronically.
- 20 **(c) This subsection applies to an electronic submission under**  
 21 **subsection (b)(3). An electronic submission must be in a format**  
 22 **previously approved by the commission that permits the election**  
 23 **division to print out a hard copy of the report upon the receipt of**  
 24 **the electronic submission from the candidate. Filing of a report**  
 25 **occurs under IC 3-5-2-24.5 when the hard copy is printed out and**  
 26 **the election division records the date and time of the printout on**  
 27 **the hard copy. If a discrepancy exists between the text of the**  
 28 **electronic submission and the printed report, the text of the printed**  
 29 **report prevails until an amendment is filed under this article to**  
 30 **correct the discrepancy.**
- 31 **(d) The election division is not required to accept an electronic**  
 32 **submission unless the submission complies with subsection (b)(3).**  
 33 **Upon receiving approval from the commission, the election division**  
 34 **may accept an electronic submission from candidates, committees,**  
 35 **or persons described in subsection (b)(3).**
- 36 ~~(e)~~ (e) The election division shall make campaign finance reports  
 37 stored on the computer system under subsection (b) available to the  
 38 general public through an on-line service.
- 39 SECTION 5. IC 3-9-4-14, AS AMENDED BY P.L.3-1997,  
 40 SECTION 195, IS AMENDED TO READ AS FOLLOWS  
 41 [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) The election division  
 42 and each county election board shall do all of the following:



- 1 (1) Ascertain whether candidates, committees, or other persons  
 2 have:  
 3 (A) failed to file statements of organization or reports; or ~~have~~  
 4 (B) filed defective statements of organization or reports.  
 5 (2) Give the following notices:  
 6 (A) To delinquents to file a statement of organization or a  
 7 report immediately upon receipt of the notice. A delinquency  
 8 notice must be given not later than thirty (30) days after ~~each~~  
 9 ~~election. the date the report was required to be filed.~~ The  
 10 ~~commission election division~~ or a county election board may,  
 11 but is not required to, give delinquency notices at other times.  
 12 (B) To persons filing defective reports to make a supplemental  
 13 statement or report correcting all defects not later than noon  
 14 five (5) calendar days after receipt of the notice.  
 15 (3) Make available for public inspection a list of delinquents and  
 16 persons who have failed to file the required supplemental  
 17 statement or report. The election division and each county  
 18 election board shall post a list of delinquents in a public place at  
 19 or near the entrance of the commission's or board's respective  
 20 offices.  
 21 (b) The election division shall mail:  
 22 (1) to each candidate ~~and treasurer of the candidate's committee;~~  
 23 **required to file a campaign finance report with the election**  
 24 **division;** and  
 25 (2) twenty-one (21) days before the campaign finance reports are  
 26 due;  
 27 the proper campaign finance report forms and a notice that states the  
 28 date the campaign finance reports are due. The election division is  
 29 required to mail notices and forms only to candidates for state offices  
 30 and legislative offices. A county election board may, but is not required  
 31 to, implement this subsection for candidates for local offices.  
 32 (c) Notwithstanding any notice given to a delinquent under  
 33 subsection (a) or (b), the delinquent remains liable for a civil penalty  
 34 in the full amount permitted under this chapter for failing to file a  
 35 campaign finance report or statement of organization not later than the  
 36 date and time prescribed under this article.  
 37 SECTION 6. IC 3-9-4-18, AS AMENDED BY P.L.3-1997,  
 38 SECTION 198, IS AMENDED TO READ AS FOLLOWS  
 39 [EFFECTIVE UPON PASSAGE]: Sec. 18. (a) As used in this section,  
 40 "delinquent **or defective** report" refers to a campaign finance report **or**  
 41 **statement of organization:**  
 42 (1) that was required to be filed under IC 3-9-5 but was not filed



- 1 in the manner required under IC 3-9-5; and  
 2 (2) for which a person was assessed a civil penalty under section  
 3 16 or 17 of this chapter.
- 4 (b) As used in this section, "election board" refers to the following:  
 5 (1) The commission if a civil penalty was assessed under section  
 6 16 of this chapter.  
 7 (2) The county election board if a civil penalty was assessed  
 8 under section 17 of this chapter.
- 9 (c) As used in this section, "person" refers to a person who:  
 10 (1) has been assessed a civil penalty under section 16 or 17 of this  
 11 chapter; and  
 12 (2) has filed a declaration of candidacy, a petition of nomination,  
 13 or a declaration of intent to be a write-in candidate in a  
 14 subsequent election or for whom a certificate of nomination has  
 15 been filed.
- 16 (d) A person who does both of the following is relieved from further  
 17 civil liability under this chapter for the delinquent **or defective** report:  
 18 (1) Files the delinquent report **or amends the defective report**  
 19 from the previous candidacy:  
 20 (A) before filing a report required under IC 3-9-5-6; or  
 21 (B) at the same time the person files the report required under  
 22 IC 3-9-5-6;  
 23 for a subsequent candidacy.  
 24 (2) Pays all civil penalties assessed under section 16 or 17 of this  
 25 chapter for the delinquent report.
- 26 (e) This subsection applies to a person who:  
 27 (1) is assessed a civil penalty under this chapter; and  
 28 (2) is elected to office in the subsequent election.
- 29 The election board may order the auditor of state or the fiscal officer of  
 30 the political subdivision responsible for issuing the person's payment  
 31 for serving in office to withhold from the person's paycheck the amount  
 32 of the civil penalty assessed under this chapter. If the amount of the  
 33 paycheck is less than the amount of the civil penalty, the auditor **or**  
 34 **fiscal officer** shall continue withholding money from the person's  
 35 paycheck until an amount equal to the amount of the civil penalty has  
 36 been withheld.
- 37 (f) The auditor of state or fiscal officer shall deposit an amount  
 38 **paid, recovered, or withheld** under this section in the election board's  
 39 campaign finance enforcement account.
- 40 (g) Proceedings of the election board under this section are subject  
 41 to IC 4-21.5.
- 42 SECTION 7. IC 3-9-5-1, AS AMENDED BY P.L.3-1997,



1 SECTION 200, IS AMENDED TO READ AS FOLLOWS  
 2 [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) Except as provided in  
 3 subsection (b), this chapter applies to candidates in all elections and  
 4 caucuses and to the following types of committees:

- 5 (1) Candidate's committees.
- 6 (2) Regular party committees.
- 7 (3) Political action committees.
- 8 (4) A legislative caucus committee.

9 (b) This chapter does not apply to the following:

- 10 (1) Elections to local ~~or school board~~ offices for which the  
 11 compensation is less than five thousand dollars (\$5,000) per year.
- 12 (2) Candidates for school board office except a candidate who is  
 13 required to file a written instrument designating a principal  
 14 committee under IC 3-9-1-5.
- 15 (3) Elections for precinct committeeman or delegate to a state  
 16 convention.
- 17 (4) An auxiliary party organization.

18 SECTION 8. IC 3-9-5-6, AS AMENDED BY P.L.3-1997,  
 19 SECTION 204, IS AMENDED TO READ AS FOLLOWS  
 20 [EFFECTIVE JANUARY 1, 1998 (RETROACTIVE)]: Sec. 6. (a) **This**  
 21 **subsection applies to a candidate's committee.** Except as otherwise  
 22 provided in this chapter, each committee, ~~its the committee's~~ treasurer,  
 23 and each candidate shall complete a report required by this chapter  
 24 current and dated as of the following dates:

- 25 (1) Twenty-five (25) days before the nomination date.
- 26 (2) Twenty-five (25) days before the general, ~~or~~ municipal, ~~or~~  
 27 **special** election.
- 28 (3) The annual report filed and dated as required by section 10 of  
 29 this chapter.

30 (b) ~~In the case of a special election, each committee, each~~  
 31 ~~committee's treasurer, and each candidate shall complete a report~~  
 32 ~~required by this chapter current as of twenty-five (25) days before the~~  
 33 ~~special election. This subsection applies to a regular party~~  
 34 ~~committee. Except as otherwise provided in this chapter, each~~  
 35 ~~committee and the committee's treasurer shall complete a report~~  
 36 ~~required by this chapter current and dated as of the following~~  
 37 ~~dates:~~

- 38 (1) **Twenty-five (25) days before a primary election.**
- 39 (2) **Twenty-five (25) days before a general, municipal, or**  
 40 **special election.**
- 41 (3) **The date of the annual report filed and dated as required**  
 42 **under section 10 of this chapter.**



1 (c) This subsection applies to a legislative caucus committee.  
 2 Except as otherwise provided in this chapter, each committee and  
 3 the committee's treasurer shall complete a report required under  
 4 this chapter current and dated as of the following dates:

5 (1) Twenty-five (25) days before a primary election conducted  
 6 in an even-numbered year.

7 (2) Twenty-five (25) days before a general election conducted  
 8 in an even-numbered year.

9 (3) The date of the annual report filed and dated as required  
 10 under section 10 of this chapter.

11 (d) A legislative caucus committee is not required to file any  
 12 report concerning the committee's activity during an  
 13 odd-numbered year other than the annual report filed and dated  
 14 under section 10 of this chapter.

15 SECTION 9. IC 3-9-5-7, AS AMENDED BY P.L.3-1997,  
 16 SECTION 205, IS AMENDED TO READ AS FOLLOWS  
 17 [EFFECTIVE JULY 1, 1998 (RETROACTIVE)]: Sec. 7. (a) **Persons**  
 18 **A person** may deliver reports to the appropriate office as follows:

19 (1) By hand.

20 (2) By mail.

21 (3) By electronic mail, if the appropriate office has the capacity  
 22 to:

23 (A) receive electronic mail; **and**

24 (B) **print out a hard copy of the report immediately upon**  
 25 **the receipt of the electronic mail by the office.**

26 (b) Reports must be filed as follows:

27 (1) Hand delivered reports **or reports that are mailed** must be  
 28 **received by filed with** the appropriate office during regular office  
 29 hours not later than noon seven (7) days after the date of the  
 30 report.

31 (2) Reports delivered by electronic mail must be **received by filed**  
 32 **with** the appropriate office not later than noon seven (7) days  
 33 after the date of the report.

34 (3) Reports that are mailed must be postmarked not later than  
 35 noon seven (5) days after the date of the report:

36 (c) **This subsection applies to a report delivered by electronic**  
 37 **mail. Filing of a report occurs under IC 3-5-2-24.5 when the hard**  
 38 **copy is printed out and the office records the date and time of the**  
 39 **printout on the report. If a discrepancy exists between the text of**  
 40 **the electronic mail and the printed report, the text of the printed**  
 41 **report prevails until an amendment is filed under this article to**  
 42 **correct the discrepancy.**



1           **(d) An office is not required to accept a report or statement**  
 2 **required under this article by facsimile transmission. Upon**  
 3 **approval by the commission or a county election board the election**  
 4 **division or the county election board may accept the facsimile**  
 5 **transmission of a report or statement.**

6           SECTION 10. IC 3-9-5-8, AS AMENDED BY P.L.3-1997,  
 7 SECTION 206, IS AMENDED TO READ AS FOLLOWS  
 8 [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) **This section applies to**  
 9 a candidate for nomination to an office in a state convention who ~~(†)~~  
 10 becomes a candidate less than twenty-five (25) days before the  
 11 **nomination date for a candidate chosen at a convention. and**

12           **(b) A candidate ~~(‡)~~ does is not required to file the required a**  
 13 **report in accordance with ~~section 7~~ section 6(a)(1) of this chapter. The**  
 14 **candidate shall file the candidate's first report no later than noon**  
 15 **twenty (20) days after the nomination date for a candidate chosen at**  
 16 **a state convention.**

17           ~~(b)~~ (c) **The reporting period for a the first report required under for**  
 18 **a candidate this section begins on the date that the individual became**  
 19 **a candidate and ends on the day following the adjournment of the state**  
 20 **convention.**

21           SECTION 11. IC 3-9-5-8.2 IS ADDED TO THE INDIANA CODE  
 22 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE  
 23 UPON PASSAGE]: **Sec. 8.2. (a) This section applies to a candidate**  
 24 **who is nominated by petition under IC 3-8-6.**

25           **(b) A candidate is not required to prepare or file a report before**  
 26 **the nomination date.**

27           **(c) The period for the first report required for a candidate**  
 28 **begins on the date that the individual became a candidate and ends**  
 29 **fourteen (14) days after the nomination date.**

30           SECTION 12. IC 3-9-5-8.4 IS ADDED TO THE INDIANA CODE  
 31 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE  
 32 UPON PASSAGE]: **Sec. 8.4. (a) This section applies to a candidate**  
 33 **who files a declaration of intent to be a write-in candidate under**  
 34 **IC 3-8-2.**

35           **(b) A candidate is not required to prepare or file a report before**  
 36 **the nomination date.**

37           **(c) The period for the first report required for a candidate**  
 38 **begins on the date that the individual became a candidate and ends**  
 39 **fourteen (14) days after the nomination date.**

40           SECTION 13. IC 3-9-5-8.5, AS ADDED BY P.L.3-1997, SECTION  
 41 207, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON  
 42 PASSAGE]: Sec. 8.5. (a) This section applies to a candidate who is



1 selected to fill a vacancy on the ballot under IC 3-13-1 or IC 3-13-2.

2 (b) **A candidate is not required to prepare or file a report before**  
3 **the nomination date.**

4 (c) **Except as provided in subsection (d), the reporting period for**  
5 **the candidate's committee first report required for a candidate**  
6 **begins on the date that the individual became a candidate and ends**  
7 **twenty-five (25) fourteen (14) days before after the election**  
8 **nomination date.**

9 (d) **This subsection applies to a candidate selected under**  
10 **IC 3-13-2 to fill a vacancy on the ballot. A candidate is not required**  
11 **to prepare or file a report before or after the nomination date. The**  
12 **period for the first report required for a candidate begins on the**  
13 **date that the individual became a candidate and ends December 31**  
14 **following the election.**

15 SECTION 14. IC 3-9-5-14, AS AMENDED BY P.L.253-1997(ss),  
16 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17 JULY 1, 1998 (RETROACTIVE)]: Sec. 14. (a) As used in this section,  
18 "threshold contribution amount" refers to the following:

19 (1) For contributions made to a candidate's committee, a  
20 legislative caucus committee, or a political action committee, one  
21 hundred dollars (\$100).

22 (2) For contributions made to a regular party committee, two  
23 hundred dollars (\$200).

24 (b) The report of each committee's treasurer must disclose the  
25 following:

26 (1) The amount of cash on hand and the value of any investments  
27 made by the committee at the beginning of the reporting period.

28 (2) The total sum of individual contributions including  
29 transfers-in, accepted by the committee during its reporting  
30 period.

31 (3) The following information regarding each person who has  
32 made one (1) or more contributions within the year, in an  
33 aggregate amount that exceeds the threshold contribution amount  
34 in actual value to or for the committee, including the purchase of  
35 tickets for events such as dinners, luncheons, rallies, and similar  
36 fundraising events:

37 (A) The full name of the person.

38 (B) The full mailing address of the person making the  
39 contribution.

40 (C) The person's occupation, if the person is an individual who  
41 has made contributions **to the committee** of at least one  
42 thousand dollars (\$1,000) during the calendar year.



- 1 (D) The date and amount of each contribution.
- 2 (4) The name and address of each committee from which the
- 3 reporting committee received, or to which that committee made,
- 4 a transfer of funds, together with the amounts and dates of all
- 5 transfers.
- 6 (5) If the reporting committee is a candidate's committee, the
- 7 following information about each other committee that has
- 8 reported expenditures to the reporting candidate's committee
- 9 under section 15 of this chapter:
- 10 (A) The name and address of the other committee.
- 11 (B) The amount of expenditures reported by the other
- 12 committee.
- 13 (C) The date of the expenditures reported by the other
- 14 committee.
- 15 (D) The purpose of the expenditures reported by the other
- 16 committee.
- 17 (6) Each loan to or from a person within the reporting period
- 18 together with the following information:
- 19 (A) The full names and mailing addresses of the lender and
- 20 endorsers, if any.
- 21 (B) The person's occupation, if the person is an individual who
- 22 has made loans of at least one thousand dollars (\$1,000) **to the**
- 23 **committee** during the calendar year.
- 24 (C) The date and amount of the loans.
- 25 (7) The total sum of all receipts of the committee during the
- 26 reporting period.
- 27 (8) The full name, mailing address, occupation, and principal
- 28 place of business, if any, of each person other than a committee
- 29 to whom an expenditure was made by the committee or on behalf
- 30 of the committee within the year in an aggregate amount that:
- 31 (A) exceeds one hundred dollars (\$100), in the case of a
- 32 candidate's committee, **legislative caucus committee**, or
- 33 political action committee; or
- 34 (B) exceeds two hundred dollars (\$200), in the case of a
- 35 regular party committee.
- 36 (9) The name, address, and office sought by each candidate for
- 37 whom any expenditure was made or a statement identifying the
- 38 public question for which any expenditure was made, including
- 39 the amount, date, and purpose of each expenditure.
- 40 (10) The full name, mailing address, occupation, and principal
- 41 place of business, if any, of each person to whom an expenditure
- 42 for personal services, salaries, or reimbursed expenses was made



1 within the year in an aggregate amount that:

2 (A) exceeds one hundred dollars (\$100), in the case of a  
3 candidate's committee, **legislative caucus committee**, or  
4 political action committee; or

5 (B) exceeds two hundred dollars (\$200), in the case of a  
6 regular party committee;

7 and that is not otherwise reported, including the amount, date, and  
8 purpose of the expenditure.

9 (11) The total sum of expenditures made by the committee during  
10 the reporting period.

11 (12) The amount and nature of debts owed by or to the committee,  
12 and a continuous reporting of the debts after the election at the  
13 times ~~that the board requires~~ **required under this article** until the  
14 debts are extinguished.

15 SECTION 15. IC 3-9-5-20, AS ADDED BY P.L.3-1997, SECTION  
16 214, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON  
17 PASSAGE]: Sec. 20. (a) This section applies only to a large  
18 contribution that satisfies all of the following:

19 (1) The contribution is received by a candidate, the candidate's  
20 committee, or the treasurer of the candidate's committee.

21 (2) The contribution is received:

22 (A) not more than twenty-five (25) days before an election;  
23 and

24 (B) not less than five (5) days before an election.

25 (b) As used in this section, "election" refers to any of the following:

26 (1) A primary election.

27 (2) A general election.

28 (3) A municipal election.

29 (4) A special election.

30 (5) For candidates nominated at a state convention, the state  
31 convention.

32 (c) As used in this section, "large contribution" means a contribution  
33 of at least one thousand dollars (\$1,000).

34 (d) The treasurer of a candidate's committee shall file a report of  
35 large contributions not later than noon ~~five (5)~~ **four (4)** days before the  
36 election.

37 (e) A report required by subsection (d) must contain all of the  
38 following information for each large contribution:

39 (1) The name of the person making the contribution.

40 (2) The address of the person making the contribution.

41 (3) If the person making the contribution is an individual, the  
42 individual's occupation.



1 (4) The amount of the contribution.

2 (5) The date the contribution was received by the treasurer, the  
3 candidate, or the candidate's committee.

4 (f) If no large contributions were received, the treasurer of the  
5 committee shall report that fact.

6 (g) The commission shall prescribe the form for the report required  
7 by this section.

8 SECTION 16. IC 3-13-1-10.5, AS AMENDED BY P.L.3-1997,  
9 SECTION 382, IS AMENDED TO READ AS FOLLOWS  
10 [EFFECTIVE UPON PASSAGE]: Sec. 10.5. (a) A person who wishes  
11 to be a candidate for appointment to fill a candidate vacancy under this  
12 chapter must file a declaration of candidacy on a form prescribed by  
13 the commission with:

14 (1) the chairman of the caucus; and

15 (2) the official who is required to receive a certificate of candidate  
16 selection following the caucus under section 15 of this chapter;  
17 at least seventy-two (72) hours before the time fixed for the caucus.

18 **(b) The form prescribed under subsection (a) must include a  
19 statement that the candidate:**

20 **(1) is aware of the provisions of IC 3-9 regarding campaign  
21 finance and the reporting of campaign finance contributions  
22 and expenditures; and**

23 **(2) agrees to comply with the provisions of IC 3-9.**

24 **The candidate must separately sign the statement required by this  
25 subsection.**

26 **(c) The commission shall provide that the form prescribed  
27 under subsection (a) includes the following information near the  
28 separate signature:**

29 **(1) The dates for filing campaign finance reports under  
30 IC 3-9.**

31 **(2) The penalties for late filing of campaign finance reports  
32 under IC 3-9.**

33 SECTION 17. IC 3-13-2-7 IS AMENDED TO READ AS  
34 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) The selection  
35 of a person as a candidate under this chapter is not effective unless:

36 (1) the person's written consent is obtained and filed:

37 (A) in the office in which certificates and petitions of  
38 nomination must be filed; and

39 (B) when the certificate is filed; and

40 (2) the candidate has complied with any requirement under  
41 IC 3-8-1-33 to file a statement of economic interests.

42 **(b) The written consent under subsection (a) must include a**



1 **statement that the candidate:**

2 **(1) is aware of the provisions of IC 3-9 regarding campaign**  
 3 **finance and the reporting of campaign finance contributions**  
 4 **and expenditures; and**

5 **(2) agrees to comply with the provisions of IC 3-9.**

6 **The candidate must separately sign the statement required by this**  
 7 **subsection.**

8 **(c) The commission shall prescribe the form of the written**  
 9 **consent under subsection (a) and shall include the following**  
 10 **information near the separate signature:**

11 **(1) The dates for filing campaign finance reports under**  
 12 **IC 3-9.**

13 **(2) The penalties for late filing of campaign finance reports**  
 14 **under IC 3-9.**

15 SECTION 18. IC 3-5-2-32.5 IS REPEALED [EFFECTIVE JULY  
 16 1, 1997 (RETROACTIVE)].

17 SECTION 19. IC 3-9-5-21 IS REPEALED [EFFECTIVE UPON  
 18 PASSAGE].

19 SECTION 20. P.L.4-1996, SECTION 114, AS AMENDED BY  
 20 P.L.3-1997, SECTION 473, IS AMENDED TO READ AS FOLLOWS  
 21 [EFFECTIVE UPON PASSAGE]: (a) As used in this SECTION,  
 22 "computer system" refers to the computer system described in  
 23 IC 3-9-4-4.

24 (b) Notwithstanding IC 3-9-4-4, the election division is not required  
 25 to have the computer system operational before April 1, 1998.

26 (c) Notwithstanding IC 3-9-4-4, not later than April 2, 1998, the  
 27 computer system is only required to make the annual reports required  
 28 to be filed under IC 3-9-5-10 for calendar year 1997 in searchable,  
 29 digital form available on the Internet.

30 (d) Notwithstanding IC 3-9-4-4, after December 31, 1998, and  
 31 before January 1, 2000, the computer system is required to ~~do only the~~  
 32 **following:**

33 **(1) Identify all contributors and committees that received**  
 34 **contributions from a contributor during 1997 and 1998.**

35 **(2) Identify all candidates and committees that received**  
 36 **contributors to a candidate or committee during 1997 and 1998.**

37 **make the reports required to be filed under IC 3-9-5 for reporting**  
 38 **periods including all or part of calendar years 1997 and 1998 in**  
 39 **searchable, digital form available on the Internet.**

40 (e) This SECTION expires January 1, 2000.

41 SECTION 21. [EFFECTIVE JULY 1, 1997 (RETROACTIVE)]: (a)  
 42 **This SECTION applies to a political action committee in existence**



1       **on June 30, 1997, that is redefined as:**

2           **(1) a legislative caucus committee; or**

3           **(2) a national party affiliate committee;**

4       **under IC 3-5-2, as amended by P.L.3-1997.**

5           **(b) Notwithstanding IC 3-5-2, as amended by P.L.3-1997, a**  
 6       **legislative caucus committee or a national party affiliate committee**  
 7       **is considered a political action committee for all purposes under**  
 8       **IC 3 before January 1, 1998.**

9           **(c) A legislative caucus committee under this SECTION shall**  
 10       **file a statement of organization with the election division not later**  
 11       **than January 21, 1998, reflecting the committee's status as a**  
 12       **legislative caucus committee.**

13          **(d) This SECTION expires December 31, 1998.**

14       **SECTION 22. [EFFECTIVE JULY 1, 1997 (RETROACTIVE)]: (a)**  
 15       **Notwithstanding IC 3-9-1-23, as amended by P.L.3-1997,**  
 16       **SECTION 176, before January 1, 1998, the treasurer of a**  
 17       **committee listed in IC 3-9-1-1(a) is required only to keep an**  
 18       **account of the items that were required under IC 3-9-1-23 before**  
 19       **the amendment to IC 3-9-1-23 took effect July 1, 1997.**

20          **(b) Notwithstanding IC 3-9-2-9, as amended by P.L.3-1997,**  
 21       **SECTION 178, a contribution transferred to the treasurer of a**  
 22       **committee listed in IC 3-9-1-1(a) before January 1, 1998, must**  
 23       **include only the information that was required under IC 3-9-2-9**  
 24       **before the amendment to IC 3-9-2-9 took effect July 1, 1997.**

25          **(c) This SECTION expires December 31, 1998.**

26       **SECTION 23. [EFFECTIVE JULY 1, 1997 (RETROACTIVE)]: (a)**  
 27       **This SECTION applies to a report that must be filed under**  
 28       **IC 3-9-5:**

29           **(1) by a candidate's committee, a legislative caucus committee,**  
 30           **or a political action committee not later than noon, January**  
 31           **21, 1998; or**

32           **(2) by a regular party committee not later than noon, March**  
 33           **2, 1998.**

34          **(b) Notwithstanding IC 3-9-5, as amended by P.L.3-1997:**

35           **(1) a report described by subsection (a); and**

36           **(2) the records maintained by a committee treasurer under**  
 37           **IC 3-9-5-14;**

38       **must only comply with the requirements of IC 3-9-5, that were in**  
 39       **effect on January 1, 1997.**

40          **(c) This SECTION expires March 3, 1998.**

41       **SECTION 24. An emergency is declared for this act.**

