

HOUSE BILL No. 1160

DIGEST OF INTRODUCED BILL

Citations Affected: IC 33-2.1-8-1; IC 33-2.1-8-8.

Synopsis: Economic impact statements of judges. Specifies that a judge or a prosecuting attorney is not required to provide on the annual statement of economic interests the names of close relatives from whom gifts valued at over \$100 have been received. Provides that a close relative is a person related to a person in a certain degree by blood, adoption, half-blood, marriage, or remarriage. (The introduced version of this bill was prepared by the commission on courts.)

Effective: July 1, 1998.

Villalpando, Ayres

January 8, 1998, read first time and referred to Committee on Judiciary.

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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.

HOUSE BILL No. 1160



A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

- 1 SECTION 1. IC 33-2.1-8-1 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1. (a) As used in this
- 3 chapter, "cause" means a trial, hearing, arraignment, controversy,
- 4 appeal, case, or any business performed within the official duty of a
- 5 justice, judge, or prosecuting attorney.
- 6 (b) As used in this chapter, "compensation" means any money, thing
- 7 of value, or economic benefit conferred on, or received by, any person
- 8 in return for services rendered, or for services to be rendered, whether
- 9 by that person or another.
- 10 (c) As used in this chapter, "economic interest" means substantial
- 11 financial interest in investments, employment, awarding of contracts,
- 12 purchases, leases, sales, or similar matters.
- 13 (d) As used in this chapter, "employer" means any person from
- 14 whom the judge, justice, or prosecuting attorney or that person's spouse
- 15 receives any nonstate income.
- 16 (e) As used in this chapter, "information of a confidential nature"
- 17 means information obtained by reason of the position or office held and



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1 which information has not been, or will not be, communicated to the
2 general public.

3 (f) As used in this chapter, "person" means any individual,
4 proprietorship, partnership, unincorporated association, trust, business
5 trust, group, limited liability company, or corporation, whether or not
6 operated for profit, or a governmental agency or political subdivision.

7 (g) As used in this chapter, "judge" means a judge of the court of
8 appeals or the tax court, or of a circuit, superior, municipal, county, or
9 probate court. A judge pro tempore, commissioner, or hearing officer
10 shall be considered a judge if that person shall sit more than twenty
11 (20) days other than Saturdays, Sundays, or holidays in one (1)
12 calendar year as judge, commissioner, or hearing officer in any court.

13 **(h) As used in this chapter, "close relative" means a person**
14 **related to a person filing a statement of economic interest or to the**
15 **person's spouse as a son, daughter, grandson, granddaughter,**
16 **great-grandson, great-granddaughter, father, mother, grandfather,**
17 **grandmother, great-grandfather, great-grandmother, brother,**
18 **sister, nephew, niece, uncle, or aunt. Relatives by adoption,**
19 **half-blood, marriage, or remarriage shall be treated as relatives of**
20 **whole kinship.**

21 SECTION 2. IC 33-2.1-8-8, AS AMENDED BY P.L.280-1995,
22 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 1998]: Sec. 8. The statement of economic interests shall set
24 forth the following information for the preceding calendar year:

25 (1) The name and address of any person **other than a spouse or**
26 **close relative (as defined in IC 33-2.1-8-1)** from whom the
27 justice, judge, prosecuting attorney, or clerk of the supreme court
28 received a gift or gifts having a total fair market value in excess
29 of one hundred dollars (\$100).

30 (2) The name of the employer of the justice, judge, prosecuting
31 attorney, or clerk of the supreme court and the employer of that
32 person's spouse.

33 (3) The nature of the employer's business.

34 (4) The name of any sole proprietorship owned or professional
35 practice operated by the justice, judge, prosecuting attorney, clerk
36 of the supreme court, or that person's spouse and the nature of the
37 business.

38 (5) The name of any partnership of which the justice, judge,
39 prosecuting attorney, clerk of the supreme court, or that person's
40 spouse is a member and the nature of the partnership's business.

41 (6) The name of any corporation (except a church) of which the
42 justice, judge, prosecuting attorney, clerk of the supreme court, or



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1 that person's spouse is an officer or a director and the nature of
2 the corporation's business.
3 (7) The name of any corporation in which the justice, judge,
4 prosecuting attorney, clerk of the supreme court, or that person's
5 spouse or unemancipated children under eighteen (18) years of
6 age own stock or stock options having a fair market value in
7 excess of ten thousand dollars (\$10,000).

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