

# COMMITTEE REPORT

## MR. PRESIDENT:

The Senate Committee on Ethics met on November 18, 1997, pursuant to IC 2-2.1-3-6 to consider the Senate Standing Rules and Orders containing the code of ethics, and has reported back to the Senate a recommendation that the Senate Standing Rules and Orders be amended. Said report was referred to the Senate Committee on Rules and Legislative Procedure which having considered said recommendation concurs therewith. The Senate Committee on Rules and Legislative Procedure, therefore, begs leave to report back to the Senate its concurrence with the recommendations of the Senate Committee on Ethics that the Standing Rules and Orders, adopted on Organization Day, November 19, 1996, be amended as follows:

- 1                   **STANDING RULES AND ORDERS OF THE SENATE**
- 2                   **I. GENERAL PROVISIONS**
- 3                   1. The Senate shall be convened every legislative day at 1:30
- 4                   P.M. unless the Senate by motion adopted by a majority vote shall
- 5                   have agreed to convene at some other hour.
- 6
- 7                   2. Twenty-five Senators with the President, or Twenty-six
- 8                   Senators in the absence of the President with the President Pro
- 9                   Tempore presiding or having chosen a Senator to preside if the
- 10                  President Pro Tempore is absent shall be authorized to do the
- 11                  following:
- 12                  Call a Senator.
- 13                  Compel the attendance of absent Senators.
- 14                  Make an order for censure.
- 15                  Adjourn.
- 16                  3. Every Senator shall be present at all meetings of the Senate
- 17                  unless excused by the President Pro Tempore.
- 18                  4. (a) Every Senator shall vote on each question put except as
- 19                  provided by this Rule.
- 20                  (b) A Senator may be excused from voting on a question
- 21                  because of a direct personal or pecuniary interest in the event of
- 22                  such question. Whether a Senator has a direct personal or pecuniary
- 23                  interest so as to be excused from voting on a question shall be
- 24                  decided without debate.

1 (c) When presiding over the Senate, the President Pro Tempore  
2 or other Senator designated to preside shall not be required to vote  
3 unless necessary to break a tie or to provide a constitutional  
4 majority.

5 (d) This Rule shall not be construed as denying or abridging the  
6 right of a Senator to vote on any question.

7 5. (a) The regular order of transacting business shall be as  
8 follows:

- 9 (1) The President takes the chair.
- 10 (2) Senate called to order.
- 11 (3) Prayer.
- 12 (4) Pledge of Allegiance.
- 13 (5) Roll call.
- 14 (6) Introduction of bills.
- 15 (7) Reports of standing committees.
- 16 (8) Introduction of petitions, memorials and  
17 remonstrances.
- 18 (9) Reports of select committees.
- 19 (10) Senate Resolutions.
- 20 (11) Concurrent Resolutions.
- 21 (12) Joint Resolutions.
- 22 (13) Messages from the House.
- 23 (14) Senate bills on second reading.
- 24 (15) Senate bills on third reading.
- 25 (16) House bills on first reading.
- 26 (17) House bills on second reading.
- 27 (18) House bills on third reading.
- 28 (19) Senate bills from conference committees.
- 29 (20) House bills from conference committees.

30 (b) The regular order of business may be suspended upon a  
31 majority vote of the Senators present and voting.

32 (c) If the regular order of business is suspended by reason of  
33 adjournment or otherwise, upon reassembling or upon completion of  
34 the business which caused the suspension, the business of the Senate  
35 shall be resumed at the place where the regular order of business  
36 was suspended.

37 (d) The Journal of the previous days shall not be read to the  
38 Senate except upon a motion signed by five (5) Senators, concurred  
39 in by a constitutional majority of the Senate.

40 6. Every bill, resolution or other matter before the Senate on the  
41 Calendar or otherwise capable of being acted upon by the Senate  
42 shall at the adjournment sine die of any session of the General  
43 Assembly be deemed to have failed.

44 7. The standing rules and orders of the Senate shall be an item  
45 of business in the first regular session of a term of the General  
46 Assembly. The Committee on Rules and Legislative Procedure shall

1 develop the standing rules and orders to be presented to the Senate  
2 for adoption. The standing rules and orders, upon adoption, shall  
3 govern the Senate for the term of the General Assembly, unless  
4 amended or suspended.

5 8. Mason's Manual and Jefferson's Manual shall apply to all  
6 points not covered by these Rules and, whenever there is a conflict  
7 between said Manuals, Mason's Manual shall govern. The Principal  
8 Secretary shall at all times maintain a copy of said Manuals in the  
9 Office of the Principal Secretary, the Office of the Majority  
10 Attorneys, and the Office of the Minority Attorneys.

## 11 **II. DECORUM, DEBATE AND MOTIONS**

### 12 **A. Decorum and Debate**

13 9. The President Pro Tempore shall preside over the Senate  
14 when the President is absent or steps down from the Chair.  
15 Whenever presiding over the Senate, the President Pro Tempore  
16 shall at any time have the right to designate a member of the Senate  
17 to preside in place of the President Pro Tempore. In the absence of  
18 the President and the President Pro Tempore, the Majority Leader  
19 shall preside over the Senate.

20 10. The President or Chair shall preserve order and decorum;  
21 may speak to points of order in preference to Senators rising for that  
22 purpose; and shall decide questions of order.

23 11. (a) Decisions of the President or Chair are subject to an  
24 appeal to the Senate by any two Senators.

25 (b) No Senator shall speak more than once on an appeal, unless  
26 the Senate grants a Senator leave to speak twice.

27 (c) The President or Chair who made the challenged ruling shall  
28 not preside over the Senate on the appeal, including putting the  
29 question and announcing the vote.

30 (d) The question on any appeal from a decision of the President  
31 or Chair shall be stated as follows:

32 "Shall the ruling of the Chair be sustained?"

33 (e) Upon any appeal from a decision of the President or Chair, a  
34 record vote shall be taken upon the question.

35 12. (a) When any Senator desires to speak or deliver any matter  
36 to the Senate, the Senator shall rise and respectfully address the  
37 President or Chair.

38 (b) When two or more Senators rise at once, the President or  
39 Chair shall name the Senator who is to speak first.

40 (c) Being recognized by the President or Chair, a Senator may  
41 address the Senate, but during debate shall confine comments to the  
42 question under debate, and shall not make any motion at the close of  
43 the Senator's own speech or prefacing remarks.

44 (d) No Senator shall speak more than once to the same question  
45 without leave of the Senate, unless the Senator moved, proposed, or  
46 introduced the matter pending and is speaking in reply to a question

1 or after every Senator has had an opportunity to speak on the matter  
2 pending.

3 (e) A Senator shall not occupy more than one-half hour to speak  
4 on any question in the Senate or in committee; provided, however,  
5 that the Senate at any time, by motion adopted by a majority of the  
6 Senators present and voting, may further limit the time for speaking.

7 (f) A Senator may have one minute to explain the Senator's vote  
8 on a bill or joint resolution if the Senator did not speak during debate  
9 on such bill or joint resolution.

10 (g) No Senator shall impugn the motives of any other Senator.

11 13. (a) Any Senator shall have the right to speak on a point of  
12 personal privilege, when recognized by the President or Chair.

13 (b) No Senator shall request a point of personal privilege during  
14 discussion of a bill.

15 (c) No Senator shall use the point of personal privilege to  
16 impugn the motives of any other Senator.

17 (d) No Senator shall have the right to propound any question to  
18 a Senator exercising a point of personal privilege.

19 14. (a) If any Senator in speaking, or otherwise, transgresses the  
20 rules of the Senate, the President or Chair shall, or any Senator may,  
21 call the Senator to order.

22 (b) The Senator called to order shall immediately be seated,  
23 unless another Senator moves that the Senator called to order be  
24 allowed to explain the challenged remarks and the motion is adopted  
25 by a majority of the Senators present and voting.

26 (c) The Senator called to order may appeal if seconded by  
27 another Senator.

28 (d) The Senate shall vote on the appeal of the call to order  
29 without debate.

30 (e) If the decision on the appeal is in favor of the Senator called  
31 to order, the Senator shall be at liberty to proceed, but not otherwise;  
32 and if the decision on the appeal is against the Senator called to  
33 order, the Senator shall be liable as to censure or such punishment as  
34 the Senate may deem proper.

35 (f) If a Senator is called to order for words spoken in debate, the  
36 Senator calling a Senator to order shall indicate the words to which  
37 there is an objection, but the Senator called to order shall not be  
38 censured for those words if further debate or other business has  
39 intervened.

40 **B. Priority of Motions and Debate**

41 15. (a) Each motion shall be in writing, signed by the maker,  
42 and, if demand is made, seconded, except the following motions:

43 Motion to adjourn.

44 Motion to fix the time which to adjourn.

45 Motion to lay on the table.

46 Motion for the previous question.

- 1 Motion to postpone indefinitely.  
2 Motion to commit.  
3 Motion to call the absentees.  
4 Motion to excuse the absentees.  
5 (b) Each written motion shall be handed to the Reading Clerk  
6 and read aloud before debate.  
7 (c) After being read and stated by the President or Chair, a  
8 motion shall be in the possession of the Senate, but by consent of the  
9 Senate may be withdrawn at any time before being decided upon or  
10 amended.  
11 16. (a) When a question is under debate, no motion shall be in  
12 order except the following motions which take precedence in the  
13 order listed:  
14 1st. To adjourn.  
15 2nd. To lay on the table.  
16 3rd. For the previous question.  
17 4th. To postpone to a certain time or day.  
18 5th. To commit.  
19 6th. To amend.  
20 7th. To postpone indefinitely.  
21 (b) A motion to adjourn shall always be in order, except when  
22 the previous question or a motion to take up or receive the report of  
23 the Committee on Elections concerning right of membership is  
24 pending. The motion to adjourn shall be decided without debate.  
25 (c) The question pending on adjournment shall be resumed on  
26 the reassembling of the Senate, unless otherwise ordered by the  
27 Senate.  
28 17. (a) When moved, the previous question shall be put in this  
29 form: "Shall the question be now put?"  
30 (b) Until it is decided, the previous question shall preclude all  
31 debate and the introduction of all further amendments.  
32 (c) The previous question having been ordered, its effect shall  
33 be to put an end to all debate and bring the Senate to a direct vote on  
34 the question then pending.  
35 (d) When operating under the previous question, there shall be  
36 no debate or explanation of votes; provided, however, that the author  
37 or sponsor of the question then pending will have two (2) minutes to  
38 speak prior to the vote.  
39 18. All questions relating to the priority of business and motions  
40 to table or take from the table shall be decided without debate.

### 41 **III. OFFICERS AND EMPLOYEES**

#### 42 **A. Selection and Appointment**

- 43 19. The first item of business at the first regular session of a  
44 term of the General Assembly shall be the election of the following:  
45 The President Pro Tempore  
46 The Principal Secretary

1           20. Each officer of the Senate shall take an oath for the true and  
2 faithful discharge of the duties of the office and shall be deemed to  
3 continue in office for the term of the General Assembly unless the  
4 officer resigns, is removed, suspended, or unable to serve, or until a  
5 successor is chosen.

6           21. The President Pro Tempore shall appoint the following:

- 7           (a) Assistant President Pro Tempore.
- 8           (b) Majority Floor Leader.
- 9           (c) Assistant Majority Floor Leader.
- 10          (d) Majority Whip.
- 11          (e) Assistant Majority Whip.
- 12          (f) Assistant Majority Caucus Chairman.
- 13          (g) Assistant Majority Secretary of the Senate.
- 14          (h) Deputy Minority Secretary of the Senate.
- 15          (i) Postmaster of the Senate.
- 16          (j) Principal Doorkeeper of the Senate.
- 17          (k) Majority Attorney of the Senate.
- 18          (l) Acting Principal Secretary of the Senate, if the Principal  
19             Secretary is removed, suspended, or unable to serve or  
20             resigns.
- 21          (m) Majority Attorney.
- 22          (n) Assistant Majority Attorney.

23          22. The officers and employees of the Senate shall be  
24 responsible to and under the direction of the President Pro Tempore  
25 or President Pro Tempore-elect.

26          **B. Duties of Officers and Employees**

27          23. (a) The Principal Secretary or the Assistant Majority  
28 Secretary shall keep the Journal of the Senate in due form and by  
29 signature shall attest the same.

30          (b) The Office of the Principal Secretary shall each day the  
31 Senate convenes prepare a calendar, listing by number and author or  
32 sponsor, each bill and joint resolution eligible for call on second  
33 reading and each bill and joint resolution eligible for call on third  
34 reading on that day, together with any special order of business.

35          (c) At the end of the Principal Secretary's term of office, unless  
36 re-elected to that office, the Principal Secretary shall transmit to the  
37 Legislative Services Agency all official receipt books and official  
38 records from each session during the Principal Secretary's term of  
39 office.

40          24. The Legislative Services Agency shall preserve all official  
41 records and books received from the Principal Secretary for future  
42 use.

43          25. (a) The Doorkeeper shall attend the Senate at all times  
44 during a session unless directed otherwise by the President Pro  
45 Tempore and execute all commands duly given.

46          (b) When requested to call a Senator, the Doorkeeper shall do

1 so by name.  
2 (c) The Doorkeeper shall whenever the Senate is convened  
3 exclude from the Senate Chamber all persons except the President,  
4 Senators, officers and employees of the Senate, the Parliamentarian,  
5 members of the House, representatives of the press assigned to  
6 places on the floor of the Senate, employees of the Legislative  
7 Services Agency, persons holding official passes authorized by the  
8 President Pro Tempore, former Senators, and former members of the  
9 House; provided, however, that any person, including former  
10 Senators and former members of the House, who is registered as a  
11 lobbyist shall not have access to the Senate Chamber.

12 **C. Duties of Officers and Employees Pertaining to Bills**

13 26. (a) The Principal Secretary, or designee, shall number  
14 consecutively the bills, the joint resolutions, and the concurrent  
15 resolutions received.

16 (b) Upon receiving a bill or joint resolution from a Senator, the  
17 Principal Secretary, or designee, shall prepare a receipt showing the  
18 number of the bill or joint resolution and the date when received.

19 (c) The Principal Secretary, or designee, shall prepare and  
20 distribute to each member of the Senate, a list of all bills and joint  
21 resolutions to be introduced each day the Senate is convened,  
22 commencing with the first day of each regular or special session.

23 (d) The Principal Secretary shall keep all bills and joint  
24 resolutions on file in regular order.

25 27. When a bill has passed, it shall be certified by the Principal  
26 Secretary, noting at the foot thereof the day of its passage.

27 28. When an enrolled act or bill is transferred from one party to  
28 another within or without the Senate Chambers, a receipt shall be  
29 generated to record that transaction.

30 **IV. STANDING COMMITTEES AND**  
31 **SUBCOMMITTEES**

32 **A. Committees of the Senate and Committee Appointments**

33 29. (a) The following shall comprise the standing Senate  
34 committees and subcommittees thereto:

- 35 (1) Agriculture and Small Business.  
36 Ten (10) Members.
- 37 (2) Appointments and Claims.  
38 Eight (8) Members.
- 39 (3) Commerce and Consumer Affairs.  
40 Eleven (11) Members.
- 41 (4) Corrections, Criminal, and Civil Procedures.  
42 Eleven (11) Members.
- 43 (5) Education.  
44 Eleven (11) Members.
- 45 (6) Elections.  
46 Eleven (11) Members.

- 1 (7) Ethics.  
2 Six (6) Members.  
3 (8) Finance.  
4 Fifteen (15) Members.  
5 a. Budget Subcommittee.  
6 b. Taxation Subcommittee.  
7 c. Local Government Financing Subcommittee.  
8 (9) Financial Institutions  
9 Ten (10) Members.  
10 (10) Governmental and Regulatory Affairs.  
11 Eleven (11) Members.  
12 a. Local Government Subcommittee.  
13 b. Regulatory Affairs Subcommittee.  
14 (11) Health and Environmental Affairs.  
15 Eleven (11) Members.  
16 a. Health Subcommittee.  
17 b. Environmental Affairs Subcommittee.  
18 (12) Insurance and Interstate Cooperation.  
19 Ten (10) Members.  
20 (13) Judiciary.  
21 Eleven (11) Members.  
22 (14) Natural Resources.  
23 Ten (10) Members.  
24 (15) Pensions and Labor.  
25 Eleven (11) Members.  
26 (16) Planning and Public Services.  
27 Eleven (11) Members.  
28 (17) Public Policy.  
29 Eleven (11) Members.  
30 a. Public Affairs Subcommittee.  
31 b. Public Safety Subcommittee.  
32 (18) Roads and Transportation.  
33 Ten (10) Members.  
34 (19) Rules and Legislative Procedure.  
35 Six (6) Members.  
36 (b) Additional subcommittees may be created with the approval  
37 of the Committee on Rules and Legislative Procedure.  
38 30. (a) The President Pro Tempore or President Pro  
39 Tempore-elect shall appoint the chairperson and members of each of  
40 the standing committees and subcommittees thereto. The  
41 appointments to standing committees and subcommittees shall be  
42 reported to the Senate by the President Pro Tempore and recorded in  
43 the Journal.  
44 (b) The chairpersons and members of the standing committees  
45 and subcommittees thereof shall continue for the term of the General  
46 Assembly unless removed by the President Pro Tempore or unable

1 to serve.

2 (c) All vacancies on any committee or subcommittee shall be

3 filled by appointment by the President Pro Tempore or President Pro

4 Tempore-elect of the Senate.

5 31. The standing committees and subcommittees thereof shall

6 be the only committees or subcommittees authorized to represent the

7 Senate during the interim periods of the General Assembly.

8 **B. Specific Committees ) Rights, Duties and Procedures**

9 32. The Committee on Elections shall have leave to report at

10 any time on the right of a Senator to a seat by presenting its report to

11 the Senate or by filing its report with the Principal Secretary. A

12 report concerning right of membership shall be a question of the

13 highest privilege and may be called up at any time by the

14 Chairperson of the Committee on Elections or by any member of the

15 Senate.

16 33. (a) A report of the Committee on Rules and Legislative

17 Procedure shall be in order at any time when no question is before

18 the Senate.

19 (b) All proposed amendments to or motions to suspend the

20 Rules shall be referred to the Committee on Rules and Legislative

21 Procedure without debate. The Committee shall have the right to

22 report at any time on any proposed change in the Rules or the order

23 of business. A report on a proposed change in the Rules or order of

24 business shall be immediately disposed of by a majority vote of the

25 Senators present and voting.

26 (c) The Rules and Legislative Procedure Committee may

27 correct spelling, grammatical, numbering, lettering, or technical

28 errors in a bill or resolution when it is in the possession of the

29 Senate. The Committee shall report to the Senate the number of

30 each bill corrected and the correction which was made under its

31 direction. The report of a correction shall be maintained under the

32 supervision of the Principal Secretary and be available for inspection

33 by a legislator upon request and entered in the Journal of the Senate.

34 **V. VOTING PROCEDURES**

35 34. (a) The President or Chair may state a question while sitting

36 but shall rise to put the question as follows:

37 "As many as are in favor (as the question may be) vote yea";

38 (and, except in case of a record vote, after the affirmative vote is

39 expressed) "As many as are opposed vote nay."

40 (b) In any case in which a voice vote is taken and there is a

41 reasonable doubt as to the result thereof, a division on the question

42 shall be granted upon demand of any Senator, if the demand is made

43 prior to a ruling by the Chair upon the vote by voice.

44 (c) If there is a doubt as to the prevailing vote or a division is

45 called for, the Senate shall divide and those Senators voting in the

46 affirmative of the question shall first rise from their seats and be

1 counted, and afterward those Senators voting in the negative of the  
2 question shall rise from their seats and be counted.

3 (d) Upon a division and count of the Senate, on any question, a  
4 Senator who is not in the Chamber shall not be counted.

5 35. (a) A record vote is a vote taken and recorded through the  
6 use of electronic equipment.

7 (b) In all cases in which the vote of the members of the Senate  
8 is taken and recorded through the use of electronic equipment, a  
9 period of time immediately following the putting of the question  
10 shall be allowed for the casting of the vote. At the discretion of the  
11 President or Chair, the voting period shall be declared closed and the  
12 result of the vote shall be recorded and announced as recorded, and  
13 the official voting roll call sheet shall never in any way be altered or  
14 the vote recorded changed thereon.

15 (c) In the event of failure of the electronic voting equipment, a  
16 record vote shall consist of a calling of the roll and a recording of the  
17 yeas and nays.

18 36. The President shall, when the Senate is equally divided,  
19 give the deciding vote.

20 37. (a) No member shall vote for another member, nor shall any  
21 person not a member cast a vote for a member; provided, however,  
22 that the President Pro Tempore or other Senator may, when  
23 presiding, designate another Senator to cast a vote for the chair as  
24 directed.

25 (b) In addition to such penalties as may be prescribed by law,  
26 any member who shall vote or attempt to vote for another member  
27 may be punished in such manner as the Senate may determine.

28 (c) If a person not a member shall vote or attempt to vote for  
29 any member, the person shall be barred from the floor of the Senate  
30 for the remainder of the session and may be further punished in such  
31 manner as the Senate may deem proper, in addition to such  
32 punishment as may be prescribed by law.

## 33 VI. LEGISLATIVE PROCEDURE

### 34 A. Form of Bills

35 38. To be filed, a bill must have been reviewed by the  
36 Legislative Services Agency as to technical correctness, have  
37 attached a fiscal note prepared by the Legislative Service Agency,  
38 include a brief digest of the bill, and be accompanied by a card  
39 addressed to the President Pro Tempore of the Senate, stating the  
40 subject matter of the bill and the committee assignment requested.

41 39. (a) Every bill and resolution filed shall be in a typewritten or  
42 printed form having no hand written interlining or defacements of  
43 any kind and drafted in a form prescribed by the Legislative Council.

44 (b) There shall be sufficient copies of the bill prepared for filing  
45 or pre-filing, one (1) of which shall be backed. The backed copy  
46 shall be the original bill.

1 (c) Every bill shall contain a title which shall express in concise  
2 terms the subject matter of the bill, but be in sufficient detail to  
3 acquaint the Senators with the general subject matter under  
4 consideration in the bill.

5 (d) Every amendatory bill shall cite the original act or code as  
6 last amended, and the sections of an act or code being amended shall  
7 be set forth and published in full length. The identification required  
8 by this Rule shall be made by citation reference.

9 (e) Every bill and resolution shall have one Senator designated  
10 as author or sponsor and may have one Senator designated as second  
11 author or sponsor. Any number of Senators may be designated as  
12 coauthors or cosponsors.

13 (f) Every bill and resolution shall be endorsed on the backing  
14 thereof with the names of the Senators offering the same.

15 40. (a) Petitions, memorials and other papers, including  
16 congratulatory and other resolutions, addressed to the Senate may be  
17 presented by the President or any Senator.

18 (b) Resolutions expressing congratulations, sympathy, or  
19 thanks, and similar resolutions shall, for printing and transmitting  
20 purposes, be limited to one page, unless prior to presentation, the  
21 Senator offering the resolution has obtained permission from the  
22 President Pro Tempore.

23 (c) A petition, memorial, resolution or other paper shall be  
24 reported on by the committee to which it is assigned before it may be  
25 called for action, unless the President Pro Tempore designates it as  
26 eligible for immediate action.

27 41. Neither the printing contractor nor any subcontractor shall  
28 release information concerning bills or resolutions, their progress or  
29 work thereon, to any person not authorized by the President Pro  
30 Tempore of the Senate to receive such information.

31 **B. Pre-Filing, Filing, Introduction, First Reading and**  
32 **Committee Assignment**

33 42. Any member or member-elect of the Senate may on or after  
34 thirty (30) days prior to the convening of any regular or special  
35 session pre-file a bill, joint resolution, or concurrent resolution with  
36 the Principal Secretary for introduction.

37 43. A Senator must sign and deliver in person to the Principal  
38 Secretary's Office every bill or resolution to be filed or pre-filed by  
39 that Senator.

40 44. (a) Any bill or resolution pre-filed may be withdrawn, prior  
41 to its first reading, by the author upon written request to the  
42 Principal Secretary and the records shall show such bill or resolution  
43 as having been withdrawn.

44 (b) In the event that the office of any member or member-elect  
45 who has pre-filed a bill or resolution shall become vacant for any  
46 reason prior to the first reading thereof, the bill or resolution shall be

1 introduced in the names of the remaining second author and/or  
2 coauthors, if any. If a bill or resolution was pre-filed only by the  
3 member or member-elect whose office is vacant, the bill or  
4 resolution shall be withheld from introduction and the records shall  
5 show the same as withdrawn prior to introduction.

6 45. (a) First regular session. There shall be no limitation on the  
7 number of bills filed by each Senator before January 7; provided,  
8 however, that no Senator shall file more than two (2) bills per  
9 business day after January 6 until NOON on January 21 which shall  
10 be the deadline for filing bills.

11 (b) Second regular session. There shall be no limitation on the  
12 number of bills filed by each Senator before January 6; provided,  
13 however, that no Senator shall file more than one (1) bill per  
14 business day after January 5 until NOON on January 13, which shall  
15 be the deadline for filing bills.

16 (c) Each Senator shall be allowed to assign, in writing, his right  
17 of bill filing to another Senator.

18 46. (a) Whenever the President Pro Tempore of the Senate shall  
19 assign a filed bill or joint resolution to a standing committee, the  
20 assignment shall be made within seven (7) calendar days following  
21 the last day for filing bills and joint resolutions and shall cause the  
22 bill or joint resolution with the committee assignment to be set forth  
23 on a bill filing list.

24 (b) All vehicle bills shall be referred to the Committee on Rules  
25 and Legislative Procedure.

26 47. (a) Bills and joint resolutions will be introduced after  
27 assignment to a committee.

28 (b) Bills and resolutions are introduced when read for the first  
29 time.

30 (c) The first reading of a bill shall be for information, including  
31 the assignment to a committee by the President Pro Tempore.

32 48. Bills and joint resolutions pre-filed prior to a session or a  
33 recess after organization day may be assigned and released by the  
34 President Pro Tempore or President Pro Tempore-elect of the Senate  
35 to a standing committee for consideration and will be introduced the  
36 first or a subsequent day on which the Senate is convened.

37 49. Upon the assignment of a bill or resolution for committee  
38 consideration or the day of first reading, whichever occurs first, the  
39 filed unbacked copies of a bill or resolution shall be distributed by  
40 the Principal Secretary as follows: one to the printer for bill reading  
41 room copies; one to the Majority Attorney; one to the Head Senate  
42 Proofreader; one to the author; one to the committee chairperson of  
43 the committee to which the bill is assigned; and one to the Minority  
44 Attorney.

45 **C. Subject Matter**

46 50. No motion to amend, committee action, concurrence or

1 conference committee action which seeks under color of amendment  
2 to substitute or insert subject matter not germane to that of the bill or  
3 resolution under consideration shall be in order.

4 51. Any conference committee report not in accordance with  
5 Article 4, Section 19 of the Constitution shall not be in order.

6 **D. Committee Meetings, Considerations and Reports**

7 52. The committees of the Senate shall perform such services  
8 and take into consideration all subjects and matters required of them  
9 by the Senate.

10 53. (a) No committee or subcommittee, except the Committee  
11 on Rules and Legislative Procedure and the Committee on Ethics,  
12 shall meet, hear evidence, or take a vote on a bill or resolution  
13 assigned to the committee or subcommittee without at least  
14 forty-eight (48) hours notice to the public. The notice shall include  
15 the following:

- 16 (1) Committee or subcommittee name.
- 17 (2) Chairperson.
- 18 (3) Time, day, date and place of meeting.
- 19 (4) Number and subject matter of all bills and resolutions to  
20 be considered.

21 (b) The Chairperson or Subcommittee Chairperson, with the  
22 approval of the Committee Chairperson, is responsible for informing  
23 the Principal Secretary of the intent to hold a hearing including all  
24 information required in the notice by Rule 53(a).

25 (c) Senate committee and subcommittee schedules shall be  
26 posted prominently in the information center for the Senate  
27 Committee hearings and on the Senate bulletin boards outside the  
28 Senate and House Chambers for no less than forty-eight (48) hours  
29 prior to the meeting or hearing; provided, however, that the  
30 forty-eight (48) hour posting requirement shall not apply to the  
31 Committee on Rules and Legislative Procedure and the Committee  
32 on Ethics. Senate committee or subcommittee meetings to be  
33 scheduled for a Monday or Tuesday shall be posted before noon or  
34 prior to adjournment, whichever is later, on the preceding Friday;  
35 provided, however, that this posting requirement shall not apply to  
36 the Committee on Rules and Legislative Procedure and the  
37 Committee on Ethics.

38 54. (a) **Except as provided in Rule 54(b), All** standing  
39 committee and subcommittee meetings shall be open to the public.  
40 The Senate's intent with this Rule is to provide public access to the  
41 legislative process without hindering, intimidating, or disrupting that  
42 process.

43 (b) **The Committee on Ethics may meet in executive**  
44 **session:**

- 45 (1) **as provided in IC 2-2.1-3-7; or**
- 46 (2) **under Rule 92 or 93 to consider the request of a Senator**

1 **made under Rule 90.**  
2 55. No action shall be taken without a quorum of the committee.  
3 A quorum shall consist of a majority of the appointed members.  
4 Provided, however, that the Chairperson of the Committee on Rules  
5 and Legislative Procedure may offer a committee report on behalf of  
6 said committee on only his signature.  
7 56. When reporting on vehicle bills, the Rules and Legislative  
8 Procedure Committee shall not reassign a vehicle bill to another  
9 committee until the substance of the bill which is to be heard by a  
10 standing committee is amended into such vehicle bill.  
11 57. When a bill or resolution is assigned to a standing  
12 committee the Senator introducing the same shall be a member of  
13 the standing committee during such committee's deliberations  
14 thereon, but shall have no power to act or vote on the bill or  
15 resolution unless the Senator is an appointed member of the standing  
16 committee.  
17 58. All bills and resolutions, with or without amendments, must  
18 receive consideration by the whole committee prior to being reported  
19 to the body of the Senate by the committee chairperson, except bills  
20 and resolutions in possession of the Committee on Rules and  
21 Legislative Procedure.  
22 59. (a) When a final vote is taken on any bill or resolution  
23 under consideration by a standing committee or subcommittee, the  
24 vote of each member of said standing committee or subcommittee  
25 shall be recorded and retained as a part of the record of the meeting.  
26 (b) Records of committee votes shall be made available for the  
27 purpose of examination by other legislators, the news media, and the  
28 public in general as prescribed by the Rules and Legislative  
29 Procedure Committee.  
30 (c) Voting by secret ballot is prohibited.  
31 (d) The vote record shall be signed by the committee  
32 chairperson or ranking member if the ranking member presides.  
33 60. (a) Each member of the committee including the  
34 chairperson shall cast a vote.  
35 (b) No member of the committee shall cast a vote for another  
36 member; nor shall any person not a member of the committee cast a  
37 vote for a member.  
38 (c) No proxy votes are ever in order.  
39 61. In the event of a tie vote on a vote for final committee  
40 recommendation, the chairperson may call for a vote at a later time.  
41 62. After a committee, other than the Committee on Rules and  
42 Legislative Procedure, has had a bill under consideration for six (6)  
43 days (Sunday and the day of its introduction not included) the author  
44 of such bill or any member of the Senate shall have the right to call  
45 the attention of the Senate to such fact. A bill or resolution shall  
46 remain in the possession of the committee to which it was assigned

1 unless two-thirds of the Senators elected shall vote to bring the bill  
2 or resolution to the floor. A bill or resolution brought to the floor by  
3 a vote under this Rule shall be considered by the Senate as if such  
4 bill or resolution had been reported without recommendation.

5 63. (a) The committee to which a bill shall have been assigned  
6 may report thereon with or without amendments, or may report a  
7 substitute therefor, subject to the provisions of Rule 50.

8 (b) The committee to which a concurrent resolution shall have  
9 been assigned may report thereon only without amendment.

10 (c) The committee report shall be prepared by the Office of the  
11 Majority Attorney on prescribed forms and shall be signed by the  
12 committee chairperson, or in the chairperson's absence the ranking  
13 member, filed with the Principal Secretary not less than one (1) hour  
14 prior to the convening of the session day on which it is to be offered,  
15 and reproduced, with copies furnished to the President Pro  
16 Tempore, the Minority Leader, and the Chairperson and Ranking  
17 Minority Member of the committee which reported the bill;  
18 provided, however, that this subsection shall not apply to reports of  
19 the Committee on Rules and Legislative Procedure.

20 64. (a) A minority report may be filed on a bill or resolution if  
21 the committee to which the bill or resolution was assigned adopted a  
22 majority report on said bill or resolution.

23 (b) To be eligible for consideration, a minority report must be  
24 on prescribed forms and shall be signed by a member of the  
25 committee who voted against the majority report, filed with the  
26 Principal Secretary not less than one (1) hour prior to the convening  
27 of the session day on which it is to be offered, and reproduced with  
28 copies furnished to the President Pro Tempore, the Minority Leader,  
29 and the Chairperson and Ranking Minority Member of the  
30 committee which reported the bill.

31 (c) A minority report may be made only if a majority report on  
32 the same bill or resolution is before the Senate.

33 (d) If a minority report be made, the question shall be upon  
34 concurring in the minority report, and if not concurred in, the  
35 question shall then recur upon the majority report.

36 65. (a) After the assignment of, but prior to the filing of a  
37 committee report on, a bill or resolution, a committee which has the  
38 bill or resolution under consideration may include in the report a  
39 recommendation for reassignment of the bill or resolution to another  
40 committee.

41 (b) A bill or resolution may be reassigned at any time upon a  
42 motion of the President Pro Tempore approved by a majority vote of  
43 the Senators elected.

44 66. The Chairperson of a committee reporting on a bill or  
45 resolution may open and close the general debate thereon, if any,  
46 except when operating under the previous question.

1           67. (a) Every bill or joint resolution which a committee shall  
2 report with a recommendation for passage or shall report without  
3 recommendation, shall be printed at once unless already printed.  
4 Every bill or joint resolution upon which a divided committee report  
5 is made and the report recommending passage is adopted, shall  
6 likewise be printed at once unless already printed.

7           (b) The bill or joint resolution shall be printed in accordance  
8 with the style specified in Rule 39 and shall implement the  
9 committee report. The committee report shall be appended, except  
10 for bills in which the committee report substitutes entirely new  
11 language as allowed by Rules 50, 51, or 79(e), in which case  
12 reference may be made to the printing.

13           (c) Whenever a bill or joint resolution shall be reported so as to  
14 require a printing of the bill or joint resolution, the number of copies  
15 to be printed will be determined by the President Pro Tempore and  
16 no more than have been so directed shall be printed at once. One (1)  
17 copy of each bill or joint resolution so printed shall be distributed to  
18 each Senator and sufficient copies shall be deposited with the  
19 Legislative Services Agency for distribution to the public. No more  
20 than one (1) copy of any such bill or joint resolution shall be  
21 delivered to any one person. Any remaining copies shall be  
22 deposited with the Office of the Principal Secretary for the use of the  
23 Senate.

24 **E. Second and Third Reading of Bills**

25           68. The calendar prepared by the Office of the Principal  
26 Secretary in accordance with Rule 23(b) shall be laid upon the desk  
27 of each Senator at the beginning of each day on which the Senate  
28 convenes and be made available to the public.

29           69. (a) Whenever a printed copy of a bill or joint resolution is  
30 laid on the desks of the Senators, said bill or joint resolution shall be  
31 deemed distributed. The date of such distribution shall be printed on  
32 the bill or joint resolution.

33           (b) No bill shall be read a second time until two (2) calendar  
34 days after such distribution.

35           70. A motion to amend a bill or joint resolution on second  
36 reading is in order only if the motion is reduced to writing, contains  
37 the original signature of the author of the motion, is filed with the  
38 office of the Principal Secretary not less than two and one-half (2  
39 1/2) hours before the convening time of the session on the day on  
40 which the bill or joint resolution is called for second reading. If a  
41 motion to amend has been timely filed for a bill or joint resolution  
42 eligible for call on a day the Senate is convened, but not distributed  
43 prior to convening that day, then the bill or joint resolution may not  
44 be called that day.

45           71. (a) If no amendments are made to a bill or joint resolution  
46 on second reading, the printed bill or joint resolution shall be used

1 for the engrossed bill or joint resolution after each page thereof is  
2 duly authenticated by the engrossing clerk as to the correctness and  
3 genuineness of such page, and such printing so authenticated shall  
4 be the engrossed bill or joint resolution.

5 (b) If a bill or joint resolution is amended on second reading,  
6 the President Pro Tempore may order the entire bill or joint  
7 resolution to be reprinted as amended. If a bill or joint resolution is  
8 reprinted, such reprinted bill or joint resolution shall be used for the  
9 engrossed bill or joint resolution after each page thereof is duly  
10 authenticated by the engrossing clerk as to the correctness and  
11 genuineness of such page, and such reprinting so authenticated shall  
12 be the engrossed bill or joint resolution.

13 (c) If a bill or joint resolution is amended on second reading but  
14 is not ordered reprinted, the printed bill or joint resolution shall be  
15 used for the engrossed bill or joint resolution after each page thereof  
16 and each page of all amendments made thereto on second reading is  
17 duly authenticated by the engrossing clerk as to the correctness and  
18 genuineness of such page, and such printing and amendments  
19 thereto so authenticated shall be the engrossed bill or joint  
20 resolution.

21 72. (a) On the call of bills on second and third reading, no name  
22 of any Senator shall be called a second time until the entire roll has  
23 been called.

24 (b) A Senator may yield the right to call a bill on second or third  
25 reading when the Senator's name is called by stating the name of the  
26 Senator to whom the yield is given.

27 (c) No Senator shall call down more than one (1) bill on each  
28 roll call unless a yield has been first obtained for each additional bill  
29 called.

30 73. Bills and resolutions shall be called for action only by  
31 Senators whose names appear first and second respectively on the  
32 backed original bill or resolution. If the first author or sponsor of a  
33 bill or resolution is absent from the floor, the second author may  
34 make the call if permission of the first author has been granted,  
35 either in writing or by oral communication verified by the President  
36 Pro Tempore.

37 74. When any bill has been ordered reprinted under Rule 71(b),  
38 such bill shall not be eligible for call on third reading until such  
39 reprinted copies shall have been distributed to the Senators.

40 75. Unless the constitutional rule be suspended, no bill shall be  
41 called for third reading on the same day it shall have passed to  
42 engrossment.

43 76. (a) No Senate bill or joint resolution amending the  
44 Constitution shall be called for third reading after March 6 in the  
45 first session or February 5 in the second session.

46 (b) No House bill or joint resolution amending the Constitution

1 shall be called for third reading in the Senate after April 14 in the  
2 first session or March 2 in the second session.

3 (c) No House bill or joint resolution amending the Constitution  
4 shall be received by the Senate after March 6 in the first session or  
5 February 5 in the second session.

6 (d) The limitations set forth in this Rule shall not apply to bills  
7 concerning reapportionment and redistricting only.

8 77. (a) No motion shall be received to amend a bill on its third  
9 reading, unless it is signed by two-thirds of the Senators elected.

10 (b) This Rule shall not apply to any motion to amend which  
11 corrects technical or printing errors. A motion to amend a bill or  
12 joint resolution on third reading shall be specifically designated  
13 "Technical Amendments". All technical amendments shall be  
14 referred to the Committee on Rules and Legislative Procedure  
15 without debate and said Committee shall have the right to report  
16 thereon at any time, and any such report shall be immediately  
17 disposed of by a majority vote of the Senators present and voting.

18 (c) This Rule shall not apply to any motion to commit the bill to  
19 a committee of one, consisting of the first or second author or  
20 sponsor, with specific directions to amend. A motion to commit to a  
21 committee of one must be made at the time a bill or joint resolution  
22 is called on third reading but prior to being placed on its passage. A  
23 motion to commit to a committee of one shall be referred to the  
24 Committee on Rules and Legislative Procedure without debate,  
25 which may report on the motion at any time, and any such report  
26 shall be immediately disposed of by a majority vote of the Senators  
27 present and voting. If the Rules and Legislative Procedure  
28 Committee Report is adopted, then the committee of one shall report  
29 that it has amended the bill as directed and such report shall be  
30 disposed of by a majority vote of the Senators present and voting.  
31 The bill or joint resolution shall then be open for debate and placed  
32 upon its passage.

33 78. (a) When a bill or joint resolution shall have failed for want  
34 of a constitutional majority, but shall have received the affirmative  
35 vote of a majority of the Senators present (more yeas than nays, but  
36 less than 26 yeas), such bill or joint resolution may be called down  
37 by the author or sponsor for a second and final vote, without debate,  
38 during the call of bills on third reading on a subsequent day but  
39 within three (3) days that the Senate is convened following the initial  
40 vote. The call down of such a bill or joint resolution shall not be  
41 counted as a third reading call of the author or sponsor. The daily  
42 calendar shall list such bill or joint resolution in its regular order, but  
43 shall note the days remaining for action.

44 (b) When a bill or joint resolution shall have failed for want of a  
45 constitutional majority, but shall have received an equal number of  
46 affirmative votes and negative votes of the Senators present (the

1 same number but less than 25 of each the yeas and nays), such bill or  
2 joint resolution may be called down by the author or sponsor for a  
3 second and final vote, without debate, during the call of bills on third  
4 reading on a subsequent day but within three (3) days that the Senate  
5 is convened following the initial vote. The call down of such a bill or  
6 joint resolution shall not be counted as a third reading call of the  
7 author or sponsor. The daily calendar shall list such bill or joint  
8 resolution in its regular order, but shall note the days remaining for  
9 action.

10 (c) When a bill or joint resolution shall have failed for want of a  
11 constitutional majority, but shall have received the negative vote of a  
12 majority of the Senators present (more nays than yeas but less than  
13 26 nays), such bill or joint resolution shall be in order for  
14 reconsideration on motion by any Senator of the prevailing (nays)  
15 side made during the call of bills on third reading on a subsequent  
16 day but within three (3) days that the Senate is convened following  
17 the initial vote; provided, however, that only one motion to  
18 reconsider a bill or joint resolution shall be in order during the  
19 session and the vote on such motion shall be without debate. If the  
20 motion to reconsider passes, the bill or joint resolution may be called  
21 down by the author or sponsor for a second and final vote, without  
22 debate, during the call of bills on third reading on a subsequent day  
23 but within three (3) days that the Senate is convened following the  
24 initial vote on the bill or joint resolution. The call down of such a bill  
25 or joint resolution shall not be counted as a third reading call of the  
26 author or sponsor. The daily calendar shall list such bill or joint  
27 resolution separately under the heading "Rule 78(c) Bills and Joint  
28 Resolutions," following the third reading bills, and shall note the  
29 days remaining for action.

30 (d) Notwithstanding subsection (c), whenever a particular bill or  
31 joint resolution receives a constitutional majority of votes against its  
32 passage (26 or more nays), that bill or joint resolution shall be  
33 considered decisively defeated and shall not be considered again  
34 during the session; provided, however, that this provision on  
35 decisive defeat does not apply to the operating or construction  
36 budgets or to state revenue raising measures which may be brought  
37 before the Senate in the same or different bills until adopted.

38 **F. Concurrences, Dissents, and Conference Committees**

39 79. (a) In every case in which a Senate bill or joint resolution is  
40 returned from the House with House amendments, a motion to  
41 concur or dissent may be filed by the first author or by the second  
42 author with the first author's approval by written or oral  
43 communication and verified by the President Pro Tempore or  
44 member designated by the President Pro Tempore.

45 (b) A motion to concur or dissent shall be prepared by the  
46 Senate Attorneys' Offices, filed with the Office of the Principal

1 Secretary, reproduced and distributed to the Senators.  
2 (c) A motion to concur shall not be acted upon until such  
3 motion has been filed with the Secretary of the Senate and  
4 distributed to the Senators at least four (4) hours before action is  
5 taken thereon.  
6 (d) A motion to dissent is eligible for action immediately after  
7 being filed. A motion to dissent may be filed by the second author  
8 with the first author's approval by written or oral communication and  
9 verified by the President Pro Tempore or member designated by the  
10 President Pro Tempore.  
11 (e) No Senate bill or joint resolution returned from the House  
12 with an amendment substituting therein new subject matter shall be  
13 acted upon by the Senate unless a written consent, describing the  
14 change in the subject matter, is signed by the first and second  
15 authors and is attached to the bill or joint resolution upon its return.  
16 A bill or joint resolution containing a new subject matter and  
17 accompanied by the written consent of the first and second authors  
18 shall be referred to the Committee on Rules and Legislative  
19 Procedure and, if approved, placed on a separate calendar. Such  
20 approved bill or joint resolution is subject to the procedures in Rule  
21 79(c).  
22 80. Motions to concur in House amendments shall be rejected  
23 unless approved by a majority of the members elected and such  
24 majority shall be established by a roll call vote.  
25 81. (a) If the Senate dissents in House amendments, the first or  
26 second author may request that the President Pro Tempore appoint a  
27 conference committee, and if the House dissents in Senate  
28 amendments, the Speaker may request by the appointment of House  
29 conferees, that the President Pro Tempore appoint a conference  
30 committee.  
31 (b) The Senate conference committee consisting of two  
32 Senators, with the first listed Senator being the Senate Chairperson,  
33 and advisors may be appointed at any time by the President Pro  
34 Tempore.  
35 (c) Senate conferees may be changed or removed at any time by  
36 the President Pro Tempore.  
37 (d) The appointment of a conference committee and any change  
38 of conferees shall be reported by the President Pro Tempore to the  
39 Senate and posted in the information center for the Senate  
40 Committee meetings and on the Senate bulletin boards.  
41 82. (a) The Senate Conference Committee shall meet with a like  
42 committee of the House of Representatives to adjust the differences.  
43 (b) Conference committee meetings shall be open to the public,  
44 shall be held in the State House, and shall convene only after one (1)  
45 hour public notice which shall include:  
46 (1) Members of the conference committee

- 1 (2) Chairperson of the conference committee  
2 (3) Time, day, date and place of meeting  
3 (4) Number and subject matter of the bills or joint resolutions  
4 to be considered.
- 5 (c) It shall be the responsibility of the chairperson of the  
6 conference committee on a Senate bill or joint resolution to advise  
7 the Office of the Principal Secretary of the intent to hold a  
8 conference committee meeting and to provide said office with the  
9 information set forth in Rule 82(b).
- 10 (d) Notice of a conference committee meeting including all the  
11 information set forth in Rule 82(b) shall be posted prominently in  
12 the information center for the Senate Committee meetings and on the  
13 bulletin boards outside the Senate and House Chambers for no less  
14 than one (1) hour prior to said meeting.
- 15 83. (a) Each report of a conference committee for the  
16 adjustment of differences between the Senate and House, together  
17 with a digest of the bill and the changes made, shall be reduced to  
18 writing, signed by the appointed conferees, reviewed by the Majority  
19 Attorney and Minority Attorney, filed with the Office of the  
20 Principal Secretary, and distributed to the Senators at least four (4)  
21 hours before action is taken thereon.
- 22 (b) The four (4) appointed conferees must sign the Conference  
23 Committee Report before said Report will be accepted for filing.
- 24 (c) All conference committee reports requiring title  
25 amendments shall be stamped "Title Amendment."
- 26 (d) No conference committee report shall be referred to the  
27 Senate until such time as it has been drawn or approved as to form  
28 by both the Majority Attorney and the Minority Attorney.
- 29 (e) Any conference committee report which contains subject  
30 matter not previously passed by at least one House shall be referred  
31 to the Committee on Rules and Legislative Procedure; provided,  
32 however, this Rule does not apply to conference committee reports  
33 on the appropriation bills. If a conference committee report  
34 containing a subject matter not previously passed by at least one  
35 House is approved by the Committee on Rules and Legislative  
36 Procedure, such report shall be placed on a separate calendar with  
37 the heading "Rule 83(e) Conference Committee Reports".
- 38 (f) No more than one (1) conference committee report on a bill  
39 or joint resolution shall be eligible for consideration by the Senate.
- 40 (g) A conference committee report which is eligible for  
41 consideration may be withdrawn only with the approval of the  
42 Senate upon a written motion made by the Senate chairperson of the  
43 conference committee.
- 44 (h) Notwithstanding Rule 78, a conference committee report  
45 shall be rejected unless approved by a majority of the members  
46 elected. Such majority shall be established by roll call vote.

1 (i) In the first regular session, no conference committee report is  
2 eligible for consideration after April 14.

3 (j) In the second regular session, no conference committee  
4 report is eligible for consideration after March 2.

5 (k) Upon recommendation of the Committee on Rules and  
6 Legislative Procedure subsections (i) and (j) of this rule may be  
7 suspended as to a specific bill by the approval of a constitutional  
8 majority.

9 **G. Enrollments**

10 84. All bills passed by both Houses shall be printed in enrolled  
11 form, and shall be certified as accurate by the first author of the bill,  
12 the President of the Senate, the President Pro Tempore, and the  
13 Principal Secretary. One copy of each enrollment shall be furnished  
14 to the author at the time of that certification.

15 **H. Definitions**

16 85. (a) In computing any period of time under these Rules, the  
17 day of the act or event from which the designated period of time  
18 begins to run shall not be included. The last day of the period so  
19 computed shall be included.

20 (b) Whenever a deadline date is specified in these rules, and  
21 that date falls on a Saturday, Sunday, or legal holiday, that deadline  
22 is extended to the next day that is not a Saturday, Sunday, or legal  
23 holiday.

24 (c) "Business day" means Monday through Friday except for  
25 legal holidays. Whenever a deadline is specified in these rules to  
26 require filing by a certain business day, the deadline shall be 5:00  
27 P.M. on the business day unless otherwise specified by these rules.

28 (d) Whenever a deadline date is specified in these rules  
29 requiring action by the Senate on or before a certain date or  
30 prohibiting action after a certain date, the action shall be completed  
31 before midnight on the date specified.

32 (e) Whenever a document is required by these rules to be filed  
33 with the Principal Secretary, the document, to be timely filed, must  
34 be presented to and scanned or file stamped by the Principal  
35 Secretary before the deadline established by these rules.

36 **VII. ETHICS**

37 86. It is declared that high moral and ethical standards among  
38 State Senators are essential to the conduct of free government; that  
39 the Senate believes that a code of ethics for the guidance of State  
40 Senators will help them avoid conflicts of interest in public office,  
41 will improve standards of public service, and will promote and  
42 strengthen the faith and confidence of the people of Indiana. The  
43 code is intended to protect the individual Senators while providing  
44 guidelines for all members of the Senate.

45 Recognizing that service in the Indiana General Assembly is a  
46 part-time endeavor and that members of the General Assembly are

1 individuals who are active in the affairs of their localities and  
2 elsewhere and that it is necessary that they maintain a livelihood and  
3 source of income apart from their legislative compensation, the  
4 following guidelines are adopted to assist the members in the  
5 conduct of their legislative duties.

6 87. A Senator who is offered:

7 (a) an economic or investment opportunity; or

8 (b) a loan, gratuity, discount, favor, hospitality, or other goods  
9 or services; by a person, shall consider, in determining whether or  
10 not to accept the offer, whether the Senator's acceptance of the offer  
11 may affect the Senator's independent legislative judgment. In so  
12 considering, the Senator shall take into account the following:

13 (1) whether the opportunity is being offered with the intent to  
14 influence the Senator's conduct in the performance of legislative  
15 duties; or

16 (2) whether acceptance of the offer would have a unique, direct,  
17 and material effect on the nonlegislative income of the Senator, a  
18 member of the Senator's immediate family or those of a partnership,  
19 corporation or business in which the Senator holds a legal or  
20 equitable interest.

21 Should the Senator determine that, by acceptance of the offer,  
22 the Senator's independent legislative judgment may be affected, the  
23 Senator shall refuse the offer.

24 88. A Senator who has a direct personal or pecuniary interest in  
25 a piece of legislation which is so substantial as to affect the Senator's  
26 independent legislative judgment is not precluded from participating  
27 in committee and floor debate on the legislation, if the Senator  
28 publicly proclaims that interest.

29 89. During the course of a legislative session, a Senator may be  
30 placed in a position where the Senator has the obligation to vote on  
31 legislation in which the Senator has a direct personal or pecuniary  
32 interest. In making this decision pursuant to Rule 4 of the Standing  
33 Rules of the Senate and Orders for Government relative to the  
34 Senator's activity on the legislation, the Senator shall consider the  
35 following:

36 (a) Whether the Senator's interest in the legislation is so  
37 substantial as to affect the Senator's independence of judgment with  
38 respect to the legislation.

39 (b) To what extent the Senator's interest in the legislation  
40 mirrors the interest of the citizenry to which the Senator is directly  
41 responsible.

42 (c) The effect of the Senator's participation in the voting on the  
43 legislation on public confidence in the integrity of the legislature.

44 (d) The need of the Senator's particular contribution, such as  
45 special knowledge of the subject matter, to the effective functioning  
46 of the legislature.

1 (e) Whether the legislation would have a unique, direct, and  
2 material effect on the nonlegislative income of the Senator, a  
3 member of the Senator's immediate family or those of a partnership,  
4 corporation, or business in which the Senator holds a legal or  
5 equitable interest.

6 90. A Senator may request the assistance of the Senate  
7 legislative ethics committee (established pursuant to IC 2-2.1-3-5) in  
8 determining the propriety of the Senator's:

- 9 (a) proposed acceptance of an offer;  
10 (b) participation in upcoming debate; or  
11 (c) participation in an upcoming vote.

12 91. Under Rule 90, the Senator shall:

13 (a) Prepare a written statement describing the matter requiring  
14 action or decision by the Senator and the nature of the Senator's  
15 potential conflict of interest; and

16 (b) Deliver a copy of the statement to the Chairman of the  
17 Senate legislative ethics committee. If the Chairman is unavailable, a  
18 copy of the statement may be delivered to the President Pro  
19 Tempore.

20 92. The legislative ethics committee shall meet as soon as  
21 possible and render an advisory opinion on the question raised.  
22 Should the committee vote result in a tie, the effect will be to make  
23 no recommendation.

24 93. If a Senator requests the assistance of the Senate legislative  
25 ethics committee under Rule 90, and there is insufficient time to  
26 comply with Rule 91, the Senator shall orally inform the Chairman  
27 of the Senate legislative ethics committee of the potential conflict.  
28 The matter shall then be immediately referred to the legislative  
29 ethics committee for its recommendation.

30 94. The written report of the legislative ethics committee shall  
31 be forwarded to the President Pro Tempore of the Senate and the  
32 Senate Minority Leader. **The committee's written report and the**  
33 **written statement of the Senator making the request under Rule**  
34 **91 shall remain confidential unless the Senator making the**  
35 **request consents to their disclosure.**

36 **SUMMARY OF LAWS RELATING**  
37 **TO LEGISLATIVE CONDUCT**

38 **IC 2-2.1-3-2)**Members must file a written statement of their  
39 economic interests for the preceding calendar year not later than  
40 seven (7) calendar days following the first session day in January of  
41 each year.

42 **IC 2-2.1-3-7)**Provides an administrative procedure to be used by  
43 each legislative ethics committee to receive and hear any complaint  
44 which alleges a breach of any privilege of the appropriate house,  
45 misconduct of any member, or any violation of the respective code  
46 of ethics.

1 **IC 2-2.1-3-9)**Members shall not accept compensation from any  
2 employment, transaction or investment entered into or made as a  
3 result of material information of a confidential nature.  
4 **IC 2-2.1-3-10)**Members shall not receive a price which substantially  
5 exceeds that which they would charge in the ordinary course of  
6 business for the sale or lease of any property or service.  
7 **IC 2-2.1-3-12)**Prescribes the punishment for willful failure to file a  
8 required statement, knowingly filing a false statement or violation of  
9 IC 2-2.1-3-9 and 10.  
10 **IC 2-7-5-1)**No legislative official shall receive compensation or  
11 reimbursement other than from the state for personally engaging in  
12 lobbying.  
13 **IC 2-7-5-2)**It is unlawful for any full-time public official or  
14 employee of the state to receive compensation, other than regular  
15 compensation, for lobbying.  
16 **IC 2-7-5-4)**No past member of the general assembly who is a  
17 lobbyist may be on the floor of either house while that house is in  
18 session.  
19 **IC 2-7-6-4)**A member of the general assembly who knowingly or  
20 intentionally conspires with a lobbyist in violation of IC 2-7-6-2 or  
21 IC 2-7-6-3 commits a Class D felony.  
22 **IC 3-9-5-18)**Members are required to file a statement that all  
23 political contributions received have been turned over to their  
24 principal committee treasurer and that the committee reports are  
25 complete and accurate.  
26 **IC 3-14-1** (See various sections))Prescribes the penalty for  
27 knowingly filing a fraudulent report, failing to file a report or  
28 recklessly violating a provision of the article.  
29 **IC 35-44-1-1(a)(2))**Members shall not solicit, accept or agree to  
30 accept any property with intent to control their performance or  
31 function as a legislator.  
32 **IC 35-44-1-2 )**Members shall not:  
33 1. knowingly or intentionally perform a forbidden act.  
34 2. perform an unauthorized act with intent to obtain  
35 property.  
36 3. knowingly or intentionally solicit, accept or agree to  
37 accept from an appointee or employee any unauthorized property as  
38 a condition of continued employment.  
39 4. knowingly or intentionally use information obtained by  
40 virtue of their office that official action that has not been made  
41 public is contemplated.  
42 5. knowingly or intentionally fail to deliver public records  
43 and property in their possession to their successors in office.  
44 **IC 35-44-1-3 )**Members who knowingly or intentionally:  
45 1. have a pecuniary interest in; or  
46 2. derive a profit from;

- 1 a contract or purchase by the legislature without full disclosure of
- 2 their interest or profit, commit conflict of interest.

**and when so amended that said rules be adopted as the Senate Standing Rules and Orders for the 110th General Assembly**

(Reference is to the Senate Standing Rules and Orders adopted November 19, 1996.)

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Garton, Chairperson