

January 28, 1998

SENATE BILL No. 169

DIGEST OF SB 169 (Updated January 27, 1998 9:14 am - DI 77)

Citations Affected: IC 2-5; IC 3-5; IC 3-9; IC 3-13; noncode.

Synopsis: Campaign finance. Establishes the office of census data. Requires that the office of census data have co-directors from the two major political parties. Makes an annual appropriation to the office of census data. 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
(Continued next page)

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

**Landske, Skillman, Breaux,
Craycraft**

January 6, 1998, read first time and referred to Committee on Elections.
January 27, 1998, amended, reported favorably — Do Pass.

SB 169—LS 6407/DI 75



C
O
P
Y

Digest Continued

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 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.)

C
o
p
y



January 28, 1998

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

A BILL FOR AN ACT to amend the Indiana Code concerning elections and to make an appropriation.

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

- 1 SECTION 1. IC 2-5-1.1-7 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JUNE 1, 1998]: Sec. 7. (a) The council shall
3 maintain a bipartisan service and administrative agency for the general
4 assembly to assist it in the performance of its constitutional
5 responsibilities as a separate and independent legislative branch of
6 state government. The service and administrative agency shall be
7 known as the "Legislative Services Agency."
8 (b) In maintaining the legislative services agency the council shall:
9 (1) establish the qualifications for and employ such personnel as
10 are required to carry out the purposes and provisions of this
11 chapter;
12 (2) employ an executive director, to be charged with the
13 administrative responsibility of all offices, departments, or
14 divisions which the council may from time to time establish, and
15 to serve as chief executive under the council;
16 (3) adopt rules and regulations governing personnel practices and

SB 169—LS 6407/DI 75



C
O
P
Y

1 establishing the rights, privileges, powers, and duties of all
2 employees;

3 (4) provide for employees to be covered by the public employees'
4 retirement fund; and

5 (5) establish a pay scale for all employees including the executive
6 director.

7 Rules and regulations adopted by the council under subdivision (3) are
8 not subject to IC 4-22-2. In those rules and regulations, the council may
9 limit the political activity of legislative services agency employees.

10 (c) The executive director is entitled to serve as long as ~~he~~ **the**
11 **executive director** properly performs ~~his~~ **the executive director's**
12 duties. ~~but he~~ **The executive director** may be removed at any time
13 upon the affirmative vote of twelve (12) members of the council.

14 (d) The executive director may submit to the council such reports
15 and drafts of resolutions, budgets, and appropriation bills as may be
16 required for the efficient operation of the council's activities and
17 programs.

18 (e) The legislative services agency shall perform such bill drafting,
19 research, code revision, fiscal, budgetary, and management analysis,
20 information, administrative, **census data**, and other services as are
21 requested by the council.

22 **SECTION 2. IC 2-5-19.5 IS ADDED TO THE INDIANA CODE**
23 **AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE**
24 **JUNE 1, 1998]:**

25 **Chapter 19.5. Office of Census Data**

26 **Sec. 1. The definitions in IC 1-1-3.5 and IC 3-5-2 apply**
27 **throughout this chapter.**

28 **Sec. 2. As used in this chapter, "committee" refers to the census**
29 **data advisory committee established under IC 2-5-1.1.**

30 **Sec. 3. As used in this chapter, "council" refers to the legislative**
31 **council established under IC 2-5-1.1.**

32 **Sec. 4. As used in this chapter, "office" refers to the office of**
33 **census data established under section 5 of this chapter.**

34 **Sec. 5. The office of census data is established within the**
35 **legislative services agency.**

36 **Sec. 6. The office shall do the following:**

37 (1) **Advise and assist the Bureau of the Census and the**
38 **committee in defining the boundaries of census blocks in the**
39 **state.**

40 (2) **Advise and assist the committee in coordinating the state's**
41 **efforts to obtain an accurate population count in each federal**
42 **decennial census.**



C
O
P
Y

1 (3) Work with other state and federal agencies to assist in the
2 local review program conducted in Indiana.

3 (4) Participate in national associations of state governments
4 to obtain information regarding census count activities
5 conducted by other states.

6 (5) Work with the election division, state agencies, and
7 political subdivisions to maintain accurate information
8 concerning the boundaries of precincts and political
9 subdivisions.

10 (6) Advise and assist the committee in the preparation and
11 organization of decennial census data for use in congressional
12 and state legislative redistricting.

13 (7) Work with political subdivisions following each decennial
14 census to provide information and assistance concerning
15 special census, special tabulations, and corrected population
16 counts.

17 Sec. 7 (a) The council shall employ two (2) co-directors who
18 shall administer the office.

19 (b) Each co-director is appointed upon the joint
20 recommendation of the president pro tempore of the senate and the
21 speaker of the house of representatives. One (1) co-director must
22 be affiliated with a major political party of the state and the other
23 co-director must be affiliated with the other major political party
24 of the state.

25 Sec. 8. Each co-director is entitled to serve as long as the
26 co-director properly performs the co-director's duties. A
27 co-director may be removed at any time upon the affirmative vote
28 of twelve (12) members of the council.

29 Sec. 9. The co-directors shall submit to the council the reports
30 and drafts of resolutions, budgets, and appropriation bills as may
31 be required for the efficient operation of the office's activities and
32 programs.

33 Sec. 10. The council may establish policies regarding the records
34 maintained by the office, including fees for the reproduction of
35 records and whether certain information is confidential.

36 Sec. 11. There is annually appropriated to the office from the
37 state general fund an amount determined by the council to be
38 sufficient for the office to use to carry out the purposes of this
39 chapter.

40 Sec. 12. This chapter expires January 1, 2002.

41 SECTION 3. IC 3-5-2-32.7, AS ADDED BY P.L.3-1997, SECTION
42 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON

C
O
P
Y



1 PASSAGE]: Sec. 32.7. "Nomination date" refers to the following:

2 (1) For candidates nominated in a primary election, the date of the
3 primary election.

4 (2) For candidates nominated in a convention, the date of the
5 convention **is scheduled to be called to order, according to the**
6 **call of the convention issued by the political party.**

7 (3) For candidates selected to fill a ballot vacancy, the date the
8 certificate of selection of the candidate is filed under
9 IC 3-13-1-15 or IC 3-13-2-8.

10 (4) For candidates nominated by petition, the final date the
11 petition of nomination is permitted to be filed under
12 IC 3-8-6-10(c).

13 (5) For write-in candidates, the final date the candidate's
14 declaration of intent to be a write-in candidate is permitted to
15 be filed under IC 3-8-2-4.

16 SECTION 4. IC 3-5-2-37, AS AMENDED BY P.L.3-1997,
17 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 1998]: Sec. 37. (a) Except as provided in subsection (b),
19 "political action committee" means an organization located within or
20 outside Indiana that satisfies all of the following:

21 (1) ~~The organization is not:~~

22 ~~(A) affiliated with a political party; or~~

23 ~~(B) a candidate's committee.~~

24 ~~(2) The organization proposes to influence:~~

25 ~~(A) the election of a candidate for state, legislative, local, or~~
26 ~~school board office; or~~

27 ~~(B) the outcome of a public question.~~

28 ~~(3) (2) The organization accepts contributions or makes~~
29 ~~expenditures during a calendar year:~~

30 ~~(A) to influence the election of a candidate for state,~~
31 ~~legislative, local, or school board office or the outcome of a~~

32 ~~public question that will appear on the ballot in Indiana; and~~

33 ~~(B) that in the aggregate exceed one hundred dollars (\$100).~~

34 ~~(4) (3) The organization is not any of the following:~~

35 ~~(i) (A) An auxiliary party organization.~~

36 ~~(ii) (B) A legislative caucus committee.~~

37 ~~(iii) (C) A regular party committee.~~

38 ~~(iv) (D) A candidate's committee.~~

39 (b) A corporation or labor organization that makes a contribution in
40 accordance with IC 3-9-2 or makes an expenditure is not considered a
41 political action committee.

42 SECTION 5. IC 3-9-1-4, AS AMENDED BY P.L.3-1997,

C
O
P
Y



1 SECTION 171, IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE UPON PASSAGE]: Sec. 4. A committee must include
 3 in its statement of organization the following:

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

23 SECTION 6. IC 3-9-2-13, AS ADDED BY P.L.3-1997, SECTION
 24 181, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
 25 PASSAGE]: Sec. 13. An individual may not ~~make~~ **solicit** or receive a
 26 contribution in violation of the following statutes:

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

33 SECTION 7. IC 3-9-4-4, AS AMENDED BY P.L.3-1997,
 34 SECTION 186, IS AMENDED TO READ AS FOLLOWS
 35 [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The election division
 36 shall develop a filing, coding, and cross-indexing system consistent
 37 with the purposes of this article. The election division and each county
 38 election board shall use the filing, coding, and cross-indexing system.
 39 The coding system must provide:

- 40 (1) codes to account for various campaign expenditure items; and
 41 (2) a clear explanation of the kinds of expenditure items that must
 42 be accounted for under each code.

C
O
P
Y

1 (b) The election division shall develop and use a computer system
 2 to store campaign finance reports required to be filed under IC 3-9-5-6,
 3 ~~and~~ IC 3-9-5-10, **and IC 3-9-5-20**. The computer system must enable
 4 the election division to do the following:

5 (1) Identify all candidates or committees that received
 6 contributions from a contributor over the past three (3) years.

7 (2) Identify all contributors to a candidate or committee over the
 8 past three (3) years.

9 (3) Provide for electronic submission, retrieval, storage, and
 10 disclosure of campaign finance reports of candidates for the
 11 following:

12 (A) Legislative office.

13 (B) State office.

14 The election division shall provide training at no cost to
 15 candidates to enable candidates described in this subdivision to
 16 file campaign finance reports electronically.

17 **(c) This subsection applies to an electronic submission under**
 18 **subsection (b)(3). An electronic submission must be in a format**
 19 **previously approved by the commission that permits the election**
 20 **division to print out a hard copy of the report upon the receipt of**
 21 **the electronic submission from the candidate. Filing of a report**
 22 **occurs under IC 3-5-2-24.5 when the hard copy is printed out and**
 23 **the election division records the date and time of the printout on**
 24 **the hard copy. If a discrepancy exists between the text of the**
 25 **electronic submission and the printed report, the text of the printed**
 26 **report prevails until an amendment is filed under this article to**
 27 **correct the discrepancy.**

28 **(d) The election division is not required to accept an electronic**
 29 **submission unless the submission complies with subsection (b)(3).**
 30 **Upon receiving approval from the commission, the election division**
 31 **may accept an electronic submission from candidates, committees,**
 32 **or persons described in subsection (b)(3).**

33 ~~(e)~~ **(e)** The election division shall make campaign finance reports
 34 stored on the computer system under subsection (b) available to the
 35 general public through an on-line service.

36 SECTION 8. IC 3-9-4-14, AS AMENDED BY P.L.3-1997,
 37 SECTION 195, IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) The election division
 39 and each county election board shall do all of the following:

40 (1) Ascertain whether candidates, committees, or other persons
 41 have:

42 (A) failed to file statements of organization or reports; or ~~have~~

C
O
P
Y



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

C
O
P
Y

- 1 (b) As used in this section, "election board" refers to the following:
 2 (1) The commission if a civil penalty was assessed under section
 3 16 of this chapter.
 4 (2) The county election board if a civil penalty was assessed
 5 under section 17 of this chapter.
 6 (c) As used in this section, "person" refers to a person who:
 7 (1) has been assessed a civil penalty under section 16 or 17 of this
 8 chapter; and
 9 (2) has filed a declaration of candidacy, a petition of nomination,
 10 or a declaration of intent to be a write-in candidate in a
 11 subsequent election or for whom a certificate of nomination has
 12 been filed.
 13 (d) A person who does both of the following is relieved from further
 14 civil liability under this chapter for the delinquent **or defective** report:
 15 (1) Files the delinquent report **or amends the defective report**
 16 from the previous candidacy:
 17 (A) before filing a report required under IC 3-9-5-6; or
 18 (B) at the same time the person files the report required under
 19 IC 3-9-5-6;
 20 for a subsequent candidacy.
 21 (2) Pays all civil penalties assessed under section 16 or 17 of this
 22 chapter for the delinquent report.
 23 (e) This subsection applies to a person who:
 24 (1) is assessed a civil penalty under this chapter; and
 25 (2) is elected to office in the subsequent election.
 26 The election board may order the auditor of state or the fiscal officer of
 27 the political subdivision responsible for issuing the person's payment
 28 for serving in office to withhold from the person's paycheck the amount
 29 of the civil penalty assessed under this chapter. If the amount of the
 30 paycheck is less than the amount of the civil penalty, the auditor **or**
 31 **fiscal officer** shall continue withholding money from the person's
 32 paycheck until an amount equal to the amount of the civil penalty has
 33 been withheld.
 34 (f) The auditor of state or fiscal officer shall deposit an amount
 35 **paid, recovered, or withheld** under this section in the election board's
 36 campaign finance enforcement account.
 37 (g) Proceedings of the election board under this section are subject
 38 to IC 4-21.5.
 39 SECTION 10. IC 3-9-5-1, AS AMENDED BY P.L.3-1997,
 40 SECTION 200, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) Except as provided in
 42 subsection (b), this chapter applies to candidates in all elections and

C
O
P
Y

1 caucuses and to the following types of committees:

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

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

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

15 SECTION 11. IC 3-9-5-5, AS AMENDED BY P.L.2-1996,
 16 SECTION 114, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE UPON PASSAGE]: Sec. 5. The treasurer of each
 18 committee shall file reports of receipts and expenditures on forms
 19 prescribed or approved by the commission. **Except as provided in**
 20 **section 20 of this chapter, a report may not be filed by facsimile**
 21 **(fax) transmission.**

22 SECTION 12. IC 3-9-5-6, AS AMENDED BY P.L.3-1997,
 23 SECTION 204, IS AMENDED TO READ AS FOLLOWS
 24 [EFFECTIVE JANUARY 1, 1998 (RETROACTIVE)]: Sec. 6. (a) **This**
 25 **subsection applies to a candidate's committee.** Except as otherwise
 26 provided in this chapter, each committee, ~~its the committee's~~ treasurer,
 27 and each candidate shall complete a report required by this chapter
 28 current and dated as of the following dates:

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

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

- 42 (1) Twenty-five (25) days before a primary election.



C
O
P
Y

- 1 (2) Twenty-five (25) days before a general, municipal, or
2 special election.
- 3 (3) The date of the annual report filed and dated as required
4 under section 10 of this chapter.
- 5 (c) This subsection applies to a legislative caucus committee.
6 Except as otherwise provided in this chapter, each committee and
7 the committee's treasurer shall complete a report required under
8 this chapter current and dated as of the following dates:
- 9 (1) Twenty-five (25) days before a primary election conducted
10 in an even-numbered year.
- 11 (2) Twenty-five (25) days before a general election conducted
12 in an even-numbered year.
- 13 (3) The date of the annual report filed and dated as required
14 under section 10 of this chapter.
- 15 (d) A legislative caucus committee is not required to file any
16 report concerning the committee's activity during an
17 odd-numbered year other than the annual report filed and dated
18 under section 10 of this chapter.
- 19 SECTION 13. IC 3-9-5-7, AS AMENDED BY P.L.3-1997,
20 SECTION 205, IS AMENDED TO READ AS FOLLOWS
21 [EFFECTIVE JULY 1, 1998 (RETROACTIVE)]: Sec. 7. (a) ~~Persons~~
22 **A person** may deliver reports to the appropriate office as follows:
- 23 (1) By hand.
- 24 (2) By mail.
- 25 (3) By electronic mail, if the appropriate office has the capacity
26 to:
- 27 (A) receive electronic mail; **and**
- 28 (B) **print out a hard copy of the report immediately upon**
29 **the receipt of the electronic mail by the office.**
- 30 (b) Reports must be filed as follows:
- 31 (1) Hand delivered reports **or reports that are mailed** must be
32 **received by filed with** the appropriate office during regular office
33 hours not later than noon seven (7) days after the date of the
34 report.
- 35 (2) Reports delivered by electronic mail must be **received by filed**
36 **with** the appropriate office not later than noon seven (7) days
37 after the date of the report.
- 38 (3) ~~Reports that are mailed must be postmarked not later than~~
39 **noon seven (5) days after the date of the report.**
- 40 (c) **This subsection applies to a report delivered by electronic**
41 **mail. Filing of a report occurs under IC 3-5-2-24.5 when the hard**
42 **copy is printed out and the office records the date and time of the**



1 printout on the report. If a discrepancy exists between the text of
 2 the electronic mail and the printed report, the text of the printed
 3 report prevails until an amendment is filed under this article to
 4 correct the discrepancy.

5 (d) An office is not required to accept a report or statement
 6 required under this article by facsimile transmission. Upon
 7 approval by the commission or a county election board the election
 8 division or the county election board may accept the facsimile
 9 transmission of a report or statement.

10 SECTION 14. IC 3-9-5-8, AS AMENDED BY P.L.3-1997,
 11 SECTION 206, IS AMENDED TO READ AS FOLLOWS
 12 [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) **This section applies to**
 13 a candidate for nomination to an office in a state convention who ~~(†)~~
 14 becomes a candidate less than twenty-five (25) days before the
 15 **nomination date for a candidate chosen at a** convention. ~~and~~

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

21 ~~(†)~~ (c) The reporting period for a **the first** report required ~~under for~~
 22 **a candidate this section** begins on the date that the individual became
 23 a candidate and ends on the day following the adjournment of the state
 24 convention.

25 SECTION 15. IC 3-9-5-8.2 IS ADDED TO THE INDIANA CODE
 26 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 27 UPON PASSAGE]: Sec. 8.2. (a) **This section applies to a candidate**
 28 **who is nominated by petition under IC 3-8-6.**

29 (b) A candidate is not required to prepare or file a report before
 30 the nomination date.

31 (c) The period for the first report required for a candidate
 32 begins on the date that the individual became a candidate and ends
 33 fourteen (14) days after the nomination date.

34 SECTION 16. IC 3-9-5-8.4 IS ADDED TO THE INDIANA CODE
 35 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 36 UPON PASSAGE]: Sec. 8.4. (a) **This section applies to a candidate**
 37 **who files a declaration of intent to be a write-in candidate under**
 38 **IC 3-8-2.**

39 (b) A candidate is not required to prepare or file a report before
 40 the nomination date.

41 (c) The period for the first report required for a candidate
 42 begins on the date that the individual became a candidate and ends

C
O
P
Y

1 **fourteen (14) days after the nomination date.**

2 SECTION 17. IC 3-9-5-8.5, AS ADDED BY P.L.3-1997, SECTION
3 207, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
4 PASSAGE]: Sec. 8.5. (a) This section applies to a candidate who is
5 selected to fill a vacancy on the ballot under IC 3-13-1 or IC 3-13-2.

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

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

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

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

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

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

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

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

32 (2) The total sum of individual contributions including
33 transfers-in, accepted by the committee during its reporting
34 period.

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

41 (A) The full name of the person.

42 (B) The full mailing address of the person making the



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

COPY



1 the amount, date, and purpose of each expenditure.
 2 (10) The full name, mailing address, occupation, and principal
 3 place of business, if any, of each person to whom an expenditure
 4 for personal services, salaries, or reimbursed expenses was made
 5 within the year in an aggregate amount that:
 6 (A) exceeds one hundred dollars (\$100), in the case of a
 7 candidate's committee, **legislative caucus committee**, or
 8 political action committee; or
 9 (B) exceeds two hundred dollars (\$200), in the case of a
 10 regular party committee;
 11 and that is not otherwise reported, including the amount, date, and
 12 purpose of the expenditure.
 13 (11) The total sum of expenditures made by the committee during
 14 the reporting period.
 15 (12) The amount and nature of debts owed by or to the committee,
 16 and a continuous reporting of the debts after the election at the
 17 times ~~that the board requires~~ **required under this article** until the
 18 debts are extinguished.
 19 SECTION 19. IC 3-9-5-20, AS ADDED BY P.L.3-1997, SECTION
 20 214, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
 21 PASSAGE]: Sec. 20. (a) This section applies only to a large
 22 contribution that satisfies all of the following:
 23 (1) The contribution is received by a candidate, the candidate's
 24 committee, or the treasurer of the candidate's committee.
 25 (2) The contribution is received:
 26 (A) not more than twenty-five (25) days before an election;
 27 and
 28 (B) not less than five (5) days before an election.
 29 (b) As used in this section, "election" refers to any of the following:
 30 (1) A primary election.
 31 (2) A general election.
 32 (3) A municipal election.
 33 (4) A special election.
 34 (5) For candidates nominated at a state convention, the state
 35 convention.
 36 (c) As used in this section, "large contribution" means a contribution
 37 of at least one thousand dollars (\$1,000).
 38 (d) The treasurer of a candidate's committee shall file a report of
 39 large contributions not later than noon ~~five (5)~~ **four (4)** days before the
 40 election. **The report of large contributions may be filed not earlier**
 41 **than the deadline for filing the most recent report under**
 42 **IC 3-9-5-6(1) or IC 3-9-5-6(2). If the candidate files a report under**

C
O
P
Y



1 **this subsection before the final date for filing, and subsequently**
 2 **accepts a large contribution, the candidate must file an amended**
 3 **report not later than noon four (4) days before the election. A**
 4 **report filed under this section may be filed by facsimile (fax)**
 5 **transmission.**

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

- 8 (1) The name of the person making the contribution.
 9 (2) The address of the person making the contribution.
 10 (3) If the person making the contribution is an individual, the
 11 individual's occupation.
 12 (4) The amount of the contribution.
 13 (5) The date the contribution was received by the treasurer, the
 14 candidate, or the candidate's committee.

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

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

19 SECTION 20. IC 3-9-8 IS ADDED TO THE INDIANA CODE AS
 20 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON
 21 PASSAGE]:

22 **Chapter 8. Independent Expenditures**

23 **Sec. 1. This chapter does not apply to the following:**

- 24 (1) A person who makes an expenditure described by
 25 IC 3-9-5-15(b).
 26 (2) An individual, a firm, or a partnership that:
 27 (A) makes a contribution to a candidate or a committee;
 28 and
 29 (B) does not make an expenditure.
 30 (3) A corporation or labor organization that makes:
 31 (A) a contribution to a political committee; or
 32 (B) an expenditure to support or oppose a candidate or
 33 political party.

34 **Sec. 2. Except as provided in section 1 of this chapter:**

- 35 (1) an individual who makes an expenditure to influence an
 36 election within a year; or
 37 (2) a corporation or labor organization that makes a
 38 expenditure to support or oppose approval of a public
 39 question;

40 shall file a statement with the election division under IC 3-9-5-2 or
 41 IC 3-9-5-3, or with a county election board under IC 3-9-5-4. The
 42 statement must contain the information required under IC 3-9-5.



C
O
P
Y

1 **Sec. 3. A statement required under this chapter is due on the**
 2 **same date and time that a report is due from a political action**
 3 **committee.**

4 SECTION 21. IC 3-13-1-10.5, AS AMENDED BY P.L.3-1997,
 5 SECTION 382, IS AMENDED TO READ AS FOLLOWS
 6 [EFFECTIVE UPON PASSAGE]: Sec. 10.5. (a) A person who wishes
 7 to be a candidate for appointment to fill a candidate vacancy under this
 8 chapter must file a declaration of candidacy on a form prescribed by
 9 the commission with:

10 (1) the chairman of the caucus; and
 11 (2) the official who is required to receive a certificate of candidate
 12 selection following the caucus under section 15 of this chapter;
 13 at least seventy-two (72) hours before the time fixed for the caucus.

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

16 (1) is aware of the provisions of IC 3-9 regarding campaign
 17 finance and the reporting of campaign finance contributions
 18 and expenditures; and
 19 (2) agrees to comply with the provisions of IC 3-9.

20 **The candidate must separately sign the statement required by this**
 21 **subsection.**

22 (c) The commission shall provide that the form prescribed
 23 under subsection (a) includes the following information near the
 24 separate signature:

25 (1) The dates for filing campaign finance reports under
 26 IC 3-9.
 27 (2) The penalties for late filing of campaign finance reports
 28 under IC 3-9.

29 SECTION 22. IC 3-13-2-7 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) The selection
 31 of a person as a candidate under this chapter is not effective unless:

32 (1) the person's written consent is obtained and filed:
 33 (A) in the office in which certificates and petitions of
 34 nomination must be filed; and
 35 (B) when the certificate is filed; and
 36 (2) the candidate has complied with any requirement under
 37 IC 3-8-1-33 to file a statement of economic interests.

38 **(b) The written consent under subsection (a) must include a**
 39 **statement that the candidate:**

40 (1) is aware of the provisions of IC 3-9 regarding campaign
 41 finance and the reporting of campaign finance contributions
 42 and expenditures; and

C
O
P
Y



1 **(2) agrees to comply with the provisions of IC 3-9.**
 2 **The candidate must separately sign the statement required by this**
 3 **subsection.**

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

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

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

11 SECTION 23. IC 3-5-2-32.5 IS REPEALED [EFFECTIVE JULY
 12 1, 1997 (RETROACTIVE)].

13 SECTION 24. IC 3-9-5-21 IS REPEALED [EFFECTIVE UPON
 14 PASSAGE].

15 SECTION 25. P.L.4-1996, SECTION 114, AS AMENDED BY
 16 P.L.3-1997, SECTION 473, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE UPON PASSAGE]: (a) As used in this SECTION,
 18 "computer system" refers to the computer system described in
 19 IC 3-9-4-4.

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

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

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

29 ~~(1) Identify all contributors and committees that received~~
 30 ~~contributions from a contributor during 1997 and 1998.~~

31 ~~(2) Identify all candidates and committees that received~~
 32 ~~contributors to a candidate or committee during 1997 and 1998.~~

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

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

37 SECTION 26. [EFFECTIVE JULY 1, 1997 (RETROACTIVE)]: **(a)**
 38 **This SECTION applies to a political action committee in existence**
 39 **on June 30, 1997, that is redefined as:**

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

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

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

C
O
P
Y



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

5 (c) A legislative caucus committee under this SECTION shall
 6 file a statement of organization with the election division not later
 7 than January 21, 1998, reflecting the committee's status as a
 8 legislative caucus committee.

9 (d) This SECTION expires December 31, 1998.

10 SECTION 27. [EFFECTIVE JULY 1, 1997 (RETROACTIVE)]: (a)
 11 Notwithstanding IC 3-9-1-23, as amended by P.L.3-1997,
 12 SECTION 176, before January 1, 1998, the treasurer of a
 13 committee listed in IC 3-9-1-1(a) is required only to keep an
 14 account of the items that were required under IC 3-9-1-23 before
 15 the amendment to IC 3-9-1-23 took effect July 1, 1997.

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

21 (c) This SECTION expires December 31, 1998.

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

25 (1) by a candidate's committee, a legislative caucus committee,
 26 or a political action committee not later than noon, January
 27 21, 1998; or

28 (2) by a regular party committee not later than noon, March
 29 2, 1998.

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

31 (1) a report described by subsection (a); and

32 (2) the records maintained by a committee treasurer under
 33 IC 3-9-5-14;

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

36 (c) This SECTION expires March 3, 1998.

37 SECTION 29. [EFFECTIVE UPON PASSAGE] (a) The legislative
 38 council shall appoint the initial co-directors of the office of census
 39 data established under IC 2-5-19.5, as added by this act, not later
 40 than June 1, 1998.

41 (b) This SECTION expires June 2, 1998.

42 SECTION 30. An emergency is declared for this act.

C
O
P
Y

COMMITTEE REPORT

Mr. President: The Senate Committee on Elections, to which was referred Senate Bill 169, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning elections and to make an appropriation.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 2-5-1.1-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 1, 1998]: Sec. 7. (a) The council shall maintain a bipartisan service and administrative agency for the general assembly to assist it in the performance of its constitutional responsibilities as a separate and independent legislative branch of state government. The service and administrative agency shall be known as the "Legislative Services Agency."

(b) In maintaining the legislative services agency the council shall:

- (1) establish the qualifications for and employ such personnel as are required to carry out the purposes and provisions of this chapter;
- (2) employ an executive director, to be charged with the administrative responsibility of all offices, departments, or divisions which the council may from time to time establish, and to serve as chief executive under the council;
- (3) adopt rules and regulations governing personnel practices and establishing the rights, privileges, powers, and duties of all employees;
- (4) provide for employees to be covered by the public employees' retirement fund; and
- (5) establish a pay scale for all employees including the executive director.

Rules and regulations adopted by the council under subdivision (3) are not subject to IC 4-22-2. In those rules and regulations, the council may limit the political activity of legislative services agency employees.

(c) The executive director is entitled to serve as long as ~~he~~ **the executive director** properly performs ~~his~~ **the executive director's** duties. ~~but he~~ **The executive director** may be removed at any time upon the affirmative vote of twelve (12) members of the council.

(d) The executive director may submit to the council such reports and drafts of resolutions, budgets, and appropriation bills as may be required for the efficient operation of the council's activities and

SB 169—LS 6407/DI 75



C
O
P
Y

programs.

(e) The legislative services agency shall perform such bill drafting, research, code revision, fiscal, budgetary, and management analysis, information, administrative, **census data**, and other services as are requested by the council.

SECTION 2. IC 2-5-19.5 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JUNE 1, 1998]:

Chapter 19.5. Office of Census Data

Sec. 1. The definitions in IC 1-1-3.5 and IC 3-5-2 apply throughout this chapter.

Sec. 2. As used in this chapter, "committee" refers to the census data advisory committee established under IC 2-5-1.1.

Sec. 3. As used in this chapter, "council" refers to the legislative council established under IC 2-5-1.1.

Sec. 4. As used in this chapter, "office" refers to the office of census data established under section 5 of this chapter.

Sec. 5. The office of census data is established within the legislative services agency.

Sec. 6. The office shall do the following:

- (1) Advise and assist the Bureau of the Census and the committee in defining the boundaries of census blocks in the state.
- (2) Advise and assist the committee in coordinating the state's efforts to obtain an accurate population count in each federal decennial census.
- (3) Work with other state and federal agencies to assist in the local review program conducted in Indiana.
- (4) Participate in national associations of state governments to obtain information regarding census count activities conducted by other states.
- (5) Work with the election division, state agencies, and political subdivisions to maintain accurate information concerning the boundaries of precincts and political subdivisions.
- (6) Advise and assist the committee in the preparation and organization of decennial census data for use in congressional and state legislative redistricting.
- (7) Work with political subdivisions following each decennial census to provide information and assistance concerning special census, special tabulations, and corrected population counts.



C
O
P
Y

Sec. 7 (a) The council shall employ two (2) co-directors who shall administer the office.

(b) Each co-director is appointed upon the joint recommendation of the president pro tempore of the senate and the speaker of the house of representatives. One (1) co-director must be affiliated with a major political party of the state and the other co-director must be affiliated with the other major political party of the state.

Sec. 8. Each co-director is entitled to serve as long as the co-director properly performs the co-director's duties. A co-director may be removed at any time upon the affirmative vote of twelve (12) members of the council.

Sec. 9. The co-directors shall submit to the council the reports and drafts of resolutions, budgets, and appropriation bills as may be required for the efficient operation of the office's activities and programs.

Sec. 10. The council may establish policies regarding the records maintained by the office, including fees for the reproduction of records and whether certain information is confidential.

Sec. 11. There is annually appropriated to the office from the state general fund an amount determined by the council to be sufficient for the office to use to carry out the purposes of this chapter.

Sec. 12. This chapter expires January 1, 2002."

Page 2, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 2. IC 3-5-2-37, AS AMENDED BY P.L.3-1997, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 37. (a) Except as provided in subsection (b), "political action committee" means an organization located within or outside Indiana that satisfies all of the following:

- (1) ~~The organization is not:~~
 - ~~(A) affiliated with a political party; or~~
 - ~~(B) a candidate's committee.~~
- ~~(2) The organization proposes to influence:~~
 - (A) the election of a candidate for state, legislative, local, or school board office; or
 - (B) the outcome of a public question.
- ~~(3) (2) The organization accepts contributions or makes expenditures during a calendar year:~~
 - (A) to influence the election of a candidate for state, legislative, local, or school board office or the outcome of a public question that will appear on the ballot in Indiana; **and**



C
O
P
Y

- (B) that in the aggregate exceed one hundred dollars (\$100).
- ~~(D)~~ (3) The organization is not any of the following:
- (i) (A) An auxiliary party organization.
 - (ii) (B) A legislative caucus committee.
 - (iii) (C) A regular party committee.
 - (iv) (D) A candidate's committee.

(b) A corporation or labor organization that makes a contribution in accordance with IC 3-9-2 or makes an expenditure is not considered a political action committee."

Page 6, between lines 17 and 18, begin a new paragraph and insert:
 "SECTION 8. IC 3-9-5-5, AS AMENDED BY P.L.2-1996, SECTION 114, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. The treasurer of each committee shall file reports of receipts and expenditures on forms prescribed or approved by the commission. **Except as provided in section 20 of this chapter, a report may not be filed by facsimile (fax) transmission.** "

Page 11, line 36, after "election." insert "**The report of large contributions may be filed not earlier than the deadline for filing the most recent report under IC 3-9-5-6(1) or IC 3-9-5-6(2). If the candidate files a report under this subsection before the final date for filing, and subsequently accepts a large contribution, the candidate must file an amended report not later than noon four (4) days before the election. A report filed under this section may be filed by facsimile (fax) transmission.**"

Page 12, between lines 7 and 8, begin a new paragraph and insert:
 "SECTION 17. IC 3-9-8 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 8. Independent Expenditures

Sec. 1. This chapter does not apply to the following:

- (1) A person who makes an expenditure described by IC 3-9-5-15(b).
- (2) An individual, a firm, or a partnership that:
 - (A) makes a contribution to a candidate or a committee; and
 - (B) does not make an expenditure.
- (3) A corporation or labor organization that makes:
 - (A) a contribution to a political committee; or
 - (B) an expenditure to support or oppose a candidate or political party.

Sec. 2. Except as provided in section 1 of this chapter:



(1) an individual who makes an expenditure to influence an election within a year; or

(2) a corporation or labor organization that makes a expenditure to support or oppose approval of a public question;

shall file a statement with the election division under IC 3-9-5-2 or IC 3-9-5-3, or with a county election board under IC 3-9-5-4. The statement must contain the information required under IC 3-9-5.

Sec. 3. A statement required under this chapter is due on the same date and time that a report is due from a political action committee."

Page 14, between lines 40 and 41, begin a new paragraph and insert:

"SECTION 26. [EFFECTIVE UPON PASSAGE] (a) The legislative council shall appoint the initial co-directors of the office of census data established under IC 2-5-19.5, as added by this act, not later than June 1, 1998.

(b) This SECTION expires June 2, 1998."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to Senate Bill 169 as introduced.)

LANDSKE, Chairperson

Committee Vote: Yeas 10, Nays 0.

C
O
P
Y

