

HOUSE BILL No. 1967

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-9; IC 3-14-1.

Synopsis: Campaign finance. Provides that a candidate's committee may not transfer more than \$20,000 to another candidate's committee during a calendar year or upon dissolution. Requires the appropriate election board to assess a civil penalty equal to two times the amount of transfers over \$20,000 for a violation. Provides that a candidate for a state office, a legislative office, or a local office may not accept contributions derived from contributions made to a candidate for federal office of more than \$20,000 in a calendar year. Requires the appropriate election board to impose a civil penalty equal to two times any amount over \$20,000 that a candidate receives from federal contributions. Provides that a political action committee may not make
(Continued next page)

Effective: Upon passage; January 1, 2000.

Kromkowski

January 26, 1999, read first time and referred to Committee on Elections and Apportionment.

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aggregate contributions of more than \$5,000 to all candidates for a state office during the period before the nomination date of the candidates or during the period between the nomination date and December 31 following the general election. Provides that a political action committee may not make aggregate contributions of more than \$1,000 to all candidates for a local office or a legislative office during the period before the nomination date of the candidates or during the period between the nomination date and December 31 following the general election. Provides that an individual may not make aggregate contributions of more than \$5,000 to all candidates for a state office during the period before the nomination date of the candidates or during the period between the nomination date and December 31 following the general election. Provides that an individual may not make aggregate contributions of more than \$1,000 to all candidates for a local office or a legislative office during the period before the nomination date of the candidates or during the period between the nomination date and December 31 following the general election. Attributes contributions made by an unemancipated individual who is less than 18 years of age to the individual's legal guardians. Provides that a violation of the contribution limitations by an individual or a political action committee is a Class B misdemeanor. Requires the election division to make campaign finance reports on the campaign finance report data base available promptly to the public in a searchable format. Requires an additional campaign finance report to be filed current and dated as of September 1 of each year. Requires a campaign finance report to report the name of a contributor's or creditor's employer if the person is an individual who has made aggregate contributions or loans of more than \$1,000 during the calendar year. (Under current law a campaign finance report is required to report only an individual contributor's or creditor's occupation if aggregate contributions or loans exceed \$1,000.) Repeals the existing large contribution reporting statute and replaces it with a large contribution statute based on federal law. Provides that a large contribution report may be filed by fax.

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Introduced

First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

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HOUSE BILL No. 1967



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

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

- 1 SECTION 1. IC 3-9-1-12 IS AMENDED TO READ AS FOLLOWS
- 2 [EFFECTIVE JANUARY 1, 2000]: Sec. 12. (a) A committee may
- 3 disband at any time. The committee must do either of the following:
- 4 (1) Give written notification of the dissolution and transfer a
- 5 surplus of contributions less expenditures to any one (1) or a
- 6 combination of the following:
- 7 (A) One (1) or more regular party committees.
- 8 (B) One (1) or more candidate's committees.
- 9 (C) **One (1) or more legislative caucus committees.**
- 10 (D) **One (1) or more national party affiliate committees.**
- 11 ~~(E)~~ (E) The election division.
- 12 ~~(F)~~ (F) An organization exempt from federal income taxation
- 13 under Section 501 of the Internal Revenue Code.
- 14 ~~(G)~~ (G) Contributors to the committee, on a pro rata basis.
- 15 (2) Use the surplus in any other manner permitted under



1 IC 3-9-3-4.

2 A dissolution and transfer of funds does not relieve the committee or
3 its members from civil or criminal liability.

4 **(b) This subsection applies only to a candidate's committee.**
5 **Upon dissolution, a candidate's committee may not transfer more**
6 **than an aggregate of twenty thousand dollars (\$20,000) to any**
7 **other candidate's committee.**

8 SECTION 2. IC 3-9-2-14 IS ADDED TO THE INDIANA CODE
9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
10 JANUARY 1, 2000]: **Sec. 14. (a) As used in this section, "federal**
11 **contribution" means a contribution derived from contributions**
12 **made to either of the following:**

- 13 **(1) A candidate for a federal office.**
14 **(2) The committee of a candidate described in subdivision (1).**
15 **(b) A candidate for a state office, a legislative office, or a local**
16 **office and the candidate's committee may not accept federal**
17 **contributions of more than an aggregate of twenty thousand**
18 **dollars (\$20,000) during a calendar year.**

19 SECTION 3. IC 3-9-2-15 IS ADDED TO THE INDIANA CODE
20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
21 JANUARY 1, 2000]: **Sec. 15. (a) This section applies only to**
22 **contributions to the following candidates:**

- 23 **(1) A candidate for a state office.**
24 **(2) A candidate for a legislative office.**
25 **(3) A candidate for a local office.**
26 **(b) As used in this section, "contribution limit" refers to the**
27 **following:**
28 **(1) With respect to contributions to a candidate for a state**
29 **office, five thousand dollars (\$5,000).**
30 **(2) With respect to contributions to a candidate for a**
31 **legislative office, one thousand dollars (\$1,000).**
32 **(3) With respect to contributions to a candidate for a local**
33 **office, one thousand dollars (\$1,000).**

34 **(c) A political action committee may not make aggregate**
35 **contributions of more than the contribution limit to all candidates**
36 **for an elected office during the period before the nomination date.**

37 **(d) A political action committee may not make aggregate**
38 **contributions of more than the contribution limit to all candidates**
39 **for an elected office during the period beginning with the**
40 **nomination date and ending December 31 after the date of the**
41 **general election.**

42 SECTION 4. IC 3-9-2-16 IS ADDED TO THE INDIANA CODE



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1 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
2 JANUARY 1, 2000]: **Sec. 16. (a) This section applies only to
3 contributions to the following candidates:**

- 4 (1) A candidate for a state office.
5 (2) A candidate for a legislative office.
6 (3) A candidate for a local office.

7 (b) As used in this section, "contribution limit" refers to the
8 following:

- 9 (1) With respect to contributions to a candidate for a state
10 office, five thousand dollars (\$5,000).
11 (2) With respect to contributions to a candidate for a
12 legislative office, one thousand dollars (\$1,000).
13 (3) With respect to contributions to a candidate for a local
14 office, one thousand dollars (\$1,000).

15 (c) For purposes of this section, a contribution made by an
16 unemancipated individual who is less than eighteen (18) years of
17 age is considered to have been made by each legal guardian of the
18 individual. Each legal guardian is considered to have made a
19 contribution under this subsection equal to the amount of the
20 contribution made by the unemancipated individual divided by the
21 total number of legal guardians.

22 (d) An individual may not make aggregate contributions of
23 more than the contribution limit to all candidates for an elected
24 office during the period before the nomination date.

25 (e) An individual may not make aggregate contributions of more
26 than the contribution limit to all candidates for an elected office
27 during the period beginning with the nomination date and ending
28 December 31 after the date of the general election.

29 SECTION 5. IC 3-9-3-4 IS AMENDED TO READ AS FOLLOWS
30 [EFFECTIVE JANUARY 1, 2000]: **Sec. 4. (a) Money received by a
31 candidate or committee as a contribution may be used only as follows:**

- 32 (1) To defray any expense reasonably related to the person's or
33 committee's:
34 (A) campaign for federal, state, legislative, or local office;
35 (B) continuing political activity; or
36 (C) activity related to service in an elected office.

37 (2) To make an expenditure to any national, state, or local
38 committee of any political party or another candidate's committee.
39 **or A candidate's committee may not make aggregate
40 expenditures of more than twenty thousand dollars (\$20,000)
41 to any other candidate's committee during a calendar year
42 under this subdivision.**



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1 (3) Upon dissolution of a committee, in a manner permitted under
2 IC 3-9-1-12.

3 (b) Money received by a candidate or committee as a contribution
4 may not be used for primarily personal purposes by the candidate or by
5 any other person except as described in subsection (a).

6 (c) Money received as a contribution may be invested by a
7 committee in an account with a financial institution, savings
8 association, or credit union, or in any equity account. Any loss resulting
9 from an investment under this subsection must be reported as a
10 committee expenditure. Any gain resulting from an investment under
11 this subsection must be reported as income.

12 SECTION 6. IC 3-9-4-4 IS AMENDED TO READ AS FOLLOWS
13 [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The election division
14 shall develop a filing, coding, and cross-indexing system consistent
15 with the purposes of this article. The election division and each county
16 election board shall use the filing, coding, and cross-indexing system.
17 The coding system must provide:

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

21 (b) The election division shall develop and use a computer system
22 to store campaign finance reports required to be filed under IC 3-9-5-6
23 and IC 3-9-5-10. The computer system must enable the election
24 division to do the following:

- 25 (1) Identify all candidates or committees that received
26 contributions from a contributor over the past three (3) years.
27 (2) Identify all contributors to a candidate or committee over the
28 past three (3) years.
29 (3) Provide for electronic submission, retrieval, storage, and
30 disclosure of campaign finance reports of candidates for the
31 following:

- 32 (A) Legislative office.
33 (B) State office.

34 The election division shall provide training at no cost to
35 candidates to enable candidates described in this subdivision to
36 file campaign finance reports electronically.

37 (c) The election division shall make campaign finance reports stored
38 on the computer system under subsection (b) available to the general
39 public **promptly in a searchable format** through an on-line service.

40 SECTION 7. IC 3-9-4-16 IS AMENDED TO READ AS FOLLOWS
41 [EFFECTIVE JANUARY 1, 2000]: Sec. 16. (a) In addition to any other
42 penalty imposed, a person who does any of the following is subject to

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1 a civil penalty under this section:

- 2 (1) Fails to file with the election division a report in the manner
3 required under IC 3-9-5.
4 (2) Fails to file a statement of organization required under
5 IC 3-9-1.
6 (3) Is a committee or a member of a committee who disburses or
7 expends money or other property for any political purpose before
8 the money or other property has passed through the hands of the
9 treasurer of the committee.
10 (4) Makes a contribution other than to a committee subject to this
11 article or to a person authorized by law or a committee to receive
12 contributions on the committee's behalf.
13 (5) Is a corporation or labor organization that exceeds any of the
14 limitations on contributions prescribed by IC 3-9-2-4.
15 (6) Makes a contribution in the name of another person.
16 (7) Accepts a contribution made by one (1) person in the name of
17 another person.
18 (8) Is not the treasurer of a committee subject to this article, and
19 pays any expenses of an election or a caucus except as authorized
20 by this article.
21 (9) Commingles the funds of a committee with the personal funds
22 of an officer, a member, or an associate of the committee.
23 (10) Wrongfully uses campaign contributions in violation of
24 IC 3-9-3-4.
25 (11) Violates IC 3-9-2-12.
26 **(12) Is a candidate's committee and transfers to another**
27 **candidate's committee an aggregate of more than twenty**
28 **thousand dollars (\$20,000) upon dissolution of the committee**
29 **or during any calendar year.**
30 **(13) Violates IC 3-9-2-14.**

31 (b) This subsection applies to a person who is subject to a civil
32 penalty under subsection (a)(1) or (a)(2) for filing a defective report or
33 statement. If the commission determines that a person failed to file the
34 amended report or statement of organization not later than noon five (5)
35 days after being given notice under section 14 of this chapter, the
36 commission may assess a civil penalty. The penalty is ten dollars (\$10)
37 for each day the report is late after the expiration of the five (5) day
38 period, not to exceed one hundred dollars (\$100) plus any investigative
39 costs incurred and documented by the election division. The civil
40 penalty limit under this subsection applies to each report separately.

41 (c) This subsection applies to a person who is subject to a civil
42 penalty under subsection (a)(1) or (a)(2) for a delinquent report or

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1 statement. If the commission determines that a person failed to file the
 2 report or statement of organization by the deadline prescribed under
 3 this article, the commission shall assess a civil penalty. The penalty is
 4 fifty dollars (\$50) for each day the report or statement is late, with the
 5 afternoon of the final date for filing the report or statement being
 6 calculated as the first day. The civil penalty under this subsection may
 7 not exceed one thousand dollars (\$1,000) plus any investigative costs
 8 incurred and documented by the election division. The civil penalty
 9 limit under this subsection applies to each report separately.

10 (d) This subsection applies to a person who is subject to a civil
 11 penalty under subsection (a)(3), (a)(4), (a)(6), (a)(7), (a)(8), (a)(9), or
 12 (a)(10). If the commission determines that a person is subject to a civil
 13 penalty under subsection (a), the commission may assess a civil penalty
 14 of not more than one thousand dollars (\$1,000), plus any investigative
 15 costs incurred and documented by the election division.

16 (e) This subsection applies to a person who is subject to a civil
 17 penalty under subsection (a)(5). If the commission determines that a
 18 person is subject to a civil penalty under subsection (a)(5), the
 19 commission may assess a civil penalty of not more than three (3) times
 20 the amount of the contribution in excess of the limit prescribed by
 21 IC 3-9-2-4, plus any investigative costs incurred and documented by
 22 the election division.

23 (f) This subsection applies to a person who is subject to a civil
 24 penalty under subsection (a)(11). If the commission determines that a
 25 candidate or the candidate's committee has violated IC 3-9-2-12, the
 26 commission shall assess a civil penalty equal to the greater of the
 27 following, plus any investigative costs incurred and documented by the
 28 election division:

- 29 (1) Two (2) times the amount of any contributions received.
- 30 (2) One thousand dollars (\$1,000).

31 **(g) This subsection applies to a candidate's committee that is**
 32 **subject to a civil penalty under subsection (a)(12). If the**
 33 **commission determines that a candidate's committee has**
 34 **transferred in the aggregate more than twenty thousand dollars**
 35 **(\$20,000):**

- 36 **(1) upon dissolution; or**
- 37 **(2) during a calendar year;**

38 **to another candidate's committee, the commission shall assess a**
 39 **civil penalty of two (2) times the amount of the transfers of more**
 40 **than twenty thousand dollars (\$20,000) plus any investigative costs**
 41 **incurred and documented by the commission.**

42 **(h) This subsection applies to a person who is subject to a civil**

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1 **penalty under subsection (a)(13). If the commission determines that**
 2 **a candidate or the candidate's committee has received aggregate**
 3 **contributions derived from federal contributions (as defined in**
 4 **IC 3-9-2-14) of more than twenty thousand dollars (\$20,000)**
 5 **during a calendar year, the commission shall assess a civil penalty**
 6 **equal to two (2) times the amount of the contributions received of**
 7 **more than twenty thousand dollars (\$20,000) plus any investigative**
 8 **costs incurred and documented by the commission.**

9 ~~(g)~~ **(i)** All civil penalties collected under this section shall be
 10 deposited with the treasurer of state in the campaign finance
 11 enforcement account.

12 ~~(h)~~ **(j)** Proceedings of the commission under this section are subject
 13 to IC 4-21.5.

14 SECTION 8. IC 3-9-4-17 IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE JANUARY 1, 2000]: Sec. 17. (a) In addition to any other
 16 penalty imposed, a person who does any of the following is subject to
 17 a civil penalty under this section:

18 (1) Fails to file with a county election board a report in the
 19 manner required under IC 3-9-5.

20 (2) Fails to file a statement of organization required under
 21 IC 3-9-1.

22 (3) Is a committee or a member of a committee who disburses or
 23 expends money or other property for any political purpose before
 24 the money or other property has passed through the hands of the
 25 treasurer of the committee.

26 (4) Makes a contribution other than to a committee subject to this
 27 article or to a person authorized by law or a committee to receive
 28 contributions in the committee's behalf.

29 (5) Is a corporation or labor organization that exceeds any of the
 30 limitations on contributions prescribed by IC 3-9-2-4.

31 (6) Makes a contribution in the name of another person.

32 (7) Accepts a contribution made by one (1) person in the name of
 33 another person.

34 (8) Is not the treasurer of a committee subject to this article, and
 35 pays any expenses of an election or a caucus except as authorized
 36 by this article.

37 (9) Commingles the funds of a committee with the personal funds
 38 of an officer, a member, or an associate of the committee.

39 (10) Wrongfully uses campaign contributions in violation of
 40 IC 3-9-3-4.

41 **(11) Is a candidate's committee and transfers to another**
 42 **candidate's committee an aggregate of more than twenty**

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1 **thousand dollars (\$20,000) upon dissolution of the committee**
 2 **or during any calendar year.**

3 **(12) Violates IC 3-9-2-14.**

4 (b) This subsection applies to a person who is subject to a civil
 5 penalty under subsection (a)(1) or (a)(2) for filing a defective report or
 6 statement. If the county election board determines that a person failed
 7 to file the report or a statement of organization not later than noon five
 8 (5) days after being given notice under section 14 of this chapter, the
 9 county election board may assess a civil penalty. The penalty is ten
 10 dollars (\$10) for each day the report is late after the expiration of the
 11 five (5) day period, not to exceed one hundred dollars (\$100) plus any
 12 investigative costs incurred and documented by the board. The civil
 13 penalty limit under this subsection applies to each report separately.

14 (c) This subsection applies to a person who is subject to a civil
 15 penalty under subsection (a)(1) or (a)(2) for a delinquent report or
 16 statement. If the county election board determines that a person failed
 17 to file the report or statement of organization by the deadline prescribed
 18 under this article, the board shall assess a civil penalty. The penalty is
 19 fifty dollars (\$50) for each day the report is late, with the afternoon of
 20 the final date for filing the report or statement being calculated as the
 21 first day. The civil penalty under this subsection may not exceed one
 22 thousand dollars (\$1,000) plus any investigative costs incurred and
 23 documented by the board. The civil penalty limit under this subsection
 24 applies to each report separately.

25 (d) This subsection applies to a person who is subject to a civil
 26 penalty under subsection (a)(3), (a)(4), (a)(6), (a)(7), (a)(8), (a)(9), or
 27 (a)(10). If the county election board determines that a person is subject
 28 to a civil penalty under subsection (a), the board may assess a civil
 29 penalty of not more than one thousand dollars (\$1,000), plus any
 30 investigative costs incurred and documented by the board.

31 (e) This subsection applies to a person who is subject to a civil
 32 penalty under subsection (a)(5). If the county election board determines
 33 that a person is subject to a civil penalty under subsection (a)(5), the
 34 board may assess a civil penalty of not more than three (3) times the
 35 amount of the contribution in excess of the limit prescribed by
 36 IC 3-9-2-4, plus any investigative costs incurred and documented by
 37 the board.

38 **(f) This subsection applies to a candidate's committee that is**
 39 **subject to a civil penalty under subsection (a)(11). If the county**
 40 **election board determines that a candidate's committee has**
 41 **transferred an aggregate of more than twenty thousand dollars**
 42 **(\$20,000):**



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1 (1) upon dissolution; or
 2 (2) during a calendar year;
 3 to another candidate's committee, the board shall assess a civil
 4 penalty of two (2) times the amount of the transfers of more than
 5 twenty thousand dollars (\$20,000) plus any investigative costs
 6 incurred and documented by the board.

7 (g) This subsection applies to a person who is subject to a civil
 8 penalty under subsection (a)(12). If the county election board
 9 determines that a candidate or the candidate's committee has
 10 received aggregate contributions derived from federal
 11 contributions (as defined in IC 3-9-2-14) of more than twenty
 12 thousand dollars (\$20,000) during a calendar year, the board shall
 13 assess a civil penalty equal to two (2) times the amount of the
 14 contributions received of more than twenty thousand dollars
 15 (\$20,000), plus any investigative costs incurred and documented by
 16 the board.

17 ~~(f)~~ (h) All civil penalties collected under this section shall be
 18 deposited with the county treasurer to be deposited by the county
 19 treasurer in a separate account to be known as the campaign finance
 20 enforcement account. The funds in the account are available, with the
 21 approval of the county fiscal body, to augment and supplement the
 22 funds appropriated for the administration of this article.

23 ~~(g)~~ (i) Money in the campaign finance enforcement account does not
 24 revert to the county general fund at the end of a county fiscal year.

25 ~~(h)~~ (j) Proceedings of the county election board under this section
 26 are subject to IC 4-21.5.

27 SECTION 9. IC 3-9-5-6 IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JANUARY 1, 2000]: Sec. 6. (a) Except as otherwise
 29 provided in this chapter, each committee, its treasurer, and each
 30 candidate shall complete a report required by this chapter current and
 31 dated as of the following dates:

32 (1) Twenty-five (25) days before the nomination date.

33 (2) **September 1 of each year.**

34 ~~(2)~~ (3) Twenty-five (25) days before the general or municipal
 35 election.

36 ~~(3)~~ (4) The annual report filed and dated as required by section 10
 37 of this chapter.

38 (b) In the case of a special election, each committee, each
 39 committee's treasurer, and each candidate shall complete a report
 40 required by this chapter current as of twenty-five (25) days before the
 41 special election.

42 SECTION 10. IC 3-9-5-14 IS AMENDED TO READ AS



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1 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 14. (a) As used
2 in this section, "threshold contribution amount" refers to the following:

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

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

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

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

12 (2) The total sum of individual contributions including
13 transfers-in, accepted by the committee during its reporting
14 period.

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

21 (A) The full name of the person.

22 (B) The full mailing address of the person making the
23 contribution.

24 (C) The person's occupation **and the name of the person's**
25 **employer**, if the person is an individual who has made
26 **aggregate** contributions of at least one thousand dollars
27 (\$1,000) during the calendar year.

28 (D) The date and amount of each contribution.

29 (4) The name and address of each committee from which the
30 reporting committee received, or to which that committee made,
31 a transfer of funds, together with the amounts and dates of all
32 transfers.

33 (5) If the reporting committee is a candidate's committee, the
34 following information about each other committee that has
35 reported expenditures to the reporting candidate's committee
36 under section 15 of this chapter:

37 (A) The name and address of the other committee.

38 (B) The amount of expenditures reported by the other
39 committee.

40 (C) The date of the expenditures reported by the other
41 committee.

42 (D) The purpose of the expenditures reported by the other

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- 1 committee.
- 2 (6) Each loan to or from a person within the reporting period
- 3 together with the following information:
- 4 (A) The full names and mailing addresses of the lender and
- 5 endorsers, if any.
- 6 (B) The person's occupation **and the name of the person's**
- 7 **employer**, if the person is an individual who has made
- 8 **aggregate** loans of at least one thousand dollars (\$1,000)
- 9 during the calendar year.
- 10 (C) The date and amount of the loans.
- 11 (7) The total sum of all receipts of the committee during the
- 12 reporting period.
- 13 (8) The full name, mailing address, occupation, and principal
- 14 place of business, if any, of each person other than a committee
- 15 to whom an expenditure was made by the committee or on behalf
- 16 of the committee within the year in an aggregate amount that:
- 17 (A) exceeds one hundred dollars (\$100), in the case of a
- 18 candidate's committee or political action committee; or
- 19 (B) exceeds two hundred dollars (\$200), in the case of a
- 20 regular party committee.
- 21 (9) The name, address, and office sought by each candidate for
- 22 whom any expenditure was made or a statement identifying the
- 23 public question for which any expenditure was made, including
- 24 the amount, date, and purpose of each expenditure.
- 25 (10) The full name, mailing address, occupation, and principal
- 26 place of business, if any, of each person to whom an expenditure
- 27 for personal services, salaries, or reimbursed expenses was made
- 28 within the year in an aggregate amount that:
- 29 (A) exceeds one hundred dollars (\$100), in the case of a
- 30 candidate's committee or political action committee; or
- 31 (B) exceeds two hundred dollars (\$200), in the case of a
- 32 regular party committee;
- 33 and that is not otherwise reported, including the amount, date, and
- 34 purpose of the expenditure.
- 35 (11) The total sum of expenditures made by the committee during
- 36 the reporting period.
- 37 (12) The amount and nature of debts owed by or to the committee,
- 38 and a continuous reporting of the debts after the election at the
- 39 times that the board requires until the debts are extinguished.
- 40 SECTION 11. IC 3-9-5-20.1 IS ADDED TO THE INDIANA CODE
- 41 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**
- 42 **UPON PASSAGE]: Sec. 20.1. (a) This section applies only to a large**

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1 contribution that satisfies all of the following:

2 (1) The contribution is received by a candidate, the
3 candidate's committee, or the treasurer of the candidate's
4 committee.

5 (2) The contribution is received:

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

8 (B) not less than forty-eight (48) hours before an election.

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

11 (1) A primary election.

12 (2) A general election.

13 (3) A municipal election.

14 (4) A special election.

15 (5) For candidates nominated at a state convention, the state
16 convention.

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

19 (d) The treasurer of a candidate's committee shall report a large
20 contribution not later than forty-eight (48) hours after the
21 contribution is received. A report filed under this section may be
22 filed by facsimile (fax) transmission.

23 (e) A report required by subsection (d) must contain the
24 following information for each large contribution:

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

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

27 (3) If the person making the contribution is an individual, the
28 individual's occupation and the name of the individual's
29 employer.

30 (4) The amount of the contribution.

31 (5) The date and time the contribution was received by the
32 treasurer, the candidate, or the candidate's committee.

33 (f) The commission shall prescribe the form for the report
34 required by this section.

35 SECTION 12. IC 3-14-1-17 IS ADDED TO THE INDIANA CODE
36 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
37 JANUARY 1, 2000]: **Sec. 17. A political action committee that
38 knowingly or intentionally exceeds the contribution limits of
39 IC 3-9-2-15 commits a Class B misdemeanor.**

40 SECTION 13. IC 3-14-1-18 IS ADDED TO THE INDIANA CODE
41 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
42 JANUARY 1, 2000]: **Sec. 18. An individual who knowingly or**



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1 intentionally exceeds the contribution limits of IC 3-9-2-16 commits
2 a Class B misdemeanor.

3 SECTION 14. IC 3-14-1-20 IS ADDED TO THE INDIANA CODE
4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
5 JANUARY 1, 2000]: **Sec. 20. A candidate's committee that does
6 either of the following commits a Class B misdemeanor:**

7 (1) Transfers more than an aggregate of twenty thousand
8 dollars (\$20,000) to any other candidate's committee upon
9 dissolution under IC 3-9-1-12.

10 (2) Makes expenditures of more than an aggregate of twenty
11 thousand dollars (\$20,000) to any other candidate's committee
12 under IC 3-9-3-4.

13 SECTION 15. IC 3-9-5-20 IS REPEALED [EFFECTIVE UPON
14 PASSAGE].

15 SECTION 16. An emergency is declared for this act.

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