

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 240 be amended to read as follows:

1           Page 16, delete lines 19 through 42, begin a new paragraph and  
2           insert:

3           "SECTION 16. IC 36-6-9 IS ADDED TO THE INDIANA CODE  
4           AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
5           JULY 1, 2010]:

6           **Chapter 9. Employment of Relatives; Contracting With**  
7           **Relatives**

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

9           (1) **An individual who is a contractor or employed by a**  
10           **contractor for the design or construction of a public works**  
11           **project.**

12           (2) **An individual who is a vendor or employed by a vendor for**  
13           **a purchase of mowing services or property maintenance**  
14           **services.**

15           (3) **An individual who is a member of a paid fire department**  
16           **or a volunteer fire department that renders fire protection**  
17           **services to the township.**

18           **Sec. 2. As used in this chapter, "employee" means an individual**  
19           **who is employed by a township on a full-time, a part-time, a**  
20           **temporary, an intermittent, or an hourly basis. The term does not**  
21           **include a member of a paid fire department or a volunteer fire**  
22           **department that renders fire protection services to the township.**

23           **Sec. 3. (a) As used in this chapter, "relative" means any of the**  
24           **following:**

25           (1) **A husband.**

26           (2) **A wife.**

27           (3) **A father, grandfather, or stepfather.**

28           (4) **A mother, grandmother, or stepmother.**

29           (5) **A son, grandson, stepson, or son-in-law.**

30           (6) **A daughter, granddaughter, stepdaughter, or**  
31           **daughter-in-law.**

- 1           **(7) A brother or stepbrother.**
- 2           **(8) A sister or stepsister.**
- 3           **(9) An aunt.**
- 4           **(10) An uncle.**
- 5           **(11) A niece.**
- 6           **(12) A nephew.**
- 7           **(13) A first cousin.**

8           **(b) A relative by adoption, half-blood, marriage, or remarriage**  
 9 **is considered a relative of whole kinship for purposes of this**  
 10 **chapter.**

11           **Sec. 4. An individual who is a relative of an officer or employee**  
 12 **of a township may not be employed by the township in a position**  
 13 **in which the individual would have a direct supervisory or**  
 14 **subordinate relationship with the officer or employee who is the**  
 15 **individual's relative.**

16           **Sec. 5. (a) A township may not enter into a contract or renew a**  
 17 **contract with:**

- 18           **(1) an individual to provide goods or services to the township,**  
 19 **if the individual is a relative of the township trustee; or**
- 20           **(2) a business entity to provide goods or services, if a relative**  
 21 **of the township trustee has an ownership interest in the**  
 22 **business entity.**

23           **(b) This section does not prohibit a township from entering into**  
 24 **a contract or renewing a contract if an employee of:**

- 25           **(1) an individual contractor under subsection (a)(1); or**
  - 26           **(2) a business entity under subsection (a)(2);**
- 27 **is a relative of the township trustee.**

28           **(c) This section does not affect the initial term of a contract in**  
 29 **existence at the time a township trustee's term of office begins.**

30           **Sec. 6. This chapter does not require the termination or**  
 31 **reassignment of any employee of a township from any position held**  
 32 **by that individual before July 1, 2010. This section expires January**  
 33 **1, 2015."**

34           Page 17, delete lines 1 through 27.  
 35           ReNUMBER all SECTIONS consecutively.  
             (Reference is to SB 240 as printed January 15, 2010.)

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Senator LAWSON C