

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1238 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning state
- 3 and local administration.
- 4 Page 1, between the enacting clause and line 1, begin a new
- 5 paragraph and insert:
- 6 "SECTION 1. IC 2-2.1-3-9.7 IS ADDED TO THE INDIANA CODE
- 7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 8 1, 2011]: **Sec. 9.7. (a) As used in this section, "appropriations" refer**
- 9 **to appropriations made by the general assembly or a political**
- 10 **subdivision, regardless of the source of the money.**
- 11 **(b) As used in this section, "political subdivision" has the**
- 12 **meaning set forth in IC 36-1-2-13.**
- 13 **(c) As used in this section, "public property" refers to property**
- 14 **owned by the state or a political subdivision.**
- 15 **(d) As used in this section, "public question" has the meaning**
- 16 **set forth in IC 3-5-2-41.**
- 17 **(e) A member of the general assembly, an officer of the general**
- 18 **assembly, or an employee of the general assembly may not**
- 19 **advocate the approval or defeat of a public question in a**
- 20 **communication paid for entirely or in part with appropriations or**
- 21 **using public property.**
- 22 SECTION 2. IC 4-2-6-16 IS ADDED TO THE INDIANA CODE
- 23 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 24 1, 2011]: **Sec. 16. (a) As used in this section, "appropriations" refer**

1 to appropriations made by the general assembly or a political
2 subdivision, regardless of the source of the money.

3 (b) As used in this section, "political subdivision" has the
4 meaning set forth in IC 36-1-2-13.

5 (c) As used in this section, "public property" refers to property
6 owned by the state or a political subdivision.

7 (d) As used in this section, "public question" has the meaning
8 set forth in IC 3-5-2-41.

9 (e) A state officer, state employee, or special state appointee may
10 not advocate the approval or defeat of a public question in a
11 communication paid for entirely or in part with appropriations or
12 using public property."

13 Page 5, after line 41, begin a new paragraph and insert:

14 "SECTION 6. IC 33-23-11-18 IS ADDED TO THE INDIANA
15 CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 18. (a) As used in this section,
16 "appropriations" refer to appropriations made by the general
17 assembly or a political subdivision, regardless of the source of the
18 money.

19 (b) As used in this section, "political subdivision" has the
20 meaning set forth in IC 36-1-2-13.

21 (c) As used in this section, "public property" refers to property
22 owned by the state or a political subdivision.

23 (d) As used in this section, "public question" has the meaning
24 set forth in IC 3-5-2-41.

25 (e) A justice, judge, prosecuting attorney, an employee of a
26 court, or an employee of a prosecuting attorney may not advocate
27 the approval or defeat of a public question in a communication
28 paid for entirely or in part with appropriations or using public
29 property.

30 SECTION 7. IC 36-1-8-17 IS ADDED TO THE INDIANA CODE
31 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
32 1, 2011]: Sec. 17. (a) As used in this section, "appropriations" refer
33 to appropriations made by the general assembly or a political
34 subdivision, regardless of the source of the money.

35 (b) As used in this section, "local office" has the meaning set
36 forth in IC 3-5-2-29. For purposes of this section, the term includes
37 a school board office (as defined in IC 3-5-2-45).

38 (c) As used in this section, "public property" refers to property
39 owned by the state or a political subdivision.

40 (d) As used in this section, "public question" has the meaning
41 set forth in IC 3-5-2-41.

42 (e) An individual who holds a local office, individual appointed
43 to a local office, or employee of a political subdivision may not
44 advocate the approval or defeat of a public question in a
45 communication paid for entirely or in part with appropriations or
46 using public property."
47

- 1 Renumber all SECTIONS consecutively.
 (Reference is to HB 1238 as printed February 1, 2011.)

Representative Saunders