
SENATE BILL No. 330

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-8; IC 36-1.7.

Synopsis: Local government ethics. Establishes ethics requirements for officers and employees of political subdivisions. Authorizes a political subdivision to adopt a local ethics ordinance. Requires that a local ethics ordinance must establish a local ethics commission. Provides that a local ethics ordinance may impose requirements that exceed the requirements of the statute and are not inconsistent with the statute. Requires local officers, employees, and special appointees to file annual statements of economic interests. Requires registration and reporting by persons who seek to have or have a business relationship with a political subdivision. Provides that the statements of economic interests and the lobbyist registration and reporting requirements apply even if a political subdivision does not adopt a local ethics ordinance. Provides that failure to file statements of economic interests and lobbyist registration and activity reports is a Class A infraction.

Effective: July 1, 2011.

Arnold

January 10, 2011, read first time and referred to Committee on Local Government.

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First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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SENATE BILL No. 330



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

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

1 SECTION 1. IC 3-8-1-33, AS AMENDED BY P.L.2-2005,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2011]: Sec. 33. (a) A candidate for an office listed in
4 subsection (b) must file a statement of economic interests.

5 (b) Whenever a candidate for any of the following offices is also
6 required to file a declaration of candidacy or is nominated by petition,
7 the candidate shall file a statement of economic interests before filing
8 the declaration of candidacy or declaration of intent to be a write-in
9 candidate, before the petition of nomination is filed, before the
10 certificate of nomination is filed, or before being appointed to fill a
11 candidate vacancy under IC 3-13-1 or IC 3-13-2:

- 12 (1) Governor, lieutenant governor, secretary of state, auditor of
13 state, treasurer of state, attorney general, and state superintendent
14 of public instruction, in accordance with IC 4-2-6-8.
- 15 (2) Senator and representative in the general assembly, in
16 accordance with IC 2-2.1-3-2.
- 17 (3) Justice of the supreme court, judge of the court of appeals,



1 judge of the tax court, judge of a circuit court, judge of a superior
2 court, judge of a county court, judge of a probate court, and
3 prosecuting attorney, in accordance with IC 33-23-11-14 and
4 IC 33-23-11-15.

5 **(4) A candidate for a local office or school board office, in**
6 **accordance with IC 36-1.7-4, except a candidate for a local**
7 **office described in subdivision (3).**

8 SECTION 2. IC 3-8-2-11, AS AMENDED BY P.L.164-2006,
9 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2011]: Sec. 11. (a) A declaration of candidacy may be made
11 by mail and is considered filed as of the date and hour the filing occurs
12 in the manner described by IC 3-5-2-24.5 in the office of the election
13 division or circuit court clerk.

14 (b) A declaration is not valid unless filed in the office of the election
15 division or circuit court clerk by noon on the seventy-fourth day before
16 a primary election.

17 (c) This subsection applies to a candidate required to file a
18 statement of economic ~~interest~~ **interests** under IC 2-2.1-3-2 or
19 IC 33-23-11-15 or a financial disclosure statement under IC 4-2-6-8.
20 **This subsection does not apply to a candidate for a local office or**
21 **school board office required to file a statement of economic**
22 **interests under IC 36-1.7-4.** The election division shall require the
23 candidate to produce a:

24 (1) copy of the statement, file stamped by the office required to
25 receive the statement of economic interests; or

26 (2) receipt showing that the statement has been filed;
27 before the election division accepts the declaration for filing. The
28 election division shall reject a filing that does not comply with this
29 subsection.

30 **(d) This subsection applies to a candidate for a local office or**
31 **school board office required to file a statement of economic**
32 **interests under IC 36-1.7-4. The circuit court clerk shall reject a**
33 **declaration of candidacy if the candidate has not filed a statement**
34 **of economic interests.**

35 SECTION 3. IC 36-1.7 IS ADDED TO THE INDIANA CODE AS
36 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
37 2011]:

38 **ARTICLE 1.7. ETHICS REQUIREMENTS FOR OFFICERS,**
39 **EMPLOYEES, AND SPECIAL APPOINTEES OF POLITICAL**
40 **SUBDIVISIONS**

41 **Chapter 1. Definitions**

42 **Sec. 1. The definitions in this chapter apply throughout this**

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article.

Sec. 2. "Agency" means an authority, board, branch, bureau, commission, committee, council, department, division, office, service, or other instrumentality of a political subdivision.

Sec. 3. "Appointing authority" means the chief administrative officer of an agency.

Sec. 4. "Business relationship" means the dealings of a person with an agency seeking, obtaining, establishing, maintaining, or implementing pecuniary interests contracts or purchases with the agency with an aggregate value of at least one hundred thousand dollars (\$100,000).

Sec. 5. "Clerk" refers to the circuit court clerk of the county that contains the greatest percentage of population of a political subdivision.

Sec. 6. "Commission" refers to a local ethics commission established under IC 36-1.7-2.

Sec. 7. (a) "Employee" refers to an individual, other than an officer, who is employed by an agency on a full-time, part-time, temporary, intermittent, or hourly basis.

(b) The term includes an individual who contracts with an agency for personal services.

Sec. 8. (a) "Employer" means a person from whom an individual receives anything of value, or financial benefit conferred on, or received by, the individual in return for services rendered, or for services to be rendered, whether by that individual or another.

(b) For purposes of this article, a customer or client of a self-employed individual in a sole proprietorship or a professional practice is not considered to be an employer.

Sec. 9. "Lobbyist" means an individual who:

- (1) has a business relationship with an agency; and
- (2) in any registration year, receives or expends an aggregate of at least the threshold amount in compensation or expenditures reportable under this article to seek, obtain, establish, maintain, or implement a business relationship with an agency, whether:

(A) the compensation or expenditure is solely for the purpose of seeking, obtaining, establishing, maintaining, or implementing the business relationship; or

(B) the activity seeking, obtaining, establishing, maintaining, or implementing the business relationship is incidental to that individual's regular employment.

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Sec. 10. "Local ethics law" refers to all the following:

- (1) This article.
- (2) A local ethics ordinance adopted under IC 36-1.7-2, if a local ethics ordinance has been adopted for a political subdivision.
- (3) A local code of ethics adopted under a local ethics ordinance adopted for a political subdivision.

Sec. 11. "Officer" refers to any of the following:

- (1) An individual who holds a local office (as defined in IC 3-5-2-29). The term does not include any of the following:
 - (A) A circuit court judge.
 - (B) A superior court judge.
 - (C) A county court judge.
 - (D) A probate court judge.
 - (E) A prosecuting attorney.
- (2) An individual who holds a school board office (as defined in IC 3-5-2-45).
- (3) An appointing authority.

Sec. 12. "Person" refers to any of the following:

- (1) An individual.
- (2) A sole proprietorship.
- (3) A partnership.
- (4) An unincorporated association.
- (5) A trust.
- (6) A business trust.
- (7) A group.
- (8) A limited liability company.
- (9) A corporation, whether or not operated for profit.
- (10) An agency.

Sec. 13. "Public person" refers to an officer, employee, or special appointee of a political subdivision.

Sec. 14. "Special appointee" means a person who is:

- (1) not an officer or employee of a political subdivision; and
- (2) appointed to an authority, board, commission, committee, council, task force, or other body designated by any name that:
 - (A) is authorized by statute, ordinance, or executive order; and
 - (B) functions in a policy or an advisory role for a political subdivision.

Sec. 15. "Threshold amount" means five hundred dollars (\$500).

Sec. 16. "Violation" refers to a violation of any of the following:

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1 (1) This article.
 2 (2) A local ethics ordinance.
 3 (3) A local code of ethics.
 4 **Chapter 2. Local Ethics Ordinances**
 5 **Sec. 1. (a) A political subdivision may adopt an ordinance**
 6 **relating to the ethics of the political subdivision's public persons**
 7 **and former public persons.**
 8 **(b) An ordinance adopted under this chapter:**
 9 (1) may impose requirements that exceed the requirements of
 10 this article; and
 11 (2) may not relieve the political subdivision's public persons
 12 of requirements imposed by this article.
 13 **Sec. 2. (a) An ethics ordinance adopted under this chapter must**
 14 **provide for the following:**
 15 (1) The establishment of an ethics commission for the political
 16 subdivision.
 17 (2) Enforcement powers for the political subdivision's ethics
 18 commission.
 19 **(b) An ethics ordinance adopted under this chapter may provide**
 20 **for the adoption of a local code of ethics.**
 21 **(c) An ethics ordinance adopted under this chapter may provide**
 22 **other details that:**
 23 (1) the legislative body considers appropriate; and
 24 (2) are not inconsistent with this article.
 25 **(d) This article does not supersede an ethics ordinance adopted**
 26 **by a political subdivision before July 1, 2011, to the extent that the**
 27 **ordinance is not inconsistent with this article.**
 28 **Sec. 3. Even if a political subdivision has not adopted an ethics**
 29 **ordinance under this chapter:**
 30 (1) the political subdivision's public persons shall file a
 31 statement of economic interests as provided in IC 36-1.7-4;
 32 and
 33 (2) IC 36-1.7-5 applies in the political subdivision.
 34 **Chapter 3. Local Ethics Commissions**
 35 **Sec. 1. The following are subject to the jurisdiction of a**
 36 **commission established under this article:**
 37 (1) A public person of the political subdivision.
 38 (2) A former public person of the political subdivision.
 39 (3) A candidate for an office of the political subdivision.
 40 (4) A person who has or had a business relationship with an
 41 agency of the political subdivision.
 42 **Sec. 2. A commission shall implement the political subdivision's**

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local ethics law.

Sec. 3. An ethics ordinance adopted under this article must provide the following regarding the ethics commission:

- (1) The number of commission members.**
- (2) The method of appointment of commission members.**
- (3) The procedures to be followed by the commission in receiving and disposing of complaints filed with the commission.**

Sec. 4. (a) Except as provided in this section, the commission's evidence relating to an investigation is confidential.

(b) A complaint filed with the commission is open for public inspection after the commission finds probable cause of the existence of a violation of the local ethics law.

(c) A:

- (1) complaint that is filed with; or**
- (2) proceeding that is held by;**

the commission before the commission has found probable cause is confidential unless the target of the investigation elects to have information disclosed, or the commission elects to respond to public statements by the person who filed the complaint.

(d) The commission may acknowledge:

- (1) the existence and scope of an investigation before the finding of probable cause; or**
- (2) that the commission did not find probable cause to support an alleged violation.**

(e) Notwithstanding IC 5-14-3-4(b)(8)(C), the commission's records concerning the case of a respondent that are not confidential under IC 5-14-3-4(b)(2)(C) must be available for inspection and copying in accordance with IC 5-14-3.

Sec. 5. Every hearing and other proceeding in which evidence is received by the commission is open to the public.

Sec. 6. If a hearing is to be held, the respondent may examine and make copies of all evidence in the commission's possession relating to the complaint.

Sec. 7. At a hearing, a respondent shall be afforded the following:

- (1) The right to be represented by counsel.**
- (2) The right to call and examine witnesses.**
- (3) The right to introduce exhibits.**
- (4) The right to examine opposing witnesses.**
- (5) Other appropriate due process protections provided in the local ethics law.**

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1 **Sec. 8. (a) After a hearing, the commission shall state the**
 2 **commission's findings of fact.**
 3 **(b) If a majority of the number of members constituting the**
 4 **commission finds that a respondent has violated the local ethics**
 5 **law, the commission shall state the commission's findings in a**
 6 **written report. The report must be:**
 7 **(1) supported and signed by a majority of the commission**
 8 **members constituting the commission; and**
 9 **(2) made public.**
 10 **(c) The report required under this section shall be presented to**
 11 **the following:**
 12 **(1) The respondent.**
 13 **(2) The appointing authority or the former appointing**
 14 **authority of the respondent.**
 15 **(3) The appointing authority of an agency that has a business**
 16 **relationship with the respondent.**
 17 **(d) The commission may also forward the report to any of the**
 18 **following:**
 19 **(1) The prosecuting attorney of each county in which a**
 20 **violation of the local ethics law occurred.**
 21 **(2) The state board of accounts.**
 22 **(3) The attorney general.**
 23 **(4) The appointing authority of the employee or agency that**
 24 **has a business relationship with the respondent.**
 25 **(5) Any other appropriate person.**
 26 **Sec. 9. If the commission finds a respondent has not violated the**
 27 **local ethics law, the commission shall dismiss the charges.**
 28 **Sec. 10. (a) Whenever an appointing authority receives a report**
 29 **under section 8 of this chapter, the appointing authority shall**
 30 **report to the commission the action taken in response to the report.**
 31 **(b) The commission may require in the report that the**
 32 **appointing authority submit the response required by this section**
 33 **in a reasonable, specified amount of time.**
 34 **Sec. 11. If the commission finds a violation of the local ethics**
 35 **ordinance, the commission may take any of the following actions:**
 36 **(1) Impose a civil penalty upon a respondent not to exceed**
 37 **three (3) times the value of any benefit received from the**
 38 **violation.**
 39 **(2) Cancel a contract.**
 40 **(3) Bar a person from entering into a contract with an officer**
 41 **or agency for a period specified by the commission. The**
 42 **period during which the person is barred from entering into**

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- 1 contracts may not be for more than one (1) year after the
- 2 commission makes the finding.
- 3 (4) Order restitution or disgorgement.
- 4 (5) Reprimand, suspend, or terminate an employee or a
- 5 special appointee of a political subdivision.
- 6 (6) Reprimand or recommend the removal of an officer from
- 7 office by an appropriate process provided by law.
- 8 (7) Bar a person from future employment as an employee of
- 9 the political subdivision or future appointment as a special
- 10 appointee of the political subdivision.
- 11 (8) Revoke a person's registration as a lobbyist of the political
- 12 subdivision.

Chapter 4. Statement of Economic Interests

Sec. 1. As used in this chapter, "filer" refers to an individual who files a statement of economic interests under this chapter.

Sec. 2. As used in this chapter, "statement" refers to the statement of economic interests required to be filed under this chapter.

Sec. 3. The following individuals shall file a written statement of economic interests as provided in this chapter:

- (1) An officer.
- (2) A candidate for a local office or school board office.
- (3) An individual who is the appointing authority of an agency.
- (4) Any of the following who has or had final purchasing authority:
 - (A) An employee.
 - (B) A former employee.
 - (C) A special appointee.
 - (D) A former special appointee.
- (5) An employee required to do so by the local ethics ordinance.

Sec. 4. A statement shall be filed as follows:

- (1) Not later than February 1 of every year, in the case of a filer described in section 3 of this chapter.
- (2) If the filer has not previously filed under subdivision (1) during the current calendar year and is filing as a candidate, before filing any of the following:
 - (A) A declaration of candidacy under IC 3-8-2.
 - (B) A petition of nomination under IC 3-8-2-2.2 or IC 3-8-6.
 - (C) A declaration of intent to be a write-in candidate under

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IC 3-8-2-2.5.

(3) Not later than sixty (60) days after beginning employment or taking office, unless the previous employment or office required the filing of a statement under this chapter.

(4) Not later than thirty (30) days after leaving employment or office, unless the subsequent employment or office requires the filing of a statement under this chapter.

Sec. 5. A statement shall be filed with the clerk of the officer, former officer, candidate, employee, former employee, special appointee, or former special appointee of the political subdivision.

Sec. 6. A statement must be made under affirmation.

Sec. 7. A statement must set forth the following information for the preceding calendar year or, in the case of a filer who leaves office or employment, the period since a previous statement was filed:

- (1) The name and address of any person known:**
 - (A) to have a business relationship with the filer's agency or the office sought by the candidate; and**
 - (B) from whom the filer or the filer's spouse or unemancipated children received a gift or gifts having a total fair market value of more than fifty dollars (\$50).**
- (2) The location of all real property in which the filer or the filer's spouse or unemancipated children have an equitable or legal interest either:**
 - (A) with a value of at least five thousand dollars (\$5,000); or**
 - (B) comprising at least ten percent (10%) of the filer's, the filer's spouse's, or the filer's unemancipated children's net worth.**

An individual's primary personal residence need not be listed, unless the residence also serves as income property.

(3) The names and the nature of the business of the filer's and the filer's spouse's employers.

(4) The following information about any sole proprietorship owned or professional practice operated by the filer or the filer's spouse:

- (A) The name of the sole proprietorship or professional practice.**
- (B) The nature of the business.**
- (C) Whether any clients are known to have had a business relationship with the filer's agency or with the office sought by the candidate.**

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(D) The name of any client or customer from whom the filer or the filer's spouse received more than thirty-three percent (33%) of the filer's or the filer's spouse's nongovernmental income in a year.

(5) The name of any partnership in which the filer or the filer's spouse has a partnership interest and the nature of the partnership's business.

(6) The name of a corporation (other than a church) of which the filer or the filer's spouse is an officer or a director and the nature of the corporation's business.

(7) The name of a corporation in which the filer or the filer's spouse or unemancipated children own stock or stock options having a fair market value of more than ten thousand dollars (\$10,000). However, if the stock is held in a blind trust, the name of the administrator of the trust must be disclosed on the statement instead of the name of the corporation. A time or demand deposit in a financial institution or insurance policy need not be listed.

(8) The name and address of the filer's most recent former employer.

(9) Additional information that the local ethics ordinance requires or the filer chooses to include.

Sec. 8. A filer may file an amended statement upon discovery of additional information required to be reported.

Sec. 9. An individual who knowingly or intentionally fails to file a statement of economic interests as required by this chapter commits a Class A infraction.

Chapter 5. Regulation of Lobbyists

Sec. 1. (a) Not later than fifteen (15) working days after a person receives or expends an aggregate of at least the threshold amount in compensation or expenditures reportable under this article to seek, obtain, establish, maintain, or implement a business relationship with an agency, the person shall file with the clerk of the agency's political subdivision a registration statement that contains the following information on a form provided by the clerk:

- (1) The following information about the lobbyist:**
 - (A) The lobbyist's name.**
 - (B) The lobbyist's business address.**
 - (C) The lobbyist's business telephone number.**
 - (D) The lobbyist's business electronic mail address.**
 - (E) A description of the lobbyist's business or occupation.**

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- 1 **(2) The following information about each person for whom**
- 2 **the lobbyist is performing lobbying services:**
- 3 **(A) The person's name.**
- 4 **(B) The person's business address.**
- 5 **(C) The person's business telephone number.**
- 6 **(D) The person's business electronic mail address.**
- 7 **(3) A brief description of the subject matter of the lobbyist's**
- 8 **lobbying activity.**
- 9 **(4) The identity of the agency or agencies that the lobbyist has**
- 10 **contacted.**
- 11 **(b) The state board of accounts shall prescribe the form for a**
- 12 **registration statement required by this section.**
- 13 **(c) The clerk shall provide the registration form to a person**
- 14 **required to register under this section.**
- 15 **Sec. 2. (a) A lobbyist shall file activity reports relating to each**
- 16 **person from whom the lobbyist receives compensation for**
- 17 **lobbying. The lobbyist shall file an activity report with the clerk**
- 18 **under oath.**
- 19 **(b) A lobbyist shall file activity reports as follows:**
- 20 **(1) A report must be filed not later than February 1 covering**
- 21 **the period from July 1 through December 31 of the**
- 22 **immediately preceding calendar year.**
- 23 **(2) A report must be filed not later than August 1 covering the**
- 24 **period from January 1 through June 30 of the current year.**
- 25 **(c) The state board of accounts shall prescribe the form of the**
- 26 **report.**
- 27 **(d) Subject to subsections (e) and (f), the clerk shall impose a**
- 28 **penalty of one hundred dollars (\$100) per day for each day that the**
- 29 **person fails to file any report required by this chapter until the**
- 30 **report is filed.**
- 31 **(e) The penalty may not exceed four thousand five hundred**
- 32 **dollars (\$4,500) per report.**
- 33 **(f) The clerk may waive the penalty if the clerk determines that**
- 34 **the circumstances make imposition of the penalty inappropriate.**
- 35 **Sec. 3. (a) The activity reports of a lobbyist must include the**
- 36 **following:**
- 37 **(1) A complete and current statement of the information**
- 38 **required to be supplied under section 1 of this chapter.**
- 39 **(2) Total expenditures on lobbying (prorated, if necessary)**
- 40 **broken down to include at least the following categories:**
- 41 **(A) Compensation to others who perform lobbying**
- 42 **services.**

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- 1 **(B) Reimbursement to others who perform lobbying**
- 2 **services.**
- 3 **(C) Receptions.**
- 4 **(D) Entertainment, including meals.**
- 5 **(E) Gifts made to an officer or employee of the political**
- 6 **subdivision.**
- 7 **(3) Subject to section 5 of this chapter, a statement of each:**
- 8 **(A) expenditure for entertainment (including meals and**
- 9 **drink); or**
- 10 **(B) gift;**
- 11 **that equals fifty dollars (\$50) or more in one (1) day, or**
- 12 **expenditures for entertainment (including meals and drink)**
- 13 **or gifts that together total more than two hundred fifty**
- 14 **dollars (\$250) during the calendar year, if the expenditures**
- 15 **and gifts are made by the lobbyist or the lobbyist's agent to**
- 16 **benefit a specific officer or employee.**
- 17 **(4) A description of the general subject matter of the**
- 18 **lobbyist's activity, including the following:**
- 19 **(A) The name of each agency contacted.**
- 20 **(B) The name of the person on behalf of whom the agency**
- 21 **listed under clause (A) was contacted.**
- 22 **(b) The report required by section 2(b)(1) of this chapter must**
- 23 **report totals for both the period covered by the report and for the**
- 24 **entire calendar year of the report.**
- 25 **(c) A report of an expenditure under subsection (a)(3) must state**
- 26 **the following information:**
- 27 **(1) The name of the lobbyist making the expenditure.**
- 28 **(2) A description of the expenditure.**
- 29 **(3) The amount of the expenditure.**
- 30 **Sec. 4. (a) This section does not apply to gifts made between**
- 31 **close relatives.**
- 32 **(b) A lobbyist shall file a written report whenever the lobbyist**
- 33 **makes a gift with respect to an officer or employee who is required**
- 34 **to be included in a report under section 3(a)(3) of this chapter.**
- 35 **(c) A report under this section must state the following:**
- 36 **(1) The name of the lobbyist making the gift.**
- 37 **(2) A description of the gift.**
- 38 **(3) The amount of the gift.**
- 39 **(d) A lobbyist shall file a copy of a report required by this**
- 40 **section with all the following:**
- 41 **(1) The clerk.**
- 42 **(2) The officer or employee about whom the report is made.**

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1 (e) A lobbyist shall file a report required by this section not later
2 than fifteen (15) business days after making the gift. A report filed
3 under this section is confidential and is not available for public
4 inspection or copying until ten (10) business days after the report
5 is filed with the clerk.

6 Sec. 5. (a) If an expenditure for entertainment (including meals
7 and drink) or a gift can clearly and reasonably be attributed to a
8 particular officer or employee, the expenditure must be reported
9 with respect to that particular officer or employee.

10 (b) A report of an expenditure with respect to a particular
11 officer or employee:

- 12 (1) must report actual amounts; and
- 13 (2) may not allocate to the particular officer or employee a
- 14 prorated amount derived from an expense made with respect
- 15 to several officers or employees;
- 16 to the extent practicable.

17 (c) If two (2) or more lobbyists contribute to an expenditure,
18 each lobbyist shall report the actual amount the lobbyist
19 contributed to the expenditure. For purposes of reporting such an
20 expenditure, the following apply:

- 21 (1) For purposes of determining whether the expenditure is
- 22 reportable, the total amount of the expenditure with respect
- 23 to a particular officer or employee must be determined and
- 24 not the amount that each lobbyist contributed to that
- 25 expenditure.
- 26 (2) Each lobbyist shall report the actual amount the lobbyist
- 27 contributed to the expenditure, even if that amount would not
- 28 have been reportable under this section if only one (1) lobbyist
- 29 made an expenditure of that amount.

30 (d) The report of an expenditure with respect to a particular
31 officer or employee may not include any amount that the
32 particular officer or employee contributed to the expenditure.

33 (e) An activity report may not report expenditures or gifts
34 relating to property or services received by an officer or employee
35 if the officer or employee paid for the property or services the
36 amount that would be charged to any purchaser of the property or
37 services in the ordinary course of business.

38 (f) An activity report may not report expenditures or gifts made
39 between close relatives unless the expenditure or gift is made in
40 connection with an action of the political subdivision.

41 (g) An activity report may not report a contribution (as defined
42 in IC 3-5-2-15).

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1 **Sec. 6. A report of an expenditure is not required to include the**
2 **cost of any of the following:**
3 **(1) Overhead.**
4 **(2) Postage.**
5 **(3) Express mail service.**
6 **(4) Stationery.**
7 **(5) Facsimile transmissions.**
8 **(6) Telephone calls.**
9 **(7) The personal services of clerical and other support staff**
10 **persons who are not lobbyists.**
11 **(8) Leasing or renting an office.**
12 **(9) Lodging, meals, and other personal expenses of the**
13 **lobbyist.**

14 **Sec. 7. (a) A lobbyist shall obtain and preserve all documents**
15 **necessary to substantiate the activity reports required by this**
16 **chapter for four (4) years after the date of filing of the report.**
17 **(b) The lobbyist shall make these documents available for**
18 **inspection upon request by the state board of accounts.**

19 **Sec. 8. (a) A lobbyist may file a termination statement after the**
20 **lobbyist ceases all activity that required registration.**
21 **(b) A termination statement must be filed not later than fifteen**
22 **(15) days after the lobbyist ceases lobbying activity.**
23 **(c) Filing a termination statement does not relieve the lobbyist**
24 **of the reporting requirements of this chapter.**
25 **(d) A termination statement must cover the semiannual**
26 **reporting period or part of the semiannual report period**
27 **immediately preceding the termination of the lobbyist's**
28 **registration statement.**
29 **(e) A termination statement must contain the information**
30 **required by this chapter.**

31 **Sec. 9. (a) The county executive may prescribe a fee for**
32 **registration by a lobbyist under this chapter.**
33 **(b) Registration fees shall be deposited in the county's general**
34 **fund.**

35 **Sec. 10. If there is a material change to any information**
36 **contained in a registration statement or report under this chapter,**
37 **the lobbyist shall file an appropriate written amendment with the**
38 **clerk not later than fifteen (15) days after the change occurs.**

39 **Sec. 11. (a) The clerk shall review the accuracy of registration**
40 **statements and other documents filed under this chapter and may**
41 **require a lobbyist to submit verified statements and other**
42 **supporting documentation.**

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1 **(b) The clerk shall notify a lobbyist of any materially incorrect**
2 **information or other deficiencies in the registration statements or**
3 **other documents.**
4 **(c) Not later than thirty (30) days after receipt of notice under**
5 **subsection (b), a lobbyist shall file an amended statement or other**
6 **document that satisfies all requirements set forth in this chapter.**
7 **Sec. 12. (a) To facilitate public access to records regarding**
8 **lobbying activity, the clerk shall compile and maintain an index of**
9 **all registration statements and other documents filed under this**
10 **chapter.**
11 **(b) The clerk shall preserve registration statements and other**
12 **documents filed under this chapter for a period of at least four (4)**
13 **years after the date of receipt.**
14 **Sec. 13. (a) A person who is required to register as a lobbyist**
15 **under this chapter who knowingly or intentionally fails to register**
16 **under this chapter as required by this chapter commits a Class A**
17 **infraction.**
18 **(b) A lobbyist who knowingly or intentionally fails to file an**
19 **activity report as required by this chapter commits a Class A**
20 **infraction.**

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