SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 110 be amended to read as follows:

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

"SECTION 1. IC 2-7-1-9, AS AMENDED BY P.L.58-2010, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. "Lobbying" means **either of the following:**

(1) Communicating by any means, or paying others to communicate by any means, with any legislative person with the purpose of influencing any legislative action.

(2) After June 30, 2012, the activities of a public advocacy organization to communicate by any means, or to pay others to communicate by any means, to:

(A) inform the general public; or

(B) urge the general public to take an action;

to influence any legislative action.

SECTION 2. IC 2-7-1-12.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 12.5. "Public advocacy organization" means a person or an organization that promotes a public policy agenda through grassroots and legislative lobbying and issue advocacy.**

SECTION 3. IC 2-7-3-3, AS AMENDED BY P.L.225-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) The activity reports of each lobbyist shall include the following information:

(1) A complete and current statement of the information required to be supplied under IC 2-7-2-3 and IC 2-7-2-4.

(2) Total expenditures on lobbying (prorated, if necessary) broken down to include at least the following categories:

(A) Compensation to others who perform lobbying services.

(B) Reimbursement to others who perform lobbying services.

(C) Receptions.

(D) Entertainment, including meals.
(E) Gifts made to a legislative person.
(F) If the lobbyist is a public advocacy organization, expenditures for advertising, mass mailings, publications, or other efforts to inform the general public or to urge the general public to take any action for the purpose of influencing legislative action. The lobbyist shall provide the following information relating to the lobbyist's expenses for radio or television communication:
(i) The name of each radio or television station that carried the lobbyist's communication.
(ii) The dates that communications were made on each radio or television station.
(iii) The dollar amount spent on the communications on each radio or television station.
(iv) The total amount spent on radio and television communication.
(3) Subject to section 3.5 of this chapter, a statement of each:
(A) expenditure for entertainment (including meals and drink); or
(B) gift;
that equals fifty dollars ($50) or more in one (1) day, or expenditures for entertainment (including meals and drink) or gifts that together total more than two hundred fifty dollars ($250) during the reporting year, if the expenditures and gifts are made by the lobbyist or the lobbyist's agent to benefit a specific legislative person.
(4) A list of the general subject matter of each bill or resolution concerning which a lobbying effort was made within the registration period.
(5) The name of each member of the general assembly from whom the lobbyist has received an affidavit required under IC 2-2.1-3-3.5.
(b) In the second semiannual report, when total amounts are required to be reported, totals shall be stated both for the period covered by the statement and for the entire reporting year.
(c) An amount reported under this section is not required to include the following:
(1) Overhead costs.
(2) Charges for any of the following:
(A) Postage.
(B) Express mail service.
(C) Stationery.
(D) Facsimile transmissions.
(E) Telephone calls.
(3) Expenditures for the personal services of clerical and other

support staff persons who are not lobbyists.
(4) Expenditures for leasing or renting an office.
(5) Expenditures for lodging, meals, and other personal expenses of the lobbyist.

(d) A report of an expenditure under subsection (a)(3) must state the following information:
(1) The name of the lobbyist making the expenditure.
(2) A description of the expenditure.
(3) The amount of the expenditure.

SECTION 4. IC 2-7-3-3.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 3.7. (a) This section applies only to a public advocacy organization.**

(b) As used in this section, "large donation" refers to a gift of money of at least ten thousand dollars ($10,000).

(c) In addition to the other reports required by this chapter, a public advocacy organization shall report each large donation received by the public advocacy organization not later than the following:
(1) Seventy-two (72) hours after the public advocacy organization receives the large donation, if the donation is received when the general assembly is in session.
(2) Seven (7) days after the public advocacy organization receives the large donation, if the donation is received when the general assembly is not in session.

(d) A report of a large donation must include the following information:
(1) The name of the person making the donation.
(2) The address of the person making the donation.
(3) If the person making the donation is an individual, the individual's occupation.
(4) The total amount of the donation.
(5) The date and time the public advocacy organization received the donation.".

Page 2, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 7. IC 3-9-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2013]: Sec. 2. The following persons, whenever required to file a report, notice, or other instrument by this article, shall file it with the election division:
(1) Candidates for state office and their candidate's committees.
(2) The following central committees:
(A) State committees.
(B) Congressional district committees.
(3) Other regular party committees that propose to influence the election of a candidate for state or legislative office or the outcome of a public question for or against which the electorate

of the whole state may vote.

(4) Political action committees that propose to influence the election of a candidate for state or legislative office or the outcome of a public question for or against which the electorate of the whole state may vote.

(5) Legislative caucus committees.

(6) A person required to file a statement under IC 3-9-8.

SECTION 8. IC 3-9-5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2013]: Sec. 4. The following persons, whenever required to file a report, notice, or other instrument by this article, shall file it with the county election board of each county comprising part of the affected election district:

(1) Candidates for local office and their candidate's committees.

(2) Regular party committees that are not required to file with the election division.

(3) Political action committees that are not required to file with the election division.

(4) A person required to file a statement under IC 3-9-8.

SECTION 9. IC 3-9-5-23 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2013]: **Sec. 23. (a) This section applies only to a large contribution that is received by an organization or committee, other than a candidate's committee, for the purpose of influencing the outcome of an election.**

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

(1) A primary election in a year in which a general election is held.

(2) A general election.

(3) A statewide special election.

(c) As used in this section, "large contribution" means a single contribution of at least ten thousand dollars ($10,000).

(d) The treasurer of the organization or committee shall file a large contribution report with the election division not later than noon seven (7) days after a large contribution is received.

(e) A report filed under this section may be filed by facsimile transmission or as an electronic report when the requirements of IC 3-9-4 or this chapter have been met. A report required by subsection (d) must contain the following information for each large contribution:

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

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

(3) If the person making the contribution is an individual, the individual's occupation.

(4) The total amount of the contribution.

(5) The date and time the large contribution was received by

the organization or committee.

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

SECTION 10. IC 3-9-8 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2013]:

Chapter 8. Independent Expenditures

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

(1) An expenditure described in IC 3-9-5-15(b).

(2) A person that:

(A) makes a contribution to a candidate or a committee; and

(B) does not make an expenditure.

(3) A contribution to a committee made by a corporation or labor organization.

(4) An expenditure to support or oppose a candidate or political party made by a corporation or labor organization.

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

(1) a person, other than a corporation or a labor organization, that makes an expenditure to influence an election within a year; or

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

shall file a statement with the election division under IC 3-9-5-2 or with a county election board under IC 3-9-5-4.

Sec. 3. The statement described in section 2 of this chapter must contain the information required under IC 3-9-5 for a political action committee.

Sec. 4. A statement required under section 2 of this chapter is due on the same date and at the same time that a report is due from a political action committee.".

Renumber all SECTIONS consecutively.

(Reference is to SB 110 as reprinted January 20, 2012.)

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Senator SIMPSON