

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 162 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 4-6-2-8 IS AMENDED TO READ AS FOLLOWS
- 4 [EFFECTIVE JULY 1, 2013]: Sec. 8. ~~It shall be the duty of (a) The~~
- 5 attorney general ~~to shall~~ make a biennial report to the governor ~~of and~~
- 6 **the legislative council about** the business and condition of ~~his the~~
- 7 **attorney general's office. and to**
- 8 **(b) The attorney general shall** make a report to the auditor of state
- 9 at the end of each fiscal year of all collections made by ~~him the~~
- 10 **attorney general** and the manner of disbursement.
- 11 **(c) Reports to the legislative council under this section must be**
- 12 **in an electronic format under IC 5-14-6.**
- 13 **(d) The attorney general shall publish all reports required by**
- 14 **this section on the attorney general's Internet web site.**
- 15 SECTION 2. IC 4-6-2-8.2 IS ADDED TO THE INDIANA CODE
- 16 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 17 1, 2013]: Sec. 8.2. **(a) As used in this section, "INDOT" refers to the**
- 18 **Indiana department of transportation established by IC 8-23-2-1.**
- 19 **(b) As used in this section, "INDOT contracts" include**
- 20 **contracts, change orders, and contract amendments entered into**
- 21 **by INDOT after December 31, 2008, and before January 1, 2013.**
- 22 **(c) The definitions in IC 4-2-6-1 apply in this subsection. As used**
- 23 **in this section, "relevant person" includes any of the following:**
- 24 **(1) A current or former state officer.**

- 1 **(2) A current or former state employee.**
- 2 **(3) A current or former special state appointee.**
- 3 **(4) A current or former executive branch lobbyist.**
- 4 **(5) A person who currently has, or formerly had, a business**
- 5 **relationship with INDOT.**
- 6 **(6) A relative of a person described in any of subdivisions (1)**
- 7 **through (5).**
- 8 **(d) The attorney general shall make a report to the legislative**
- 9 **council not later than November 1, 2013, regarding INDOT**
- 10 **contracts.**
- 11 **(e) The report required by subsection (d) must include the**
- 12 **following:**
- 13 **(1) The attorney general's conclusions whether there is**
- 14 **reasonable cause to believe that a relevant person has violated**
- 15 **any of the following with respect to INDOT contracts:**
- 16 **(A) Official misconduct (IC 35-44.1-1-1).**
- 17 **(B) Bribery (IC 35-44.1-1-2).**
- 18 **(C) Conflict of interest (IC 35-44.1-1-4).**
- 19 **(D) Profiteering from public service (IC 35-44.1-1-5).**
- 20 **(E) A violation of the code of ethics adopted under**
- 21 **IC 4-2-7-3.**
- 22 **(F) A violation of the statutes or rules relating to executive**
- 23 **branch lobbyists (IC 4-2-8).**
- 24 **(G) A statute or rule relating to the purchase of property**
- 25 **by the state.**
- 26 **(2) Recommendations for legislation to ensure that INDOT**
- 27 **contracting is conducted in a transparent manner.**
- 28 **(3) Recommendations for policies designed to deter, detect,**
- 29 **and eradicate fraud, waste, abuse, mismanagement, and**
- 30 **misconduct in INDOT contracting.**
- 31 **(f) The report required by this section must be:**
- 32 **(1) in an electronic format under IC 5-14-6; and**
- 33 **(2) published on the attorney general's Internet web site.**
- 34 **(g) This section expires January 1, 2014."**
- 35 Renumber all SECTIONS consecutively.
- (Reference is to ESB 162 as printed March 22, 2013.)

Representative Austin