
HOUSE BILL No. 1191

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-20.5-5-8; IC 20-26-5-4.6; IC 36-1-4-6.5.

Synopsis: Disclosure of lessors in government leases. Provides that for all leases entered into by the state, a local unit of government, or a school corporation, the state, local unit, or school corporation shall disclose the identity of: (1) each person who has a direct or indirect interest in the leased property equal to or greater than ten percent of the value of the leased property; and (2) any elected official or relative of an elected official within one degree of kinship who has a direct or indirect interest in the leased property equal to or greater than one percent of the value of the leased property.

Effective: July 1, 2013.

DeLaney

January 10, 2013, read first time and referred to Committee on Government and Regulatory Reform.

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First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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HOUSE BILL No. 1191



A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

1 SECTION 1. IC 4-20.5-5-8 IS ADDED TO THE INDIANA CODE
 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 3 1, 2013]: **Sec. 8. (a) For the purposes of this section, a person is a**
 4 **relative of an elected official within one (1) degree of kinship if the**
 5 **person is:**
 6 (1) the spouse of the elected official;
 7 (2) a parent of the elected official;
 8 (3) the spouse of a parent of the elected official;
 9 (4) a child of the elected official;
 10 (5) the spouse of a child of the elected official;
 11 (6) a sibling of the elected official; or
 12 (7) the spouse of a sibling of the elected official.
 13 (b) For each lease entered into under section 7 of this chapter,
 14 the department shall obtain the following information:
 15 (1) The identity of the lessor.
 16 (2) The identity of a broker used to obtain the lease and the
 17 amount of the fee paid to the broker.



1 (3) The amount of rent to be paid under the terms of the lease.

2 (4) The identity of each person who has a direct or indirect
3 interest in the leased property equal to or greater than ten
4 percent (10%) of the value of the leased property.

5 (5) The identity of any:

6 (A) elected official; or

7 (B) relative of an elected official within one (1) degree of
8 kinship;

9 who has a direct or indirect interest in the leased property
10 equal to or greater than one percent (1%) of the value of the
11 leased property.

12 (c) The disclosures made under subsection (b) shall be made
13 within thirty (30) days after the lease is signed and shall be posted
14 on the Internet web site of the department.

15 (d) The department shall also comply with the disclosure
16 requirements of subsections (b) and (c) in the case of:

17 (1) any amendment to or extension of a lease entered into
18 under section 7 of this chapter; and

19 (2) any sublease entered into under a lease entered into under
20 section 7 of this chapter.

21 (e) Beginning in 2014, before August 15 of each year, each state
22 agency shall file with the commissioner a report concerning the
23 leasing information required to be disclosed under this section.
24 Beginning in 2014, before October 1 of each year, the
25 commissioner shall compile and make available for public
26 inspection a report concerning the lease information required to be
27 disclosed under this section during the preceding state fiscal year.

28 SECTION 2. IC 20-26-5-4.6 IS ADDED TO THE INDIANA CODE
29 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
30 1, 2013]: Sec. 4.6. (a) For the purposes of this section, a person is a
31 relative of an elected official within one (1) degree of kinship if the
32 person is:

33 (1) the spouse of the elected official;

34 (2) a parent of the elected official;

35 (3) the spouse of a parent of the elected official;

36 (4) a child of the elected official;

37 (5) the spouse of a child of the elected official;

38 (6) a sibling of the elected official; or

39 (7) the spouse of a sibling of the elected official.

40 (b) For each lease entered into under this chapter, a school
41 corporation shall obtain the following information:

42 (1) The identity of the lessor.

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- 1 (2) The identity of a broker used to obtain the lease and the
2 amount of the fee paid to the broker.
- 3 (3) The amount of rent to be paid under the terms of the lease.
- 4 (4) The identity of each person who has a direct or indirect
5 interest in the leased property equal to or greater than ten
6 percent (10%) of the value of the leased property.
- 7 (5) The identity of any:
- 8 (A) elected official; or
- 9 (B) relative of an elected official within one (1) degree of
10 kinship;
11 who has a direct or indirect interest in the leased property
12 equal to or greater than one percent (1%) of the value of the
13 leased property.
- 14 (c) The disclosures made under subsection (b) shall be made
15 within thirty (30) days after the lease is signed and shall be
16 forwarded to the state board of accounts.
- 17 (d) A school corporation shall also comply with the disclosure
18 requirements of subsections (b) and (c) in the case of:
- 19 (1) any amendment to or extension of a lease entered into
20 under this chapter; and
- 21 (2) any sublease entered into under a lease entered into under
22 this chapter.
- 23 (e) Beginning in 2014, before August 15 of each year, each
24 school corporation shall file with the state board of accounts a
25 report concerning the leasing information required to be disclosed
26 under this section. Beginning in 2014, before October 1 of each
27 year, the state board of accounts shall compile and make available
28 for public inspection a report concerning the lease information
29 required to be disclosed under this section during the preceding
30 state fiscal year.
- 31 SECTION 3. IC 36-1-4-6.5 IS ADDED TO THE INDIANA CODE
32 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
33 1, 2013]: **Sec. 6.5. (a) For the purposes of this section, a person is a
34 relative of an elected official within one (1) degree of kinship if the
35 person is:**
- 36 (1) the spouse of the elected official;
- 37 (2) a parent of the elected official;
- 38 (3) the spouse of a parent of the elected official;
- 39 (4) a child of the elected official;
- 40 (5) the spouse of a child of the elected official;
- 41 (6) a sibling of the elected official; or
- 42 (7) the spouse of a sibling of the elected official.

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1 **(b) For each lease entered into under this chapter, a unit must**
2 **obtain the following information:**

3 **(1) The identity of the lessor.**

4 **(2) The identity of a broker used to obtain the lease and the**
5 **amount of the fee paid to the broker.**

6 **(3) The amount of rent to be paid under the terms of the lease.**

7 **(4) The identity of each person who has a direct or indirect**
8 **interest in the leased property equal to or greater than ten**
9 **percent (10%) of the value of the leased property.**

10 **(5) The identity of any:**

11 **(A) elected official; or**

12 **(B) relative of an elected official within one (1) degree of**
13 **kinship;**

14 **who has a direct or indirect interest in the leased property**
15 **equal to or greater than one percent (1%) of the value of the**
16 **leased property.**

17 **(c) The disclosures made under subsection (b) shall be made**
18 **within thirty (30) days after the lease is signed and shall be**
19 **forwarded to the state board of accounts.**

20 **(d) A unit shall also comply with the disclosure requirements of**
21 **subsections (b) and (c) in the case of:**

22 **(1) any amendment to or extension of a lease entered into**
23 **under this chapter; and**

24 **(2) any sublease entered into under a lease entered into under**
25 **this chapter.**

26 **(e) Beginning in 2014, before August 15 of each year, each unit**
27 **shall file with the state board of accounts a report concerning the**
28 **leasing information required to be disclosed under this section.**
29 **Beginning in 2014, before October 1 of each year, the state board**
30 **of accounts shall compile and make available for public inspection**
31 **a report concerning the lease information required to be disclosed**
32 **under this section during the preceding state fiscal year.**

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