


MEMORANDUM

TO: Legislative Lobbyists

FROM: Charles W. Harris
Executive Director & General Counsel
Indiana Lobby Registration Commission 

RE: Political Action Committees that Engage in Legislative Lobbying

DATE: June 1, 2016

At the March 4, 2016 meeting of the Indiana Lobby Registration Commission (Commission), one of the Commissioners said that at least one Political Action Committee (PAC) has taken an active role in the community where the Commissioner lives in communicating the PAC's position on a legislative matter. Under IC 2-7-1-10 (a), an individual or entity is required to register with and report to the Commission if the individual or entity:

- 1) engages in legislative lobbying in Indiana; and
- 2) during a registration/reporting year (November 1 through October 31) either receives or expends for lobbying at least \$500 in compensation or expenditures that are reportable under IC 2-7.

Two other Indiana Code provisions that are relevant when determining if one is required to register with and report to the Commission are the definitions of "legislative person" and "lobbying" set forth in IC 2-7-1-8 and IC 2-7-1-9, respectively. Under IC 2-7-1-8, the term "legislative person" includes a member of the General Assembly, a candidate for election to the General Assembly, an officer of the General Assembly, an employee of the legislative department of state government, a spouse, child, or parent of such a member, candidate, officer, or employee, a paid consultant of the General Assembly, and an official of an agency of the legislative department of state government. In IC 2-7-1-9, the term "lobbying" is defined as follows:

Sec. 9. "Lobbying" means communicating by any means, or paying others to communicate by any means, with any legislative person with the purpose of influencing any legislative action.

More detailed information about the registration and reporting requirements for legislative lobbyists can be found on the Commission's website at www.in.gov/ilrc. The following are some of the more helpful documents posted on the website:

- 1) The Lobbyist Handbook.
- 2) The compilation of Final Advisory Opinions issued by the Commission.
- 3) The compilation of Informal Advice provided by the Commission's Executive Director and General Counsel.

With respect to "grassroots lobbying," Final Advisory Opinion 2002-1 and the informal advice provided for questions 1.32 and 1.33 can be helpful in determining whether a PAC will be engaging in conduct that will require the PAC to register with and report to the Commission.

Any individual or entity that has questions about the registration and reporting requirements for legislative lobbyists in Indiana may contact the Commission's staff for advice or guidance. The telephone number for the Commission is (317) 232-9860.