

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS
FISCAL IMPACT STATEMENT**

LS 6514
BILL NUMBER: SB 238

NOTE PREPARED: Dec 10, 2024
BILL AMENDED:

SUBJECT: Lobbying Prohibition.

FIRST AUTHOR: Sen. Johnson T
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that an individual who is a member of the General Assembly after November 5, 2024, may not be registered as a lobbyist during the period that begins on the day the individual ceases to be a member of the General Assembly and ends 1,095 days after the date the individual ceases to be a member of the General Assembly. The bill also provides an exception to this prohibition.

The bill also provides that an individual who is appointed by the Governor to: (1) serve in the Governor's cabinet; or (2) serve as the executive director or director of an agency; may not be registered as a lobbyist during the period that begins on the day the individual ceases to be a member of the cabinet or ceases to be the executive director or director of an agency and ends 1,095 days after the date the individual ceases to be a member of the cabinet or ceases to be the executive director or director of an agency.

Effective Date: July 1, 2025.

Explanation of State Expenditures: This bill extends the prohibition period from currently one year to three years after a member ceases membership in the General Assembly. The bill also prohibits members of the Governor's cabinet and agency directors from lobbying for three years after their service ends. There are currently no prohibitions in statute pertaining to lobbying of former executive branch employees.

The bill could increase the number of Level 6 felony convictions for unlawful lobbying. However, any increase in felony convictions is expected to be minimal. [There have been no charges for unlawful lobbying from FY 2014 to FY 2024.]

Penalty Provision: A Level 6 felony is punishable by a prison term ranging from 6 to 30 months, with an advisory sentence of 1 year. The sentence depends on mitigating and aggravating circumstances. Assuming offenders can be housed in existing facilities with no additional staff, the marginal cost for medical care, food, and clothing is approximately \$4,719 annually, or \$12.93 daily, per prisoner. However, any additional expenditures are likely to be small.

Explanation of State Revenues: If additional court cases occur and fines are collected, revenue to both the

Common School Fund (from criminal fines) and the state General Fund (from court fees) would increase. The maximum fine for a Level 6 felony is \$10,000. The total fee revenue per case would range between \$113 and \$138. The amount of court fees deposited will vary depending on whether the case is filed in a court of record or a municipal court. The following linked document describes the fees and distribution of the revenue: [Court fees imposed in criminal, juvenile, and civil violation cases.](#)

Explanation of Local Expenditures: If more defendants are detained in county jails prior to their court hearings, local expenditures for jail operations may increase. However, any additional expenditures would likely be small.

Explanation of Local Revenues: If additional court actions occur and a guilty verdict is entered, more revenue will be collected by certain local units. If the case is filed in a court of record, the county general fund will receive \$47.40 and qualifying municipalities will receive a share of \$3.60. If the case is filed in a municipal court, the county receives \$30, and the municipality will receive \$46. The following linked document describes the fees and distribution of the revenue: [Court fees imposed in criminal, juvenile, and civil violation cases.](#)

State Agencies Affected: Department of Correction; General Assembly.

Local Agencies Affected: Trial courts, local law enforcement agencies.

Information Sources: Indiana Supreme Court, Indiana Trial Court Fee Manual; Department of Correction

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