

SENATE BILL No. 228

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-7-5; IC 4-12-1-19; IC 35-52-2-1.7.

Synopsis: Lobbying and funding of certain organizations. Adds a prohibition against a lobbyist providing anything of value to, or paying for or reimbursing any expenses of, a legislative person when the legislative person is traveling out of state. Makes it a Level 6 felony for a governmental entity to expend money to engage a lobbyist or a legislative liaison using tax revenue. Specifies that such an agreement is void. Invalidates any state appropriation that is made from a fund that receives revenue derived from the imposition of a state tax if the appropriation is to pay expenses related to the Council of State Governments, the National Conference of State Legislatures, or the National Conference of Insurance Legislators. Prohibits the allotment of money from the fund for these purposes.

Effective: July 1, 2015.

Delph

January 6, 2015, read first time and referred to Committee on Tax & Fiscal Policy.



First Regular Session 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 228



A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

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

1 SECTION 1. IC 2-7-5-9, AS AMENDED BY P.L.165-2013,
2 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 9. (a) This section does not apply to ~~the following~~:
4 (†) expenses associated with travel outside Indiana for any
5 purpose that is paid for by an organization or corporation of which
6 the legislative person or the legislative person's spouse is an
7 officer, member of the board of directors, employee, or
8 independent contractor.
9 (2) ~~Travel expenses of a legislative person attending a public~~
10 ~~policy meeting if:~~
11 (A) the legislative person's sole purpose for attending the
12 meeting is to serve as a speaker or other key participant in the
13 meeting; and
14 (B) the speaker of the house of representatives or the president
15 pro tempore of the senate approves the payment of the travel
16 expenses in writing.



1 (b) As used in this section, "travel expenses" includes expenses for
 2 transportation, lodging, registration fees, and other expenses associated
 3 with travel. However, for purposes of this section, the term does not
 4 include expenditures for meals.

5 (c) (b) Except as provided in subsection (a), a lobbyist may not:

6 (1) provide anything of value to; or

7 (2) pay for or reimburse for travel any expenses of;
 8 a legislative person for travel who is traveling outside Indiana for any
 9 purpose.

10 SECTION 2. IC 2-7-5-11 IS ADDED TO THE INDIANA CODE
 11 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 12 1, 2015]: **Sec. 11. (a) As used in this section, "governmental entity"**
 13 **means an authority, a board, a branch, a bureau, a commission, a**
 14 **committee, a council, a department, a division, an office, a service,**
 15 **or other instrumentality of any of the following:**

16 (1) The executive, including the administrative, department of
 17 state government.

18 (2) A state educational institution (as defined in
 19 IC 21-7-13-32).

20 (3) A political subdivision (as defined in IC 36-1-2-13).

21 The term includes a body corporate and politic set up as an
 22 instrumentality of the state, a state educational institution, or a
 23 political subdivision and also includes a private, nonprofit,
 24 government related corporation. The term includes the chief
 25 executive of a governmental entity.

26 (b) A governmental entity may not expend money to engage a
 27 lobbyist or legislative liaison using revenue derived from the
 28 imposition of a tax. An agreement that provides for such a payment
 29 is void.

30 (c) A chief executive of a governmental entity who knowingly or
 31 intentionally authorizes an expenditure in violation of subsection
 32 (b) commits a Level 6 felony.

33 SECTION 3. IC 4-12-1-19 IS ADDED TO THE INDIANA CODE
 34 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 35 1, 2015]: **Sec. 19. Notwithstanding any other law, including the**
 36 **budget act, if an appropriation is made from a state fund that**
 37 **receives revenue derived from the imposition of a tax and the**
 38 **appropriation is to:**

39 (1) pay dues to;

40 (2) pay fees to; or

41 (3) make a reimbursement for expenses to attend meetings,
 42 conferences, or seminars of;



1 **the Council of State Governments, the National Conference of**
2 **State Legislatures, or the National Conference of Insurance**
3 **Legislators, the appropriation is void and the budget agency shall**
4 **not allot any money from the fund to carry out the appropriation.**
5 SECTION 4. IC 35-52-2-1.7 IS ADDED TO THE INDIANA CODE
6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
7 1, 2015]: **Sec. 1.7. IC 2-7-5-11 defines a crime concerning lobbying.**

