

HOUSE BILL No. 1264

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-14-1-17.

Synopsis: Campaign activities by certain employees. Changes the definition of "government employee" to "taxpayer-funded employee" and "government employer" to "taxpayer-funded employer" in the law governing election campaign violations. Adds an employee of a nonpublic school that accepts choice scholarships to the definition of "taxpayer-funded employee", and a nonpublic school that accepts choice scholarships to the definition of "taxpayer-funded employer". Prohibits a taxpayer-funded employee from using a taxpayer-funded employer's property for certain election campaign activities and from carrying out certain election campaign activities on a taxpayer-funded employer's property during regular working hours.

Effective: July 1, 2014.

Truitt

January 14, 2014, read first time and referred to Committee on Elections and Apportionment.



Second Regular Session 118th General Assembly (2014)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2013 Regular Session and 2013 First Regular Technical Session of the General Assembly.

HOUSE BILL No. 1264

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

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

- 1 SECTION 1. IC 3-14-1-17, AS ADDED BY P.L.219-2013,
2 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2014]: Sec. 17. (a) As used in this section, "~~government~~
4 **"taxpayer-funded employee"** refers to any of the following:
5 (1) An employee of the state.
6 (2) An employee of a political subdivision.
7 (3) A special state appointee (as defined in IC 4-2-6-1).
8 (4) An employee of a charter school (as defined in IC 20-24-1-4).
9 **(5) An employee of a nonpublic school that is a participating**
10 **school (as defined in IC 20-51-1-6).**
11 (b) As used in this section, "~~government~~ **"taxpayer-funded**
12 **employer"** refers to the state, ~~or~~ a political subdivision, **or a nonpublic**
13 **school that is a participating school.**
14 (c) As used in this section, "property" refers only to the following:
15 (1) Equipment, goods, and materials, including mail and
16 messaging systems.



- 1 (2) Money.
- 2 (d) A **government taxpayer-funded** employee may not knowingly
- 3 or intentionally use the property of the employee's **government**
- 4 **taxpayer-funded** employer to do any of the following:
- 5 (1) Solicit a contribution.
- 6 (2) Advocate the election or defeat of a candidate.
- 7 (3) Advocate the approval or defeat of a public question.
- 8 (e) A **government taxpayer-funded** employee may not knowingly
- 9 or intentionally distribute campaign materials advocating:
- 10 (1) the election or defeat of a candidate; or
- 11 (2) the approval or defeat of a public question;
- 12 on the **government taxpayer-funded** employer's real property during
- 13 regular working hours.
- 14 (f) This section does not prohibit the following:
- 15 (1) Activities permitted under IC 6-1.1-20.
- 16 (2) A **government taxpayer-funded** employee from carrying out
- 17 administrative duties under the direction of an elected official
- 18 who is the **government taxpayer-funded** employee's supervisor.
- 19 (g) A **government taxpayer-funded** employee who knowingly or
- 20 intentionally performs several actions described in subsection (d) or (e)
- 21 in a connected series that are closely related in time, place, and
- 22 circumstance may be charged with only one (1) violation of this section
- 23 for that connected series of actions.
- 24 (h) A **government taxpayer-funded** employee who violates this
- 25 section commits a Class A misdemeanor. However, the offense is a
- 26 ~~Class B~~ **Level 6** felony if the person has a prior unrelated conviction
- 27 under this section.

