

# SENATE BILL No. 284

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 2-7-5; IC 4-12-1-20; 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 compensate a person to engage in lobbying 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 to the extent the appropriation is used 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, 2016.

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January 7, 2016, read first time and referred to Committee on Rules & Legislative Procedure.

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Second Regular Session 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

# SENATE BILL No. 284

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 2-7-5-9, AS AMENDED BY P.L.165-2013,  
2 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2016]: Sec. 9. (a) This section does not apply to ~~the following~~:  
4 (1) 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.  
17 (b) As used in this section, "travel expenses" includes expenses for



1 transportation, lodging, registration fees, and other expenses associated  
 2 with travel. However, for purposes of this section, the term does not  
 3 include expenditures for meals.

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

5 (1) provide anything of value to; or

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

9 SECTION 2. IC 2-7-5-11 IS ADDED TO THE INDIANA CODE  
 10 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 11 1, 2016]: Sec. 11. (a) As used in this section, "governmental entity"  
 12 means any of the following:

13 (1) An authority, a board, a branch, a bureau, a commission,  
 14 a committee, a council, a department, a division, an office, a  
 15 service, or other instrumentality of any of the following:

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

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

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

21 (2) A body corporate and politic established as an  
 22 instrumentality of the state, a state educational institution, or  
 23 a political subdivision.

24 (3) A private, nonprofit corporation established by an entity  
 25 described in subdivision (1) or by law to assist in the  
 26 performance of the entity's governmental functions.

27 (4) An affiliated entity (as defined in IC 2-7-3.5-1).

28 (b) A governmental entity may not expend money to compensate  
 29 any person to engage in lobbying using revenue derived from the  
 30 imposition of a tax. An agreement that provides for such a payment  
 31 is void.

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

35 SECTION 3. IC 4-12-1-20 IS ADDED TO THE INDIANA CODE  
 36 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 37 1, 2016]: Sec. 20. Notwithstanding any other law, including the  
 38 budget act, if an appropriation is made from a state fund that  
 39 receives revenue derived from the imposition of a tax and the  
 40 appropriation is used to:

41 (1) pay dues to;

42 (2) pay fees to; or



1           **(3) make a reimbursement for expenses to attend meetings,**  
2           **conferences, or seminars of;**  
3           **the Council of State Governments, the National Conference of**  
4           **State Legislatures, or the National Conference of Insurance**  
5           **Legislators, to the extent the appropriation is used to provide**  
6           **funding for the purposes described in subdivisions (1) through (3),**  
7           **the appropriation is void and the budget agency shall not allot any**  
8           **money from the fund to carry out the appropriation.**  
9           SECTION 4. IC 35-52-2-1.7 IS ADDED TO THE INDIANA CODE  
10          AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
11          1, 2016]: **Sec. 1.7. IC 2-7-5-11 defines a crime concerning lobbying.**

