

IC 2-7-6

Chapter 6. Enforcement

IC 2-7-6-1

Investigating and prosecuting authorities; powers and duties

Sec. 1. The attorney general and the applicable prosecuting attorney jointly or severally are responsible for investigating alleged or suspected violations and enforcing the provisions of this article and, in addition to the powers heretofore granted him by law, the attorney general has the powers of the prosecuting attorney of each county for the purpose of enforcing the provisions of this article.

As added by Acts 1981, P.L.9, SEC.1.

IC 2-7-6-2

Violations; offense; penalty; court order against lobbying; exceptions

Sec. 2. (a) This section does not apply to failure to file a report or statement under IC 2-7-2-1, IC 2-7-3-1, IC 2-7-3-3.3, or IC 2-7-3-7 if the person failing to file the report or statement files a late report or statement not more than ten (10) business days after the commission notifies the person by certified mail, return receipt requested, that the person did not file a timely report or statement.

(b) Any person who knowingly or intentionally violates any provision of IC 2-7-2, IC 2-7-3, or IC 2-7-5 commits unlawful lobbying, a Level 6 felony. In addition to any penalty imposed on the defendant under IC 35-50-2-7 for unlawful lobbying, the court may order the defendant not to engage in lobbying for a period of up to ten (10) years, IC 2-7-5-6 notwithstanding.

(c) Any person who lobbies in contravention of a court order under subsection (b) commits a Level 6 felony.

As added by Acts 1981, P.L.9, SEC.1. Amended by P.L.158-2013, SEC.1; P.L.123-2015, SEC.17; P.L.149-2016, SEC.6.

IC 2-7-6-3

Violations; false reports; offense

Sec. 3. A person who knowingly or intentionally makes a false report under this article that overstates or understates the amount of an expenditure or gift commits a Level 6 felony.

As added by Acts 1981, P.L.9, SEC.1. Amended by P.L.9-1993, SEC.15; P.L.58-2010, SEC.29; P.L.158-2013, SEC.2.

IC 2-7-6-4

Violations; members of general assembly; conspiracy; offense

Sec. 4. A member of the general assembly who knowingly or intentionally conspires with a lobbyist in the violation of section 2 or 3 of this chapter commits a Level 6 felony.

As added by Acts 1981, P.L.9, SEC.1. Amended by P.L.158-2013, SEC.3.

IC 2-7-6-5

Findings of hearing; sanctions

Sec. 5. (a) If the commission after a hearing conducted under IC 4-21.5-3 finds that:

- (1) a statement or report required to be filed under this article was materially incorrect;
- (2) the person filing the report was requested to file a corrected statement or report; and
- (3) a corrected statement or report has not been filed;

the commission may invoke sanctions under subsection (b).

(b) If under subsection (a) the commission is authorized to invoke sanctions under this subsection, the commission may do either or both of the following:

- (1) Revoke the registration of the person who has failed to file a corrected statement or report.
- (2) Assess a civil penalty on that person in an amount not to exceed five hundred dollars (\$500).

As added by P.L.6-1985, SEC.3. Amended by P.L.7-1987, SEC.1; P.L.3-1992, SEC.24.

IC 2-7-6-6

Failure to file report; sanctions

Sec. 6. (a) The commission may impose either or both of the following sanctions if, after a hearing under IC 4-21.5-3, the commission finds that a lobbyist failed to file a report with a legislative person required by IC 2-7-3-3.3 or IC 2-7-3-7:

- (1) Revoke the registration of the lobbyist.
- (2) Assess a civil penalty against the lobbyist. A civil penalty assessed under this subdivision may not be more than five hundred dollars (\$500).

(b) In imposing sanctions under subsection (a), the commission shall consider the following:

- (1) Whether the failure to file the report was willful or negligent.
- (2) Any mitigating circumstances.

As added by P.L.9-1993, SEC.16. Amended by P.L.58-2010, SEC.30.