IC 3-9-2

Chapter 2. Campaign Contributions

IC 3-9-2-1

Application of chapter

Sec. 1. (a) Except as provided in subsections (b) and (c), this chapter applies to candidates in all elections and caucuses and to the following types of committees:

(1) Candidate's committees.

(2) Regular party committees.

(3) Political action committees.

(4) A legislative caucus committee.

(b) Sections 2 through 10 of this chapter do not apply to elections for precinct committeeman or delegate to a state convention.

(c) Section 9 of this chapter applies to a candidate only if the candidate is required to file a written instrument designating a principal committee under IC 3-9-1-5 or IC 3-9-1-5.5.

(d) Sections 9 and 10 of this chapter apply to an auxiliary party organization.

As added by P.L.5-1986, SEC.5. Amended by P.L.3-1987, SEC.143; P.L.3-1993, SEC.85; P.L.3-1995, SEC.66; P.L.3-1997, SEC.175; P.L.26-2000, SEC.12.

IC 3-9-2-2

Candidates

Sec. 2. Except as otherwise provided in this article, a candidate may make a voluntary payment of money to a treasurer of a committee for a purpose permitted by this article.

As added by P.L.5-1986, SEC.5.

IC 3-9-2-3

Corporations, labor organizations, and national banks

Sec. 3. (a) Notwithstanding IC 23-15-5 or any other statute, a corporation or labor organization may make a contribution to aid in the:

(1) election or defeat of a candidate; or

(2) the success or defeat of:

(A) a political party; or

(B) a public question submitted to a vote in an election.

(b) Contributions by a corporation or labor organization are limited to those authorized by sections 4, 5, and 6 of this chapter.

(c) A national bank or a corporation organized by authority of any law of Congress must comply with contribution restrictions applicable to Indiana elections under 2 U.S.C. 441b.

As added by P.L.5-1986, SEC.5. Amended by P.L.11-1987, SEC.3; P.L.7-1990, SEC.29; P.L.14-1992, SEC.1; P.L.3-1997, SEC.176.

IC 3-9-2-4

Corporations or labor organizations; limitation on contributions

Sec. 4. During a year a corporation or labor organization may not

make total contributions in excess of:

(1) an aggregate of five thousand dollars ($5,000) apportioned in any manner among all candidates for state offices (including a judge of the court of appeals whose retention in office is voted on by a district that does not include all of Indiana);

(2) an aggregate of five thousand dollars ($5,000) apportioned in any manner among all state committees of political parties;

(3) an aggregate of two thousand dollars ($2,000) apportioned in any manner among all candidates for the senate of the general assembly;

(4) an aggregate of two thousand dollars ($2,000) apportioned in any manner among all candidates for the house of representatives of the general assembly;

(5) an aggregate of two thousand dollars ($2,000) apportioned in any manner among regular party committees organized by a legislative caucus of the senate of the general assembly;

(6) an aggregate of two thousand dollars ($2,000) apportioned in any manner among regular party committees organized by a legislative caucus of the house of representatives of the general assembly;

(7) an aggregate of two thousand dollars ($2,000) apportioned in any manner among all candidates for school board offices and local offices; and

(8) an aggregate of two thousand dollars ($2,000) apportioned in any manner among all central committees other than state committees.

As added by P.L.5-1986, SEC.5. Amended by P.L.3-1987, SEC.144; P.L.10-1988, SEC.66.

IC 3-9-2-5

Contributions or donations to specific candidate or committee

Sec. 5. (a) A contribution:

(1) authorized under subsection (c) or section 4 of this chapter;

(2) to a committee by a corporation or labor organization; and

(3) designated by that corporation or labor organization for disbursement to a specific candidate, central committee, or other regular party committee;

is subject to the limitations in section 4 of this chapter.

(b) A corporation or labor organization may make a donation to cover any amount of administrative costs (as described in IC 3-5-2-15(e)) to a political action committee established and controlled by the corporation or labor organization. A donation made under this subsection is not considered a contribution or an expenditure by the corporation or labor organization.

(c) A corporation or labor organization may make a contribution to a political action committee if the contribution:

(1) does not exceed any of the limits prescribed under section 4 of this chapter; and

(2) is designated for disbursement to a specific candidate or committee listed under section 4 of this chapter.

As added by P.L.5-1986, SEC.5. Amended by P.L.10-1988, SEC.67; P.L.3-1995, SEC.67; P.L.8-1995, SEC.36; P.L.2-1996, SEC.96; P.L.3-1997, SEC.177.

IC 3-9-2-6
Exceptions

Sec. 6. Sections 4 and 5 of this chapter do not apply to the following:

(1) Nonpartisan registration and get-out-the-vote campaigns:

(A) by a corporation aimed at its stockholders and employees; or

(B) by a trade association or labor organization aimed at its members.

(2) A contribution or transfer by an incorporated nonpartisan political action committee to any other committee.

(3) A contribution supporting or opposing the approval of a public question submitted to the electorate of the entire state or a local public question.

As added by P.L.5-1986, SEC.5. Amended by P.L.7-1990, SEC.30.

IC 3-9-2-7
Election contest expenses

Sec. 7. This article does not limit or affect the right of a person to expend money for proper legal expenses in maintaining or contesting the result of an election.

As added by P.L.5-1986, SEC.5.

IC 3-9-2-8
Contributions from national committee

Sec. 8. A central committee may accept contributions from the national committee or the national congressional committee of a political party to be expended for purposes authorized by this article.

As added by P.L.5-1986, SEC.5.

IC 3-9-2-9
Transfer of contributions to treasurer; segregation of funds

Sec. 9. (a) Each person who accepts a contribution for a committee shall, on demand of the treasurer of the committee, and in any case within thirty (30) days after receipt of the contribution, transfer to the treasurer the actual contribution if it is money or a detailed account if it is other than money.

(b) The transfer must include the actual monetary value and the information about the contribution required to be reported by the treasurer under IC 3-9-5-14.

(c) This subsection applies to a committee that accepts contributions or makes expenditures in an aggregate amount of more than two hundred dollars ($200) in a year. All funds of a committee must be segregated from, and may not be commingled with, the personal funds of officers, members, or associates of the committee.

As added by P.L.5-1986, SEC.5. Amended by P.L.7-1990, SEC.31;

P.L.3-1997, SEC.178.

IC 3-9-2-10
Solicitation of funds; notice

Sec. 10. An individual, an organization, or a committee shall include in all literature and advertisements soliciting contributions:

(1) the notice required under IC 3-9-3-2.5; and

(2) any notice required under Section 6113 of the Internal Revenue Code (26 U.S.C. 6113).

As added by P.L.5-1986, SEC.5. Amended by P.L.10-1988, SEC.68; P.L.5-1989, SEC.29; P.L.3-1997, SEC.179.

IC 3-9-2-11
Foreign nationals

Sec. 11. A foreign national (as defined in 2 U.S.C. 441e(b)) may not make a contribution in connection with:

(1) an election;

(2) a convention; or

(3) a caucus in which a candidate is selected;

under this title.

As added by P.L.3-1995, SEC.68.

IC 3-9-2-12
Prohibited period; legislative candidates

Sec. 12. (a) This section does not apply to:

(1) a member of the general assembly; or

(2) a candidate's committee of a member of the general assembly;

with respect to an office other than a legislative office to which the member seeks election.

(b) As used in this section, "affected person" refers to any of the following:

(1) An individual who holds a legislative office.

(2) A candidate for a legislative office.

(c) As used in this section, "prohibited period" means the period:

(1) beginning on the day in January in each odd-numbered year the general assembly reconvenes under IC 2-2.1-1-2; and

(2) through the day the general assembly adjourns sine die in an odd-numbered year under IC 2-2.1-1-2.

(d) During the prohibited period, an affected person, an affected person's candidate's committee, and a legislative caucus committee may not do any of the following:

(1) Solicit campaign contributions.

(2) Accept campaign contributions.

(3) Conduct other fundraising activities. This subdivision does not prohibit an affected person from participating in party activities conducted by a regular party committee.

As added by P.L.3-1997, SEC.180.

IC 3-9-2-13

Contributions that violate statutes; state agencies

Sec. 13. An individual may not solicit or receive a contribution in violation of the following statutes:

(1) IC 4-23-7-3.5 (Indiana Library and Historical Department).

(2) IC 4-23-7.1-38 (Indiana State Library).

(3) IC 4-23-7.2-17 (Indiana Historical Bureau).

(4) IC 8-23-2-3 (Indiana Department of Transportation).

(5) IC 14-9-7-1 and IC 14-10-3-10 (Department of Natural Resources).

As added by P.L.3-1997, SEC.181. Amended by P.L.176-1999, SEC.41.