

INTRODUCED: 02/01/2010

REFERRED TO: Ethics Committee

SPONSOR: Councillor Cain

DIGEST: amends the Code to make technical corrections regarding when economic statements of interest need to be filed

SOURCE:

Initiated by: Office of Corporation Counsel

Drafted by: Mark A. Mertz, Assistant Corporation Counsel

LEGAL REQUIREMENTS FOR ADOPTION:

Subject to approval or veto by Mayor

PROPOSED EFFECTIVE DATE:

Adoption and approvals

GENERAL COUNSEL APPROVAL: _____

Date: January 27, 2010

CITY-COUNTY GENERAL ORDINANCE NO. _____, 2010

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to make technical corrections regarding when economic statements of interest need to be filed.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 293-322 of the "Revised Code of the Consolidated City and County," regarding when economic statements of interest need to be filed, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 293-322. Economic statement of interest-when to file.

The economic statement of interest shall be filed with the office of corporation counsel, as follows:

- (1) Individuals listed in section 293-321 shall file the statement on or before May 1 of each year, but not earlier than April 1 of each year except as necessary to comply with subdivisions (2) through (4) of this section;
- (2) If an individual has not filed under subdivision (1) during the present calendar year and is filing as a candidate for elected office other than councillor, the individual shall file the statement before, or at the same time as, filing a declaration of candidacy under IC 3-8-2, petition of nomination under IC 3-8-6, or declaration of intent to be a write-in candidate under IC 3-8-2-2.5;
- (3) An individual listed in subdivisions (~~32~~) through (~~65~~) of section 293-321 shall file a statement prior to being appointed to or employed by an agency; and
- (4) An individual listed in subdivisions (~~43~~) through (~~65~~) of section 293-321 shall file a statement within sixty (60) days after leaving employment, unless a subsequent office, appointment, or employment requires the filing of a statement of economic interest.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining

provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

The foregoing was passed by the City-County Council this _____ day of _____, 2010, at _____ p.m.

ATTEST:

Ryan Vaughn
President, City-County Council

Melissa Thompson
Clerk, City-County Council

Presented by me to the Mayor this _____ day of _____, 2010, at 10:00 a.m.

Melissa Thompson
Clerk, City-County Council

Approved and signed by me this _____ day of _____, 2010.

Gregory A. Ballard, Mayor