

PROPOSED AMENDMENT

ES 388 # 9

DIGEST

Foreign gifts. Makes changes to the definitions of: (1) "institution"; and (2) "restricted or conditional gift or contract". Provides that the disclosure report shall be filed with the commission for higher education (commission). Remove a provision that requires that an electronic copy of any agreements or documents relative to the gifts or contracts shall be included in the disclosure. Provides that nothing shall be construed to require disclosure of information that is protected by national or international privacy laws. Provides that the commission shall submit copies of the disclosures received with the United States Secretary of Education. Makes changes to who may request the attorney general to initiate a civil action. Removes the severability provision. Removes authority for the attorney general to adopt rules. Provides that the article expires July 1, 2023.

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- 1 Page 2, delete line 23.
 - 2 Page 2, line 24, delete "(v)" and insert "**(iv)**".
 - 3 Page 2, line 25, delete "(vi)" and insert "**(v)**".
 - 4 Page 2, line 32, after "positions;" insert "**or**".
 - 5 Page 2, delete lines 33 through 36.
 - 6 Page 2, line 37, delete "(E)" and insert "**(C)**".
 - 7 Page 3, line 5, delete "legislative council in an electronic format
 - 8 under" and insert "**commission**".
 - 9 Page 3, line 6, delete "IC 5-14-6 and the attorney general".
 - 10 Page 3, line 7, delete "attorney general." and insert "**commission.**".
 - 11 Page 3, line 14, delete "legislative council and attorney general" and
 - 12 insert "**commission**".
 - 13 Page 4, line 2, delete " An electronic copy of any agreements or".
 - 14 Page 4, delete lines 3 through 4.
 - 15 Page 4, line 8, delete "An electronic copy of any agreements or".
 - 16 Page 4, delete lines 9 through 10.
 - 17 Page 4, between lines 18 and 19, begin a new paragraph and insert:
 - 18 "**Sec. 4. Nothing in this chapter shall be construed to require**
 - 19 **disclosure of information that is protected by national or**
 - 20 **international privacy laws.**
 - 21 **Sec. 5. The commission shall submit copies of the disclosures**
 - 22 **received under section 2 of this chapter with the United States**

1 **Secretary of Education as described under 20 U.S.C. 1011f(d)(1),**
2 **along with assurances as may be required to establish that the**
3 **institutions have met the requirements for public disclosure under**
4 **this article."**

5 Page 4, line 19, delete "4." and insert "**6.**".

6 Page 4, line 20, delete "including any rule adopted".

7 Page 4, line 21, delete "under section 6 of this chapter,".

8 Page 4, line 22, delete "of:" and insert "**of the Indiana**
9 **commissioner for higher education**".

10 Page 4, delete lines 23 through 27.

11 Page 4, run in lines 22 through 28.

12 Page 4, delete lines 36 through 39, begin a new paragraph and
13 insert:

14 **"Chapter 2. Expiration**

15 **Sec. 1. This article expires July 1, 2023."**

(Reference is to ESB 388 as printed February 15, 2022.)