

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER 04-08

FOR: GIFT-GIVING TO EXECUTIVE BRANCH EMPLOYEES

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS.

WHEREAS, the State of Indiana is served by tens of thousands of public employees who strive daily to do their jobs well for the benefit of their fellow Hoosiers; and

WHEREAS, many state employees have contact with a variety of vendors, contractors, and others who do business with the state; and

WHEREAS, current ethics rules regarding receipt of gifts by state employees have proved unnecessarily difficult to understand and cumbersome to apply; and

WHEREAS, simplification of the rules regarding receipt of gifts by state employees will advance public confidence in the integrity of government, which is essential to the exercise of good government.

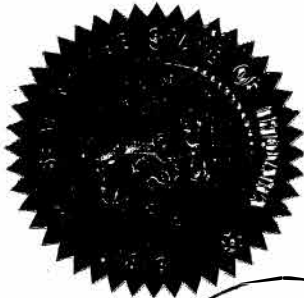
NOW, THEREFORE, I, JOSEPH E. KERNAN, by virtue of the authority vested in me as Governor of the State of Indiana, do hereby order that:


1. As of July 5, 2004, no agency employee shall accept gifts, favors, services, entertainment, food, or drink in any amount from a person who has a business relationship with the employee's agency, except as permitted under 40 Indiana Administrative Code § 2-1-6(a) or 40 Indiana Administrative Code § 2-1-6(b)(1)-(6), or any amendments thereto.
2. As of July 5, 2004, no person who has a business relationship with an employee's agency shall provide gifts, favors, services, entertainment, food, or drink in any amount to such employee, except as permitted under 40 Indiana Administrative Code § 2-1-6(a) or 40 Indiana Administrative Code § 2-1-6(b)(1)-(6), or any amendments thereto.
3. The Indiana State Ethics Commission shall educate agency employees regarding their new obligations under this Executive Order.
4. The Indiana State Ethics Commission shall educate persons who have a business relationship with an agency regarding their new obligations under this Executive Order.
5. The Indiana State Ethics Commission shall consider amending the state ethics rules to reflect the changes contained in this Executive Order.
6. The Commissioner of the Department of Administration shall ensure that all future contracts and other agreements with persons who contract with agencies shall contain a provision requiring that the contractor and its agents shall abide by all ethical requirements that apply to persons who have a business relationship with an agency, as set forth in Indiana Code § 4-2-6 et seq., the regulations promulgated thereunder, and this Executive Order. The Commissioner shall further require that if the contractor is not familiar with these ethical requirements, the contractor should refer any questions to the Indiana State Ethics Commission, or visit the Indiana State Ethics Commission website at <http://www.in.gov/ethics/>. The Commissioner shall

further require that if the contractor or its agents violate any applicable ethical standards, the agency may terminate the contract immediately in its sole discretion.

7. Independent bodies corporate and politic shall follow the requirements of this Executive Order if they have adopted State Ethics Commission rules. Independent bodies corporate and politic that have not adopted State Ethics Commission rules shall revise their ethics policies to substantially comply with the terms of this Executive Order.
8. Terms used herein have the same meaning as like terms defined in Indiana Code § 4-2-6-1.

IN TESTIMONY WHEREOF, I, Joseph E. Kernan, have herewith set my hand and caused to be affixed the Great Seal of the State of Indiana on this 27th day of April, 2004.




Joseph E. Kernan
Governor of Indiana


ATTEST: Todd Rokita
Secretary of State