

### **42 IAC 1-5-14 Postemployment restrictions (IC 4-2-6-11)**

The Postemployment restrictions rule was not found to prohibit the Legislative Director in the Office of the Governor from accepting a position with a public affairs firm as a legislative branch lobbyist as opposed to an executive branch lobbyist.

May 11, 2006  
No. 06-I-8

#### **BACKGROUND**

A state employee is currently employed by the Office of the Governor as a Legislative Director. In this role, his primary responsibility is to act as a liaison between the Governor's office and the Indiana General Assembly, advocating the positions of the Governor on various legislative initiatives. He also provides agency support to the Professional Licensing Agency.

The state employee wants to accept the position of Senior Public Affairs Consultant at the public affairs firm, Bose Treacy Associates LLC. His role at the firm will be to support the various legislative lobbying and non-state procurement needs of Bose Treacy.

In his service as a state employee, he has had no formal business or contractual relationship with Bose Treacy or its clients.

#### **ISSUE**

Can the state employee accept employment at Bose Treacy Associates, LLC and engage in legislative branch lobbying without violating the post employment statute, IC 4-2-6-11?

#### **RELEVANT LAW**

IC 4-2-6-11

#### **CONCLUSION**

The one-year prohibition against lobbying for employees leaving state government applies only to executive branch lobbying. IC 4-2-6-11 (b)(1). The state employee will only be engaging in legislative branch lobbying.

Since the state employee will not be engaging in executive branch lobbying and has had no contact with Bose Treacy Associates which involved him in any contractual, licensing, or permit matters, he does not violate the post employment statute by accepting immediate employment with Bose Treacy.