

2023RD ASSEMBLY
2ND SESSION

HR 12

IN THE
House of Commons

JULY 24TH - THE GENTLEMEN, LEO CAVINDER,
SUBMITS THE FOLLOWING BILL FOR
CONSIDERATION; WHICH WAS REFERED TO THE
COMMITTEE ON RULES & REFORM.

A BILL TO

Address the use of cameras, reasons for entry into a
Member's room, search and seizure rights and appeal,
restroom privacy, internet privacy, and for other
purposes.

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B **E IT ENACTED** *by this House of Commons with the advice and consent of the same, as follows:*

1 **SECTION 1. Title.**

2 This Act may be cited as “The Privacy Rights Act.”

3 **PART A – Privacy Matters.**

4 **SECTION 2. Finding of the Assembly.**

5 The House finds that Members have a privileged
6 reasonable sense of privacy when it is deemed necessary.
7 Members right to privacy may be revoked when deem in
8 the House’s interest to ensure the general welfare of the
9 House.

10 **SECTION 3. Camera monitoring.**

11 (a) **ILLEGAL USE.**—It shall be unlawful for any persons
12 to install a camera for the purposes of spying on an
13 individual’s activity.

14 (b) **LAWFUL USES.**—The Highway Management Agency
15 shall install cameras to:

- 16 (1) monitor the roads of the House; and to
- 17 (2) monitor outside activity that remains on the
18 property of the House.

19 (c) **GOOD CAUSE EXEMPTIONS.**—A Member may
20 introduce a Resolution to permit camera usage outside of
21 the scope described in this Act if it is in the best interest
22 of the House.

- 23 (1) APPROVAL.—The Resolution shall require
24 approval of three-fourths of the House.
- 25 (2) DESCRIPTIVE.—The Resolution shall be exact
26 in:
- 27 (A) how long the exemption will last;
 - 28 (B) how many camera(s) will be installed;
 - 29 (C) where the camera(s) will be installed;
 - 30 and
 - 31 (D) the intention and purpose for installing
32 the cameras.

33 **SECTION 4. Requested entry into room.**

34 An official of the House shall be permitted to enter a room
35 without delay if:

- 36 (1) it is necessary to enforce House Code;
- 37 (2) they are collecting business funds for unpaid
38 tickets pursuant to HCC § 2-1-6(d);
- 39 (3) they are collecting assets or wages for unpaid
40 tickets pursuant to HCC § 2-1-6(g);
- 41 (4) it is necessary to enforce a State of Emergency
42 pursuant to HCC § 2-5-6(e)(3);
- 43 (5) it is necessary to assist with an investigation
44 pursuant to HCC § 2-10-3(b);
- 45 (6) it is necessary to verify a tax exemption
46 pursuant to HCC § 2-11-7(b);
- 47 (7) it is necessary to verify a tax deduction
48 pursuant to HCC § 2-11-17(f);
- 49 (8) it is necessary to verify reporting of certain
50 transactions pursuant to HCC § 2-13-1;
- 51 (9) it is necessary to test a fire alarm and/or a fire
52 extinguisher pursuant to HCC §§ 6-2-2(a), 6-2-6(a)

- 53 (10) it is necessary to ensure that the room is
54 reasonably clear pursuant to HCC § 6-2-4(a);
55 (11) it is necessary to either verify or enforce a
56 directive issued by the Health Advisor pursuant to
57 HCC §§ 11-1-2(c), 11-3-1(c);
58 (12) it is necessary to seize a product that is
59 prohibited under statute pursuant to HCC §§ 11-6-2,
60 11-2-1; or
61 (13) it is necessary to issue a subpoena pursuant to
62 HCC §§ 12-2-3(b), 12-1-3(e).

63 **SECTION 5. Search and seizure rights.**

64 (a) SEIZED ENTRY.—When there is a reasonable belief
65 that a Member is committing an illegal act, or that an
66 illegal product is in a room, the Sergeant-at-Arms or the
67 Speaker is permitted to enter any Member’s room under
68 §§ 4(a)(12), 4(a)(1) of this Act for the sole purpose to
69 conduct a search solely based on the grounds of either the
70 suspicion of illegal activity or an illegal substance.

71 (1) PRIOR TO SEARCH.—Before a search is
72 conducted, the person conducting the search shall:

- 73 (A) knock on the door;
74 (B) present a warrant, which shall be issued
75 by the Sergeant-at-Arms, to the Member and
76 inform them that they will be conducting a
77 search in accordance with House Code and
78 the Constitution of the House; and
79 (C) inform the Member there is a reasonable
80 suspicion of illegal activity or an illegal
81 substance in their possession.

82 (b) MONENTARY FORCED COLLECTION.—Should a
83 Member be under forced collection pursuant to HCC § 2-1-
84 6(f) and the Department of Revenue determines that it is
85 necessary to invoke its power under HCC § 2-1-6(g)(2), the
86 Department of Revenue shall be permitted entry in order
87 to collect assets when there is a failure to pay in
88 accordance with § 4(a)(3) of this Act.

89 (c) CONSTITUTIONAL RIGHTS.—Nothing in this
90 section shall supersede any provision in the Constitution
91 of the House, specifically Art. I § 7, nor the Constitution of
92 the United States or State of Indiana.

93 (d) REMOVAL OF ITEMS IN QUESTION.—Should a
94 search be conducted under subsection (a) and an item that
95 is believed to be illegal is found, the Sergeant-at-Arms or
96 the Speaker shall have the right to seize the item in
97 question for further investigation.

98 (e) BELIEF OF UNREASONABLE SEARCH AND
99 SEIZURE.—If a Member believes that an unreasonable
100 search and possible seizure was conducted and that their
101 constitutional rights were violated, they shall file an
102 administrative complaint against the Sergeant-at-Arms
103 as defined in HCC § 2-2-5(d) within five (5) days after the
104 search and/or seizure was conducted.

105 (1) RELIEF LIMITS.—In accordance with HCC § 2-
106 2-9(a)(4)(E), the plaintiff may seek up to \$250 in
107 monetary relief plus the cost of any product(s) that
108 were destroyed following the seizure of said items.

109 **SECTION 6. Restroom doors.**

110 Any Member who is occupied in a restroom shall close the
111 respective door(s) to ensure that another person does not
112 walk in.

113 **SECTION 7. Internet privacy.**

114 (a) Any Member who has an electronic device that:

115 (1) is connected to the Network of the House; or

116 (2) is purchased under funds by the House;

117 shall be subject to monitoring for the purposes of ensuring
118 compliance with HCC § 6-1-3(d).

119 (b) GUEST NETWORK.—Any persons connected to the
120 Guest Network of the House shall have the understanding
121 that:

122 (1) any activity conducted under the Network is
123 subject to monitoring;

124 (2) attempting to circumvent any blocked website
125 under HCC § 6-1-2(a) is unlawful pursuant to HCC
126 § 6-1-3(d); and

127 (3) conducting any illegal activities under the
128 Network is unlawful pursuant to § 7(c) of this Act.

129 (c) ILLEGAL ACTIVITIES OVER NETWORK.—Any
130 persons who attempts or is successful in conducting an
131 illegal activity over the Network of the House shall have
132 committed a Class B Felony.

133 (1) Subsection (c) shall not apply to HCC § 6-1-3(d).

134 (d) DEFINITIONS.—

135 (1) “*Illegal activity.*” any attempt or action done
136 that is in violation of a Federal, State, Local, or
137 House statute.

138 (2) “*Network.*” internet connection provided by the
139 House.

140 **SECTION 8. Amendment.**

141 (a) HCC § 2-2-5(f) is amended by adding:

142 “(5) the Sergeant-at-Arms.”

Speaker of the House Assent