

ORDINANCE NO. 2025-3

AN ORDINANCE OF THE COUNTY OF LA PORTE, INDIANA, REGULATING THE DISCLOSURE AND USE OF PUBLIC RECORDS FOR COMMERCIAL PURPOSES AND PROTECTING CERTAIN LISTS FROM DISCLOSURE UNDER THE INDIANA ACCESS TO PUBLIC RECORDS ACT (IC 5-14-3)

WHEREAS, Indiana Code § 5-14-3-3(e) prohibits any person from using public records obtained under the Indiana Access to Public Records Act (“APRA”) for commercial purposes;

WHEREAS, Indiana Code § 5-14-3-3(f) authorizes a public agency to adopt a uniform nondisclosure policy for specified lists of names and addresses, thereby prohibiting disclosure of such lists for commercial or political purposes;

WHEREAS, the Board of Commissioners of La Porte County (“Board”) finds it necessary and desirable to adopt regulations to ensure compliance with Indiana law and to safeguard County records from commercial exploitation;

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of La Porte County, Indiana, as follows:

Section 1 – Authority and Purpose

This Ordinance is adopted pursuant to Indiana Code § 5-14-3-3 and Indiana Code § 36-1-3-4 to regulate the disclosure and use of La Porte County public records, to prohibit their use for commercial purposes, and to establish a uniform policy for nondisclosure of specified lists of names and addresses.

Section 2 – Definitions

A. “Commercial purpose” means the use of any public record to solicit the purchase of goods or services, to sell or resell the record, to advertise, or to contact persons listed in the record for any commercial endeavor.

B. “List” means a compilation of names, addresses, or other identifying information maintained by La Porte County in a single document or database.

C. “Public agency” has the same meaning as provided in Indiana Code § 5-14-3-2(q), and includes La Porte County and all of its departments, offices, boards, commissions, and agencies.

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Section 3 – Prohibition on Commercial Use of Public Records

No person obtaining public records from La Porte County under APRA may utilize such records for any commercial purpose as defined in Section 2(A) of this Ordinance, consistent with Indiana Code § 5-14-3-3(e).

Section 4 – Nondisclosure of Certain Lists

Pursuant to Indiana Code § 5-14-3-3(f), La Porte County shall not disclose, for commercial or political purposes, any list of names and addresses contained in or derived from the following records:

1. 1. Employee rosters maintained by La Porte County or any of its departments;
2. 2. Attendee or registrant lists for conferences, seminars, public meetings, or events sponsored or supported by La Porte County;
3. 3. Directories of students or parents maintained by public schools within La Porte County;
4. 4. Any other similar list of names and addresses specifically designated by resolution of the Board.

Section 5 – Affidavit Requirement

Any person requesting public records from La Porte County shall execute, on a form provided by the County, an affidavit affirming that the requested records will not be used for any commercial purpose. Disclosure of records shall be conditioned upon receipt of a properly completed affidavit. See Attachment “A”.

Section 6 – Uniform Application

The policies and procedures established by this Ordinance shall be applied uniformly and without discrimination to all requesters of public records.

Section 7 – Enforcement and Penalties

Any person who violates this Ordinance or Indiana Code § 5-14-3-3(e) may be subject to civil penalties and injunctive relief as provided by state law. In addition, La Porte County reserves the right to pursue any and all remedies available at law or in equity.

Section 8 – Severability

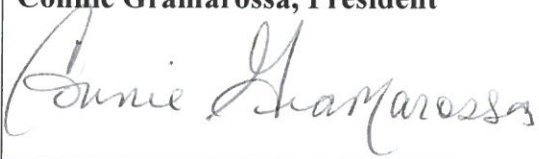


If any provision of this Ordinance is held to be invalid by a court of competent jurisdiction, the invalidity shall not affect the remaining provisions, and the provisions of this Ordinance are declared to be severable.

Section 9 – Effective Date

This Ordinance shall be in full force and effect upon its passage by the Board of Commissioners of LaPorte County, Indiana, and its publication as required by law.


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PASSED AND ADOPTED by the Board of Commissioners of La Porte County, Indiana,
this 16th day of July, 2025.

Connie Gramarossa, President 	Date: 7/3/25
Steve Holifield, Vice President 	Date: 7-2-25
Joe Haney, Member 	Date: 7/3/25

ATTEST: 
Michael Rosenbaum, Auditor

1st Reading: 7/2/2025

2nd Reading: 7/16/2025 

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AFFIDAVIT REGARDING USE OF PUBLIC RECORDS

STATE OF INDIANA
COUNTY OF LA PORTE

Before me, the undersigned notary public, personally appeared the undersigned Affiant, who being duly sworn upon oath, deposes and states as follows:

1. I am submitting a request to obtain public records from La Porte County, Indiana, pursuant to the Indiana Access to Public Records Act (IC 5-14-3).
2. I affirm that I am not requesting the public records for any commercial purpose, including but not limited to solicitation, advertising, resale, or any other form of commercial exploitation as defined in Ordinance No. _____ of La Porte County.
3. I understand that Indiana Code § 5-14-3-3(e) prohibits the use of public records obtained under APRA for commercial purposes.
4. I further understand that providing false information in this affidavit may result in denial of the records request, civil penalties, and/or other legal consequences under applicable law.
5. I certify that all statements made in this affidavit are true and correct to the best of my knowledge and belief.

Signature of Requestor: _____

Printed Name: _____

Date: _____

Subscribed and sworn to before me, a Notary Public in and for said County and State, this _____ day of _____, 20____.

Notary Public Signature: _____

Printed Name: _____

My Commission Expires: _____

Resident County: _____

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