

HOUSE BILL No. 1032

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-2.1; IC 2-5; IC 15-13-6-2.

Synopsis: Second regular session. Repeals the statute requiring the general assembly to convene in a second regular session. Provides that the speaker of the house of representatives and the president pro tempore of the senate may jointly issue an order to require the general assembly to convene for a second regular session in an even-numbered year. Provides that the joint order must: (1) find that a second regular session is necessary for the general assembly to address issues of public concern; (2) identify the issues that the general assembly will address in the second regular session; and (3) specify the dates on which the second regular session will convene and adjourn sine die. Provides that the general assembly may not consider an issue unless it is identified in the joint order. Provides that the statute making a second regular session optional may not be construed to prohibit the legislative council from conducting business in the interim of an even-numbered year in which a second regular session is not convened. Makes conforming changes.

Effective: July 1, 2018.

Washburne

January 9, 2018, read first time and referred to Committee on Rules and Legislative Procedures.



Second Regular Session of the 120th General Assembly (2018)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2017 Regular Session of the General Assembly.

HOUSE BILL No. 1032

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 2-2.1-1-2.5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2.5. (a) Before the first
3 regular session adjourns sine die, the general assembly may adopt a
4 concurrent resolution to fix a day to convene the first regular technical
5 session of the general assembly. The day fixed under this subsection
6 may not be earlier than thirty (30) days after the first regular session
7 adjourns sine die.
8 (b) Only the following may be considered and acted upon during a
9 first regular technical session:
10 (1) Bills enacted during the first regular session vetoed by the
11 governor.
12 (2) Bills to correct conflicts among bills enacted during the first
13 regular session.
14 (3) Bills to correct technical errors in bills enacted during the first
15 regular session.
16 (c) The first regular technical session must adjourn sine die before
17 midnight after it convenes.



1 (d) The concurrent resolution adopted under subsection (a) may
 2 provide that the first regular technical session is not required to
 3 convene if the speaker of the house of representatives and the president
 4 pro tempore of the senate jointly issue an order finding that the
 5 purposes for which a regular technical session may meet under
 6 subsection (b) do not justify the cost and inconvenience of meeting in
 7 a regular technical session.

8 (e) If the general assembly does not meet in a regular technical
 9 session under this section, the general assembly shall consider and act
 10 upon vetoes of bills enacted during the first regular session at the next
 11 ~~second~~ regular session.

12 (f) For purposes of Article 5, Section 14 of the Constitution of the
 13 State of Indiana, the first regular technical session is not considered a
 14 regular session if the general assembly does not consider or act upon
 15 vetoes of bills enacted during the first regular session under this
 16 section.

17 SECTION 2. IC 2-2.1-1-3 IS REPEALED [EFFECTIVE JULY 1,
 18 2018]. ~~Sec. 3. (a) The second regular session of each term of the~~
 19 ~~general assembly shall convene on the third Tuesday after the first~~
 20 ~~Monday of November of each odd-numbered year. The general~~
 21 ~~assembly shall then adjourn until a day:~~

22 (1) ~~certain fixed by a concurrent resolution; or~~

23 (2) ~~when the gavel of each house falls in the presence of a quorum~~
 24 ~~whether or not a day certain to reconvene in session has been~~
 25 ~~fixed.~~

26 (b) ~~The general assembly shall reconvene in session no later than~~
 27 ~~the second Monday in January of the following year. The second~~
 28 ~~regular session of each term of the general assembly shall adjourn sine~~
 29 ~~die not later than March 14 in any even-numbered year.~~

30 SECTION 3. IC 2-2.1-1-3.3 IS ADDED TO THE INDIANA CODE
 31 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 32 1, 2018]: **Sec. 3.3. (a) After April 30 and before November 1 of each**
 33 **odd-numbered year, the speaker of the house of representatives**
 34 **and the president pro tempore of the senate may jointly issue an**
 35 **order to require the general assembly to convene for a second**
 36 **regular session in the ensuing even-numbered year. A joint order**
 37 **issued under this subsection must do all of the following:**

38 (1) **Find that a second regular session is necessary for the**
 39 **general assembly to address issues of public concern.**

40 (2) **Identify the issues that the general assembly will address**
 41 **in the second regular session.**

42 (3) **Specify the following subject to subsection (b):**



- 1 **(A) The date on which the second regular session of the**
 2 **general assembly will be convened.**
 3 **(B) The date on which the second regular session of the**
 4 **general assembly will be adjourned sine die.**
 5 **(b) If the speaker of the house of representatives and the**
 6 **president pro tempore of the senate issue a joint order under**
 7 **subsection (a), the general assembly shall convene for a second**
 8 **regular session during the even-numbered year of a term of the**
 9 **general assembly in accordance with the joint order. The following**
 10 **apply to a second regular session convened in a particular**
 11 **even-numbered year:**
 12 **(1) The second regular session must be convened after**
 13 **January 2 of that even-numbered year.**
 14 **(2) The second regular session must be adjourned sine die not**
 15 **later than March 14 of that even-numbered year.**
 16 **(c) The general assembly may not consider an issue in a second**
 17 **regular session held under this section unless the issue is identified**
 18 **in the joint order issued under subsection (a).**
 19 **(d) This section may not be construed to prohibit the legislative**
 20 **council from conducting business during an interim described by**
 21 **IC 2-5-1.3-1(2).**
 22 SECTION 4. IC 2-2.1-1-3.5 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 3.5. (a) Before ~~the~~ a
 24 second regular session **held under section 3.3 of this chapter** adjourns
 25 sine die, the general assembly may adopt a concurrent resolution to fix
 26 a day to convene the second regular technical session of the general
 27 assembly. The day fixed under this subsection may not be earlier than
 28 thirty (30) days after the second regular session adjourns sine die.
 29 (b) Only the following may be considered and acted upon during a
 30 second regular technical session:
 31 (1) Bills enacted during the second regular session vetoed by the
 32 governor.
 33 (2) Bills to correct conflicts among bills enacted during the
 34 second regular session.
 35 (3) Bills to correct technical errors in bills enacted during the
 36 second regular session.
 37 (c) The second regular technical session must adjourn sine die
 38 before midnight after it convenes.
 39 (d) The concurrent resolution adopted under subsection (a) may
 40 provide that the second regular technical session is not required to
 41 convene if the speaker of the house of representatives and the president
 42 pro tempore of the senate jointly issue an order finding that the



1 purposes for which a regular technical session may meet under
 2 subsection (b) do not justify the cost and inconvenience of meeting in
 3 a regular technical session.

4 (e) If the general assembly does not meet in a regular technical
 5 session under this section, the general assembly may consider and act
 6 upon vetoes of bills enacted during the second regular session at the
 7 next first regular session.

8 (f) For purposes of Article 5, Section 14 of the Constitution of the
 9 State of Indiana, the second regular technical session is not considered
 10 a regular session if the general assembly does not consider or act upon
 11 vetoes of bills enacted during the second regular session under this
 12 section.

13 SECTION 5. IC 2-2.1-4-4, AS ADDED BY P.L.229-2011,
 14 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2018]: Sec. 4. As used in this chapter, "final day of session"
 16 means:

17 (1) April 29 in odd-numbered years; ~~and March 14 in~~
 18 ~~even-numbered years; or~~

19 (2) a date earlier than April 29 in odd-numbered years, ~~and March~~
 20 ~~14 in even-numbered years~~, if the presiding officers of each body
 21 have:

22 (A) jointly agreed; and

23 (B) publicly announced;

24 that the earlier date will be the final day of session; **or**

25 **(3) the date specified in a joint order issued under**
 26 **IC 2-2.1-1-3.3(a) to require the general assembly to convene**
 27 **for a second regular session in an even-numbered year.**

28 SECTION 6. IC 2-5-1.1-2 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2018]: Sec. 2. (a) The president pro
 30 tempore shall be chairman of the council beginning January 1 of
 31 odd-numbered years and vice-chairman beginning January 1 of
 32 even-numbered years, **regardless of whether a second regular**
 33 **session is convened under IC 2-2.1-1-3.3.**

34 (b) The speaker shall be chairman of the council beginning January
 35 1 of even-numbered years, **regardless of whether a second regular**
 36 **session is convened under IC 2-2.1-1-3.3**, and vice-chairman
 37 beginning January 1 of odd-numbered years.

38 SECTION 7. IC 2-5-1.3-1, AS ADDED BY P.L.53-2014, SECTION
 39 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 40 2018]: Sec. 1. As used in this chapter, "interim" refers to the part of a
 41 year that:

42 (1) begins immediately after the day that a regular session of the



1 general assembly adjourns sine die and ends immediately before
 2 the day that the next regular session of the general assembly
 3 convenes; **or**

4 **(2) in the case of a calendar year in which the general**
 5 **assembly does not convene in a second regular session under**
 6 **IC 2-2.2-1-3.3, begins March 15 of that calendar year and**
 7 **ends November 1 of that calendar year.**

8 SECTION 8. IC 15-13-6-2, AS ADDED BY P.L.2-2008, SECTION
 9 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 10 2018]: Sec. 2. (a) The advisory committee consists of the following
 11 members:

12 (1) Four (4) members of the senate, not more than two (2) of
 13 whom are members of the same political party, appointed by the
 14 president pro tempore of the senate.

15 (2) Four (4) members of the house of representatives, not more
 16 than two (2) of whom are members of the same political party,
 17 appointed by the speaker of the house of representatives.

18 (b) A member appointed under subsection (a) serves until the first
 19 day of the first regular session of the next general assembly following
 20 the member's appointment.

21 (c) A vacancy on the advisory committee shall be filled for the
 22 unexpired term by the appointing authority who appointed the member
 23 whose position is vacant.

24 (d) After appointment of the members of the advisory committee
 25 under subsection (a), the:

26 (1) speaker of the house of representatives shall name one (1) of
 27 the members as chairperson; and

28 (2) president pro tempore of the senate shall name another
 29 member as vice chairperson.

30 The chairperson and the vice chairperson serve until ~~the first day of the~~
 31 ~~second regular session of that general assembly.~~ **November 1 of the**
 32 **calendar year in which the first regular session of that general**
 33 **assembly adjourns under IC 2-2.1-1-2(e).** The vice chairperson
 34 during the first session then becomes the chairperson, and the
 35 chairperson during the first session becomes the vice chairperson,
 36 **regardless of whether a second regular session is convened under**
 37 **IC 2-2.1-1-3.3.** The appointing authority may name a different
 38 chairperson or vice chairperson at any time.

