

HOUSE BILL No. 1267

DIGEST OF INTRODUCED BILL

Citations Affected: Numerous citations throughout the Indiana Code.

Synopsis: Elimination of certain gender specific terms. Replaces the term "chairman" with the term "chairperson" in certain statutes. Replaces chairmen, committeeman, committeemen, and certain gender specific job titles in certain statutes with gender neutral terminology. Changes the alcoholic beverage permit for salesmen to a permit for salespersons. Removes obsolete internal section headings within certain sections of the alcoholic beverage and tobacco law. Removes masculine pronouns in certain statutes. Makes technical corrections.

Effective: July 1, 2024.

Errington, Boy

January 9, 2024, read first time and referred to Committee on Judiciary.



Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1267



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

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

1 SECTION 1. IC 2-3-8-2 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) In the case of a law creating
3 districts for the House of Representatives, the Speaker of the House
4 may employ the necessary attorneys after consultation with the
5 minority leader of the House and the ~~chairman~~ **chairperson** and
6 ranking minority member of the house committee on legislative
7 apportionment.
8 (b) In the case of a law creating districts for the Senate, the
9 President pro tempore of the Senate may employ the necessary
10 attorneys after consultation with the minority leader of the Senate and
11 the ~~chairman~~ **chairperson** and ranking minority member of the senate
12 committee on legislative apportionment.
13 (c) In the case of a law creating congressional districts for the State
14 of Indiana, the Speaker of the House and President pro tempore of the
15 Senate, acting jointly, may employ the necessary attorneys after
16 consultation with the minority leaders of the House and Senate and the
17 ~~chairman~~ **chairperson** and ranking minority members of the house



1 committee on legislative apportionment.

2 SECTION 2. IC 2-4-1-3 IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2024]: Sec. 3. The president of the senate, the
4 speaker of the house or the ~~chairman~~ **chairperson** of the committee of
5 the whole, or the ~~chairman~~ **chairperson** or any member of any
6 committee of either the house or the senate of the general assembly of
7 Indiana is empowered to administer oaths to witnesses in any case
8 under their examination.

9 SECTION 3. IC 2-4-2-1 IS AMENDED TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2024]: Sec. 1. The ~~chairman~~, ~~chairperson~~, or
11 acting ~~chairman~~ **chairperson** for the time being, of any committee
12 appointed by either house or by the joint action of the two (2) houses,
13 of the general assembly of this state be and is hereby authorized to
14 administer all oaths necessary to be administered to witnesses testifying
15 or called to testify before such committee.

16 SECTION 4. IC 2-5-1.1-1 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. There is hereby
18 created a legislative council which shall be composed of sixteen (16)
19 members of the general assembly as follows:

20 (a) From the senate: The president pro tempore, the minority leader,
21 the majority caucus ~~chairman~~, ~~chairperson~~, the minority caucus
22 ~~chairman~~, ~~chairperson~~, three (3) members appointed by the president
23 pro tempore, and one (1) member appointed by the minority leader.

24 (b) From the house of representatives: The speaker of the house, the
25 majority leader, the minority leader, the majority caucus ~~chairman~~,
26 ~~chairperson~~, the minority caucus ~~chairman~~, ~~chairperson~~, two (2)
27 members appointed by the speaker, and one (1) member appointed by
28 the minority leader.

29 (c) The president of the senate may serve as an ex officio ~~non-voting~~
30 **nonvoting** member of the council.

31 (d) The members of the council who serve by virtue of their office
32 shall serve until their successors are selected.

33 (e) The appointed members shall serve from the date of their
34 appointment until the next general election at which they run for
35 reelection, or until the convening of the first regular session of the next
36 general assembly, whichever is first to occur. The president pro
37 tempore, speaker, and minority leaders shall appoint their members not
38 later than five (5) days after the close of a first regular session of a
39 general assembly.

40 SECTION 5. IC 2-5-1.1-2 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) The president pro
42 tempore shall be ~~chairman~~ **chairperson** of the council beginning



1 January 1 of odd-numbered years and ~~vice-chairman~~ **vice chairperson**
 2 beginning January 1 of even-numbered years.

3 (b) The speaker shall be ~~chairman~~ **chairperson** of the council
 4 beginning January 1 of even-numbered years and ~~vice-chairman~~ **vice**
 5 **chairperson** beginning January 1 of odd-numbered years.

6 SECTION 6. IC 2-5-1.1-3 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) The ~~chairman~~
 8 **chairperson** shall fill any vacancy on the council in a position held by
 9 virtue of office. The person appointed shall be from the same house and
 10 party as the person whose position was vacated. In filling the vacancy,
 11 the ~~chairman~~ **chairperson** shall accept the recommendation of the
 12 ranking member on the council from the house and party affected. The
 13 replacement shall serve until ~~his~~ **the replacement's** successor has been
 14 selected.

15 (b) Any vacancy in a position held by appointment shall be filled by
 16 the council member making the original appointment.

17 SECTION 7. IC 2-5-1.1-4 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) The council shall
 19 meet at the call of the ~~chairman~~; **chairperson** and where ~~he~~ **the**
 20 **chairperson** designates. Meetings of the council may also be called
 21 upon the written request of any seven (7) members and upon forty-eight
 22 (48) hours notice to the members of the council.

23 (b) The members of the council are entitled to receive the per diem
 24 of members of the general assembly for time spent in attendance at the
 25 meetings of such council. The members of the council are also entitled
 26 to be reimbursed for actual necessary expenses incurred while
 27 attending such meetings. Per diem and expenses of council members
 28 shall be paid from the appropriation of the council upon approval by
 29 the ~~chairman~~; **chairperson**.

30 (c) A majority of the entire membership of the council shall
 31 constitute a quorum. No action of the council shall be valid unless
 32 approved by at least nine (9) members.

33 (d) When the general assembly is in regular session, those persons
 34 who are members of the council by virtue of their office constitute a
 35 quorum of the council and may continue to exercise all rights,
 36 privileges, and powers, and to perform all duties of the council until
 37 their successors are appointed.

38 SECTION 8. IC 2-5-1.1-6.3, AS AMENDED BY P.L.157-2020,
 39 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2024]: Sec. 6.3. (a) The following definitions apply
 41 throughout this section:

42 (1) "Audit committee" refers to the audit and financial reporting



- 1 subcommittee of the legislative council established by subsection
 2 (b).
- 3 (2) "Audited entity" refers to the state, a municipality, a public
 4 hospital, or another person or entity that is subject to an
 5 examination by the state board of accounts under IC 5-11-1 or
 6 another law. However, the term applies to an entity (as defined in
 7 IC 5-11-1-16(e)) to the extent that the entity is required to be
 8 examined under IC 5-11-1-9 or another law.
- 9 (3) "Examination" refers to an audit, examination, or other
 10 engagement by the state board of accounts, its field examiners, or
 11 private examiners under IC 5-11-1 or another law.
- 12 (b) The audit and financial reporting subcommittee of the legislative
 13 council is established to assure the independence of the state board of
 14 accounts. The subcommittee is comprised of five (5) voting members
 15 and one (1) advisory member, who shall be the director of the office of
 16 management and budget, or the director's designee. The ~~chairman~~
 17 **chairperson** of the legislative council, with the advice of the vice
 18 ~~chairman~~ **chairperson** of the legislative council, shall appoint the
 19 voting members of the audit committee and its chairperson. The audit
 20 committee may have members who are not members of the legislative
 21 council. If the individual appointed is not a member of the general
 22 assembly, the term of the member is three (3) years. If the individual
 23 appointed is a member of the general assembly, the term of the member
 24 is one (1) year. However, to stagger the terms of the members, if the
 25 individual appointed is not a member of the general assembly, the
 26 initial term of two (2) of these members is two (2) years instead of
 27 three (3) years. All members of the audit committee must possess or
 28 obtain a basic understanding of governmental financial reporting and
 29 auditing. To ensure the audit committee's independence and
 30 effectiveness, a member of the audit committee may not exercise
 31 managerial responsibilities that fall within the scope of an examination
 32 required by IC 5-11-1.
- 33 (c) It is the responsibility of the audit committee to provide
 34 independent review and oversight of the state board of accounts and the
 35 examination process used by the state board of accounts. To carry out
 36 this responsibility, the audit committee shall do at least the following:
- 37 (1) Review and monitor the independence and objectivity of the
 38 state board of accounts and the effectiveness of the examination
 39 process, taking into consideration relevant professional and
 40 regulatory requirements.
- 41 (2) Evaluate the findings and recommendations of any peer
 42 review of the state board of accounts that is required by



- 1 recognized government auditing standards.
- 2 (3) Receive and review reports of examinations submitted under
3 IC 5-11-5-1 or another law to monitor the integrity of the financial
4 reporting process and the effectiveness of the state board of
5 accounts in evaluating the internal accounting controls of audited
6 entities.
- 7 (4) Monitor the actions of the examined entities to follow up on
8 reported findings to assure corrective action is taken.
- 9 (5) Review the policy on the engagement of the state board of
10 accounts, its field examiners, and private examiners to supply
11 nonaudit services, taking into account relevant ethical guidance
12 regarding the provision of nonaudit services by the state board of
13 accounts.
- 14 (6) Provide guidance to the state board of accounts on any
15 accounting, examination, or financial reporting matter requested
16 by the state board of accounts.
- 17 (7) At least annually, report to the legislative council on how the
18 audit committee has discharged its duties and met its
19 responsibilities.
- 20 (d) An examined entity shall provide the audit committee with
21 information, including any reports of internal auditors and annual
22 internal audit work plans, that the audit committee requests as
23 necessary or appropriate to carry out the responsibilities of the audit
24 committee.
- 25 (e) IC 2-5-1.2 applies to the committee. In addition, the audit
26 committee may retain the services of at least one (1) financial expert
27 who is either an audit committee member or an outside party engaged
28 by the audit committee for this purpose. The financial expert must,
29 through both education and experience and in a manner specifically
30 relevant to the government sector, possess:
- 31 (1) an understanding of generally accepted accounting principles
32 and financial statements;
- 33 (2) experience in preparing or auditing financial statements of
34 comparable entities;
- 35 (3) experience in applying such principles in connection with the
36 accounting for estimates, accruals, and reserves;
- 37 (4) experience with internal accounting controls; and
- 38 (5) an understanding of audit committee functions.
- 39 The expenses of the audit committee shall be paid from appropriations
40 for the legislative council and the legislative services agency.
- 41 (f) The audit committee shall receive appeals and conduct hearings
42 as described in IC 5-11-1-9.3.



1 SECTION 9. IC 2-5-1.1-10, AS AMENDED BY P.L.85-2017,
 2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2024]: Sec. 10. (a) The Indiana code revision commission is
 4 established. The commission shall function as an advisory body to the
 5 legislative council. In that capacity, the commission shall:

6 (1) assist the council in supervising the compilation,
 7 computerization, indexing, and printing of the Indiana Code;

8 (2) assist the council in developing standards for the codification
 9 and revision of statutes to make those statutes clear, concise, and
 10 easy to interpret and to apply;

11 (3) assist the council, as required by IC 4-22-8-11, with the
 12 publication of the Indiana Register and in the compilation,
 13 computerization, indexing, and printing of the Indiana
 14 Administrative Code;

15 (4) assist the council, as required by IC 4-22-2-42, in developing
 16 and revising standards, techniques, format, and numbering system
 17 to be used in drafting rules for promulgation;

18 (5) assist the council in developing and revising standards,
 19 techniques, and format to be used when preparing legislation for
 20 consideration by the Indiana general assembly; and

21 (6) assist the council with any other related tasks assigned to the
 22 commission by the council.

23 (b) The commission consists of the following members:

24 (1) Four (4) members of the house of representatives, not more
 25 than two (2) of whom are members of the same political party, to
 26 be appointed by the speaker of the house of representatives.

27 (2) Four (4) members of the senate, not more than two (2) of
 28 whom are members of the same political party, to be appointed by
 29 the president pro tempore of the senate.

30 (3) The chief justice of Indiana or the chief justice's designee.

31 (4) The chief judge of the Indiana court of appeals or the chief
 32 judge's designee.

33 (5) The Indiana attorney general or the attorney general's
 34 designee.

35 (6) An attorney admitted to the practice of law before the Indiana
 36 supreme court selected by the ~~chairman~~ **chairperson** of the
 37 council.

38 (7) A present or former professor of law selected by the ~~chairman~~
 39 **chairperson** of the council.

40 (8) The Indiana secretary of state or the secretary of state's
 41 designee.

42 (9) An individual appointed by the governor.



1 Appointive members of the commission shall be appointed to serve a
 2 term of two (2) years or until their successors are appointed and
 3 qualified. However, an appointing authority may replace a member
 4 appointed under ~~subsection (b)(1) or (b)(2)~~ **subdivision (1) or (2)** at
 5 any time during the member's term.

6 (c) IC 2-5-1.2-8.5 applies to the appointment of a chair and a
 7 ~~vice-chair~~ **vice chair** of the commission.

8 (d) Commission members serve without compensation other than
 9 per diem and travel allowance as authorized for legislative study
 10 committees.

11 (e) The commission shall meet as often as is necessary to properly
 12 perform its duties.

13 (f) The council may direct the legislative services agency to provide
 14 such clerical, research, and administrative personnel and other
 15 assistance as the council considers necessary to enable the commission
 16 to properly perform its duties.

17 (g) Subject to the authorization of the council, the expenses incurred
 18 by the commission in performing its duties shall be paid from the funds
 19 appropriated to the council.

20 SECTION 10. IC 2-5-1.2-8.5, AS ADDED BY P.L.53-2014,
 21 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2024]: Sec. 8.5. (a) The:

23 (1) ~~chairman~~ **chairperson** of the legislative council, with the
 24 advice of the ~~vice-chairman~~, **vice chairperson**, shall designate the
 25 chair; and

26 (2) ~~vice-chairman~~ **vice chairperson** of the legislative council,
 27 with the advice of the ~~chairman~~, **chairperson**, shall designate a
 28 ~~vice-chair~~, **vice chair**;

29 of each committee from among the legislative members of the
 30 committee. The chair and ~~vice-chair~~ **vice chair** of a committee serve
 31 at the pleasure of the appointing authority.

32 (b) If a committee is a study committee (as defined in IC 2-5-1.3-3)
 33 or another committee on which members serve for two (2) interims or
 34 years, the ~~chairman~~ **chairperson** and the ~~vice-chairman~~ **vice**
 35 **chairperson** of the legislative council may provide that:

36 (1) the chair of a committee becomes the ~~vice-chair~~ **vice chair** of
 37 the committee in the year after the individual is appointed as
 38 chair; and

39 (2) the ~~vice-chair~~ **vice chair** of the committee becomes the chair
 40 of the committee in the year after the individual is appointed as
 41 ~~vice-chair~~. **vice chair**.

42 SECTION 11. IC 2-5-1.3-15, AS ADDED BY P.L.53-2014,



1 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2024]: Sec. 15. The legislative council may transfer the study
3 of a legislative topic from the board, commission, or other committee
4 that is directed by law to study the legislative topic to a study
5 committee with subject matter jurisdiction closely relating to the
6 subject matter of the proposed study, as determined by the ~~chairman~~
7 **chairperson** of the legislative council, or to an interim study
8 committee established under section 14 of this chapter.

9 SECTION 12. IC 2-5-53-6, AS ADDED BY P.L.249-2023,
10 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2024]: Sec. 6. (a) Except as provided in subsections (b), (c),
12 (d), and (e), IC 2-5-1.2 applies to the task force.

13 (b) The task force consists of the following ten (10) members of the
14 general assembly:

15 (1) Three (3) members appointed by the president pro tempore of
16 the senate.

17 (2) Two (2) members appointed by the minority leader of the
18 senate.

19 (3) Three (3) members appointed by the speaker of the house of
20 representatives.

21 (4) Two (2) members appointed by the minority leader of the
22 house of representatives.

23 A member of the task force serves at the pleasure of the appointing
24 authority.

25 (c) The task force shall meet as called by the chair. All meetings of
26 the task force shall be open to the public in accordance with and
27 subject to IC 5-14-1.5. All records of the task force shall be subject to
28 the requirements of IC 5-14-3.

29 (d) A majority of the members of the task force constitutes a
30 quorum. The affirmative vote of at least a majority of the members at
31 a meeting at which a quorum is present is necessary for the task force
32 to take official action other than to meet and take testimony.

33 (e) The:

34 (1) ~~chairman~~ **chairperson** of the legislative council shall
35 designate the chair; and

36 (2) vice ~~chairman~~ **chairperson** of the legislative council shall
37 designate the vice chair;

38 of the task force from the members of the task force. The chair and vice
39 chair of the task force serve as chair and vice chair at the pleasure of
40 the appointing authority.

41 SECTION 13. IC 2-6-2-6 IS AMENDED TO READ AS FOLLOWS
42 [EFFECTIVE JULY 1, 2024]: Sec. 6. (a) A person shall not use the



1 logotype of the general assembly unless the person:

- 2 (1) is a member of the general assembly;
 3 (2) is an employee or agent of the general assembly or an agency
 4 of the general assembly;
 5 (3) is an agency or instrumentality of the general assembly; or
 6 (4) has written authorization of the ~~chairman~~ **chairperson** and
 7 vice ~~chairman~~ **chairperson** of the legislative council.

8 (b) A person who violates this section commits a Class A infraction.

9 SECTION 14. IC 2-7-1.6-4 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. A ~~chairman~~
 11 **chairperson** shall be selected for the commission to serve for a term
 12 of one (1) year. The ~~chairman's~~ **chairperson's** term begins January 1.
 13 The ~~chairman~~ **chairperson** to serve in even-numbered years shall be
 14 designated by the president pro tempore of the senate, and the
 15 ~~chairman~~ **chairperson** to serve in odd-numbered years shall be
 16 designated by the speaker of the house of representatives.

17 SECTION 15. IC 3-3-2-2, AS AMENDED BY P.L.133-2021,
 18 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2024]: Sec. 2. (a) This subsection applies only to the first
 20 regular session of the one hundred twenty-second general assembly. If
 21 the general assembly adjourns sine die before November 15, 2021,
 22 without having complied with the requirements of section 1 of this
 23 chapter, a redistricting commission is established. The redistricting
 24 commission consists of the speaker of the house, the president pro tem
 25 of the senate, the chairpersons of the senate and house committees
 26 responsible for legislative apportionment, and a fifth member
 27 appointed by the governor from the membership of the general
 28 assembly.

29 (b) This subsection applies to a session of the general assembly
 30 beginning after November 15, 2021. If a session of the general
 31 assembly adjourns without having complied with the requirements of
 32 section 1 of this chapter or if for any other reason at any time the state
 33 finds itself without a valid congressional district law, a redistricting
 34 commission shall be established which shall consist of the speaker of
 35 the house, the president pro tem of the senate, the ~~chairman~~
 36 **chairpersons** of the senate and house committees responsible for
 37 legislative apportionment and a fifth member who shall be appointed
 38 by the governor from the membership of the general assembly.

39 (c) The redistricting commission shall meet within thirty (30) days
 40 after adjournment of the general assembly at a time and place
 41 designated by the president pro tem of the senate and shall adopt a
 42 congressional redistricting plan in accordance with this chapter.



1 (d) Any plan so adopted shall be signed by a majority of the
 2 redistricting committee and submitted to the governor who forthwith
 3 shall issue and publish the governor's executive order establishing
 4 congressional districts in accordance with the plan so adopted and
 5 directing the commission to place such congressional districts in effect
 6 for the primary and general elections next succeeding such general
 7 assembly. Congressional districts so established shall continue in effect
 8 until changed by statute.

9 SECTION 16. IC 3-5-1-2 IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2024]: Sec. 2. The types of elections to which
 11 this title applies are classified as follows:

- 12 (1) General election, which is conducted statewide on the first
 13 Tuesday after the first Monday in November of each
 14 even-numbered year.
- 15 (2) Municipal election, in which the electorate of a municipality
 16 chooses by ballot public officials for the municipality or decides
 17 a public question lawfully submitted to the electorate of the
 18 municipality.
- 19 (3) Primary election, which is conducted for the purpose of
 20 choosing by ballot the following:
 - 21 (A) The candidates who will be the nominees of a political
 22 party for elected offices in a general or municipal election.
 - 23 (B) The precinct ~~committeemen~~ **committee persons** of a
 24 political party.
 - 25 (C) The delegates to a political party's state convention.
- 26 (4) School district election, in which the electorate of a school
 27 district chooses by ballot members of the school board.
- 28 (5) Special election, which is conducted for a special purpose as
 29 provided by law.

30 SECTION 17. IC 3-5-2-9 IS AMENDED TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2024]: Sec. 9. "~~Chairman~~" "**Chairperson**"
 32 refers to the ~~chairman~~ **chairperson** of a central committee as follows:

- 33 (1) State ~~chairman~~, ~~chairman~~ **chairperson**, **chairperson** of a state
 34 committee.
- 35 (2) District ~~chairman~~, ~~chairman~~ **chairperson**, **chairperson** of a
 36 congressional district committee.
- 37 (3) County ~~chairman~~, ~~chairman~~ **chairperson**, **chairperson** of a
 38 county committee.
- 39 (4) City ~~chairman~~, ~~chairman~~ **chairperson**, **chairperson** of a city
 40 committee.
- 41 (5) Town ~~chairman~~, ~~chairman~~ **chairperson**, **chairperson** of a
 42 town committee.



1 SECTION 18. IC 3-5-2-17 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 17. "Elected office"
3 means a federal office, state office, legislative office, school board
4 office, or local office. Political party offices (such as precinct
5 **committeeman committee person** and state convention delegate) are
6 not considered to be elected offices.

7 SECTION 19. IC 3-5-4-1.7, AS AMENDED BY P.L.227-2023,
8 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2024]: Sec. 1.7. (a) Except as otherwise expressly authorized
10 or required under this title, a filing by a person with a commission, the
11 election division, an election board, or a county voter registration office
12 may not be made by fax or electronic mail.

13 (b) A petition of nomination filed with a county voter registration
14 office under IC 3-8-2, IC 3-8-2.5, IC 3-8-3, or IC 3-8-6 or a petition to
15 place a public question on the ballot, or any other petition filed that
16 requires the county voter registration office to certify the validity of
17 signatures, may not contain the electronic signature, including a
18 signature described in IC 26-2-8-106, digital signature, digitized
19 signature, or photocopied signature of a voter.

20 (c) An electronic signature, digital signature, digitized signature, or
21 photocopied signature of a candidate, campaign finance committee
22 **chairman, chairperson**, or campaign finance committee treasurer may
23 be used for campaign finance statements and reports filed under IC 3-9.

24 SECTION 20. IC 3-5-4-8, AS AMENDED BY P.L.227-2023,
25 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2024]: Sec. 8. (a) This section does not apply to a form
27 incorporated only into the statewide voter registration system under
28 IC 3-7-26.3-3 by the secretary of state, with the consent of the
29 codirectors of the election division.

30 (b) Except as provided in subsection (f), but notwithstanding any
31 other statute, whenever the election division acts under IC 3-6-4.2-12
32 to approve a uniform election or registration form for use throughout
33 Indiana or to approve a revision to an existing form, a person must use
34 the most recent version of the form approved by the election division
35 to comply with this title after the effective date of the election division's
36 order approving the form.

37 (c) Except as provided in subsection (e) or (g), before an order
38 approving a form takes effect under this section, the election division
39 shall transmit a copy of each form or revised form approved by the
40 order to the following:

41 (1) Each circuit court clerk, if the election division determines
42 that the form is primarily used by a candidate, a county election



- 1 board member, a county or town political party, or for absentee or
 2 provisional ballot purposes.
- 3 (2) Each county voter registration office, if the election division
 4 determines that the form is primarily used in voter registration.
- 5 (3) The state ~~chairman~~ **chairperson** of each major political party.
- 6 (4) The state ~~chairman~~ **chairperson** of any other political party
 7 who has filed a written request with the election division during
 8 the preceding twelve (12) months to be furnished with copies of
 9 forms.
- 10 (d) The election division, an election board, a circuit court clerk, a
 11 county voter registration office, or any other official responsible for
 12 receiving a filing under this title shall reject a filing that does not
 13 comply with this section.
- 14 (e) The election division shall specify the effective date of the form
 15 or revised form and may do any of the following:
- 16 (1) Delay the effective date of the approval of a form or revised
 17 form.
- 18 (2) Permit an earlier approved version of the form or an
 19 alternative form to be used before the effective date of the form.
- 20 (3) Provide for a retroactive effective date for the approval of the
 21 form.
- 22 (f) The election division may allow an earlier approved version of
 23 the form to be used if the:
- 24 (1) earlier version of the form complies with all other
 25 requirements imposed under federal law or this title; and
- 26 (2) election division determines that the existing stock of the form
 27 should be exhausted to prevent waste and unnecessary expense.
- 28 (g) This subsection applies to a form that the election division
 29 determines is used primarily by the election division. The election
 30 division may provide that an order concerning a form described by this
 31 subsection is effective immediately upon adoption, without any
 32 requirement to distribute the form to other persons.
- 33 (h) A form approved by the commission under this section before
 34 July 1, 2015, is considered to be approved by the election division
 35 without any further action by the election division being required.
- 36 SECTION 21. IC 3-5-7-1 IS AMENDED TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2024]: Sec. 1. This chapter does not apply to
 38 the following:
- 39 (1) A candidate for precinct ~~committeeman~~ **committee person**.
- 40 (2) A candidate for delegate to a political party convention.
- 41 SECTION 22. IC 3-6-1-15 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 15. Notwithstanding



1 any other statute, an individual serving in any of the following political
 2 party offices is not considered to be holding an office for purposes of
 3 Article 15 of the Constitution of the State of Indiana:

- 4 (1) Precinct ~~committeeman~~: **committee person**.
 5 (2) Precinct vice ~~committeeman~~: **committee person**.
 6 (3) State convention delegate.
 7 (4) Chair or other officer of a central committee.
 8 (5) Any other political party office (as defined in IC 3-5-2-17).

9 SECTION 23. IC 3-6-2-1, AS AMENDED BY P.L.124-2012,
 10 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2024]: Sec. 1. Each political party whose nominee received at
 12 least ten percent (10%) of the votes cast in the state for secretary of
 13 state at the last election for that office may have precinct
 14 ~~committeemen~~ **committee persons** elected at the same time as a
 15 primary election in accordance with IC 3-10-1-4.5 or IC 3-10-1-4.6 if
 16 provided by the rules of the political party.

17 SECTION 24. IC 3-6-2-10.5, AS AMENDED BY P.L.278-2019,
 18 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2024]: Sec. 10.5. The county ~~chairman~~ **chairperson** of a
 20 major political party shall, upon the request of a person who is serving
 21 in an elected office (as defined in IC 3-5-2-17), provide to that person
 22 the name and address of the precinct ~~committeeman~~ **committee person**
 23 and vice ~~committeeman~~ **committee person** of that party for each
 24 precinct in the county.

25 SECTION 25. IC 3-6-3-6, AS AMENDED BY P.L.225-2011,
 26 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2024]: Sec. 6. (a) After the state ~~chairman~~ **chairperson** of a
 28 political party files a statement with the election division certifying that
 29 the party's name has been changed in accordance with all applicable
 30 party rules, a political party shall be known by the political party's new
 31 name, and the party has all the rights it had under its former name.

32 (b) If the state ~~chairman~~ **chairperson** of a political party files a
 33 statement under subsection (a) after the printing of ballots for use at an
 34 election conducted under this title has begun, the election board
 35 responsible for printing the ballots is not required to alter the ballots to
 36 state the new name of the political party.

37 SECTION 26. IC 3-6-4.1-4 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) Before May 1 of
 39 a year that the term of a member of the commission expires, the state
 40 ~~chairman~~ **chairperson** of the major political party of the state
 41 represented by that member may nominate, in writing, two (2)
 42 individuals of the state ~~chairman's~~ **chairperson's** own political party



1 to succeed the member whose term will expire.

2 (b) The state ~~chairman~~ **chairperson** of a political party may
3 nominate the individual whose term will expire that year to serve a new
4 term.

5 (c) If the state ~~chairman~~ **chairperson** makes the nominations before
6 May 1, the governor shall appoint one (1) of the nominees to the
7 commission.

8 (d) If the state ~~chairman~~ **chairperson** fails to make the nominations
9 before May 1, the governor shall, within another ten (10) days, appoint
10 a member of the same political party as the state ~~chairman~~
11 **chairperson**. The state ~~chairman~~ **chairperson** may disapprove the
12 selection by notifying the governor within seven (7) days after
13 receiving notice of the governor's appointment.

14 (e) If the state ~~chairman~~ **chairperson** disapproves the selection
15 within the seven (7) day period under subsection (d), the governor shall
16 make another appointment under subsection (d) that is also subject to
17 the disapproval of the state ~~chairman~~ **chairperson** under subsection
18 (d).

19 (f) If the state ~~chairman~~ **chairperson** does not disapprove an
20 appointment under subsection (d) within the seven (7) day period, the
21 individual appointed by the governor is a member of the commission.

22 SECTION 27. IC 3-6-4.1-5 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) If a member of
24 the commission resigns, dies, or becomes unable to serve on the
25 commission, the governor shall notify the state ~~chairman~~ **chairperson**
26 of the major political party of the state represented by the member.

27 (b) The state ~~chairman~~ **chairperson** may nominate in writing,
28 within ten (10) days after notice of the vacancy, two (2) individuals of
29 the state ~~chairman's~~ **chairperson's** own political party to succeed the
30 member. If the state ~~chairman~~ **chairperson** makes the nominations
31 within ten (10) days, the governor shall appoint one (1) of the nominees
32 to the commission.

33 (c) If the state ~~chairman~~ **chairperson** fails to make the nominations
34 within ten (10) days, the governor shall, within another ten (10) days,
35 appoint a member of the same political party as the state ~~chairman~~
36 **chairperson**. The state ~~chairman~~ **chairperson** may disapprove the
37 selection by notifying the governor within seven (7) days after
38 receiving notice of the governor's appointment.

39 (d) If the state ~~chairman~~ **chairperson** disapproves the selection
40 within the seven (7) day period under subsection (c), the governor shall
41 make another appointment under subsection (c) that is also subject to
42 the disapproval of the state ~~chairman~~ **chairperson** under subsection



1 (c).

2 (e) If the state ~~chairman~~ **chairperson** does not disapprove an
3 appointment under subsection (c) within the seven (7) day period, the
4 individual appointed by the governor is a member of the commission.

5 SECTION 28. IC 3-6-4.2-8 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) When a vacancy
7 in a co-director position occurs, the secretary of state shall notify the
8 governor and the state ~~chairman~~ **chairperson** of the political party of
9 which the individual vacating the position is a member.

10 (b) The state ~~chairman~~ **chairperson** may submit to the governor in
11 writing, within thirty (30) days after notice of the vacancy, the names
12 of two (2) individuals to fill the vacancy. If the state ~~chairman~~
13 **chairperson** submits the names of two (2) individuals within the thirty
14 (30) day period, the governor shall appoint one (1) of the two (2)
15 individuals to fill the vacancy. If the state ~~chairman~~ **chairperson** fails
16 to submit the names of two (2) individuals within the thirty (30) day
17 period, the governor shall, within another ten (10) days, appoint an
18 individual of the same political party as the state ~~chairman~~ **chairperson**
19 to fill the vacancy.

20 (c) If a state ~~chairman~~ **chairperson** fails to submit in writing the
21 name of a qualified successor within thirty (30) days after the state
22 ~~chairman~~ **chairperson** is notified by the secretary of state of a vacancy,
23 the governor shall:

24 (1) appoint a member of the political party of the state ~~chairman~~
25 **chairperson** to fill the vacancy; and

26 (2) notify the state ~~chairman~~ **chairperson** of the selection.

27 (d) The state ~~chairman~~ **chairperson** may disapprove the selection
28 by notifying the governor within seven (7) days after receiving notice
29 of the governor's appointment. If the state ~~chairman~~ **chairperson**
30 disapproves the selection within the seven (7) day period, the governor
31 shall make another appointment under subsection (b) which is subject
32 to disapproval of the state ~~chairman~~ **chairperson** under this subsection.
33 If the state ~~chairman~~ **chairperson** does not disapprove the appointment
34 within the seven (7) day period, the individual appointed by the
35 governor shall be employed as the co-director.

36 SECTION 29. IC 3-6-5-5 IS AMENDED TO READ AS FOLLOWS
37 [EFFECTIVE JULY 1, 2024]: Sec. 5. The county ~~chairman~~
38 **chairperson** of each of the major political parties of a county may
39 nominate, in writing, a member of the ~~chairman's~~ **chairperson's** party
40 for appointment to the county election board. The circuit court clerk
41 shall appoint the nominee to the board.

42 SECTION 30. IC 3-6-5-6 IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2024]: Sec. 6. A circuit court clerk shall remove
 2 any member of the county election board upon the request of the
 3 county ~~chairman~~ **chairperson** of the political party that nominated that
 4 member. The clerk then shall appoint a new member nominated by the
 5 county ~~chairman~~ **chairperson**.

6 SECTION 31. IC 3-6-5-7 IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2024]: Sec. 7. In case of a vacancy in the office
 8 of either appointee to a county election board, the circuit court clerk
 9 shall, within five (5) days, send written notice of the vacancy to the
 10 county ~~chairman~~ **chairperson** of the appointee's political party. The
 11 ~~chairman~~ **chairperson** may, within five (5) days after receiving notice
 12 of the vacancy, nominate in writing a successor who shall be appointed.
 13 If the ~~chairman~~ **chairperson** fails to make a nomination within the five
 14 (5) day period, the clerk shall, within another five (5) days, appoint a
 15 member of the political party entitled to the appointment.

16 SECTION 32. IC 3-6-5-8 IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2024]: Sec. 8. The members of a county
 18 election board shall select one (1) of the appointed members to serve
 19 as ~~chairman~~ **chairperson**. The circuit court clerk shall serve as
 20 secretary of the board.

21 SECTION 33. IC 3-6-5-11 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. The ~~chairman~~
 23 **chairperson** of a county election board shall call a meeting of the
 24 board whenever the ~~chairman~~ **chairperson** considers it necessary for
 25 the performance of the board's duties.

26 SECTION 34. IC 3-6-5-12 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. If the ~~chairman~~
 28 **chairperson** of a county election board for any reason fails to call a
 29 meeting of the board, then the two (2) other members may meet to
 30 execute the powers and perform the duties of the board.

31 SECTION 35. IC 3-6-5-14, AS AMENDED BY P.L.258-2013,
 32 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2024]: Sec. 14. (a) Each county election board, in addition to
 34 duties otherwise prescribed by law, shall do the following:

35 (1) Conduct all elections and administer the election laws within
 36 the county, except as provided in IC 3-8-5 and IC 3-10-7 for town
 37 conventions and municipal elections in certain small towns.

38 (2) Prepare all ballots.

39 (3) Distribute all ballots to all of the precincts in the county.

40 (b) Not later than the Monday before distributing ballots and voting
 41 systems to the precincts in the county, the county election board shall
 42 notify the county ~~chairman~~ **chairperson** of each major political party



1 and, upon request, the ~~chairman~~ **chairperson** of any other bona fide
 2 political party in the county, that sample ballots are available for
 3 inspection.

4 SECTION 36. IC 3-6-5-15, AS AMENDED BY P.L.74-2017,
 5 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2024]: Sec. 15. (a) Except as provided in subsection (b), this
 7 section applies when an election is conducted in a political subdivision
 8 (as defined in IC 36-1-2-13 and other than a county) that contains
 9 territory in more than one (1) county.

10 (b) This section does not apply to an election:

11 (1) conducted at the same time as a primary or general election
 12 during an even-numbered year; or

13 (2) conducted in a town by a town election board under IC 3-10-7.

14 (c) To the extent authorized by this section, the county election
 15 board of the county that contains the greatest percentage of population
 16 of the political subdivision shall conduct all elections for the political
 17 subdivision. The county election board may designate polling places
 18 for the election, which may be located in any county in which the
 19 political subdivision is located, and shall appoint precinct election
 20 officers to conduct the election upon nomination by the county
 21 ~~chairman~~ **chairperson** of the county where the precinct is located, or
 22 by filling a vacancy if a nomination is not timely made. However, each
 23 county election board shall provide poll lists for voters, receive and
 24 approve absentee ballot applications, issue certificates of error or other
 25 documents for the voters of that county, print ballots for the municipal
 26 or special election, and conduct activity required to canvass the votes
 27 under IC 3-12-5-2(b).

28 SECTION 37. IC 3-6-5-21 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 21. The county
 30 ~~chairmen~~ **chairpersons** of the major political parties of a county shall
 31 designate the deputy election commissioners. The deputy election
 32 commissioners must be divided equally between the major political
 33 parties.

34 SECTION 38. IC 3-6-5.2-4 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. The combined board
 36 is comprised of the following five (5) members:

37 (1) The county ~~chairmen~~ **chairpersons** of the major political
 38 parties of the county shall each appoint two (2) members of the
 39 board. Members of the board appointed under this subdivision
 40 must be voters of the county and serve a term of two (2) years or
 41 until their successors are appointed.

42 (2) The circuit court clerk, who is an ex officio member of the



1 board.

2 SECTION 39. IC 3-6-5.2-7 IS AMENDED TO READ AS

3 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) The board may

4 vest day to day operations in a director of the board and in an assistant

5 director of the board.

6 (b) The director of the board is appointed by the county ~~chairman~~

7 **chairperson** of the political party whose nominee received the highest

8 number of votes in the county for secretary of state in the last election.

9 (c) The assistant director of the board is appointed by the county

10 ~~chairman~~ **chairperson** of the political party whose nominee received

11 the second highest number of votes in the county for secretary of state

12 in the last election.

13 (d) The assistant director shall receive an annual salary of not less

14 than two thousand dollars (\$2,000) less than the salary of the director.

15 (e) The board shall establish the number and compensation of the

16 employees of the board. The county ~~chairman~~ **chairperson** of each of

17 the major political parties in the county shall appoint one-half (1/2) of

18 the board employees. The director, the assistant director, and the board

19 employees serve at the pleasure of their respective appointing

20 authorities.

21 SECTION 40. IC 3-6-5.4-4 IS AMENDED TO READ AS

22 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) The board

23 consists of the following:

24 (1) One (1) member appointed by the county ~~chairman~~

25 **chairperson** of each of the major political parties of the county.

26 A member appointed under this subdivision must be a voter of the

27 county.

28 (2) The circuit court clerk, who serves as an ex officio member of

29 the board.

30 (b) The board members serving under subsection (a)(1) serve at the

31 pleasure of their respective county ~~chairman~~ **chairperson**.

32 SECTION 41. IC 3-6-5.4-6 IS AMENDED TO READ AS

33 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. Each board member

34 described in section 4(a)(1) of this chapter may, subject to the approval

35 of the county ~~chairman~~ **chairperson** that appointed the board member,

36 appoint a deputy to assist the board member.

37 SECTION 42. IC 3-6-5.4-7 IS AMENDED TO READ AS

38 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) The board shall

39 appoint employees to perform the board's election and registration

40 duties under this title.

41 (b) The board may appoint an individual as an employee only upon

42 the nomination by the county ~~chairman~~ **chairperson** of one (1) of the



1 major political parties of the county.

2 (c) The staff of the board must be equally divided between the major
3 political parties of the county.

4 (d) The board may designate and assign an employee to election or
5 registration duties subject to the consent of the county ~~chairman~~
6 **chairperson** that nominated the employee to be a member of the staff.

7 (e) An employee of the board may be cross-trained and assist other
8 employees of the board with other duties subject to the direction of the
9 board.

10 (f) The board shall make final determinations with respect to the
11 duties and assignments of employees of the board.

12 SECTION 43. IC 3-6-5.6-4, AS AMENDED BY P.L.156-2020,
13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2024]: Sec. 4. The board is comprised of the following five (5)
15 members:

16 (1) The county ~~chairmen~~ **chairpersons** of the major political
17 parties of the county shall each appoint two (2) members of the
18 board. Members of the board appointed under this subdivision:

19 (A) must be voters of the county; and

20 (B) serve a term of two (2) years or until their successors are
21 appointed.

22 (2) The circuit court clerk, who is an ex officio member of the
23 board.

24 SECTION 44. IC 3-6-6-1 IS AMENDED TO READ AS FOLLOWS
25 [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) Except as otherwise provided
26 by law, each county election board shall appoint a precinct election
27 board for each precinct in the county.

28 (b) A precinct election board consists of the following:

29 (1) One (1) inspector.

30 (2) Two (2) judges.

31 (c) Each county ~~chairman~~ **chairperson** of a major political party of
32 the county is entitled to nominate one (1) judge under section 9 of this
33 chapter.

34 (d) Each inspector and judge must be a voter of the county.

35 (e) The inspector serves as the ~~chairman~~ **chairperson** of the
36 precinct election board.

37 SECTION 45. IC 3-6-6-2 IS AMENDED TO READ AS FOLLOWS
38 [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) Except as provided in section
39 38 of this chapter, each county election board shall appoint two (2) poll
40 clerks for each precinct in the county.

41 (b) Each county ~~chairman~~ **chairperson** of a major political party of
42 the county is entitled to nominate one (1) poll clerk under section 9 of



1 this chapter.

2 (c) Except as provided in section 39 of this chapter, the poll clerks
3 must be voters of the county.

4 SECTION 46. IC 3-6-6-3 IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) Each county election board
6 may appoint two (2) assistant poll clerks in each precinct.

7 (b) Each county ~~chairman~~ **chairperson** of a major political party of
8 the county is entitled to nominate one (1) assistant poll clerk under
9 section 9 of this chapter.

10 (c) Except as provided in subsection (d), the assistant poll clerks
11 must be voters of the county.

12 (d) The county election board may permit a person who is not a
13 voter to be an assistant poll clerk if the person is:

14 (1) at least sixteen (16) years of age, but not more than seventeen

15 (17) years of age; and

16 (2) a resident of the county.

17 SECTION 47. IC 3-6-6-4 IS AMENDED TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2024]: Sec. 4. A county election board shall
19 adopt a written resolution not later than twenty-eight (28) days before
20 election day designating the precincts for which assistant clerks are to
21 be appointed. The county election board shall file a copy of the
22 resolution in the office of the circuit court clerk and shall mail copies
23 to the county ~~chairmen~~ **chairpersons** of the major political parties of
24 the county.

25 SECTION 48. IC 3-6-6-5 IS AMENDED TO READ AS FOLLOWS
26 [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) Except as provided in section
27 38 of this chapter, each county election board shall appoint two (2)
28 election sheriffs for each precinct in the county.

29 (b) Each county ~~chairman~~ **chairperson** of a major political party of
30 the county is entitled to nominate one (1) election sheriff under section
31 9 of this chapter.

32 (c) Except as provided in section 39 of this chapter, the sheriffs
33 must be voters of the county.

34 SECTION 49. IC 3-6-6-7, AS AMENDED BY P.L.227-2023,
35 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2024]: Sec. 7. (a) An otherwise qualified person is eligible to
37 serve as a precinct election officer unless any of the following apply:

38 (1) The person is unable to read, write, and speak the English
39 language.

40 (2) The person has any property bet or wagered on the result of
41 the election.

42 (3) The person is a candidate to be voted for at the election in the



1 precinct, except as an unopposed candidate for a precinct
2 ~~committeeman~~ **committee person** or state convention delegate.

3 (4) The person is the spouse, parent, father-in-law, mother-in-law,
4 child, son-in-law, daughter-in-law, grandparent, grandchild,
5 brother, sister, brother-in-law, sister-in-law, uncle, aunt, nephew,
6 or niece of a candidate or declared write-in candidate to be voted
7 for at the election in that precinct. This subdivision disqualifies a
8 person whose relationship to the candidate is the result of birth,
9 marriage, or adoption. This subdivision does not disqualify a
10 person from serving as a precinct election officer if the candidate
11 to whom the person is related is an unopposed candidate. For
12 purposes of this subdivision, an "unopposed candidate" includes
13 an individual whose nomination to an office at a primary election
14 is unopposed by any other candidate within the same political
15 party.

16 (5) The person did not attend training required by section 40 of
17 this chapter.

18 (b) In addition to the requirements of subsection (a), a person is not
19 eligible to serve as an inspector if the person is the ~~chairman~~
20 **chairperson** or treasurer of the committee of a candidate whose name
21 appears on the ballot.

22 (c) The county election board may, upon the unanimous vote of the
23 entire membership of the county election board, adopt a resolution to
24 permit individuals who are:

25 (1) opposed candidates for precinct ~~committeeman~~ **committee**
26 **person** or state convention delegate; or

27 (2) related, as described in subsection (a)(4), to opposed
28 candidates for precinct ~~committeeman~~ **committee person** or state
29 convention delegate;

30 notwithstanding subsection (a)(3) and (a)(4), to serve as a precinct
31 election officer if the county election board finds that enough
32 individuals are not available to serve as precinct election officers if the
33 restrictions of those provisions are applied. A resolution adopted under
34 this subsection expires December 31 of the year that the resolution is
35 adopted.

36 SECTION 50. IC 3-6-6-8 IS AMENDED TO READ AS FOLLOWS
37 [EFFECTIVE JULY 1, 2024]: Sec. 8. The county ~~chairman~~
38 **chairperson** of the major political party whose candidate for the office
39 of secretary of state received the highest vote in the county at the last
40 election may nominate a voter for the office of inspector.

41 SECTION 51. IC 3-6-6-9 IS AMENDED TO READ AS FOLLOWS
42 [EFFECTIVE JULY 1, 2024]: Sec. 9. The county ~~chairmen~~



1 **chairpersons** of the major political parties of a county may nominate
 2 individuals who meet the requirements of section 7 or 39 of this
 3 chapter for the following precinct election offices who will serve in the
 4 precinct on election day:

- 5 (1) Judge.
- 6 (2) Poll clerk.
- 7 (3) Assistant poll clerk.
- 8 (4) Election sheriff.

9 SECTION 52. IC 3-6-6-10 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. (a) A county
 11 ~~chairman~~ **chairperson** may make nominations for precinct election
 12 offices by filing the nominations in writing with the circuit court clerk
 13 not later than noon twenty-one (21) days before the election.

14 (b) This subsection does not apply to the office of precinct
 15 inspector. A county ~~chairman~~ **chairperson** may specify in the
 16 nomination of an individual for a precinct election office that the
 17 individual is nominated to serve until noon on election day and that
 18 another individual is nominated to serve in the same precinct election
 19 office beginning at noon on election day until the expiration of the term
 20 of the office under section 37(b) of this chapter.

21 SECTION 53. IC 3-6-6-11 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. (a) A county
 23 election board shall appoint the individuals who are nominated for
 24 precinct election offices by the county ~~chairmen~~ **chairpersons** if the
 25 individuals are otherwise eligible under this chapter to serve in the
 26 precinct election offices for which they are nominated.

27 (b) This subsection does not apply to the office of precinct
 28 inspector. This subsection applies to an appointment to a precinct
 29 election office made following a nomination by a county ~~chairman~~
 30 **chairperson** under this chapter. The county election board shall
 31 provide that an appointment of an individual to a precinct election
 32 office:

- 33 (1) expires at noon on election day; or
- 34 (2) begins at noon on election day and expires under section 37(b)
 35 of this chapter;

36 if the nomination made by the county ~~chairman~~ **chairperson** specifies
 37 that the nomination is made for a term that begins or expires at those
 38 times.

39 (c) This subsection does not apply to the office of precinct inspector.
 40 This subsection applies to an appointment to a precinct election office
 41 made by a county election board under section 13(b) of this chapter.
 42 The county election board may appoint an individual to a precinct



1 election office for a term that:

2 (1) expires at noon on election day; or

3 (2) begins at noon on election day and expires under section 37(b)
4 of this chapter.

5 SECTION 54. IC 3-6-6-13, AS AMENDED BY P.L.108-2021,
6 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2024]: Sec. 13. (a) A county election board shall fill a vacancy
8 in a precinct election office before the hour set for the opening of the
9 polls, upon the nomination of the appropriate county ~~chairman~~
10 **chairperson**.

11 (b) This subsection applies to a precinct election office when, at
12 noon, twenty-one (21) days before election day, the appropriate county
13 ~~chairman~~ **chairperson** has made no nomination for the office. The
14 county election board, by majority vote of the board, may fill the office
15 by appointing an individual who would be eligible to serve in the office
16 if nominated by the county ~~chairman~~ **chairperson**.

17 (c) If a vacancy is filled by the county election board under
18 subsection (b), the board may, by unanimous vote of the entire
19 membership of the board, fill the office by appointing a student:

20 (1) enrolled at a postsecondary educational institution (including
21 a community college); and

22 (2) who is a registered voter of the county;
23 to serve as a nonpartisan precinct election officer.

24 (d) If a vacancy is filled by the county election board under
25 subsection (b) (other than inspector), the board may, by unanimous
26 vote of the entire membership of the board, fill the office by appointing
27 a person eligible to serve as a precinct election officer (other than
28 inspector) under section 39 of this chapter.

29 SECTION 55. IC 3-6-6-14 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 14. (a) This section
31 does not apply to a vacancy in the office of election sheriff in a precinct
32 that is subject to a resolution adopted under section 5 of this chapter.

33 (b) If a precinct election officer fails to appear at the hour set for the
34 opening of the polls, or if a precinct election office becomes vacant
35 during election day, the remaining members of the precinct election
36 board shall fill the vacancy upon the nomination of the highest ranking
37 precinct election officer nominated by the county ~~chairman~~
38 **chairperson** of the same political party whose county ~~chairman~~
39 **chairperson** was entitled to nominate the holder of the office to be
40 filled.

41 (c) If a county ~~chairman~~ **chairperson** fails to nominate the
42 individual appointed to make a nomination to fill a vacant precinct



1 election office under subsection (b), the individual appointed by the
 2 county election board to this precinct election office under section
 3 13(b) of this chapter is entitled to make the nomination to fill the
 4 vacant precinct office under this section.

5 (d) For the purpose of these nominations, the rank of precinct
 6 election officers is as follows:

- 7 (1) Inspector.
- 8 (2) Judge.
- 9 (3) Poll clerk.
- 10 (4) Assistant poll clerk.
- 11 (5) Election sheriff.

12 SECTION 56. IC 3-6-6-16 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 16. Upon notification
 14 that a vacancy has been filled by a precinct election board under
 15 section 14 of this chapter, a county election board shall:

- 16 (1) upon written approval of the appropriate county ~~chairman;~~
 17 **chairperson**, confirm the appointment by issuance of proper
 18 credentials to the precinct election officer so appointed and
 19 approved; or
- 20 (2) upon nomination by the appropriate county ~~chairman;~~
 21 **chairperson**, appoint a qualified person to replace the officer then
 22 serving, in which case the officer appointed by the county election
 23 board shall be issued proper credentials.

24 SECTION 57. IC 3-6-6-23 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 23. The oath prescribed
 26 for a precinct election officer must be signed before a person
 27 authorized to administer oaths and contain the following information:

28 I do solemnly swear (or affirm) the following:

- 29 (1) I will support the Constitution of the United States and the
 30 Constitution of the State of Indiana.
- 31 (2) I will faithfully and impartially discharge the duties of
 32 inspector (or judge, poll clerk, assistant poll clerk, or sheriff) of
 33 this precinct under the law.
- 34 (3) I will not knowingly permit any person to vote who is not
 35 qualified and will not knowingly refuse the vote of any qualified
 36 voter or cause any delay to any person offering to vote other than
 37 is necessary to procure satisfactory information of the
 38 qualification of that person as a voter.
- 39 (4) I am now a bona fide resident of the county in which the
 40 precinct in which I am to act as a member of the election board is
 41 situated and, if required by law, am a qualified voter of that
 42 county.



- 1 (5) I will not disclose or communicate to any person how any
 2 voter has voted at this election or how any ballot has been folded
 3 or marked.
- 4 (6) I am able to read, write, and speak the English language.
- 5 (7) I have no property bet or wagered on the result of this election.
- 6 (8) I am not a candidate to be voted for at this election in this
 7 precinct, except as an unopposed candidate for a political party
 8 office.
- 9 (9) If I am serving as an inspector, I am not the ~~chairman~~
 10 **chairperson** or treasurer of the committee of a candidate whose
 11 name appears on the ballot.
- 12 (10) I am not related to any person to be voted for at this election
 13 in this precinct as the spouse, parent, father-in-law,
 14 mother-in-law, child, son-in-law, daughter-in-law, grandparent,
 15 grandchild, brother, sister, brother-in-law, sister-in-law, uncle,
 16 aunt, nephew, or niece of that person, unless that person is an
 17 unopposed candidate.
- 18 (11) I was trained as required by IC 3-6-6-40.
- 19 SECTION 58. IC 3-6-6-32 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 32. (a) If a precinct has
 21 both poll clerks and assistant poll clerks and the voting is entirely done
 22 by paper ballot, the assistant poll clerks shall perform the same duties
 23 required of the poll clerks regarding the initialing and giving out of the
 24 ballots and pencils or pens when required to do so.
- 25 (b) It is necessary for only the two (2) poll clerks or assistant poll
 26 clerks giving out a ballot to place their initials on the back of the ballot.
 27 However, the two (2) poll clerks or assistant poll clerks must not have
 28 been nominated to a precinct election office by the county ~~chairman~~
 29 **chairperson** of the same political party.
- 30 SECTION 59. IC 3-6-7-1, AS AMENDED BY P.L.74-2017,
 31 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2024]: Sec. 1. (a) Each political party or independent
 33 candidate may appoint challengers and pollbook holders for each
 34 precinct in which the political party or independent candidate is on the
 35 ballot.
- 36 (b) This subsection applies to a public question that is submitted to
 37 the electorate. A county election board may appoint challengers and
 38 pollbook holders if a petition requesting the appointment is filed with
 39 the board. The petition must be signed by:
- 40 (1) the ~~chairman~~ **chairperson** of a political action committee
 41 organized under IC 3-9 to support or oppose the approval of the
 42 public question; and



- 1 (2) at least the number of voters equal to two percent (2%) of the
 2 votes cast in the last election for secretary of state in the county.
- 3 (c) A challenger must be at least eighteen (18) years of age.
- 4 (d) The county election board, county ~~chairman~~, **chairperson**, other
 5 local ~~chairman~~ **chairperson** of the party, or independent candidate:
 6 (1) must make the appointments in writing; and
 7 (2) shall issue one (1) identification card for each person
 8 appointed under this section.
- 9 (e) Except as provided in subsections (f) and (g), each political party
 10 or independent candidate described in subsection (a) or a political
 11 action committee described in subsection (b) may have only one (1)
 12 challenger and one (1) pollbook holder present at each precinct's polls
 13 at any time during election day.
- 14 (f) If more than one (1) precinct votes at the same polling place, the
 15 number of challengers and pollbook holders of each political party or
 16 independent candidate described in subsection (a) or a political action
 17 committee described in subsection (b) entitled to be present at the
 18 polling place equals the number of precincts voting at the polling place.
- 19 (g) In a county designated as a vote center county under
 20 IC 3-11-18.1, the number of challengers and pollbook holders of each
 21 political party or independent candidate described in subsection (a) or
 22 a political action committee described in subsection (b) entitled to be
 23 present at the vote center is one (1) challenger and one (1) pollbook
 24 holder for:
 25 (1) each electronic poll book station present at the vote center; or
 26 (2) the number of electronic poll book stations specified in the
 27 county vote center plan for the vote center;
 28 whichever is greater.
- 29 (h) The challenger and pollbook holder present at the polls must
 30 possess an identification card issued under subsection (d).
- 31 (i) The identification card issued under subsection (d) must clearly
 32 state the following:
 33 (1) The status of the individual as an appointed challenger or
 34 pollbook holder.
 35 (2) The name of the individual serving as a challenger or pollbook
 36 holder.
 37 (3) The name of the person who appointed the individual as a
 38 challenger or pollbook holder, and whether the person is a
 39 political party, an independent candidate, or a county election
 40 board.
 41 (4) If the challenger or pollbook holder has been appointed by a
 42 political party, the name of the political party.



1 SECTION 60. IC 3-6-7-1.5 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1.5. A candidate to be
 3 voted for at an election, except as an unopposed candidate for precinct
 4 ~~committeeman~~ **committee person** or state convention delegate, is not
 5 eligible to be appointed as a challenger or pollbook holder at an
 6 election.

7 SECTION 61. IC 3-6-8-1, AS AMENDED BY P.L.74-2017,
 8 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2024]: Sec. 1. (a) The state ~~chairman~~ **chairperson** and county
 10 ~~chairman~~ **chairperson** of each bona fide political party or an
 11 independent candidate for a federal or a state office are entitled to
 12 appoint watchers at each precinct in which the political party or
 13 independent candidate is on the ballot.

14 (b) This subsection applies to a public question that is submitted to
 15 the electorate. A county election board may appoint watchers if a
 16 petition requesting the appointment is filed with the board. The petition
 17 must be signed by:

18 (1) the ~~chairman~~ **chairperson** of a political action committee
 19 organized under IC 3-9 to support or oppose the approval of the
 20 public question; and

21 (2) at least the number of voters equal to two percent (2%) of the
 22 votes cast in the last election for secretary of state in the county.

23 (c) Except as provided in subsections (d), (e), and (f), at any time
 24 during election day, each political action committee, each political
 25 party, or an independent candidate for a federal or a state office may
 26 have only one (1) watcher present at each precinct's polls.

27 (d) If both the state ~~chairman~~ **chairperson** and the county ~~chairman~~
 28 **chairperson** of a political party have appointed watchers within the
 29 county, the political party may have two (2) watchers present at the
 30 polls of each precinct of the county or at each electronic poll book
 31 station at any time during election day.

32 (e) If more than one (1) precinct votes at the same polling place, the
 33 number of watchers of each political party, an independent candidate
 34 for federal or state office, or each political action committee described
 35 in subsection (b) entitled to be present at the polling place equals the
 36 number of precincts voting at the polling place.

37 (f) In a county designated as a vote center county under
 38 IC 3-11-18.1, the number of watchers of each political party, an
 39 independent candidate for federal or state office, or each political
 40 action committee described in subsection (b) entitled to be present at
 41 the vote center is one (1) watcher for:

42 (1) each electronic poll book station present at the vote center; or



1 (2) the number of electronic poll book stations specified in the
 2 county vote center plan for the vote center;
 3 whichever is greater.

4 SECTION 62. IC 3-6-8-2 IS AMENDED TO READ AS FOLLOWS
 5 [EFFECTIVE JULY 1, 2024]: Sec. 2. A candidate to be voted for at an
 6 election, except as an unopposed candidate for precinct ~~committeeman~~
 7 **committee person** or state convention delegate, is not eligible to be
 8 appointed as a watcher at an election.

9 SECTION 63. IC 3-6-8-3, AS AMENDED BY P.L.194-2013,
 10 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2024]: Sec. 3. (a) A watcher present at the polls must possess
 12 an identification card issued under this section and present the card if
 13 demanded by a member of the precinct election board.

14 (b) The county election board, state ~~chairman~~, **chairperson**, county
 15 ~~chairman~~, **chairperson**, or ~~chairman chairperson~~ of the committee of
 16 the independent candidate for a federal or a state office:

17 (1) must appoint each watcher in writing; and

18 (2) shall issue one (1) watcher identification card for each person
 19 appointed as a watcher.

20 (c) The identification card must be signed by the ~~chairman~~
 21 **chairperson** of the county election board, state ~~chairman~~, **chairperson**,
 22 county ~~chairman~~ **chairperson** of the party, or ~~chairman chairperson~~
 23 of the committee of the independent candidate for a federal or a state
 24 office that the watcher represents.

25 (d) The identification card described in subsection (a) must clearly
 26 state the following:

27 (1) The status of the individual as an appointed watcher.

28 (2) The name of the individual serving as a watcher.

29 (3) The name of the person who appointed the individual as a
 30 watcher.

31 (4) If the individual has been appointed as a watcher by a political
 32 party, the name of the political party.

33 SECTION 64. IC 3-6-9-1 IS AMENDED TO READ AS FOLLOWS
 34 [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) If:

35 (1) twenty-six percent (26%) or more of all candidates of a
 36 political party who are candidates for:

37 (A) nomination to elected offices at a county primary election
 38 (or municipal primary election within the municipality in
 39 which the municipal primary is to be conducted), not including
 40 candidates for delegates to the state convention or candidates
 41 for precinct ~~committeemen~~; **committee persons**; or

42 (B) precinct ~~committeemen~~ **committee persons** at an election



1 for precinct ~~committeemen~~; **committee persons**, whose names
 2 are certified to the county election board as candidates to be
 3 voted for at the primary election for precinct ~~committeemen~~;
 4 **committee persons**; or

5 (2) any candidate or group of candidates for a school board office;
 6 desire to have watchers at the polls in any precinct of the county or
 7 municipality, they shall sign a written statement indicating their desire
 8 to name watchers.

9 (b) If the candidates signing the statement are candidates for
 10 nomination at a county primary election or for election as precinct
 11 ~~committeemen~~ **committee persons** or to a school board office, the
 12 written statement shall be filed with the circuit court clerk of the county
 13 where the candidates reside.

14 (c) If the candidates signing the statement are candidates for
 15 nomination at a municipal primary election, the written statement shall
 16 be filed with the circuit court clerk of the county that contains the
 17 greatest percentage of the population of the election district.

18 SECTION 65. IC 3-6-9-4 IS AMENDED TO READ AS FOLLOWS
 19 [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) An attorney-in-fact
 20 designated under section 2 of this chapter shall file with the circuit
 21 court clerk the names of the voters of the county or municipality who
 22 are to act as watchers in the precincts designated in the written
 23 statement.

24 (b) The attorney-in-fact may certify watchers from voters of the
 25 county or municipality without regard to precinct boundary lines.

26 (c) A watcher designated under this section:

- 27 (1) may not be a candidate to be voted for at the election, except
 28 as an unopposed candidate for precinct ~~committeeman~~ **committee**
 29 **person** or state convention delegate; and
 30 (2) must be a registered voter of the county.

31 SECTION 66. IC 3-6-10-3 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. The list required by
 33 section 2 of this chapter shall be furnished the day before election day
 34 to the following:

- 35 (1) The circuit court clerk.
 36 (2) The county election board.
 37 (3) The county ~~chairman~~ **chairperson** of each political party that
 38 is entitled to appoint a watcher under IC 3-6-8.
 39 (4) The ~~chairman~~ **chairperson** of each independent candidate's
 40 committee that is entitled to appoint a watcher under IC 3-6-8.

41 SECTION 67. IC 3-6-11-2 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. The ~~chairman~~;



1 **chairperson**, president, or other chief officer of the organization taking
 2 a poll under section 1 of this chapter shall issue to the persons taking
 3 the poll a certificate showing the nature of the poll and the organization
 4 for which the poll is to be taken.

5 SECTION 68. IC 3-6-11-7, AS AMENDED BY P.L.83-2016,
 6 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2024]: Sec. 7. (a) If the proprietor, manager, or association of
 8 co-owners does not permit a poll taker for a political party or an
 9 independent candidate for a federal or a state office to enter the place
 10 or condominium under section 5(c) of this chapter, the ~~chairman~~
 11 **chairperson** of the county election board of the county in which the
 12 place or condominium is located shall call a meeting of the board under
 13 IC 3-6-5.

14 (b) The secretary of the county election board shall notify the
 15 proprietor, manager, or association of the meeting by certified mail,
 16 return receipt requested.

17 (c) The county election board shall receive evidence concerning
 18 violations of this section and, if the board determines that reasonable
 19 cause exists to believe that a violation has occurred, forward a copy of
 20 the minutes of the meeting to the prosecuting attorney of the county in
 21 which the place or condominium is located for proceedings under
 22 IC 34-28-5.

23 SECTION 69. IC 3-7-11-10 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. The ~~chairman~~
 25 **chairperson** of the commission shall convene the hearing as promptly
 26 as possible, but not later than thirty (30) days after the member files the
 27 request for a hearing under section 9 of this chapter.

28 SECTION 70. IC 3-7-12-9 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. The county ~~chairmen~~
 30 **chairpersons** of the major political parties of a county that has a board
 31 of registration shall each appoint one (1) member of the board. The two
 32 (2) appointed persons must be voters of the county.

33 SECTION 71. IC 3-7-12-11 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. Notwithstanding
 35 section 10 of this chapter, a member of a board of registration serves
 36 at the pleasure of the county ~~chairman~~ **chairperson** whose political
 37 party initially appointed the person.

38 SECTION 72. IC 3-7-12-20 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 20. An employee may
 40 not be appointed until the board of registration receives the written
 41 recommendation of the county ~~chairman~~ **chairperson** of the
 42 appropriate major political party of the county.



1 SECTION 73. IC 3-7-12-37 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 37. The ~~chairman~~
 3 **chairperson** of the county election board shall convene the hearing as
 4 promptly as possible, but not later than thirty (30) days after the
 5 member files the request for a hearing under section 36 of this chapter.

6 SECTION 74. IC 3-7-28-1, AS AMENDED BY P.L.258-2013,
 7 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2024]: Sec. 1. The county voter registration office shall
 9 provide voter registration information to certain county ~~chairmen~~
 10 **chairpersons** and candidates as provided in this chapter.

11 SECTION 75. IC 3-7-28-2, AS AMENDED BY P.L.258-2013,
 12 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2024]: Sec. 2. (a) This section does not apply to confidential
 14 information included on a voter registration application.

15 (b) A report containing information regarding all registration
 16 applications executed under this article during that part of a registration
 17 period ending sixty-five (65) days before a primary, general, or
 18 municipal election shall be forwarded not later than sixty (60) days
 19 before the election to the following upon request:

20 (1) Each of the county ~~chairmen~~ **chairpersons** of the major
 21 political parties of the county.

22 (2) The ~~chairman~~ **chairperson** of the following:

23 (A) A bona fide political party that has at least one (1)
 24 candidate on the ballot of the election.

25 (B) An independent candidate's committee if the candidate is
 26 on the ballot at the election.

27 SECTION 76. IC 3-7-28-3, AS AMENDED BY P.L.258-2013,
 28 SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2024]: Sec. 3. (a) This section does not apply to confidential
 30 information included on a voter registration application.

31 (b) A report containing information regarding all registration
 32 applications executed under this article during that part of a registration
 33 period beginning sixty-five (65) days before a primary, general, or
 34 municipal election and ending twenty-nine (29) days before the
 35 election shall be forwarded daily and within forty-eight (48) hours of
 36 the date on which the report was originally made to the following upon
 37 request:

38 (1) Each of the county ~~chairmen~~ **chairpersons** of the major
 39 political parties of the county.

40 (2) The ~~chairman~~ **chairperson** of the following:

41 (A) A bona fide political party that has at least one (1)
 42 candidate on the ballot of the election.



- 1 (B) An independent candidate's committee if the candidate is
 2 on the ballot at the election.
- 3 SECTION 77. IC 3-7-28-4 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. After the county
 5 election board receives a written request from the county ~~chairman~~
 6 **chairperson** of a major political party, one (1) copy of the registered
 7 voter list prepared for the inspector of each precinct under IC 3-7-29-1
 8 shall be furnished to the county ~~chairman~~ **chairperson** making the
 9 request. The copy shall be furnished to the county ~~chairman~~
 10 **chairperson** as soon as the lists are prepared.
- 11 SECTION 78. IC 3-7-28-5 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. Upon written request
 13 and as soon as the list required by section 4 of this chapter is prepared,
 14 a copy of the list shall be furnished to the following:
- 15 (1) The county ~~chairman~~ **chairperson** of any political party that
 16 has at least one (1) candidate on the ballot in the next election.
 17 (2) The committee of a candidate whose name will appear on the
 18 ballot in the next election.
 19 (3) The county ~~chairman~~ **chairperson** of any other bona fide
 20 political party.
- 21 SECTION 79. IC 3-7-28-8 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. The circuit court
 23 clerk or board of registration shall send a list of voters who are mailed
 24 voter list maintenance notices under this article to the following upon
 25 request:
- 26 (1) The county ~~chairmen~~ **chairpersons** of the major political
 27 parties of the county.
 28 (2) The ~~chairman~~ **chairperson** of the following:
 29 (A) A bona fide political party of the county.
 30 (B) An independent candidate's committee, if the independent
 31 candidate is on the ballot for the next election to be conducted
 32 in the county.
- 33 SECTION 80. IC 3-7-28-10 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. The circuit court
 35 clerk or board of registration shall furnish copies of the master list, as
 36 described in section 9 of this chapter, to the following upon request:
- 37 (1) The county ~~chairmen~~ **chairpersons** of the major political
 38 parties of the county.
 39 (2) The ~~chairman~~ **chairperson** of the following:
 40 (A) A bona fide political party of the county.
 41 (B) An independent candidate's committee if the candidate is
 42 on the ballot for the next general election to be conducted in



1 the county.
 2 SECTION 81. IC 3-7-28-12, AS AMENDED BY P.L.225-2011,
 3 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2024]: Sec. 12. (a) Each county voter registration office shall
 5 send a list of the deceased persons whose registrations have been
 6 canceled to the following upon request:

- 7 (1) The county ~~chairman~~ **chairperson** of each major political
 8 party of the county.
 9 (2) The ~~chairman~~ **chairperson** of the following:
 10 (A) A bona fide political party of the county.
 11 (B) An independent candidate's committee, if the candidate is
 12 on the ballot for the next election to be conducted in the
 13 county.

14 (b) A request filed under this section may state that the list is to
 15 include only cancellations made by the county voter registration office
 16 within a period specified in the request.

17 SECTION 82. IC 3-7-28-13, AS AMENDED BY P.L.225-2011,
 18 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2024]: Sec. 13. (a) Each county voter registration office shall
 20 send a list of disfranchised voters whose registrations have been
 21 canceled to the following upon request:

- 22 (1) The county ~~chairmen~~ **chairpersons** of the major political
 23 parties of the county.
 24 (2) The ~~chairman~~ **chairperson** of the following:
 25 (A) A bona fide political party of the county.
 26 (B) An independent candidate's committee, if the candidate is
 27 on the ballot for the next general election to be conducted in
 28 the county.

29 (b) A request filed under this section may state that the list is to
 30 include only cancellations made by the county voter registration office
 31 within a period specified in the request.

32 SECTION 83. IC 3-7-28-14, AS AMENDED BY P.L.219-2013,
 33 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2024]: Sec. 14. (a) Each county voter registration office shall
 35 provide a list of the names and addresses of all voters whose
 36 registrations have been canceled under this article to the following
 37 upon request:

- 38 (1) The county ~~chairmen~~ **chairpersons** of the major political
 39 parties of the county.
 40 (2) The ~~chairman~~ **chairperson** of the following:
 41 (A) A bona fide political party of the county.
 42 (B) An independent candidate's committee participating in a



1 primary, general, or municipal election.
 2 Upon request the county voter registration office shall report
 3 cancellations daily and within forty-eight (48) hours after the day on
 4 which the cancellations were made, until election day.

5 (b) A request filed under this section may state that the list is to
 6 include only cancellations made by the county voter registration office
 7 within a period specified in the request.

8 SECTION 84. IC 3-7-29-2, AS AMENDED BY P.L.169-2015,
 9 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2024]: Sec. 2. (a) This section does not apply to a county that:

- 11 (1) has adopted an order under section 6(a)(1) of this chapter; or
 12 (2) is a vote center county under IC 3-11-18.1.

13 (b) After the county election board receives a request from the
 14 county ~~chairman~~ **chairperson** of a major political party, not more than
 15 two (2) copies of the list required by this chapter shall be prepared and
 16 furnished to the inspector of the precinct for use at the polls on election
 17 day. The inspector may provide a list furnished under this section to
 18 any other precinct officer.

19 SECTION 85. IC 3-7-30-4 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) This section
 21 applies to the following:

22 (1) A county ~~chairman~~ **chairperson** who receives a certified list
 23 of registered voters prepared for a precinct inspector under this
 24 article.

25 (2) A person who receives a list from a county ~~chairman~~
 26 **chairperson** described in subdivision (1).

27 (b) A list received under subsection (a) may not be:

- 28 (1) disclosed by a person who receives the list under subsection
 29 (a) to a commercial entity for commercial purposes; or
 30 (2) used by a commercial entity for commercial purposes.

31 (c) A person may:

32 (1) use information obtained under this section in connection with
 33 the preparation of a news broadcast or a publication in a
 34 newspaper; and

35 (2) publish information obtained under this section in a news
 36 broadcast or newspaper.

37 SECTION 86. IC 3-8-1-2, AS AMENDED BY P.L.278-2019,
 38 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2024]: Sec. 2. (a) This section does not apply to a candidate
 40 challenged under IC 3-8-8.

41 (b) The commission, a county election board, or a town election
 42 board shall act if a candidate (or a person acting on behalf of a



- 1 candidate in accordance with state law) has filed any of the following:
- 2 (1) A declaration of candidacy under IC 3-8-2 or IC 3-8-5.
- 3 (2) A request for ballot placement in a presidential primary under
- 4 IC 3-8-3.
- 5 (3) A petition of nomination or candidate's consent to nomination
- 6 under IC 3-8-2.5 or IC 3-8-6.
- 7 (4) A certificate of nomination under IC 3-8-5, IC 3-8-7,
- 8 IC 3-10-2-15, or IC 3-10-6-12.
- 9 (5) A certificate of candidate selection under IC 3-13-1 or
- 10 IC 3-13-2.
- 11 (6) A declaration of intent to be a write-in candidate under
- 12 IC 3-8-2-2.5.
- 13 (7) A contest to the denial of certification under IC 3-8-2.5 or
- 14 IC 3-8-6-12.
- 15 (c) The commission has jurisdiction to act under this section with
- 16 regard to any filing described in subsection (b) that was made with the
- 17 election division. Except for a filing under the jurisdiction of a town
- 18 election board, a county election board has jurisdiction to act under this
- 19 section with regard to any filing described in subsection (b) that was
- 20 made with the county election board, county voter registration office,
- 21 or the circuit court clerk. A town election board has jurisdiction to act
- 22 under this section with regard to any filing that was made with the
- 23 county election board, the county voter registration office, or the circuit
- 24 court clerk for nomination or election to a town office.
- 25 (d) Except as provided in subsection (f), before the commission or
- 26 election board acts under this section, a registered voter of the election
- 27 district that a candidate seeks to represent or a county ~~chairman~~
- 28 **chairperson** of a major political party of a county in which any part of
- 29 the election district is located must file a sworn statement before a
- 30 person authorized to administer oaths, with the election division or
- 31 election board:
- 32 (1) questioning the eligibility of the candidate to seek the office;
- 33 and
- 34 (2) setting forth the facts known to the voter or county ~~chairman~~
- 35 **chairperson** of a major political party of a county concerning this
- 36 question.
- 37 (e) The eligibility of a write-in candidate or a candidate nominated
- 38 by a convention, petition, or primary may not be challenged under this
- 39 section if the commission or board determines that all of the following
- 40 occurred:
- 41 (1) The eligibility of the candidate was challenged under this
- 42 section before the candidate was nominated.



- 1 (2) The commission or board conducted a hearing on the affidavit
 2 before the nomination.
- 3 (3) This challenge would be based on substantially the same
 4 grounds as the previous challenge to the candidate.
- 5 (f) Before the commission or election board can consider a contest
 6 to the denial of a certification under IC 3-8-2.5 or IC 3-8-6-12, a
 7 candidate (or a person acting on behalf of a candidate in accordance
 8 with state law) must file a sworn statement with the election division
 9 or election board:
- 10 (1) stating specifically the basis for the contest; and
 11 (2) setting forth the facts known to the candidate supporting the
 12 basis for the contest.
- 13 (g) Upon the filing of a sworn statement under subsection (d) or (f),
 14 the commission or election board shall determine the validity of the
 15 questioned:
- 16 (1) declaration of candidacy;
 17 (2) declaration of intent to be a write-in candidate;
 18 (3) request for ballot placement under IC 3-8-3;
 19 (4) petition of nomination;
 20 (5) certificate of nomination;
 21 (6) certificate of candidate selection issued under IC 3-13-1-15 or
 22 IC 3-13-2-8; or
 23 (7) denial of a certification under IC 3-8-2.5 or IC 3-8-6-12.
- 24 (h) The commission or election board shall deny a filing if the
 25 commission or election board determines that the candidate has not
 26 complied with the applicable requirements for the candidate set forth
 27 in the Constitution of the United States, the Constitution of the State of
 28 Indiana, or this title.
- 29 SECTION 87. IC 3-8-1-5.7, AS AMENDED BY P.L.219-2013,
 30 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2024]: Sec. 5.7. (a) Except as expressly provided by law, a
 32 candidate for selection under IC 3-13-5 or IC 3-13-11 for an
 33 appointment pro tempore to an office must comply with the
 34 requirements imposed under this chapter on a candidate for election to
 35 the office. For purposes of determining whether a candidate for an
 36 appointment pro tempore complies with a requirement imposed under
 37 this chapter on a candidate for election to the office, the term "before
 38 the election" is considered to read as:
- 39 (1) "before the date of the caucus that is required to fill the vacant
 40 office"; or
 41 (2) "before the date that the county political party ~~chairman~~
 42 **chairperson** appoints an individual to fill the vacant office";



1 whichever is the case.

2 (b) If a town council member:

3 (1) was elected or selected as a candidate from a town council
4 district; and

5 (2) served on a council that subsequently adopted an ordinance
6 under IC 36-5-2-4.1 abolishing town council districts;

7 a candidate for selection for an appointment pro tempore to succeed the
8 town council member is not required to reside within the district
9 formerly represented by the town council member.

10 SECTION 88. IC 3-8-1-32 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 32. A candidate for:

12 (1) precinct ~~committeeman~~; **committee person**; or

13 (2) delegate to a state convention;

14 of a political party in the state whose nominee received at least ten
15 percent (10%) of the total vote cast for secretary of state at the last
16 election must comply with any candidate requirement set by state party
17 rules.

18 SECTION 89. IC 3-8-2-3 IS AMENDED TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2024]: Sec. 3. A person who desires to be
20 elected either or both of the following at a primary election shall file a
21 declaration of candidacy:

22 (1) Precinct ~~committeeman~~; **committee person**.

23 (2) Delegate to a state convention.

24 SECTION 90. IC 3-8-2-6, AS AMENDED BY P.L.227-2023,
25 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2024]: Sec. 6. (a) A declaration of candidacy for:

27 (1) any local office not described in section 5 of this chapter;

28 (2) precinct ~~committeeman~~; **committee person**; or

29 (3) delegate to a state convention;

30 shall be filed in the office of the county election board located in the
31 county seat.

32 (b) Whenever the election district for a local office includes more
33 than one (1) county, the declaration of candidacy shall be filed in the
34 office of the county election board located in the county seat of the
35 county that contains the greatest percentage of population of the
36 election district.

37 (c) This subsection applies to a county having a population of more
38 than four hundred thousand (400,000) and less than seven hundred
39 thousand (700,000). The chief deputy of the combined election board
40 and board of registration shall post for public inspection a copy of each
41 declaration of candidacy filed under this section on the day the
42 declaration is filed.



1 (d) This subsection applies if an election district for a local office is
 2 located in more than one (1) county. The circuit court clerk of the
 3 county having the greatest percentage of population of the election
 4 district shall promptly certify the names of each of the candidates that
 5 have filed a declaration of candidacy to be a candidate for the office in
 6 the election district to the county election board of each other county
 7 in which the election district is located.

8 SECTION 91. IC 3-8-2-7, AS AMENDED BY P.L.227-2023,
 9 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2024]: Sec. 7. (a) The declaration of each candidate required
 11 by this chapter must be signed before a person authorized to administer
 12 oaths and contain the following information:

13 (1) The candidate's name, printed or typewritten as:

14 (A) the candidate wants the candidate's name to appear on the
 15 ballot; and

16 (B) the candidate's name is permitted to appear on the ballot
 17 under IC 3-5-7.

18 A candidate must specify, by a designation described in
 19 IC 3-5-7-5, each designation that the candidate wants to use that
 20 is permitted by IC 3-5-7.

21 (2) A statement that the candidate is a registered voter and the
 22 location of the candidate's precinct and township (or ward, if
 23 applicable, and city or town), county, and state.

24 (3) The candidate's complete residence address, and if the
 25 candidate's mailing address is different from the residence
 26 address, the mailing address.

27 (4) A statement of the candidate's party affiliation. For purposes
 28 of this subdivision, a candidate is considered to be affiliated with
 29 a political party only if any of the following applies:

30 (A) The two (2) most recent primary elections in Indiana in
 31 which the candidate voted were primary elections held by the
 32 party with which the candidate claims affiliation. If the
 33 candidate cast a nonpartisan ballot at an election held at the
 34 most recent primary election in which the candidate voted, a
 35 certification by the county ~~chairman~~ **chairperson** under clause
 36 (B) is required.

37 (B) The county ~~chairman~~ **chairperson** of:

38 (i) the political party with which the candidate claims
 39 affiliation; and

40 (ii) the county in which the candidate resides;

41 certifies that the candidate is a member of the political party.

42 The declaration of candidacy must inform candidates how party



1 affiliation is determined under this subdivision and permit the
 2 candidate to indicate on the declaration of candidacy which of
 3 clauses (A) or (B) applies to the candidate. If a candidate claims
 4 party affiliation under clause (B), the candidate must attach to the
 5 candidate's declaration of candidacy the written certification of
 6 the county ~~chairman~~ **chairperson** required by clause (B).

7 (5) A statement that the candidate complies with all requirements
 8 under the laws of Indiana to be a candidate for the above named
 9 office, including any applicable residency requirements, and that
 10 the candidate is not ineligible to be a candidate due to a criminal
 11 conviction that would prohibit the candidate from serving in the
 12 office.

13 (6) A request that the candidate's name be placed on the official
 14 primary ballot of that party to be voted on, the office for which the
 15 candidate is declaring, and the date of the primary election.

16 (7) The following statements:

17 (A) A statement that the candidate has attached either of the
 18 following to the declaration:

19 (i) A copy of a statement of economic interests, file stamped
 20 by the office required to receive the statement of economic
 21 interests.

22 (ii) A receipt or photocopy of a receipt showing that a
 23 statement of economic interests has been filed.

24 This requirement does not apply to a candidate for a federal
 25 office.

26 (B) A statement that the candidate understands that if the
 27 candidate is elected to the office, the candidate may be
 28 required to obtain and file an individual surety bond before
 29 serving in the office. This requirement does not apply to a
 30 candidate for a federal office or legislative office.

31 (C) A statement that the candidate understands that if the
 32 candidate is elected to the office, the candidate may be
 33 required to successfully complete training or have attained
 34 certification related to service in an elected office. This
 35 requirement does not apply to a candidate for a federal office,
 36 state office, or legislative office.

37 (D) A statement that the candidate:

38 (i) is aware of the provisions of IC 3-9 regarding campaign
 39 finance and the reporting of campaign contributions and
 40 expenditures; and

41 (ii) agrees to comply with the provisions of IC 3-9.

42 This requirement does not apply to a candidate for a federal



- 1 office.
- 2 The candidate must separately initial each of the statements
3 required by this subdivision.
- 4 (8) A statement as to whether the candidate has been a candidate
5 for state, legislative, or local office in a previous primary,
6 municipal, special, or general election and whether the candidate
7 has filed all reports required by IC 3-9-5-10 for all previous
8 candidacies.
- 9 (9) If the candidate is subject to IC 3-9-1-5, a statement that the
10 candidate has filed a campaign finance statement of organization
11 for the candidate's principal committee or is aware that the
12 candidate may be required to file a campaign finance statement of
13 organization not later than noon seven (7) days after the final date
14 to file the declaration of candidacy under section 4 of this chapter.
- 15 (10) The candidate's signature.
- 16 (b) The election division shall provide that the form of a declaration
17 of candidacy includes the following information:
- 18 (1) The dates for filing campaign finance reports under IC 3-9.
19 (2) The penalties for late filing of campaign finance reports under
20 IC 3-9.
- 21 (c) A declaration of candidacy must include a statement that the
22 candidate requests the name on the candidate's voter registration record
23 be the same as the name the candidate uses on the declaration of
24 candidacy. If there is a difference between the name on the candidate's
25 declaration of candidacy and the name on the candidate's voter
26 registration record, the officer with whom the declaration of candidacy
27 is filed shall forward the information to the voter registration officer of
28 the appropriate county as required by IC 3-5-7-6(d). The voter
29 registration officer of the appropriate county shall change the name on
30 the candidate's voter registration record to be the same as the name on
31 the candidate's declaration of candidacy.
- 32 SECTION 92. IC 3-8-2-23, AS AMENDED BY P.L.84-2016,
33 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2024]: Sec. 23. (a) This section applies if a person:
- 35 (1) files a declaration of candidacy under this chapter;
36 (2) moves from the election district that the person sought to
37 represent following the filing of the declaration of candidacy;
38 (3) does not file a notice of withdrawal of candidacy under section
39 20 of this chapter; and
40 (4) is no longer an active candidate.
- 41 (b) The county ~~chairman~~ **chairperson** of any political party on the
42 ballot in the election district or a candidate for the office sought by the



1 person described in subsection (a) may, upon determining that this
 2 section applies, file an action in the circuit court, superior court, or
 3 probate court in the county where the person described in subsection
 4 (a) resided. The complaint in this action must:

- 5 (1) state that this section applies to the person;
 6 (2) name the person described in subsection (a) and the public
 7 official responsible for placing that person's name on the ballot as
 8 defendants; and
 9 (3) be filed no later than a notice of withdrawal could have been
 10 filed under section 20 of this chapter.

11 (c) When a complaint is filed under subsection (b), the circuit court,
 12 superior court, or probate court shall conduct a hearing and rule on the
 13 petition within ten (10) days after it is filed.

14 (d) If the court finds in favor of the plaintiff, a candidate vacancy
 15 occurs on the:

- 16 (1) general election ballot; and
 17 (2) primary election ballot if no other person is:
 18 (A) a member of the same political party as the person
 19 described in subsection (a); and
 20 (B) a candidate on the ballot for the office sought by the
 21 person described in subsection (a).

22 (e) The candidate vacancy shall be filled under IC 3-13-1.

23 SECTION 93. IC 3-8-3-10 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. The election
 25 division shall tabulate the results submitted under section 9 of this
 26 chapter and promptly certify to the state ~~chairman~~ **chairperson** of each
 27 political party the result of the presidential primary vote for the
 28 candidates of that party.

29 SECTION 94. IC 3-8-4-3, AS AMENDED BY P.L.216-2015,
 30 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2024]: Sec. 3. (a) This section applies to each political party
 32 that elects delegates to the party's state convention at a primary
 33 election.

34 (b) Delegates to a state convention shall be chosen at the primary
 35 election conducted by the political party on the first Tuesday after the
 36 first Monday in May 2016 and every two (2) years thereafter. If
 37 provided in the rules of the state committee of the political party,
 38 delegates may be elected from delegate districts in each county.

39 (c) Not later than noon November 30 of the year preceding the year
 40 in which the state convention is to be conducted, the state ~~chairman~~
 41 **chairperson** of a political party shall certify the following to the
 42 election division and to each county committee of the party:



1 (1) The number of delegates to be elected in each county.

2 (2) Whether the delegates are to be elected from districts or at
3 large in each county.

4 (3) If a county is to elect delegates from districts, how many
5 districts must be established in each county.

6 (d) The county committee shall establish any delegate districts
7 required to be established under subsection (c) and file descriptions
8 setting forth the district boundaries with the county election board not
9 later than noon December 31 of the year preceding the year the state
10 convention is to be conducted. If the county committee does not timely
11 file district descriptions under this subsection, the county election
12 board shall establish districts not later than the first day that a
13 declaration of candidacy may be filed under IC 3-8-2-4, and apportion
14 the delegates to be elected from each district in accordance with
15 subsection (c).

16 SECTION 95. IC 3-8-4-6 IS AMENDED TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2024]: Sec. 6. If the political party participated
18 in a presidential primary during the year in which the state convention
19 is held, the state ~~chairman~~ **chairperson** shall notify the convention of
20 the results of the presidential primary furnished to the ~~chairman~~
21 **chairperson** under IC 3-8-3-10.

22 SECTION 96. IC 3-8-4-9, AS AMENDED BY P.L.221-2005,
23 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2024]: Sec. 9. The state ~~chairman~~ **chairperson** of the political
25 party holding a state convention shall appoint an inspector and two (2)
26 poll clerks to attend each voting system at the convention. Each
27 candidate may have one (1) watcher at each voting system to check the
28 voting system before and after each ballot and to check the work of any
29 election officer. The inspector and poll clerks:

30 (1) shall take an oath to perform their duties faithfully and to the
31 best of their abilities before anyone entitled to administer an oath;

32 (2) must be qualified in relationship to candidates in the same
33 manner as precinct election officers under IC 3-6-6-7; and

34 (3) are subject to the same penalties as precinct election officers.

35 SECTION 97. IC 3-8-5-3 IS AMENDED TO READ AS FOLLOWS
36 [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) Each of the major political
37 parties of the state shall have a committee in a town subject to this
38 chapter known as the _____ town committee of the town of
39 _____ (designating the name of the party and the town).

40 (b) A political party's town committee consists of the following
41 individuals:

42 (1) A registered voter of the town appointed by the political



1 party's county ~~chairman~~ **chairperson** of the county containing the
 2 greatest percentage of the population of the town. The individual
 3 appointed under this subdivision is the ~~chairman~~ **chairperson** of
 4 the town committee. The county ~~chairman~~ **chairperson** may not
 5 appoint an individual who holds a town office for the town.

6 (2) A registered voter of the town appointed by the political
 7 party's town ~~chairman~~ **chairperson**. The individual appointed
 8 under this subdivision is the secretary of the town committee.

9 (c) A member of a town committee serves until the member's
 10 successor is appointed and qualified.

11 (d) A member of the town committee serves at the pleasure of the
 12 appointing authority of the member.

13 (e) The individual who is town ~~chairman~~ **chairperson** vacates the
 14 office whenever the individual becomes a candidate for a town office
 15 of the town.

16 (f) A vacancy on the town committee shall be filled by the
 17 appointing authority of the member who vacated the committee.

18 SECTION 98. IC 3-8-5-10, AS AMENDED BY P.L.225-2011,
 19 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2024]: Sec. 10. (a) If more than one (1) candidate from the
 21 same political party files a declaration of candidacy for the same office,
 22 that political party shall conduct:

23 (1) a town convention under this chapter; or

24 (2) a primary election;

25 to choose the nominee of that party for that office as provided in the
 26 ordinance adopted under section 2 of this chapter.

27 (b) If a town convention is required under subsection (a), the town
 28 ~~chairman~~ **chairperson** shall organize, conduct, and issue a call for a
 29 town convention to be held in the town, or, if there is no suitable
 30 location in the town, then either at the nearest available location within
 31 any county in which the town is located or at the county seat of any
 32 county in which the town is located.

33 (c) The convention must be held not later than August 21 in each
 34 year in which a municipal election is to be held. The purpose of the
 35 convention is to select the nominees for all town offices to be elected
 36 at the next municipal election and for which more than one (1)
 37 declaration of candidacy has been filed.

38 (d) The ~~chairman~~ **chairperson** shall file a notice of the call with the
 39 circuit court clerk of the county containing the greatest percentage of
 40 population of the town. The ~~chairman~~ **chairperson** shall also have
 41 notice of the call posted at least three (3) days in three (3) prominent
 42 public places in the town, including the office of the clerk-treasurer.



- 1 The notice must state the time, place, and purpose of the convention.
- 2 (e) If the county ~~chairman~~ **chairperson** determines that an
- 3 emergency requires the rescheduling of a town convention after notice
- 4 has been given under subsection (d), the ~~chairman~~ **chairperson** shall
- 5 promptly file a notice in the office of the county election board and in
- 6 the office of the town clerk-treasurer stating the date, time, and place
- 7 of the rescheduled convention.
- 8 SECTION 99. IC 3-8-5-10.5, AS AMENDED BY P.L.227-2023,
- 9 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 10 JULY 1, 2024]: Sec. 10.5. (a) A person who desires to be nominated
- 11 for a town office by a major political party must file a declaration of
- 12 candidacy with the circuit court clerk of the county containing the
- 13 greatest percentage of population of the town.
- 14 (b) A declaration of candidacy must be filed:
- 15 (1) not earlier than the first date that a declaration of candidacy
- 16 for a primary election may be filed under IC 3-8-2-4; and
- 17 (2) not later than:
- 18 (A) noon August 1 before a municipal election if the town
- 19 nominates its candidates by convention; and
- 20 (B) the date that a declaration of candidacy must be filed under
- 21 IC 3-8-2-4 if the town nominates its candidates by a primary
- 22 election.
- 23 (c) The declaration must be subscribed and sworn to (or affirmed)
- 24 before a notary public or other person authorized to administer oaths.
- 25 (d) The declaration of each candidate required by this section must
- 26 certify the following information:
- 27 (1) The candidate's name, printed or typewritten as:
- 28 (A) the candidate wants the candidate's name to appear on the
- 29 ballot; and
- 30 (B) the candidate's name is permitted to appear on the ballot
- 31 under IC 3-5-7.
- 32 A candidate must specify, by a designation described in
- 33 IC 3-5-7-5, each designation that the candidate wants to use that
- 34 is permitted by IC 3-5-7.
- 35 (2) That the candidate is a registered voter and the location of the
- 36 candidate's precinct and township (or the ward, if applicable, and
- 37 town), county, and state.
- 38 (3) The candidate's complete residence address and the
- 39 candidate's mailing address if the mailing address is different
- 40 from the residence address.
- 41 (4) The majority party candidate's party affiliation and the office
- 42 to which the candidate seeks nomination, including the district



1 designation if the candidate is seeking a town legislative body
 2 seat. For purposes of this subdivision, a candidate is considered
 3 to be affiliated with a political party only if one (1) of the
 4 following applies:

5 (A) The two (2) most recent primary elections in Indiana in
 6 which the candidate voted were both primary elections held by
 7 the party with which the candidate claims affiliation. If the
 8 candidate cast a nonpartisan ballot at an election held at either
 9 of the two (2) most recent primary elections in which the
 10 candidate voted, a certification by the county ~~chairman~~
 11 **chairperson** under clause (B) is required.

12 (B) The county ~~chairman~~ **chairperson** of:

13 (i) the political party with which the candidate claims
 14 affiliation; and

15 (ii) the county in which the candidate resides;

16 certifies in writing that the candidate is a member of the
 17 political party.

18 The declaration of candidacy must inform a candidate how party
 19 affiliation is determined under this subdivision and permit the
 20 candidate to indicate on the declaration of candidacy whether
 21 clause (A) or (B) applies to the candidate. If a candidate claims
 22 party affiliation under clause (B), the candidate must attach to the
 23 candidate's declaration of candidacy the written certification of
 24 the county ~~chairman~~ **chairperson** required by clause (B).

25 (5) That the candidate complies with all requirements under the
 26 laws of Indiana to be a candidate for the above named office,
 27 including any applicable residency requirements, and is not
 28 ineligible to be a candidate due to a criminal conviction that
 29 would prohibit the candidate from serving in the office.

30 (6) That the candidate has attached either of the following to the
 31 declaration:

32 (A) A copy of a statement of economic interests, file stamped
 33 by the office required to receive the statement of economic
 34 interests.

35 (B) A receipt or photocopy of a receipt showing that a
 36 statement of economic interests has been filed.

37 (7) That the candidate understands that if the candidate is elected
 38 to the office, the candidate may be required to obtain and file an
 39 individual surety bond before serving in the office.

40 (8) That the candidate understands that if the candidate is elected
 41 to the office, the candidate may be required to successfully
 42 complete training or have attained certification related to service



- 1 in an elected office.
- 2 (9) That the candidate:
- 3 (A) is aware of the provisions of IC 3-9 regarding campaign
- 4 finance and the reporting of campaign contributions and
- 5 expenditures; and
- 6 (B) agrees to comply with the provisions of IC 3-9.
- 7 (10) A statement indicating whether or not the candidate:
- 8 (A) has been a candidate for state, legislative, local, or school
- 9 board office in a previous primary, municipal, special, or
- 10 general election; and
- 11 (B) has filed all reports required by IC 3-9-5-10 for all
- 12 previous candidacies.
- 13 (11) The candidate's signature.
- 14 (e) This subsection does not apply to a town whose municipal
- 15 election is to be conducted by a county. Immediately after the deadline
- 16 for filing, the circuit court clerk shall do all of the following:
- 17 (1) Certify to the town clerk-treasurer and release to the public a
- 18 list of the candidates of each political party for each office. The
- 19 list shall indicate any candidates of a political party nominated for
- 20 an office under this chapter because of the failure of any other
- 21 candidates of that political party to file a declaration of candidacy
- 22 for that office.
- 23 (2) Post a copy of the list in a prominent place in the circuit court
- 24 clerk's office.
- 25 (3) File a copy of each declaration of candidacy with the town
- 26 clerk-treasurer.
- 27 (f) A person who files a declaration of candidacy for an elected
- 28 office for which a per diem or salary is provided for by law is
- 29 disqualified from filing a declaration of candidacy for another office for
- 30 which a per diem or salary is provided for by law until the original
- 31 declaration is withdrawn.
- 32 (g) A person who files a declaration of candidacy for an elected
- 33 office may not file a declaration of candidacy for that office in the same
- 34 year as a member of a different political party until the original
- 35 declaration is withdrawn.
- 36 (h) A person who files a declaration of candidacy under this section
- 37 may file a written notice withdrawing the person's declaration of
- 38 candidacy in the same manner as the original declaration was filed, if
- 39 the notice of withdrawal is filed not later than:
- 40 (1) noon August 1 before the municipal election if the town
- 41 nominates its candidates by convention; and
- 42 (2) the date that a declaration of candidacy may be withdrawn



- 1 under IC 3-8-2-20 if the town nominates its candidates in a
 2 primary election.
- 3 (i) A declaration of candidacy must include a statement that the
 4 candidate requests the name on the candidate's voter registration record
 5 be the same as the name the candidate uses on the declaration of
 6 candidacy. If there is a difference between the name on the candidate's
 7 declaration of candidacy and the name on the candidate's voter
 8 registration record, the officer with whom the declaration of candidacy
 9 is filed shall forward the information to the voter registration officer of
 10 the appropriate county as required by IC 3-5-7-6(d). The voter
 11 registration officer of the appropriate county shall change the name on
 12 the candidate's voter registration record to be the same as the name on
 13 the candidate's declaration of candidacy.
- 14 SECTION 100. IC 3-8-5-12, AS AMENDED BY P.L.74-2017,
 15 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2024]: Sec. 12. (a) The town ~~chairman~~ **chairperson** and
 17 secretary of each town political party committee shall act as ~~chairman~~
 18 **chairperson** and secretary of their respective conventions.
- 19 (b) As the first item of convention business, the town ~~chairman~~
 20 **chairperson** shall make the initial determination regarding which
 21 individuals are eligible to vote in the town convention under section 11
 22 of this chapter. If an individual objects to the determination of the
 23 ~~chairman~~; **chairperson**, the matter shall be put to the vote of all those
 24 individuals whose eligibility to vote is not in dispute.
- 25 (c) As the second item of convention business, the town ~~chairman~~
 26 **chairperson** shall submit copies of proposed rules to the members of
 27 the convention for adoption. The rules must provide for at least the
 28 following:
- 29 (1) The voting method to be used for nominating candidates at the
 30 convention.
 - 31 (2) The method to be used for resolving tie votes.
 - 32 (3) Any method for removing candidates from consideration by
 33 the convention if no candidate receives a majority vote from all
 34 voters casting a ballot at the convention.
 - 35 (4) The rights of nonvoting observers, media, candidate watchers,
 36 or others attending the convention.
- 37 (d) If the town ~~chairman~~ **chairperson** of the political party
 38 committee is unable or unwilling to act as ~~chairman~~ **chairperson** of the
 39 convention, the secretary acts as ~~chairman~~ **chairperson** until the
 40 convention elects a ~~chairman~~ **chairperson** of the convention from
 41 among the voters attending the convention. If the town secretary of the
 42 political party committee is unable or unwilling to act as secretary of



1 the convention, the convention shall elect a secretary of the convention
2 from among the voters attending the convention.

3 (e) After adoption of the convention rules, the convention may
4 proceed to vote on the candidates to be nominated. The candidates for
5 town offices must be nominated by a majority of the voters present and
6 voting. If more than one (1) person may be elected to an at-large town
7 council seat, the convention shall determine the total votes received by
8 each candidate for an at-large town council seat. The candidates who
9 receive the highest number of votes, up to the total number to be
10 elected, are the nominees of the convention.

11 (f) The town convention may recess and reconvene if a majority of
12 eligible voters at the convention adopt a motion to recess and
13 reconvene. The motion must state the date, time, and location of the
14 reconvening of the convention. However, a convention may not
15 reconvene on a date following the final date permitted for a convention
16 to be convened under section 10 of this chapter.

17 SECTION 101. IC 3-8-5-13, AS AMENDED BY P.L.227-2023,
18 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2024]: Sec. 13. (a) The ~~chairman~~ **chairperson** and secretary
20 of a town convention shall execute a certificate of nomination in
21 writing, setting out the following:

22 (1) The name of each nominee as:

23 (A) the nominee wants the nominee's name to appear on the
24 ballot; and

25 (B) the nominee's name is permitted to appear on the ballot
26 under IC 3-5-7.

27 The certificate must specify, by a designation described in
28 IC 3-5-7-5, each designation that the nominee wants to use that is
29 permitted by IC 3-5-7.

30 (2) The residence address of each nominee.

31 (3) The office for which each nominee was nominated.

32 (4) That each nominee is legally qualified to hold office.

33 (b) Both the ~~chairman~~ **chairperson** and secretary shall acknowledge
34 the certificate before an officer authorized to take acknowledgment of
35 deeds.

36 (c) The certificate must be filed with the circuit court clerk of the
37 county having the greatest percentage of the population of the town.

38 (d) The certificate must be filed with the circuit court clerk no later
39 than noon August 28 before the municipal election.

40 (e) The circuit court clerk shall file a copy of each certificate with
41 the town clerk-treasurer no later than noon September 4.

42 SECTION 102. IC 3-8-5-17, AS AMENDED BY P.L.227-2023,



1 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2024]: Sec. 17. (a) This section applies to a political party:

- 3 (1) not qualified to conduct a primary election under IC 3-10; and
4 (2) not required to nominate candidates by a petition of
5 nomination under IC 3-8-6.

6 (b) An individual who desires to be nominated for a town office by
7 the political party must file a declaration of candidacy in the same
8 manner as a candidate for nomination by a major political party under
9 section 10.5 of this chapter. If a convention would be required for the
10 political party under section 10 of this chapter, the political party shall
11 conduct a convention to nominate candidates for town office not later
12 than the date for conducting a major party town convention under
13 section 10 of this chapter.

14 (c) The ~~chairman~~ **chairperson** and secretary of the town convention
15 shall execute, acknowledge, and file a certificate setting forth the
16 nominees of the convention in accordance with section 13 of this
17 chapter.

18 (d) Each candidate nominated under this section shall execute a
19 consent to the nomination in the same form as a candidate nominated
20 by petition under IC 3-8-6. The consent must be filed with the
21 certificate under subsection (c). An individual who wishes to withdraw
22 as a candidate after nomination by the convention must do so in the
23 manner prescribed by section 14.5 of this chapter.

24 (e) The circuit court clerk shall file a copy of each certificate and
25 each candidate's consent with the town clerk-treasurer in accordance
26 with section 13 of this chapter.

27 (f) A candidate's consent to the nomination must include a statement
28 that the candidate requests the name on the candidate's voter
29 registration record be the same as the name the candidate uses on the
30 declaration of candidacy. If there is a difference between the name on
31 the candidate's consent to the nomination and the name on the
32 candidate's voter registration record, the officer with whom the consent
33 to the nomination is filed shall forward the information to the voter
34 registration officer of the appropriate county as required by
35 IC 3-5-7-6(d). The voter registration officer of the appropriate county
36 shall change the name on the candidate's voter registration record to be
37 the same as the name on the candidate's consent to the nomination.

38 SECTION 103. IC 3-8-6-16, AS AMENDED BY P.L.84-2016,
39 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
40 JULY 1, 2024]: Sec. 16. (a) This section applies if a person:

- 41 (1) files a petition of nomination under this chapter;
42 (2) moves from the election district that the person sought to



- 1 represent following the filing of the petition of nomination;
 2 (3) does not file a notice of withdrawal of candidacy under section
 3 13.5 of this chapter; and
 4 (4) is no longer an active candidate.

5 (b) The county ~~chairman~~ **chairperson** of any political party on the
 6 ballot in the election district or a candidate for the office sought by the
 7 person described in subsection (a) may, upon determining that this
 8 section applies, file an action in the circuit court, superior court, or
 9 probate court in the county where the person described in subsection
 10 (a) resided. The complaint in this action must:

- 11 (1) state that this section applies to the person;
 12 (2) name the person described in subsection (a) and the public
 13 official responsible for placing that person's name on the ballot as
 14 defendants; and
 15 (3) be filed no later than a notice of withdrawal could have been
 16 filed under section 13.5 of this chapter.

17 (c) When a complaint is filed under subsection (b), the circuit court,
 18 superior court, or probate court shall conduct a hearing and rule on the
 19 petition within ten (10) days after it is filed.

20 (d) If the court finds in favor of the plaintiff, a candidate vacancy
 21 occurs on the:

- 22 (1) general election ballot; and
 23 (2) primary election ballot if no other person is:
 24 (A) a member of the same political party as the person
 25 described in subsection (a); and
 26 (B) a candidate on the ballot for the office sought by the
 27 person described in subsection (a).

28 (e) The candidate vacancy shall be filled under IC 3-13-1 if the
 29 candidate represents a political party not qualified to nominate
 30 candidates in a primary or by convention.

31 SECTION 104. IC 3-8-6-17, AS AMENDED BY P.L.227-2023,
 32 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2024]: Sec. 17. (a) If:

- 34 (1) a petition of nomination contains the name of at least one (1)
 35 candidate who seeks to be placed on the ballot as the candidate of
 36 a political party described by section 1 of this chapter; and
 37 (2) a candidate listed on the petition ceases to be a candidate after
 38 the petition is circulated for signature or filed;

39 the candidate may be replaced on the petition in accordance with this
 40 section.

41 (b) This subsection applies to a candidate described in subsection
 42 (a) who sought a federal, state, or legislative office or a local office



1 described by IC 3-8-2-5. The state ~~chairman~~ **chairperson** of the
 2 political party may file a written statement with the election division
 3 stating the name of the substitute candidate. The statement must satisfy
 4 all of the following:

5 (1) The statement must be on a form prescribed by the election
 6 division.

7 (2) The statement must state the following:

8 (A) The name of the individual who ceased to be a candidate.

9 (B) The date and reason the individual ceased to be a
 10 candidate.

11 (C) The name of the individual who will replace the candidate
 12 as:

13 (i) the individual wants the individual's name to appear on
 14 the ballot; and

15 (ii) the individual's name is permitted to appear on the ballot
 16 under IC 3-5-7.

17 The substitute candidate must specify, by a designation
 18 described in IC 3-5-7-5, each designation that the substitute
 19 candidate wants to use that is permitted by IC 3-5-7.

20 (3) The statement must be accompanied by the following:

21 (A) The replacement candidate's consent to be nominated by
 22 the petition and, if other candidates were listed on the petition,
 23 the signed consent of those candidates to be the replacement.

24 (B) The former candidate's statement of withdrawal in a form
 25 substantially similar to the form prescribed under IC 3-8-7-28
 26 if the individual withdrew as a candidate.

27 A replacement candidate's consent to the nomination must include a
 28 statement that the candidate requests the name on the candidate's voter
 29 registration record be the same as the name the candidate uses on the
 30 consent to the nomination. If there is a difference between the name on
 31 the candidate's consent to the nomination and the name on the
 32 candidate's voter registration record, the officer with whom the consent
 33 to the nomination is filed shall forward the information to the voter
 34 registration officer of the appropriate county as required by
 35 IC 3-5-7-6(d). The voter registration officer of the appropriate county
 36 shall change the name on the candidate's voter registration record to be
 37 the same as the name on the candidate's consent to the nomination.

38 (c) This subsection applies to a candidate described in subsection
 39 (a) who sought a local office other than a local office described by
 40 IC 3-8-2-5. The county, city, or town ~~chairman~~ **chairperson** of the
 41 political party may file a written statement that conforms with
 42 subsection (b) with the election board conducting the election for the



1 local office.

2 (d) The statement required under subsection (b) or (c) must be filed
3 not later than the final date and time for the filing of a certificate of
4 candidate selection under IC 3-13-1-15(c).

5 (e) If a petition of nomination is circulated or filed by an
6 independent candidate and that individual ceases to be a candidate,
7 another candidate may not be substituted on the petition of nomination.

8 SECTION 105. IC 3-8-7-1, AS AMENDED BY P.L.194-2013,
9 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2024]: Sec. 1. (a) Subject to subsections (b) and (c), the
11 candidate of a political party receiving the highest vote for an office at
12 a primary election is the nominee of that party for that office.

13 (b) If the candidate of a political party receiving the highest vote for
14 an office at a primary election for which a declaration of candidacy
15 must be filed with the secretary of state or election division under
16 IC 3-8-2 dies before the certification of primary election results by the
17 election division, the election division shall promptly certify to the state
18 ~~chairman~~ **chairperson** of the political party that a candidate vacancy
19 exists, which may be filled by the political party under IC 3-13-1.

20 (c) If the candidate of a political party receiving the highest vote for
21 an office at a primary election for which a declaration of candidacy
22 must be filed with the circuit court clerk under IC 3-8-2 dies before the
23 certification of primary election results by the county election board,
24 the county election board shall promptly certify to the county ~~chairman~~
25 **chairperson** of the political party that a candidate vacancy exists,
26 which may be filled by the political party under IC 3-13-1.

27 SECTION 106. IC 3-8-7-6, AS AMENDED BY P.L.64-2014,
28 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2024]: Sec. 6. (a) Not later than noon ten (10) days after the
30 certification of the canvass performed by the election division under
31 IC 3-10-1-34, the secretary of state shall furnish to the state ~~chairman~~
32 **chairperson** of each major political party of the state a list, certified
33 under the secretary's hand and seal.

34 (b) The list described in subsection (a) must:

35 (1) contain the names of all candidates shown to be nominated by
36 the canvass of the election division conducted under
37 IC 3-10-1-34; and

38 (2) include the address of each candidate.

39 (c) No other form of certification of nomination for office is
40 necessary for an individual included on the list described by this
41 section.

42 SECTION 107. IC 3-8-7-6.5 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6.5. (a) Not later than
 2 noon ten (10) days after receipt of the delegate lists from each circuit
 3 court clerk under section 5 of this chapter, the secretary of state shall
 4 furnish to the state ~~chairman~~ **chairperson** of each major political party
 5 of the state a list of individuals elected as delegates to the convention
 6 of the ~~chairman's~~ **chairperson's** political party.

7 (b) The list described under subsection (a) must:

8 (1) contain the names of all delegates elected, as certified by the
 9 circuit court clerks under section 5 of this chapter; and

10 (2) include the address of each delegate.

11 (c) The delegate lists must be certified separately from the candidate
 12 lists certified under section 6 of this chapter and may not contain the
 13 name of an individual appointed to serve as a state convention delegate.

14 SECTION 108. IC 3-8-7-8, AS AMENDED BY P.L.227-2023,
 15 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2024]: Sec. 8. (a) This section applies to a state convention
 17 conducted by a political party described by IC 3-8-4-1.

18 (b) The state ~~chairman~~ **chairperson** and state secretary of the
 19 political party holding the state convention shall certify each candidate
 20 nominated at the convention to the secretary of state not later than noon
 21 July 15 before the general election.

22 (c) The certificate must be in writing and state the following:

23 (1) The name of each candidate nominated as:

24 (A) the candidate wants the candidate's name to appear on the
 25 ballot; and

26 (B) the candidate's name is permitted to appear on the ballot
 27 under IC 3-5-7.

28 The certificate must specify, by a designation described in
 29 IC 3-5-7-5, each designation that the candidate wants to use that
 30 is permitted by IC 3-5-7.

31 (2) Each candidate's residence address.

32 (3) Whether each candidate nominated by the convention has
 33 complied with IC 3-9-1-5 by filing a campaign finance statement
 34 of organization.

35 (4) The following statements:

36 (A) A statement that the candidate has attached either of the
 37 following to the certificate:

38 (i) A copy of a statement of economic interests, file stamped
 39 by the office required to receive the statement of economic
 40 interests.

41 (ii) A receipt, photocopy of a receipt, or electronic mail from
 42 the office of the inspector general or judicial qualifications



- 1 commission, showing that a statement of economic interests
2 has been filed.
- 3 This requirement does not apply to a candidate for a federal
4 office.
- 5 (B) A statement that the candidate understands that if the
6 candidate is elected to the office, the candidate may be
7 required to obtain and file an individual surety bond before
8 serving in the office. This requirement does not apply to a
9 candidate for a federal office or legislative office.
- 10 (C) A statement that the candidate understands that if the
11 candidate is elected to the office, the candidate may be
12 required to successfully complete training or have attained
13 certification related to service in an elected office. This
14 requirement does not apply to a candidate for a federal office,
15 state office, or legislative office.
- 16 (D) A statement that the candidate:
- 17 (i) is aware of the provisions of IC 3-9 regarding campaign
18 finance and the reporting of campaign contributions and
19 expenditures; and
- 20 (ii) agrees to comply with the provisions of IC 3-9.
- 21 This requirement does not apply to a candidate for a federal
22 office.
- 23 The candidate must separately initial each of the statements
24 required by this subdivision.
- 25 (d) The election division shall prescribe the form of the certificate
26 of nomination for the offices. The election division shall provide that
27 the form of the certificate of nomination include the following
28 information:
- 29 (1) The dates for filing campaign finance reports under IC 3-9.
- 30 (2) The penalties for late filing of campaign finance reports under
31 IC 3-9.
- 32 (e) A certificate of nomination must include a statement that the
33 candidate requests the name on the candidate's voter registration record
34 be the same as the name the candidate uses on the certificate of
35 nomination. If there is a difference between the name on the candidate's
36 certificate of nomination and the name on the candidate's voter
37 registration record, the officer with whom the certificate of nomination
38 is filed shall forward the information to the voter registration officer of
39 the appropriate county as required by IC 3-5-7-6(d). The voter
40 registration officer of the appropriate county shall change the name on
41 the candidate's voter registration record to be the same as the name on
42 the candidate's certificate of nomination.



1 (f) The certificate of nomination must be signed by the state
 2 ~~chairman chairperson~~ and state secretary of the political party holding
 3 the convention, and set forth the name and residence of the ~~chairman~~
 4 ~~chairperson~~ and secretary. The ~~chairman chairperson~~ and secretary
 5 shall acknowledge the certificate before an individual authorized to
 6 administer oaths under IC 33-42-9. The signed acknowledgment must
 7 be included in the certificate of nomination executed under this section.

8 SECTION 109. IC 3-8-7-10, AS AMENDED BY P.L.227-2023,
 9 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2024]: Sec. 10. (a) This section applies to a county, city, or
 11 town convention conducted by a political party described by
 12 IC 3-8-4-1.

13 (b) A certificate of nomination by convention or primary election
 14 must satisfy all of the following:

15 (1) Be in writing.

16 (2) Contain all of the following information for each person
 17 nominated:

18 (A) The name of each person nominated as:

19 (i) the person wants the person's name to appear on the
 20 ballot; and

21 (ii) the person's name is permitted to appear on the ballot
 22 under IC 3-5-7.

23 The certificate must specify, by a designation described in
 24 IC 3-5-7-5, each designation that the person nominated wants
 25 to use that is permitted by IC 3-5-7.

26 (B) Each person's residence address.

27 (C) The office for which each person is nominated.

28 (3) Be signed by the ~~chairman chairperson~~ and secretary of the
 29 county, city, or town committee, who shall also give their
 30 respective places of residence and acknowledge the certificate
 31 before an individual authorized to administer oaths under
 32 IC 33-42-9. The signed acknowledgment must be included in the
 33 certificate of nomination executed under this section.

34 SECTION 110. IC 3-8-7-11, AS AMENDED BY P.L.227-2023,
 35 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2024]: Sec. 11. (a) Except as provided in subsection (f), if a
 37 political party has filed a statement with the election division (or any
 38 of its predecessors) that the device selected by the political party be
 39 used to designate the candidates of the political party on the ballot for
 40 all elections throughout the state, the device must be used until:

41 (1) the device is changed in accordance with party rules; and

42 (2) a statement concerning the use of the new device is filed with



- 1 the election division.
- 2 (b) Except as provided in subsection (c), the device may be any
3 appropriate symbol.
- 4 (c) A political party may not use any of the following as a device:
- 5 (1) A symbol that has previously been filed by a political party
6 with the election division (or any of its predecessors).
- 7 (2) The coat of arms or seal of the state or of the United States.
- 8 (3) The national or state flag.
- 9 (4) Any other emblem common to the people.
- 10 (d) Not later than noon on the date specified under section 16 of this
11 chapter for the certification of candidates and public questions by the
12 election division, the election division shall provide each county
13 election board with a camera-ready copy of the device under which the
14 candidates of the political party or the petitioner are to be listed so that
15 ballots may be prepared using the best possible reproduction of the
16 device.
- 17 (e) This subsection applies to a political party whose device is not
18 filed with the election division under subsection (a) and is to be printed
19 only on ballots to identify candidates for election to a local office. Not
20 later than noon on the date specified under section 16 of this chapter
21 for the certification of candidates and public questions by the election
22 division, the ~~chairman~~ **chairperson** of the political party or the
23 petitioner of nomination shall file a camera-ready copy of the device
24 under which the candidates of the political party or the petitioner are
25 to be listed with the county election board of each county in which the
26 name of the candidate or party will be placed on the ballot. The county
27 election board shall provide the camera-ready copy of the device to the
28 town election board of a town located wholly or partially within the
29 county upon request by the town election board.
- 30 (f) If a copy of the device is not filed in accordance with subsection
31 (a) or (e), or unless a device is designated in accordance with section
32 26 or 27 of this chapter, the county election board or town election
33 board is not required to use any device to designate the list of
34 candidates.
- 35 (g) If a device is filed with the election division or an election board
36 after the commencement of printing of ballots for use at an election
37 conducted under this title, the election board responsible for printing
38 the ballots is not required to alter the ballots to include the device filed
39 under this subsection.
- 40 SECTION 111. IC 3-8-7-29, AS AMENDED BY P.L.84-2016,
41 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2024]: Sec. 29. (a) This section applies:



- 1 (1) if a person:
 2 (A) has been certified as a candidate in a certificate of
 3 nomination filed under this chapter;
 4 (B) moves from the election district that the person sought to
 5 represent following the filing of the certificate of nomination;
 6 (C) does not file a notice of withdrawal of candidacy under
 7 section 28 of this chapter; and
 8 (D) is no longer an active candidate; or
 9 (2) if a person is disqualified from being a candidate under
 10 IC 3-8-1-5.
- 11 (b) The county ~~chairman~~ **chairperson** of any political party on the
 12 ballot in the election district or a candidate for the office sought by the
 13 person described in subsection (a) may, upon determining that this
 14 section applies, file an action in the circuit court, superior court, or
 15 probate court in the county where the person described in subsection
 16 (a) resided. The complaint in this action must:
 17 (1) state that this section applies to the person; and
 18 (2) name the person described in subsection (a) and the public
 19 official responsible for placing that person's name on the ballot as
 20 defendants.
- 21 (c) When a complaint is filed under subsection (b), the circuit court,
 22 superior court, or probate court shall conduct a hearing and rule on the
 23 petition within ten (10) days after it is filed.
- 24 (d) If the court finds in favor of the plaintiff, a candidate vacancy
 25 occurs on the:
 26 (1) general election ballot; and
 27 (2) primary election ballot if no other person is:
 28 (A) a member of the same political party as the person
 29 described in subsection (a); and
 30 (B) a candidate on the ballot for the office sought by the
 31 person described in subsection (a).
- 32 (e) The candidate vacancy shall be filled under IC 3-13-1 or
 33 IC 3-13-2.
- 34 SECTION 112. IC 3-9-1-1 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) Except as
 36 provided in subsection (b), this chapter applies to candidates in all
 37 elections and caucuses and to the following types of committees:
 38 (1) Candidate's committees.
 39 (2) Regular party committees.
 40 (3) Political action committees.
 41 (4) Legislative caucus committees.
 42 (b) This chapter does not apply to the following:



1 (1) A candidate for a local office for which the compensation is
 2 less than five thousand dollars (\$5,000) per year unless the
 3 candidate is required to file a written instrument designating a
 4 principal committee under section 5.5 of this chapter.

5 (2) A candidate for school board office unless the candidate is
 6 required to file a written instrument designating a principal
 7 committee under section 5.5 of this chapter.

8 (3) Elections for precinct ~~committeeman~~ **committee person** or
 9 delegate to a state convention.

10 (4) An auxiliary party organization.

11 SECTION 113. IC 3-9-1-2 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. Each committee
 13 must have a ~~chairman~~ **chairperson** and a treasurer who are ex officio
 14 members of the committee. A person may not make an expenditure or
 15 accept a contribution for or on behalf of a committee without the
 16 authorization of its ~~chairman~~ **chairperson** or treasurer.

17 SECTION 114. IC 3-9-1-4, AS AMENDED BY P.L.169-2015,
 18 SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2024]: Sec. 4. A committee must include in its statement of
 20 organization the following:

21 (1) The name and address of the committee.

22 (2) The purpose for which the committee is formed, unless the
 23 committee is a candidate's committee that identifies a specific
 24 office sought by the candidate.

25 (3) The name and address of the ~~chairman~~ **chairperson** and
 26 treasurer.

27 (4) If applicable, the name, address, office sought, and political
 28 party affiliation or independent status of each candidate whom the
 29 committee is supporting.

30 (5) If the committee is a legislative caucus committee, political
 31 action committee, or regular party committee and is supporting
 32 the entire ticket of a political party, the name of the party.

33 (6) If the committee is a political action committee supporting or
 34 opposing a public question, a brief statement of the question
 35 supported or opposed.

36 (7) A listing of all banks, safety deposit boxes, and other
 37 depositories used.

38 (8) Other information prescribed by the election division under
 39 IC 3-6-4.2-12(8).

40 SECTION 115. IC 3-9-1-5 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) This section does
 42 not apply to the following candidates:



- 1 (1) A candidate for a local office for which the compensation is
 2 less than five thousand dollars (\$5,000) per year.
 3 (2) A candidate for a school board office.
 4 (b) Each candidate shall have a principal committee.
 5 (c) A candidate shall file a written instrument designating the name
 6 of the principal committee and the names of the ~~chairman~~ **chairperson**
 7 and treasurer of the committee. The written instrument must be filed
 8 not later than the earliest of the following:
 9 (1) Noon ten (10) days after becoming a candidate.
 10 (2) Noon seven (7) days after the final date and hour for filing any
 11 of the following, whichever applies to the candidate:
 12 (A) A declaration of candidacy under IC 3-8-2.
 13 (B) A petition of nomination under IC 3-8-6.
 14 (C) A certificate of nomination under IC 3-8-7-8.
 15 (D) A certificate of candidate selection under IC 3-13-1 or
 16 IC 3-13-2.
 17 (E) A declaration of intent to be a write-in candidate under
 18 IC 3-8-2.
 19 (3) The date a candidate is required to file the candidate's first
 20 campaign finance report under IC 3-9-5.
 21 (d) This designation may be made on the same instrument as the
 22 statement of organization required from the principal committee.
 23 SECTION 116. IC 3-9-1-5.5 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5.5. (a) This section
 25 applies to the following candidates:
 26 (1) A candidate for a local office for which the compensation is
 27 less than five thousand dollars (\$5,000) per year.
 28 (2) A candidate for a school board office.
 29 (b) A candidate shall have a principal committee.
 30 (c) Not later than noon ten (10) days after either:
 31 (1) the candidate receives more than five hundred dollars (\$500)
 32 in contributions; or
 33 (2) the candidate makes more than five hundred dollars (\$500) in
 34 expenditures;
 35 whichever occurs first, the candidate shall file a written instrument
 36 designating the name of the principal committee and the names of the
 37 ~~chairman~~ **chairperson** and treasurer of the committee.
 38 (d) This designation may be made on the same instrument as the
 39 statement of organization required from the principal committee.
 40 SECTION 117. IC 3-9-1-6 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. If a candidate fails
 42 to file the instrument required by section 5 or 5.5 of this chapter, the



1 candidate's principal committee is designated as "the
2 _____(insert the name of the candidate) for _____(insert
3 the title of the office sought by the candidate) committee". The
4 candidate is then both ~~chairman~~ **chairperson** and treasurer of the
5 committee.

6 SECTION 118. IC 3-9-1-7 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. A candidate may be
8 ~~chairman~~, **chairperson**, treasurer, or both ~~chairman~~ **chairperson** and
9 treasurer of the candidate's committee.

10 SECTION 119. IC 3-9-1-12, AS AMENDED BY P.L.225-2011,
11 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2024]: Sec. 12. (a) A committee may disband at any time in
13 the manner prescribed by this section.

14 (b) The commission or a county election board may administratively
15 disband a committee in the manner prescribed by this section.

16 (c) The commission has exclusive jurisdiction to disband any of the
17 following:

- 18 (1) A candidate's committee for state office.
- 19 (2) A candidate's committee for legislative office.
- 20 (3) A legislative caucus committee.
- 21 (4) A political action committee that has filed a statement or
22 report with the election division.
- 23 (5) A regular party committee that has filed a statement or report
24 with the election division.

25 (d) A county election board has exclusive jurisdiction to disband
26 any of the following:

- 27 (1) A candidate's committee for a local office.
- 28 (2) A candidate's committee for a school board office.
- 29 (3) A political action committee that has filed a statement or
30 report with the election board, unless the political action
31 committee has also filed a report with the election division.
- 32 (4) A regular party committee that has filed a statement or report
33 with the election board, unless the regular party committee has
34 also filed a report with the election division.

35 (e) The commission or a county election board may administratively
36 disband a committee in the following manner:

- 37 (1) Not later than the last Friday of January of each year, the
38 election division or county election board shall review the list of
39 committees that have filed statements of organization with the
40 division or board under this article.
- 41 (2) If the election division or county election board determines
42 both of the following, the election division or county election



1 board may begin a proceeding before the commission or board to
 2 administratively disband the committee:

3 (A) The committee has not filed any report of expenditures
 4 during the previous three (3) calendar years.

5 (B) The committee last reported cash on hand in an amount
 6 that does not exceed one thousand dollars (\$1,000), if the
 7 committee filed a report under this article.

8 (3) The election division or county election board shall provide
 9 notice of the proceeding by certified mail to the last known
 10 address of the ~~chairman~~ **chairperson** and treasurer of the
 11 committee.

12 (4) The commission or board may issue an order administratively
 13 dissolving the committee if the commission or board makes the
 14 following findings:

15 (A) There is no evidence that the committee continues to
 16 receive contributions, make expenditures, or otherwise
 17 function as a committee.

18 (B) According to the best evidence available to the
 19 commission or board, the dissolution of the committee will not
 20 impair any contract or impede the collection of a debt or
 21 judgment by any person.

22 (5) If the commission or board:

23 (A) administratively dissolves a committee under subdivision
 24 (4); and

25 (B) finds that the prudent use of public resources makes
 26 further efforts to collect any outstanding civil penalty imposed
 27 against the committee wasteful or unjust;

28 the commission or board may also waive the outstanding civil
 29 penalty previously imposed by the commission or board against
 30 the committee.

31 (6) The election division shall arrange for the publication in the
 32 Indiana Register of an order administratively disbanding a
 33 committee. A county election board shall publish a notice under
 34 IC 5-3-1 stating that the board has disbanded a committee under
 35 this subsection. The notice must state the date of the order and the
 36 name of the committee, but the board is not required to publish
 37 the text of the order.

38 (7) An order issued under this subsection takes effect immediately
 39 upon its adoption, unless otherwise specified in the order.

40 (f) If the ~~chairman~~ **chairperson** or treasurer of a committee wishes
 41 to disband the committee, the committee must do either of the
 42 following:



- 1 (1) Give written notification of the dissolution and transfer a
 2 surplus of contributions less expenditures to any one (1) or a
 3 combination of the following:
- 4 (A) One (1) or more regular party committees.
 - 5 (B) One (1) or more candidate's committees.
 - 6 (C) The election division.
 - 7 (D) An organization exempt from federal income taxation
 8 under Section 501 of the Internal Revenue Code.
 - 9 (E) Contributors to the committee, on a pro rata basis.
- 10 (2) Use the surplus in any other manner permitted under
 11 IC 3-9-3-4.
- 12 (g) Except as provided in subsection (e) concerning the waiver of
 13 civil penalties, a dissolution or transfer of funds does not relieve the
 14 committee or the committee's members from any:
- 15 (1) civil liability, including the liability of the committee's
 16 ~~chairman~~ **chairperson** or treasurer for the payment of any debts
 17 incurred by or on behalf of the committee; or
 - 18 (2) criminal liability.
- 19 SECTION 120. IC 3-9-1-13 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 13. A treasurer of a
 21 committee:
- 22 (1) must be a United States citizen;
 - 23 (2) may not be the ~~chairman~~ **chairperson** of a committee except
 24 in the case of a candidate under section 7 of this chapter;
 - 25 (3) must be appointed treasurer in writing as required by section
 26 14 of this chapter; and
 - 27 (4) must file the written instrument of appointment as required by
 28 section 15 of this chapter.
- 29 SECTION 121. IC 3-9-1-14 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 14. The ~~chairman~~
 31 **chairperson** of a committee shall appoint or designate the treasurer of
 32 the committee in a written instrument.
- 33 SECTION 122. IC 3-9-1-19 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 19. (a) A committee
 35 may remove a person appointed or designated ~~chairman~~ **chairperson**
 36 or treasurer by the committee without assigning a cause. The
 37 committee may also appoint or designate the successor of the removed
 38 ~~chairman~~ **chairperson** or treasurer.
- 39 (b) Upon removal, the treasurer shall immediately account for and
 40 turn over to the treasurer's successor in office the value then in the
 41 treasurer's possession.
- 42 SECTION 123. IC 3-9-1-22 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 22. Disbursements may
 2 be made by a voucher drawn by the ~~chairman~~ **chairperson** of a
 3 committee on the treasurer and presented to the treasurer for payment.
 4 The voucher must show the specific purpose for which the money is
 5 being expended.

6 SECTION 124. IC 3-9-2-1 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) Except as
 8 provided in subsections (b) and (c), this chapter applies to candidates
 9 in all elections and caucuses and to the following types of committees:

- 10 (1) Candidate's committees.
- 11 (2) Regular party committees.
- 12 (3) Political action committees.
- 13 (4) A legislative caucus committee.

14 (b) Sections 2 through 10 of this chapter do not apply to elections
 15 for precinct ~~committeeman~~ **committee person** or delegate to a state
 16 convention.

17 (c) Section 9 of this chapter applies to a candidate only if the
 18 candidate is required to file a written instrument designating a principal
 19 committee under IC 3-9-1-5 or IC 3-9-1-5.5.

20 (d) Sections 9 and 10 of this chapter apply to an auxiliary party
 21 organization.

22 SECTION 125. IC 3-9-3-1 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) Except as
 24 provided in subsections (b) and (c), this chapter applies to candidates
 25 in all elections and caucuses and to the following types of committees:

- 26 (1) Candidate's committees.
- 27 (2) Regular party committees.
- 28 (3) Political action committees.
- 29 (4) An auxiliary party organization.
- 30 (5) A legislative caucus committee.

31 (b) Section 4 of this chapter does not apply to candidates for federal
 32 office.

33 (c) Section 2.5 of this chapter does not apply to candidates for the
 34 following:

- 35 (1) Precinct ~~committeeman~~ **committee person**.
- 36 (2) State convention delegate.

37 SECTION 126. IC 3-9-4-1 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) Except as
 39 provided in subsection (b), this chapter applies to candidates in all
 40 elections and caucuses and to the following types of committees:

- 41 (1) Candidate's committees.
- 42 (2) Regular party committees.



- 1 (3) Political action committees.
- 2 (4) A legislative caucus committee.
- 3 (b) This chapter does not apply to the following:
- 4 (1) A candidate for a local office for which the compensation is
- 5 less than five thousand dollars (\$5,000) per year unless the
- 6 candidate is required to file a written instrument designating a
- 7 principal committee under IC 3-9-1-5.5.
- 8 (2) Elections for precinct ~~committeeman~~ **committee person** or
- 9 delegate to a state convention.
- 10 (3) A candidate for a school board office unless the candidate is
- 11 required to file a written instrument designating a principal
- 12 committee under IC 3-9-1-5.5.
- 13 (4) An auxiliary party organization.

14 SECTION 127. IC 3-9-5-1 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) Except as
 16 provided in subsection (b), this chapter applies to candidates in all
 17 elections and caucuses and to the following types of committees:

- 18 (1) Candidate's committees.
- 19 (2) Regular party committees.
- 20 (3) Political action committees.
- 21 (4) A legislative caucus committee.
- 22 (b) This chapter does not apply to the following:
- 23 (1) A candidate for a local office for which the compensation is
- 24 less than five thousand dollars (\$5,000) per year unless the
- 25 candidate is required to file a written instrument designating a
- 26 principal committee under IC 3-9-1-5.5.
- 27 (2) A candidate for school board office unless the candidate is
- 28 required to file a written instrument designating a principal
- 29 committee under IC 3-9-1-5.5.
- 30 (3) Elections for precinct ~~committeeman~~ **committee person** or
- 31 delegate to a state convention.
- 32 (4) An auxiliary party organization.

33 SECTION 128. IC 3-10-1-4 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) At a primary
 35 election each political party subject to section 2 of this chapter shall
 36 nominate its candidates for the following offices to be voted for at the
 37 general election:

- 38 (1) United States Senator.
- 39 (2) Governor.
- 40 (3) United States Representative.
- 41 (4) Legislative offices.
- 42 (5) Local offices.



1 (b) In addition, each political party subject to section 2 of this
2 chapter shall:

3 (1) vote on candidates for nomination as President of the United
4 States;

5 (2) elect delegates from each county to the party's state
6 convention; and

7 (3) elect a precinct ~~committeeman~~ **committee person** for each
8 precinct in the county if precinct ~~committeemen~~ **committee**
9 **persons** are to be elected under section 4.5 of this chapter.

10 SECTION 129. IC 3-10-1-4.5, AS AMENDED BY P.L.141-2023,
11 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2024]: Sec. 4.5. (a) Except as provided in section 4.6 of this
13 chapter, precinct ~~committeemen~~ **committee persons** shall be elected
14 on the first Tuesday after the first Monday in May 2026, 2030, 2034,
15 2038, 2042, and every four (4) years thereafter.

16 (b) The rules of a political party may specify whether a precinct
17 ~~committeeman~~ **committee person** elected under subsection (a)
18 continues to serve as a precinct ~~committeeman~~ **committee person** after
19 the boundaries of the precinct are changed by a precinct establishment
20 order issued under IC 3-11-1.5.

21 SECTION 130. IC 3-10-1-4.6, AS AMENDED BY P.L.141-2023,
22 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2024]: Sec. 4.6. (a) This section applies to precinct
24 ~~committeemen~~ **committee persons** elected by the Indiana Republican
25 Party.

26 (b) Precinct ~~committeemen~~ **committee persons** shall be elected on
27 the first Tuesday after the first Monday in May 2024, 2028, 2032,
28 2036, 2040, 2044, and every four (4) years thereafter.

29 (c) The rules of the Indiana Republican Party may specify whether
30 a precinct ~~committeeman~~ **committee person** elected under subsection
31 (b) continues to serve as a precinct ~~committeeman~~ **committee person**
32 after the boundaries of the precinct are changed by a precinct
33 establishment order issued under IC 3-11-1.5.

34 SECTION 131. IC 3-10-1-5 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) Whenever there
36 is no contest in a political party for the nomination of a candidate or
37 candidates for an office, the party may hold a primary election for that
38 nomination. The appropriate election board shall certify the names of
39 the candidates for each nomination for which there is no contest as
40 though a primary election had been held. However, except as provided
41 in subsections (b) through (c), if there is a contest in any party for any
42 nomination, the name of each candidate of each party shall be placed



1 on the primary election ballot, whether or not the candidate is opposed.

2 (b) If the only contest in a political party is for the election of a
3 precinct ~~committeeman~~ **committee person** or a delegate to the party's
4 state convention, the names of unopposed candidates for nomination
5 are not required to be placed on the primary election ballot unless the
6 appointed member of the county election board affiliated with the
7 political party files a written request that these names be printed on the
8 primary election ballot.

9 (c) The names of unopposed candidates for election as a precinct
10 ~~committeeman~~ **committee person** or a delegate to a political party's
11 state convention are not required to be placed on the primary election
12 ballot unless an appointed member of the county election board
13 affiliated with the political party files a written request that these names
14 be printed on the primary election ballot.

15 (d) If a party wants to conduct a primary under subsection (c), an
16 appointed member of the county election board affiliated with the party
17 must file a notice with the county election board not later than noon
18 seven (7) days after the final date for filing a declaration of candidacy,
19 stating that the party will hold a primary.

20 SECTION 132. IC 3-10-1-18, AS AMENDED BY P.L.11-2023,
21 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2024]: Sec. 18. (a) Except as provided by subsection (b), the
23 names of all candidates for each office who have qualified under IC 3-8
24 shall be arranged in alphabetical order by surnames under the
25 designation of the office.

26 (b) This subsection applies to a county having a population of more
27 than four hundred thousand (400,000) and less than seven hundred
28 thousand (700,000). The names of all candidates for each office who
29 have qualified under IC 3-8, except for a school board office, precinct
30 ~~committeeman~~, **committee person**, or state convention delegate, shall
31 be arranged in random order by surnames under the designation of the
32 office. The random order shall be determined using a lottery. The
33 lottery held in accordance with this subsection shall be conducted in
34 public by the county election board. The lottery shall be held not later
35 than fifteen (15) days following the last day for a declaration of
36 candidacy under IC 3-8-2-4. All candidates whose names are to be
37 arranged by way of the lottery shall be notified at least five (5) days
38 prior to the lottery of the time and place at which the lottery is to be
39 held. Each candidate may have one (1) designated watcher, and each
40 county political party may have one (1) designated watcher who shall
41 be allowed to observe the lottery procedure.

42 (c) For paper ballots, the left margin of the ballot for each political



1 party must show the name of the uppermost candidate printed to the
 2 right of the number 1, the next candidate number 2, the next candidate
 3 number 3, and so on, consecutively to the end of the ballot as
 4 prescribed in section 19 of this chapter. If ordered by a county election
 5 board or a board of elections and registration under IC 3-11-15-13.1(b),
 6 a ballot number or other candidate designation uniquely associated
 7 with the candidate must be displayed on the electronic voting system
 8 and printed on the ballot cards.

9 (d) This subsection applies to a county having a population of more
 10 than four hundred thousand (400,000) and less than seven hundred
 11 thousand (700,000). If there is insufficient room on a row to list each
 12 candidate of a political party, a second or subsequent row may be
 13 utilized. However, a second or subsequent row may not be utilized
 14 unless the first row, and all preceding rows, have been filled.

15 SECTION 133. IC 3-10-1-19, AS AMENDED BY P.L.227-2023,
 16 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2024]: Sec. 19. (a) The ballot for a primary election shall be
 18 printed in substantially the form described in this section for all the
 19 offices for which candidates have qualified under IC 3-8.

20 (b) The following shall be printed as the heading for the ballot for
 21 a political party:

22 "OFFICIAL PRIMARY BALLOT

23 _____ Party (insert the name of the political party)".

24 (c) The following shall be printed immediately below the heading
 25 required by subsection (b) or be posted in each voting booth as
 26 provided in IC 3-11-2-8(b):

27 (1) For paper ballots, print: To vote for a person, make a voting
 28 mark (X or ✓) on or in the box before the person's name in the
 29 proper column.

30 (2) For optical scan ballots, print: To vote for a person, darken or
 31 shade in the circle, oval, or square (or draw a line to connect the
 32 arrow) that precedes the person's name in the proper column.

33 (3) For optical scan ballots that do not contain a candidate's name,
 34 print: To vote for a person, darken or shade in the oval that
 35 precedes the number assigned to the person's name in the proper
 36 column.

37 (4) For electronic voting systems, print: To vote for a person,
 38 touch the screen (or press the button) in the location indicated.

39 (d) Local public questions shall be placed on the primary election
 40 ballot after the heading and the voting instructions described in
 41 subsection (c) (if the instructions are printed on the ballot) and before
 42 the offices described in subsection (g).



1 (e) The local public questions described in subsection (d) shall be
2 placed as follows:

3 (1) In a separate column on the ballot if voting is by paper ballot.

4 (2) After the heading and the voting instructions described in
5 subsection (c) (if the instructions are printed on the ballot) and
6 before the offices described in subsection (g), in the form
7 specified in IC 3-11-13-11 if voting is by ballot card.

8 (3) As provided by either of the following if voting is by an
9 electronic voting system:

10 (A) On a separate screen for a public question.

11 (B) After the heading and the voting instructions described in
12 subsection (c) (if the instructions are printed on the ballot) and
13 before the offices described in subsection (g), in the form
14 specified in IC 3-11-14-3.5.

15 (f) A public question shall be placed on the primary election ballot
16 in the following form:

17 (The explanatory text for the public question,
18 if required by law.)

19 "Shall (insert public question)?"

20 YES

21 NO

22 (g) The offices with candidates for nomination shall be placed on
23 the primary election ballot in the following order:

24 (1) Federal and state offices:

25 (A) President of the United States.

26 (B) United States Senator.

27 (C) Governor.

28 (D) United States Representative.

29 (2) Legislative offices:

30 (A) State senator.

31 (B) State representative.

32 (3) Circuit offices and county judicial offices:

33 (A) Judge of the circuit court, and unless otherwise specified
34 under IC 33, with each division separate if there is more than
35 one (1) judge of the circuit court.

36 (B) Judge of the superior court, and unless otherwise specified
37 under IC 33, with each division separate if there is more than
38 one (1) judge of the superior court.

39 (C) Judge of the probate court.

40 (D) Prosecuting attorney.

41 (E) Circuit court clerk.

42 (4) County offices:



- 1 (A) County auditor.
 2 (B) County recorder.
 3 (C) County treasurer.
 4 (D) County sheriff.
 5 (E) County coroner.
 6 (F) County surveyor.
 7 (G) County assessor.
 8 (H) County commissioner.
 9 (I) County council member.
 10 (5) Township offices:
 11 (A) Township assessor (only in a township referred to in
 12 IC 36-6-5-1(d)).
 13 (B) Township trustee.
 14 (C) Township board member.
 15 (D) Judge of the small claims court.
 16 (E) Constable of the small claims court.
 17 (6) City offices:
 18 (A) Mayor.
 19 (B) Clerk or clerk-treasurer.
 20 (C) Judge of the city court.
 21 (D) City-county council member or common council member.
 22 (7) Town offices:
 23 (A) Clerk-treasurer.
 24 (B) Judge of the town court.
 25 (C) Town council member.
 26 (h) The political party offices with candidates for election shall be
 27 placed on the primary election ballot in the following order after the
 28 offices described in subsection (g):
 29 (1) Precinct ~~committeeman~~: **committee person**.
 30 (2) State convention delegate.
 31 (i) The local offices to be elected at the primary election shall be
 32 placed on the primary election ballot after the offices described in
 33 subsection (h).
 34 (j) The offices described in subsection (i) shall be placed as follows:
 35 (1) In a separate column on the ballot if voting is by paper ballot.
 36 (2) After the offices described in subsection (h) in the form
 37 specified in IC 3-11-13-11 if voting is by ballot card.
 38 (3) Either:
 39 (A) on a separate screen for each office or public question; or
 40 (B) after the offices described in subsection (h) in the form
 41 specified in IC 3-11-14-3.5;
 42 if voting is by an electronic voting system.



1 (k) If no candidate has filed to run for an office on the primary ballot
 2 then the county election board may print "NO CANDIDATE FILED"
 3 in the place on the ballot where a candidate's name would have been
 4 printed.

5 SECTION 134. IC 3-10-2-15 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 15. (a) This section
 7 applies to a political party whose nominee received at least two percent
 8 (2%) but less than ten percent (10%) of the votes cast for secretary of
 9 state at the last election for that office.

10 (b) This section applies only to a local office that is:

11 (1) not listed in IC 3-8-2-5; and

12 (2) not a municipal office subject to IC 3-8-5-17 or IC 3-10-6-12.

13 (c) A political party subject to this section shall nominate the party's
 14 candidate for a local office at a county convention of the party
 15 conducted not later than noon on the date specified by
 16 IC 3-13-1-7(a)(1) for a major political party to act to fill a candidate
 17 vacancy.

18 (d) The ~~chairman~~ **chairperson** and secretary of the convention shall
 19 execute a certificate of nomination in writing, setting out the following:

20 (1) The name of each nominee as:

21 (A) the nominee wants the nominee's name to appear on the
 22 ballot; and

23 (B) the nominee's name is permitted to appear on the ballot
 24 under IC 3-5-7.

25 (2) The residence address of each nominee.

26 (3) The office for which each nominee was nominated.

27 (4) That each nominee is legally qualified to hold office.

28 (5) The political party device or emblem by which the ticket will
 29 be designated on the ballot.

30 Both the ~~chairman~~ **chairperson** and secretary shall acknowledge the
 31 certificate before an officer authorized to take acknowledgment of
 32 deeds.

33 (e) Each candidate nominated under this section shall execute a
 34 consent to the nomination in the same form as a candidate nominated
 35 by petition under IC 3-8-6.

36 (f) The certificate required by subsection (d) and the consent
 37 required by subsection (e) must be filed with the circuit court clerk of
 38 the county containing the greatest percentage of population of the
 39 election district for which the candidate has been nominated by the
 40 convention not later than noon on the date specified by IC 3-13-1-15(c)
 41 for a major political party to file a certificate of candidate selection.

42 (g) A candidate's consent to the nomination must include a



1 statement that the candidate requests the name on the candidate's voter
 2 registration record be the same as the name the candidate uses on the
 3 consent to the nomination. If there is a difference between the name on
 4 the candidate's consent to the nomination and the name on the
 5 candidate's voter registration record, the officer with whom the consent
 6 to the nomination is filed shall forward the information to the voter
 7 registration officer of the appropriate county. The voter registration
 8 officer of the appropriate county shall change the name on the
 9 candidate's voter registration record to be the same as the name on the
 10 candidate's consent to the nomination.

11 (h) A question concerning the validity of a candidate's nomination
 12 under this section shall be determined by a county election board in
 13 accordance with IC 3-13-1-16.5(b) and IC 3-13-1-16.5(c).

14 (i) A nominee who wants to withdraw must file a notice of
 15 withdrawal in accordance with IC 3-8-7-28.

16 SECTION 135. IC 3-10-4-5, AS AMENDED BY P.L.201-2017,
 17 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2024]: Sec. 5. (a) This subsection applies to a major political
 19 party and to a political party subject to IC 3-8-4-10. The state ~~chairman~~
 20 **chairperson** of each political party shall certify to the election division
 21 the names of the nominees of the party for President and Vice President
 22 of the United States and the state of which each nominee is a resident.

23 (b) If candidates for presidential electors and alternate presidential
 24 electors are nominated by petitioners instead of by a convention of a
 25 major political party or a party subject to IC 3-8-4-10, the petitioners
 26 shall certify with the list of names of the presidential electors the
 27 following:

28 (1) The names of their nominees for President and Vice President
 29 of the United States.

30 (2) The state of which each nominee is a resident.

31 (3) The name of the political party of the nominees, or that the
 32 nominees are an independent ticket.

33 (c) This subsection applies to a political party described in
 34 subsection (a) and to candidates nominated by petitioners under
 35 subsection (b). The names of:

36 (1) all candidates for:

37 (A) presidential electors; and

38 (B) alternate presidential electors; and

39 (2) all nominees for President and Vice President of the United
 40 States;

41 shall be certified to the election division not later than noon on the
 42 second Tuesday in September before the general election. The election



1 division shall certify to each county election board not later than noon
 2 on the next following Thursday in September before the general
 3 election the names of the nominees for President and Vice President of
 4 the United States certified to the election division under this
 5 subsection.

6 (d) The names of all candidates for presidential electors and
 7 alternate presidential electors for a write-in candidate shall be included
 8 on the declaration for candidacy filed by a write-in candidate for the
 9 office of President or Vice President of the United States filed under
 10 IC 3-8-2.

11 SECTION 136. IC 3-10-4-8, AS AMENDED BY P.L.201-2017,
 12 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2024]: Sec. 8. (a) This section applies if a presidential elector:

- 14 (1) files the presidential elector's resignation with the governor
 15 under IC 5-8-3.5;
- 16 (2) dies or is otherwise disqualified from holding office, and the
 17 presidential elector's death or disqualification is certified to the
 18 governor by the state ~~chairman~~ **chairperson** of the political party
 19 of the presidential elector;
- 20 (3) fails to appear before 11 a.m. on the day prescribed by section
 21 7 of this chapter; or
- 22 (4) vacates the presidential elector's office as described in section
 23 9(d) of this chapter.

24 (b) If the presidential elector's alternate presidential elector is
 25 present to vote, the alternate presidential elector shall fill the vacancy.
 26 If the alternate presidential elector is not present, the presidential
 27 electors present shall, by paper ballot and a majority vote of all those
 28 present, immediately fill the vacancy upon proof of the resignation or
 29 certification being provided to the presidential electors, or at 11 a.m.,
 30 whichever occurs first. The presidential electors must fill the vacancy
 31 as follows:

- 32 (1) If the alternate presidential elector for the vacant office is not
 33 present to vote, by choosing a presidential elector from among the
 34 alternate presidential electors present.
- 35 (2) If the number of alternate presidential electors present is
 36 insufficient to fill any vacant position under subdivision (1), by
 37 electing any immediately available individual who is qualified to
 38 serve as a presidential elector.

39 (c) To qualify as an alternate presidential elector under subsection
 40 (b), an individual who has not executed the pledge required under
 41 section 1.7 of this chapter must execute the following pledge: "I agree
 42 to serve and to mark my ballots for President and Vice President



1 consistent with the pledge of the individual to whose presidential
2 elector position I have succeeded."

3 (d) The election shall immediately be certified by a majority of the
4 presidential electors to the governor, who shall immediately notify the
5 individual of the individual's election by presenting the individual with
6 a commission issued under IC 4-3-1-5.

7 SECTION 137. IC 3-10-6-4 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) Except as
9 otherwise provided in this section, all candidates for nomination to an
10 office of the municipality by a major political party must be placed on
11 a primary election ballot for the candidate's party.

12 (b) If no candidate has filed for the nomination of a party to any
13 office of the municipality, the party may not hold a primary election in
14 the municipality.

15 (c) Whenever there is no contest in a political party for the
16 nomination of a candidate or candidates for an office, but at least one
17 (1) candidate has filed for the nomination by that political party, the
18 party may hold a primary election for that nomination.

19 (d) If a party wants to conduct a primary under subsection (c), the
20 county ~~chairman~~ **chairperson** of the party must file a notice with the
21 county election board not later than noon seven (7) days after the final
22 date for filing a declaration of candidacy, stating that the party will
23 hold a primary.

24 (e) The county election board of the county in which the greatest
25 percentage of the population of the municipality is located shall certify
26 the names of the candidates for each nomination for which there is no
27 contest as though a primary election had been held.

28 (f) If:

- 29 (1) there is a contest in an election district comprising all or part
30 of a municipality in any party for a nomination for an office; or
31 (2) a party has decided to hold a primary election for an office
32 under subsection (c);

33 the name of each candidate of the political party within the election
34 district shall be placed on the primary election ballot for the election
35 district, whether or not the candidate is opposed.

36 (g) This subsection applies when:

- 37 (1) there is a contest for nomination by a major political party for
38 at least one (1) of the municipality's legislative body members;
39 (2) only the voters who reside in a legislative body district are
40 eligible to vote in the primary election for the political party's
41 nomination of the legislative body member; and
42 (3) there is no contest for nomination to an office to be voted on



1 by all voters of the political party of the municipality.
 2 The county election board may, by unanimous vote of the entire
 3 membership of the board, adopt a resolution providing that a primary
 4 election for the party will be held only in the legislative body election
 5 districts in which voters will nominate candidates under subdivision
 6 (2). The names of unopposed candidates for the party's nomination for
 7 an office to be voted on by all voters of the municipality may not be
 8 placed on the ballot used within the election districts for the
 9 nomination of candidates under this subsection.

10 (h) If:

11 (1) there is no contest in an election district in any party for a
 12 nomination for an office; and

13 (2) no party has decided to hold a primary election for any office
 14 under subsection (c);

15 a primary election may not be held for any municipal office in the
 16 election district.

17 SECTION 138. IC 3-10-6-12, AS AMENDED BY P.L.227-2023,
 18 SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2024]: Sec. 12. (a) This section applies to a political party:

20 (1) not qualified to conduct a primary election under IC 3-10; and

21 (2) not required to nominate candidates by a petition of
 22 nomination under IC 3-8-6.

23 (b) The political party may conduct a convention to nominate
 24 candidates for city or town office not later than noon on the date
 25 specified by IC 3-13-1-7(a)(1) for a major political party to act to fill
 26 a candidate vacancy.

27 (c) The ~~chairman~~ **chairperson** and secretary of the convention shall
 28 execute and acknowledge a certificate setting forth the nominees of the
 29 convention in accordance with IC 3-8-5-13. The certificate must be
 30 filed with the circuit court clerk of the county containing the greatest
 31 percentage of population of the municipality not later than noon on the
 32 date specified by IC 3-13-1-15(c) for a major political party to file a
 33 certificate of candidate selection.

34 (d) Each candidate nominated under this section shall execute a
 35 consent to the nomination in the same form as a candidate nominated
 36 by petition under IC 3-8-6. The consent must be filed with the
 37 certificate under subsection (c).

38 (e) A candidate's consent to the nomination must include a
 39 statement that the candidate requests the name on the candidate's voter
 40 registration record be the same as the name the candidate uses on the
 41 consent to the nomination. If there is a difference between the name on
 42 the candidate's consent to the nomination and the name on the



1 candidate's voter registration record, the officer with whom the consent
 2 to the nomination is filed shall forward the information to the voter
 3 registration officer of the appropriate county as required by
 4 IC 3-5-7-6(d). The voter registration officer of the appropriate county
 5 shall change the name on the candidate's voter registration record to be
 6 the same as the name on the candidate's consent to the nomination.

7 (f) A question concerning the validity of a candidate's nomination
 8 under this section shall be determined by a county election board in
 9 accordance with IC 3-13-1-16.5(b) and IC 3-13-1-16.5(c).

10 (g) A nominee who wants to withdraw must file a notice of
 11 withdrawal in accordance with IC 3-8-7-28.

12 SECTION 139. IC 3-10-7-1.5 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1.5. As used in this
 14 chapter, "appointed member" refers to the member of a town election
 15 board who is also the town ~~chairman~~ **chairperson** of a major political
 16 party appointed under IC 3-8-5-3.

17 SECTION 140. IC 3-10-7-7, AS AMENDED BY P.L.169-2015,
 18 SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2024]: Sec. 7. If a town election board is established under
 20 section 5.5 of this chapter, the town election board consists of the
 21 following three (3) members:

22 (1) The town ~~chairman~~ **chairperson** of each of the major political
 23 parties appointed under IC 3-8-5-3.

24 (2) The town clerk-treasurer.

25 SECTION 141. IC 3-10-7-11 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. The members of a
 27 town election board shall select one (1) of the appointed members to
 28 serve as ~~chairman~~ **chairperson**. The town clerk-treasurer shall serve
 29 as secretary of the board.

30 SECTION 142. IC 3-10-7-12 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. A town election
 32 board shall hold meetings on call of the ~~chairman~~ **chairperson**
 33 whenever necessary to perform its duties. If the ~~chairman~~ **chairperson**
 34 refuses, fails, or is unable to call a meeting, the two (2) remaining
 35 members may meet to perform the duties of the board.

36 SECTION 143. IC 3-10-7-15 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 15. (a) A town election
 38 board may appoint and at its pleasure remove deputy election
 39 commissioners. A deputy election commissioner appointed under this
 40 section must reside in the town of the election board that appointed the
 41 deputy commissioner. If a deputy election commissioner ceases to be
 42 a resident of the town of the election board that appointed the deputy



1 election commissioner, the person may not continue to serve as a
2 deputy election commissioner of the town.

3 (b) The county ~~chairman~~ **chairperson** of each major political party
4 who appointed the ~~chairman~~ **chairperson** of that political party's town
5 committee under IC 3-8-5-3 shall designate one-half(1/2) of the deputy
6 commissioners. Deputy election commissioners may assist the town
7 election board in carrying out its duties in accordance with the rules
8 adopted by the board.

9 SECTION 144. IC 3-10-8-6, AS AMENDED BY P.L.230-2005,
10 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2024]: Sec. 6. (a) Except as provided in subsection (b) or (c),
12 if a special election is held at a time other than the time of a general
13 election, the election shall be held in accordance with this title. Each
14 county election board and other local public official who is required to
15 perform any duties in connection with a general election shall perform
16 the same duties for the special election, subject to the same provisions
17 and penalties as for a general election.

18 (b) If a special election is held:

19 (1) under a court order under IC 3-12-8; or

20 (2) for a local public question;

21 the county election board may provide that several precincts may vote
22 in the special election at the same polling place, if the county election
23 board finds by unanimous vote of the entire membership of the board
24 that the consolidation of polling places will not result in undue
25 inconvenience to voters.

26 (c) If a special election is held:

27 (1) under a court order under IC 3-12-8 for a school board office;

28 or

29 (2) for a local public question;

30 the county election board may by unanimous vote of the entire
31 membership of the board adopt a resolution to provide that each
32 precinct election board will include only one (1) inspector and one (1)
33 judge, and that only one (1) sheriff and one (1) poll clerk may be
34 nominated as precinct election officers. If the board has adopted a
35 resolution under subsection (b), a resolution adopted under this
36 subsection may also provide for more than one (1) precinct to be served
37 by the same precinct election board. A resolution adopted under this
38 subsection may not be rescinded by the county election board and
39 expires the day after the special election is conducted.

40 (d) The following procedures apply if a county election board adopts
41 a resolution under subsection (c):

42 (1) The inspector shall be nominated by the county ~~chairman~~



- 1 **chairperson** entitled to nominate an inspector under IC 3-6-6-8.
 2 (2) The judge shall act as a clerk whenever this title requires that
 3 two (2) clerks perform a duty.
 4 (3) The poll clerk shall act as a judge whenever this title requires
 5 that two (2) judges perform a duty.
 6 (4) If a precinct election board administers more than one (1)
 7 precinct, the board shall keep the ballots cast in each precinct
 8 separate from ballots cast in any other precinct, so that the votes
 9 cast for each candidate and on each public question in each of the
 10 precincts administered by the board may be determined.

11 SECTION 145. IC 3-11-2-2.1, AS AMENDED BY P.L.193-2021,
 12 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2024]: Sec. 2.1. (a) Each county election board shall have the:

- 14 (1) names of all candidates for election to offices or retention in
 15 offices; and
 16 (2) state and local public questions;
 17 in election districts wholly or partially within the county printed on a
 18 ballot as provided in this chapter. The county may print all offices on
 19 a single ballot under this section.

20 (b) Before a county election board orders the printing of a ballot, the
 21 board must provide written notice that proofs of the ballot are available
 22 for inspection not later than sixty-seven (67) days before the date of the
 23 election to each of the following:

- 24 (1) The county ~~chairman~~ **chairperson** of each major political
 25 party with a candidate's name appearing on the ballot.
 26 (2) The county ~~chairman~~, **chairperson**, if any, of any other
 27 political party with a candidate's name appearing on the ballot.
 28 (3) The superintendent of each school corporation with the name
 29 of a candidate for school board office or a local public question
 30 concerning the school corporation appearing on the ballot.

31 After sixty (60) days before the date of the election, the ballot is
 32 considered approved and eligible for printing.

33 SECTION 146. IC 3-11-8-15, AS AMENDED BY P.L.227-2023,
 34 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2024]: Sec. 15. (a) Only the following persons are permitted
 36 in the polls during an election:

- 37 (1) Members of a precinct election board.
 38 (2) Poll clerks and assistant poll clerks.
 39 (3) Election sheriffs.
 40 (4) Deputy election commissioners.
 41 (5) Pollbook holders and challengers.
 42 (6) Watchers.



- 1 (7) Voters for the purposes of voting.
 2 (8) Minor children accompanying voters as provided under
 3 IC 3-11-11-8.
 4 (9) An assistant to a precinct election officer appointed under
 5 IC 3-6-6-39.
 6 (10) An individual authorized to assist a voter in accordance with
 7 IC 3-11-9.
 8 (11) A member of a county election board, acting on behalf of the
 9 board.
 10 (12) A technician authorized to act on behalf of a county election
 11 board to repair a voting system (if the technician bears credentials
 12 signed by each member of the board).
 13 (13) Either of the following who have been issued credentials
 14 signed by the members of the county election board:
 15 (A) The county ~~chairman~~ **chairperson** of a political party.
 16 (B) The county vice ~~chairman~~ **chairperson** of a political party.
 17 However, a county ~~chairman~~ **chairperson** or a county vice
 18 ~~chairman~~ **chairperson** who is a candidate for nomination or
 19 election to office at the election may not enter the polls under this
 20 subdivision.
 21 (14) The secretary of state, as chief election officer of the state,
 22 unless the individual serving as secretary of state is a candidate
 23 for nomination or election to an office at the election.
 24 (b) Except for an individual described in subsection (a)(8) or
 25 (a)(10), an individual must be a citizen of the United States to be
 26 permitted in the polls during an election.
 27 (c) The secretary of state may exempt an individual from the
 28 requirement to be a United States citizen.
 29 (d) This subsection applies to a simulated election for minors
 30 conducted with the authorization of the county election board. An
 31 individual participating in the simulated election may be in the polls for
 32 the purpose of voting. A person supervising the simulated election may
 33 be in the polls to perform the supervision.
 34 (e) The inspector of a precinct has authority over all simulated
 35 election activities conducted under subsection (d) and shall ensure that
 36 the simulated election activities do not interfere with the election
 37 conducted in that polling place.
 38 SECTION 147. IC 3-11-8-25.1, AS AMENDED BY P.L.157-2019,
 39 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2024]: Sec. 25.1. (a) Except as provided in subsection (e), a
 41 voter who desires to vote an official ballot at an election shall provide
 42 proof of identification.



1 (b) Except as provided in subsection (e), before the voter proceeds
 2 to vote in the election, a precinct election officer shall ask the voter to
 3 provide proof of identification. One (1) of each of the precinct election
 4 officers nominated by each county ~~chairman~~ **chairperson** of a major
 5 political party of the county under IC 3-6-6-8 or IC 3-6-6-9 is entitled
 6 to ask the voter to provide proof of identification. The voter shall
 7 produce the proof of identification to each precinct officer requesting
 8 the proof of identification before being permitted to sign the poll list.

9 (c) If:

10 (1) the voter is unable or declines to present the proof of
 11 identification; or

12 (2) a member of the precinct election board determines that the
 13 proof of identification provided by the voter does not qualify as
 14 proof of identification under IC 3-5-2-40.5;

15 a member of the precinct election board shall challenge the voter as
 16 prescribed by this chapter.

17 (d) If the voter executes a challenged voter's affidavit under section
 18 22.1 of this chapter, the voter shall:

19 (1) sign the poll list; and

20 (2) receive a provisional ballot.

21 (e) A voter who votes in person at a precinct polling place, vote
 22 center, or satellite office established under IC 3-11-10-26.3 that is
 23 located at a state licensed care facility where the voter resides is not
 24 required to provide proof of identification before voting in an election.

25 (f) After a voter has passed the challengers or has been sworn in, the
 26 voter shall be instructed by a member of the precinct election board to
 27 proceed to the location where the poll clerks are stationed. In a vote
 28 center county using an electronic poll list, two (2) election officers who
 29 are not members of the same political party must be present when a
 30 voter signs in on the electronic poll list. The voter shall announce the
 31 voter's name to the poll clerks or assistant poll clerks. A poll clerk, an
 32 assistant poll clerk, or a member of the precinct election board shall
 33 require the voter to write the following on the poll list or to provide the
 34 following information for entry into the electronic poll list:

35 (1) The voter's name.

36 (2) Except as provided in subsection (k), the voter's current
 37 residence address.

38 (g) The poll clerk, an assistant poll clerk, or a member of the
 39 precinct election board shall:

40 (1) ask the voter to provide or update the voter's voter
 41 identification number;

42 (2) tell the voter the number the voter may use as a voter



- 1 identification number; and
2 (3) explain to the voter that the voter is not required to provide or
3 update a voter identification number at the polls.
- 4 (h) The poll clerk, an assistant poll clerk, or a member of the
5 precinct election board shall ask the voter to provide proof of
6 identification.
- 7 (i) In case of doubt concerning a voter's identity, the precinct
8 election board shall compare the voter's signature with the signature on
9 the voter's registration record provided by the county voter registration
10 office under IC 3-7-29. If the board determines that the voter's
11 signature is authentic, the voter may then vote. If either poll clerk
12 doubts the voter's identity following comparison of the signatures, the
13 poll clerk shall challenge the voter in the manner prescribed by section
14 21 of this chapter.
- 15 (j) If:
16 (1) the poll clerk does not execute a challenger's affidavit; or
17 (2) the voter executes a challenged voter's affidavit under section
18 22.1 of this chapter or executed the affidavit before signing the
19 poll list;
20 the voter may then vote.
- 21 (k) The electronic poll book (or each line on a poll list sheet
22 provided to take a voter's current address) must include a box under the
23 heading "Address Unchanged". A voter whose address is unchanged
24 shall check the box instead of writing the voter's current address on the
25 poll list, or if an electronic poll book is used, the poll clerk shall check
26 the box after stating to the voter the address shown on the electronic
27 poll book and receiving an oral affirmation from the voter that the
28 voter's residence address shown on the poll list is the voter's current
29 residence address instead of writing the voter's current residence
30 address on the poll list or reentering the address in the electronic poll
31 book.
- 32 (l) If the voter indicates that the voter's current residence is located
33 within another county in Indiana, the voter is considered to have
34 directed the county voter registration office of the county where the
35 precinct is located to cancel the voter registration record within the
36 county. The precinct election board shall provide the voter with a voter
37 registration application for the voter to complete and file with the
38 county voter registration office of the county where the voter's current
39 residence address is located.
- 40 (m) If the voter indicates that the voter's current residence is located
41 outside Indiana, the voter is considered to have directed the county
42 voter registration office of the county where the precinct is located to



1 cancel the voter registration record within the county.

2 SECTION 148. IC 3-11-13-26.5 IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 26.5. (a) Each county
 4 election board may make available at convenient places throughout the
 5 county ballot card voting systems for the instruction of the voters. The
 6 board shall locate the systems at places where people usually assemble,
 7 such as shopping centers. The board shall have the systems attended at
 8 convenient hours designated by the board by persons able to instruct
 9 others in their use. The county ~~chairmen~~ **chairpersons** of the major
 10 political parties of the state must approve the persons attending the
 11 systems under this section.

12 (b) Each ballot card voting system used for instructional purposes
 13 must contain the names of all candidates and a description of all public
 14 questions as they will appear on the official sample ballot for the
 15 system on election day. However, the system may not be set to record
 16 a tally or total.

17 SECTION 149. IC 3-11-13-38 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 38. Each county
 19 ~~chairman~~ **chairperson** for either of the major parties in the county may
 20 petition the county election board for confirmation of the vote cast on
 21 a ballot card voting system no earlier than the Saturday before an
 22 election and no later than the Thursday after an election. The petition
 23 may specify not more than five percent (5%) of the precincts or five (5)
 24 precincts, whichever is greater, in which a ballot card voting system
 25 was used for an audit under section 37 of this chapter.

26 SECTION 150. IC 3-11-13-44 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 44. (a) The county
 28 ~~chairman~~ **chairperson** of each major political party of the county may
 29 appoint one (1) person to observe:

- 30 (1) the ordering and the setting and adjustment of automatic
 31 tabulating machines under section 6 of this chapter;
 32 (2) the testing of automatic tabulating machines under section 22
 33 of this chapter; and
 34 (3) the determination of the cause of and correction of errors in
 35 the counting of ballot cards under section 25 of this chapter.

36 (b) The county ~~chairman~~ **chairperson** shall file the name of a
 37 person appointed under this section with the circuit court clerk.

38 (c) A person appointed under this section serves until:

- 39 (1) the county ~~chairman~~ **chairperson** notifies the circuit court
 40 clerk that the person's appointment has been revoked;
 41 (2) the county ~~chairman~~ **chairperson** notifies the clerk that the
 42 person has died; or



- 1 (3) the person files a letter of resignation with the clerk.
- 2 (d) A person appointed under subsection (a):
- 3 (1) may attend the ordering and the setting and the adjustment of
- 4 the automatic tabulating machines only as a witness;
- 5 (2) shall remain silent and subject to the orders of the board; and
- 6 (3) may not obstruct or interfere with the ordering and setting and
- 7 adjustment of the automatic tabulating machines.
- 8 (e) A person appointed under subsection (a) is not entitled to
- 9 compensation for services except from the political party of the county
- 10 ~~chairman~~ **chairperson** making the appointment.
- 11 SECTION 151. IC 3-11-14-8, AS AMENDED BY P.L.11-2023,
- 12 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 13 JULY 1, 2024]: Sec. 8. (a) Each county election board may make
- 14 available at convenient places throughout the county electronic voting
- 15 systems for the instruction of the voters. The board shall locate the
- 16 systems at places where people usually assemble, such as shopping
- 17 centers. The board shall have the systems attended at convenient hours
- 18 designated by the board by persons able to instruct others in their use.
- 19 The county ~~chairmen~~ **chairpersons** of the major political parties of the
- 20 state must approve the persons attending the systems under this section.
- 21 (b) This subsection applies to a county having a population of more
- 22 than four hundred thousand (400,000) and less than seven hundred
- 23 thousand (700,000). At least ten (10) days before an election, each
- 24 county election board shall duplicate, distribute, and cause to be posted
- 25 copies of official sample ballots prepared by the county election board
- 26 to schools, fire stations, county courthouses, and other public buildings
- 27 in the county.
- 28 SECTION 152. IC 3-11.5-4-22, AS AMENDED BY P.L.109-2021,
- 29 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 30 JULY 1, 2024]: Sec. 22. (a) Except as provided in subsection (b), each
- 31 county election board shall appoint:
- 32 (1) absentee voter boards;
- 33 (2) teams of absentee ballot counters; and
- 34 (3) teams of couriers;
- 35 consisting of two (2) voters of the county, one (1) from each of the two
- 36 (2) political parties that have appointed members on the county
- 37 election board.
- 38 (b) Notwithstanding subsection (a), a county election board:
- 39 (1) may appoint, by a unanimous vote of the board's members,
- 40 only one (1) absentee ballot courier if the person appointed is a
- 41 voter of the county; and
- 42 (2) shall not appoint teams of couriers, if the county:



1 (A) has adopted an order to use an electronic poll book under
2 IC 3-7-29-6(a)(1); or

3 (B) is a vote center county under IC 3-11-18.1.

4 (c) An otherwise qualified person is eligible to serve on an absentee
5 voter board or as an absentee ballot counter or a courier unless the
6 person:

7 (1) is unable to read, write, and speak the English language;

8 (2) has any property bet or wagered on the result of the election;

9 (3) is a candidate to be voted for at the election except as an
10 unopposed candidate for a city office, town office, township
11 office, school board office, precinct ~~committeeman~~, **committee**
12 **person**, or state convention delegate; or

13 (4) is the spouse, parent, father-in-law, mother-in-law, child,
14 son-in-law, daughter-in-law, grandparent, grandchild, brother,
15 sister, brother-in-law, sister-in-law, uncle, aunt, nephew, or niece
16 of a candidate or declared write-in candidate to be voted for at the
17 election except as an unopposed candidate. This subdivision
18 disqualifies a person whose relationship to the candidate is the
19 result of birth, marriage, or adoption.

20 (d) A person who is a candidate to be voted for at the election or
21 who is related to a candidate in a manner that would result in
22 disqualification under subsection (c) may, notwithstanding subsection
23 (c), serve as a member of an absentee voter board if:

24 (1) the candidate is seeking nomination or election to an office in
25 an election district that does not consist of the entire county; and

26 (2) the county election board restricts the duties of the person as
27 an absentee voter board member to performing functions that
28 could have no influence on the casting or counting of absentee
29 ballots within the election district.

30 SECTION 153. IC 3-11.5-4-23, AS AMENDED BY P.L.109-2021,
31 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2024]: Sec. 23. (a) Not later than noon fifty (50) days before
33 election day, each county election board shall notify the county
34 ~~chairmen~~ **chairpersons** of the two (2) political parties that have
35 appointed members on the county election board of the number of:

36 (1) absentee voter boards;

37 (2) teams of absentee ballot counters; and

38 (3) teams of couriers;

39 to be appointed under section 22 of this chapter.

40 (b) The county ~~chairmen~~ **chairpersons** shall make written
41 recommendations for the appointments to the county election board not
42 later than forty-six (46) days before election day. The county election



1 board shall make the appointments as recommended.

2 (c) If a county ~~chairman~~ **chairperson** fails to make any
3 recommendations, then the county election board may appoint any
4 voters of the county who comply with section 22 of this chapter.

5 (d) The county election board may permit an individual who is not
6 a voter to serve as an absentee board member, other than a member of
7 a board under IC 3-11-10-25, an absentee ballot counter, or a courier
8 if the individual:

- 9 (1) satisfies the requirements under IC 3-6-6-39; and
10 (2) is approved by the unanimous vote of the entire membership
11 of the county election board.

12 (e) An individual appointed to serve as an absentee board member,
13 other than the member of a board under IC 3-11-10-25, an absentee
14 ballot counter or a courier under subsection (d), while serving as an
15 absentee ballot counter or courier:

- 16 (1) is not required to obtain an employment certificate under
17 IC 22-2-18 (before its expiration on June 30, 2021); and
18 (2) is not subject to the limitations on time and duration of
19 employment under IC 22-2-18 (before its expiration on June 30,
20 2021) or IC 22-2-18.1.

21 (f) The county election board is not required to register as an
22 employer under IC 22-2-18.1.

23 SECTION 154. IC 3-11.7-3-2 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. An otherwise
25 qualified person is eligible to serve as a counter unless the person:

- 26 (1) is unable to read, write, and speak the English language;
27 (2) has any property bet or wagered on the result of the election;
28 (3) is a candidate to be voted for at the election in any part of the
29 county, except as an unopposed candidate for precinct
30 ~~committeeman~~ **committee person** or state convention delegate;
31 or
32 (4) is the spouse, parent, father-in-law, mother-in-law, child,
33 son-in-law, daughter-in-law, grandparent, grandchild, brother,
34 sister, brother-in-law, sister-in-law, uncle, aunt, nephew, or niece
35 of a candidate or declared write-in candidate to be voted for at the
36 election in any part of the county, except as an unopposed
37 candidate. This subdivision disqualifies a person whose
38 relationship to the candidate is the result of birth, marriage, or
39 adoption.

40 SECTION 155. IC 3-11.7-3-3 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. Not later than noon
42 ten (10) days before an election, each county election board shall notify



1 the county ~~chairmen~~ **chairpersons** of the two (2) political parties that
 2 have appointed members on the county election board of the number
 3 of teams of counters to be appointed under this section.

4 SECTION 156. IC 3-11.7-3-4 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. The county ~~chairmen~~
 6 **chairpersons** shall make written recommendations for the
 7 appointments to the county election board not later than noon three (3)
 8 days before the election. The county election board shall make the
 9 appointments as recommended.

10 SECTION 157. IC 3-11.7-3-5 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. If a county ~~chairman~~
 12 **chairperson** fails to make any recommendations not later than the
 13 deadline specified under section 4 of this chapter, the county election
 14 board may appoint any voters of the county who comply with section
 15 2 of this chapter.

16 SECTION 158. IC 3-12-4-4, AS AMENDED BY P.L.2-2007,
 17 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2024]: Sec. 4. (a) Each county election board may employ
 19 clerical assistants if necessary for the proper canvassing and tabulating
 20 of the vote. However, except as provided in subsection (d), not more
 21 than one-half (1/2) of the assistants employed by the board may be
 22 members of the same political party.

23 (b) The county election board shall appoint the number of two (2)
 24 member write-in teams that are necessary to examine and count
 25 write-in votes cast on ballot card voting systems on election night. The
 26 county ~~chairmen~~ **chairpersons** of the two (2) major political parties of
 27 a county shall each designate one (1) member of each write-in team.
 28 The write-in teams are considered employees of the county canvassing
 29 board and must meet the qualifications of canvassing board employees.

30 (c) Except as provided in subsection (d), a county election board
 31 may not employ a person to assist with canvassing unless the person
 32 would be eligible to serve as a precinct election officer under
 33 IC 3-6-6-7.

34 (d) The county election board may, by unanimous vote of the entire
 35 membership of the board, employ a student to assist the board under
 36 this section if the student is:

37 (1) enrolled at a postsecondary educational institution (including
 38 a community college); and

39 (2) a registered voter of the county.

40 A student appointed under this subsection must serve the board in a
 41 nonpartisan manner.

42 SECTION 159. IC 3-12-4-9 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) This subsection
2 applies to:

3 (1) a local or school board office with an election district located
4 entirely within one (1) county, except for an office for which a
5 declaration of candidacy is filed with the election division under
6 IC 3-8-2; and

7 (2) a political party office, such as precinct ~~committeeman~~
8 **committee person** or state convention delegate, elected at a
9 primary election.

10 After the county election board has tabulated the vote, the board shall
11 declare the candidate receiving the highest number of votes for each
12 office to be elected.

13 (b) The county election board shall tabulate the votes cast for and
14 against each local public question placed on the ballot by the county
15 election board under IC 3-10-9-2 and, if the local public question is
16 placed on the ballot only in that county, declare the public question
17 approved or rejected.

18 (c) The county election board shall tabulate the votes cast for and
19 against each public question voted on by the electorate of the whole
20 state.

21 (d) The board shall certify the election results in a statement
22 prepared by the circuit court clerk.

23 SECTION 160. IC 3-12-4-12, AS AMENDED BY P.L.76-2014,
24 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2024]: Sec. 12. After the county election board certifies the
26 election results under section 9 of this chapter, the circuit court clerk
27 shall furnish, upon request, to the county ~~chairman~~ **chairperson** of
28 each political party a copy of the statement.

29 SECTION 161. IC 3-12-5-2 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) Whenever a
31 candidate is elected:

32 (1) to a local or school board office other than:

33 (A) one for which a town clerk-treasurer issues a certificate of
34 election under IC 3-10-7-34; or

35 (B) one commissioned by the governor under IC 4-3-1-5; or

36 (2) a precinct ~~committeeman~~ **committee person** or state
37 convention delegate;

38 the circuit court clerk shall, when permitted under section 16 of this
39 chapter, prepare and deliver to the candidate on demand a certificate
40 of the candidate's election.

41 (b) This subsection applies to a local or school board office
42 described in subsection (a) with an election district located in more



1 than one (1) county and a local public question placed on the ballot in
 2 more than one (1) county. The circuit court clerk of the county that
 3 contains the greatest percentage of the population of the election
 4 district shall, upon demand of the candidate or a person entitled to
 5 request a recount of the votes cast on a public question under
 6 IC 3-12-12:

7 (1) obtain the certified statement of the votes cast for that office
 8 or on that question that was prepared under IC 3-12-4-9 from the
 9 circuit court clerk in each other county in which the election
 10 district is located;

11 (2) tabulate the total votes cast for that office or on that question
 12 as shown on the certified statement of each county in the election
 13 district; and

14 (3) issue a certificate of election to the candidate when permitted
 15 under section 16 of this chapter or a certificate declaring the local
 16 public question approved or rejected.

17 SECTION 162. IC 3-12-6-1 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) Any candidate for
 19 nomination or election to a local or school board office is entitled to
 20 have the votes cast for that office recounted under this chapter.

21 (b) If a candidate who is entitled to have the votes recounted under
 22 this chapter does not file a petition within the period established by
 23 section 2 of this chapter, the county ~~chairman~~ **chairperson** of a
 24 political party in the precinct in which the recount is desired may file
 25 a petition to have the votes recounted. A county ~~chairman~~ **chairperson**
 26 is entitled to have the votes recounted only in a partisan race.

27 (c) The right of recount may be exercised for one (1) or more of the
 28 precincts in which votes were cast for the office.

29 SECTION 163. IC 3-12-6-1.5 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1.5. A candidate for
 31 election to precinct ~~committeeman~~ **committee person** or state
 32 convention delegate is entitled to have the votes cast for that office
 33 recounted under this chapter. The political party of the candidate, in
 34 accordance with any applicable party rules, determines the winner of
 35 an election to a political party office.

36 SECTION 164. IC 3-12-6-2, AS AMENDED BY P.L.221-2005,
 37 SECTION 114, IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) A candidate who desires a
 39 recount of votes must file a verified petition no later than noon fourteen
 40 (14) days after election day.

41 (b) A county ~~chairman~~ **chairperson** who is entitled to and desires
 42 a recount of votes must file a verified petition not later than noon



1 seventeen (17) days after election day.

2 (c) The petition must be filed in the circuit or superior court of each
3 county in which is located a precinct in which the individual desires a
4 recount.

5 SECTION 165. IC 3-12-8-1, AS AMENDED BY P.L.278-2019,
6 SECTION 149, IS AMENDED TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) This section does not apply
8 to a challenge filed before an election to the eligibility of a candidate
9 nominated by petition for election to an office. The challenge described
10 by this subsection must be conducted in accordance with IC 3-8-1-2.

11 (b) Any candidate for nomination or election to a local or school
12 board office may contest the nomination or election of a candidate who
13 is declared nominated or elected to the office, except a candidate who:

14 (1) receives the most votes in a primary election; and

15 (2) is certified as deceased under IC 3-8-7-1.

16 (c) If a candidate who is entitled to contest the nomination or
17 election of a candidate under this chapter does not file a petition within
18 the period established by section 5 of this chapter, the county ~~chairman~~
19 **chairperson** of a political party of which the candidate entitled to file
20 a petition under this chapter was a member may file a petition to
21 contest the nomination or election of a candidate. A county ~~chairman~~
22 **chairperson** is entitled to contest an election under this chapter only
23 in a partisan race.

24 (d) This subsection applies to an election for a school board office.
25 If there is no candidate who is entitled to contest the election of another
26 candidate to a school board office, a voter of the school corporation
27 may file a petition to contest the election of the candidate.

28 SECTION 166. IC 3-12-8-5, AS AMENDED BY P.L.221-2005,
29 SECTION 119, IS AMENDED TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) A candidate who desires to
31 contest an election or a nomination under this chapter must file a
32 verified petition with the circuit court clerk of the county that contains
33 the greatest percentage of the population of the election district no later
34 than noon fourteen (14) days after election day.

35 (b) A county ~~chairman~~ **chairperson** who is entitled to and desires
36 to contest an election or a nomination under this chapter must file a
37 verified petition with the circuit court clerk of the county that contains
38 the greatest percentage of the population of the election district not
39 later than noon seventeen (17) days after election day.

40 (c) A petition for a contest of an election in different municipalities,
41 whether in the same court of the county or not, may not be
42 consolidated.



1 SECTION 167. IC 3-12-10-2.1 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2.1. (a) Except as
 3 provided in this section, the secretary of state and the designee of the
 4 state ~~chairman~~ **chairperson** of each of the major political parties of the
 5 state shall serve as members of the state recount commission.

6 (b) Except as provided in this section, the secretary of state shall
 7 serve as the chair of the state recount commission.

8 (c) If an election to the office of secretary of state is the subject of
 9 a petition filed under IC 3-12-11, final determination of all petitions
 10 filed under IC 3-12-11 relating to that election must be made before
 11 January 1 after the election.

12 (d) The secretary of state may not serve on the commission if the
 13 secretary of state is:

14 (1) a petitioner under IC 3-12-11; or

15 (2) named as a candidate in a petition under IC 3-12-11;
 16 until the commission makes a final determination under IC 3-12-11 of
 17 all related petitions in which the secretary of state is a petitioner or is
 18 named.

19 (e) If the secretary of state may not serve on the commission under
 20 subsection (d), the state ~~chairman~~ **chairperson** of the same major
 21 political party as the secretary of state shall designate another
 22 individual to serve as a member and chair of the commission. The other
 23 individual must have voted in the most recent primary election of the
 24 political party of the state ~~chairman~~ **chairperson** making the
 25 appointment. The individual serves until the commission issues its final
 26 determination of all petitions relating to the election that are described
 27 in subsection (d). The secretary of state shall then resume as a member
 28 and the ~~chairman~~ **chair** of the state recount commission.

29 (f) An individual who serves on the state recount commission as
 30 secretary of state ceases to be a member of the commission when the
 31 individual ceases to be secretary of state.

32 SECTION 168. IC 3-12-11-1, AS AMENDED BY P.L.194-2013,
 33 SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2024]: Sec. 1. (a) Except as provided in subsection (d), any
 35 candidate:

36 (1) in a presidential primary election;

37 (2) for nomination to a federal, state, or legislative office in a
 38 primary election; or

39 (3) for a federal, state, or legislative office;

40 is entitled to have the votes cast for that office recounted or to contest
 41 the nomination or election of a candidate under this chapter. A recount
 42 may be conducted in one (1) or more of the precincts in which votes



1 were cast for the office.

2 (b) This subsection applies to an election for a federal or state
3 office. Except as provided in subsection (d), if a candidate who is
4 entitled to file a petition for a recount or contest under this chapter does
5 not file a petition within the period established by section 2 of this
6 chapter, the state ~~chairman~~ **chairperson** of the candidate's political
7 party may file a petition to:

- 8 (1) have the votes recounted in one (1) or more precincts; or
9 (2) contest the nomination or election of a candidate.

10 (c) This subsection applies to an election for a legislative office.
11 Except as provided in subsection (d), if a candidate who is entitled to
12 file a petition for a recount or contest under this chapter does not file
13 a petition within the period established by section 2 of this chapter, a
14 county ~~chairman~~ **chairperson** who:

- 15 (1) resides in a county located within the election district in which
16 the recount or contest is desired; and
17 (2) is a member of the same political party as the candidate
18 entitled to petition for a recount or contest under this chapter;
19 may file a petition to have the votes recounted in one (1) or more
20 precincts or to contest the nomination or election of a candidate.

21 (d) The nomination of a candidate in a primary election who has
22 been certified as deceased under IC 3-8-7-1 may not be contested under
23 this chapter.

24 SECTION 169. IC 3-12-11-2, AS AMENDED BY P.L.221-2005,
25 SECTION 122, IS AMENDED TO READ AS FOLLOWS
26 [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) A candidate who desires:

- 27 (1) a recount of votes cast for a nomination or election subject to
28 this chapter; or
29 (2) to contest a nomination subject to this chapter or the election
30 of a state office other than governor or lieutenant governor;
31 must file a verified petition with the election division not later than
32 noon fourteen (14) days after election day.

33 (b) A state or county ~~chairman~~ **chairperson** who is entitled to and
34 desires to file a petition for a recount or contest under this chapter must
35 file a verified petition with the election division not later than noon
36 seventeen (17) days after election day.

37 SECTION 170. IC 3-13-1-4, AS AMENDED BY P.L.219-2013,
38 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2024]: Sec. 4. Except as provided in IC 3-10-8-7.5, a
40 candidate vacancy for United States Representative shall be filled by
41 a caucus comprised by the precinct ~~committeemen~~ **committee persons**
42 of the political party whose precincts are within the congressional



1 district.

2 SECTION 171. IC 3-13-1-5 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. A candidate vacancy
4 for a legislative office shall be filled by a caucus comprised by the
5 precinct ~~committeemen~~ **committee persons** of the political party
6 whose precincts are within the senate or house district.

7 SECTION 172. IC 3-13-1-6, AS AMENDED BY P.L.278-2019,
8 SECTION 152, IS AMENDED TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2024]: Sec. 6. (a) As used in this section,
10 "county committee" refers to the precinct ~~committeemen~~ **committee**
11 **persons** and vice ~~committeemen~~ **committee persons** of a major
12 political party representing a precinct within the county.

13 (b) Except as provided in subsection (c), a candidate vacancy for a
14 local office shall be filled by either of the following:

15 (1) A caucus comprised of the precinct ~~committeemen~~ **committee**
16 **persons** who are eligible to participate under section 10 of this
17 chapter.

18 (2) The county ~~chairman~~ **chairperson** of the political party or a
19 committee comprised of the ~~chairman~~; **chairperson**, vice
20 ~~chairman~~; **chairperson**, secretary, and treasurer of the county
21 committee of the party, if all of the following apply:

22 (A) The county ~~chairman~~ **chairperson** or the committee is
23 authorized to fill vacancies under this chapter by majority vote
24 of the county committee.

25 (B) The election district for the local office is entirely within
26 one (1) county.

27 (C) Documentation of the authority given under clause (A) is
28 attached to the certification of candidate selection filed under
29 section 15 of this chapter.

30 (c) A candidate vacancy for the office of circuit court judge or
31 prosecuting attorney in a circuit having more than one (1) county shall
32 be filled by a caucus comprised of the precinct ~~committeemen~~
33 **committee persons** who constitute the county committees of the
34 political party for all of the circuit.

35 SECTION 173. IC 3-13-1-8, AS AMENDED BY P.L.216-2015,
36 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2024]: Sec. 8. A meeting under section 3, 4, 5, or 6 of this
38 chapter shall be called and chaired by:

39 (1) the state ~~chairman~~; **chairperson**, or a person designated by the
40 state ~~chairman~~; **chairperson**, for a caucus or committee acting
41 under section 3, 4, 5, or 6(c) of this chapter; or

42 (2) the county ~~chairman~~ **chairperson** of the county in which the



1 greatest percentage of the population of the election district is
 2 located, or an individual designated by the county ~~chairman~~
 3 **chairperson**, for a caucus or committee acting under section 6(b)
 4 of this chapter.

5 SECTION 174. IC 3-13-1-9, AS AMENDED BY P.L.278-2019,
 6 SECTION 153, IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) This section applies only to
 8 a meeting of a caucus required under this chapter. This section does not
 9 apply to the filling of a vacancy under this chapter by the county
 10 ~~chairman~~ **chairperson** or a committee acting under section 6(b)(2) of
 11 this chapter.

12 (b) The call for a meeting under section 3, 4, 5, or 6 of this chapter
 13 must:

- 14 (1) be in writing on a form prescribed by the election division;
- 15 (2) state the name of the ~~chairman~~ **chairperson** of the meeting;
- 16 (3) state the purpose of the meeting;
- 17 (4) state the date, time, and place of the meeting;
- 18 (5) be sent by first class mail, at least ten (10) days before the
 19 meeting, to all persons eligible to participate in the meeting; and
- 20 (6) be filed not later than noon ten (10) days before the meeting
 21 with the official who is required to receive a certificate of
 22 candidate selection following the caucus under section 15 of this
 23 chapter.

24 SECTION 175. IC 3-13-1-10, AS AMENDED BY P.L.216-2015,
 25 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2024]: Sec. 10. (a) To be eligible to participate in a caucus
 27 called under section 4, 5, or 6 of this chapter, an elected precinct
 28 ~~committeeman~~ **committee person** must be entitled to vote for the
 29 office for which a candidate is to be selected. An elected precinct
 30 ~~committeeman~~ **committee person** is eligible to participate in a caucus
 31 called under this chapter, regardless of when the ballot vacancy
 32 occurred.

33 (b) An appointed precinct ~~committeeman~~ **committee person** is
 34 eligible to participate in a caucus called under section 4, 5, or 6 of this
 35 chapter if the precinct ~~committeeman~~ **committee person** was a
 36 ~~committeeman~~ **committee person** thirty (30) days before the vacancy
 37 occurred.

38 (c) For purposes of a candidate vacancy resulting from the failure
 39 of a candidate to be nominated at a primary at which precinct
 40 ~~committeemen~~ **committee persons** were elected, an appointed precinct
 41 ~~committeeman~~ **committee person** is eligible to serve if the
 42 ~~committeeman~~ **committee person** has been reappointed following the



1 primary in accordance with the rules of the ~~committeeman's committee~~
 2 **person's** political party.

3 SECTION 176. IC 3-13-1-10.5, AS AMENDED BY P.L.227-2023,
 4 SECTION 125, IS AMENDED TO READ AS FOLLOWS
 5 [EFFECTIVE JULY 1, 2024]: Sec. 10.5. (a) This section applies only
 6 to a meeting of a caucus required under this chapter. This section does
 7 not apply to the filling of a vacancy by the county ~~chairman~~
 8 **chairperson** or a committee acting under section 6(b)(2) of this
 9 chapter.

10 (b) A person who wishes to be a candidate for appointment to fill a
 11 candidate vacancy under this chapter must file a declaration of
 12 candidacy on a form prescribed by the election division with:

13 (1) the ~~chairman~~ **chairperson** of the caucus conducting a meeting
 14 under this chapter; and

15 (2) the official who is required to receive a certificate of candidate
 16 selection following the caucus under section 15 of this chapter;
 17 at least seventy-two (72) hours before the time fixed for the caucus
 18 meeting.

19 (c) A candidate's declaration of candidacy must include a statement
 20 that the candidate requests the name on the candidate's voter
 21 registration record be the same as the name the candidate uses on the
 22 declaration of candidacy. If there is a difference between the name on
 23 the candidate's declaration of candidacy and the name on the
 24 candidate's voter registration record, the officer with whom the
 25 declaration of candidacy is filed shall forward the information to the
 26 voter registration officer of the appropriate county as required by
 27 IC 3-5-7-6(d). The voter registration officer of the appropriate county
 28 shall change the name on the candidate's voter registration record to be
 29 the same as the name on the candidate's declaration of candidacy.

30 (d) A candidate's declaration of candidacy must contain the
 31 following statements:

32 (1) This subdivision applies to a candidate filing a declaration of
 33 candidacy for a state office, legislative office, local office of judge
 34 of a circuit, superior, probate, or small claims court, or local
 35 office of prosecuting attorney of a judicial circuit. A statement
 36 that the candidate has attached either of the following to the
 37 declaration:

38 (A) A copy of a statement of economic interests, file stamped
 39 by the office required to receive the statement of economic
 40 interests.

41 (B) A receipt or photocopy of a receipt showing that a
 42 statement of economic interests has been filed.



- 1 This requirement does not apply to a candidate for a federal
- 2 office.
- 3 (2) This subdivision applies to a candidate filing a declaration of
- 4 candidacy for a local office not described in subdivision (1) or
- 5 school board office. A statement that the candidate understands
- 6 that if the candidate is selected to fill the candidate vacancy, the
- 7 candidate is required to file a statement of economic interests
- 8 under IC 3-8-9-5.
- 9 (3) A statement that the candidate understands that if the
- 10 candidate is elected to the office, the candidate may be required
- 11 to obtain and file an individual surety bond before serving in the
- 12 office. This requirement does not apply to a candidate for a
- 13 federal office or legislative office.
- 14 (4) A statement that the candidate understands that if the
- 15 candidate is elected to the office, the candidate may be required
- 16 to successfully complete training or have attained certification
- 17 related to service in an elected office. This requirement does not
- 18 apply to a candidate for a federal office, state office, or legislative
- 19 office.
- 20 (5) A statement that the candidate:
- 21 (A) is aware of the provisions of IC 3-9 regarding campaign
- 22 finance and the reporting of campaign contributions and
- 23 expenditures; and
- 24 (B) agrees to comply with the provisions of IC 3-9.
- 25 This requirement does not apply to a candidate for a federal
- 26 office.
- 27 The candidate must separately initial each of the statements required
- 28 by this subsection.
- 29 SECTION 177. IC 3-13-1-11.5, AS AMENDED BY P.L.216-2015,
- 30 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 31 JULY 1, 2024]: Sec. 11.5. (a) Except as provided in this section, voting
- 32 by proxy is not permitted in a caucus called under section 4, 5, or 6 of
- 33 this chapter.
- 34 (b) A precinct vice ~~committeeman~~ **committee person** is entitled to
- 35 participate in a caucus called under section 4, 5, or 6 of this chapter and
- 36 vote as a proxy for the vice ~~committeeman's~~ **committee person's**
- 37 precinct ~~committeeman~~ **committee person** if all of the following apply:
- 38 (1) The vice ~~committeeman's~~ **committee person's** precinct
- 39 ~~committeeman~~ **committee person** is otherwise eligible to
- 40 participate in the caucus under this chapter.
- 41 (2) The vice ~~committeeman's~~ **committee person's** precinct
- 42 ~~committeeman~~ **committee person** is not present at the caucus.



1 (3) The vice ~~committeeman~~ **committee person** is eligible under
2 this section.

3 (c) The vice ~~committeeman~~ **committee person** of an elected
4 precinct ~~committeeman~~ **committee person** is eligible to participate in
5 a caucus called under section 4, 5, or 6 of this chapter and vote the
6 precinct ~~committeeman's~~ **committee person's** proxy, regardless of
7 when the ballot vacancy occurred, if the vice ~~committeeman~~
8 **committee person** was the vice ~~committeeman~~ **committee person** five
9 (5) days before the date of the caucus.

10 (d) If a vice ~~committeeman~~ **committee person** is not eligible under
11 subsection (c), the vice ~~committeeman~~ **committee person** is eligible
12 to participate in a caucus called under section 4, 5, or 6 of this chapter
13 and vote the precinct ~~committeeman's~~ **committee person's** proxy only
14 if the vice ~~committeeman~~ **committee person** was the vice
15 ~~committeeman~~ **committee person** thirty (30) days before the ballot
16 vacancy occurred.

17 SECTION 178. IC 3-13-1-12, AS AMENDED BY P.L.216-2015,
18 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2024]: Sec. 12. (a) If a tie vote occurs among participants
20 acting under section 3, 4, 5, or 6(c) of this chapter, the ~~chairman~~
21 **chairperson** of the meeting may cast the tiebreaking vote. If a tie vote
22 occurs among participants acting under section 6(b) of this chapter, the
23 county ~~chairman~~ **chairperson** or an individual designated by the
24 county ~~chairman~~ **chairperson** may cast the tiebreaking vote.

25 (b) If a quorum required under the rules of a meeting held under this
26 chapter is not present, the county ~~chairman~~ **chairperson** shall fill the
27 candidate vacancy.

28 SECTION 179. IC 3-13-1-13, AS AMENDED BY P.L.74-2017,
29 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2024]: Sec. 13. If fewer than two (2) persons are eligible to
31 participate in the filling of a candidate vacancy for an office under
32 section 6(b) of this chapter, the county ~~chairman~~ **chairperson** entitled
33 to call the meeting under section 8 of this chapter shall appoint a
34 person to fill the vacancy.

35 SECTION 180. IC 3-13-1-15, AS AMENDED BY P.L.169-2015,
36 SECTION 155, IS AMENDED TO READ AS FOLLOWS
37 [EFFECTIVE JULY 1, 2024]: Sec. 15. (a) A county ~~chairman~~
38 **chairperson** filling a candidate vacancy under section 6(b)(2) of this
39 chapter or the ~~chairman~~ **chairperson** of a meeting filling a candidate
40 vacancy under this chapter shall file a written certificate of candidate
41 selection on a form prescribed by the election division stating the
42 following information for each candidate selected:



- 1 (1) The name of each candidate as:
- 2 (A) the candidate wants the candidate's name to appear on the
- 3 ballot; and
- 4 (B) the candidate's name is permitted to appear on the ballot
- 5 under IC 3-5-7.
- 6 (2) The residence address of each candidate.
- 7 (b) The certificate shall be filed with:
- 8 (1) the election division for:
- 9 (A) a committee acting under section 3, 4, 5, or 6(c) of this
- 10 chapter; or
- 11 (B) a committee acting under section 6(b) of this chapter to fill
- 12 a candidate vacancy in the office of judge of a circuit, superior,
- 13 probate, or small claims court or prosecuting attorney; or
- 14 (2) the circuit court clerk, for a committee acting under section
- 15 6(b) of this chapter to fill a candidate vacancy for a local office
- 16 not described in subdivision (1).
- 17 (c) This subsection applies to a candidate vacancy resulting from a
- 18 vacancy on the primary election ballot as described in section 2 of this
- 19 chapter. The certificate required by subsection (a) shall be filed not
- 20 later than noon July 3 before election day.
- 21 (d) This subsection applies to all candidate vacancies not described
- 22 by subsection (c). The certificate required by subsection (a) shall be
- 23 filed not later than noon three (3) days (excluding Saturdays and
- 24 Sundays) after selection of the candidates.
- 25 (e) A certificate filed under this section is not effective unless the
- 26 candidate selected to fill the candidate vacancy has filed a statement of
- 27 economic interests under IC 3-8-9-5.
- 28 SECTION 181. IC 3-13-1-18 IS AMENDED TO READ AS
- 29 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 18. (a) If a candidate
- 30 vacancy occurs in a town subject to IC 3-8-5 for any office on the ticket
- 31 of a political party whose candidates were selected by petition of
- 32 nomination, the vacancy may be filled only as prescribed by this
- 33 section.
- 34 (b) To fill the vacancy, the town ~~chairman~~ **chairperson** of the party
- 35 must file a certificate of candidate selection together with the consent
- 36 required by section 14 of this chapter with the official with whom
- 37 certificates must be filed. The certificate of candidate selection must be
- 38 filed not later than the date and hour that a certificate of nomination by
- 39 a town convention must be filed under IC 3-8-5-13.
- 40 SECTION 182. IC 3-13-1-19 IS AMENDED TO READ AS
- 41 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 19. A person who was
- 42 defeated in a primary election or in a town or state convention is



1 eligible to be appointed by the political party that the person affiliated
 2 with by voting in the most recent primary election held by that party.
 3 The person selected may fill any vacancy on the party's ticket as a
 4 candidate in any general, municipal, or special election following that
 5 primary election or convention in which the vacancy occurred.
 6 However, a person is not disqualified from appointment under this
 7 section for not having voted in the most recent primary election if the
 8 appointee is certified as a member of that party by the county ~~chairman~~
 9 **chairperson** for the county in which the appointee resides.

10 SECTION 183. IC 3-13-1-20, AS AMENDED BY P.L.230-2005,
 11 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2024]: Sec. 20. (a) This section applies to a political party
 13 subject to IC 3-8-4-10, IC 3-10-2-15, or IC 3-10-6-12.

14 (b) A candidate vacancy that exists following the convention of the
 15 party shall be filled by the state committee of the political party not
 16 later than the date and time specified by section 7(a)(1) of this chapter
 17 for a major political party to fill a candidate vacancy. The ~~chairman~~
 18 **chairperson** of the state committee shall file a notice of intent to fill
 19 the candidate vacancy with the official who is required to receive a
 20 certificate of candidate selection under section 15 of this chapter. The
 21 notice must be filed not later than ten (10) days before the ~~chairman~~
 22 **chairperson** fills the candidate vacancy. The ~~chairman~~ **chairperson** of
 23 the state committee shall act in accordance with section 15 of this
 24 chapter to certify the candidate selected to fill the vacancy.

25 (c) This subsection applies to a candidate vacancy resulting from a
 26 vacancy on the general election ballot resulting from the failure of the
 27 convention to nominate a candidate for an office. The certificate
 28 required by subsection (b) shall be filed not later than the date and time
 29 specified by section 15(c) of this chapter for a major political party to
 30 file a certificate of candidate selection.

31 (d) This subsection applies to all candidate vacancies not described
 32 by subsection (c). If a candidate vacancy occurs as a result of:

- 33 (1) the death of a candidate;
- 34 (2) the withdrawal of a candidate;
- 35 (3) the disqualification of a candidate under IC 3-8-1-5; or
- 36 (4) a court order issued under IC 3-8-7-29(d);

37 the political party may fill the vacancy within the same period of time
 38 that a major political party is permitted to fill a candidate vacancy
 39 under section 7(b) of this chapter.

40 (e) The certificate required by subsection (b) shall be filed within
 41 the period of time required under section 15(d) of this chapter for a
 42 major political party to file the certificate after selection of the



1 candidates.

2 SECTION 184. IC 3-13-2-2 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. A candidate vacancy
4 for United States Senator or a state office shall be filled by appointment
5 by the state ~~chairman~~ **chairperson** of the political party.

6 SECTION 185. IC 3-13-2-3 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. A candidate vacancy
8 for United States Representative shall be filled by appointment by the
9 district ~~chairman~~ **chairperson** of the political party.

10 SECTION 186. IC 3-13-2-4 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. A candidate vacancy
12 for a legislative office shall be filled by a majority vote of the county
13 ~~chairmen~~ **chairpersons** of the political party for all of the counties that
14 have territory in the senate or house district.

15 SECTION 187. IC 3-13-2-5 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) Except as
17 provided in subsection (b), a candidate vacancy for a local office shall
18 be filled by appointment by the county ~~chairman~~ **chairperson** of the
19 political party of the county in which the greatest percentage of the
20 population of the election district is located.

21 (b) A candidate vacancy for the office of circuit court judge or
22 prosecuting attorney in a circuit having more than one (1) county shall
23 be filled by a majority vote of the county ~~chairmen~~ **chairpersons** of the
24 political party for all of the counties in the circuit.

25 SECTION 188. IC 3-13-2-6, AS AMENDED BY P.L.96-2012,
26 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2024]: Sec. 6. (a) If a tie vote occurs among a group of
28 ~~chairmen~~ **chairpersons** acting under section 4 or 5(b) of this chapter,
29 the state ~~chairman~~ **chairperson** may cast the tiebreaking vote.

30 (b) If a quorum required under the rules of a meeting held under this
31 chapter is not present, the state ~~chairman~~ **chairperson** shall fill the
32 candidate vacancy.

33 SECTION 189. IC 3-13-2-8, AS AMENDED BY P.L.169-2015,
34 SECTION 156, IS AMENDED TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) The ~~chairman~~ **chairperson**
36 or ~~chairmen~~ **chairpersons** filling a candidate vacancy under this
37 chapter shall immediately file a written certificate of candidate
38 selection on a form prescribed by the election division stating the
39 following information for each candidate selected:

- 40 (1) The name of each candidate as:
41 (A) the candidate wants the candidate's name to appear on the
42 ballot; and



- 1 (B) the candidate's name is permitted to appear on the ballot
 2 under IC 3-5-7.
- 3 (2) The residence address of each candidate.
- 4 (b) The certificate shall be filed with:
- 5 (1) the election division for:
- 6 (A) one (1) or more ~~chairmen~~ **chairpersons** acting under
 7 section 2, 3, 4, or 5(b) of this chapter; or
- 8 (B) a committee acting under section 5(b) of this chapter to fill
 9 a candidate vacancy for the office of judge of a circuit,
 10 superior, probate, county, or small claims court or prosecuting
 11 attorney; or
- 12 (2) the circuit court clerk of the county in which the greatest
 13 percentage of the population of the election district is located, for
 14 a ~~chairman~~ **chairperson** acting under section 5(a) of this chapter
 15 to fill a candidate vacancy for a local office not described in
 16 subdivision (1).
- 17 (c) The certificate required by subsection (a) shall be filed not more
 18 than three (3) days (excluding Saturdays and Sundays) after selection
 19 of the candidate.
- 20 (d) A certificate filed under this section is not effective unless the
 21 candidate selected to fill the candidate vacancy has filed a statement of
 22 economic interests under IC 3-8-9-5.
- 23 SECTION 190. IC 3-13-2-12 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. (a) This section
 25 applies to a political party subject to IC 3-8-4-10.
- 26 (b) A candidate vacancy under this chapter shall be filled by the
 27 state committee of the political party. The ~~chairman~~ **chairperson** of the
 28 state committee shall act in accordance with section 8 of this chapter
 29 to certify the candidate selected to fill the vacancy.
- 30 SECTION 191. IC 3-13-5-0.1, AS ADDED BY P.L.164-2006,
 31 SECTION 130, IS AMENDED TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2024]: Sec. 0.1. (a) This chapter applies only
 33 to a vacancy in a legislative office that was last held by a person elected
 34 or selected as a candidate of a major political party of the state.
- 35 (b) A vacancy in a legislative office that was last held by a person
 36 elected or selected as a candidate of a political party described by
 37 IC 3-8-4-10 shall be filled by the state committee of the political party.
 38 The state ~~chairman~~ **chairperson** of the party shall certify the selection
 39 of an individual to fill the vacancy in the manner prescribed under
 40 section 6 of this chapter.
- 41 (c) A vacancy in a legislative office that was last held by a person
 42 not described in subsection (a) or (b) shall be filled by a special



1 election held as provided in IC 3-10-8.

2 SECTION 192. IC 3-13-5-1, AS AMENDED BY P.L.278-2019,
3 SECTION 154, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) A vacancy in a legislative
5 office shall be filled by a caucus comprised of the precinct
6 ~~committeemen~~ **committee persons** from the senate or house district
7 where the vacancy exists who represent the same political party that
8 elected or selected the person who held the vacated seat.

9 (b) Not later than thirty (30) days after the vacancy occurs (or as
10 provided in subsections (c) and (d)), the caucus shall meet and select
11 a person to fill the vacancy by a majority vote of those casting a vote
12 for a candidate, including vice ~~committeemen~~ **committee persons**
13 eligible to vote as a proxy under section 5 of this chapter.

14 (c) A state ~~chairman~~ **chairperson** may give notice of a caucus
15 before the time specified under subsection (b) if a vacancy will exist
16 because the official has:

17 (1) submitted a written resignation under IC 5-8-3.5 that has not
18 yet taken effect;

19 (2) been elected to another office; or

20 (3) submitted a notice under IC 5-9-4 to take a leave of absence
21 for active duty in the armed forces or national guard.

22 (d) If a vacancy in a legislative office exists because of the death of
23 the legislator, the caucus shall meet and select a person to fill the
24 vacancy not later than thirty (30) days after the state ~~chairman~~
25 **chairperson** receives notice of the death of the legislator from the
26 secretary of state under IC 5-8-6.

27 (e) Notwithstanding IC 5-8-4, a person may not withdraw the
28 person's resignation after the resignation has been accepted by the
29 person authorized to accept the resignation less than seventy-two (72)
30 hours before the announced starting time of the caucus under this
31 chapter.

32 (f) The person selected must reside in the district where the vacancy
33 occurred.

34 SECTION 193. IC 3-13-5-2, AS AMENDED BY P.L.119-2005,
35 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2024]: Sec. 2. (a) The state ~~chairman~~ **chairperson** of the
37 political party that elected or selected the person who held the vacated
38 seat shall set the place, date, and time of a caucus meeting. The
39 ~~chairman~~ **chairperson** shall send a notice, by first class mail, of the
40 purpose, place, date, and time of the meeting to all precinct
41 ~~committeemen~~ **committee persons** in the caucus at least ten (10) days
42 before the meeting.



1 (b) If a vacancy in a legislative office exists because of the death of
 2 the legislator, the state ~~chairman~~ **chairperson** may not send the notice
 3 required by subsection (a) until the state ~~chairman~~ **chairperson**
 4 receives notice of the death from the secretary of state under IC 5-8-6.

5 SECTION 194. IC 3-13-5-3, AS AMENDED BY P.L.123-2015,
 6 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2024]: Sec. 3. (a) The state ~~chairman~~ **chairperson** or a person
 8 designated by the state ~~chairman~~ **chairperson** shall preside over a
 9 caucus meeting held under this chapter.

10 (b) A person who desires to be a candidate to fill a vacancy under
 11 this chapter must file:

12 (1) a declaration of candidacy with the ~~chairman~~ **chairperson** of
 13 the caucus; and

14 (2) a statement of economic interests under IC 2-2.2-2 with the
 15 secretary of the senate or principal clerk of the house of
 16 representatives;

17 at least seventy-two (72) hours before the time fixed for the caucus.

18 (c) In addition to the procedures prescribed by this chapter, the
 19 ~~chairman~~ **chairperson** and precinct ~~committeemen~~ **committee persons**
 20 may adopt rules of procedure that are necessary to conduct business.

21 SECTION 195. IC 3-13-5-4 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) To be eligible to
 23 participate in a caucus called under this chapter, an elected precinct
 24 ~~committeeman~~ **committee person** must be entitled to vote for the
 25 legislative office for which a successor is to be selected. An elected
 26 precinct ~~committeeman~~ **committee person** is eligible to participate in
 27 a caucus called under this chapter, regardless of when the vacancy in
 28 the legislative office occurred.

29 (b) An appointed precinct ~~committeeman~~ **committee person** is
 30 eligible to participate in a caucus called under this chapter if the
 31 precinct ~~committeeman~~ **committee person** was a ~~committeeman~~
 32 **committee person** thirty (30) days before the vacancy occurred.

33 (c) An individual eligible to participate in a caucus held under this
 34 chapter has one (1) vote.

35 SECTION 196. IC 3-13-5-5, AS AMENDED BY P.L.278-2019,
 36 SECTION 155, IS AMENDED TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) Except as provided in this
 38 section, voting by proxy is not allowed in a caucus held under this
 39 chapter.

40 (b) A precinct vice ~~committeeman~~ **committee person** is entitled to
 41 participate in a caucus held under this chapter and vote as a proxy for
 42 the vice ~~committeeman's~~ **committee person's** precinct ~~committeeman~~



1 **committee person** if all of the following apply:

2 (1) The vice ~~committeeman's~~ **committee person's** precinct
3 ~~committeeman~~ **committee person** is otherwise eligible to
4 participate in the caucus under this chapter. This subdivision is
5 satisfied if the vacancy to be filled under this chapter resulted
6 from the death of an individual holding a legislative office who
7 also served as a precinct ~~committeeman~~: **committee person**.

8 (2) The vice ~~committeeman's~~ **committee person's** precinct
9 ~~committeeman~~ **committee person** is not present at the caucus.

10 (3) The vice ~~committeeman~~ **committee person** is eligible under
11 this section.

12 (c) The vice ~~committeeman~~ **committee person** of an elected
13 precinct ~~committeeman~~ **committee person** is eligible to participate in
14 a caucus held under this chapter and vote the precinct ~~committeeman's~~
15 **committee person's** proxy if the vice ~~committeeman~~ **committee**
16 **person** was the vice ~~committeeman~~ **committee person** five (5) days
17 before the date of the caucus.

18 (d) If a vice ~~committeeman~~ **committee person** is not eligible under
19 subsection (c), the vice ~~committeeman~~ **committee person** is eligible
20 to participate in a caucus held under this chapter and vote the precinct
21 ~~committeeman's~~ **committee person's** proxy only if the vice
22 ~~committeeman~~ **committee person** was the vice ~~committeeman~~
23 **committee person** thirty (30) days before the vacancy occurred.

24 (e) Voting shall be conducted by secret ballot, and IC 5-14-1.5-3(b)
25 does not apply to this chapter.

26 SECTION 197. IC 3-13-5-6 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. The state ~~chairman~~
28 **chairperson** shall certify the name of the person selected under section
29 1 of this chapter to the president pro tempore of the senate or the
30 speaker of the house of representatives, as appropriate, who shall
31 acknowledge receipt of the certification, submit a copy of the
32 certificate to be included in the journal of the house or senate:

33 (1) of the day when the individual is seated; or

34 (2) if the certificate is received after the adjournment sine die of
35 the general assembly, of the first day that the chamber is in
36 session following receipt of the certificate;

37 and immediately forward the certificate to the secretary of state.

38 SECTION 198. IC 3-13-9-4.5 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4.5. (a) This section
40 applies to a vacancy in the town council to be filled under section 4 of
41 this chapter when more than fifty percent (50%) of the seats on the
42 town council are vacant.



1 (b) The remaining member or a majority of the remaining members
 2 of the town council shall fill the vacancies under this chapter as the
 3 first item of business at a meeting of the town council even though a
 4 quorum would not then exist to conduct other town council business.

5 (c) If there are no remaining members of the town council in office
 6 or a tie vote occurs among the remaining members under subsection
 7 (b), the vacancies shall be filled by the town clerk-treasurer.

8 (d) If there are no remaining members of the town council and no
 9 clerk-treasurer in office, the vacancies in the office of clerk-treasurer
 10 and town council shall be filled by the county ~~chairman~~ **chairperson**
 11 of the major political party of the state whose candidate for secretary
 12 of state received the most votes in the last election for that office in the
 13 precincts in which the town is wholly or partially located.

14 SECTION 199. IC 3-13-10-5, AS AMENDED BY P.L.119-2005,
 15 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2024]: Sec. 5. (a) This section applies to a vacancy in the
 17 office of judge of a small claims court or small claims court constable
 18 not covered by section 1 of this chapter.

19 (b) A vacancy shall be filled by the township board at a regular or
 20 special meeting. The ~~chairman~~ **chairperson** of the township board
 21 shall give notice of the meeting. Except as provided in subsection (c),
 22 the meeting shall be held not later than thirty (30) days after the
 23 vacancy occurs. The notice must:

- 24 (1) be in writing;
- 25 (2) state the purpose of the meeting;
- 26 (3) state the date, time, and place of the meeting; and
- 27 (4) be sent by first class mail to each board member at least ten
 28 (10) days before the meeting.

29 (c) If a vacancy exists because of the death of a judicial officer, the
 30 meeting required by subsection (b) shall be held not later than thirty
 31 (30) days after the ~~chairman~~ **chairperson** of the township board
 32 receives notice of the death under IC 5-8-6. The ~~chairman~~ **chairperson**
 33 of the township board may not give the notice required by subsection
 34 (b) until the ~~chairman~~ **chairperson** of the township board receives
 35 notice of the death under IC 5-8-6.

36 SECTION 200. IC 3-13-11-3, AS AMENDED BY P.L.278-2019,
 37 SECTION 162, IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) Except as provided in
 39 subsections (b) and (e) and section 3.5 of this chapter, after a vacancy
 40 occurs and not later than ten (10) days after a vacancy occurs in an
 41 office subject to this chapter, the county ~~chairman:~~ **chairperson:**

- 42 (1) of the county in which the greatest percentage of the



1 population of the election district of the office is located; and
 2 (2) of the same political party that elected or selected the official
 3 who vacated the office;
 4 shall give notice of a caucus to all eligible precinct ~~committeemen~~
 5 **committee persons**.

6 (b) A county ~~chairman~~ **chairperson** may give notice of a caucus
 7 before the time specified under subsection (a) if a vacancy will exist
 8 because the official has:

- 9 (1) submitted a written resignation under IC 5-8-3.5;
 10 (2) been elected to another office; or
 11 (3) submitted a notice under IC 5-9-4 to take a leave of absence
 12 for active duty in the armed forces or national guard.

13 (c) Notwithstanding IC 5-8-4, a person may not withdraw the
 14 person's resignation after the resignation has been accepted by the
 15 person authorized to accept the resignation less than seventy-two (72)
 16 hours before the announced starting time of a caucus under this section.

17 (d) Except as provided in subsections (e) and (f) and section 3.5 of
 18 this chapter, a caucus under this section shall be held after giving
 19 notice to caucus members under section 4 of this chapter and not later
 20 than thirty (30) days after the vacancy occurs.

21 (e) If a vacancy exists in an office because of the death of the
 22 officeholder, the caucus shall meet and select an individual to fill the
 23 vacancy not later than thirty (30) days after the county ~~chairman~~
 24 **chairperson** receives notice of the death under IC 5-8-6. The county
 25 ~~chairman~~ **chairperson** shall give notice to caucus members under
 26 section 4 of this chapter. The county ~~chairman~~ **chairperson** may not
 27 give the notice required by section 4 of this chapter until the county
 28 ~~chairman~~ **chairperson** receives notice of the death under IC 5-8-6.

29 (f) If a person or entity that receives notice of a resignation under
 30 IC 5-8-3.5-1(b) fails to provide timely notice of the resignation to the
 31 person or entity with the power to fill the vacancy or call the caucus,
 32 the person or entity with the power to fill the vacancy or call that
 33 caucus:

- 34 (1) may immediately proceed to fill the vacancy or call the caucus
 35 without prior receipt of the notice; and
 36 (2) must do so not later than thirty (30) days after receiving the
 37 notice from the person or entity that received the notice of
 38 resignation.

39 SECTION 201. IC 3-13-11-3.5, AS AMENDED BY P.L.119-2005,
 40 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2024]: Sec. 3.5. (a) If a vacancy exists on a town council
 42 because a circumstance has occurred under IC 36-5-2-6.5(3), the



1 caucus shall meet and select an individual to fill the vacancy not later
 2 than thirty (30) days after the county ~~chairman~~ **chairperson** receives
 3 a notice of the vacancy under IC 5-8-5.

4 (b) The county ~~chairman~~ **chairperson** shall:

- 5 (1) give notice of the caucus meeting to caucus members under
- 6 section 4 of this chapter; and
- 7 (2) keep the notice of the vacancy with the records of the caucus.

8 SECTION 202. IC 3-13-11-4 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. The notice for a
 10 caucus under section 3 of this chapter must:

- 11 (1) be in writing;
- 12 (2) state the name of the ~~chairman~~ **chairperson** of the caucus;
- 13 (3) state the purpose of the caucus;
- 14 (4) state the date, time, and place of the caucus; and
- 15 (5) be sent by first class mail to each member of the caucus at
- 16 least ten (10) days before the caucus.

17 SECTION 203. IC 3-13-11-5 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) To be eligible to
 19 be a member of a caucus under this chapter, a precinct ~~committeeman~~
 20 **committee person** must satisfy the following:

- 21 (1) Be a member of the same political party that elected or
- 22 selected the person who vacated the office to be filled.
- 23 (2) Be the precinct ~~committeeman~~ **committee person** of a
- 24 precinct in which voters were eligible to vote for the person who
- 25 vacated the office to be filled at the last election conducted or
- 26 permitted for the office.
- 27 (3) Satisfy the other requirements of this section.

28 An elected precinct ~~committeeman~~ **committee person** is eligible to
 29 participate in a caucus called under this chapter, regardless of when the
 30 vacancy in the office occurred.

31 (b) An appointed precinct ~~committeeman~~ **committee person** is
 32 eligible to participate in a caucus called under this chapter if the
 33 precinct ~~committeeman~~ **committee person** was a precinct
 34 ~~committeeman~~ **committee person** thirty (30) days before the vacancy
 35 occurred.

36 (c) If fewer than two (2) persons are eligible to be members of a
 37 caucus under this section, the county ~~chairman~~ **chairperson** entitled to
 38 give notice of a caucus under section 3 of this chapter shall fill the
 39 vacancy, no later than thirty (30) days after the vacancy occurs. A
 40 ~~chairman~~ **chairperson** acting under this subsection is not required to
 41 conduct a caucus.

42 SECTION 204. IC 3-13-11-6, AS AMENDED BY P.L.225-2011,



1 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2024]: Sec. 6. The county ~~chairman~~ **chairperson**:

3 (1) of the county in which the greatest percentage of the
4 population of the election district is located; and

5 (2) of the same political party that elected or selected the official
6 who vacated the office to be filled;

7 (or an individual designated by the county ~~chairman~~ **chairperson**) is
8 the ~~chairman~~ **chairperson** of a caucus held under this chapter. The
9 ~~chairman~~ **chairperson** is not eligible to vote in the caucus unless the
10 ~~chairman~~ **chairperson** is also a member of the caucus.

11 SECTION 205. IC 3-13-11-7 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) This section does
13 not apply to a vacancy filled by a county ~~chairman~~ **chairperson** under
14 section 5(c) of this chapter.

15 (b) A person who wishes to be a candidate for pro tempore
16 appointment to fill a vacancy under this chapter must file:

17 (1) a declaration of candidacy with the ~~chairman~~ **chairperson** of
18 the caucus; and

19 (2) a statement of economic interests with the commission on
20 judicial qualifications if the vacancy is in the office of prosecuting
21 attorney;

22 at least seventy-two (72) hours before the time fixed for the caucus.

23 SECTION 206. IC 3-13-11-8, AS AMENDED BY P.L.216-2015,
24 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2024]: Sec. 8. (a) Except as provided in this chapter, the
26 caucus shall establish the caucus rules of procedure. The ~~chairman~~
27 **chairperson** or an individual designated by the ~~chairman~~ **chairperson**
28 shall break any tie vote that occurs in the caucus.

29 (b) If a quorum required under the rules of a meeting held under this
30 chapter is not present, the county ~~chairman~~ **chairperson** or an
31 individual designated by the county ~~chairman~~ **chairperson** shall fill the
32 vacancy that exists in the local office.

33 SECTION 207. IC 3-13-11-9 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) Except as
35 provided in this section, voting by proxy is not permitted in a caucus
36 held under this chapter.

37 (b) A precinct vice ~~committeeman~~ **committee person** is entitled to
38 participate in a caucus held under this chapter and vote as a proxy for
39 the vice ~~committeeman's~~ **committee person's** precinct ~~committeeman~~
40 **committee person** if all of the following apply:

41 (1) The vice ~~committeeman's~~ **committee person's** precinct
42 ~~committeeman~~ **committee person** is otherwise eligible to



1 participate in the caucus under this chapter. This subdivision is
 2 satisfied if the vacancy to be filled under this chapter resulted
 3 from the death of an individual holding a local office who also
 4 served as a precinct ~~committeeman~~ **committee person**.

5 (2) The vice ~~committeeman's~~ **committee person's** precinct
 6 ~~committeeman~~ **committee person** is not present at the caucus.

7 (3) The vice ~~committeeman~~ **committee person** is eligible under
 8 this section.

9 (c) The vice ~~committeeman~~ **committee person** of an elected
 10 precinct ~~committeeman~~ **committee person** is eligible to participate in
 11 a caucus held under this chapter and vote the precinct ~~committeeman's~~
 12 **committee person's** proxy, regardless of when the vacancy occurred,
 13 if the vice ~~committeeman~~ **committee person** was the vice
 14 ~~committeeman~~ **committee person** five (5) days before the date of the
 15 caucus.

16 (d) If a vice ~~committeeman~~ **committee person** is not eligible under
 17 subsection (c), the vice ~~committeeman~~ **committee person** is eligible
 18 to participate in a caucus held under this chapter and vote the precinct
 19 ~~committeeman's~~ **committee person's** proxy only if the vice
 20 ~~committeeman~~ **committee person** was the vice ~~committeeman~~
 21 **committee person** thirty (30) days before the vacancy occurred.

22 SECTION 208. IC 3-13-11-11 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. (a) No later than
 24 noon five (5) days after:

25 (1) the selection required by section 10 of this chapter; or

26 (2) a selection under section 5(c) of this chapter;

27 the ~~chairman~~ **chairperson** shall certify the pro tempore appointment
 28 results to the circuit court clerk of the county in which the greatest
 29 percentage of the population of the election district is located.

30 (b) This subsection applies to the selection of an individual for an
 31 appointment pro tempore as judge of a town court, prosecuting
 32 attorney, circuit court clerk, county auditor, county recorder, county
 33 treasurer, county sheriff, county coroner, or county surveyor. The clerk
 34 shall forward a copy of the certificate to the election division. The
 35 election division shall prepare a commission for issuance under
 36 IC 4-3-1-5 in the same manner that the election division prepares a
 37 commission following the election of an individual to the office.

38 (c) This subsection applies to the selection of an individual for an
 39 appointment pro tempore to a local office not described in subsection
 40 (b). The clerk shall file the certificate in the clerk's office in the same
 41 manner as certificates of election are filed. Within twenty-four (24)
 42 hours after the certificate is filed, the clerk shall issue a copy of the



1 certificate to the individual named in the certificate.

2 SECTION 209. IC 3-13-11-17 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 17. (a) This section
4 does not apply to the office of a judge or a township board member.

5 (b) In accordance with section 12 of this chapter, if a chief deputy
6 employee does not exist in a township office or the chief deputy
7 employee declines or is ineligible to serve, the ~~chairman~~ **chairperson**
8 of the township board assumes the duties of the township office until
9 the office is filled under this chapter.

10 SECTION 210. IC 3-14-3-19, AS AMENDED BY P.L.109-2021,
11 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2024]: Sec. 19. A person who, for the purpose of inducing or
13 procuring another person to:

- 14 (1) apply for or cast an absentee ballot; or
15 (2) vote or refrain from voting for or against a candidate or for or
16 against a public question at:

- 17 (A) an election;
18 (B) a caucus;
19 (C) an appointment of a candidate by a political party
20 ~~chairman~~ **chairperson** or central committee officers; or
21 (D) a political convention;
22 authorized or required by this title;

23 gives, offers, or promises to any person any money or other property
24 commits a Level 6 felony.

25 SECTION 211. IC 4-3-17-4, AS AMENDED BY P.L.181-2015,
26 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2024]: Sec. 4. (a) The articles of incorporation or bylaws of
28 the corporation, as appropriate, must provide that:

- 29 (1) the exclusive purpose of the corporation is to provide grants
30 and serve as a resource for education programs on drug and
31 alcohol abuse, by providing assistance to persons or entities
32 involved with:

- 33 (A) coordinating the activities of all parties having a role in
34 drug and alcohol abuse education and prevention; and
35 (B) educating and assisting local communities in educating
36 Indiana citizens on the problems of drug and alcohol abuse;

- 37 (2) the board must include:
38 (A) the governor or the governor's designee;
39 (B) the state health commissioner or the commissioner's
40 designee; and
41 (C) additional persons appointed by the governor, who have
42 knowledge or experience in drug or alcohol education



- 1 programs;
- 2 (3) the governor shall designate a member of the board to serve
- 3 as ~~chairman~~ **chairperson** of the board;
- 4 (4) the board shall select any other officers it considers necessary,
- 5 such as a vice ~~chairman~~; **chairperson**, treasurer, or secretary;
- 6 (5) the ~~chairman~~ **chairperson** of the board may appoint any
- 7 subcommittees that the ~~chairman~~ **chairperson** considers
- 8 necessary to carry out the duties of the corporation;
- 9 (6) with the approval of the governor, the corporation may appoint
- 10 a president, who shall serve as the chief operating officer of the
- 11 corporation and who may appoint staff or employ consultants to
- 12 carry out the corporation's duties under this chapter, including
- 13 personnel to receive or disseminate information that furthers the
- 14 goals of the corporation;
- 15 (7) the corporation may receive funds from any source (including
- 16 state appropriations), may enter into contracts, and may expend
- 17 funds for any activities necessary, convenient, or expedient to
- 18 carry out its purposes;
- 19 (8) any amendments to the articles of incorporation or bylaws of
- 20 the corporation must be approved by the board;
- 21 (9) the corporation shall submit an annual report to the governor,
- 22 lieutenant governor, and ~~chairman~~ **chairperson** of the legislative
- 23 council before December 31 of each year;
- 24 (10) the corporation shall conduct an annual public hearing to
- 25 receive comments from interested parties regarding the annual
- 26 report, and notice of the hearing shall be given at least fourteen
- 27 (14) days before the hearing in accordance with IC 5-14-1.5-5(b);
- 28 and
- 29 (11) the corporation is subject to audit by the state board of
- 30 accounts, and the corporation shall bear the full costs of this audit.
- 31 An annual report described in subdivision (9) that is submitted to the
- 32 ~~chairman~~ **chairperson** of the legislative council must be in an
- 33 electronic format under IC 5-14-6.
- 34 (b) The corporation may perform other acts necessary, convenient,
- 35 or expedient to carry out its purposes under this chapter and has all the
- 36 rights, powers, and privileges granted to corporations by IC 23-17 and
- 37 by common law.
- 38 (c) With the approval of the governor, the corporation may merge
- 39 with an entity with similar purposes. If the corporation merges with
- 40 another entity under this subsection, the governor shall revoke the
- 41 certification under section 7 of this chapter.
- 42 SECTION 212. IC 4-4-16-2, AS AMENDED BY P.L.83-2005,



1 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2024]: Sec. 2. (a) The Indiana main street council is
3 established. The council consists of:

4 (1) the secretary of agriculture and rural development or a person
5 designated by the secretary, who shall serve as ~~chairman~~;
6 **chairperson**; and

7 (2) at least seven (7) but not more than ten (10) persons appointed
8 by the secretary, who represent organizations concerned with the
9 purposes of the program established by this chapter and who
10 represent all geographic regions of the state.

11 (b) Members appointed to the council by the secretary shall serve
12 for a term of three (3) years, beginning on July 1 after their
13 appointment. However, a member appointed to fill a vacancy on the
14 council shall serve for the remainder of the unexpired term.

15 (c) The council shall:

16 (1) develop and direct policy;

17 (2) coordinate administrative techniques; and

18 (3) provide assistance;

19 to carry out the purposes of the Indiana main street program.

20 (d) Each member of the council who is not a state employee is
21 entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b).
22 Each member is entitled to reimbursement for traveling expenses and
23 other expenses actually incurred in connection with the member's
24 duties, as provided in the state travel policies and procedures
25 established by the department of administration and approved by the
26 state budget agency.

27 SECTION 213. IC 4-12-1-11 IS AMENDED TO READ AS
28 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. (a) In addition to
29 cooperating in the preparation of a recommended budget report and
30 budget bill as herein provided, the chief functions of the budget
31 committee shall be to serve as liaison between the legislative and
32 executive, including the administrative branches of government, and
33 to provide information to the general assembly with respect to the
34 management of state fiscal affairs so that it may have a better insight
35 into the budgetary and appropriation needs of the various state
36 agencies. To perform such functions the budget committee may:

37 (1) Select a ~~chairman~~ **chairperson** and such other officers as the
38 members desire, and hold meetings at stated intervals, and on call
39 of the ~~chairman~~ **chairperson**.

40 (2) Make such policies and procedures concerning its
41 organization and operation as are deemed advisable but IC 4-22-2
42 shall not apply thereto.



- 1 (3) Have access to all files, information gathered and reports of
- 2 the budget agency.
- 3 (4) Inspect any state agency in order to obtain accurate
- 4 information concerning its budgetary needs and fiscal
- 5 management, and examine all of its records and books of account.
- 6 (5) Subpoena witnesses and records, examine witnesses under
- 7 oath, hold hearings, and exercise all the inherent powers of an
- 8 interim legislative committee for study of budgetary affairs and
- 9 fiscal management.
- 10 (6) Attend meetings of appropriate committees of the general
- 11 assembly and furnish it with information and advice.
- 12 (7) Make such general or special reports to the budget agency and
- 13 to the general assembly as are deemed advisable. A report to the
- 14 general assembly under this subdivision must be in an electronic
- 15 format under IC 5-14-6.
- 16 (b) The salary per diem of the legislative members of the budget
- 17 committee is seventy dollars (\$70) per day each for the time necessarily
- 18 employed in the performance of their duties, and as provided by law all
- 19 necessary traveling and hotel expenses, in addition to their legislative
- 20 salary and legislative expense allowance, fixed by law as members of
- 21 the general assembly. However, the salary per diem provided in this
- 22 section is in lieu of any other per diem allowances available for the
- 23 same day to legislative members of the budget committee in their
- 24 capacity as members of other legislative committees or commissions.
- 25 SECTION 214. IC 4-12-13-2, AS ADDED BY P.L.234-2007,
- 26 SECTION 224, IS AMENDED TO READ AS FOLLOWS
- 27 [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) This section applies only to
- 28 a contract or an agreement:
- 29 (1) that is first entered into by:
- 30 (A) a state agency; and
- 31 (B) a private contractor or private vendor;
- 32 after June 30, 2007;
- 33 (2) in which the initial term of the contract or agreement plus the
- 34 term of any possible renewal or extension periods is at least four
- 35 (4) years;
- 36 (3) under which the amount to be paid by the state agency during
- 37 the initial term of the contract or agreement plus the term of any
- 38 possible renewal or extension periods:
- 39 (A) is at least ten million dollars (\$10,000,000); or
- 40 (B) is estimated by the state agency to be at least ten million
- 41 dollars (\$10,000,000); and
- 42 (4) under which the private contractor or private vendor will



- 1 provide services that before the effective date of the contract or
- 2 agreement are provided directly by the employees of the state
- 3 agency.
- 4 (b) In addition to any other requirements that must be satisfied, a
- 5 state agency may not enter into a contract or an agreement described in
- 6 subsection (a) unless the following requirements are satisfied:
- 7 (1) At least thirty (30) days before entering into the contract or
- 8 agreement, the state agency must conduct at least one (1) public
- 9 hearing on the contract or agreement. The state agency must allow
- 10 public comments and testimony at the public hearing. The public
- 11 hearing must be held in compliance with IC 5-14-1.5.
- 12 (2) Either of the following occurs:
- 13 (A) At least thirty (30) days before the state agency enters into
- 14 the contract or agreement, the budget committee makes a
- 15 recommendation to the budget agency concerning the contract
- 16 or agreement.
- 17 (B) The budget committee does not make a recommendation
- 18 concerning the contract or agreement within thirty (30) days
- 19 after the ~~chairman~~ **chairperson** of the budget committee is
- 20 requested by the budget agency to make a recommendation.
- 21 SECTION 215. IC 4-12-13-3, AS ADDED BY P.L.234-2007,
- 22 SECTION 224, IS AMENDED TO READ AS FOLLOWS
- 23 [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) In addition to any other
- 24 requirements that must be satisfied, a state agency may have the
- 25 employees of the state agency directly provide services that are
- 26 provided by a private contractor or private vendor under a contract or
- 27 an agreement described in section 2(a) of this chapter only if the
- 28 following requirements are satisfied:
- 29 (1) At least thirty (30) days before the employees of the state
- 30 agency begin directly providing the services, the state agency
- 31 must conduct at least one (1) public hearing concerning the
- 32 provision of the services by the employees of the state agency.
- 33 The state agency must allow public comments and testimony at
- 34 the public hearing. The public hearing must be held in
- 35 compliance with IC 5-14-1.5.
- 36 (2) Either of the following occurs:
- 37 (A) At least thirty (30) days before employees of the state
- 38 agency begin directly providing services, the budget
- 39 committee makes a recommendation to the budget agency
- 40 concerning the provision of the services by the employees of
- 41 the state agency.
- 42 (B) The budget committee does not make a recommendation



1 concerning the provision of the services by the employees of
 2 the state agency within thirty (30) days after the ~~chairman~~
 3 **chairperson** of the budget committee is requested by the
 4 budget agency to make a recommendation.

5 (b) A state agency is not required to comply with the requirements
 6 of subsection (a) if the director or other administrative head of the state
 7 agency declares that an emergency exists that requires the employees
 8 of the state agency to directly provide the services that were provided
 9 by a private contractor or private vendor.

10 SECTION 216. IC 4-13-16.5-2, AS AMENDED BY P.L.15-2020,
 11 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2024]: Sec. 2. (a) There is established a governor's
 13 commission on supplier diversity. The commission shall consist of the
 14 following members:

15 (1) A governor's designee, who shall serve as ~~chairman~~
 16 **chairperson** of the commission.

17 (2) The commissioner of the Indiana department of transportation,
 18 or the economic opportunity director of the Indiana department of
 19 transportation if the commissioner of the Indiana department of
 20 transportation so designates.

21 (3) The chairperson of the board of the Indiana economic
 22 development corporation or the chairperson's designee.

23 (4) The commissioner.

24 (5) Nine (9) individuals with demonstrated capabilities in
 25 business and industry, especially minority business enterprises,
 26 women's business enterprises, and veteran owned small
 27 businesses, appointed by the governor from the following
 28 geographical areas of the state:

29 (A) Three (3) from the northern one-third (1/3) of the state.

30 (B) Three (3) from the central one-third (1/3) of the state.

31 (C) Three (3) from the southern one-third (1/3) of the state.

32 (6) Two (2) members of the house of representatives, no more
 33 than one (1) from the same political party, appointed by the
 34 speaker of the house of representatives to serve in a nonvoting
 35 advisory capacity.

36 (7) Two (2) members of the senate, no more than one (1) from the
 37 same political party, appointed by the president pro tempore of
 38 the senate to serve in a nonvoting advisory capacity.

39 (8) The deputy commissioner, who shall serve as a nonvoting
 40 member.

41 Not more than six (6) of the ten (10) members appointed or designated
 42 by the governor may be of the same political party. Appointed members



1 of the commission shall serve four (4) year terms. A vacancy occurs if
 2 a legislative member leaves office for any reason. Any vacancy on the
 3 commission shall be filled in the same manner as the original
 4 appointment.

5 (b) Each member of the commission who is not a state employee is
 6 entitled to the following:

7 (1) The minimum salary per diem provided by IC 4-10-11-2.1(b).

8 (2) Reimbursement for traveling expenses and other expenses
 9 actually incurred in connection with the member's duties as
 10 provided under IC 4-13-1-4 and in the state travel policies and
 11 procedures established by the Indiana department of
 12 administration and approved by the budget agency.

13 (c) Each legislative member of the commission is entitled to receive
 14 the same per diem, mileage, and travel allowances established by the
 15 legislative council and paid to members of the general assembly
 16 serving on interim study committees. The allowances specified in this
 17 subsection shall be paid by the legislative services agency from the
 18 amounts appropriated for that purpose.

19 (d) A member of the commission who is a state employee but who
 20 is not a member of the general assembly is not entitled to any of the
 21 following:

22 (1) The minimum salary per diem provided by IC 4-10-11-2.1(b).

23 (2) Reimbursement for traveling expenses as provided under
 24 IC 4-13-1-4.

25 (3) Other expenses actually incurred in connection with the
 26 member's duties.

27 (e) The commission shall meet at least four (4) times each year and
 28 at other times as the ~~chairman~~ **chairperson** considers necessary.

29 (f) The duties of the commission shall include but not be limited to
 30 the following:

31 (1) Identify minority business enterprises, women's business
 32 enterprises, and veteran owned small businesses in the state.

33 (2) Assess the needs of minority business enterprises, women's
 34 business enterprises, and veteran owned small businesses.

35 (3) Initiate aggressive programs to assist minority business
 36 enterprises, women's business enterprises, and veteran owned
 37 small businesses in obtaining state contracts.

38 (4) Give special publicity to procurement, bidding, and qualifying
 39 procedures.

40 (5) Include minority business enterprises, women's business
 41 enterprises, and veteran owned small businesses on solicitation
 42 mailing lists.



- 1 (6) Evaluate the competitive differences between qualified
 2 minority or women's nonprofit corporations and other than
 3 qualified minority or women's nonprofit corporations and veteran
 4 owned small businesses that offer similar services and make
 5 recommendation to the department on policy changes necessary
 6 to ensure fair competition among minority business enterprises,
 7 women's business enterprises, and veteran owned small
 8 businesses.
- 9 (7) Define the duties, goals, and objectives of the deputy
 10 commissioner of the department as created under this chapter to
 11 assure compliance by all state agencies, separate bodies corporate
 12 and politic, and state educational institutions with state and
 13 federal legislation and policy concerning the awarding of
 14 contracts (including, notwithstanding section 1(d) of this chapter
 15 or any other law, contracts of state educational institutions) to
 16 minority business enterprises, women's business enterprises, and
 17 veteran owned small businesses.
- 18 (8) Establish annual goals:
- 19 (A) for the use of minority and women's business enterprises;
 20 and
- 21 (B) derived from a statistical analysis of utilization study of
 22 state contracts (including, notwithstanding section 1(d) of this
 23 chapter or any other law, contracts of state educational
 24 institutions) that are required to be updated every five (5)
 25 years.
- 26 (9) Prepare a review of the commission and the various affected
 27 departments of government to be submitted to the governor and
 28 the legislative council on March 1 and October 1 of each year,
 29 evaluating progress made in the areas defined in this subsection.
- 30 (10) Ensure that the statistical analysis required under this
 31 section:
- 32 (A) is based on goals for participation of minority business
 33 enterprises established in *Richmond v. Croson*, 488 U.S. 469
 34 (1989);
- 35 (B) includes information on both contracts and subcontracts
 36 (including, notwithstanding section 1(d) of this chapter or any
 37 other law, contracts and subcontracts of state educational
 38 institutions); and
- 39 (C) uses data on the combined capacity of minority business
 40 enterprises, women's business enterprises, and veteran owned
 41 small businesses in Indiana and not just regional data.
- 42 (11) Establish annual goals for the use of minority business



1 enterprises, women's business enterprises, and veteran owned
2 small businesses for any contract that:

3 (A) will be paid for in whole or in part with state grant funds;
4 and

5 (B) involves the use of real property of a unit (as defined in
6 IC 4-4-32.2-9).

7 (12) Ensure compliance with the establishment and evaluation of
8 the annual goal for veteran owned small businesses established in
9 section 3.5 of this chapter.

10 (g) The department shall direct contractors to demonstrate a good
11 faith effort to meet the annual participation goals established under
12 subsection (f)(11). The good faith effort shall be demonstrated by
13 contractors using the repository of certified firms created under section
14 3 of this chapter or a similar repository maintained by a unit (as defined
15 in IC 4-4-32.2-9).

16 (h) The department shall adopt rules of ethics under IC 4-22-2 for
17 commission members other than commission members appointed
18 under subsection (a)(6) or (a)(7).

19 (i) The department shall furnish administrative support and staff as
20 is necessary for the effective operation of the commission.

21 (j) The commission shall advise the department on developing a
22 statement, to be included in all applications for and agreements
23 governing grants made with state funds, stating the importance of the
24 use of minority business enterprises, women's business enterprises, and
25 veteran owned small businesses in fulfilling the purposes of the grant.

26 SECTION 217. IC 4-15-1.5-5, AS AMENDED BY P.L.134-2012,
27 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2024]: Sec. 5. The commission shall meet in rooms provided
29 by the personnel department and assume the duties of office. Three (3)
30 members of the commission shall constitute a quorum for the
31 transaction of business, and a majority of votes cast shall be required
32 for the adoption or approval of any official action. The commission
33 shall elect one (1) of the members as the ~~chairman~~ **chairperson** and
34 another member as ~~vice-chairman~~ **and the persons so elected vice**
35 **chairperson who** shall hold office for one (1) year and until their
36 successors are elected and qualified. The commission shall hold at least
37 one (1) annual meeting and such regular and special meetings as
38 needed as the commission may prescribe by rule or upon the call of the
39 ~~chairman.~~ **chairperson.**

40 SECTION 218. IC 4-15-2.2-45, AS ADDED BY P.L.229-2011,
41 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 JULY 1, 2024]: Sec. 45. (a) This section does not apply to precinct



1 ~~committeemen, committee persons~~, state or national party convention
2 delegates, or candidates for these party positions.

3 (b) A classified employee who is elected to a federal or state public
4 office is considered to have resigned from state service on the date the
5 person takes office.

6 SECTION 219. IC 4-23-2-1 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) There is hereby
8 created a commission to be known as the Indiana arts commission. On
9 and after July 1, 1967, the commission shall consist of fifteen (15)
10 members who shall be appointed by the governor and shall serve for a
11 term of four (4) years and until their successors are appointed and
12 qualified. In event of a vacancy, the governor shall appoint a successor
13 to complete the unexpired term.

14 (b) Insofar as practicable, the members of the commission shall be
15 selected so as to give representation to the various geographical areas
16 of the state and to all fields of the performing and fine arts. Members
17 shall be selected from among the residents of Indiana who have
18 competence, experience, and interest in connection with the performing
19 and fine arts. In making such appointments, due consideration shall be
20 given to any recommendations made by representative civic,
21 educational, and professional associations and groups concerned with
22 or engaged in the production or presentation of the performing and fine
23 arts.

24 (c) On or before July 1, 1967, the governor shall appoint five (5)
25 members to serve for a term of one (1) year, five (5) members to serve
26 for a term of two (2) years, and five (5) members to serve for a term of
27 four (4) years. Upon the expiration of the terms of the original members
28 appointed under this subsection, their successors shall be appointed for
29 terms of four (4) years. A member shall be eligible to succeed ~~himself~~
30 **the member**.

31 (d) The commission shall each year designate one (1) of its
32 members to serve as the ~~chairman~~ **chairperson** of the commission who
33 shall be the chief executive officer of the commission, one (1) member
34 to serve as vice ~~chairman~~ **chairperson** who shall act as ~~chairman~~
35 **chairperson** in the absence or inability to act of the ~~chairman~~,
36 **chairperson**, and one (1) to serve as secretary who shall be responsible
37 for maintaining records of the proceedings of the commission.

38 (e) All contracts, applications for grants, and other documents shall
39 be executed in the name of the commission either by the ~~chairman~~
40 **chairperson** of the commission or, when authorized by resolution of
41 the commission, by the executive director and shall be attested by the
42 secretary.



1 (f) Meetings of the commission shall be held at least quarterly and
 2 at such other times as may be necessary. All meetings shall be upon
 3 call of the ~~chairman~~ **chairperson**.

4 (g) The members of the commission shall not be required to devote
 5 their full time to their duties, but shall devote such time as is necessary
 6 to carry out their duties under this chapter. The members of the
 7 commission shall serve without pay, but shall be reimbursed for their
 8 reasonable and necessary expenses actually incurred in carrying out
 9 their duties.

10 (h) Eight (8) members of the commission shall constitute a quorum
 11 for the transaction of the business of the commission. A vacancy in the
 12 commission shall not impair the power of a quorum to transact
 13 business.

14 SECTION 220. IC 4-23-5.5-3, AS AMENDED BY P.L.204-2007,
 15 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2024]: Sec. 3. (a) The governor shall appoint one (1) of the
 17 appointed members as ~~chairman~~ **chairperson**. Five (5) members of the
 18 board shall constitute a quorum and the affirmative vote of a majority
 19 of the membership shall be necessary for any action taken by the board.
 20 A vacancy in the membership of the board does not impair the right of
 21 the quorum to act.

22 (b) All the members of the board shall be reimbursed for their actual
 23 expenses incurred in the performance of their duties. The appointed
 24 members may also receive a per diem allowance as determined by the
 25 budget agency for attendance of board meetings and activities. All
 26 reimbursement for expenses shall be as provided by law.

27 SECTION 221. IC 4-23-6.5-4, AS AMENDED BY P.L.56-2023,
 28 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2024]: Sec. 4. (a) The board consists of seven (7) members.
 30 The board must include the following:

31 (1) The commissioner of the Indiana department of health or the
 32 commissioner's designee.

33 (2) The ~~chairman~~ **chairperson** of the commission on forensic
 34 sciences or the ~~chairman's~~ **chairperson's** designee.

35 (3) The superintendent of the state police department or the
 36 superintendent's designee.

37 (4) Four (4) county coroners appointed by the governor, who shall
 38 consider appointing coroners who are women or members of
 39 minority groups.

40 (b) Not more than two (2) of the county coroner members of the
 41 board may be from the same political party.

42 SECTION 222. IC 4-23-6.5-5, AS AMENDED BY P.L.56-2023,



1 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2024]: Sec. 5. (a) The commissioner of the Indiana
3 department of health or the commissioner's designee shall serve as
4 **chairman chairperson** of the board.

5 (b) The board shall annually elect a vice **chairman chairperson**
6 from among the members of the board.

7 SECTION 223. IC 4-23-7.2-21, AS ADDED BY P.L.77-2017,
8 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2024]: Sec. 21. (a) An advisory committee is established to
10 advise the historical bureau in establishing an oral history of the
11 general assembly under section 20 of this chapter. The committee
12 consists of the following eight (8) members:

13 (1) One (1) member of the general assembly appointed by the
14 speaker of the house of representatives.

15 (2) One (1) member of the general assembly appointed by the
16 minority leader of the house of representatives.

17 (3) One (1) member of the general assembly appointed by the
18 president pro tempore of the senate.

19 (4) One (1) member of the general assembly appointed by the
20 minority leader of the senate.

21 (5) Four (4) members appointed by the governor as follows:

22 (A) One (1) member nominated by the Indiana library and
23 historical board.

24 (B) One (1) member nominated by the Indiana Historical
25 Society.

26 (C) One (1) member nominated by the Center for the Study of
27 History and Memory at Indiana University.

28 (D) One (1) member nominated by the board of trustees of The
29 History Museum in South Bend.

30 (b) The following apply to the governor's appointments under
31 subsection (a)(5):

32 (1) Not more than two (2) members appointed by the governor
33 may be members of the same political party.

34 (2) The appointments must be made so that the northern, central,
35 and southern regions of Indiana are represented on the committee.

36 (c) Members of the committee serve at the pleasure of the
37 appointing authority. If a vacancy occurs on the committee, the
38 appointing authority that appointed the member whose position is
39 vacant shall appoint an individual to fill the vacancy. An individual
40 appointed to fill a vacancy must have the qualifications that a member
41 appointed by the appointing authority must have.

42 (d) The:



1 (1) ~~chairman~~ **chairperson** of the legislative council, with the
 2 advice of the ~~vice-chairman~~, **vice chairperson**, shall designate the
 3 chair; and

4 (2) ~~vice-chairman~~ **vice chairperson** of the legislative council,
 5 with the advice of the ~~chairman~~, **chairperson**, shall designate a
 6 ~~vice-chair~~, **vice chair**;

7 of the committee from among the legislative members of the
 8 committee. The chair and ~~vice-chair~~ **vice chair** of the committee serve
 9 at the pleasure of the appointing authority.

10 (e) Each member of the committee is entitled to receive the same
 11 per diem, mileage, and travel allowances paid to individuals who serve
 12 as legislative and lay members, respectively, of interim study
 13 committees established by the legislative council.

14 (f) The historical bureau shall provide staff support to the
 15 committee.

16 (g) Expenses incurred by the committee to carry out its functions
 17 must be paid from appropriations to the Indiana library and historical
 18 board.

19 SECTION 224. IC 4-23-15-1 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) There is created
 21 a commission to be known as the governor's residence commission.
 22 This commission shall consist of seven (7) members, who shall each be
 23 appointed by and serve at the pleasure and discretion of the governor;
 24 and the governor shall be ex officio ~~chairman~~ **chairperson** of the
 25 commission.

26 (b) The commissioners shall each year designate one (1) member to
 27 serve as vice ~~chairman~~, **chairperson**, who shall act as ~~chairman~~
 28 **chairperson** in the absence of the ~~chairman~~, **chairperson**, and one (1)
 29 member to serve as secretary, who shall be responsible for maintaining
 30 records of the proceedings of the commission, and such other officers
 31 as the commission deems necessary or desirable.

32 (c) All contracts, applications for grants, and other documents shall
 33 be executed in the name of the commission either by the ~~chairman~~
 34 **chairperson** of the commission or, when authorized by resolution of
 35 the commission, by the vice ~~chairman~~, **chairperson**, and shall be
 36 attested by the secretary.

37 (d) The members of the commission shall not be required to devote
 38 their full time to their duties, but shall devote such time as is necessary
 39 to carry out their duties under this chapter. The members of the
 40 commission shall serve without pay, but shall be reimbursed for their
 41 reasonable and necessary expenses actually incurred in carrying out
 42 their duties.



1 SECTION 225. IC 4-23-24.1-4 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) The governor
 3 shall annually designate one (1) of the members appointed under
 4 section 3(1) of this chapter as ~~chairman~~ **chairperson** of the
 5 commission.

6 (b) Members of the commission appointed under subsection 3(1) of
 7 this chapter serve a four (4) year term.

8 SECTION 226. IC 4-30-4-3 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. The governor shall
 10 annually select from the members a ~~chairman~~ **chairperson** and the
 11 commission shall annually select from the members any other officers
 12 necessary.

13 SECTION 227. IC 4-30-4-4 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. The commission
 15 shall meet at least once each quarter or more often at the call of the
 16 ~~chairman~~ **chairperson** or the director. IC 5-14-1.5 (the open door law)
 17 applies to the commission's meetings.

18 SECTION 228. IC 4-31-3-3 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. The governor shall
 20 designate a member of the commission to serve as ~~chairman~~
 21 **chairperson**.

22 SECTION 229. IC 4-31-3-6 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. Each member of the
 24 commission shall execute a surety bond in the penal sum of ten
 25 thousand dollars (\$10,000). To the extent a member of the commission
 26 is already covered by a bond required by state law, the member need
 27 not obtain another bond as long as the bond required by state law is at
 28 least equal to the penal sum specified in this section and covers the
 29 member's activities for the commission. Instead of a bond, the ~~chairman~~
 30 **chairperson** of the commission may execute a blanket surety bond
 31 covering each member and the employees or other officers of the
 32 commission. Each surety bond must be conditioned upon the faithful
 33 performance of the duties of the office of the member and shall be
 34 issued by a surety company authorized to transact business in Indiana.
 35 At all times after the issuance of a surety bond, each member shall
 36 maintain the surety bond in full force and effect. All costs of the surety
 37 bonds shall be paid by the commission.

38 SECTION 230. IC 4-32.3-5-11, AS AMENDED BY P.L.145-2021,
 39 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2024]: Sec. 11. (a) Except as provided in subsections (c)
 41 through (e), an operator or a worker may not directly or indirectly
 42 participate, other than in a capacity as an operator or a worker, in an



1 allowable activity that the operator or worker is conducting.

2 (b) A patron at a casino game night may deal the cards in a card
3 game if:

4 (1) the card game in which the patron deals the cards is a
5 qualified card game;

6 (2) the patron deals the cards in the manner required in the
7 ordinary course of the qualified card game; and

8 (3) the qualified card game is played under the supervision of the
9 qualified organization conducting the casino game night in
10 accordance with section 12 of this chapter (in the case of a game
11 of Texas hold'em poker or Omaha poker) and any rules adopted
12 by the commission.

13 A patron who deals the cards in a qualified card game conducted under
14 this subsection is not considered a worker or an operator for purposes
15 of this article.

16 (c) A worker at a festival event may participate as a player in any
17 gaming activity offered at the festival event except as follows:

18 (1) A worker may not participate in any game during the time in
19 which the worker is conducting or helping to conduct the game.

20 (2) A worker who conducts or helps to conduct a pull tab,
21 punchboard, or tip board event during a festival event may not
22 participate as a player in a pull tab, punchboard, or tip board
23 event conducted on the same calendar day.

24 (d) A worker at a bingo event:

25 (1) whose duties are limited to:

26 (A) selling bingo supplies;

27 (B) selling tickets for a raffle conducted at the bingo event; or

28 (C) the duties described in both clauses (A) and (B);

29 (2) who has completed all of the worker's duties before the start
30 of the first bingo game of the bingo event; and

31 (3) who is not engaged as a worker at any other time during the
32 bingo event;

33 may participate as a player in any gaming activity offered at the bingo
34 event following the completion of the worker's duties at the bingo
35 event.

36 (e) A worker at a raffle conducted by a qualified organization may
37 purchase a raffle ticket for a particular drawing at the raffle, subject to
38 the following: ~~restrictions:~~

39 (1) The worker may **not only** purchase a raffle ticket from ~~himself~~
40 ~~or herself:~~ **another worker.**

41 (2) The worker may not participate in the drawing of a winner.

42 SECTION 231. IC 4-37-3-1, AS AMENDED BY P.L.189-2018,



1 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2024]: Sec. 1. The corporation is governed by a board of
 3 trustees that consists of the following members:
 4 (1) Thirteen (13) persons appointed by the governor who are
 5 voting members. The governor's appointments under this
 6 subdivision must meet the following criteria:
 7 (A) Each member must be a resident of Indiana.
 8 (B) Not more than two (2) members may reside in the same
 9 county.
 10 (C) At least one (1) member must be a recognized supporter of
 11 historic sites.
 12 (D) Not more than seven (7) members may be from the same
 13 political party.
 14 (2) One (1) person who is appointed at-large by the governor and
 15 who is a voting member. The member appointed under this
 16 subdivision must be a resident of Indiana but may reside in any
 17 county.
 18 (3) Twelve (12) persons appointed by the board who are voting
 19 members. The board's appointments under this subdivision must
 20 meet the following criteria:
 21 (A) Each member must be a resident of Indiana.
 22 (B) Not more than two (2) members may reside in the same
 23 county.
 24 (C) At least one (1) member must be a recognized supporter of
 25 historic sites.
 26 (D) Not more than six (6) members may be from the same
 27 political party.
 28 (4) One (1) person who is appointed at-large by the board and
 29 who is a voting member. The member appointed under this
 30 subdivision must be a resident of Indiana but may reside in any
 31 county.
 32 (5) The following persons serve as nonvoting members of the
 33 board:
 34 (A) The chief executive officer.
 35 (B) The governor or the governor's designee.
 36 (C) One (1) member of the house of representatives appointed
 37 by the **chairman chairperson** of the legislative council.
 38 (D) One (1) member of the senate appointed by the **chairman**
 39 **chairperson** of the legislative council.
 40 (E) The director of the department of natural resources or the
 41 director's designee.
 42 The members appointed under clauses (C) and (D) must be from



1 different political parties and serve at the pleasure of the **chairman**
 2 **chairperson** of the legislative council.

3 SECTION 232. IC 5-1-7-2, AS AMENDED BY P.L.2-2005,
 4 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2024]: Sec. 2. The contract entered into by the board of
 6 commissioners of any county and any such bondholder shall be signed
 7 by the parties to such contract, shall be attested on behalf of the county
 8 by the county auditor, and shall stipulate and agree that the board of
 9 commissioners of the county will pay all interest on such matured bond
 10 to the date of the maturity thereof, and that a new bond (referred to in
 11 this chapter as a redemption bond) in the same amount as the matured
 12 bond, will be issued to pay and retire such matured bond, and that such
 13 redemption bond will be and continue to be a valid and binding
 14 obligation of the county and that during the period fixed in the contract
 15 not exceeding ten (10) years the board of commissioners will pay
 16 annually to the owner of such redemption bond, one-tenth (1/10) of the
 17 principal amount of such redemption bond and, in addition thereto, will
 18 pay semiannually all interest which shall have accrued thereon to the
 19 date when such payment is to be made. The date on which such partial
 20 payments of the principal of such bond will be made shall be fixed and
 21 prescribed in such contract and may be on June 1 or December 1 of the
 22 year next succeeding the year in which such contract is executed and
 23 signed and June 1 or December 1 of each and every year thereafter
 24 until paid. The interest accrued on such bond shall be paid
 25 semiannually on June 1 and December 1, beginning on the same date
 26 as the first partial payment on such bond. The board of commissioners
 27 shall further agree to levy a tax on the taxable property of such county
 28 in an amount sufficient to make the payments on such redemption
 29 bonds as they fall due, together with all interest which shall have
 30 accrued thereon. Any bondholder who elects to avail ~~himself or herself~~
 31 **the bondholder** of the provisions of this chapter shall agree that in
 32 consideration of the privilege hereby afforded the bondholder will not
 33 maintain or attempt to maintain a suit for the collection or the
 34 enforcement of the lien of any such bond, other than in accordance with
 35 the remedies afforded by the provisions of this chapter. The form of the
 36 contract herein contemplated shall be prescribed by the state board of
 37 accounts with the approval of the attorney general. At the time when
 38 the contract is executed and the redemption bond is issued, the matured
 39 bond shall be surrendered to the county auditor and shall be canceled
 40 by writing across the face of the matured bond the words "Canceled by
 41 issuing to _____ a redemption bond in the same principal sum as this
 42 bond, due and payable on the _____ day of _____, 20____."



1 SECTION 233. IC 5-1-17.5-35, AS ADDED BY P.L.233-2013,
 2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2024]: Sec. 35. Each lease under section 32 of this chapter
 4 must be authorized by resolution of the board, which shall be entered
 5 in the official records of the commission. Such a lease must be
 6 executed on behalf of the commission by the chair or the ~~vice-chair~~
 7 **vice chair** and the secretary-treasurer of the commission, and on behalf
 8 of the authority by the ~~chairman~~ **chairperson** or the vice ~~chairman~~
 9 **chairperson** of the authority and the public finance director.

10 SECTION 234. IC 5-1.4-2-3 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. The board shall do
 12 the following:

13 (1) Elect from its membership a ~~chairman~~ **chairperson** and a vice
 14 ~~chairman:~~ **chairperson**.

15 (2) Appoint and fix the duties and compensation of an executive
 16 director, who shall serve as both secretary and treasurer. The
 17 executive director may be the fiscal officer of the city, in which
 18 case the executive director will receive no compensation for
 19 services performed as the executive director.

20 (3) Establish and maintain the office of the bank in the city.

21 SECTION 235. IC 5-1.4-5-4 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) In order to assure
 23 the maintenance of the required debt service reserve in any reserve
 24 fund, the legislative body of the city may annually appropriate to the
 25 bank for deposit in one (1) or more of the funds the sum, certified by
 26 the ~~chairman~~ **chairperson** of the board to the legislative body, that is
 27 necessary to restore one (1) or more of the funds to an amount equal to
 28 the required debt service reserve. The ~~chairman~~ **chairperson** annually,
 29 before December 1, shall make and deliver to the legislative body a
 30 certificate stating the sum required to restore the funds to that amount.
 31 Nothing in this subsection creates a debt or liability of the city to make
 32 any appropriation.

33 (b) All amounts received on account of money appropriated by the
 34 legislative body of the city to any reserve fund shall be held and
 35 applied in accordance with section 1(b) of this chapter. However, at the
 36 end of each fiscal year, if the amount in any reserve fund exceeds the
 37 required debt service reserve, any amount representing earnings or
 38 income received on account of any money appropriated to the reserve
 39 fund that exceeds the expenses of the bank for that fiscal year may be
 40 transferred to the general fund of the city.

41 SECTION 236. IC 5-1.4-7-3 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) A trustee



1 appointed under section 2 of this chapter shall, in the trustee's name,
 2 upon written request of the holders of twenty-five percent (25%) in
 3 principal amount of the outstanding notes or bonds:

4 (1) by civil action enforce all rights of the holders, including the
 5 right to require the bank to:

6 (A) collect rates, charges, and other fees and to collect interest
 7 and principal payments on securities held by it adequate to
 8 carry out an agreement as to, or pledge of, the rates, charges,
 9 and other fees and of the interest and principal payments; and

10 (B) carry out any other agreements with the holders of the
 11 notes or bonds and to perform its duties under this article;

12 (2) bring a civil action upon the notes or bonds;

13 (3) by civil action require the bank to account as if it were the
 14 trustee of an express trust for the holders of the notes or bonds;

15 (4) by civil action enjoin anything that may be unlawful or in
 16 violation of the rights of the holders of the notes or bonds; and

17 (5) declare all the notes or bonds due and payable, and if all
 18 defaults are made good, then with the consent of the holders of
 19 twenty-five percent (25%) of the principal amount of the
 20 outstanding notes or bonds, annul the declaration and its
 21 consequences.

22 (b) The trustee also has all the powers necessary for the exercise of
 23 functions specifically set out or incident to the general representation
 24 of holders in the enforcement and protection of their rights.

25 (c) The venue of any suit, action, or proceeding brought by the
 26 trustee on behalf of the holders shall be laid in the county in which the
 27 bank is located.

28 (d) Before declaring the principal of notes or bonds due and
 29 payable, the trustee must first give not less than thirty (30) days notice
 30 in writing to the ~~chairman~~ **chairperson** of the board and the board's
 31 attorney.

32 SECTION 237. IC 5-1.4-9-5 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. The ~~chairman~~
 34 **chairperson** of the board of the bank is authorized to receive from the
 35 United States or any department or agency thereof any amount of
 36 money as and when appropriated, allocated, granted, turned over, or in
 37 any way provided for the purposes of the bank or this article. Those
 38 amounts shall, unless otherwise directed by the federal authority, be
 39 credited to and deposited in the general fund and be available to the
 40 bank.

41 SECTION 238. IC 5-1.5-2-2, AS AMENDED BY P.L.259-2019,
 42 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2024]: Sec. 2. (a) There is established a board of directors to
 2 govern the bank. The powers of the bank are vested in this board.

3 (b) The board is composed of:

4 (1) the treasurer of state, who shall be the ~~chairman~~ **chairperson**
 5 ex officio, or the treasurer of state's designee;

6 (2) the public finance director appointed under IC 5-1.2-3-6, who
 7 shall be the director ex officio, or the public finance director's
 8 designee; and

9 (3) five (5) directors appointed by the governor.

10 (c) Each of the five (5) directors appointed by the governor:

11 (1) must be a resident of Indiana;

12 (2) must have substantial expertise in the buying, selling, and
 13 trading of municipal securities, in municipal administration or in
 14 public facilities management;

15 (3) serves for a term of three (3) years and until the director's
 16 successor is appointed and qualified;

17 (4) is eligible for reappointment;

18 (5) is entitled to receive the same minimum salary per diem as is
 19 provided in IC 4-10-11-2.1(b) while performing the director's
 20 duties. Such a director is also entitled to the same reimbursement
 21 for traveling expenses and other expenses, actually incurred in
 22 connection with the director's duties as is provided in the state
 23 travel policies and procedures, established by the department of
 24 administration and approved by the budget agency; and

25 (6) may be removed by the governor for cause.

26 (d) Any vacancy on the board, other than by expiration of term, shall
 27 be filled by appointment of the governor for the unexpired term only.

28 SECTION 239. IC 5-1.5-2-3 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. The board shall:

30 (1) elect one (1) of its members vice ~~chairman~~; **chairperson**;

31 (2) appoint and fix the duties and compensation of an executive
 32 director, who shall serve as both secretary and treasurer; and

33 (3) establish and maintain the office of the bank in Indianapolis.

34 SECTION 240. IC 5-1.5-5-4, AS AMENDED BY P.L.259-2019,
 35 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2024]: Sec. 4. (a) Except as provided in subsection (c), and in
 37 order to assure the maintenance of the required debt service reserve in
 38 any reserve fund, a resolution authorizing the bank to issue bonds or
 39 notes may include a provision stating that:

40 (1) the general assembly may annually appropriate to the bank for
 41 deposit in one (1) or more of the funds the sum, certified by the
 42 ~~chairman~~ **chairperson** of the board to the general assembly, that



1 is necessary to restore one (1) or more of the funds to an amount
2 equal to the required debt service reserve; and

3 (2) the ~~chairman~~ **chairperson** annually, before December 1, shall
4 make and deliver to the general assembly a certificate stating the
5 sum required to restore the funds to that amount.

6 Nothing in this subsection creates a debt or liability of the state to make
7 any appropriation.

8 (b) All amounts received on account of money appropriated by the
9 state to any reserve fund shall be held and applied in accordance with
10 section 1(b) of this chapter. However, at the end of each fiscal year, if
11 the amount in any reserve fund exceeds the required debt service
12 reserve, any amount representing earnings or income received on
13 account of any money appropriated to the reserve fund that exceeds the
14 expenses of the bank for that fiscal year may be transferred to the
15 general fund of the state.

16 (c) Notwithstanding any other law, and except as provided by
17 subsection (d), after June 30, 2005, the:

18 (1) issuance by the bank of any indebtedness that incorporates the
19 provisions set forth in subsection (a) or otherwise establishes a
20 procedure for the bank or a person acting on behalf of the bank to
21 certify to the general assembly the amount needed to restore a
22 reserve fund or another fund to required levels; or

23 (2) execution by the bank of any other agreement that creates a
24 reserve fund subject to subsection (a) to pay all or part of any
25 indebtedness issued by the bank;

26 is subject to the conditions set forth in subsection (e) and review by the
27 budget committee and approval by the budget director as required by
28 subsection (f).

29 (d) If the budget committee does not conduct a review of a proposed
30 transaction under subsection (c) within twenty-one (21) days after a
31 request by the bank, the review is considered to have been conducted.
32 If the budget director does not approve or disapprove a proposed
33 transaction under subsection (c) within twenty-one (21) days after a
34 request by the bank, the transaction is considered to have been
35 approved.

36 (e) Issuance by the bank of any indebtedness that establishes a
37 reserve fund under subsection (a), the establishment of a procedure for
38 certification, or the execution by the bank of any other agreement that
39 creates a reserve fund subject to subsection (a) may be extended only
40 for a project or a purpose that:

41 (1) can be financed by a qualified entity under the law applying
42 to financing by the qualified entity; or



- 1 (2) is specifically authorized by the general assembly.
2 A reserve fund established under subsection (a) may be used only to
3 finance the purchase of securities (as defined in IC 5-1.5-1-10) issued
4 by entities described in IC 5-1.5-1-8.
- 5 (f) The budget director may approve establishing a reserve fund
6 under subsection (a) only if the following conditions are satisfied:
- 7 (1) The project or purpose qualifies under subsection (e).
8 (2) The documentation required by subsection (g) has been
9 provided by the bank.
10 (3) The bank has provided the budget agency with a written
11 finding that revenues available to the qualified entity to pay
12 annual debt service exceed the annual debt service requirements
13 by at least twenty percent (20%).
14 (4) If the financing is for a project or purpose that will produce
15 ongoing revenue from fees or user charges, the qualified entity
16 agrees to include a provision in the instrument governing the
17 qualified entity's duties with respect to the security (as defined in
18 IC 5-1.5-1-10) that the qualified entity will first increase the rate
19 of the fees or user charges, or both, by an amount sufficient to
20 satisfy any shortfall in the reserve fund established under
21 subsection (a) before subsection (a) is to be applied.
22 (5) A qualified entity seeking the benefit of a reserve fund
23 established under subsection (a) agrees to include a provision in
24 the instrument governing the qualified entity's duties with respect
25 to the security (as defined in IC 5-1.5-1-10) that the qualified
26 entity will pledge sufficient property taxes, user fees, hook up
27 fees, connection fees, or any other available local revenues or any
28 combination of those revenues that will be sufficient to satisfy any
29 shortfall in the reserve fund established under subsection (a)
30 before subsection (a) is to be applied.
31 (6) A qualified entity seeking the benefit of a reserve fund
32 established under subsection (a) agrees to include a provision in
33 the instrument governing the qualified entity's duties with respect
34 to the security (as defined in IC 5-1.5-1-10) requiring that the
35 qualified entity establish and maintain its own separate reserve
36 fund or account under the governing instrument, in an amount to
37 be determined by the budget director, upon the recommendation
38 of the bank, in order to provide an additional margin of security
39 for the security before subsection (a) is to be applied.
- 40 (g) Notwithstanding any other law, if any amounts are appropriated
41 by the general assembly and transferred to the bank for deposit in a
42 reserve fund under subsection (a) as a result of a default by a qualified



1 entity on its security, to the extent that any department or agency of the
 2 state, including the treasurer of state, is the custodian of money payable
 3 to such qualified entity (other than for goods or services provided by
 4 the qualified entity), at any time after written notice to the department
 5 or agency head from the bank that the qualified entity is in default on
 6 the payment of principal of or interest on the securities of the qualified
 7 entity then held or owned by or arising from an agreement with the
 8 bank, the applicable department or agency shall recover any amounts
 9 appropriated by the general assembly for deposit in a reserve fund
 10 under subsection (a) by:

- 11 (1) making deductions and withholding from any future amounts
 12 that would otherwise be available for distribution to the qualified
 13 entity under any other law, until an amount equal to the
 14 appropriation has been deducted and withheld; and
 15 (2) transferring any amounts so deducted and withheld from time
 16 to time to the treasurer of state for the purpose of allowing the
 17 treasurer of state to reimburse the fund or account of the state
 18 from which the appropriation was made.

19 A deduction under this subsection must be made, first, from local
 20 income tax distributions under IC 6-3.6-9, and, second, from any other
 21 undistributed funds of the qualified entity in the possession of the state.
 22 However, the deduction and withholding of payment from a qualified
 23 entity and reimbursement to the fund or account of the state from which
 24 the appropriation was made under this section must not adversely affect
 25 the validity of the security in default.

26 (h) If the bank proposes that a reserve fund be established under
 27 subsection (a) for a project or purpose, the bank shall provide to the
 28 budget committee and the budget agency at or before the time of the
 29 bank's request, the following information in writing:

- 30 (1) A description of the project or purpose.
 31 (2) How the project or purpose satisfies the requirements of
 32 subsection (e).
 33 (3) The qualified entity's application for financing that was filed
 34 with the bank.
 35 (4) The estimated relative savings that can be achieved by
 36 establishing a reserve fund under subsection (a).
 37 (5) The finding required by subsection (f)(3) and proposed
 38 language for those instrument provisions required by subsection
 39 (f)(4) through (f)(6), if applicable.
 40 (6) Any other information required by the budget committee or
 41 budget agency.

42 SECTION 241. IC 5-1.5-6.5-4, AS AMENDED BY P.L.235-2005,



1 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2024]: Sec. 4. (a) Except as provided in subsection (d),
3 whenever a reserve fund for an issue of bonds or notes issued to
4 purchase securities specified in section 1(b) of this chapter does not
5 contain the required debt service reserve (as defined in
6 IC 5-1.5-5-1(b)), the ~~chairman~~ **chairperson** of the board shall
7 immediately:

8 (1) transfer to the reserve fund the amount needed to restore the
9 required debt service reserve first from the capital interest fund
10 and, to the extent necessary, from the capital principal fund; and

11 (2) certify the amounts transferred to the general assembly.

12 (b) The general assembly may appropriate to the bank for deposit in
13 the capital principal fund the amount transferred from the fund to
14 restore required debt service reserves. Nothing in this subsection
15 creates a debt or a liability of the state to make any appropriation.

16 (c) Appropriations made to the capital principal fund do not revert
17 to the state general fund at the end of any fiscal year.

18 (d) Notwithstanding any other law, and except as provided by
19 subsection (e), after June 30, 2005, the:

20 (1) issuance by the bank of any indebtedness that incorporates the
21 provisions set forth in subsection (a) or otherwise establishes a
22 procedure for the bank or a person acting on behalf of the bank to
23 certify to the general assembly the amount needed to restore a
24 reserve fund or another fund to required levels; or

25 (2) execution by the bank of any other agreement that creates a
26 moral obligation of the state to pay all or part of any indebtedness
27 issued by the bank;

28 is subject to review by the budget committee and approval by the
29 budget director.

30 (e) If the budget committee does not conduct a review of a proposed
31 transaction under subsection (d) within twenty-one (21) days after a
32 request by the bank, the review is considered to have been conducted.
33 If the budget director does not approve or disapprove a proposed
34 transaction under subsection (d) within twenty-one (21) days after a
35 request by the bank, the transaction is considered to have been
36 approved.

37 SECTION 242. IC 5-1.5-7-3 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) A trustee
39 appointed under section 2 of this chapter shall, in ~~his~~ **the trustee's**
40 name, upon written request of the holders of twenty-five percent (25%)
41 in principal amount of the outstanding notes or bonds:

42 (1) by civil action enforce all rights of the holders, including the



- 1 right to require the bank to:
- 2 (A) collect rates, charges, and other fees and to collect interest
- 3 and principal payments on securities held by it adequate to
- 4 carry out an agreement as to, or pledge of, the rates, charges,
- 5 and other fees and of the interest and principal payments; and
- 6 (B) carry out any other agreements with the holders of the
- 7 notes or bonds and to perform its duties under this article;
- 8 (2) bring a civil action upon the notes or bonds;
- 9 (3) by civil action require the bank to account as if it were the
- 10 trustee of an express trust for the holders of the notes or bonds;
- 11 (4) by civil action enjoin anything that may be unlawful or in
- 12 violation of the rights of the holders of the notes or bonds; and
- 13 (5) declare all the notes or bonds due and payable, and if all
- 14 defaults are made good, then with the consent of the holders of
- 15 twenty-five percent (25%) of the principal amount of the
- 16 outstanding notes or bonds, annul the declaration and its
- 17 consequences.
- 18 (b) The trustee also has all the powers necessary for the exercise of
- 19 functions specifically set out or incident to the general representation
- 20 of holders in the enforcement and protection of their rights.
- 21 (c) The venue of any suit, action, or proceeding brought by the
- 22 trustee on behalf of the holders shall be laid in Marion County, Indiana.
- 23 (d) Before declaring the principal of notes or bonds due and
- 24 payable, the trustee must first give not less than thirty (30) days notice
- 25 in writing to the ~~chairman~~ **chairperson** of the board and the attorney
- 26 general.
- 27 SECTION 243. IC 5-1.5-9-5 IS AMENDED TO READ AS
- 28 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. The treasurer of the
- 29 state, as ~~chairman~~ **chairperson** of the board of the bank, is authorized
- 30 to receive from the United States of America or any department or
- 31 agency thereof any amount of money as and when appropriated,
- 32 allocated, granted, turned over, or in any way provided for the purposes
- 33 of the bank or this article, and those amounts shall, unless otherwise
- 34 directed by the federal authority, be credited to and deposited in the
- 35 general fund, and be available to the bank.
- 36 SECTION 244. IC 5-2-2-3 IS AMENDED TO READ AS
- 37 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. The commission
- 38 shall meet immediately after its appointment in accordance with
- 39 section 2 of this chapter. It shall elect a ~~chairman~~, **chairperson**, vice
- 40 ~~chairman~~, **chairperson**, and secretary-treasurer and is authorized to
- 41 employ an executive director who shall be the executive head and shall
- 42 be responsible to the commission in carrying out the instructions of the



1 commission as it fulfills the assigned statutory duties. The commission
 2 shall be empowered to employ all other necessary assistants, counsel,
 3 and consultants to carry out the provisions of this chapter. The
 4 commission shall meet at least once each year and shall hold upon the
 5 call of the ~~chairman~~, **chairperson**, or a majority of the members, such
 6 special meetings as are necessary. The presence of four (4) members
 7 shall constitute a quorum for doing business. At least four affirmative
 8 votes shall be required for the passage of any matter put to vote of the
 9 commission.

10 SECTION 245. IC 5-2-2-14, AS AMENDED BY P.L.2-2007,
 11 SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2024]: Sec. 14. (a) For the purpose of providing funds to carry
 13 out the provisions of this chapter with respect to the construction and
 14 equipment of a building or buildings for use as a law enforcement
 15 academy and acquiring or providing a site therefor, the commission is
 16 authorized pursuant to resolution or resolutions to issue and sell
 17 interest bearing law enforcement academy revenue debentures in any
 18 amount not to exceed three million two hundred thousand dollars
 19 (\$3,200,000) and bearing such date or dates, and maturing at such time
 20 or times not exceeding forty (40) years from their respective dates,
 21 bearing interest at such rate or rates payable semiannually, in such
 22 form, carrying such registration privileges payable at such place or
 23 places, and may be made subject to redemption prior to maturity in
 24 such manner, at such time, and upon such terms with or without
 25 premium, all as may be provided by the pertinent resolution and
 26 expressed on the face of the respective debentures. Such debentures
 27 shall be signed by the ~~chairman~~ **chairperson** of the commission,
 28 attested by the secretary, and with the seal of said commission affixed,
 29 provided, that the signature of the ~~chairman~~ **chairperson** may be a
 30 facsimile thereof imprinted thereon. Interest on said debentures when
 31 issued shall be evidenced by attached interest coupons bearing the
 32 facsimile of the signatures of said ~~chairman~~ **chairperson** and secretary.
 33 Such debentures and the interest coupons thereto attached when issued
 34 shall have all the qualities of negotiable instruments under the law
 35 merchant and shall be incontestable in the hands of a bona fide
 36 purchaser or holder thereof for value, and such debentures and interest
 37 thereon shall be exempt from all taxation except the financial
 38 institutions tax and estate, inheritance, or gift taxes imposed by law.
 39 Such debentures shall be sold at public sale in accordance with the
 40 provisions of IC 21-32-3. In determining the amount of such
 41 debentures to be issued and sold there may be included the cost of
 42 construction, the cost of all land and clearings thereof and



1 improvements thereto, including walks, drives, and other
2 appurtenances, material and labor which are deemed necessary, cost of
3 equipment, financing charges, interest accruing on the debentures prior
4 to and during the construction period, and all other expenses, including
5 legal fees, engineers' and architects' fees, and all other expenses
6 necessary or incident to the construction and equipment of the building
7 or buildings and the acquisition and providing a site therefor. The
8 proceeds of such debentures are hereby appropriated for the purpose
9 for which the debentures may be issued under this chapter and such
10 proceeds shall be deposited and disbursed in accordance with such
11 provisions and restrictions as the commission may provide in the
12 resolution authorizing the issuance thereof. Any debentures issued
13 under the provisions of this chapter may be thereafter refinanced
14 through the issuance of refunding debentures subject to such
15 restrictions or conditions as may be provided in the resolution
16 authorizing the issuance of such debentures in the first instance and in
17 the issuance of such refunding debentures, the maturities and other
18 details thereof, the rights of the holders thereof, and the rights, duties,
19 and obligations of the commission in all respects thereto shall be
20 governed by the provisions of this chapter insofar as the same may be
21 applicable.

22 (b) The debentures issued under the provisions of this chapter shall
23 constitute only the corporate obligations of said commission payable
24 solely and only from and secured exclusively by pledge of the income
25 and revenue of such building or buildings remaining after payment or
26 provisions for payment of the expenses of operation, maintenance, and
27 repair of said building or buildings to the extent such expenses of
28 operation, maintenance, and repair are not otherwise provided, and it
29 shall be plainly stated on the face of each such debenture that same
30 does not constitute an indebtedness of the state of Indiana within the
31 meaning or application of any constitutional provision or limitation but
32 that it is payable solely and only as to both principal and interest from
33 the net revenues of such building or buildings. The provisions of this
34 chapter and the covenants and undertakings of the commission as
35 expressed in any proceedings preliminary to or in connection with the
36 issuance of the debentures may be enforced by any debenture holder by
37 suit for injunction or mandamus against the commission or any officer,
38 agent, or employee thereof, but in no event can any suit for monetary
39 judgement be brought against the state of Indiana for any violations
40 under the provisions of this chapter.

41 SECTION 246. IC 5-2-6-4, AS AMENDED BY P.L.161-2018,
42 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



- 1 JULY 1, 2024]: Sec. 4. (a) The board of trustees is composed of:
 2 (1) the governor, or the governor's designee, who shall act as
 3 **chairman; chairperson;**
 4 (2) the attorney general, or the attorney general's designee;
 5 (3) the superintendent of state police, or the superintendent's
 6 designee;
 7 (4) the commissioner of the department of correction, or the
 8 commissioner's designee;
 9 (5) the executive director of the prosecuting attorneys council;
 10 (6) the chief administrative officer of the office of judicial
 11 administration;
 12 (7) the executive director of the public defenders council;
 13 (8) the state public defender;
 14 (9) eight (8) persons who are appointed by and who serve at the
 15 pleasure of the governor, including:
 16 (A) one (1) sheriff;
 17 (B) one (1) chief of police;
 18 (C) one (1) judge of a court with both juvenile jurisdiction and
 19 general criminal jurisdiction; and
 20 (D) five (5) citizens who have manifested an interest in
 21 criminal or juvenile justice, one (1) of whom shall be a
 22 member of the state advisory group under the Juvenile Justice
 23 Act.
 24 (b) The president pro tempore of the senate, or a senator appointed
 25 by the president pro tempore, and the speaker of the house of
 26 representatives, or a representative appointed by the speaker, may serve
 27 as nonvoting advisors to the trustees.
 28 (c) Trustees appointed by the governor serve an initial three (3) year
 29 term and may be reappointed for additional terms. The additional terms
 30 may be four (4) years in length.
 31 (d) Membership on the board of trustees does not constitute holding
 32 a public office.
 33 SECTION 247. IC 5-2-6-5, AS AMENDED BY P.L.100-2012,
 34 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2024]: Sec. 5. (a) The institute is composed of:
 36 (1) the trustees; and
 37 (2) a research and information consortium.
 38 (b) The trustees shall:
 39 (1) evaluate and disseminate to the public information concerning
 40 the cost and effectiveness of the criminal and juvenile justice
 41 systems;
 42 (2) promote coordination and cooperation for the effective



- 1 administration of the criminal and juvenile justice systems;
 2 (3) establish plans for the criminal and juvenile justice systems
 3 and make recommendations concerning the implementation of
 4 these plans;
 5 (4) encourage and assist in the organization of an academic
 6 consortium for the purpose of engaging in research;
 7 (5) receive, expend, and account for state funds made available
 8 for the purposes of this chapter;
 9 (6) apply for and accept gifts and grants (which must be
 10 administered as public funds) made for the purposes of this
 11 chapter;
 12 (7) enter into lawful agreements as required as a condition for
 13 receiving gifts, grants, or other funds for the purposes of this
 14 chapter;
 15 (8) employ a director;
 16 (9) adopt rules, under IC 4-22-2, necessary to carry out the
 17 purposes of this chapter; and
 18 (10) promulgate guidelines concerning participation in the
 19 research and information consortium.

20 (c) The research and information consortium is composed of state
 21 educational institutions that are engaged in criminal or juvenile justice
 22 research under the direction of the trustees. A state or local
 23 governmental entity may participate in the consortium. The consortium
 24 shall act as an advisory body to the institute and perform other related
 25 functions as requested by the trustees.

26 (d) The trustees shall meet quarterly and at such times as called by
 27 the ~~chairman~~ **chairperson**. A majority of the trustees constitutes a
 28 quorum for doing business. A majority vote of the trustees is required
 29 for passage of any matter put to a vote. The trustees shall establish
 30 procedures and requirements with respect to the place and conduct of
 31 their meetings.

32 (e) A trustee is not entitled to the minimum salary per diem as
 33 provided in IC 4-10-11-2.1(b) while performing the trustee's duties. A
 34 trustee is entitled to reimbursement for traveling expenses and other
 35 expenses actually incurred in connection with the trustee's duties, as
 36 provided in the state travel policies and procedures established by the
 37 department of administration and approved by the state budget agency.

38 SECTION 248. IC 5-2-6-8 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) The institute has
 40 the following four (4) divisions:

- 41 (1) The criminal justice division.
 42 (2) The juvenile justice division.



1 (3) The research division, which may be referred to as the center
 2 for criminal justice research and information.
 3 (4) The victim services division.
 4 (b) The ~~chairman~~ **chairperson** of the trustees shall assign each of
 5 the trustees to participate in the administration of at least one (1) of the
 6 divisions. The ~~chairman~~ **chairperson** shall annually appoint four (4)
 7 vice ~~chairmen~~, **chairpersons**, each of whom shall preside over a
 8 division of the institute.
 9 (c) Each division shall primarily concern itself with:
 10 (1) the operation of the criminal justice system, the juvenile
 11 justice system, or criminal justice system related research; or
 12 (2) the provision of victim services.
 13 However, the trustees must approve any official action of the institute
 14 unless the trustees authorize a division to act with respect to specific
 15 decisions.
 16 SECTION 249. IC 5-8-5-4, AS AMENDED BY P.L.119-2005,
 17 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2024]: Sec. 4. (a) If the town council is reasonably satisfied
 19 that any circumstance has occurred under IC 36-5-2-6.5(3), the council
 20 may, by an affirmative vote of a majority of the members appointed to
 21 the body, vote to declare a vacancy in the town council membership.
 22 The member who is alleged to have vacated the member's seat may
 23 participate in the meeting as a member, but may not vote on the issue.
 24 (b) If the member who is the subject of the petition or motion does
 25 not attend the meeting at which the town council makes the
 26 determination that a vacancy exists, the town council shall mail notice
 27 of its determination to the member.
 28 (c) If the town council determines that a vacancy exists, the town
 29 clerk-treasurer shall give the circuit court clerk notice of the
 30 determination not later than five (5) days after the date of the town
 31 council's determination. The circuit court clerk shall give notice to the
 32 county ~~chairman~~ **chairperson** if a caucus is required under IC 3-13-11
 33 to fill the vacancy.
 34 SECTION 250. IC 5-8-6-5, AS ADDED BY P.L.119-2005,
 35 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2024]: Sec. 5. (a) When the secretary of state:
 37 (1) obtains information concerning the death of an individual who
 38 holds a legislative office (as defined in IC 3-5-2-28); and
 39 (2) is reasonably satisfied that the information described in
 40 subdivision (1) is true;
 41 the secretary of state shall give notice of the death to the state ~~chairman~~
 42 **chairperson** of the political party that elected or selected the deceased



1 individual.

2 (b) The secretary of state shall give the notice required by
3 subsection (a) not later than seventy-two (72) hours after the
4 requirements of subsection (a)(1) and (a)(2) are satisfied.

5 SECTION 251. IC 5-10.5-6-6, AS ADDED BY P.L.20-2019,
6 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2024]: Sec. 6. If during a state fiscal year beginning after June
8 30, 2018, the system performs a stress test or a risk assessment on any
9 of the public pension and retirement funds of the system, including a
10 sensitivity analysis of funding status, the director, or another suitable
11 person designated by the director, shall before November 1 of the
12 following state fiscal year:

13 (1) submit a report describing the stress tests and risk assessments
14 performed and the results of those tests and risk assessments to
15 the interim study committee on pension management oversight
16 established by IC 2-5-1.3-4 in an electronic format under
17 IC 5-14-6; and

18 (2) upon request from the ~~chairman~~ **chairperson** of the interim
19 study committee on pension management oversight, present a
20 summary of the information described in subdivision (1) to the
21 interim study committee on pension management oversight.

22 SECTION 252. IC 5-13-12-2, AS AMENDED BY THE
23 TECHNICAL CORRECTIONS BILL OF THE 2024 GENERAL
24 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2024]: Sec. 2. (a) The board for depositories consists of the
26 governor, the treasurer of state, the ~~auditor of state~~ **comptroller**, the
27 chairperson of the department of financial institutions, the chief
28 examiner of the state board of accounts, and four (4) appointed
29 members. For appointments after June 30, 2010, one (1) member shall
30 be appointed by the speaker of the house of representatives, one (1)
31 member shall be appointed by the president pro tempore of the senate,
32 and two (2) members shall be appointed by the governor. All appointed
33 members must be residents of Indiana. The speaker of the house of
34 representatives shall make the appointment to fill the first vacancy on
35 the board, and the president pro tempore of the senate shall make the
36 appointment to fill the second vacancy on the board that occurs after
37 June 30, 2010. In making the governor's two (2) appointments, the
38 governor shall assure that no more than two (2) of the four (4)
39 appointees identify with the same political party. For appointments
40 after June 30, 2010, all four (4) appointed members must be a chief
41 executive officer or a chief financial officer of a depository at the time
42 of the appointment if the depository is domiciled in Indiana. If the



1 depository is not domiciled in Indiana, the appointee must be the most
 2 senior corporate officer of the depository with management or
 3 operational responsibility, or both, or the person designated to manage
 4 public funds for the depository that is located in Indiana. In making the
 5 governor's appointments, the governor shall provide for geographic
 6 representation of all regions of Indiana, including both urban and rural
 7 communities. In addition, the appointees must, at the time of the
 8 appointment, be employed by the following depositories:

9 (1) One (1) member appointed by the governor who must be the
 10 chief executive officer or the chief financial officer of a
 11 depository that is a state chartered credit union.

12 (2) One (1) member appointed by the governor who must be
 13 employed by a depository that:

14 (A) is not a state chartered credit union; and

15 (B) has total deposits of less than two hundred fifty million
 16 dollars (\$250,000,000).

17 (3) The member appointed by the president pro tempore of the
 18 senate must be employed by a depository that:

19 (A) is not a state chartered credit union; and

20 (B) has total deposits of at least two hundred fifty million
 21 dollars (\$250,000,000) but less than one billion dollars
 22 (\$1,000,000,000).

23 (4) The member appointed by the speaker of the house of
 24 representatives must be employed by a depository that:

25 (A) is not a state chartered credit union; and

26 (B) has total deposits of at least one billion dollars
 27 (\$1,000,000,000).

28 Total deposits shall be determined using the depository's reported
 29 deposits based on the information contained in the most recent June
 30 30th FDIC Summary of Deposits, Market Share Selection for Indiana.
 31 The term of an appointed member is four (4) years from the effective
 32 date of the member's appointment. Each appointed member holds
 33 office for the term of this appointment and serves after the expiration
 34 of that appointment until the member's successor is appointed and
 35 qualified. An appointed member may be reappointed if the individual
 36 satisfies the requirements of this subsection at the time of the
 37 reappointment. Any appointed member may be removed from office
 38 by, and at the pleasure of, the appointing authority.

39 (b) The officers of the board consist of a ~~chairman~~, **chairperson**, a
 40 secretary-investment manager, a vice ~~chairman~~, **chairperson**, and other
 41 officers the board determines to be necessary. The governor shall name
 42 a member of the board to serve as its ~~chairman~~. **chairperson**. The



1 treasurer of state shall serve as the secretary-investment manager of the
 2 board. The board, by majority vote, shall elect the other officers.
 3 Officers, except the secretary-investment manager, shall be named or
 4 elected for one (1) year terms in January of each year. The members
 5 and officers of the board are not entitled to any compensation for their
 6 services but are entitled to reimbursement for actual and necessary
 7 expenses on the same basis as state employees.

8 (c) Five (5) members of the board constitute a quorum for the
 9 transaction of business, and all actions of the board must be approved
 10 by at least a simple majority of those members voting on each
 11 individual business issue. The board may adopt, amend, or repeal
 12 bylaws and rules for the conduct of its meetings and the number and
 13 times of its meetings. The board shall hold a regular meeting at least
 14 once semiannually and may hold other regular and special meetings as
 15 prescribed in its rules. All meetings of the board are open to the public
 16 under IC 5-14-1.5. However, the board shall discuss the following in
 17 executive session:

18 (1) The financial strength of a particular financial institution.

19 (2) The collateral requirements of a particular financial
 20 institution.

21 (3) Any other matters concerning a particular financial institution.

22 All records of the board are subject to public inspection under
 23 IC 5-14-3. However, records regarding matters that are discussed in
 24 executive session are confidential.

25 (d) Two (2) days notice of the time and place of all meetings to
 26 determine and fix the assessment rate to be paid by depositories on
 27 account of insurance on public funds or the establishment or
 28 redetermination of the reserve for losses of the insurance fund shall be
 29 given by one (1) publication in a newspaper of general circulation
 30 printed and published in the city of Indianapolis. The time, place,
 31 notice, and waiver requirements for the members of the board for all
 32 meetings shall be determined by its rules. The secretary-investment
 33 manager of the board shall enter the board's proceedings at length in a
 34 record provided for that purpose, and the records of the proceedings
 35 shall be approved and signed respectively by the ~~chairman~~
 36 **chairperson** or vice ~~chairman~~ **chairperson** and attested by the
 37 secretary-investment manager.

38 SECTION 253. IC 5-13-12-3, AS AMENDED BY P.L.189-2018,
 39 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2024]: Sec. 3. (a) The board for depositories exercises
 41 essential public functions, and has a perpetual existence. The board has
 42 all powers necessary, convenient, or appropriate to carry out and



1 effectuate its public and corporate purposes, including but not limited
2 to the powers to do the following:

3 (1) Adopt, amend, and repeal bylaws and rules consistent with
4 this chapter to regulate its affairs and to effect the powers and
5 purposes of the board, all without the necessity of adopting a rule
6 under IC 4-22-2.

7 (2) Adopt its budget on a calendar year or fiscal year as it shall
8 determine.

9 (3) Sue and be sued in its own name.

10 (4) Have an official seal and alter it at will.

11 (5) Maintain an office or offices at a place or places within
12 Indiana as it may designate.

13 (6) Make and execute contracts and all other instruments with
14 either public or private entities.

15 (7) Communicate with the employees of the Indiana finance
16 authority to the extent reasonably desirable in working on a
17 guarantee of an economic development obligation or credit
18 enhancement obligation.

19 (8) Deposit all uninvested funds of the public deposit insurance
20 fund in a separate account or accounts in financial institutions that
21 are designated as depositories to receive state funds under
22 IC 5-13-9.5. The money in these accounts shall be paid out on
23 checks signed by the ~~chairman~~ **chairperson** or other officers or
24 employees of the board as it shall authorize.

25 (9) Take any other act necessary or convenient for the
26 performance of its duties and the exercise of its powers and
27 functions under this chapter.

28 (b) In enforcing any obligation of the borrower or any other person
29 under the documents evidencing a guarantee, the board may renegotiate
30 the guarantee, modify the rate of interest, term of the industrial
31 development obligation or credit enhancement obligation, payment of
32 any installment of principal or interest, or any other term of any
33 documents, settle any obligation on the security or receipt of property
34 or the other terms as in its discretion it deems advantageous to the
35 public deposit insurance fund, and take any other action necessary or
36 convenient to such enforcement.

37 (c) The records of the board for depositories relating to negotiations
38 between it and prospects for economic development obligation or credit
39 enhancement obligation guarantees are excepted from the provisions
40 of IC 5-14-3-3.

41 SECTION 254. IC 5-15-5.1-18, AS AMENDED BY P.L.42-2018,
42 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2024]: Sec. 18. (a) The oversight committee on public records
2 consists ex officio of:

- 3 (1) the governor or the governor's designee;
4 (2) the secretary of state or the secretary's designee;
5 (3) the state examiner of the state board of accounts or the state
6 examiner's designee;
7 (4) the director of the state library;
8 (5) the director of the Indiana archives and records
9 administration;
10 (6) the commissioner of the department of administration or the
11 commissioner's designee;
12 (7) the public access counselor;
13 (8) the chief information officer of the office of technology
14 appointed under IC 4-13.1-2-3 or the chief information officer's
15 designee; and
16 (9) a clerk of the circuit court or a county recorder who serves on
17 a county commission of public records under IC 5-15-6,
18 appointed by the governor.

19 (b) The oversight committee also consists of two (2) lay members
20 appointed by the governor for a term of four (4) years. One (1) lay
21 member shall be a professional journalist or be a member of an
22 association related to journalism.

23 (c) The oversight committee shall elect one (1) of its members to be
24 ~~chairman~~ **chairperson**. The director of the Indiana archives and
25 records administration shall be the secretary of the committee. The ex
26 officio members of the oversight committee shall serve without
27 compensation and shall receive no reimbursement for any expense
28 which they may incur. Each lay member is entitled to reimbursement
29 for traveling and other expenses as provided in the state travel policies
30 and procedures, established by the department of administration and
31 approved by the budget agency and each lay member is entitled to the
32 minimum salary per diem as provided in IC 4-10-11-2.1(b).

33 SECTION 255. IC 5-15-6-1, AS AMENDED BY P.L.171-2015,
34 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2024]: Sec. 1. (a) A commission is hereby created in each
36 county of the state which shall be known as the county commission of
37 public records of _____ county.

38 (b) The county commission shall consist, ex officio, of:

- 39 (1) the judge of the circuit court or the judge's designee;
40 (2) the president of the board of county commissioners or the
41 president's designee;
42 (3) the county auditor or the auditor's designee;



1 (4) the clerk of the circuit court or the clerk's designee;
 2 (5) the county recorder or the recorder's designee;
 3 (6) the superintendent of schools of the school district in which
 4 the county seat is located or the superintendent's designee; and
 5 (7) either:
 6 (A) the city controller of the county seat city or the city
 7 controller's designee; or
 8 (B) if there is no city controller as described in clause (A),
 9 then the clerk-treasurer of the county seat city or town.
 10 (c) The commission shall elect one (1) of its members to be
 11 ~~chairman~~ **chairperson**. The clerk of the circuit court or the county
 12 recorder must be secretary of the commission. The person who serves
 13 as secretary shall be determined as follows:
 14 (1) By mutual agreement of the clerk of the circuit court and the
 15 county recorder.
 16 (2) If a mutual agreement cannot be reached under subdivision
 17 (1), by an affirmative vote of a majority of members of the county
 18 commission.
 19 The commission shall provide to the administration the names and
 20 contact information for the ~~chairman~~ **chairperson** and secretary not
 21 later than thirty (30) days after the date of the determination. The
 22 members of the county commission shall serve without compensation
 23 and shall receive no disbursement for any expense.
 24 (d) The county commission shall meet at least one (1) time in each
 25 calendar year.
 26 SECTION 256. IC 5-20-1-3, AS AMENDED BY P.L.20-2010,
 27 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2024]: Sec. 3. (a) There is created a public body corporate and
 29 politic of the state of Indiana to be known as the "Indiana housing and
 30 community development authority". The authority shall consist of the
 31 following seven (7) members:
 32 (1) The lieutenant governor or the lieutenant governor's designee.
 33 (2) The treasurer of state, or the treasurer of state's designee.
 34 (3) The public finance director of the Indiana finance authority,
 35 or the public finance director's designee.
 36 (4) Four (4) members appointed by the governor.
 37 Not more than three (3) of the members of the authority appointed
 38 under subdivision (4) shall be members of the same political party.
 39 Members of the authority appointed by the governor shall serve for a
 40 term of four (4) years, except that all vacancies shall be filled for the
 41 unexpired term. However, any appointed member of the authority shall
 42 be removable at the pleasure of the governor, with or without cause. A



1 member of the authority shall receive no compensation for the
 2 member's services but shall be entitled to reimbursement for the
 3 necessary expenses, including traveling expenses, incurred in the
 4 discharge of the member's duties. Each member shall hold office until
 5 the member's successor has been appointed and has qualified. A
 6 certificate of appointment or reappointment of any members shall be
 7 filed with the authority and this certificate shall be conclusive evidence
 8 of the due and proper appointments of the member.

9 (b) The powers of the authority shall be vested in the members
 10 thereof in office from time to time. A majority of the members of the
 11 authority shall constitute a quorum for the purposes of conducting its
 12 business and exercising its powers and for all other purposes,
 13 notwithstanding the existence of any vacancies. Action may be taken
 14 by the authority upon a vote of a majority of the members present,
 15 unless the bylaws of the authority require a larger number. Meetings of
 16 the members of the authority may be held anywhere within or outside
 17 the state.

18 (c) The governor shall appoint a ~~chairman~~ **chairperson** and
 19 ~~vice-chairman~~ **vice chairperson** from the members of the authority.
 20 The governor shall appoint an executive director for the authority, who
 21 shall serve at the pleasure of the governor and receive compensation as
 22 fixed by the authority. The authority shall employ legal and technical
 23 experts and such other officers, agents and employees, permanent and
 24 temporary, as it may require, and shall determine their qualifications,
 25 duties, and compensation. The authority may also engage independent
 26 legal counsel to assist it. The authority may delegate to one (1) or more
 27 of its agents or employees such powers or duties as it may deem proper.

28 (d) The authority may also contract with any entity, including the
 29 Indiana finance authority, to provide staff or services, including the
 30 functions of the executive director and employees of the authority,
 31 under such terms as the authority determines.

32 (e) After May 14, 2005, a reference to the Indiana housing finance
 33 authority in a statute, rule, or other document is considered a reference
 34 to the authority as the successor agency.

35 SECTION 257. IC 5-20-1-3.5, AS ADDED BY P.L.235-2005,
 36 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2024]: Sec. 3.5. Before the issuance of any bonds under this
 38 chapter:

- 39 (1) the executive director of the authority;
 40 (2) each member of the authority; and
 41 (3) any other employee or agent of the authority authorized by
 42 resolution of the authority to handle funds or sign checks;



1 shall execute a surety bond in the penal sum of fifty thousand dollars
 2 (\$50,000). If an individual described in subdivisions (1) through (3) is
 3 already covered by a bond required by state law, the individual need
 4 not obtain another bond if the bond required by state law is in at least
 5 the penal sum specified in this section and covers the individual's
 6 activities for the authority. In lieu of this bond, the ~~chairman~~
 7 **chairperson** of the authority may execute a blanket surety bond
 8 covering each member, the executive director, and the employees or
 9 other officers of the authority. Each surety bond must be conditioned
 10 upon the faithful performance of the individual's duties, and shall be
 11 issued by a surety company authorized to transact business in Indiana
 12 as surety. At all times after the issuance of any surety bonds, these
 13 surety bonds shall be maintained in full force and effect. All costs of
 14 the surety bonds shall be borne by the authority.

15 SECTION 258. IC 6-2.5-3-1, AS AMENDED BY P.L.146-2020,
 16 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2024]: Sec. 1. For purposes of this chapter:

18 (a) "Use" means the exercise of any right or power of ownership
 19 over tangible personal property.

20 (b) "Storage" means the keeping or retention of tangible personal
 21 property in Indiana for any purpose except temporary storage.

22 (c) "Temporary storage" means the keeping or retention of tangible
 23 personal property in Indiana for a period of not more than one hundred
 24 eighty (180) days and only for the purpose of the subsequent use of that
 25 property solely outside Indiana.

26 (d) Notwithstanding any other provision of this section, tangible or
 27 intangible property that is:

28 (1) owned or leased by a person that has contracted with a
 29 commercial printer for printing; and

30 (2) located at the premises of the commercial printer;

31 shall not be considered to be, or to create, an office, a place of
 32 distribution, a sales location, a sample location, a warehouse, a storage
 33 place, or other place of business maintained, occupied, or used in any
 34 way by the person. A commercial printer with which a person has
 35 contracted for printing shall not be considered to be in any way a
 36 representative, an agent, a ~~salesman~~, **salesperson**, a canvasser, or a
 37 solicitor for the person.

38 SECTION 259. IC 6-2.5-8-12 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. (a) Notwithstanding
 40 any other provision of this article, the following do not cause a person
 41 that has contracted with a call center operator for a telephone service
 42 to have a duty to register as a retail merchant or to collect or remit the



1 state gross retail or use tax imposed by this article:
2 (1) The ownership or leasing by the person of tangible or
3 intangible property that is:
4 (A) located at the Indiana premises of the call center operator;
5 (B) used to provide or assist directly with the provision of a
6 telephone service as described in subsection (c); and
7 (C) not held for sale, shipment, or distribution in response to
8 orders received as a result of a telephone service provided by
9 the call center operator.
10 (2) The activities of any kind performed by or on behalf of the
11 person at the Indiana premises of the call center operator.
12 (3) The activities of any kind performed by the call center
13 operator in Indiana for or on behalf of the person.
14 (b) Tangible or intangible property that is:
15 (1) owned or leased by a person that has contracted with a call
16 center operator for a telephone service;
17 (2) located at the premises of the call center operator;
18 (3) used to provide or assist directly with the provision of a
19 telephone service as described in subsection (c); and
20 (4) not held for sale, shipment, or distribution in response to
21 orders received as a result of a telephone service provided by the
22 call center operator;
23 shall not be considered to be, or to create, an office, a place of
24 distribution, a sales location, a sample location, a warehouse, a storage
25 place, or other place of business maintained, occupied, or used in any
26 way by the person. For purposes of this section, a call center operator
27 with which a person has contracted for a telephone service shall not be
28 considered to be in any way a representative, an agent, a ~~salesman~~;
29 **salesperson**, a canvasser, or a solicitor for the person.
30 (c) For purposes of this section, a telephone service includes
31 soliciting orders by telephone, accepting orders by telephone, and
32 making and receiving any other telephone calls.
33 SECTION 260. IC 6-9-2-3, AS AMENDED BY P.L.193-2017,
34 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2024]: Sec. 3. (a) For purposes of this section, the size of a
36 political subdivision is based on the population determined in the last
37 federal decennial census.
38 (b) A convention and visitor bureau having nineteen (19) members
39 is created to promote the development and growth of the convention,
40 tourism, and visitor industry in the county.
41 (c) The executives (as defined by IC 36-1-2-5) of the five (5) largest
42 cities and the seven (7) largest towns in the county shall each appoint



1 one (1) member to the bureau. The legislative body (as defined in
2 IC 36-1-2-9) of the two (2) largest municipalities in the county shall
3 each appoint one (1) member to the bureau.

4 (d) The county council shall appoint two (2) members to the bureau.
5 One (1) of the appointees must be a resident of the fifth largest city in
6 the county, and one (1) of the appointees must be a resident of the
7 eighth largest town in the county. The appointees may not be of the
8 same political party.

9 (e) The county commissioners shall appoint two (2) members to the
10 bureau. One (1) of the appointees must be a resident of the sixth largest
11 town in the county. One (1) of the appointees must be a resident of the
12 seventh largest town in the county. The appointees may not be of the
13 same political party.

14 (f) The lieutenant governor shall appoint one (1) member to the
15 bureau.

16 (g) No appointee under this section may hold an elected or
17 appointed political office while serving on the bureau.

18 (h) In making appointments under this section, the appointing
19 authority shall give sole consideration to individuals who are
20 knowledgeable about or employed as executives or managers in at least
21 one (1) of the following businesses in the county:

- 22 (1) Hotel.
- 23 (2) Motel.
- 24 (3) Restaurant.
- 25 (4) Travel.
- 26 (5) Transportation.
- 27 (6) Convention.
- 28 (7) Trade show.
- 29 (8) A riverboat licensed under IC 4-33.
- 30 (9) Banking.
- 31 (10) Real estate.
- 32 (11) Construction.

33 However, an individual employed by a riverboat may not be appointed
34 under this section unless the individual holds a Level 1 occupational
35 license issued under IC 4-33-8. This subsection does not apply to board
36 members appointed before July 1, 2007, who are eligible for
37 reappointment after June 30, 2007.

38 (i) All terms of office of bureau members begin on July 1. Members
39 of the bureau serve terms of three (3) years. A member whose term
40 expires may be reappointed to serve another term. If a vacancy occurs,
41 the appointing authority shall appoint a qualified person to serve for the
42 remainder of the term. If an appointment is not made before July 16 or



1 a vacancy is not filled within thirty (30) days, the member appointed by
 2 the lieutenant governor under subsection (f) shall appoint a qualified
 3 person.

4 (j) A member of the bureau may be removed for cause:

5 (1) by the member's appointing authority; or

6 (2) by vote of the bureau's board if it is determined that a member
 7 does not meet the qualifications under subsection (h).

8 If a member is removed under this subsection, the appointing authority
 9 may, not more than thirty (30) days after the member is removed,
 10 appoint a replacement member to fill the remainder of the removed
 11 member's term.

12 (k) Members of the bureau may not receive a salary. However,
 13 bureau members are entitled to reimbursement for necessary expenses
 14 incurred in the performance of their respective duties.

15 (l) Each bureau member, before entering the member's duties, shall
 16 take an oath of office in the usual form, to be endorsed upon the
 17 member's certificate of appointment and promptly filed with the clerk
 18 of the circuit court of the county.

19 (m) The bureau shall meet after July 1 each year for the purpose of
 20 organization. The bureau shall elect a ~~chairman~~ **chairperson** from its
 21 members. The bureau shall also elect from its members a vice
 22 ~~chairman~~, **chairperson**, a secretary, and a treasurer. The members
 23 serving in those offices shall perform the duties pertaining to the
 24 offices. The first officers chosen shall serve until their successors are
 25 elected and qualified. A majority of the bureau constitutes a quorum,
 26 and the concurrence of a majority of those present is necessary to
 27 authorize any action.

28 (n) If the county and one (1) or more adjoining counties desire to
 29 establish a joint bureau, the counties shall enter into an agreement
 30 under IC 36-1-7.

31 (o) Notwithstanding any other law, any bureau member appointed
 32 as of January 1, 2007, is eligible for reappointment.

33 SECTION 261. IC 6-9-7-7, AS AMENDED BY P.L.236-2023,
 34 SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2024]: Sec. 7. (a) The county treasurer shall establish an
 36 innkeeper's tax fund. The treasurer shall deposit in that fund all money
 37 received under section 6 of this chapter that is attributable to an
 38 innkeeper's tax rate that is not more than five percent (5%).

39 (b) Money in the innkeeper's tax fund shall be distributed as
 40 follows:

41 (1) Forty percent (40%) shall be distributed to the commission to
 42 carry out its purposes, including making any distributions or



- 1 payments to the Lafayette - West Lafayette Convention and
 2 Visitors Bureau, Inc.
- 3 (2) Ten percent (10%) shall be distributed to a community
 4 development corporation that serves a metropolitan area in the
 5 county that includes:
 6 (A) Lafayette; and
 7 (B) West Lafayette;
 8 for the community development corporation's use in tourism,
 9 recreation, and economic development activities.
- 10 (3) Ten percent (10%) shall be distributed to Historic
 11 Prophetstown to be used by Historic Prophetstown for carrying
 12 out its purposes.
- 13 (4) Ten percent (10%) shall be distributed to the Wabash River
 14 Enhancement Corporation to assist the Wabash River
 15 Enhancement Corporation in carrying out its purposes.
- 16 (5) The following amounts shall be distributed to the department
 17 of natural resources for the development of projects in the state
 18 park on the Wabash River, including its tributaries:
 19 (A) For distributions in calendar year 2023, ten percent (10%).
 20 (B) For distributions in calendar year 2024, nine percent (9%).
 21 (C) For distributions in calendar year 2025, eight percent
 22 (8%).
 23 (D) For distributions in calendar year 2026, seven percent
 24 (7%).
 25 (E) For distributions in calendar year 2027, six percent (6%).
 26 (F) For distributions in calendar year 2028, five percent (5%).
 27 (G) For distributions in calendar year 2029, four percent (4%).
 28 (H) For distributions in calendar year 2030, three percent
 29 (3%).
 30 (I) For distributions in calendar year 2031, two percent (2%).
 31 (J) For distributions in calendar year 2032, one percent (1%).
 32 (K) For distributions after calendar year 2032, zero percent
 33 (0%).
- 34 The department of natural resources is not required to provide
 35 additional state resources to the state park described in this
 36 subdivision as a result of the reduction of revenue set forth in this
 37 subdivision.
- 38 (6) The following amounts shall be distributed to the county fiscal
 39 body for the purposes set forth in subsection (c):
 40 (A) For distributions in calendar year 2023, zero percent (0%).
 41 (B) For distributions in calendar year 2024, one percent (1%).
 42 (C) For distributions in calendar year 2025, two percent (2%).



- 1 (D) For distributions in calendar year 2026, three percent
 2 (3%).
 3 (E) For distributions in calendar year 2027, four percent (4%).
 4 (F) For distributions in calendar year 2028, five percent (5%).
 5 (G) For distributions in calendar year 2029, six percent (6%).
 6 (H) For distributions in calendar year 2030, seven percent
 7 (7%).
 8 (I) For distributions in calendar year 2031, eight percent (8%).
 9 (J) For distributions in calendar year 2032, nine percent (9%).
 10 (K) For distributions after calendar year 2032, ten percent
 11 (10%).
 12 (7) Twenty percent (20%) shall be distributed as determined by
 13 the county fiscal body.
 14 (c) Amounts distributed to the county fiscal body under subsection
 15 (b)(6) may only be used for tourism or quality of life purposes,
 16 including:
 17 (1) mixed use development projects;
 18 (2) quality public spaces;
 19 (3) multiple transportation options;
 20 (4) multiple housing options;
 21 (5) revitalization of historic, blighted, or vacant properties;
 22 (6) arts, culture, and creativity; and
 23 (7) recreation and green spaces.
 24 (d) An advisory commission consisting of the following members
 25 is established:
 26 (1) The director of the department of natural resources or the
 27 director's designee.
 28 (2) The public finance director or the public finance director's
 29 designee.
 30 (3) A member appointed by the Native American Indian affairs
 31 commission.
 32 (4) A member appointed by Historic Prophetstown.
 33 (5) A member appointed by the community development
 34 corporation described in subsection (b)(2).
 35 (6) A member appointed by the Wabash River Enhancement
 36 Corporation.
 37 (7) A member appointed by the commission.
 38 (8) A member appointed by the county fiscal body.
 39 (9) A member appointed by the town board of the town of
 40 Battleground.
 41 (10) A member appointed by the mayor of the city of Lafayette.
 42 (11) A member appointed by the mayor of the city of West



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Lafayette.

(e) The following apply to the advisory commission:

(1) The governor shall appoint a member of the advisory commission as ~~chairman~~ **chairperson** of the advisory commission.

(2) Six (6) members of the advisory commission constitute a quorum. The affirmative votes of at least six (6) advisory commission members are necessary for the advisory commission to take official action other than to adjourn or to meet to hear reports or testimony.

(3) The advisory commission shall make recommendations concerning the use of any proceeds of bonds issued to finance the development of Prophetstown State Park.

(4) Members of the advisory commission who are state employees:

(A) are not entitled to any salary per diem; and

(B) are entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and to reimbursement for other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(f) The Indiana finance authority may issue bonds for the development of Prophetstown State Park under IC 5-1.2-6.

SECTION 262. IC 7.1-1-3-9, AS AMENDED BY P.L.86-2018, SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. The term "~~chairman~~" "**chairperson**" means the presiding officer of the commission who is appointed by the governor pursuant to IC 7.1-2-1-5.

SECTION 263. IC 7.1-1-3-41 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 41. ~~Salesman~~. The term "~~salesman~~" "**salesperson**" means **either of the following**:

(~~a~~) **(1)** A person who procures, or seeks to procure an order or contract for the sale, or for the delivery, or for the transportation of alcoholic beverages. ~~and;~~

(~~b~~) ~~Also means~~ **(2)** A person who is engaged in promoting the sale of alcoholic beverages, or in promoting the business of a person engaged in the alcoholic beverage trade in any manner, whether the seller resides within this state and sells to buyers either within or without this state, or whether the seller resides without this state and sells for delivery to buyers within this state.

SECTION 264. IC 7.1-2-1-5 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. ~~Chairman and~~
 2 ~~Chairman Pro Tempore~~. The governor shall appoint one (1) of the
 3 members to serve as ~~chairman~~ **chairperson** of the commission. The
 4 governor also shall appoint one (1) of the members to serve as
 5 ~~chairman~~ **chairperson** pro tempore in the absence of the ~~chairman~~
 6 **chairperson**.

7 SECTION 265. IC 7.1-2-1-11 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. (a) Three (3)
 9 members of the commission constitute a quorum for the transaction of
 10 business.

11 (b) Each commissioner has one (1) vote.

12 (c) Action of the commission may be taken only upon the
 13 affirmative votes of at least two (2) commissioners. If a vote of the
 14 commission is a tie, the position for which the ~~chairman~~ **chairperson**
 15 voted shall be treated as the position adopted by the commission.

16 SECTION 266. IC 7.1-2-3-1 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. ~~Duties of Chairman~~.
 18 The ~~chairman~~ **chairperson** shall be the presiding officer at the
 19 meetings of the commission. The ~~chairman~~, **chairperson**, together with
 20 the executive secretary, shall prepare, certify and authenticate all
 21 proceedings, minutes, records, rules and regulations of the commission.
 22 The ~~chairman~~ **chairperson** also shall perform all other duties as
 23 imposed by this title.

24 SECTION 267. IC 7.1-2-3-4.5 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4.5. The commission
 26 and the ~~chairman~~ **chairperson** may exercise only those express powers
 27 enumerated in this title; however, this section does not limit the powers
 28 granted to the commission by section 31 of this chapter.

29 SECTION 268. IC 7.1-2-3-31 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 31. ~~Implied Powers~~.
 31 The commission and the ~~chairman~~ **chairperson** shall have, in addition
 32 to the express powers enumerated in this title, the authority to exercise
 33 all powers necessary and proper to carry out the policies of this title
 34 and to promote efficient administration by the commission.

35 SECTION 269. IC 7.1-2-4-20 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 20. ~~Oath of Office~~. An
 37 appointed member of a local board shall execute an oath of office in
 38 duplicate. One (1) copy of the oath shall be filed in the office of the
 39 clerk of the circuit court of the judicial circuit in which the local board
 40 sits. The other copy shall be filed with the ~~chairman~~ **chairperson**.

41 SECTION 270. IC 7.1-2-5-5, AS AMENDED BY P.L.94-2008,
 42 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2024]: Sec. 5. All rights of any kind in an alcoholic beverage
 2 or a tobacco product of any type, or in a container for an alcoholic
 3 beverage, or in an article, apparatus, package, fixture or utensil in
 4 which an alcoholic beverage or a tobacco product may be placed, or
 5 which is used in connection with it, or a vehicle or conveyance in
 6 which an alcoholic beverage or a tobacco product is being transported
 7 or which is used for the transportation of an alcoholic beverage or a
 8 tobacco product, shall at all times and under all circumstances by
 9 whomsoever held, owned, or possessed, be deemed qualified by the
 10 right of the state, the commission, and the ~~chairman~~, **chairperson**, to
 11 administer, execute and enforce the provisions of this title.

12 SECTION 271. IC 7.1-2-5-14 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 14. ~~Sale of Property~~
 14 ~~Seized from Owner~~. The court, upon conviction of the owner, shall
 15 order that personal property of any type seized under this title and
 16 which has been found to have been used, kept or possessed in violation
 17 of this title shall be sold by the ~~chairman~~ **chairperson** if the property
 18 has commercial value and may be purchased and used legally. The
 19 court shall order the ~~chairman~~, **chairperson**, or the sheriff, to destroy
 20 the property if it has no commercial value or cannot be purchased and
 21 used legally. However, the court shall enter its order of sale or
 22 destruction only after an opportunity has been given to the owner for
 23 a hearing concerning the proposed order.

24 SECTION 272. IC 7.1-2-5-15, AS AMENDED BY P.L.86-2018,
 25 SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2024]: Sec. 15. The court, upon the conviction of a person
 27 other than the owner, found in charge or possession of personal
 28 property seized under this title, or upon written petition of the ~~chairman~~
 29 **chairperson** if no person is found in charge of or in possession of the
 30 seized property, and if the court, upon hearing, finds that any of the
 31 personal property was used, kept, or possessed in violation of this title,
 32 with the knowledge of the owner, shall order the property disposed of
 33 as provided in section 14 of this chapter. However, the court shall enter
 34 its order of sale or destruction only after an opportunity for a hearing
 35 has been given by not less than ten (10) days notice to the owner, if the
 36 owner is known, or if the owner is not known, then by notice of the
 37 seizure of the property, with a description of it, by publication one (1)
 38 time in a newspaper of general circulation published in the county seat
 39 of the county of the court having jurisdiction. If there is no newspaper
 40 published in the county seat, the notice shall be published in a
 41 newspaper of a general circulation in the county. Notice published in
 42 a newspaper shall be given not less than ten (10) days prior to the time



1 fixed for the hearing.

2 SECTION 273. IC 7.1-2-5-17 IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 17. Property ordered
 4 sold by a court under the provisions of section 14 or 15 of this chapter
 5 shall be sold by the ~~chairman~~ **chairperson** at public auction in any
 6 county in which ~~he~~ **the chairperson** may deem it most advantageous
 7 to sell the property. The ~~chairman~~ **chairperson** shall give one (1)
 8 week's notice of the sale prior to the sale. The notice shall be published
 9 in the county seat of the county in which the sale is to be made.
 10 Property which has a commercial value and which may be lawfully
 11 purchased may be sold to any person. The proceeds of the sale, after
 12 deducting necessary costs and charges, including fees for publication,
 13 and payment of liens shall be paid to the ~~chairman~~ **chairperson** for
 14 deposit under IC 7.1-4-10-3.

15 SECTION 274. IC 7.1-2-6-4 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. ~~Abatement of Public~~
 17 ~~Nuisance~~. The commission, the ~~chairman~~, **chairperson**, the attorney
 18 general, a prosecuting attorney, a permittee authorized to sell alcoholic
 19 beverages within the county in which a common nuisance exists, **is**
 20 kept, or **is** maintained, or a number of permittees authorized to sell
 21 alcoholic beverages within the county or elsewhere within the state, or
 22 a taxpayer of the county, may maintain an action in the name of the
 23 state to abate and perpetually enjoin a public nuisance, or to abate, or
 24 enjoin, or both, a practice, or conduct of a person, whether a permittee
 25 or not, in violation of this title or a rule or regulation of the
 26 commission.

27 SECTION 275. IC 7.1-2-8-1 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. ~~Jurisdiction: General~~
 29 ~~Rule~~. An action brought against the commission, or against the
 30 ~~chairman~~ **chairperson** as the ~~chairman~~, **chairperson**, shall be brought
 31 in the circuit or superior court of Marion County unless otherwise
 32 specifically provided in this title.

33 SECTION 276. IC 7.1-2-8-2 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. ~~Jurisdiction~~
 35 ~~Restricted~~. Except as otherwise provided in this title, a person shall not
 36 bring an action against the State of Indiana, the commission, the
 37 ~~chairman~~, **chairperson**, or the ~~chairman~~ **chairperson** pro tempore,
 38 based upon a claim arising from the collection of money received by
 39 the state in connection with the administration or enforcement of a
 40 provision of this title. The consent of the State of Indiana is hereby
 41 expressly withdrawn and denied in such an action and no court shall
 42 have jurisdiction in such an action.



1 SECTION 277. IC 7.1-2-8-4 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. ~~Judicial Notice~~. A
 3 court shall take judicial notice of the signature of the ~~chairman~~
 4 **chairperson** and of the seal of the commission. A court shall take
 5 judicial notice, also, of a document, paper, record, or instrument, or
 6 copy of these, duly authenticated, as prescribed in the rules and
 7 regulations of the commission.

8 SECTION 278. IC 7.1-3-1-3, AS AMENDED BY P.L.285-2019,
 9 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2024]: Sec. 3. (a) A permit of any type issued by the
 11 commission, except as provided in subsections (b) and (f) or unless
 12 otherwise provided in this title, shall be in force for one (1) calendar
 13 year only, including the day upon which it is granted. At the end of the
 14 one (1) year period the permit shall be fully expired and null and void.

15 (b) Notwithstanding subsection (a), a permit that is subject to
 16 section 5.5 or 5.6 of this chapter is effective for two (2) calendar years,
 17 including the day upon which the permit is granted. However, a local
 18 board may recommend to the commission that the permit be issued or
 19 renewed for only a one (1) year period. The commission may issue or
 20 renew a permit for the period recommended by the local board.

21 (c) A permittee who is granted a two (2) year permit under
 22 subsection (b) or ~~subsection~~ (f) is liable for any annual fees assessed by
 23 the commission. The annual fee is due on the annual anniversary date
 24 upon which the permit was granted.

25 (d) If the commission grants a two (2) year permit, the commission
 26 may ask a local board to hold a hearing to reconsider the duration of a
 27 permittee's permit. A hearing held under this subsection is subject to
 28 section 5.5 or 5.6 of this chapter. A local board shall hold the hearing
 29 requested by the commission within thirty (30) days before the
 30 permittee's next annual anniversary date and forward a
 31 recommendation to the commission following the hearing.

32 (e) If a permittee is granted a permit for more than one (1) year, the
 33 commission shall require the permittee to file annually with the
 34 commission the information required for an annual permit renewal.

35 (f) Notwithstanding subsection (a), the following are effective for
 36 two (2) calendar years, including the day upon which the permit is
 37 granted:

- 38 (1) A beer wholesaler's permit issued under IC 7.1-3-3-1.
- 39 (2) A wine wholesaler's permit issued under IC 7.1-3-13-1.
- 40 (3) A liquor wholesaler's permit issued under IC 7.1-3-8-1.

41 (g) Except as provided in subsection (h), the commission shall
 42 timely process a permittee's application for renewal of a permit unless



1 the permittee receives a notice of a violation from the office of the
2 prosecutor created under IC 7.1-2-2-1.

3 (h) The commission may timely process an application for renewal
4 of a permit filed by a permittee that receives notice of a violation as
5 described in subsection (g) if the ~~chairman~~ **chairperson** or the
6 ~~chairman's~~ **chairperson's** designee authorizes the application for
7 renewal of the permit to be timely processed.

8 (i) Except as provided in subsection (k), a permittee may file an
9 application for renewal of a permit not later than:

10 (1) one (1) year after the date the permit expires (in the case of a
11 permit that expires before July 1, 2019); or

12 (2) six (6) months after the date the permit expires (in the case of
13 a permit that expires after June 30, 2019).

14 (j) Except as provided in subsection (k), if a permittee does not file
15 an application for renewal of a permit within the time provided in
16 subsection (i), the permit reverts to the commission. At least thirty (30)
17 days before the date that a permit reverts to the commission, the
18 commission shall provide written notice to the permittee informing the
19 permittee of the date that the permittee's permit will revert to the
20 commission.

21 (k) Subject to subsection (l), a permittee:

22 (1) under subsection (i)(1) may file an application for renewal of
23 a permit more than one (1) year after the date the permit expires
24 if, not later than one (1) year after the date the permit expires, the
25 permittee obtains approval from the ~~chairman~~ **chairperson** or the
26 ~~chairman's~~ **chairperson's** designee for an extension to file the
27 application for renewal; or

28 (2) under subsection (i)(2) may file an application for renewal of
29 a permit more than six (6) months after the date the permit expires
30 if, not later than six (6) months after the date the permit expires,
31 the permittee obtains approval from the ~~chairman~~ **chairperson** or
32 the ~~chairman's~~ **chairperson's** designee for an extension to file the
33 application for renewal.

34 (l) The ~~chairman~~ **chairperson** may allow the permittee to renew the
35 permit:

36 (1) more than one (1) year, in the case of a permittee under
37 subsection (k)(1); or

38 (2) more than six (6) months in the case of a permittee under
39 subsection (k)(2);

40 after the date the permit expires only if the permittee provides evidence
41 that the permittee is engaged in an administrative or court proceeding
42 that prevents the permittee from renewing the permit.



1 (m) A permit is effective upon the final approval of the commission.
 2 Upon final approval of a permit, and upon the request of the permittee,
 3 the commission shall provide the permittee with a letter of authority to
 4 operate. The letter of authority to operate constitutes authorization for
 5 the permittee to perform the actions allowed under the permit until the
 6 date the permittee receives the permit issued by the commission.

7 SECTION 279. IC 7.1-3-6-1, AS AMENDED BY P.L.196-2015,
 8 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2024]: Sec. 1. (a) Subject to sections 3.5 and 3.6 of this
 10 chapter, the commission may issue a temporary beer permit without
 11 publication of notice or investigation before a local board to a qualified
 12 person as provided in this chapter. In all other respects, a temporary
 13 beer permit shall be issued, revoked, and governed by the restrictions
 14 and limitations made in a provisional order or rule or regulation of the
 15 commission.

16 (b) The commission shall issue a temporary beer permit to an
 17 applicant if:

18 (1) the applicant submits an application for a temporary beer
 19 permit to the commission not later than five (5) business days
 20 before the event for which the permit is requested; and

21 (2) the applicant meets all requirements for a temporary beer
 22 permit.

23 (c) If authorized by the **chairman chairperson** or the **chairman's**
 24 **chairperson's** designee, and at the commission's discretion, a
 25 temporary beer permit may be issued to an applicant that:

26 (1) submits an application for the temporary beer permit to the
 27 commission later than five (5) business days before the event for
 28 which the temporary beer permit is requested; and

29 (2) meets all requirements for a temporary beer permit.

30 SECTION 280. IC 7.1-3-6-9 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. ~~Renewals.~~ The
 32 holder of a dining car beer permit need not renew ~~his~~ **the holder's**
 33 permit annually. However, in order to keep the permit in force, the
 34 permittee must pay the annual license fee to the **chairman chairperson**
 35 on the anniversary date of the issuance of the original permit.

36 SECTION 281. IC 7.1-3-7-9 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. ~~Renewals.~~ The
 38 holder of a distiller's or rectifier's permit shall pay the appropriate
 39 annual license fee to the **chairman chairperson** on the anniversary of
 40 the date of the issuance of the original permit in order to keep ~~his~~ **the**
 41 **holder's** distiller's or rectifier's permit in force.

42 SECTION 282. IC 7.1-3-9.5-2, AS AMENDED BY P.L.196-2015,



1 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2024]: Sec. 2. (a) The holder of a supplemental caterer's
 3 permit shall notify the commission in writing not later than forty-eight
 4 (48) hours in advance of each function that the permittee intends to
 5 cater with alcoholic beverages. The commission may waive the
 6 forty-eight (48) hour notice period required under this subsection, if
 7 authorized by the ~~chairman~~ **chairperson** or the ~~chairman's~~
 8 **chairperson's** designee, but may not waive the requirement for filing
 9 notice.

10 (b) The notice shall include the following:

11 (1) The date, time, and location of the function to be catered.

12 (2) If the function is open to the public, located in a county having
 13 a population of less than one hundred fifty thousand (150,000),
 14 and located in a different county from the county where the
 15 permittee holds the three-way permit required under section 1 of
 16 this chapter, the signature of the following official on a document
 17 stating the official's approval of the catering of alcoholic
 18 beverages at the proposed date, time, and location:

19 (A) The president of the town council, if the location is in a
 20 town.

21 (B) The mayor, if the location is in a city.

22 (C) The president of the board of county commissioners, if the
 23 location is in unincorporated territory.

24 (c) If a permittee complies with all notice requirements of
 25 subsection (b), the commission in its absolute discretion has the
 26 authority, any other provision of this title to the contrary
 27 notwithstanding, to approve the proposed date and location of the
 28 function to be catered.

29 (d) The commission need not notify the permittee if the commission
 30 approved the proposed date and location, and the permittee may
 31 proceed as stated in the permittee's notice to the commission. The
 32 commission shall notify the permittee by certified United States mail,
 33 in advance of the function, if the commission does not approve the
 34 proposed date or location.

35 (e) A permittee whose proposed date or location has been
 36 disapproved by the commission still may cater the function on that date
 37 and at that location, but the permittee may not cater alcoholic
 38 beverages at that function on that date and at that location.

39 SECTION 283. IC 7.1-3-11-4 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. ~~Renewals.~~ The
 41 holder of a dining car liquor permit need not renew ~~his~~ **the holder's**
 42 permit annually. However, in order to keep the permit in force, the



1 permittee must pay the annual license fee to the ~~chairman~~ **chairperson**
2 on the anniversary date of the issuance of the original permit.

3 SECTION 284. IC 7.1-3-16-5, AS AMENDED BY P.L.196-2015,
4 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2024]: Sec. 5. (a) Subject to section 5.5 of this chapter, the
6 commission may issue a temporary wine permit without publication of
7 notice or investigation before a local board to a qualified person as
8 provided in this chapter. In all other respects, a temporary wine permit
9 shall be issued, revoked, and governed by the restrictions and
10 limitations made in a provisional order or rule or regulation of the
11 commission.

12 (b) The commission shall issue a temporary wine permit to an
13 applicant if:

14 (1) the applicant submits an application for a temporary wine
15 permit to the commission not later than five (5) business days
16 before the event for which the permit is requested; and

17 (2) the applicant meets all requirements for a temporary wine
18 permit.

19 (c) If authorized by the ~~chairman~~ **chairperson** or the ~~chairman's~~
20 **chairperson's** designee, and at the commission's discretion, a
21 temporary wine permit may be issued to an applicant that:

22 (1) submits an application for the temporary wine permit to the
23 commission later than five (5) business days before the event for
24 which the temporary wine permit is requested; and

25 (2) meets all requirements for a temporary wine permit.

26 SECTION 285. IC 7.1-3-18-7 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. ~~Salesmen's Permits:~~
28 ~~Application and Issuance:~~ The commission may issue a ~~salesman's~~
29 **salesperson's** permit to a person who desires to act as a ~~salesman:~~
30 **salesperson**. The applicant shall state in the application the county or
31 counties within Indiana within which the applicant desires to act as a
32 ~~salesman:~~ **salesperson**. The application and the permit issued by the
33 commission shall set forth the name and address of the person whom
34 the ~~salesman~~ **salesperson** represents. The application and permit also
35 shall state if the ~~salesman~~ **salesperson** is acting ~~for himself in the~~
36 **salesperson's own interests** as principal. The application also shall
37 include reasonable rules as the commission may prescribe from time to
38 time.

39 SECTION 286. IC 7.1-3-18-8 IS AMENDED TO READ AS
40 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) The holder of a
41 ~~salesman's~~ **salesperson's** permit is not entitled to represent a person
42 whose name does not appear on the permit as the permittee's employer,



1 if employed by another, nor may the permittee act for any other person
2 not named in the permit.

3 (b) Subject to subsection (c), a permittee is not entitled to act as a
4 ~~salesman~~ **salesperson** for more than one (1) person under one (1)
5 permit. However, the commission may issue additional permits to the
6 ~~salesman~~ **salesperson** for additional principals.

7 (c) A permittee may act as a ~~salesman~~ **salesperson** for more than
8 one (1) person under one (1) permit if:

9 (1) the permittee is an Internet company; and

10 (2) the Internet company provides the commission with the names
11 of each permittee for whom the Internet company is a ~~salesman~~
12 **salesperson** in conformity with the rules adopted by the
13 commission.

14 SECTION 287. IC 7.1-3-19-12 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. ~~Return of Fee.~~ The
16 ~~chairman~~ **chairperson** shall deduct the sum of twenty-five dollars
17 (\$25) from the license fee paid by the applicant for each application
18 considered, but if the applications are combined in one (1) application,
19 the ~~chairman~~ **chairperson** shall deduct the sum of thirty-five dollars
20 (\$35) from the license fee, and return the balance of the fee to the
21 applicant if the commission refuses to grant the application. The
22 amount deducted from the fee shall be the property of the state and
23 shall be disposed of as provided in ~~article 4 of this title.~~ **IC 7.1-4.**

24 SECTION 288. IC 7.1-3-24-4 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. ~~Posting of Bond.~~ The
26 ~~chairman~~ **chairperson** shall require bond to be furnished in the case of
27 the sale, assignment, or transfer of a permit if bond is required to be
28 furnished in the case of an original application for that particular type
29 of permit.

30 SECTION 289. IC 7.1-3-24-5 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. ~~Deceased Permittee.~~
32 A duly appointed and qualified administrator or executor of the estate
33 of a deceased permittee, may, with the approval of the court, continue
34 the business conducted by the deceased permittee under the permit
35 held by ~~him~~ **the deceased permittee** if the administrator or executor
36 ~~either himself~~ or by an agent, also to be approved by the court, applies
37 for and obtains the written consent of the ~~chairman.~~ **chairperson.**

38 SECTION 290. IC 7.1-3-24-6 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. ~~Qualifications of~~
40 ~~Successors.~~ The administrator or executor, or agent, must have the
41 same qualifications to hold the permit of the deceased permittee that
42 this title otherwise requires of an applicant for that particular type of



1 permit. That the administrator, executor, or agent has these
 2 qualifications shall be established by a finding of the court having
 3 jurisdiction and a copy of these findings shall accompany the
 4 application for the written consent of the ~~chairman~~ **chairperson**.

5 SECTION 291. IC 7.1-3-24-7, AS AMENDED BY P.L.194-2021,
 6 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2024]: Sec. 7. The surviving spouse or heir of a deceased
 8 permittee may be permitted to continue the business conducted by the
 9 deceased permittee, without probate proceedings, if both of the
 10 following occur:

11 (1) The court having probate jurisdiction finds that the surviving
 12 spouse or heir of the deceased permittee possesses the
 13 qualifications required of an applicant for that particular type of
 14 permit.

15 (2) The surviving spouse or heir who desires to carry on the
 16 business of the deceased permittee applies for and receives the
 17 written consent of the ~~chairman~~ **chairperson**. A copy of the
 18 court's findings on the qualifications of the applicant must
 19 accompany the application for written consent.

20 SECTION 292. IC 7.1-3-24-8 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. ~~Bankrupt Permittee~~.
 22 A receiver or trustee in bankruptcy of the business or property of a
 23 permittee, acting under the jurisdiction of a court of record of this state,
 24 or a United States court, may continue the business conducted by the
 25 permittee, with the approval of the court having jurisdiction, by
 26 applying for and receiving the written consent of the ~~chairman~~
 27 **chairperson** and if ~~he the receiver or trustee~~ is otherwise duly
 28 qualified to hold the permit as if ~~he the receiver or trustee~~
 29 ~~himself~~ applying for it. The qualifications of the applicant may be
 30 established by a finding of the court having jurisdiction. A copy of the
 31 court's findings on the qualifications shall accompany the application
 32 for written consent.

33 SECTION 293. IC 7.1-3-24-10 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. ~~Reissuance of~~
 35 ~~Permits~~. A permit held by a deceased or bankrupt permittee may be
 36 reissued as other permits are authorized in this title to be reissued if the
 37 permit is not transferred by sale or otherwise with the consent of the
 38 ~~chairman~~ **chairperson** before its expiration. The reissuance shall be
 39 made only upon the approval of the court having jurisdiction of the
 40 trust of the applicant if the reissuance is to be made to an administrator,
 41 executor, or ~~his the permittee's~~ agent, or a receiver or trustee in
 42 bankruptcy. A sale or assignment of the permit shall first be approved



1 by the court, and only to a person qualified to hold it under this title.
 2 Before the transfer shall legally entitle the purchaser or assignee to
 3 operate under it, the applicant must show the ~~chairman~~ **chairperson**
 4 that ~~he~~ **the applicant** is duly competent and qualified, the same as
 5 though ~~he~~ **the applicant** were the original applicant for it. If the
 6 applicant is duly competent and qualified the ~~chairman~~ **chairperson**
 7 may approve the sale or transfer and the commission may issue a
 8 permit to the purchaser or assignee. The commission shall not reissue
 9 a permit to any premises other than those to which the permit was
 10 applicable when held by the decedent or bankrupt.

11 SECTION 294. IC 7.1-3-27-15, AS AMENDED BY P.L.159-2014,
 12 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2024]: Sec. 15. (a) An artisan distiller's permit shall be issued
 14 for a period of two (2) years.

15 (b) The commission shall charge a permit fee of two hundred fifty
 16 dollars (\$250) annually to the holder of an artisan distiller's permit. The
 17 holder of an artisan distiller's permit shall pay the permit fee to the
 18 ~~chairman~~ **chairperson** on the anniversary of the date of the issuance of
 19 the original permit.

20 (c) A person who knowingly or intentionally engages in an activity
 21 requiring an artisan distiller's permit without possessing a valid artisan
 22 distiller's permit commits a Class B misdemeanor.

23 SECTION 295. IC 7.1-3-30-2, AS ADDED BY P.L.121-2022,
 24 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2024]: Sec. 2. (a) The commission may issue a temporary
 26 craft manufacturer hospitality permit without publication of notice or
 27 investigation before a local board to a qualified person as provided in
 28 this chapter. In all other respects, a hospitality permit shall be issued,
 29 revoked, and governed by the restrictions and limitations made in a
 30 provisional order or rule or regulation of the commission.

31 (b) The commission shall issue a hospitality permit to an applicant
 32 if the applicant:

- 33 (1) submits an application for a hospitality permit to the
- 34 commission not later than five (5) business days before the event
- 35 for which the permit is requested;
- 36 (2) meets all requirements for a hospitality permit; and
- 37 (3) pays the license fee for a hospitality permit, as described in
- 38 IC 7.1-4-4.1-5.1.

39 (c) If authorized by the ~~chairman~~ **chairperson** or the ~~chairman's~~
 40 **chairperson's** designee, and at the commission's discretion, a
 41 hospitality permit may be issued to an applicant that:

- 42 (1) submits an application for the hospitality permit to the



- 1 commission later than five (5) business days before the event for
 2 which the hospitality permit is requested; and
 3 (2) meets all requirements for a hospitality permit.
- 4 (d) An application submitted under this section must contain a floor
 5 plan which demonstrates that the host permittee is not operating a bar
 6 in the same area as the temporary event. The premises of the temporary
 7 event must be well defined.
- 8 (e) An application submitted under this section must:
- 9 (1) identify each craft manufacturer that will participate in the
 10 temporary event;
 11 (2) designate an individual who is responsible for the event; and
 12 (3) be signed by the individual described in subdivision (2).
- 13 SECTION 296. IC 7.1-4-4.1-4 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. A biennial license
 15 fee of twenty dollars (\$20) is imposed for a ~~salesman's~~ **salesperson's**
 16 license. The term of a biennial ~~salesman's~~ **salesperson's** license is two
 17 (2) years.
- 18 SECTION 297. IC 7.1-4-6-1, AS AMENDED BY P.L.165-2006,
 19 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2024]: Sec. 1. The ~~chairman~~ **chairperson** and the department
 21 shall have the power to examine the books, papers, records, and
 22 premises of a manufacturer, wholesaler, retailer, dealer, or direct wine
 23 seller's permit holder under this title for the purpose of determining
 24 whether the excise taxes imposed by this title have been paid fully and
 25 whether the provisions of the title are being complied with.
- 26 SECTION 298. IC 7.1-4-6-8 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. ~~Duty of Attorney~~
 28 ~~General and Local Prosecutor~~: If a person who holds a permit under
 29 this title fails to account for, or pay over to the ~~chairman~~ **chairperson**
 30 or the department, or both, an annual license fee, or excise tax, or other
 31 levy imposed by this title, or defaults in a condition of ~~his~~ **the person's**
 32 bond, or if a person, licensed under this title or not, fails or refuses to
 33 pay to the ~~chairman~~ **chairperson** or the department an obligation,
 34 liability, forfeiture, or penalty imposed upon ~~him~~ **the person** by this
 35 title, the ~~chairman~~ **chairperson** or the department shall report that fact
 36 to the attorney general of Indiana who shall immediately institute the
 37 necessary action for the recovery of the sum due the state by reason of
 38 this title. The state shall be entitled to all liens and remedies allowed by
 39 law for the collection of the sum due the state. It is the duty of the
 40 prosecuting attorney of the proper county to assist the attorney general
 41 in these matters whenever the attorney general requests ~~his~~ assistance.
 42 SECTION 299. IC 7.1-4-7-1, AS AMENDED BY P.L.109-2013,



1 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2024]: Sec. 1. The ~~chairman~~ **chairperson** shall collect the
3 required annual license fee paid in connection with the issuance of a
4 brewer's permit, a beer wholesaler's permit, a temporary beer permit,
5 a dining car permit of any type, a boat permit of any type, an artisan
6 distiller's permit, a distiller's permit, a rectifier's permit, a liquor
7 wholesaler's permit, a vintner's permit, a farm winery permit, a farm
8 winery brandy distiller's permit, a wine wholesaler's permit, a wine
9 bottler's permit, a temporary wine permit, a direct wine seller's permit,
10 a ~~salesman's~~ **salesperson's** permit, and a carrier's alcoholic permit.

11 SECTION 300. IC 7.1-4-7-2, AS AMENDED BY P.L.86-2018,
12 SECTION 131, IS AMENDED TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2024]: Sec. 2. The ~~chairman~~ **chairperson** shall
14 collect the authorized deduction retained by the state when an
15 application for a permit, of a type listed in section 1 of this chapter, is
16 denied. The ~~chairman~~ **chairperson** also shall collect the prescribed
17 cost fee paid in connection with the transfer of a permit of a type listed
18 in section 1 of this chapter.

19 SECTION 301. IC 7.1-4-7-3 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. ~~Miscellaneous~~
21 ~~Collections~~. The ~~chairman~~ **chairperson** shall collect all other
22 assessments not specifically included in this chapter and not otherwise
23 disposed of by a provision of this title. The ~~chairman~~ **chairperson** or
24 the department shall collect the penalty for the nonpayment of taxes
25 imposed by this title, and a forfeiture not in the nature of a fine or
26 penalty belonging to the common school fund, and the proceeds of a
27 sale or judgment made under or in the enforcement of this title.

28 SECTION 302. IC 7.1-4-7-4, AS AMENDED BY P.L.224-2005,
29 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2024]: Sec. 4. (a) Except as provided in subsection (b), the
31 ~~chairman~~ **chairperson** and the department shall deposit the money
32 collected under sections 1, 2, and 3 of this chapter daily with the
33 treasurer of state, and not later than the fifth day of the following month
34 shall cover:

35 (1) thirty-four percent (34%) of the money collected under section
36 1 of this chapter into the enforcement and administration fund
37 established under IC 7.1-4-10-1; and

38 (2) sixty-six percent (66%) of the money collected under section
39 1 of this chapter and money collected under sections 2 and 3 of
40 this chapter into the state general fund for state general fund
41 purposes.

42 (b) The ~~chairman~~ **chairperson** and the department shall deposit all



1 money collected under IC 7.1-2-5-3, IC 7.1-2-5-8, IC 7.1-3-17.5,
 2 IC 7.1-3-17.7, IC 7.1-3-22-9, and IC 7.1-4-4.1-5 daily with the treasurer
 3 of state, and not later than the fifth day of the following month shall
 4 cover the money into the enforcement and administration fund
 5 established under IC 7.1-4-10-1.

6 SECTION 303. IC 7.1-4-9-1, AS AMENDED BY P.L.224-2005,
 7 SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2024]: Sec. 1. The ~~chairman~~ **chairperson** shall collect the
 9 required annual license fee paid in connection with the issuance of a
 10 beer retailer's permit, a beer dealer's permit, a liquor retailer's permit,
 11 a supplemental caterer's permit, a liquor dealer's permit, a wine
 12 retailer's permit, and a wine dealer's permit.

13 SECTION 304. IC 7.1-4-9-2, AS AMENDED BY P.L.86-2018,
 14 SECTION 136, IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2024]: Sec. 2. The ~~chairman~~ **chairperson** shall
 16 collect the authorized deduction retained by the state when an
 17 application for a permit of a type listed in section 1 of this chapter is
 18 denied. The ~~chairman~~ **chairperson** also shall collect the prescribed
 19 cost fee paid in connection with the transfer of a permit of a type listed
 20 in section 1 of this chapter.

21 SECTION 305. IC 7.1-4-9-3, AS AMENDED BY P.L.224-2005,
 22 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2024]: Sec. 3. (a) Except as provided in subsection (b), the
 24 ~~chairman~~ **chairperson** shall deposit the monies collected under the
 25 authority of this chapter daily with the treasurer of the state, and not
 26 later than the fifth day of the following month shall cover them into the
 27 "excise fund" to be distributed as provided in this chapter.

28 (b) The ~~chairman~~ **chairperson** shall deposit the money received
 29 from the collection of the fees for a three-way permit under
 30 IC 7.1-3-20-16(f) daily with the treasurer of state, and not later than the
 31 fifth day of the following month shall transfer the money into the
 32 enforcement and administration fund of the commission under
 33 IC 7.1-4-11.

34 SECTION 306. IC 7.1-4-9-7, AS AMENDED BY THE
 35 TECHNICAL CORRECTIONS BILL OF THE 2024 GENERAL
 36 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2024]: Sec. 7. (a) Thirty-three percent (33%) of the money in
 38 the excise fund shall, upon warrant of the state ~~auditor~~, **comptroller**,
 39 be paid into the general fund of the treasury of the city or town in
 40 which the retailer's or dealer's licensed premises are located. The
 41 money shall be paid to the treasurer of the county in which the retailer's
 42 or dealer's premises are located if they are located outside the corporate



1 limits of a city or town.
2 (b) Not later than ten (10) days after:
3 (1) an annexation ordinance is filed under IC 36-4-3-22; or
4 (2) the second of the two (2) approvals of an annexation is filed
5 under IC 36-3-2-7;
6 the annexing municipality shall provide notice to the ~~chairman~~
7 **chairperson** of the commission of any retailer's or dealer's premises
8 located within the annexed territory. The notice shall be in writing, sent
9 by certified mail, and must include the effective date of the annexation
10 and the business name and street address of the retailer's or dealer's
11 premises.
12 (c) The distribution from the excise fund shall continue to be paid
13 to the jurisdiction on record with the commission, until the ~~chairman~~
14 **chairperson** of the commission receives the notice under this section
15 that the retailer's or dealer's premises have been annexed into the city
16 or town. An annexing city or town:
17 (1) shall be paid distributions that accrue after the date the
18 ~~chairman~~ **chairperson** receives notice; and
19 (2) is not entitled to retroactive payment of any distributions
20 accruing before the date the ~~chairman~~ **chairperson** receives
21 notice.
22 SECTION 307. IC 7.1-4-10-3, AS AMENDED BY P.L.86-2018,
23 SECTION 137, IS AMENDED TO READ AS FOLLOWS
24 [EFFECTIVE JULY 1, 2024]: Sec. 3. The ~~chairman~~ **chairperson** shall
25 deposit the monies realized from fines imposed pursuant to the
26 provisions of IC 7.1-3-23-2 in its enforcement and administration fund
27 to be used for the purposes provided in this chapter.
28 SECTION 308. IC 7.1-4-11-2.5, AS ADDED BY P.L.224-2005,
29 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2024]: Sec. 2.5. The ~~chairman~~ **chairperson** shall deposit the
31 money received from the collection of the fees for a three-way permit
32 under IC 7.1-3-20-16(f) daily with the treasurer of state, and not later
33 than the fifth day of the following month shall transfer the money into
34 the enforcement and administration fund.
35 SECTION 309. IC 7.1-4-13-8 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) The wine grape
37 market development council is created.
38 (b) The council shall have an odd number of members, but not less
39 than seven (7) nor more than fifteen (15) members. The following are
40 the members of the council:
41 (1) The director or the director's designee.
42 (2) The ~~chairman~~ **chairperson** of the horticulture department at



- 1 Purdue University or ~~chairman's~~ **chairperson's** designee.
- 2 (3) The ~~chairman~~ **chairperson** of the food science department at
- 3 Purdue University or the ~~chairman's~~ **chairperson's** designee.
- 4 (4) Other members that the director shall appoint.

5 (c) A majority of the members of the council must be wine grape
6 growers or processors of wine grape products.

7 SECTION 310. IC 7.1-4-13-10 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. The council shall
9 do the following:

- 10 (1) Elect a ~~chairman~~ **chairperson** and any other officers.
- 11 (2) Recommend expenditures from the wine grape market
- 12 development fund for the administration of the wine grape market
- 13 development program and for the administration of this chapter.
- 14 (3) Perform any other necessary duties.

15 SECTION 311. IC 7.1-5-2-7, AS AMENDED BY P.L.159-2014,
16 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2024]: Sec. 7. (a) The term "premises" as used in this
18 subsection does not include a facility (as defined in IC 7.1-2-3-16.5).
19 A primary source of supply, wholesaler, or ~~salesman~~ **salesperson** of
20 alcoholic beverages, or the agent or representative of a primary source
21 of supply, wholesaler, or ~~salesman~~ **salesperson** of alcoholic beverages
22 may not directly or indirectly place, display, or maintain or cause to be
23 placed, displayed, or maintained a sign advertising alcoholic beverages
24 by brand name within two hundred (200) feet of a premises having a
25 retailer or dealer permit to sell alcoholic beverages. The distance must
26 be determined by measuring between the nearest point on the licensed
27 premises to the nearest point of the sign.

28 (b) A sign advertising alcoholic beverages by brand name may not
29 indicate by arrows, hands, or other similar devices a particular retailer
30 or dealer premises.

31 (c) Notwithstanding subsection (a), a primary source of supply,
32 wholesaler, or ~~salesman~~ **salesperson** of alcoholic beverages, or the
33 agent or representative of a primary source of supply, wholesaler, or
34 ~~salesman~~ **salesperson** of alcoholic beverages may place, display,
35 maintain or cause to be placed, displayed, or maintained temporary
36 banners or pennants advertising alcoholic beverages by brand name on
37 or within two hundred (200) feet of a retailer or dealer premises if the
38 banners or pennants commemorate a sporting event, festival, or holiday
39 held in Indiana. The banners or pennants may be displayed under this
40 subsection beginning twenty-one (21) days before the sporting event,
41 festival, or holiday and ending five (5) days after the close of the
42 sporting event, festival, or holiday.



1 (d) A person who knowingly or intentionally violates this section
2 commits a Class B misdemeanor.

3 SECTION 312. IC 7.1-5-6-2, AS AMENDED BY P.L.159-2014,
4 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2024]: Sec. 2. (a) It is unlawful for a person to act as a
6 ~~salesman~~, ~~salesperson~~, regardless of whether the sale is to be made by
7 a seller within this state, to a buyer within or without this state, or by
8 a seller outside this state for delivery to a buyer within this state, or
9 whether the sale otherwise may be legal or illegal, unless that person
10 has applied for and been issued a ~~salesman's~~ ~~salesperson's~~ permit.

11 (b) It is unlawful for a buyer in this state to give an order, bargain,
12 contract, or agreement to a ~~salesman~~ ~~salesperson~~ who does not have
13 a ~~salesman's~~ ~~salesperson's~~ permit. This section does not apply to a
14 permittee of any type, a permittee's agent, or employees working or
15 acting on the licensed premises of the permittee.

16 (c) A person who knowingly or intentionally violates this section
17 commits a Class B misdemeanor.

18 SECTION 313. IC 7.1-5-7-13, AS AMENDED BY P.L.270-2017,
19 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 JULY 1, 2024]: Sec. 13. (a) Section 12 of this chapter does not prohibit
21 the following:

22 (1) The employment of a person at least eighteen (18) years of age
23 but less than twenty-one (21) years of age on or about licensed
24 premises where alcoholic beverages are sold, furnished, or given
25 away for consumption either on or off the licensed premises, for
26 a purpose other than:

- 27 (A) selling;
28 (B) furnishing, other than serving;
29 (C) consuming; or
30 (D) otherwise dealing in;

31 alcoholic beverages.

32 (2) A person at least nineteen (19) years of age but less than
33 twenty-one (21) years of age from ringing up a sale of alcoholic
34 beverages in the course of the person's employment.

35 (3) A person who is at least nineteen (19) years of age but less
36 than twenty-one (21) years of age and who has successfully
37 completed an alcohol server training program certified under
38 IC 7.1-3-1.5 from serving alcoholic beverages in a dining area or
39 family room of a restaurant or hotel:

- 40 (A) in the course of a person's employment as a waiter,
41 waitress, or server; and
42 (B) under the supervision of a person who:



- 1 (i) is at least twenty-one (21) years of age;
 2 (ii) is present at the restaurant or hotel; and
 3 (iii) has successfully completed an alcohol server training
 4 program certified under IC 7.1-3-1.5 by the commission.

5 This subdivision does not allow a person at least nineteen (19)
 6 years of age but less than twenty-one (21) years of age to be a
 7 bartender.

8 (4) The employment of a person at least eighteen (18) years of age
 9 but less than twenty-one (21) years of age on or about licensed
 10 premises where alcoholic beverages are sold, furnished, or given
 11 away for consumption either on or off the licensed premises if all
 12 the following apply:

13 (A) The person is employed as an assistant on a delivery truck.

14 (B) The person's duties with respect to alcoholic beverages are
 15 limited to handling alcoholic beverages in connection with the
 16 loading, unloading, stowing, or storing of alcoholic beverages
 17 that are being delivered or picked up.

18 (C) The person does not sell, furnish, or deal in alcoholic
 19 beverages in any manner except as expressly permitted under
 20 clause (B).

21 (D) The person acts under the supervision of a driver holding
 22 a ~~salesman's~~ **salesperson's** permit.

23 (E) The person does not collect money for the delivery or pick
 24 up.

25 (b) This chapter does not prohibit a person less than twenty-one (21)
 26 years of age from being on the premises of a brewery under
 27 IC 7.1-3-2-7(5), a farm winery, including any additional locations of
 28 the farm winery under IC 7.1-3-12-5, or an artisan distillery under
 29 IC 7.1-3-27-5, if the person is:

30 (1) the child, stepchild, grandchild, nephew, or niece of an owner
 31 of the:

32 (A) brewery;

33 (B) farm winery; or

34 (C) artisan distiller; and

35 (2) employed on the premises for a purpose other than:

36 (A) selling;

37 (B) furnishing, other than serving;

38 (C) consuming; or

39 (D) otherwise dealing in;

40 alcoholic beverages.

41 A minor described in this subsection is not required to be accompanied
 42 by a parent, legal guardian or custodian, or family member who is at



1 least twenty-one (21) years of age while on the premises of the brewery
2 or farm winery.

3 SECTION 314. IC 7.1-5-8-6, AS AMENDED BY P.L.167-2023,
4 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2024]: Sec. 6. (a) It is a Class C misdemeanor for a person to
6 knowingly carry liquor into a restaurant or place of public
7 entertainment for the purpose of consuming it, displaying it, or selling,
8 furnishing, or giving it away to another person on the premises, or for
9 the purpose of having it served to ~~himself~~ **the person** or another
10 person, then and there. It is a Class C misdemeanor to knowingly
11 consume liquor brought into a public establishment in violation of this
12 section.

13 (b) This section does not apply to a person at an outdoor place of
14 public entertainment that:

- 15 (1) has an area of at least four (4) acres and not more than six (6)
- 16 acres;
- 17 (2) is located within one (1) mile of the White River;
- 18 (3) is owned and operated by a nonprofit corporation exempt from
- 19 federal income taxation under Section 501(c)(3) of the Internal
- 20 Revenue Code; and
- 21 (4) is used primarily in connection with live music concerts.

22 (c) This section does not apply to a person who carries liquor into
23 a restaurant or place of public entertainment where a qualified
24 organization is conducting:

- 25 (1) an allowable event to which IC 7.1-3-6.1 applies, and the
- 26 liquor brought into the establishment is:
 - 27 (A) in sealed bottles or cases; and
 - 28 (B) donated to or purchased by the qualified organization to be
 - 29 offered as a prize in the allowable event; or
- 30 (2) a charity auction to which IC 7.1-3-6.2 applies, and the liquor
- 31 brought into the establishment is:
 - 32 (A) in sealed bottles or cases; and
 - 33 (B) donated to or purchased by the qualified organization to be
 - 34 offered for sale in the charity auction.

35 (d) This section does not apply to a craft manufacturer (as defined
36 in IC 7.1-3-30-1) at an event held on the licensed premises of a host
37 permittee (as defined in IC 7.1-3-30-1) under a temporary craft
38 manufacturer hospitality permit issued under IC 7.1-3-30.

39 (e) This section does not apply to a person who brings an alcoholic
40 beverage:

- 41 (1) purchased from:
 - 42 (A) a vendor (as defined in IC 7.1-3-31-5); or



- 1 (B) a designated permittee (as defined in IC 7.1-3-31-2); and
 2 (2) into a licensed premises:
 3 (A) of a permittee who may or may not be a designated
 4 permittee (as defined in IC 7.1-3-31-2); and
 5 (B) that is located within a refreshment area designated under
 6 IC 7.1-3-31.
- 7 SECTION 315. IC 7.1-5-11-1.5, AS AMENDED BY P.L.159-2014,
 8 SECTION 87, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2024]: Sec. 1.5. (a) Except as provided in IC 7.1-3-26, it is
 10 unlawful for a person in the business of selling alcoholic beverages in
 11 Indiana or outside Indiana to ship or cause to be shipped an alcoholic
 12 beverage directly to a person in Indiana who does not hold a valid
 13 wholesaler permit under this title. This includes the ordering and
 14 selling of alcoholic beverages over a computer network (as defined by
 15 IC 35-43-2-3(a)).
- 16 (b) An in-state or an out-of-state vintner, distiller, brewer, rectifier,
 17 or importer that:
 18 (1) holds a basic permit from the federal Bureau of Alcohol,
 19 Tobacco, Firearms and Explosives; and
 20 (2) knowingly violates subsection (a);
 21 commits a Class A misdemeanor.
- 22 (c) A person who is not an in-state or an out-of-state vintner,
 23 distiller, brewer, rectifier, or importer that holds a basic permit from the
 24 federal Bureau of Alcohol, Tobacco, Firearms and Explosives who
 25 knowingly violates subsection (a) commits a Level 6 felony.
- 26 (d) Upon a determination by the commission that a person has
 27 violated subsection (a), a wholesaler may not accept a shipment of
 28 alcoholic beverages from the person for a period of up to one (1) year
 29 as determined by the commission.
- 30 (e) If the ~~chairman~~ **chairperson** of the alcohol and tobacco
 31 commission or the attorney general determines that a vintner, distiller,
 32 brewer, rectifier, or importer that holds a basic permit from the federal
 33 Bureau of Alcohol, Tobacco, Firearms and Explosives has made an
 34 illegal shipment of an alcoholic beverage to consumers in Indiana, the
 35 ~~chairman~~ **chairperson** shall:
 36 (1) notify the federal Bureau of Alcohol, Tobacco, Firearms and
 37 Explosives in writing and by certified mail of the official
 38 determination that state law has been violated; and
 39 (2) request the federal bureau to take appropriate action.
- 40 (f) The commission shall adopt rules under IC 4-22-2 to implement
 41 this section.
 42 SECTION 316. IC 7.1-5-11-11, AS AMENDED BY P.L.159-2014,



1 SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2024]: Sec. 11. (a) It is unlawful for a person to transport into
3 this state upon a public highway of this state, an alcoholic beverage
4 from another state, territory, or country, unless the person
5 accompanying, or in charge of the shipment, has present and available
6 for exhibition:

7 (1) a bill of lading; or

8 (2) other evidence of ownership or shipment authorized by a rule
9 adopted by the commission.

10 (b) It is unlawful for a person to refuse to exhibit, or permit to be
11 read or examined, the bill of lading or other evidence of ownership or
12 shipment upon a lawful demand of the ~~chairman~~, **chairperson**, or of a
13 police officer of the state, or of a governmental subdivision of it.

14 (c) A person who knowingly or intentionally violates subsection (a)
15 or (b) commits a Class B misdemeanor.

16 SECTION 317. IC 7.1-5-11-13, AS AMENDED BY P.L.159-2014,
17 SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2024]: Sec. 13. (a) A railroad company, an express company,
19 and a common carrier shall keep in the office at which delivery of an
20 alcoholic beverage to a consignee is made, a separate record in which
21 shall be entered the information required by this title for the shipment
22 of an alcoholic beverage.

23 (b) This record shall be open to the inspection of the ~~chairman~~
24 **chairperson**.

25 (c) An agent, officer, or employee of a railroad company, express
26 company, or common carrier who knowingly or intentionally violates
27 this section commits a Class B misdemeanor.

28 SECTION 318. IC 8-1-1-2, AS AMENDED BY P.L.136-2018,
29 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2024]: Sec. 2. (a) There is created the Indiana utility
31 regulatory commission which shall consist of five (5) members, at least
32 one (1) of whom shall be an attorney qualified to practice law before
33 the supreme court of Indiana and not more than three (3) of whom
34 belong to the same political party.

35 (b) The members of the commission and all vacancies occurring on
36 the commission shall be appointed by the governor from among
37 persons nominated by the nominating committee in accordance with
38 IC 8-1-1.5.

39 (c) The members may be removed at any time by the governor for
40 cause.

41 (d) The governor shall appoint one (1) member as ~~chairman~~
42 **chairperson**.



1 (e) The members of the commission shall be appointed for a term of
2 four (4) years, except when a member is appointed to fill a vacancy, in
3 which case such appointment shall be for such unexpired term only. All
4 members of said commission shall serve as such until their successors
5 are duly appointed and qualified, and while so serving shall devote full
6 time to the duties of the commission and shall not be actively engaged
7 in any other occupation, profession, or business that constitutes a
8 conflict of interest or otherwise interferes with carrying out their duties
9 as commissioners.

10 (f) A member of the commission or any person appointed to any
11 position or employed in any capacity to serve the commission, may not
12 have any official or professional relationship or connection with, or
13 hold any stock or securities or have any pecuniary interest in any public
14 utility operating in Indiana.

15 (g) Each member appointed to the Indiana utility regulatory
16 commission shall take and subscribe to an oath in writing that the
17 member will faithfully perform the duties of the member's office, and
18 support and defend to the best of the member's ability the Constitution
19 and laws of the state of Indiana and of the United States of America,
20 and such oath shall be filed with the secretary of state.

21 (h) The ~~chairman~~ **chairperson** of the commission shall assign cases
22 to the various members of the commission or to administrative law
23 judges for hearings.

24 SECTION 319. IC 8-1-1-3, AS AMENDED BY P.L.136-2018,
25 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2024]: Sec. 3. (a) The members of the commission shall meet
27 and organize the commission. The commission may, subject to the
28 approval of the governor, appoint a secretary of the commission.

29 (b) The salaries of the members and secretary of the commission
30 shall be fixed by the governor, subject to the approval of the budget
31 agency; however, the salaries of the ~~chairman~~ **chairperson** and the
32 members shall not be less than the following annual minimum
33 amounts:

34 (1) For the ~~chairman~~, **chairperson**, sixty-five thousand dollars
35 (\$65,000).

36 (2) For the members, sixty thousand dollars (\$60,000) each.

37 (c) The commission may appoint one (1) or more administrative law
38 judges who shall be responsible to and serve at the will and pleasure of
39 the commission. While serving, the administrative law judges shall
40 devote full time to the duties of the commission and shall not be
41 actively engaged in any other occupation, profession, or business that
42 constitutes a conflict of interest or otherwise interferes with carrying



1 out their duties as administrative law judges. The salary of each
 2 administrative law judge shall be fixed by the commission subject to
 3 the approval of the budget agency but may not be less than the
 4 following annual amounts:

5 (1) For the chief administrative law judge, forty-five thousand
 6 dollars (\$45,000).

7 (2) For all other administrative law judges, forty thousand dollars
 8 (\$40,000).

9 (d) A majority of the commission members shall constitute a
 10 quorum.

11 (e) On order of the commission any one (1) member of the
 12 commission, or an administrative law judge, may conduct a hearing or
 13 an investigation, and take evidence in the hearing or investigation, and
 14 report on the hearing or investigation to the commission for the
 15 commission's consideration and action; however, a hearing concerning
 16 a request for a general increase in the basic rates and charges of a
 17 utility in an amount exceeding twenty million dollars (\$20,000,000)
 18 may only be conducted by one (1) or more commission members.

19 (f) Each member of the commission shall give bond in the sum of
 20 ten thousand dollars (\$10,000) for the faithful performance of the
 21 member's duties. Such bond shall be filed with the secretary of state.

22 (g) The commission shall formulate rules necessary or appropriate
 23 to carry out this chapter, and shall perform the duties imposed by law
 24 upon it.

25 (h) The commission may:

26 (1) employ, with the approval of the governor and the state budget
 27 agency, sufficient professional staff, including specialists,
 28 technicians, and analysts, who are exempt from the job
 29 classifications and compensation schedules established under
 30 IC 4-15; and

31 (2) purchase, lease, or otherwise acquire for the commission's
 32 internal use sufficient technical equipment necessary for the
 33 commission to carry out its statutory duties.

34 SECTION 320. IC 8-1-1-14, AS AMENDED BY P.L.71-2022,
 35 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2024]: Sec. 14. (a) As used in this section, "committee" refers
 37 to the interim study committee on energy, utilities, and
 38 telecommunications established by IC 2-5-1.3-4(8).

39 (b) The ~~chairman~~ **chairperson** of the commission shall prepare an
 40 annual report and file it with the governor and the ~~chairman~~
 41 **chairperson** of the legislative council before October 1 of each year.
 42 The commission shall present the annual report to the committee before



1 October 1 of each year. A report filed under this subsection with the
 2 ~~chairman~~ **chairperson** of the legislative council must be in an
 3 electronic format under IC 5-14-6. The ~~chairman~~ **chairperson** shall
 4 include in the annual report information for the fiscal year ending June
 5 30 of the year in which the report is due.

6 (c) The annual report required under subsection (b) must include the
 7 following:

8 (1) An update on the operations of the commission, including the
 9 following:

10 (A) Statistics relevant to the workload and operations of the
 11 commission.

12 (B) A statement of the commission's revenues by source and
 13 expenditures by purpose.

14 (C) A description of the commission's goals, legal
 15 responsibilities, and accomplishments.

16 (D) Comments on the state of the commission and the various
 17 kinds of utilities that it regulates.

18 (E) Any other matters that the commission wishes to bring to
 19 the attention of the governor and the general assembly.

20 (2) Information concerning changes or emerging trends in the
 21 energy utility industry, and the effects of those changes or trends
 22 on service and on the pricing of all energy utility services under
 23 the jurisdiction of the commission. The information reported
 24 under this subdivision must include the following:

25 (A) The effects of competition or changes in the energy utility
 26 industry, including the impact on customer rates.

27 (B) The status of modernization of the energy utility facilities
 28 in Indiana and the incentives in place to further enhance this
 29 infrastructure.

30 (C) The effects on economic development of the
 31 modernization described in clause (B).

32 (D) Changes in Indiana's electricity generation mix.

33 (E) Any other energy utility matters the commission considers
 34 appropriate.

35 (3) Information concerning changes or emerging trends in the
 36 water and wastewater utility industries, and the effects of those
 37 changes or trends on service and on the pricing of all water and
 38 wastewater utility services under the jurisdiction of the
 39 commission. The information reported under this subdivision
 40 must include the following:

41 (A) The effects of changes in the water and wastewater utility
 42 industries, including the impact on customer rates.



- 1 (B) The status of water and wastewater utility infrastructure in
2 Indiana and the incentives in place to further enhance this
3 infrastructure.
- 4 (C) An update on:
5 (i) acquisitions under IC 8-1-30.3;
6 (ii) consolidations;
7 (iii) regionalization; and
8 (iv) service territory disputes;
9 involving water and wastewater utilities.
- 10 (D) The nature and extent of the jurisdiction of the
11 commission and other state agencies over various types of
12 water and wastewater utilities.
- 13 (E) Any other water or wastewater utility matters the
14 commission considers appropriate.
- 15 (4) Information concerning the communications services industry,
16 including the following:
17 (A) The type and availability of communications service
18 provided to Indiana customers, including the provision of
19 video service (as defined in IC 8-1-34-14).
20 (B) Details on the status of the Indiana universal service fund.
21 (C) The status of eligible telecommunications carriers for
22 purposes of receiving:
23 (i) Lifeline reimbursement from the federal universal service
24 fund;
25 (ii) support to serve rural and high cost areas; and
26 (iii) other monetary support from the federal universal
27 service fund;
28 through the administrator designated by the Federal
29 Communications Commission.
- 30 (D) A summary of the video franchise fee reports submitted
31 under IC 8-1-34-24.5.
- 32 (E) Any other matters concerning the communications services
33 industry the commission considers appropriate.
- 34 (5) Information concerning Indiana's pipeline safety program,
35 including the following:
36 (A) An update on the activities of the commission's pipeline
37 safety division established by IC 8-1-22.5-2.
38 (B) An update on activities under IC 8-1-26.
39 (C) An update on the underground plant protection account
40 established by IC 8-1-26-24.
41 (D) Any other matters concerning pipeline safety the
42 commission considers appropriate.



1 SECTION 321. IC 8-1-1.1-7, AS AMENDED BY P.L.53-2014,
 2 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2024]: Sec. 7. (a) There is created the advisory council to the
 4 office of the utility consumer counselor. The council consists of nine
 5 (9) members. Each Indiana congressional district must be represented
 6 by at least one (1) individual appointed under this section who is a
 7 resident of that congressional district. However, the reduction in
 8 membership of the council from ten (10) members to nine (9) shall be
 9 accomplished as the terms of members end and new members are
 10 appointed. Until the expiration of the term of a member who is serving
 11 on the council on January 1, 2014, and resides in the same
 12 congressional district as another member, the council consists of ten
 13 (10) members.

14 (b) Members of the council, including those filling vacancies
 15 occurring in the council membership, shall be appointed by the
 16 governor. All members shall be appointed to a term of four (4) years,
 17 except those who have been appointed to fill a vacancy in the council
 18 whose term will be the unexpired portion of the term. All members
 19 shall serve until their successor has been duly appointed and qualified.

20 (c) The membership shall be representative of the various sectors of
 21 Indiana economy, including, but not limited to: agriculture, business
 22 and industry, labor, and local government.

23 (d) The members shall annually elect of themselves a ~~chairman~~
 24 **chairperson**.

25 (e) Members are entitled to receive per diem and travel expense
 26 reimbursement at the standard rates provided for state employees for
 27 expenses they incur in the performance of their duties under this
 28 chapter subject to the approval of the consumer counselor.

29 SECTION 322. IC 8-1-1.1-8.1 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8.1. (a) The council
 31 shall meet at the call of the ~~chairman~~ **chairperson** or the consumer
 32 counselor.

33 (b) The council shall receive, review, and advise the consumer
 34 counselor with respect to problems and concerns of ratepayers and
 35 consumers arising from the regulation of utilities, motor carriers, or
 36 railroads in Indiana. The office of consumer counselor shall provide
 37 necessary clerical and staff assistance for the council.

38 SECTION 323. IC 8-1-1.5-3 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) There is
 40 established a nominating committee for the purpose of submitting to
 41 the governor nominations of candidates to fill vacancies on the
 42 commission. The committee consists of seven (7) members, not more



1 than four (4) of whom shall belong to the same political party and none
2 of whom may be a member of the general assembly.

3 (b) The governor shall appoint three (3) members of the nominating
4 committee and designate one (1) as ~~chairman~~ **chairperson**. The
5 speaker of the house of representatives, the president pro tempore of
6 the senate, the minority leader of the senate, and the minority leader of
7 the house of representatives shall each appoint one (1) member of the
8 nominating committee. Each appointment shall be certified to the
9 secretary of state within ten (10) days of the appointment.

10 (c) Each member of the nominating committee shall be appointed
11 for a term of four (4) years.

12 (d) Whenever a vacancy occurs on the nominating committee, the
13 ~~chairman~~ **chairperson** of the committee shall promptly notify the
14 official who appointed the member whose position is vacant. That
15 official shall appoint a new member within sixty (60) days after
16 receiving notice of the vacancy. The term of the member so appointed
17 shall be for the unexpired term of the member whose vacancy ~~he~~ **the**
18 **member** has filled. An appointment to fill a vacancy shall be certified
19 to the secretary of state within ten (10) days of the appointment.

20 (e) After the names of members appointed to the nominating
21 committee have been certified to the secretary of state, the secretary of
22 state shall, by regular mail, notify the members of the committee of
23 their appointment.

24 SECTION 324. IC 8-1-1.5-5 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) When a vacancy
26 occurs on the commission, the governor shall promptly notify the
27 ~~chairman~~ **chairperson** of the nominating committee of the vacancy.
28 The ~~chairman~~ **chairperson** shall call a meeting of the committee within
29 ten (10) days after the notice. The nominating committee shall submit
30 its nominations of three (3) candidates for each vacancy and certify
31 them to the governor no later than forty (40) days from the time the
32 vacancy occurs. When it is known that a vacancy will occur at a
33 definite future date, but the vacancy has not yet occurred, the governor
34 shall notify the nominating committee immediately thereof, and the
35 committee may, within sixty (60) days of the notice of the vacancy,
36 make its nominations and submit to the governor the names of three (3)
37 persons nominated for the forthcoming vacancy.

38 (b) The governor may appoint to the commission one (1) of the three
39 (3) persons nominated by the nominating committee for a vacancy, or
40 the governor may reject all of such nominees. If the governor rejects all
41 of such nominees, ~~he~~ **the governor** shall so notify the ~~chairman~~
42 **chairperson** of the nominating committee, and the committee shall



1 certify the nominations of three (3) additional candidates to the
 2 governor not later than forty (40) days after receipt of such notice. The
 3 governor shall fill the vacancy on the commission from one (1) of such
 4 additional nominees.

5 SECTION 325. IC 8-1-1.5-7 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) The nominating
 7 committee shall meet from time to time as may be necessary to
 8 discharge its responsibilities under this chapter. Meetings of the
 9 committee shall be called by its ~~chairman~~, **chairperson**, or in the event
 10 of ~~his~~ **the chairperson's** failure to call a meeting when a meeting may
 11 be necessary, upon the call of any four (4) members of the committee.
 12 The ~~chairman~~, **chairperson**, whenever ~~he~~ **the chairperson** deems a
 13 meeting necessary or upon the request of any four (4) members of the
 14 committee for a meeting, shall give each member of the committee at
 15 least five (5) days written notice by mail of the time and place of every
 16 meeting, unless the committee at its previous meeting designated the
 17 time and place of its next meeting.

18 (b) Meetings of the nominating committee are to be held at such a
 19 place in Indiana as the ~~chairman~~ **chairperson** of the committee may
 20 arrange.

21 (c) The nominating committee shall act only at a meeting and may
 22 act only on the concurrence of a majority of its members attending a
 23 meeting. Four (4) members shall constitute a quorum. The committee
 24 has the power to adopt rules under IC 4-22-2 for the conduct of its
 25 proceedings and the discharge of its duties. These rules shall include
 26 procedures by which eligible candidates for a vacancy on the
 27 commission may submit their names to the nominating committee.

28 SECTION 326. IC 8-1-2-63 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 63. Each witness who
 30 shall appear before the commission or its agent by its order, shall
 31 receive for ~~his~~ **the witness's** attendance the fees and mileage now
 32 provided for witnesses in civil cases in courts of record which shall be
 33 audited and paid by the state, in the same manner as other expenses are
 34 audited and paid, upon the presentation of proper vouchers sworn to by
 35 such witnesses and approved by the ~~chairman~~ **chairperson** of the
 36 commission. No witnesses subpoenaed at the instance of parties other
 37 than the commission shall be entitled to compensation from the state
 38 for attendance or travel unless the commission shall certify that ~~his~~ **the**
 39 **witness's** testimony was material to the matter investigated; Provided,
 40 That the commission shall have power to pass upon, approve and limit
 41 the expenditures of a public utility in connection with a rate case which
 42 are to be charged against the rate base and to be amortized over a



1 period of years as determined by the commission; it being the intent
 2 and purpose to prevent excessive expenditures by the utilities for expert
 3 witnesses, legal and stenographic expenses in rate hearings and
 4 appraisals.

5 SECTION 327. IC 8-1-2.2-8, AS AMENDED BY P.L.136-2018,
 6 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2024]: Sec. 8. (a) The governing bodies of two (2) or more
 8 municipalities may, by resolution or ordinance, determine that it is in
 9 their best interests to create a joint agency, for the purpose of
 10 undertaking the planning, financing, ownership, and operation of a
 11 project or projects to supply electric power and energy for their present
 12 or future needs. Any joint agency created under this chapter shall be a
 13 body corporate and politic and a political subdivision of the state, and
 14 in exercising its powers under this chapter, it shall be deemed to be
 15 exercising a part of the sovereign powers of the state. The activities of
 16 the joint agency in carrying out the purposes of this chapter shall
 17 constitute state action. A joint agency created under this chapter is
 18 considered a governmental entity for purposes of IC 34-13-3.

19 (b) In determining whether or not the creation of a joint agency is in
 20 their best interests, the governing bodies shall consider the following:

21 (1) Whether cost reduction, efficiencies, or other advantages may
 22 be realized by creating a joint agency.

23 (2) Whether better financial market acceptance may result if a
 24 joint agency is responsible for issuing all of the bonds for the
 25 project or projects in a timely and orderly manner and with
 26 uniform credit ratings as opposed to multiple municipalities
 27 making separate issues of bonds.

28 If each governing body determines that it is in the best interests of the
 29 municipality to create a joint agency, each governing body shall adopt
 30 a mutually acceptable resolution or ordinance so finding (which need
 31 not prescribe in detail the basis for the determination), which shall set
 32 forth the names of the municipalities proposed to be members of the
 33 joint agency and shall authorize any two (2) or more of such
 34 municipalities to enter into a contract for the creation of the joint
 35 agency. After the execution of the contract, each municipality shall
 36 cause notice of the execution of the contract to be given to the
 37 presiding officer of the governing body of the municipality. The
 38 governing body shall thereupon appoint in writing one (1)
 39 commissioner of the joint agency.

40 (c) The appointed commissioners shall convene and issue a
 41 statement containing:

42 (1) a brief description of the resolution creating the joint agency;



- 1 (2) the name of the agency;
 2 (3) the participating municipalities; and
 3 (4) the names and addresses of the appointed commissioners.

4 The commissioners shall file copies of the statement with the
 5 commission, the secretary of state, and with the recorder of each county
 6 in which the member municipal utilities provide service.

7 (d) The joint agency shall consist of a board of commissioners. The
 8 governing body of each municipality shall appoint one (1)
 9 commissioner who may be an officer or employee of the municipality
 10 or a member or employee of the board described in IC 8-1.5-3-3(a).
 11 The appointment of a commissioner shall be made by resolution or
 12 ordinance. Each commissioner shall have not less than one (1) vote and
 13 may have such number of additional votes as a majority of the
 14 members of the joint agency shall determine. Each commissioner shall
 15 serve at the pleasure of the governing body by which the commissioner
 16 was appointed. A person may not serve as a commissioner on behalf of
 17 more than one (1) municipality at the same time. Each appointed
 18 commissioner before entering upon the commissioner's duties shall
 19 take and subscribe to an oath before a person authorized by law to
 20 administer oaths to execute the duties of the commissioner's office
 21 faithfully and impartially, and a record of the oath shall be filed with
 22 the governing body of the appointing municipality and entered in its
 23 minutes.

24 (e) The board of commissioners of the joint agency shall annually
 25 elect, from among its membership, a ~~chairman~~ **chairperson** and a vice
 26 ~~chairman~~ **chairperson**. It shall also annually elect another person or
 27 persons, who may be commissioners, as treasurer and secretary. It may
 28 also annually elect, if desired, one (1) or more assistant secretaries. The
 29 office of treasurer may be held by the secretary or an assistant
 30 secretary. The board of commissioners may also appoint additional
 31 officers. The secretary or assistant secretary of the joint agency shall
 32 keep a record of its proceedings, and the secretary shall be the
 33 custodian of all records, books, documents, and papers filed with the
 34 joint agency, the minute book or journal of the joint agency, and its
 35 official seal. Either the secretary or an assistant secretary of the joint
 36 agency may cause copies to be made of all minutes and other records
 37 and documents of the joint agency and may give certificates under the
 38 official seal of the joint agency to the effect that such copies are true
 39 copies, and all persons dealing with the joint agency may rely upon
 40 such certificates.

41 (f) A majority of the commissioners of a joint agency constitute a
 42 quorum. A vacancy in the board of commissioners of the joint agency



1 shall not impair the right of a quorum to exercise all the rights and
 2 perform all the duties of the joint agency. Any action taken by the joint
 3 agency under this chapter may be authorized by resolution at any
 4 regular or special meeting, and each resolution takes effect
 5 immediately and need not be published or posted. A contract that is
 6 approved by a resolution of the board of commissioners may provide
 7 that an action may be taken under a delegation provision in the contract
 8 if the action taken is consistent with prudent utility practice. A majority
 9 of the votes which the convened commissioners are entitled to cast
 10 shall be sufficient to take any action or to pass any resolution, so long
 11 as the convened commissioners are entitled to cast a majority of the
 12 total number of votes held by the full board.

13 (g) Except as provided in this subsection, no commissioner of a joint
 14 agency may receive from the joint agency any compensation for the
 15 performance of the commissioner's duties under this chapter. However,
 16 each commissioner may be paid the commissioner's necessary expenses
 17 incurred while engaged in the performance of the commissioner's
 18 duties. In addition, a municipality may pay the commissioner it
 19 appoints up to fifteen dollars (\$15) per day for each day or fraction of
 20 a day the commissioner is engaged in the performance of duties under
 21 this chapter, but only if the commissioner is not a person holding a
 22 lucrative office.

23 (h) The board of commissioners of the joint agency may create an
 24 executive committee of the board of commissioners. The board may
 25 provide for the composition of the executive committee. The executive
 26 committee shall have and shall exercise such of the powers and
 27 authority of the board of commissioners during the intervals between
 28 the board's meetings as shall be prescribed in the bylaws of the joint
 29 agency. The terms of office of the members of the executive committee
 30 and the method of filling vacancies on the executive committee shall
 31 be fixed by the bylaws of the joint agency.

32 (i) Additional municipalities may join a joint agency upon such
 33 terms and conditions as shall be provided in the contract for the
 34 creation of the joint agency.

35 SECTION 328. IC 8-1-11.1-3 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) The board of
 37 directors for utilities shall have, within and outside such city as
 38 provided in this chapter, the exclusive government, management,
 39 regulation, and control of all public utilities consisting of any
 40 waterworks, gasworks, electric light works, heating and power plants
 41 of any kind or character, telephone and other systems of
 42 communication, and local transportation systems of any kind operated



1 upon, above, or below any street or territory within the city, or outside
2 the city within the limits authorized by law, and all property held by
3 and relating or belonging thereto. Any of which public utilities any
4 such city may acquire or construct for the service of the public as
5 consumers, users, or patrons, and including any public utility and all
6 property which such city may hold as trustee for the benefit of the
7 inhabitants of such city. Such board of directors may furnish and sell
8 service and products of and make all necessary construction,
9 reconstruction, repairs, renewals, enlargements, extensions, or
10 additions to any such plant or property of any such public utility so
11 owned or at any time so held in trust, which in the judgment of the
12 board of directors is desirable or necessary for the proper conduct of
13 such business and the proper serving of the inhabitants of the city and
14 adjacent, contiguous, or suburban communities or territory within the
15 county wherein such city is situated and served, or reasonably capable
16 of being served, in any manner by or with respect to any such utility.

17 (b) The board of directors may lease any such utility property for a
18 term not exceeding thirty-five (35) years to any person, partnership,
19 limited liability company, or corporation, and without the approval of
20 the commission, such lease to be upon such terms and conditions as the
21 board may deem to be to the best interest of such city and the city's
22 inhabitants. No such lease shall be valid or effective until it has been
23 approved by the board of trustees and duly ratified and approved by an
24 ordinance of the city. The board and the city-county legislative body
25 must each vote such approval by a two-thirds (2/3) vote of their total
26 membership. In any such lease an option may be given to such lessee
27 to extend the same for a period not to exceed ten (10) additional years.

28 (c) In connection with the duties devolving upon such board of
29 directors in the government, management, regulation, control, and
30 operation of all such utilities, it may act as follows:

31 (1) To condemn, appropriate, lease, rent, purchase, and hold any
32 real estate, rights-of-way, materials, or personal property within
33 such city or within five (5) miles of the corporate limits of the city
34 needed for the proper giving of service by any such utility to the
35 inhabitants of the city and the community contiguous thereto and
36 served from any such utility plant.

37 (2) To design, order, contract for, and construct any and all
38 necessary or desirable extensions of or additions to any utility
39 plant and property owned or so held in trust by the city, and to
40 enter into all necessary contracts with reference thereto, and with
41 reference to the purchase of materials and supplies needed for the
42 operation of any such plant or plants, in accordance with such



1 rules as may be adopted by such board of directors, and without
2 the necessity of advertising for bids, or without such other
3 restrictions as are imposed by any law of Indiana with reference
4 to the letting of contracts for work, material, or supplies by
5 municipal bodies or other governmental agencies.

6 (3) To sell any products or byproducts, and enter into executory
7 contracts for the sale, to anyone whatsoever and without any
8 restriction concerning the taking of bids therefor or otherwise.

9 (4) To operate any such plant or plants, to receive and collect all
10 money due on account of such operation or otherwise relating to
11 such plant or plants or business and in connection therewith to
12 employ such managers, superintendents, assistant managers,
13 assistant superintendents, engineers, attorneys, auditors, clerks,
14 ~~foremen~~, **supervisors**, and other employees necessary for the
15 proper carrying on and operation of any such utility plant or plants
16 and the business and to fix the compensation of all such
17 employees. No contract of employment shall be made for a longer
18 fixed period than four (4) years. However, a contract of
19 employment may be extended or renewed from time to time
20 thereafter. The directors may elect from their membership an
21 executive committee consisting of not more than three (3), who
22 may be assigned to the supervision of any one (1) or more of such
23 utilities and who shall, in the intervals between the meetings of
24 the directors, exercise all the powers and duties of the directors,
25 all of their acts to be subject, however, to the approval of the
26 directors, and to fix any such additional compensation to the
27 members of the executive committee, in addition to their salaries
28 as directors, as shall be reasonable. The additional compensation
29 shall be fixed by a resolution of the directors entered of record at
30 the time of the appointment of the executive committee.
31 Whenever any such city shall acquire, hold, own, or so hold in
32 trust for the city's inhabitants more than one (1) such public utility
33 and the property of the city, such board of directors shall have
34 power to select additional executive committees from their
35 membership in the same manner and with the same power as the
36 executive committee first selected, which committee may be
37 assigned by such board to any such utilities deemed necessary. In
38 the selection of employees, other than managers, superintendents,
39 assistant managers, assistant superintendents, engineers,
40 attorneys, and auditors, the board of directors shall provide for a
41 merit system of employment to be determined by competitive
42 examination, except as to unskilled and common laborers, in



1 which political, religious, or other personal affiliations may not be
2 considered. In selecting managers the directors shall consider
3 character, training, and general expert and executive fitness and
4 experience for the position in the particular utility to which such
5 manager is to be assigned, as the necessary requirements for
6 appointment.

7 (5) To rent such offices and other real estate and property for the
8 conduct of the business of such utility or utilities as may be
9 deemed needful and enter into contracts with reference to the
10 rental and use of the offices, real estate, and property. No such
11 contract shall be made for a longer period than ten (10) years.

12 (6) In the event there be an open mortgage upon any utility
13 property acquired by any such city, either in absolute ownership
14 or in trust, by the terms of which mortgage additional bonds may
15 be taken down from the trustee under such mortgage to meet in
16 whole or in part the cost of extensions and improvements to the
17 mortgaged property, the board of directors may perform all things
18 necessary in order to secure the benefit of such mortgage
19 provisions and to enable the escrow bonds held by the trustee
20 under any such mortgage to be taken down and sold in order to
21 defray the cost of any extensions and betterments to such property
22 and to sell any such bonds so taken down for the purpose of
23 assisting in defraying the costs of any such extensions or
24 betterments to such property.

25 (7) To take over, adopt, and assume the performance of the
26 provisions of any lease under which any utility property may be
27 held at the time of the acquisition of any utility by any such city,
28 either in absolute ownership or in trust and to take any and all
29 steps necessary to perform and fulfill the terms of any such lease,
30 and to obtain and preserve the benefits from the lease. In the
31 event there be any outstanding open mortgage upon the property
32 covered by such lease so taken over under the provisions of which
33 bonds may be withdrawn from the trustee under such mortgage
34 for the purpose of paying all or part of the cost of additions to the
35 property covered by such mortgage, to do all things necessary in
36 order to secure the benefit of such mortgage provisions and to
37 enable the escrow bonds held by the trustee under any such
38 mortgage to be taken down and sold in order to defray the cost of
39 any extensions and betterments to such leased property and to sell
40 any such bonds so taken down for the purpose of assisting in
41 defraying the costs of any such extensions or betterments to such
42 leased property.



- 1 (8) To preserve the corporate organization of any company
2 engaged in the mining of coal, or any other commercial or
3 manufacturing business, the stock of which may be owned by any
4 utility whose property and assets may be taken over by any such
5 city, either in absolute ownership or in trust and in connection
6 with the taking of the property by the city to cause the stock of
7 any such company to be issued in the name of the board of
8 directors for utilities except as to qualifying shares for directors
9 and to cause such qualifying shares to be issued in the names of
10 such individuals as the board of directors may name and to vote
11 any such stock for the election of directors, who may be members
12 of such board of trustees for utilities. However, no member of
13 such board of directors shall receive any compensation, directly
14 or indirectly, as a director, officer, or employee of any such
15 company, other than the compensation provided in this chapter as
16 a member of the board of directors for utilities. Through the
17 control thus given of any company, the board of directors for
18 utilities shall be authorized to do all things necessary to cause any
19 such coal mining company or other company efficiently to carry
20 on its operations and to conduct its business in the same manner
21 as if its stocks were owned by private individuals.
- 22 (9) To adopt rules for service and rates for service in connection
23 with the furnishing of any public utility service by the city to
24 consumers, users, or patrons. However, any such rules and rates
25 for service shall be in effect only after the rules and rates have
26 been filed with and approved by the commission and such
27 approval shall be granted by the commission only after notice of
28 hearing and hearing as provided by IC 8-1-1 and IC 8-1-2, and
29 only after determining compliance of the rates of service with
30 IC 8-1.5-3-8 and IC 8-1.5-3-10 and only after determining
31 compliance of the rules of service with IC 8-1-1 and IC 8-1-2,
32 along with the rules and standards of service for municipal
33 utilities of Indiana approved by the commission.
- 34 (10) To take over all contracts and rights of any kind or character,
35 and to fulfill and perform all obligations relating to the property
36 and business of any utility company whose property may be taken
37 over by any such city, either in absolute ownership or in trust.
- 38 (11) To make all rules and bylaws customary in private
39 corporations for their own conduct of business and necessary for
40 the proper government and supervision of the utilities under their
41 control. Any such rules and bylaws shall be subject to the
42 approval of the board of trustees.



1 SECTION 329. IC 8-1-15-3 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. Any person feeling
 3 ~~himself~~ aggrieved by the proposed vacation or relocation may file a
 4 written remonstrance with the court at any time prior to the time set
 5 forth for hearing upon any one or more of the following grounds and no
 6 other to wit:

- 7 ~~(a)~~ (1) That the highway or portion thereof proposed to be vacated
 8 or relocated is necessary to the growth of the county or counties
 9 in which it is located.
- 10 ~~(b)~~ (2) That the proposed vacation or relocation will leave the real
 11 estate of the remonstrant without means of ingress or egress by a
 12 public highway.
- 13 ~~(c)~~ (3) That such vacation or relocation will deny the public
 14 access to some public building, church or school or public
 15 grounds.
- 16 ~~(d)~~ (4) That the material allegations of the petition or any of them
 17 are not true.

18 SECTION 330. IC 8-1.5-3-3, AS AMENDED BY P.L.164-2019,
 19 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2024]: Sec. 3. (a) The legislative body of a municipality may,
 21 by ordinance, provide for the control of any or all of its municipally
 22 owned utilities by:

- 23 (1) the municipal works board;
- 24 (2) a board consisting of the members of the municipal legislative
 25 body;
- 26 (3) a utility service board established under subsection (f) or
 27 established before January 1, 1983, under IC 8-1-2-100
 28 (repealed); or
- 29 (4) the board of directors of a department of waterworks
 30 established under IC 8-1.5-4.

31 The legislative body of a third class city also may adopt an ordinance
 32 under this subsection to provide for the control of any or all of its storm
 33 water facilities by a board described in subdivisions (1) through (4). An
 34 ordinance granting control of any or all of a third class city's storm
 35 water facilities to a board described in this subsection may be separate
 36 from or combined with an ordinance granting control of the third class
 37 city's municipally owned utilities to a board described in this
 38 subsection.

39 (b) If, at the time an ordinance is adopted under subsection (a) to
 40 grant control of any or all of a third class city's storm water facilities to
 41 a board described in subsection (a) the third class city has a department
 42 of storm water management under IC 8-1.5-5, the ordinance must



1 specify a procedure for the transition of control of the affected storm
2 water facilities from the board of directors of the department of storm
3 water management to the board described in subsection (a).

4 (c) The registered voters of a municipality may file a petition
5 addressed to the legislative body requesting that the question of the
6 creation of a utility service board be submitted to a referendum. The
7 petition must be signed by at least the number of the registered voters
8 of the municipality required under IC 3-8-6-3 to place a candidate on
9 the ballot.

10 (d) Within thirty (30) days after a petition is filed, the municipal
11 clerk shall certify to the legislative body and to the county election
12 board that a sufficient petition has been filed.

13 (e) Following certification, the legislative body shall submit the
14 question of the creation of a utility service board to a referendum at the
15 next election. The question shall be submitted to the registered voters
16 of the municipality by placement on the ballot in the form prescribed
17 by IC 3-10-9-4 and must state:

18 "Shall the legislative body of the municipality of _____
19 adopt an ordinance providing for the appointment of a utility service
20 board to operate _____ (Insert name of utility here)?"

21 (f) If a majority of the voters voting on the question vote for the
22 creation of a utility service board, the legislative body shall, by
23 ordinance, establish a utility service board consisting of not less than
24 three (3) nor more than seven (7) members. All members must be
25 residents of the area served by the board. The ordinance must provide
26 for:

27 (1) a majority of the members to be appointed by the executive
28 and a minority of the members to be appointed by the legislative
29 body;

30 (2) the terms of the members, which may not exceed four (4)
31 years, with initial terms prescribed so that the members' terms will
32 be staggered;

33 (3) the salaries, if any, to be paid to the members; and

34 (4) the selection by the board of a ~~chairman~~, **chairperson**, who
35 shall not be considered the head of a department for purposes of
36 IC 36-4-9-2.

37 (g) The registered voters of the municipality may also file a petition
38 requesting that the question of the abolition of the utility service board
39 be submitted to a referendum. The procedure for filing of the petition
40 and the referendum is the same as that prescribed by subsections (c)
41 through (e).

42 SECTION 331. IC 8-3-7-2 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. In case any railroad
 2 company shall refuse or neglect to comply with the requirements
 3 specified in section 1 of this chapter, such company shall be liable in
 4 a penalty of twenty-five dollars (\$25), to be prosecuted for in an action
 5 of debt by any person feeling ~~himself~~ aggrieved. Said suit may be
 6 brought before any court in the county, who shall require of the
 7 complainant surety to pay costs in case ~~he~~ **the complainant** fails to
 8 maintain ~~his~~ **the** action. Summons may be served on any agent or
 9 officer of the company.

10 SECTION 332. IC 8-3-17-1 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. Upon the application
 12 in writing of a company owning, leasing, using, or operating a railroad
 13 in Indiana accompanied by the statements of three (3) reputable Indiana
 14 citizens testifying to the moral character of the applicant, the Indiana
 15 department of transportation shall appoint and commission persons the
 16 company designates and the department finds to be suitable and
 17 qualified persons, to act as ~~policemen~~ **police officers** for the company,
 18 upon the premises of the company, or elsewhere within Indiana, when
 19 engaged in the discharge of their duties as ~~policemen~~ **police officers**
 20 for that company. Every ~~policeman~~ **police officer** appointed shall be
 21 known as a railroad ~~policeman~~ **police officer** and shall be a person of
 22 good moral character. The ~~policeman~~ **police officer** shall be
 23 commissioned so long as the ~~policeman~~ **police officer** is employed by
 24 the company on whose application the ~~policeman~~ **police officer** was
 25 appointed, unless the ~~policeman's~~ **police officer's** commission is
 26 sooner revoked by the Indiana department of transportation for good
 27 cause shown, or by the company on whose application the railroad
 28 ~~policeman~~ **police officer** was appointed, as provided in section 8 of this
 29 chapter.

30 SECTION 333. IC 8-3-17-2 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) Every ~~policeman~~
 32 **police officer** appointed under this chapter shall, before entering upon
 33 the duties of office, take and subscribe an oath of office, which shall be
 34 endorsed upon the officer's commission, and the commission, with the
 35 oath, shall be recorded in the office of the clerk of the circuit court of
 36 the county in which the ~~policeman~~ **police officer** resides. Every
 37 ~~policeman~~ **police officer** who is appointed and commissioned as
 38 provided in this chapter shall have, exercise, and possess, throughout
 39 Indiana, while engaged in the discharge of the **police officer's** duties as
 40 a ~~policeman,~~ **police officer,** the powers of sheriffs, marshals,
 41 constables, and municipal police officers, except in the service of civil
 42 process.



1 (b) A ~~police officer~~ **police officer** who is appointed and commissioned
 2 under this chapter must wear a distinctive uniform and a badge of
 3 authority or must operate a motor vehicle that is clearly marked as a
 4 police vehicle when exercising the officer's authority to arrest or issue
 5 a traffic information and summons to a person for the violation of a law
 6 or ordinance regulating the use and operation of a motor vehicle on a
 7 public highway.

8 SECTION 334. IC 8-3-17-3 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. Such ~~police officers~~
 10 **police officers** shall enforce and compel obedience to the laws of this
 11 state and to the ordinances of the cities and towns thereof, when
 12 engaged in the discharge of their duties as ~~police officers~~ **police officers**
 13 for such company, and the keepers of jails, lock-ups and station-houses,
 14 in any county, city or town shall receive all persons arrested by such
 15 ~~police officers~~ **police officers** for the commission of any offense against
 16 the laws of this state, or the ordinances of any such city or town, to be
 17 dealt with according to law, and persons so arrested shall be received
 18 by such keepers of jails, lock-ups or station-houses, on the same basis,
 19 and such persons shall have the same status as prisoners arrested by
 20 any other peace officer of the state of Indiana.

21 SECTION 335. IC 8-3-17-3.5 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3.5. (a) All railroad
 23 police commissioned under this chapter shall, within one (1) year of
 24 their commissioning, successfully complete all educational and training
 25 requirements established by rule of the Indiana department of
 26 transportation.

27 (b) Any newly commissioned railroad ~~police officer~~ **police officer** who
 28 has had previous law enforcement experience and schooling which
 29 exceeds the training requirements established by the Indiana
 30 department of transportation may, upon proof of the ~~police officer's~~ **police**
 31 **officer's** previous experience and training, obtain a waiver of the
 32 training requirements imposed by this section.

33 SECTION 336. IC 8-3-17-4 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. Every ~~police officer~~
 35 **police officer** so appointed and commissioned shall, when on duty, as
 36 herein provided, wear a metallic badge, with the word "Police" and the
 37 name of the railroad company for which ~~he~~ **the police officer** is
 38 appointed, inscribed thereon, and ~~he~~ **the police officer** shall exhibit
 39 such badge, on demand, and before making an arrest.

40 SECTION 337. IC 8-3-17-5 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. The compensation
 42 for such ~~police officers~~ **police officers** shall be paid by the company for



1 which they are respectively appointed.

2 SECTION 338. IC 8-3-17-6 IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. Every ~~police officer~~
 4 ~~police officer~~ appointed and commissioned shall, before entering upon
 5 the discharge of the ~~police officer's~~ ~~police officer's~~ duties, give a surety
 6 bond of five thousand dollars (\$5,000), conditioned upon the faithful
 7 performance of the ~~police officer's~~ ~~police officer's~~ duties. All the bonds
 8 shall be filed with and approved by the Indiana department of
 9 transportation, and, upon filing the bond, the ~~police officer~~ ~~police officer~~
 10 shall pay to the department ten dollars (\$10).

11 SECTION 339. IC 8-3-17-7 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. Upon the issuance
 13 of a commission to any ~~police officer~~, ~~police officer~~, as provided for in
 14 this chapter, the Indiana department of transportation shall also issue
 15 to that ~~police officer~~ ~~police officer~~ a certificate certifying that the
 16 commission has been issued, giving the name of the ~~police officer~~ ~~police~~
 17 ~~officer~~ commissioned, the name of the railroad company that
 18 ~~police officer~~ ~~police officer~~ represents, and designating the date on which
 19 the commission was issued. The certificates shall be of the form, size,
 20 and description as the department may determine.

21 SECTION 340. IC 8-3-17-8 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. When a company no
 23 longer requires the services of a ~~police officer~~, ~~police officer~~, it shall file
 24 a notice to that effect, under its corporate seal, with the clerk of the
 25 circuit court of the county where the commission of that ~~police officer~~
 26 ~~police officer~~ is recorded, which shall be noted by the clerk of the
 27 circuit court upon the margin of the record where the commission is
 28 recorded. The company shall also file notice with the Indiana
 29 department of transportation. Thereupon, the powers of that ~~police officer~~
 30 ~~police officer~~ terminate.

31 SECTION 341. IC 8-4-1-19, AS AMENDED BY P.L.146-2017,
 32 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2024]: Sec. 19. At any time after an attempt to acquire title by
 34 appraisal of damages or otherwise, if it shall be found that the title
 35 thereby attempted to be acquired is defective, the rail carrier may
 36 proceed anew to acquire or perfect the same in the same manner as if
 37 no appraisal had been made. At any stage of such new proceedings, the
 38 court may authorize the rail carrier, if in possession, to continue in
 39 possession, and, if not in possession, to take possession of and use such
 40 real estate during the pendency and until the final conclusion of such
 41 new proceedings; and may stay all actions and proceedings against the
 42 rail carrier, or any officer, agent or ~~workman~~ ~~worker~~ of the rail carrier,



1 on account thereof, on the rail carrier paying into court a sufficient
 2 sum, as the court may direct to pay the compensation therefor when
 3 finally ascertained; and in every such case, the party interested in such
 4 real estate may conduct the proceedings to a conclusion, if the rail
 5 carrier delays or omits to prosecute the same.

6 SECTION 342. IC 8-4-1-24 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 24. Every conductor,
 8 baggagemaster, engineer, ~~brakeman~~, **brake person**, or other servant of
 9 any such railroad corporation, employed on a passenger train or at
 10 stations for passengers, shall wear upon ~~his~~ **the person's** hat or cap a
 11 badge, which shall indicate ~~his~~ **the person's** office and the initialed
 12 letters of the style of the corporation by which ~~he~~ **the person** is
 13 employed. No collector or conductor, without such badge, shall
 14 demand or be entitled to receive from any passenger any fare, toll or
 15 ticket, or exercise any of the powers of ~~his~~ **the person's** office; and no
 16 other of said officers or servants, without such badge, shall have any
 17 authority to meddle or interfere with any passenger or property.

18 SECTION 343. IC 8-6-5-1 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. All railroads owned
 20 or operated in the state having more than two (2) tracks across any
 21 public highway or road, and used for switching purposes exclusively
 22 or regularly, or if only one (1) track and used for switching purposes,
 23 said railroad corporation shall, upon the order of the county
 24 commissioners in which said railroad is located, place a ~~flagman~~
 25 **flagger** at said crossing and maintain the same at their expense from
 26 six o'clock a.m. to eight o'clock p.m. of each day and every day, or so
 27 long as said commissioners deem it necessary.

28 SECTION 344. IC 8-6-14-2 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. When such railroad
 30 is fenced on one (1) or both sides at the point where such way is
 31 constructed, such owner shall erect and maintain substantial gates in
 32 the line of such fence or fences across such way, and keep the same
 33 securely locked when not in use by ~~himself~~ **the owner** or **the owner's**
 34 employees.

35 SECTION 345. IC 8-8-3-1 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. In addition to the
 37 powers granted the Indiana department of transportation in other
 38 statutes, the department shall investigate whether or not locomotive
 39 engines are constructed and built so that the engineer and ~~fireman~~
 40 **stoker** employed and working thereon and operating the locomotive
 41 engine are, at all times when operating the locomotive engine, in plain
 42 view and sight of each other and so situated and located in the



1 performance of their duties that when so at work, engaged in operating
 2 and running the locomotive engines, there are no walls, partitions,
 3 machinery, parts, or appliances of the engine or other obstructions to
 4 prevent the **fireman stoker** and engineer from readily, quickly, and
 5 easily seeing and communicating with each other.

6 SECTION 346. IC 8-8-3-3 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. The Indiana
 8 department of transportation may require locomotive engines to be so
 9 constructed that the engineer and **fireman's stoker's** view ahead from
 10 the front cab windows is clear and unobstructed by any part of the
 11 engine, equipment, or appliances used or operated, and constructed that
 12 the cab deck shall be of the same height, and shall give the **fireman**
 13 **stoker** and engineer operating the locomotive engine an even surface
 14 to stand and work upon, and constructed that the switch engines have
 15 the tank and tender built so that the engineer and **fireman stoker**
 16 operating and controlling the locomotive engine can have a clear view
 17 along the track, both front and rear, without the view being obstructed
 18 by part of the engine, tank, or tender.

19 SECTION 347. IC 8-9-5-1 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. A person who
 21 operates a locomotive engine, upon any railroad in Indiana more than
 22 twenty-five (25) miles in length, without having worked or served for
 23 the preceding six (6) months as a **fireman stoker** or engineer on a
 24 locomotive engine, commits a Class C infraction. Each day ~~he~~ **the**
 25 **person** so operates such an engine constitutes a separate offense. A
 26 person who for part of the six (6) months has worked or served as a
 27 **fireman stoker** on a locomotive engine and for the remainder of the
 28 period has worked or served as an engineer on such a locomotive
 29 engine is considered to have the qualifications required by this chapter
 30 to operate a locomotive engine.

31 SECTION 348. IC 8-9-5-2 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. If any person shall
 33 act or serve as a conductor on a railroad train upon any railroad in the
 34 state of Indiana which is more than twenty-five (25) miles in length
 35 without, for one (1) year prior thereto, having worked or served as a
 36 **brakeman brake person** or conductor on a railroad train, ~~he~~ **the person**
 37 commits a Class C infraction, and each day ~~he~~ **the person** so acts or
 38 serves shall constitute a separate offense: Provided, That any person
 39 who for part of said period of one (1) year has worked or served as a
 40 **brakeman brake person** on a railroad train and for the remainder of
 41 such period has worked or served as a conductor on such a train shall
 42 be deemed to possess the qualifications required by this chapter to



1 serve or act as such a conductor.

2 SECTION 349. IC 8-9-5-5 IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. Nothing in this
 4 chapter shall be construed as applying to the running or operating of
 5 engines in taking engines to or from trains at division terminals by
 6 engine hostlers, or the shifting of cars or making up trains, or doing any
 7 work appurtenant thereto to any engine-houses, train or freight yards
 8 by ~~switchman~~ **switch person** or ~~yardman~~, **yard person**, or in the case
 9 of the disability of a qualified engineer or conductor while out on the
 10 road between division terminals, or in case of strike, where such
 11 companies can not obtain employees mentioned in this chapter who
 12 have the qualifications prescribed by the provisions thereof, than such
 13 companies may employ temporary ~~firemen~~, **stokers**, engineers and
 14 conductors who have not the qualifications prescribed by this chapter,
 15 but no such employment shall continue longer than such companies can
 16 supply their respective places with employees who have the
 17 qualifications prescribed by this chapter. And, provided further, That
 18 nothing herein contained shall relieve any such companies from the
 19 negligence of any of its employees.

20 SECTION 350. IC 8-9-6-1 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. It is a Class C
 22 infraction for a railroad company to allow any person to fill the position
 23 of an engineer, ~~fireman~~, **stoker**, conductor, baggagemaster, ~~brakeman~~,
 24 **brake person**, or ~~flagman~~ **flagger** unless regularly employed as such.
 25 This section does not prevent any railroad company using any person
 26 in case of injury or sickness occurring between terminals to any
 27 engineer, ~~fireman~~, **stoker**, conductor, baggagemaster, ~~brakeman~~, **brake**
 28 **person**, or ~~flagman~~ **flagger**.

29 SECTION 351. IC 8-9-12-2, AS AMENDED BY P.L.50-2011,
 30 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2024]: Sec. 2. (a) As used in this chapter, "operating crew
 32 member" means a railroad employee who is able to:

- 33 (1) read and understand the timetables of the carrier that employs
 34 the railroad employee;
- 35 (2) read ordinary handwriting in the English language;
- 36 (3) speak, hear, and understand the English language; and
- 37 (4) see, distinguish, and understand the signals required by the
 38 book of rules of the carrier governing the operation of the
 39 locomotives and trains of the carrier.

40 (b) In addition to satisfying the requirements of subsection (a), the
 41 following railroad employees must pass the regular examination
 42 prescribed by the carrier concerning the rules and regulations



1 governing their particular position:
 2 (1) Engineers.
 3 (2) Conductors.
 4 (3) ~~Flagmen. Flaggers.~~
 5 (4) ~~Firemen; Stokers, brakemen; brake persons,~~ or yard
 6 ~~brakemen brake persons,~~ or helpers.
 7 (5) Yard conductors or ~~foremen. supervisors.~~

8 SECTION 352. IC 8-9.5-7-4 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) The district
 10 created under this chapter shall be governed by and under control of a
 11 commission having five (5) members, two (2) of whom shall be
 12 appointed by the executive of the city, two (2) of whom shall be
 13 appointed by the city legislative body, and one (1) of whom shall be the
 14 head of the city's department of public works or department of
 15 transportation. The term of office for a commission member for a
 16 district created by the legislative body is one (1) year after the
 17 member's appointment, except that the member shall serve until a
 18 successor has qualified for the office. Thereafter, the landowners,
 19 including corporate landowners, shall elect five (5) members to
 20 succeed the original members of the commission under the bylaws of
 21 the commission for a term of one (1) year. Each member, otherwise
 22 qualified, is eligible for reappointment to successive terms.

23 (b) The commission members shall not receive a salary for serving
 24 but shall receive a per diem payment and expenses similar to those paid
 25 members of other special taxing district boards.

26 (c) The commission shall elect, at its first regular meeting and
 27 annually thereafter, one (1) of its members president, and another of its
 28 members vice president, who shall perform the duties of the president
 29 during the absence or disability of the president. Such commission
 30 shall have a suitable office where its maps, plans, documents, records
 31 and accounts shall be kept, subject to public inspection at all
 32 reasonable times.

33 (d) The commission shall by rule provide for regular meetings to be
 34 held not less than at semimonthly intervals throughout the year. The
 35 commission shall keep its meetings open to the public.

36 (e) The commission shall convene in a special meeting when such
 37 a meeting is called. The ~~chairman~~ **chairperson** or a majority of the
 38 members of the commission may call a special meeting. The
 39 commission shall establish a procedure for calling special meetings.

40 (f) Three (3) members of the commission constitute a quorum for a
 41 meeting. The commission may act officially by an affirmative vote of
 42 a majority of those present at the meeting at which the action is taken.



1 (g) The commission shall cause a written record of its proceedings
 2 to be kept which shall be available for public inspection in the office
 3 of the commission. The commission shall record in the record the aye
 4 and nay vote on the passage of each item of business.

5 (h) The commission shall adopt bylaws under which its meetings are
 6 to be held. The bylaws must provide that the vote of each member shall
 7 be in the same proportion that the assessed value of all of the members'
 8 land sites are to the assessed value of all the land sites within the
 9 district. The commission may suspend the bylaws by unanimous vote
 10 of the members of the commission who are present at the meeting. The
 11 commission shall not suspend the bylaws beyond the duration of the
 12 meeting at which the suspension of rules occurs.

13 (i) The commission may exercise the powers to supervise its internal
 14 affairs which are common to municipal legislative and administrative
 15 bodies.

16 SECTION 353. IC 8-10-1-3, AS AMENDED BY P.L.98-2008,
 17 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2024]: Sec. 3. (a) The ports of Indiana is created as a body
 19 both corporate and politic in the state of Indiana, and the exercise of the
 20 powers conferred by this article in the construction, operation, and
 21 maintenance of a port or project shall be deemed and held to be
 22 essential governmental functions of the state.

23 (b) The ports of Indiana shall be governed by a commission
 24 consisting of seven (7) members, appointed by the governor, no more
 25 than four (4) of whom shall be members of the same political party.
 26 The members shall be residents of the state, and shall have been
 27 qualified electors therein for a period of at least five (5) years next
 28 preceding their appointment. The members of the commission first
 29 appointed shall continue in office for terms expiring, in the case of two
 30 (2) members, on July 1, 1962, and in the case of three (3) members, on
 31 July 1, 1963, July 1, 1964, and July 1, 1965, and the first two (2)
 32 members appointed after January 1, 1975, shall continue in office for
 33 terms expiring July 1, 1977, for one (1) member and July 1, 1979, for
 34 the other member, respectively, and until their respective successors
 35 shall be duly appointed and qualified. The term of any member of the
 36 commission first appointed shall be designated by the governor. The
 37 successor of each such member shall be appointed for a term of four (4)
 38 years, except that any person appointed to fill a vacancy shall be
 39 appointed to serve only for the unexpired term and until a successor is
 40 duly appointed and qualified, and a member of the commission shall be
 41 eligible for reappointment. The governor may at any time remove any
 42 member of the commission for misfeasance, nonfeasance, or



1 malfeasance in office. The members of the commission shall, within
 2 ten (10) days after their appointment, meet and qualify by subscribing
 3 an oath to discharge honestly and faithfully the duties of their office as
 4 members of the commission. The commission shall elect one (1) of the
 5 members as ~~chairman~~ **chairperson** and another as ~~vice-chairman~~; **vice**
 6 **chairperson**, and shall appoint a secretary-treasurer who need not be
 7 a member of the commission. Four (4) members of the commission
 8 shall constitute a quorum, and the affirmative vote of four (4) members
 9 shall be necessary for any official action taken by the commission. A
 10 vacancy in the membership of the commission does not impair the
 11 rights of a quorum to exercise all the rights and perform all the duties
 12 of the commission.

13 (c) Before the issuance of any revenue bonds under the provisions
 14 of this article:

15 (1) each appointed member of the commission;

16 (2) the secretary-treasurer; and

17 (3) any other employee or agent of the ports of Indiana authorized
 18 by resolution of the commission to handle funds or sign checks;
 19 shall give a surety bond to the state in the penal sum of fifty thousand
 20 dollars (\$50,000). Each such surety bond must be conditioned upon the
 21 faithful performance of the individual's duties, to be executed by a
 22 surety company authorized to transact business in the state as surety
 23 and to be approved by the governor and filed in the office of the
 24 secretary of state.

25 (d) Each appointed member of the commission shall receive an
 26 annual salary of seven thousand five hundred dollars (\$7,500), payable
 27 in monthly ~~instalments~~; **installments**.

28 (e) Each member shall be reimbursed for the member's actual
 29 expenses necessarily incurred in the performance of the member's
 30 duties.

31 (f) All expenses incurred in carrying out the provisions of this
 32 article shall be payable solely from funds provided under the authority
 33 of this article and no liability or obligation shall be incurred by the
 34 ports of Indiana hereunder beyond the extent to which moneys shall
 35 have been provided under the authority of this article.

36 (g) The commission:

37 (1) is responsible for implementing the powers and duties of the
 38 ports of Indiana under this article; and

39 (2) may adopt bylaws for the regulation of the affairs of the
 40 commission and the conduct of the business of the ports of
 41 Indiana.

42 The commission may delegate to staff, including the chief executive,



1 such administrative functions as the commission deems necessary or
 2 desirable to accomplish the purposes of the ports of Indiana under this
 3 article. The chief executive may delegate the chief executive's authority
 4 to the appropriate staff.

5 SECTION 354. IC 8-10-1-13, AS AMENDED BY P.L.189-2018,
 6 SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2024]: Sec. 13. (a) Subject to the approval of the governor, the
 8 ports of Indiana is hereby authorized to provide by resolution of the
 9 commission, at one (1) time or from time to time, for the issuance of
 10 revenue bonds of the state for the purpose of paying all or any part of
 11 the cost of a port or project under this chapter or IC 8-10-4. The
 12 principal of and the interest on such bonds shall be payable solely from
 13 the revenues specifically pledged to the payment thereof. The bonds of
 14 each issue shall be dated, shall bear interest at any rate, shall mature at
 15 such time or times not exceeding thirty-five (35) years from the date
 16 thereof, as may be determined by the ports of Indiana, and may be
 17 made redeemable before maturity, at the option of the ports of Indiana,
 18 at such price or prices and under such terms and conditions as may be
 19 fixed by the ports of Indiana in the authorizing resolution.

20 (b) The ports of Indiana shall determine the form of the bonds,
 21 including any interest coupons to be attached thereto, and shall fix the
 22 denomination or denominations of the bonds and the place or places of
 23 payment of principal and interest which may be at any bank or trust
 24 company within or without the state.

25 (c) The bonds shall be signed in the name of the ports of Indiana by
 26 the ~~chairman~~ **chairperson** or vice ~~chairman~~ **chairperson** of the
 27 commission or chief executive of the ports of Indiana, or by the
 28 facsimile signature of the ~~chairman~~ **chairperson** or vice ~~chairman~~
 29 **chairperson** of the commission or chief executive of the ports of
 30 Indiana and the official seal of the ports of Indiana or facsimile thereof,
 31 shall be affixed thereto and attested by the secretary-treasurer of the
 32 commission, and any coupons attached thereto shall bear the facsimile
 33 signature of the ~~chairman~~ **chairperson** of the commission. In case any
 34 officer whose signature or a facsimile of whose signature shall appear
 35 on any bonds or coupons shall cease to be such officer before the
 36 delivery of such bonds, such signature or such facsimile shall
 37 nevertheless be valid and sufficient for all purposes the same as if the
 38 officer had remained in office until such delivery.

39 (d) All bonds issued under this article shall have and are hereby
 40 declared to have all the qualities and incidents of negotiable
 41 instruments under the negotiable instruments law of the state of
 42 Indiana.



1 (e) The bonds may be issued in coupon or in registered form, or
2 both, as the ports of Indiana may determine, and provision may be
3 made for the registration of any coupon bonds as to principal alone and
4 also as to both principal and interest, and for the reconversion into
5 coupon bonds of any bonds registered as to both principal and interest.

6 (f) The bonds shall be sold at public sale in accordance with
7 IC 21-32-3, except as provided in IC 8-10-4.

8 (g) No action to contest the validity of any bonds issued by the ports
9 of Indiana under this article shall be commenced more than thirty (30)
10 days following the adoption of the resolution approving the bonds as
11 provided in this article.

12 (h) The ports of Indiana shall cooperate with and use the assistance
13 of the Indiana finance authority established by IC 5-1.2-3 in the
14 issuance of the bonds under this chapter or IC 8-10-4.

15 SECTION 355. IC 8-10-5-5, AS AMENDED BY P.L.104-2022,
16 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2024]: Sec. 5. (a) A port authority created in accordance with
18 the provisions of this chapter shall be governed by a board of directors.
19 Except as provided in subsection (c), members of a board of directors
20 of a port authority created by the exclusive action of a municipal
21 corporation shall consist of the number of members it deems necessary
22 and be appointed by the mayor with the advice and consent of the
23 common council. Members of a board of directors of a port authority
24 created by the exclusive action of a county shall consist of such
25 members as it deems necessary and be appointed by the county
26 commissioners of such county. Members of a board of directors of a
27 port authority created by a combination of political subdivisions shall
28 be divided among such political subdivisions in such proportions as
29 such political subdivisions may agree and appointed in the same
30 manner as this section provides for their appointment when such
31 political subdivision creates its own port authority. When a port
32 authority is created by a combination of political subdivisions, the
33 number of directors composing the board shall be determined by
34 agreement between such political subdivisions.

35 (b) In the case of a port authority created under section 2 of this
36 chapter in a county having a population of more than four hundred
37 thousand (400,000) and less than seven hundred thousand (700,000),
38 the board of directors shall consist of seven (7) members, three (3) of
39 whom shall be appointed by the board of county commissioners, one
40 (1) each by the mayors of the three (3) cities in the county having the
41 largest populations, and the mayor of the city having the largest
42 population shall appoint any remaining member or members. The



1 board shall be appointed as follows:
 2 (1) The mayors of the three (3) cities in the county having the
 3 largest populations shall each make one (1) appointment.
 4 (2) The board of county commissioners shall make its three (3)
 5 appointments following the naming of the city appointees and
 6 appoint persons of such political faith as to make the board of
 7 directors a bipartisan body.
 8 (3) If a city is entitled to a second appointment, the mayor shall
 9 make the appointment subject to retaining the board's bipartisan
 10 status.
 11 (4) In no event may more than three (3) board members residing
 12 in the same city serve on the board at the same time.
 13 (5) Not more than four (4) members of one (1) political party may
 14 serve on the board at the same time.
 15 (c) This subsection applies to a port authority created under section
 16 2 of this chapter by the exclusive action of a municipal corporation in
 17 a city having a population of more than seventy-five thousand (75,000)
 18 and less than seventy-nine thousand (79,000). The board of directors
 19 of the port authority consists of five (5) members appointed as follows:
 20 (1) Three (3) members appointed by the mayor of the city.
 21 (2) Two (2) members appointed by the legislative body of the city.
 22 (d) The appointing authority may at any time remove a director
 23 appointed by it for misfeasance, nonfeasance, or malfeasance in office.
 24 (e) At the time of appointment, a director must be a resident of one
 25 (1) of the following:
 26 (1) The political subdivision from which the director is appointed.
 27 (2) The county within which the port authority is established.
 28 At all times, a majority of the directors must be residents of the
 29 political subdivisions from which the members are appointed.
 30 (f) The directors of any port authority first appointed shall serve
 31 staggered terms. Thereafter each successor shall serve for a term of
 32 four (4) years, except that any person appointed to fill a vacancy shall
 33 be appointed to only the unexpired term and any director shall be
 34 eligible for reappointment.
 35 (g) The directors shall elect one (1) of their membership as
 36 ~~chairman~~, **chairperson**, and another as vice ~~chairman~~, **chairperson**,
 37 and shall designate their terms of office, and shall appoint a secretary
 38 who need not be a director. A majority of the board of directors shall
 39 constitute a quorum the affirmative vote of which shall be necessary for
 40 any action taken by the port authority. No vacancy in the membership
 41 of the board shall impair the rights of a quorum to exercise all the
 42 rights and perform all the duties of the port authority.



1 (h) Each member of the board of directors of a port authority shall
 2 be entitled to receive from the port authority such sum of money as the
 3 board of directors may determine as compensation for the member's
 4 service as director and reimbursement for the member's reasonable
 5 expenses in the performance of the member's duties.

6 SECTION 356. IC 8-10-5-13 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 13. (a) Whenever a port
 8 authority, which was created or which shall be hereafter created by a
 9 city, town, or county acting as a singular government unit or which
 10 after its creation has come under the jurisdiction of a city, town, or
 11 county as a singular government unit, has been authorized by the
 12 governing body of the city, town, or county to issue and sell revenue
 13 bonds for the purpose of obtaining funds with which to construct,
 14 purchase, lease, operate, maintain, or improve facilities included in the
 15 development plan or amendment thereof, the revenue bonds shall be:

16 (1) issued in the name of the city, town, or county;

17 (2) executed by the executive of the city, town, or county and the
 18 ~~chairman~~ **chairperson** of the board of directors of the port
 19 authority; and

20 (3) attested to by the clerk or clerk-treasurer of the city or town or
 21 auditor, if a county.

22 (b) In authorizing revenue bonds and providing for the issuance and
 23 sale thereof, the governing body of the city, town, or county shall, by
 24 ordinance, consistent with pertinent statutes, provide all necessary
 25 details concerning the form and tenor of the revenue bonds, the amount
 26 thereof, the maturity dates, the provision for payment of principal and
 27 interest, the negotiability, and all other details, requirements,
 28 regulations, or specifications necessary to make the revenue bonds
 29 acceptable and legal instruments.

30 (c) The governing body shall, in its ordinance, make provision for
 31 the expenditure of the funds derived from the sale of the revenue bonds
 32 in accordance with the purposes for which the issuance and sale was
 33 authorized. The governing body shall specifically provide for the
 34 allocation of income and revenue of the port authority into the fund or
 35 funds as may be necessary to properly secure the accumulation of
 36 money in a separate account or accounts for use in the payment of
 37 principal and interest of the revenue bonds as they become due and
 38 payable.

39 SECTION 357. IC 8-14-11-9 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) The local bridge
 41 grant board is established to receive and review applications for grants
 42 under this chapter. The board consists of the following members:



- 1 (1) The director of the department, or the director's designee.
 2 (2) Six (6) persons appointed by the governor, no more than three
 3 (3) of whom may be of the same political party, as follows:
 4 (A) Two (2) members of a county executive.
 5 (B) One (1) county highway engineer.
 6 (C) One (1) mayor of a city.
 7 (D) One (1) member of a town board of trustees.
 8 (E) One (1) person with substantial experience or education in
 9 the design or construction of bridges.
 10 A member appointed under clause (A), (B), (C), or (D) who
 11 ceases to hold the office described in that clause ceases to be a
 12 member of the board.
 13 (b) The governor shall designate a member of the board to serve as
 14 ~~chairman~~ **chairperson**.
 15 (c) Members of the board who are appointed by the governor serve
 16 for terms of four (4) years. The governor shall fill a vacancy on the
 17 board by appointing a new member to serve the remainder of the
 18 unexpired term.
 19 (d) A member of the board, other than the director of the
 20 department, is entitled to the minimum salary per diem provided by
 21 IC 4-10-11-2.1(b). Each member of the board is entitled to
 22 reimbursement for traveling expenses and other expenses actually
 23 incurred in connection with the member's duties, as provided in the
 24 state travel policies and procedures established by the department of
 25 administration and approved by the budget agency.
 26 (e) Four (4) members of the board constitute a quorum. The
 27 affirmative votes of four (4) members of the board are required for the
 28 board to take any action.
 29 SECTION 358. IC 8-14-15.1-6, AS ADDED BY P.L.217-2017,
 30 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2024]: Sec. 6. The ~~chairman~~ **chairperson** of the authority may
 32 enter into a trust agreement on behalf of the authority with the board in
 33 furtherance of the purposes of this chapter. Any trust agreement must
 34 conform with this chapter. Any provision of the trust agreement entered
 35 into under this section that is inconsistent with the provisions or intent
 36 of this chapter is void and of no further force or effect.
 37 SECTION 359. IC 8-14.5-5-2 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) A lease entered
 39 into under this section must include the following:
 40 (1) A statement that the term of the lease is for a period
 41 coextensive with the biennium used for state budgetary and
 42 appropriation purposes with a fractional period when the lease



- 1 begins, if necessary.
- 2 (2) A statement that the term of the lease is extended from
3 biennium to biennium, with the extensions not to exceed a lease
4 term of twenty-five (25) years, unless either the authority or the
5 department gives notice of nonextension at least six (6) months
6 before the end of a biennium, in which event the lease expires at
7 the end of the biennium in which the notice is given.
- 8 (3) A provision plainly stating that the lease does not constitute an
9 indebtedness of the state within the meaning or application of any
10 constitutional provision or limitation, and that lease rentals are
11 payable by the department solely from biennial appropriations, for
12 the actual use or availability for use of projects provided by the
13 authority, with payment commencing no earlier than the time the
14 use or availability commences.
- 15 (4) Provisions requiring the department to pay rent at times and
16 in amounts sufficient to pay in full:
- 17 (A) the debt service payable under the terms of any bonds or
18 notes issued by the authority and outstanding with respect to
19 any project, including any required additions to reserves for
20 the bonds or notes maintained by the authority; and
21 (B) additional rent as provided by the lease;
22 subject to appropriation of money to pay lease rentals.
- 23 (5) Provisions requiring the department to operate and maintain
24 the project or projects during the term of the lease.
- 25 (6) A provision in each master lease for two (2) or more projects
26 requiring that each project added to the master lease shall be
27 covered by a supplemental lease describing the particular project,
28 stating the additional rental payable and providing that all lease
29 covenants, including the obligation to pay the original and
30 additional rent under any supplement, shall be unitary and include
31 all projects covered, whether by the master lease or a
32 supplemental lease.
- 33 (b) A lease entered into under this section may contain other terms
34 and conditions that the authority and the department consider
35 appropriate.
- 36 (c) The department shall request an appropriation for payment of
37 lease rentals on any lease entered into under this section in writing at
38 a time sufficiently in advance of the date for payment of the lease
39 rentals so that an appropriation may be made in the normal state
40 budgetary process.
- 41 (d) If the department fails at any time to pay to the authority when
42 due any lease rentals on any lease under this section, the ~~chairman~~



1 **chairperson** of the authority shall immediately report the unpaid
 2 amount in writing to the governor and in an electronic format under
 3 IC 5-14-6 to the general assembly.

4 SECTION 360. IC 8-14.5-6-6, AS AMENDED BY P.L.162-2007,
 5 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2024]: Sec. 6. The bonds or notes:

7 (1) shall be executed by the manual or facsimile signature of the
 8 ~~chairman~~ **chairperson** or vice ~~chairman~~ **chairperson** of the
 9 authority;

10 (2) shall be attested by the manual or facsimile signature of the
 11 public finance director;

12 (3) shall be imprinted or impressed with the seal of the authority
 13 by any means;

14 (4) may be authenticated by a trustee, registrar, or paying agent;
 15 and

16 (5) constitute valid and binding obligations of the authority, even
 17 if the ~~chairman~~, **chairperson**, vice ~~chairman~~, **chairperson**, or
 18 public finance director whose manual or facsimile signature
 19 appears on the bonds or notes no longer holds that office.

20 SECTION 361. IC 8-15-2-9, AS AMENDED BY P.L.162-2007,
 21 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2024]: Sec. 9. (a) Subject to IC 8-9.5-8-10, the authority is
 23 authorized to provide by a resolution at one (1) time or from time to
 24 time for the issuance of toll road revenue bonds of the state for the
 25 purpose of paying all or any part of the cost of any one (1) or more toll
 26 road projects. The principal of and the interest on such bonds shall be
 27 payable solely from an allocation of money from the rural
 28 transportation road fund under IC 8-9.5-8-16 or from the revenues or
 29 from the proceeds of bonds issued under the provisions of this chapter
 30 and earnings thereon, or from all three (3).

31 (b) The bonds of each issue shall:

32 (1) be dated;

33 (2) bear interest at such rate or rates as shall be established by the
 34 authority;

35 (3) mature at such time or times not exceeding forty (40) years
 36 from their date or dates, as may be determined by the authority;
 37 and

38 (4) be made redeemable before maturity at the option of the
 39 authority at such price or prices and under such terms and
 40 conditions as may be fixed by the authority prior to the issuance
 41 of the bonds.

42 (c) The authority shall:



1 (1) determine the form of the bonds, including any interest
2 coupons to be attached thereto;

3 (2) fix the denomination or denominations of the bonds; and

4 (3) fix the place or places of payment of principal and interest,
5 which may be at any bank or trust company within or without the
6 state.

7 (d) The bonds shall be signed by the ~~chairman~~ **chairperson** of the
8 authority or by ~~his~~ **the chairperson's** facsimile signature, and attested
9 to by the manual or the facsimile signature of the public finance
10 director, and any coupons attached thereto shall bear the facsimile
11 signature of the ~~chairman~~ **chairperson** of the authority. In case any
12 officer whose signature or a facsimile of whose signature shall appear
13 on any bonds or coupons shall cease to be such officer before the
14 delivery of such bonds, such signature or such facsimile shall
15 nevertheless be valid and sufficient for all purposes the same as if ~~he~~
16 **the officer** had remained in office until such delivery. The authority
17 may also provide for the authentication of the bonds by a trustee or
18 fiscal agent.

19 (e) All bonds issued under the provisions of this chapter shall have
20 and are declared to have all the qualities and incidents of negotiable
21 instruments under the negotiable instruments law of the state of
22 Indiana.

23 (f) The bonds may be issued in coupon or in registered form, or
24 both, as the authority may determine, and provisions may be made for
25 the registration of any coupon bonds as to principal alone and also as
26 to both principal and interest, and for the reconversion into coupon
27 bonds of any bonds registered as to both principal and interest.

28 (g) The authority may sell such bonds in such manner and for such
29 price as it may determine to be for the best interests for the state, either
30 at a public or private sale.

31 (h) The proceeds of the bonds of each issue shall be:

32 (1) used solely for the payment of the cost of the toll road project
33 or projects for which such bonds shall have been issued; and

34 (2) disbursed in such manner and under such restrictions, if any,
35 as the authority may provide in authorizing the issuance of such
36 bonds or in the trust agreement mentioned securing the same.

37 (i) If the proceeds of the bonds of any issue, by error of estimates or
38 otherwise, shall be less than such cost, additional bonds may in like
39 manner be issued to provide the amount of such deficit, and, unless
40 otherwise provided in the resolution authorizing the issuance of such
41 bonds or in the trust agreement securing the same, shall be deemed to
42 be of the same issue and shall be entitled to payment from the same



1 fund without preference or priority of the bonds first issued.

2 (j) If the proceeds of the bonds of any issue shall exceed the cost of
3 the toll road project or projects for which the same shall have been
4 issued, the surplus shall be deposited to the credit of the sinking fund
5 for such bonds.

6 (k) Prior to the preparation of definitive bonds, the authority may
7 under like restrictions, issue interim receipts or temporary bonds, with
8 or without coupons, exchangeable for definitive bonds when such
9 bonds shall have been executed and are available for delivery. The
10 authority may also provide for the replacement of any bonds which
11 shall become mutilated or shall be destroyed or lost.

12 (l) Except as provided by IC 8-9.5-8-10, bonds may be issued under
13 the provisions of this chapter without:

14 (1) obtaining the consent of any department, division,
15 commission, board, bureau, or agency of the state; and

16 (2) any other proceedings or the happening of any other
17 conditions or things than those proceedings, conditions, or things
18 which are specifically required by this chapter.

19 SECTION 362. IC 8-15-2-14, AS AMENDED BY P.L.140-2013,
20 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2024]: Sec. 14. (a) The authority may do the following:

22 (1) Fix, revise, charge, and collect tolls for the use of each toll
23 road project by any person, partnership, association, limited
24 liability company, or corporation desiring the use of any part
25 thereof, including the right-of-way adjoining the paved portion
26 and for placing thereon telephone, telegraph, electric light, or
27 power lines.

28 (2) Fix the terms, conditions, and rates of charge for such use,
29 including assessments for the failure to pay required tolls, subject,
30 however, to the state's police power.

31 (3) Collect tolls, user fees, or other charges through manual or
32 nonmanual methods, including, but not limited to, automatic
33 vehicle identification systems, electronic toll collection systems,
34 and, to the extent permitted by law, including rules adopted by the
35 authority under ~~IC 8-15-2-17.2(a)(10)~~, **section 17.2(a)(10) of this**
36 **chapter**, global positioning systems and photo or video based toll
37 collection or toll collection enforcement systems.

38 (4) Adopt rules under IC 4-22-2-37.1 authorizing the use of and
39 establishing procedures for the implementation of the collection
40 of user fees by electronic or other nonmanual means under
41 subdivision (3). A rule adopted under this subdivision expires on
42 the expiration date stated by the authority in the rule.



1 (b) Notwithstanding subsection (a), no toll or charge shall be made
2 by the authority under this section or under a public-private agreement
3 entered into under IC 8-15.5 for:

4 (1) the operation of temporary lodging facilities located upon or
5 adjacent to any project, nor may the authority itself operate or
6 gratuitously permit the operation of such temporary lodging
7 facilities by other persons without any toll or charge; or

8 (2) placing in, on, along, over, or under such project, such
9 telephone, telegraph, electric light or power lines, equipment, or
10 facilities as may be necessary to serve establishments located on
11 the project or as may be necessary to interconnect any public
12 utility facilities on one (1) side of the toll road project with those
13 on the other side.

14 (c) All contracts executed by the authority shall be preserved in the
15 principal office of the authority.

16 (d) In the case of a toll road project that is not leased to the
17 department under IC 8-9.5-8-7, the tolls shall be fixed and adjusted for
18 each toll road project so that the aggregate of the tolls from the project,
19 together with other revenues that are available to the authority without
20 prior restriction or encumbrance, will at least be adequate to pay:

21 (1) the cost of operating, maintaining, and repairing the toll road
22 project, including major repairs, replacements, and
23 improvements;

24 (2) the principal of and the interest on bonds issued in connection
25 with the toll road project, as the principal and interest becomes
26 due and payable, including any reserve or sinking fund required
27 for the project; and

28 (3) the payment of principal of and interest on toll road bonds
29 issued by the authority in connection with any other toll road
30 project, including any reserve or sinking fund required for the
31 project, but only to the extent that the authority provides by
32 resolution and subject to the provisions of any trust agreement
33 relating to the project.

34 (e) Not less than one (1) year before the date that final payment of
35 all such bonds, interest, and reimbursement is expected by the
36 ~~chairman~~ **chairperson** of the authority to be completed, the ~~chairman~~
37 **chairperson** shall notify the state budget committee in writing of the
38 expected date of final payment.

39 (f) Such tolls shall not be subject to supervision or regulation by any
40 other commission, board, bureau, or agency of the state.

41 (g) The tolls, rents, and all other revenues derived by the authority
42 from the toll road project, except those received in accordance with a



1 public-private agreement under IC 8-15.5, shall be used as follows:
2 (1) To pay the cost of operating, maintaining, and repairing the
3 toll road project, including major repairs, replacements, and
4 improvements, to the extent that those costs are not paid out of
5 other funds.
6 (2) To the extent provided for in the resolution authorizing the
7 issuance of bonds under this chapter or in the trust agreement
8 securing the bonds, to pay:
9 (A) the principal of and interest on any bonds as the principal
10 and interest become due; or
11 (B) the redemption price or purchase price of the bonds retired
12 by call or purchase.
13 (3) Except as prohibited by the resolution authorizing the issuance
14 of bonds under this chapter or the trust agreement securing them,
15 for any purpose relating to any toll road project, including the
16 subject toll road project, as the authority provides by resolution.
17 (h) Neither the resolution nor any trust agreement by which a pledge
18 is created needs to be filed or recorded except in the records of the
19 authority.
20 (i) The use and disposition of moneys to the credit of any sinking
21 fund shall be subject to the provisions of any resolution or resolutions
22 authorizing the issuance of any bonds or of any trust agreement. Except
23 as may otherwise be provided in this chapter or in any resolution or any
24 trust agreement, any sinking fund shall be a fund for all bonds without
25 distinction or priority of one over another, subject, however, to such
26 priorities as may arise from prior pledges.
27 (j) In the case of a toll road project that is leased to the department
28 under IC 8-9.5-8-8, the lease must require that the department fix tolls
29 for the toll road project that comply with IC 8-9.5-8-8(c)(6).
30 (k) User fees (as defined in IC 8-15.5-2-10) for a toll road project
31 that is subject to a public-private agreement under IC 8-15.5 shall be
32 set in accordance with IC 8-15.5-7.
33 SECTION 363. IC 8-16-1-5 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. Subject to
35 IC 8-9.5-8-5, if the authority shall determine that the construction of an
36 interstate bridge or the acquisition by purchase or otherwise or by
37 condemnation of any interstate bridge already constructed or its
38 approaches, or the enlargement, extension, or improvement of any such
39 bridges or their approaches, under this chapter, is necessary and
40 advisable in the public interest and will be a convenience, necessity,
41 and a benefit, the ~~chairman~~ **chairperson** of the authority shall issue an
42 order finding and determining that the construction of such an



1 interstate bridge or the acquisition by purchase or otherwise or by
 2 condemnation of any interstate bridge already constructed, or the
 3 enlargement, extension, or improvement thereof will be in the public
 4 interest and convenience and necessity.

5 SECTION 364. IC 8-16-1-14, AS AMENDED BY P.L.162-2007,
 6 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2024]: Sec. 14. (a) Subject to IC 8-9.5-8-10, the authority is
 8 authorized to provide funds for each and every purpose of this chapter
 9 by the issuance of bridge revenue bonds of the state, the principal and
 10 interest of which bonds shall be payable solely from the revenues of the
 11 bridge to be constructed or acquired by purchase from the proceeds of
 12 such bonds. Such revenue bonds:

13 (1) shall bear interest at a rate or rates approved by the authority
 14 payable on such day as specified in the resolution or any trust
 15 agreement;

16 (2) shall mature in not more than thirty (30) years from their date
 17 or dates; and

18 (3) may be made redeemable at the option of the authority, at not
 19 more than the par value thereof and a premium of five percent
 20 (5%) under such terms and conditions as the authority may fix
 21 prior to the issuance of such bonds.

22 (b) The authority shall:

23 (1) provide the form of such bonds;

24 (2) fix the denomination or denominations of such bonds; and

25 (3) fix the place or places of payment of the principal and interest
 26 thereof.

27 (c) The bonds shall be executed by the manual or facsimile
 28 signature of the ~~chairman~~ **chairperson** of the authority and sealed and
 29 attested by the manual or facsimile signature of the public finance
 30 director. The coupons shall bear the facsimile signature of the
 31 ~~chairman~~ **chairperson**. The authority may also provide for
 32 authentication of the bonds by a trustee or fiscal agent.

33 (d) The said bonds shall be exempt from taxation by the state of
 34 Indiana and by the municipalities and political subdivisions thereof.

35 (e) The bonds may be issued in coupon or in registered form, or
 36 both, as the authority may determine, and provisions may be made for
 37 the registration of any coupon bonds as to principal alone and also as
 38 to both principal and interest, and for the reconversion into coupon
 39 bonds of any bonds registered as to both principal and interest.

40 (f) Such bonds shall be sold in such manner, either at public or
 41 private sale, as the authority may determine to be for the best interests,
 42 taking into consideration the financial responsibility of the purchaser



1 and the terms and conditions of the purchase and especially the
2 availability of the proceeds of the bonds when required for payment of
3 the cost of the bridge, by the authority. Such sale shall be at not less
4 than ninety cents (\$.90) on the dollar and accrued interest, and the
5 proceeds of such bonds shall be used solely for the payment of the
6 bridge costs, and expenses incident thereto as authorized by this
7 chapter, and shall be disbursed by said authority as provided in this
8 chapter. If the proceeds of the sale of such bonds shall exceed such
9 costs, any surplus remaining therefrom shall be paid into the fund
10 provided in section 16 of this chapter for payment of the principal and
11 interest of said bonds.

12 (g) The authority shall have the right to purchase any bonds so
13 issued by it that may be outstanding at the market price, but not
14 exceeding one hundred five dollars (\$105) for each one hundred dollars
15 (\$100) of par value and accrued interest nor exceeding the price at
16 which the same shall in the same year be redeemable, with the consent
17 of the holders of such bonds, and all bonds redeemed or purchased
18 shall forthwith be cancelled and shall not again be issued.

19 (h) Prior to the preparation of definitive bonds the authority may
20 under like restrictions issue temporary bonds, with or without coupons,
21 exchangeable for definitive bonds upon the issuance of the latter.

22 (i) The authority may enter into an agreement with any trust
23 company as trustees for the holders of such bonds, setting forth the
24 duties of the authority in respect to:

- 25 (1) the construction, maintenance, operation, and insurance of any
26 such bridge;
27 (2) the conservation and application of all funds;
28 (3) the insurance of moneys on hand or on deposit; and
29 (4) the rights and remedies of said trustee and the holders of such
30 bonds, restricting the individual right of action of bondholders as
31 is customary in trust agreements respecting bonds of a
32 corporation.

33 (j) Said trust agreement may:

- 34 (1) contain such provisions for protecting and enforcing the rights
35 and remedies of the trustee and the bondholders as may be
36 reasonable and proper in the judgment of the authority, and also
37 a provision for approval by the original bond purchasers of the
38 appointment of consulting engineers and of the security given by
39 the bridge contractors and by any bank or trust company in which
40 the proceeds of bonds or bridge tolls or other moneys of the
41 authority shall be deposited; and
42 (2) provide that no contract for construction shall be made



- 1 without the approval of the consulting engineers.
- 2 (k) Such trust agreement may contain such further provisions as in
3 the judgment of the authority will best accomplish the purposes of this
4 chapter, with respect to:
- 5 (1) the fixing, maintaining, and collecting of tolls;
 - 6 (2) the deposit, safeguarding, and disposition of the revenues
7 derived from such bridge;
 - 8 (3) the application of revenues;
 - 9 (4) the determination and establishment of priorities in the
10 disbursement of such revenues;
 - 11 (5) the establishment of reserve funds to secure the prompt
12 payment of the principal of and the interest on said bonds;
 - 13 (6) the limitation of the amount of expenses of the authority
14 chargeable to said revenues; and
 - 15 (7) such other matters as in the judgment of the authority are
16 proper and suitable.
- 17 (l) The bonds issued under this section shall be a first lien on all
18 revenues of the bridge on account of which they are issued, subject
19 only to such prior charges as may be provided in such trust agreement
20 or in the resolution authorizing their issuance. The bonds may be issued
21 without any other proceedings or happening or any other conditions or
22 things than those proceedings, conditions, and things which are
23 specified and required by this chapter or by the Constitution of the
24 State of Indiana.
- 25 SECTION 365. IC 8-18-20-5 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) Whenever the
27 county auditor receives a notice that:
- 28 (1) is signed by the presiding officers of the county executive, the
29 county fiscal body, and the municipal fiscal body of the county
30 seat;
 - 31 (2) states that those bodies have agreed to hold a public hearing
32 on and consider the creation of a county toll road authority; and
 - 33 (3) fixes a time and place for that hearing;
- 34 the auditor shall give notice by publication of the hearing. The notice
35 shall be published in accordance with IC 5-3-1, and must state the time,
36 place, and purpose of the hearing.
- 37 (b) The members of the executive of the county and the fiscal bodies
38 of the county and county seat shall meet at the time and place fixed in
39 the notice. The presiding officers of each of the three (3) bodies shall
40 elect one (1) of their number to preside as **chairman chairperson** at the
41 hearing, another as vice ~~chairman~~, **chairperson**, and another as
42 secretary.



1 (c) All interested citizens and taxpayers of the county may appear
2 and are entitled to be heard at the hearing.

3 (d) The authority shall be established if, within sixty (60) days after
4 the hearing, a concurrent resolution declaring a need for the authority
5 is agreed upon and separately adopted by the county executive and
6 county and municipal fiscal bodies.

7 (e) A copy of the concurrent resolution that is certified by affidavits
8 of the county auditor and municipal clerk showing the date of adoption
9 of the resolution by the three (3) bodies must be filed in the office of
10 the recorder of the county for recording in the miscellaneous records.
11 The certified and recorded copy of the resolution is admissible in
12 evidence in any action or proceeding as proof of the establishment of
13 the authority.

14 SECTION 366. IC 8-18-21-3, AS AMENDED BY P.L.84-2016,
15 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2024]: Sec. 3. Except as provided in section 4 of this chapter,
17 the board of directors of a toll road authority, acting in the name of the
18 authority, may:

19 (1) finance, construct, reconstruct, operate, maintain, and manage
20 any toll road project acquired or financed under this chapter;

21 (2) sue, be sued, plead, and be impleaded, but all actions against
22 the authority must be brought in the circuit court, superior court,
23 or probate court for the county in which the authority is located;
24 (3) condemn, appropriate, purchase, and hold any real or personal
25 property needed or considered useful in connection with a toll
26 road facility;

27 (4) acquire real or personal property by gift, devise, or bequest
28 and hold, use, or dispose of that property for the purposes
29 authorized by this chapter;

30 (5) enter upon any lots or lands for the purpose of surveying or
31 examining them to determine the location of a toll road facility;

32 (6) collect all money that is due on account of the operation,
33 maintenance, or management of, or otherwise related to, a toll
34 road facility, and expend that money for proper purposes;

35 (7) employ the managers, superintendents, architects, engineers,
36 attorneys, auditors, clerks, ~~foremen,~~ **supervisors**, custodians, and
37 other employees, necessary for the proper operation of a toll road
38 facility and fix the compensation of those employees, but a
39 contract of employment may not be made for a period of more
40 than four (4) years although it may be extended or renewed from
41 time to time;

42 (8) make and enter into all contracts and agreements necessary or



1 incidental to the performance of its duties and the execution of its
2 powers under this chapter; and

3 (9) provide coverage for its employees under IC 22-3 and IC 22-4.

4 SECTION 367. IC 8-21-12-15, AS AMENDED BY P.L.27-2007,
5 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2024]: Sec. 15. (a) The authority may:

7 (1) finance improvements related to an airport or aviation related
8 property or facilities, including the acquisition of real estate;

9 (2) refund any bonds; or

10 (3) pay any loan contract;

11 by borrowing money and issuing revenue bonds from time to time
12 under this section.

13 (b) The issuance of revenue bonds must be authorized by a
14 resolution of the authority.

15 (c) The bonds or the trust agreement securing the bonds must
16 indicate:

17 (1) the maturity date or dates;

18 (2) the interest rate or rates (whether fixed, variable, or a
19 combination of fixed or variable) or the manner in which the
20 interest rate or rates will be determined if a variable or an
21 adjustable rate is used;

22 (3) the registration privileges and the place of payment;

23 (4) the conditions and terms under which the bonds may be
24 redeemed or prepaid before maturity; and

25 (5) the source of payment.

26 (d) The bonds must be executed in the name of the authority by the
27 ~~chairman chairperson~~ or vice ~~chairman chairperson~~ of the authority
28 and attested by the secretary-treasurer, and interest coupons may be
29 executed by placing on the interest coupons the facsimile signature of
30 the ~~chairman chairperson~~ or vice ~~chairman chairperson~~ of the
31 authority. The bonds are valid and binding obligations of the authority
32 for all purposes, notwithstanding that before delivery of the bonds any
33 of the persons whose signatures appear on the bonds have ceased to be
34 officers of the authority, as if the persons had continued to be officers
35 of the authority until after delivery. The validity of the authorization
36 and issuance of the bonds is not dependent on or affected in any way
37 by proceedings taken for the improvement for which the bonds are to
38 be issued, or by contracts made in connection with the improvement.
39 A resolution authorizing revenue bonds must provide that a revenue
40 bond contain a recital that the bond is issued under this chapter, and a
41 bond containing the recital under authority of a resolution is considered
42 valid and issued in conformity with this chapter.



1 (e) At the discretion of the authority, the revenue bonds shall be sold
2 either under the procedures for selling public bonds or at a negotiated
3 sale with such terms as are consistent with the provisions of the
4 resolution authorizing the sale. The resolution may delegate to the
5 **chairman chairperson** or the secretary-treasurer the authority to
6 conduct the sale. The bonds may be sold in installments at different
7 times, or an entire issue or series may be sold or exchanged at one (1)
8 time. Any issue or series of the bond may be sold in part or sold in part
9 in installments at different times or at one (1) time.

10 (f) The bonds are special obligations of the authority and are
11 payable solely from and secured by a lien upon the revenues of all or
12 part of the facilities of the authority, as shall be more fully described in
13 the resolution of the authority or trust agreement authorizing the
14 issuance of the bonds, and, subject to the constitution and to the prior
15 or superior rights of any person, the authority may by resolution pledge
16 and assign for the security of the bonds all or part of the gross or net
17 revenues of the authority and the authority's facilities.

18 (g) The bonds and interest on the bonds are not a debt of the
19 authority, nor a charge, a lien, or an encumbrance, legal or equitable,
20 upon property of the authority, or upon income, receipts, or revenues
21 of the authority other than those revenues of the facilities that have
22 been pledged to the payment of the bonds. Every bond must recite in
23 substance that the bond, including interest, is payable solely from the
24 revenues pledged to the bond's payment, and that the authority is under
25 no obligation to pay the bond, except from those revenues.

26 (h) The bonds, when issued, have all the qualities of negotiable
27 instruments, subject to provisions for registration, under IC 26 and are
28 incontestable in the hands of a bona fide purchaser or owner of the
29 bonds for value.

30 (i) The proceeds of the bonds are appropriated for the purpose for
31 which the bonds may be issued and the proceeds shall be deposited and
32 disbursed in accordance with any provisions and restrictions that the
33 authority may provide in the resolution or trust agreement authorizing
34 the issuance of the bonds.

35 (j) All bonds issued under this article are issued by a body corporate
36 and politic of this state, but not a state agency, and for an essential
37 public and governmental purpose. The bonds, the interest on the bonds,
38 the proceeds received by an owner from the sale of the bonds to the
39 extent of the owner's cost of acquisition, the proceeds received upon
40 redemption before maturity, the proceeds received at maturity, and the
41 receipt of the interest and proceeds are exempt from taxation as
42 provided in IC 6-8-5.



1 (k) Notwithstanding any other law, all financial institutions,
2 investment companies, insurance companies, insurance associations,
3 executors, administrators, guardians, trustees, and other fiduciaries may
4 legally invest sinking funds, money, or other funds belonging to them
5 or within their control in bonds issued under this chapter.

6 (l) Bonds issued under this chapter are exempt from the registration
7 requirements of IC 23-19 and any other state securities registration
8 statutes.

9 (m) The authority may obtain from a department or agency of the
10 state or of the United States, or from a nongovernmental insurer,
11 available insurance or guaranty for the payment or repayment of
12 interest or principal, or both, or any part of the interest or principal, or
13 any debt service reserve funds, on bonds issued by the authority, or on
14 securities purchased or held by the authority.

15 (n) The authority may enter into agreements with an entity to
16 provide credit enhancement or liquidity support for any bonds issued
17 by the authority, or for any debt service reserves securing any bonds,
18 with terms that are reasonable and proper, in the discretion of the
19 authority, and not in violation of law.

20 (o) The authority may enter into agreements or contracts with any
21 financial institution as may be necessary, desirable, or convenient in
22 the opinion of the authority for rendering services in connection with:

23 (1) the care, custody, or safekeeping of securities or other
24 investments held or owned by the authority;

25 (2) the payment or collection of amounts payable as to principal
26 or interest; and

27 (3) the delivery to the authority of securities or other investments
28 purchased or sold by it.

29 The authority may also, in connection with any of the services rendered
30 by a financial institution as to custody and safekeeping of the
31 authority's securities or investments, require security in the form of
32 collateral bonds, surety agreements, or security agreements as, in the
33 opinion of the authority, is necessary or desirable.

34 (p) In the discretion of the authority, any bonds issued under this
35 chapter may be secured by a trust agreement by and between the
36 authority and a corporate trustee, which may be any trust company or
37 bank having the powers of a trust company in Indiana. Such a trust
38 agreement may also provide for a cotrustee, which may be any trust
39 company or bank in Indiana or another state.

40 (q) The trust agreement or the resolution providing for the issuance
41 of the bonds may contain provisions for protecting and enforcing the
42 rights and remedies of the owners of bonds as may be reasonable and



1 proper, in the discretion of the authority, and not in violation of law.

2 (r) Any trust agreement or resolution may contain other provisions
3 that the authority considers reasonable and proper for the security of
4 the owners of bonds.

5 (s) All expenses incurred in carrying out the provisions of the trust
6 agreement or resolution may be paid from money pledged or assigned
7 to the payment of the principal of and interest on bonds or from any
8 other funds available to the authority.

9 (t) Funds or money held by the authority under any trust agreement
10 or resolution may be invested pending disbursement as provided in the
11 trust agreement or the resolution. Such an investment is not restricted
12 by or subject to the provisions of any other law.

13 (u) Refunding or refunding and improvement revenue bonds may be
14 issued in accordance with the provisions for the refinancing or
15 refinancing and improving of any of the facilities for which revenue
16 bonds or a loan contract have been issued or made under this section
17 or section 16 of this chapter.

18 (v) This section constitutes full authority for the issuance of revenue
19 bonds. No procedure, proceedings, publications, notices, consents,
20 approvals, orders, acts, or things by the authority, by a board, an
21 officer, a commission, a department, an agency, or an instrumentality
22 of the state, or by an eligible entity is required to issue revenue bonds
23 or to do any act or perform anything under this chapter, except as
24 presented by this chapter. The powers conferred by this chapter are in
25 addition to, and not in substitution for, and the limitations imposed by
26 this section do not affect the powers conferred in another section of this
27 chapter or by any other statute.

28 SECTION 368. IC 8-22-4-2 IS AMENDED TO READ AS
29 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) The airport
30 authority may sue and be sued, and shall adopt an official seal.

31 (b) The airport authority may appoint and remove or discharge
32 personnel as may be necessary for the performance of the airport's
33 functions irrespective of the civil service, personnel, or other merit
34 system laws of either of the party states.

35 (c) The airport authority shall elect annually, from its membership,
36 a ~~chairman~~, **chairperson**, a vice ~~chairman~~, **chairperson**, and a
37 treasurer.

38 (d) The airport authority may establish and maintain or participate
39 in programs of employee benefits as may be appropriate to afford
40 employees of the airport authority terms and conditions of employment
41 similar to those enjoyed by the employees of each of the party states.

42 (e) The airport authority may borrow, accept, or contract for the



1 services of personnel from a state, the United States, or a subdivision
 2 or agency of either, from an interstate agency, or from any other
 3 institution or person.

4 (f) The airport authority may accept for its purposes and functions
 5 donations and grants of money, equipment, supplies, materials, and
 6 services, conditional or otherwise, from a state, the United States, or a
 7 subdivision or agency of either, from an interstate agency, or from any
 8 other institution or person. The authority may receive, utilize and
 9 dispose of the property.

10 (g) The airport authority may establish and maintain facilities that
 11 may be necessary for the transaction of its business. The airport
 12 authority may acquire, hold, and convey real and personal property and
 13 any interest in it, and may enter into contracts for improvements upon
 14 real estate appurtenant to the airport, including farming, extracting
 15 minerals, subleasing, subdividing, promoting and developing of real
 16 estate that aids and encourages the development and service of the
 17 airport. The airport authority may engage contractors to provide airport
 18 services and shall carefully observe all appropriate federal or state
 19 regulations in the operation of the air facility.

20 (h) The airport authority may adopt official rules and regulations for
 21 the conduct of its business and may amend or rescind them when
 22 necessary.

23 (i) The airport authority shall annually make a report to the governor
 24 of each party state concerning the activities of the airport authority for
 25 the preceding year, embodying in the report recommendations that
 26 have been adopted by the airport authority. The copies of the report
 27 shall be submitted to the legislature or general assembly of each of the
 28 party states at any regular session. A copy submitted to the general
 29 assembly must be in an electronic format under IC 5-14-6. The airport
 30 authority may issue additional reports that are necessary.

31 SECTION 369. IC 8-23-2-15, AS AMENDED BY P.L.120-2023,
 32 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2024]: Sec. 15. (a) As used in this section, "highway worksite"
 34 means an area where:

- 35 (1) highway construction, reconstruction, or maintenance is
 36 actually occurring; and
- 37 (2) notice is posted indicating that the highway worksite is a
 38 specific area designated with signage on the highway.

39 (b) The department may contract with the state police department
 40 or local law enforcement agencies to hire off duty police officers to
 41 patrol highway worksites. The duties of a police officer who is hired
 42 under this section:



1 (1) are limited to those duties that the police officer normally
2 performs while on active duty; and

3 (2) do not include the duties of a:

4 (A) ~~flagman~~; **flagger**; or

5 (B) security officer.

6 (c) The department shall use the money transferred to the
7 department under IC 33-37-9-4(a)(6) to pay the costs of hiring off duty
8 police officers to perform the duties described in subsection (b).

9 (d) All money transferred to the department under
10 IC 33-37-9-4(a)(6) is annually appropriated to pay off duty police
11 officers to perform the duties described in subsection (b).

12 SECTION 370. IC 9-13-2-64 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 64. "~~Flagman~~"
14 "**Flagger**" means an authorized person directing traffic in accordance
15 with the provisions of this title at a worksite.

16 SECTION 371. IC 9-13-2-146.5, AS ADDED BY P.L.8-2010,
17 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2024]: Sec. 146.5. "Railroad ~~flagman~~", **flagger**", for purposes
19 of IC 9-21-8-41.7, has the meaning set forth in IC 9-21-8-41.7(a).

20 SECTION 372. IC 9-17-4-12, AS AMENDED BY P.L.198-2016,
21 SECTION 237, IS AMENDED TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2024]: Sec. 12. (a) Before the bureau may issue
23 a certificate of title for a vehicle that is required under this chapter to
24 have a special identification number made or stamped on the vehicle,
25 the bureau shall require the person applying for the certificate of title
26 to sign a statement that the special identification number assigned to
27 the vehicle by the bureau has been made or stamped on the vehicle in
28 a ~~workmanlike~~ **skilled** manner. The statement must also be signed by
29 the law enforcement officer who inspected the vehicle and determined
30 that the special identification number was made or stamped in a
31 ~~workmanlike~~ **skilled** manner.

32 (b) This section does not affect the authority of a manufacturer or a
33 manufacturer's agent, other than a dealer licensed under IC 9-32, to
34 perform numbering on vehicles or motor vehicle parts that are removed
35 or changed and then replaced with other numbered motor vehicle parts.

36 SECTION 373. IC 9-21-8-39, AS AMENDED BY P.L.8-2010,
37 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2024]: Sec. 39. Whenever a person who drives a vehicle
39 approaches a railroad grade crossing, the person shall stop within fifty
40 (50) feet but not less than fifteen (15) feet from the nearest track of the
41 railroad and may not proceed until the person can do so safely under
42 the following circumstances:



- 1 (1) When a clearly visible electric or mechanical signal device
 2 gives warning of the immediate approach of a train or other
 3 on-track equipment.
 4 (2) When a crossing gate is lowered or when a ~~human flagman~~
 5 **flagger** gives or continues to give a signal of the approach or
 6 passage of a train or other on-track equipment.
 7 (3) When a railroad train or other on-track equipment
 8 approaching within one thousand five hundred (1,500) feet of a
 9 highway crossing emits an audible signal and because of speed or
 10 nearness to the crossing is an immediate hazard.
 11 (4) When an approaching train or other on-track equipment is
 12 plainly visible and is in hazardous proximity to the crossing.
 13 SECTION 374. IC 9-21-8-40, AS AMENDED BY P.L.8-2010,
 14 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2024]: Sec. 40. (a) A person may not operate or move a
 16 caterpillar tractor, steam shovel, derrick, roller, or any equipment or
 17 structure weighing more than ten (10) tons and having a normal
 18 operating speed of not more than six (6) miles per hour or a vertical
 19 body or load clearance of less than nine (9) inches above the level
 20 surface of a roadway upon or across tracks at a railroad grade crossing
 21 without first complying with this section.
 22 (b) Notice of an intended crossing under this section shall be given
 23 to a superintendent of the railroad, and a reasonable time shall be given
 24 to the railroad to provide proper protection at the crossing.
 25 (c) Before making a crossing under this section, the person
 26 operating or moving a vehicle or equipment described in subsection (a)
 27 shall first stop the vehicle or equipment not less than ten (10) feet and
 28 not more than fifty (50) feet from the nearest rail or the railway. While
 29 stopped, the person shall listen and look in both directions along the
 30 track for an approaching train or other on-track equipment and for
 31 signals indicating the approach of a train or other on-track equipment.
 32 The person shall not proceed until the crossing can be made safely.
 33 (d) A crossing may not be made when warning is given by
 34 automatic signal, crossing gates, a ~~flagman~~, **flagger**, or otherwise of the
 35 immediate approach of a railroad train or other on-track equipment.
 36 SECTION 375. IC 9-21-8-41, AS AMENDED BY P.L.217-2014,
 37 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2024]: Sec. 41. (a) A person who drives a vehicle may not
 39 disobey the instructions of an official traffic control device placed in
 40 accordance with this article unless otherwise directed by a police
 41 officer.
 42 (b) When a traffic control device or ~~flagman~~ **flagger** is utilized at a



1 worksite on a highway for traffic control, a person who drives a vehicle
 2 shall exercise extraordinary care to secure the mutual safety of all
 3 persons and vehicles at the worksite.

4 (c) All traffic shall observe and obey traffic control devices
 5 including signals, signs, and warnings, and all directions, signs, or
 6 warning devices that may be given or displayed by a police officer or
 7 **flagman flagger** to safely control traffic movement at a worksite and
 8 promote safety at a worksite.

9 SECTION 376. IC 9-21-8-41.7, AS AMENDED BY P.L.50-2011,
 10 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2024]: Sec. 41.7. (a) For purposes of this section, "railroad
 12 **flagman" flagger"** means a person who furnishes flag protection as
 13 prescribed by rules of the carrier.

14 (b) A person who operates a vehicle shall obey the instructions of
 15 a railroad **flagman flagger** to stop the vehicle before approaching a
 16 location in which a train or other on-track equipment is or may be
 17 located.

18 SECTION 377. IC 9-21-8-56, AS AMENDED BY P.L.120-2023,
 19 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2024]: Sec. 56. (a) For purposes of this section, "highway
 21 worksite" has the meaning set forth in IC 8-23-2-15.

22 (b) Except as provided in subsections (f) through (h), a person who
 23 recklessly operates a vehicle in the immediate vicinity of a highway
 24 worksite when workers are present commits a Class A misdemeanor.

25 (c) Except as provided in subsections (f) through (h), a person who
 26 knowingly or intentionally operates a motor vehicle in the immediate
 27 vicinity of a highway worksite when workers are present with the intent
 28 to:

29 (1) damage traffic control devices; or

30 (2) inflict bodily injury on a worker;

31 commits a Class A misdemeanor.

32 (d) Except as provided in subsections (f) through (h), a person who
 33 knowingly, intentionally, or recklessly engages in:

34 (1) aggressive driving, as defined in section 55 of this chapter; or

35 (2) a speed contest, as prohibited under IC 9-21-6-1;

36 in the immediate vicinity of a highway worksite when workers are
 37 present commits a Class A misdemeanor.

38 (e) Except as provided in subsections (f) through (h), a person who
 39 recklessly fails to obey a traffic control device or ~~flagman~~, **flagger**, as
 40 prohibited under section 41 of this chapter, in the immediate vicinity
 41 of a highway worksite when workers are present commits a Class A
 42 misdemeanor.



1 (f) An offense under subsection (b), (c), (d), or (e) is a Level 6
2 felony if the person who commits the offense:

3 (1) has a prior unrelated conviction under this section in the
4 previous five (5) years; or

5 (2) is operating the vehicle in violation of IC 9-30-5-1 or
6 IC 9-30-5-2.

7 (g) An offense under subsection (b), (c), (d), or (e) is a Level 6
8 felony if the offense results in bodily injury to a worker in the worksite.

9 (h) An offense under subsection (b), (c), (d), or (e) is a Level 5
10 felony if the offense results in the death of a worker in the worksite.

11 (i) A person who knowingly, intentionally, or recklessly engages in
12 an act described in section 55(b)(1), 55(b)(2), 55(b)(3), 55(b)(4),
13 55(b)(5), or 55(b)(6) of this chapter in the immediate vicinity of a
14 highway worksite when workers are present commits a Class B
15 infraction. Notwithstanding IC 34-28-5-5(c), the funds collected as
16 judgments for an infraction under this subsection shall be transferred
17 to the Indiana department of transportation to pay the costs of hiring off
18 duty police officers to perform the duties described in IC 8-23-2-15(b).

19 SECTION 378. IC 10-12-2-12, AS ADDED BY P.L.20-2019,
20 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2024]: Sec. 12. If during a state fiscal year beginning after
22 June 30, 2018, the trustee or the pension consultants perform a stress
23 test or a risk assessment on the trust fund, including a sensitivity
24 analysis of funding status, the trustee, or another suitable person
25 designated by the trustee, shall before November 1 of the following
26 state fiscal year:

27 (1) submit a report describing the stress tests and risk assessments
28 performed and the results of those tests and risk assessments to
29 the interim study committee on pension management oversight
30 established by IC 2-5-1.3-4 in an electronic format under
31 IC 5-14-6; and

32 (2) upon request from the ~~chairman~~ **chairperson** of the interim
33 study committee on pension management oversight, present a
34 summary of the information described in subdivision (1) to the
35 interim study committee on pension management oversight.

36 SECTION 379. IC 10-13-2-10 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. (a) The criminal
38 justice advisory committee is established.

39 (b) The committee consists of the following persons or their
40 designated representatives:

41 (1) The superintendent, who shall act as ~~chairman~~ **chairperson**.

42 (2) The attorney general.



- 1 (3) The executive director of the criminal justice planning agency.
- 2 (4) The commissioner of corrections.
- 3 (5) One (1) county sheriff serving in the sheriff's second or
- 4 subsequent term of office.
- 5 (6) One (1) chief of police with at least two (2) years of
- 6 experience as chief.
- 7 (7) One (1) prosecuting attorney in the prosecuting attorney's
- 8 second or subsequent term of office.
- 9 (8) One (1) judge of a court of general criminal jurisdiction.
- 10 (9) The executive director of the law enforcement training
- 11 academy.
- 12 (10) A criminologist or forensic scientist.
- 13 (c) A member of the committee:
- 14 (1) must be appointed by the governor on a nonpartisan basis; and
- 15 (2) shall serve at the pleasure of the governor.
- 16 (d) A member of the committee serves without compensation except
- 17 per diem as provided by law.
- 18 (e) The committee shall meet as often as is considered necessary by
- 19 the superintendent to formulate or revise rules for the statewide
- 20 operation of the criminal justice data division.
- 21 SECTION 380. IC 10-14-3-17, AS AMENDED BY P.L.1-2009,
- 22 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 23 JULY 1, 2024]: Sec. 17. (a) A political subdivision is:
- 24 (1) within the jurisdiction of; and
- 25 (2) served by;
- 26 a department of emergency management or by an interjurisdictional
- 27 agency responsible for disaster preparedness and coordination of
- 28 response.
- 29 (b) A county shall:
- 30 (1) maintain a county emergency management advisory council
- 31 and a county emergency management organization; or
- 32 (2) participate in an interjurisdictional disaster agency that, except
- 33 as otherwise provided under this chapter, may have jurisdiction
- 34 over and serve the entire county.
- 35 (c) The county emergency management advisory council consists of
- 36 the following individuals or their designees:
- 37 (1) The president of the county executive or, if the county
- 38 executive does not have a president, a member of the county
- 39 executive appointed from the membership of the county
- 40 executive.
- 41 (2) The president of the county fiscal body.
- 42 (3) The mayor of each city located in the county.



- 1 (4) An individual representing the legislative bodies of all towns
 2 located in the county.
- 3 (5) Representatives of private and public agencies or
 4 organizations that can assist emergency management considered
 5 appropriate by the county emergency management advisory
 6 council.
- 7 (6) One (1) commander of a local civil air patrol unit in the
 8 county or the commander's designee.
- 9 (d) The county emergency management advisory council shall do
 10 the following:
- 11 (1) Exercise general supervision and control over the emergency
 12 management and disaster program of the county.
- 13 (2) Select or cause to be selected, with the approval of the county
 14 executive, a county emergency management and disaster director
 15 who:
- 16 (A) has direct responsibility for the organization,
 17 administration, and operation of the emergency management
 18 program in the county; and
- 19 (B) is responsible to the ~~chairman~~ **chairperson** of the county
 20 emergency management advisory council.
- 21 (e) Notwithstanding any provision of this chapter or other law to the
 22 contrary, the governor may require a political subdivision to establish
 23 and maintain a disaster agency jointly with one (1) or more contiguous
 24 political subdivisions with the concurrence of the affected political
 25 subdivisions if the governor finds that the establishment and
 26 maintenance of an agency or participation in one (1) is necessary by
 27 circumstances or conditions that make it unusually difficult to provide:
- 28 (1) disaster prevention;
 29 (2) preparedness;
 30 (3) response; or
 31 (4) recovery services;
- 32 under this chapter.
- 33 (f) A political subdivision that does not have a disaster agency and
 34 has not made arrangements to secure or participate in the services of an
 35 agency shall have an emergency management director designated to
 36 facilitate the cooperation and protection of that political subdivision in
 37 the work of:
- 38 (1) disaster prevention;
 39 (2) preparedness;
 40 (3) response; and
 41 (4) recovery.
- 42 (g) The county emergency management and disaster director and



- 1 personnel of the department may be provided with appropriate:
- 2 (1) office space;
- 3 (2) furniture;
- 4 (3) vehicles;
- 5 (4) communications;
- 6 (5) equipment;
- 7 (6) supplies;
- 8 (7) stationery; and
- 9 (8) printing;
- 10 in the same manner as provided for personnel of other county agencies.
- 11 (h) Each local or interjurisdictional agency shall:
- 12 (1) prepare; and
- 13 (2) keep current;
- 14 a local or interjurisdictional disaster emergency plan for its area.
- 15 (i) The local or interjurisdictional disaster agency shall prepare and
- 16 distribute to all appropriate officials a clear and complete written
- 17 statement of:
- 18 (1) the emergency responsibilities of all local agencies and
- 19 officials; and
- 20 (2) the disaster chain of command.
- 21 (j) Each political subdivision may:
- 22 (1) appropriate and expend funds, make contracts, obtain and
- 23 distribute equipment, materials, and supplies for emergency
- 24 management and disaster purposes, provide for the health and
- 25 safety of persons and property, including emergency assistance to
- 26 the victims of a disaster resulting from enemy attack, provide for
- 27 a comprehensive insurance program for its emergency
- 28 management volunteers, and direct and coordinate the
- 29 development of an emergency management program and
- 30 emergency operations plan in accordance with the policies and
- 31 plans set by the federal emergency management agency and the
- 32 department of homeland security established by IC 10-19-2-1;
- 33 (2) appoint, employ, remove, or provide, with or without
- 34 compensation:
- 35 (A) rescue teams;
- 36 (B) auxiliary fire and police personnel; and
- 37 (C) other emergency management and disaster workers;
- 38 (3) establish:
- 39 (A) a primary; and
- 40 (B) one (1) or more secondary;
- 41 control centers to serve as command posts during an emergency;
- 42 (4) subject to the order of the governor or the chief executive of



1 the political subdivision, assign and make available for duty the
 2 employees, property, or equipment of the political subdivision
 3 relating to:

- 4 (A) firefighting;
- 5 (B) engineering;
- 6 (C) rescue;
- 7 (D) health, medical, and related services;
- 8 (E) police;
- 9 (F) transportation;
- 10 (G) construction; and
- 11 (H) similar items or services;

12 for emergency management and disaster purposes within or
 13 outside the physical limits of the political subdivision; and
 14 (5) in the event of a national security emergency or disaster
 15 emergency as provided in section 12 of this chapter, waive
 16 procedures and formalities otherwise required by law pertaining
 17 to:

- 18 (A) the performance of public work;
- 19 (B) the entering into of contracts;
- 20 (C) the incurring of obligations;
- 21 (D) the employment of permanent and temporary workers;
- 22 (E) the use of volunteer workers;
- 23 (F) the rental of equipment;
- 24 (G) the purchase and distribution of supplies, materials, and
 25 facilities; and
- 26 (H) the appropriation and expenditure of public funds.

27 SECTION 381. IC 10-14-3-31 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 31. (a) A person in
 29 Indiana shall ~~conduct himself or herself~~ **behave** and keep and manage
 30 ~~his or her~~ **the person's** affairs and property in ways that will reasonably
 31 assist and will not unreasonably detract from the ability of the state and
 32 the public to successfully meet disaster emergencies. This obligation
 33 includes appropriate personal service and use or restriction on the use
 34 of property in time of disaster emergency. Compensation for services
 35 or for the taking or use of property may be made only to the extent:

- 36 (1) that obligations recognized in this chapter are exceeded in a
 37 particular case; and
- 38 (2) that the claimant has not volunteered the claimant's services
 39 or property without compensation.

40 (b) Personal services may not be compensated by the state or any
 41 subdivision or agency of the state except under statute, local law, or
 42 ordinance.



1 (c) Compensation for property may be paid only if the property was
 2 commandeered or otherwise used in coping with a disaster emergency
 3 and its use or destruction was ordered by the governor or a member of
 4 the disaster emergency forces of Indiana.

5 (d) Any person claiming compensation for the use, damage, loss, or
 6 destruction of property under this chapter must make a claim for it. The
 7 claim must be filed and shall be adjudicated as provided in IC 32-24.

8 (e) This section does not apply to or authorize compensation for the
 9 destruction or damaging of standing timber or other property in order
 10 to provide a fire break or to the release of waters or the breach of
 11 impoundments in order to reduce pressure or other danger from actual
 12 or threatened flood.

13 SECTION 382. IC 10-16-13-5 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) The commissions
 15 of the battalion officers shall be issued by the governor upon the
 16 recommendation of the commandants and of the ~~chairman~~ **chairperson**
 17 of the board of trustees of the school.

18 (b) The commissions of cadet officers may be issued by the
 19 commandant. However, a cadet officer may not acquire any authority
 20 over militiamen other than a cadet of the school because of the issuance
 21 of the commission of cadet officer.

22 SECTION 383. IC 10-19-8.1-3, AS AMENDED BY P.L.127-2022,
 23 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2024]: Sec. 3. (a) The council consists of the following
 25 members:

- 26 (1) The governor or the governor's designee.
- 27 (2) The executive director.
- 28 (3) The superintendent of the state police department.
- 29 (4) The adjutant general.
- 30 (5) The state health commissioner.
- 31 (6) The commissioner of the department of environmental
 32 management.
- 33 (7) The ~~chairman~~ **chairperson** of the Indiana utility regulatory
 34 commission.
- 35 (8) The director of the department of natural resources or, if
 36 designated by the director, the deputy director who manages the
 37 bureau of administration.
- 38 (9) The chief information officer of the office of technology.
- 39 (10) The speaker of the house of representatives or the speaker's
 40 designee.
- 41 (11) The president pro tempore of the senate or the president pro
 42 tempore's designee.



- 1 (12) The minority leader of the house of representatives or the
 2 minority leader's designee.
- 3 (13) The minority leader of the senate or the minority leader's
 4 designee.
- 5 (b) The members of the council described in subsection (a)(10)
 6 through (a)(13) are nonvoting members.
- 7 SECTION 384. IC 10-19-12-1, AS ADDED BY P.L.28-2022,
 8 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2024]: Sec. 1. This agreement shall be effective immediately
 10 upon:
- 11 (1) approval by the U.S. Nuclear Regulatory Commission; and
 12 (2) signing by the governor and the ~~chairman~~ **chairperson** of the
 13 U.S. Nuclear Regulatory Commission.
- 14 SECTION 385. IC 11-9-1-1, AS AMENDED BY P.L.100-2012,
 15 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2024]: Sec. 1. (a) There is established, as a division of the
 17 department, the parole board, consisting of five (5) members appointed
 18 by the governor, not more than three (3) of whom may be affiliated
 19 with the same political party. Members are appointed for a term of four
 20 (4) years. A vacancy occurring before the expiration of a term shall be
 21 filled by the governor for the remainder of the term. In the event of a
 22 temporary inability to act of any member, the governor may appoint a
 23 person qualified under this section to act in ~~his~~ **the member's** place
 24 during the continuance of the inability. Members may be reappointed.
- 25 (b) To qualify for membership a person must:
- 26 (1) hold at least a bachelor's degree from an accredited college or
 27 university; or
- 28 (2) have at least ten (10) years of law enforcement experience;
 29 and must have the skill, training, or experience to analyze questions of
 30 law, administration, and public policy. Members shall devote full time
 31 to their duties, and are entitled to a salary to be determined by the state
 32 budget agency with the approval of the governor. The governor shall
 33 designate one (1) of the members to serve as ~~chairman~~ **chairperson**.
- 34 SECTION 386. IC 11-10-6-1 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) There is hereby
 36 established an industry and farm product advisory council to assist the
 37 department in determining the need for products, the estimated volume
 38 or number of units required, pricing policies, and other matters relating
 39 to sales or promotion of such products manufactured or produced
 40 within the correctional system. The commissioner shall inform the
 41 council each year of the estimated number of offenders required to be
 42 employed at each institution during the year by the department and the



1 offender work schedules for industry and farm production. With data
 2 furnished by the department, the council shall recommend to the
 3 commissioner an annual sales and production plan for all industry and
 4 farm programs. The council shall study and advise in such other areas
 5 or matters as may be referred by the commissioner or the administrator
 6 in charge of industry and farm programs.

7 (b) The council shall meet annually or at such other times as the
 8 commissioner considers necessary. The council is composed of the
 9 following members:

- 10 (1) the commissioner, who shall be ~~chairman~~; **the chairperson**;
 11 (2) the commissioner of the department of administration;
 12 (3) the state budget director;
 13 (4) the administrator in charge of the industry and farm programs,
 14 who shall act as secretary of the council; and
 15 (5) the commissioner, at ~~his~~ **the commissioner's** discretion, may
 16 appoint two (2) persons who are major users of industry and farm
 17 products or who represent the general public.

18 SECTION 387. IC 11-10-12-1 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) When a
 20 committed offender is released on parole or discharged from the
 21 department, the department shall:

- 22 (1) within a reasonable period of time, return any property or
 23 money, including accumulated earnings, held for the offender;
 24 and
 25 (2) provide ~~him~~, **the offender**, if ~~he~~ **the offender** is unable to
 26 ~~provide them for himself~~, **acquire them through the offender's**
 27 **own resources**, with at least one (1) set of clothing appropriate
 28 for the season of the year of such quality and styling that ~~he~~ **the**
 29 **offender** will not be identified as an ex-offender.

30 (b) The department, upon request by the offender, may issue a
 31 complete set of serviceable work clothing, including work shoes, to an
 32 offender whose occupation will require such clothing.

33 SECTION 388. IC 11-11-5-6 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. Disciplinary action
 35 may not be taken against a person before a determination of guilt.
 36 However, a person charged with misconduct may be confined or
 37 separated from the general population of the facility or program for a
 38 reasonable period of time if ~~his~~ **the person's** continued presence in the
 39 general population poses a serious threat to ~~himself~~, **the person**, others,
 40 property, or the security of the facility or program. The department
 41 must review the status of that person at least once every five (5) days
 42 to determine if the reason for segregation still exists. Any time spent



1 confined or separated from the general population before a
 2 determination of guilt must be credited toward any period of
 3 disciplinary segregation imposed.

4 SECTION 389. IC 11-12-2-2, AS AMENDED BY P.L.86-2017,
 5 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2024]: Sec. 2. (a) To qualify for financial aid under this
 7 chapter, a county must establish a community corrections advisory
 8 board by resolution of the county executive or, in a county having a
 9 consolidated city, by the city-county council. A community corrections
 10 advisory board consists of:

- 11 (1) the county sheriff or the sheriff's designee;
- 12 (2) the prosecuting attorney or the prosecuting attorney's
 13 designee;
- 14 (3) the executive of the most populous municipality in the county
 15 or the executive's designee;
- 16 (4) two (2) judges having criminal jurisdiction, if available,
 17 appointed by the circuit court judge or the judges' designees;
- 18 (5) one (1) judge having juvenile jurisdiction, appointed by the
 19 circuit court judge;
- 20 (6) one (1) public defender or the public defender's designee, if
 21 available, or one (1) attorney with a substantial criminal defense
 22 practice appointed by the county executive or, in a county having
 23 a consolidated city, by the city-county council;
- 24 (7) one (1) victim, or victim advocate if available, appointed by
 25 the county executive or, in a county having a consolidated city, by
 26 the city-county council;
- 27 (8) one (1) ex-offender, if available, appointed by the county
 28 executive or, in a county having a consolidated city, by the
 29 city-county council;
- 30 (9) the director of the local office of the department of child
 31 services or the director's designee;
- 32 (10) a representative from a juvenile correctional facility or
 33 juvenile detention center in the county, but if no facility exists,
 34 one (1) mental health representative chosen by the judge
 35 described in subdivision (5);
- 36 (11) a representative from the Juvenile Detention Alternatives
 37 Initiative, but if no program exists, a representative from the court
 38 appointed special advocate program in the county or guardian ad
 39 litem program in the county; and
- 40 (12) the following members appointed by the county executive or,
 41 in a county having a consolidated city, by the city-county council:
 42 (A) One (1) member of the county fiscal body or the member's



- 1 designee.
- 2 (B) One (1) probation officer.
- 3 (C) One (1) juvenile probation officer.
- 4 (D) One (1) educational administrator.
- 5 (E) One (1) representative of a private correctional agency, if
- 6 such an agency exists in the county.
- 7 (F) One (1) mental health administrator, or, if there is none
- 8 available in the county, one (1) psychiatrist, psychologist, or
- 9 physician.
- 10 (G) Four (4) lay persons, at least one (1) of whom must be a
- 11 member of a minority race if a racial minority resides in the
- 12 county and a member of that minority is willing to serve.
- 13 (b) Designees of officials designated under subsection (a)(1)
- 14 through (a)(6), (a)(9), and (a)(12)(A) serve at the pleasure of the
- 15 designating official.
- 16 (c) Members of the advisory board appointed by the county
- 17 executive or, in a county having a consolidated city, by the city-county
- 18 council, shall be appointed for a term of four (4) years. The criminal
- 19 defense attorney, the ex-offender, and the victim or victim advocate
- 20 shall be appointed for a term of four (4) years. Other members serve
- 21 only while holding the office or position held at the time of
- 22 appointment. The circuit court judge may fill the position of the judge
- 23 having juvenile court jurisdiction by self appointment if the circuit
- 24 court judge is otherwise qualified. A vacancy occurring before the
- 25 expiration of the term of office shall be filled in the same manner as
- 26 original appointments for the unexpired term. Members may be
- 27 reappointed.
- 28 (d) Two (2) or more counties, by resolution of their county
- 29 executives or, in a county having a consolidated city, by the city-county
- 30 council, may combine to apply for financial aid under this chapter. If
- 31 counties so combine, the counties may establish one (1) community
- 32 corrections advisory board to serve these counties. This board must
- 33 contain the representation prescribed in subsection (a), but the
- 34 members may come from the participating counties as determined by
- 35 agreement of the county executives or, in a county having a
- 36 consolidated city, by the city-county council.
- 37 (e) The members of the community corrections advisory board shall,
- 38 within thirty (30) days after the last initial appointment is made, meet
- 39 and elect one (1) member as **chairman chairperson** and another as vice
- 40 **chairman chairperson** and appoint a secretary-treasurer who need not
- 41 be a member. A majority of the members of a community corrections
- 42 advisory board may provide for a number of members that is:



1 (1) less than a majority of the members; and
 2 (2) at least six (6);
 3 to constitute a quorum for purposes of transacting business. The
 4 affirmative votes of at least five (5) members, but not less than a
 5 majority of the members present, are required for the board to take
 6 action. A vacancy in the membership does not impair the right of a
 7 quorum to transact business.

8 (f) The county executive and county fiscal body shall provide
 9 necessary assistance and appropriations to the community corrections
 10 advisory board established for that county. Appropriations required
 11 under this subsection are limited to amounts received from the
 12 following sources:

- 13 (1) Department grants.
 14 (2) User fees.
 15 (3) Other funds as contained within an approved plan.

16 Additional funds may be appropriated as determined by the county
 17 executive and county fiscal body.

18 SECTION 390. IC 11-13-1-6 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. There is established
 20 within the judicial conference of Indiana a probation standards and
 21 practices advisory committee, consisting of the following ten (10)
 22 members, not more than five (5) of whom may be affiliated with the
 23 same political party:

- 24 (1) the chief justice of the supreme court or ~~his~~ **the chief justice's**
 25 designee, who shall serve as ~~chairman~~ **chairperson** of the
 26 committee;
 27 (2) the commissioner or ~~his~~ **the commissioner's** designee;
 28 (3) one (1) judge of a circuit or superior court having criminal
 29 jurisdiction;
 30 (4) one (1) judge of a county or municipal court having criminal
 31 jurisdiction;
 32 (5) one (1) judge of a circuit or superior court having juvenile
 33 jurisdiction;
 34 (6) one (1) supervising probation officer;
 35 (7) two (2) probation officers, one (1) whose primary
 36 responsibility is adult supervision and one (1) whose primary
 37 responsibility is juvenile supervision; and
 38 (8) two (2) lay persons.

39 SECTION 391. IC 11-13-1-7 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) Other than the
 41 commissioner and the chief justice, who shall serve by virtue of their
 42 offices, or their designees, members of the probation standards and



1 practices advisory committee shall be appointed by the governor. All
 2 appointments shall be made for terms of four (4) years or while
 3 maintaining the position held at the time of appointment to the
 4 committee, whichever is the lesser period. Appointees shall serve as
 5 members of the committee only while holding the office or position
 6 held at the time of appointment.

7 (b) Vacancies on the committee caused by resignation, death, or
 8 removal shall be filled for the unexpired term of the member succeeded
 9 in the same manner as the original appointment. Members may be
 10 reappointed for additional terms. The appointed members of the
 11 committee may be removed by the governor for cause after an
 12 opportunity to be heard by the governor upon due notice.

13 (c) Each appointed member is entitled to the minimum salary per
 14 diem as provided in IC 4-10-11-2.1(b) for each day engaged in the
 15 official business of the committee. In addition, each member is entitled
 16 to reimbursement for traveling and other expenses as provided in the
 17 state travel policies and procedures established by the state department
 18 of administration and approved by the state budget agency. The
 19 committee shall meet at least three (3) times a year and at other times
 20 at the call of the ~~chairman~~ **chairperson**. The ~~chairman~~ **chairperson**
 21 shall call the organizational meeting of the committee within thirty (30)
 22 days after the last initial appointment to the committee has been made
 23 by the governor. For the purposes of transacting business, a majority of
 24 the membership constitutes a quorum.

25 SECTION 392. IC 11-13-3-8 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) If an employee
 27 of the department assigned to supervise and assist parolees believes
 28 that a parolee has violated a condition to remaining on parole, ~~he~~ **the**
 29 **employee** may submit a written report of the violation to the parole
 30 board. After considering the report and making any further
 31 investigation it considers appropriate, the parole board may:

- 32 (1) dismiss all further proceedings on the alleged violation;
- 33 (2) instruct the employee to handle the matter informally;
- 34 (3) request the parolee to meet informally with the parole board
 35 to review ~~his~~ **the parolee's** parole obligations; or
- 36 (4) intensify parole supervision and reporting.

37 (b) Upon a showing of probable cause to believe the parolee
 38 violated a condition to remaining on parole, the ~~chairman~~ **chairperson**
 39 (or a member of the parole board designated by the ~~chairman~~
 40 **chairperson** to act in the absence of the ~~chairman~~) **chairperson**) may
 41 issue an order for the parolee to appear for a revocation hearing on the
 42 alleged violation.



1 (c) Upon a showing of probable cause to believe the parolee
 2 violated a condition to remaining on parole, the ~~chairman~~ **chairperson**
 3 (or a member of the parole board designated by the ~~chairman~~
 4 **chairperson** to act in the absence of the ~~chairman~~) **chairperson**) may
 5 issue a warrant for the arrest and confinement of the parolee pending
 6 a preliminary hearing. An employee of the department or any person
 7 authorized to execute warrants may execute the warrant.

8 (d) Upon a showing of probable cause to believe that an alleged
 9 parole violator has fled the state, the ~~chairman~~ **chairperson** (or a
 10 member of the parole board who is designated by the ~~chairman~~
 11 **chairperson** to act in the absence of the ~~chairman~~) **chairperson**) may:

12 (1) issue a warrant for the arrest and confinement of the parolee;
 13 and

14 (2) order that the parolee be returned to the state;
 15 to ensure the appearance of the parolee at a parole revocation hearing.

16 (e) If the parole board issues an order, under subsection (b), for the
 17 parolee to appear for a revocation hearing, the parolee shall be given
 18 written notice of:

- 19 (1) the date, time, and place of the hearing;
 20 (2) the condition alleged to have been violated;
 21 (3) the procedures and rights applicable to that hearing; and
 22 (4) the possible sanctions if a violation is found.

23 (f) If the parole board issues a warrant, under subsection (c), for the
 24 arrest and confinement of the parolee pending a preliminary hearing,
 25 the parolee shall be given written notice of:

- 26 (1) the date, time, and place of the hearing;
 27 (2) the condition alleged to have been violated;
 28 (3) the procedures and rights applicable to the hearing;
 29 (4) ~~his~~ **the parolee's** right to a revocation hearing and the
 30 procedures and rights applicable to that hearing if probable cause
 31 is found to exist; and

32 (5) the possible sanctions if a violation is found at a revocation
 33 hearing.

34 (g) The issuance of an order to appear or arrest warrant under this
 35 section tolls the period of parole until the parole board's final
 36 determination of the charge. However, the tolled period shall be
 37 restored if there is a finding of no violation, if a finding of a violation
 38 is later overturned, or if the parole violation charge is dismissed.

39 SECTION 393. IC 11-13-4.5-2, AS AMENDED BY P.L.161-2018,
 40 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2024]: Sec. 2. (a) As used in this section, "council" refers to:

- 42 (1) the state council for interstate adult offender supervision



- 1 described in section 1 of this chapter (Article III of the interstate
 2 compact for adult offender supervision); and
 3 (2) the state council for interstate juvenile supervision described
 4 in section 1.5 of this chapter (Article VIII of the interstate
 5 compact for juveniles).
- 6 (b) The council consists of the following members:
- 7 (1) The commissioner of the department of correction.
 8 (2) The chief administrative officer of the office of judicial
 9 administration or the chief administrative officer's designee.
 10 (3) The executive director of the Indiana criminal justice institute.
 11 (4) One (1) member of a victim's group appointed by the governor
 12 upon recommendation of the executive director of the Indiana
 13 criminal justice institute.
 14 (5) The executive director of the Indiana sheriffs' association.
 15 (6) The executive director of the public defender council of
 16 Indiana.
 17 (7) The executive director of the prosecuting attorneys council of
 18 Indiana.
 19 (8) One (1) member of the general assembly appointed by the
 20 ~~chairman~~ **chairperson** of the legislative council. The legislative
 21 member serves at the pleasure of the ~~chairman~~ **chairperson** of the
 22 legislative council.
 23 (9) The compact administrator, if the compact administrator is not
 24 already a member of the council.
 25 (10) The director of the department of child services.
 26 (11) The president of the Indiana council of juvenile and family
 27 court judges.
- 28 (c) The chief administrative officer of the office of judicial
 29 administration shall serve as the chairperson of the council.
- 30 (d) The office of judicial administration shall staff the council.
- 31 (e) The council shall meet at the call of the chairperson or upon
 32 request by a majority of the members, but at least one (1) time per
 33 calendar year.
- 34 (f) The commissioner of the department of correction shall appoint
 35 sufficient deputy compact administrators to fulfill Indiana's obligations
 36 under the interstate compact for adult offender supervision with respect
 37 to out-of-state offenders who are on parole.
- 38 (g) The chief administrative officer or designee of the office of
 39 judicial administration shall appoint sufficient deputy compact
 40 administrators to fulfill Indiana's obligations under the interstate
 41 compact for adult offender supervision with respect to out-of-state
 42 offenders who are on probation.



- 1 (h) The council has the following duties:
2 (1) The council shall receive the recommendation of the
3 commissioner of the department of correction and the chief
4 administrative officer of the office of judicial administration
5 concerning the appointment of a compact administrator.
6 (2) The council shall appoint the compact administrator, who
7 shall serve as commissioner on the interstate commission. If the
8 compact administrator is unable to serve as commissioner at a
9 meeting of the interstate commission, the council shall designate
10 another person to serve in place of the compact administrator.
11 (3) The council shall oversee activities of the interstate
12 commission.
13 (4) The council may make recommendations concerning the
14 operation of the interstate compact within Indiana and to facilitate
15 the implementation of the rules and bylaws adopted by the
16 interstate commission.
17 (5) The council shall carry out the duties of the state council
18 under section 1.5 of this chapter.
19 (i) The expenses of the council shall be paid from appropriations
20 made to the Indiana supreme court.
21 (j) Each member of the council who is not a state employee is not
22 entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b).
23 The member is entitled to reimbursement for traveling expenses as
24 provided under IC 4-13-1-4 and other expenses actually incurred in
25 connection with the member's duties as provided in the state policies
26 and procedures established by the Indiana department of administration
27 and approved by the budget agency.
28 (k) Each member of the council who is a state employee but who is
29 not a member of the general assembly is entitled to reimbursement for
30 traveling expenses as provided under IC 4-13-1-4 and other expenses
31 actually incurred in connection with the member's duties as provided
32 in the state policies and procedures established by the Indiana
33 department of administration and approved by the budget agency.
34 (l) Each member of the council who is a member of the general
35 assembly is entitled to receive the same per diem, mileage, and travel
36 allowances paid to legislative members of interim study committees
37 established by the legislative council. Per diem, mileage, and travel
38 allowances paid under this subsection shall be paid from appropriations
39 made to the legislative council or the legislative services agency.
40 (m) A member of the council who is a member of the general
41 assembly serves as a nonvoting member.
42 (n) The affirmative votes of a majority of the voting members



1 appointed to the council are required for the committee to take action
2 on any measure, including making a recommendation.

3 SECTION 394. IC 12-10-2-4 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) The term of a
5 member of the commission is four (4) years. The term of a member
6 filling a vacancy is for the remainder of the unexpired term.

7 (b) The term of a member of the commission expires July 1, but a
8 member continues in office until a successor is appointed.

9 (c) The governor may terminate the appointment of a member of the
10 commission by notifying the member, the ~~chairman~~ **chairperson** of the
11 commission, and the director.

12 SECTION 395. IC 12-10-2-5 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. At its first meeting
14 of each year, the commission shall elect a ~~chairman~~; **chairperson**, three
15 (3) vice ~~chairmen~~; **chairpersons**, and a secretary to serve for one (1)
16 year. These officers are the executive committee of the commission.

17 SECTION 396. IC 12-10-11-2, AS AMENDED BY P.L.32-2021,
18 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2024]: Sec. 2. (a) The board consists of the following fifteen
20 (15) members:

21 (1) The director of the division of aging or the director's designee.

22 (2) The ~~chairman~~ **chairperson** of the Indiana state commission on
23 aging or the ~~chairman's~~ **chairperson's** designee.

24 (3) Three (3) citizens nominated by two (2) or more organizations
25 that:

26 (A) represent senior citizens; and

27 (B) have statewide membership.

28 (4) One (1) citizen nominated by one (1) or more organizations
29 that:

30 (A) represent individuals with disabilities, including
31 individuals who are less than eighteen (18) years of age; and

32 (B) have statewide membership.

33 (5) One (1) citizen nominated by one (1) or more organizations
34 that:

35 (A) represent individuals with mental illness, including
36 dementia; and

37 (B) have statewide membership.

38 (6) One (1) provider who provides services under IC 12-10-10.

39 (7) One (1) licensed physician, physician assistant, or registered
40 nurse who specializes either in the field of gerontology or in the
41 field of disabilities.

42 (8) Two (2) home care services advocates or policy specialists



1 nominated by two (2) or more:

2 (A) organizations;

3 (B) associations; or

4 (C) nongovernmental agencies;

5 that advocate on behalf of home care consumers, including an
6 organization listed in subdivision (3) that represents senior
7 citizens or persons with disabilities.

8 (9) Two (2) members of the senate, who may not be members of
9 the same political party, appointed by the president pro tempore
10 of the senate with the advice of the minority leader of the senate.

11 (10) Two (2) members of the house of representatives, who may
12 not be members of the same political party, appointed by the
13 speaker of the house of representatives with the advice of the
14 minority leader of the house of representatives.

15 The members of the board listed in subdivisions (9) and (10) are
16 nonvoting members.

17 (b) The members of the board designated by subsection (a)(3)
18 through (a)(8) shall be appointed by the governor for terms of four (4)
19 years. The term of a member of the board expires July 1. However, a
20 member may continue to serve until a successor is appointed. In case
21 of a vacancy, the governor shall appoint an individual to serve for the
22 remainder of the unexpired term.

23 (c) The division shall establish notice and selection procedures to
24 notify the public of the board's nomination process described in this
25 chapter. Information must be distributed through:

26 (1) the area agencies on aging; and

27 (2) all organizations, associations, and nongovernmental agencies
28 that work with the division on home care issues and programs.

29 SECTION 397. IC 12-10-11-5 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. Each year the board
31 shall elect from its membership a ~~chairman~~ **chairperson** and vice
32 ~~chairman~~ **chairperson**.

33 SECTION 398. IC 12-15-33-8, AS AMENDED BY P.L.140-2019,
34 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2024]: Sec. 8. (a) A subcommittee may be created as the
36 committee considers necessary.

37 (b) The committee shall create a standing fiscal subcommittee.

38 (c) The ~~chairman~~ **chairperson** of each subcommittee must be a
39 member of the committee.

40 (d) Subcommittees may convene as often as needed.

41 SECTION 399. IC 12-15-35-25 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 25. (a) The board shall



1 annually elect a ~~chairman~~ **chairperson** from the members of the board.

2 (b) The ~~chairman~~ **chairperson** may be re-elected to serve
3 consecutive terms as ~~chairman~~ **chairperson**.

4 (c) A member of the board who is not a state employee is entitled to
5 the minimum salary per diem as provided by IC 4-10-11-2.1(b). Each
6 member of the board is entitled to reimbursement for traveling
7 expenses and other expenses actually incurred in connection with the
8 member's duties as provided in the state travel policies and procedures
9 established by the Indiana department of administration and the budget
10 agency.

11 (d) Each member of the board who is a state employee is entitled to
12 reimbursement for traveling expenses actually incurred in connection
13 with the member's duties, as provided in the state travel policies and
14 procedures established by the Indiana department of administration and
15 approved by the budget agency.

16 SECTION 400. IC 12-15-35-45, AS AMENDED BY P.L.152-2017,
17 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2024]: Sec. 45. (a) The ~~chairman~~ **chairperson** of the board,
19 subject to the approval of the board members, may appoint an advisory
20 committee to make recommendations to the board on the development
21 of a Medicaid outpatient drug formulary.

22 (b) If the office decides to establish a Medicaid outpatient drug
23 formulary, the formulary shall be developed by the board.

24 (c) A formulary, preferred drug list, or prescription drug benefit
25 used by a managed care organization is subject to IC 12-15-5-5,
26 IC 12-15-35.5, and sections 46 and 47 of this chapter.

27 SECTION 401. IC 12-20-25-29, AS AMENDED BY P.L.145-2006,
28 SECTION 121, IS AMENDED TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2024]: Sec. 29. (a) A township assistance
30 control board is established for each distressed township. The governor
31 shall appoint the following members to the control board:

32 (1) The budget director or the director's designee, who shall serve
33 as the ~~chairman~~ **chairperson** of the board.

34 (2) One (1) representative of the state board of accounts.

35 (3) One (1) representative of the department.

36 (4) One (1) representative of the division of family resources.

37 (5) One (1) elected public official of the county.

38 (6) One (1) township trustee.

39 (7) One (1) individual who:

40 (A) resides in the county or is employed in the county by an
41 employer paying taxes in the county; and

42 (B) is or agrees to become familiar with township assistance.



- 1 (8) The township trustee of the distressed township, who shall
- 2 serve as a nonvoting ex officio member of the control board.
- 3 (b) The members of the control board serve at the pleasure of the
- 4 governor.
- 5 (c) Each member of the board who is not a state employee or an
- 6 elected official is entitled to the minimum salary per diem provided by
- 7 IC 4-10-11-2.1(b). Such a member is also entitled to reimbursement for
- 8 traveling expenses and other expenses actually incurred in connection
- 9 with the member's duties, as provided in the state travel policies and
- 10 procedures established by the Indiana department of administration and
- 11 approved by the budget agency.

12 SECTION 402. IC 12-30-2-10, AS AMENDED BY P.L.73-2005,
 13 SECTION 155, IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE JULY 1, 2024]: Sec. 10. (a) The superintendent of the
 15 county home shall manage the county home and its farm to the best
 16 interests of the county.

17 (b) The superintendent shall maintain order and discipline and shall
 18 assign a reasonable amount of labor to every resident who is able to
 19 perform labor. A resident may not be excused from labor except by the
 20 superintendent or by the county physician for cause. The excuse of a
 21 resident by the physician shall be for a definite time, except in the case
 22 of:

- 23 (1) residents at least seventy (70) years of age; or
 - 24 (2) residents suffering from a physical or mental disability that
 - 25 makes the residents unfit for labor;
- 26 to whom a permanent excuse may be given by the physician.

27 (c) A resident who refuses to perform the task assigned by the
 28 superintendent may be dismissed from the county home by the
 29 superintendent and can only be readmitted within six (6) weeks after
 30 dismissal:

- 31 (1) with the consent of the superintendent; or
- 32 (2) upon an order that is issued by the township trustee as the
- 33 administrator of township assistance and endorsed by the
- 34 ~~chairman~~ **chairperson** of the board of commissioners.

35 SECTION 403. IC 13-13-7.1-6, AS ADDED BY P.L.53-2014,
 36 SECTION 119, IS AMENDED TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2024]: Sec. 6. The ~~chairman~~ **chairperson** of the
 38 legislative council shall appoint the chair of the panel from the
 39 members appointed under section 2(1) or 2(2) of this chapter. The chair
 40 of the panel serves at the pleasure of the ~~chairman~~ **chairperson** of the
 41 legislative council.

42 SECTION 404. IC 13-25-1-4 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. The governor shall
2 appoint:

3 (1) a ~~chairman~~; **chairperson**; and

4 (2) a vice ~~chairman~~; **chairperson**;

5 of the commission from among the members of the commission.

6 SECTION 405. IC 13-25-1-5 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) The commission
8 shall meet as follows:

9 (1) At least one (1) time every three (3) months.

10 (2) At the call of the ~~chairman~~; **chairperson**.

11 (b) A majority of the members constitutes a quorum for the
12 authority to conduct business.

13 SECTION 406. IC 14-10-1-5 IS AMENDED TO READ AS
14 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) One (1) time each
15 year the commission shall elect officers from the membership of the
16 commission. The officers must include the following:

17 (1) A ~~chairman~~; **chairperson**, who shall preside at meetings.

18 (2) A vice ~~chairman~~; **chairperson**, who shall preside at meetings
19 in the absence of the ~~chairman~~; **chairperson**.

20 (3) A secretary, who shall cause the preparation and maintenance
21 of records of the business of the commission.

22 (b) Officers:

23 (1) serve for terms of one (1) year; and

24 (2) may be reelected by the membership of the commission.

25 SECTION 407. IC 14-10-1-7 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) The commission
27 shall have at least four (4) regular meetings in each fiscal year and as
28 many additional or special meetings as the commission's business,
29 powers, or duties require.

30 (b) The ~~chairman~~; **chairperson**:

31 (1) may call a special meeting; and

32 (2) shall call a special meeting at the request of any five (5)
33 members.

34 SECTION 408. IC 14-12-1-7 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. At the foundation's
36 first meeting after June 30 of each year, the members shall select one
37 (1) of the members to serve as ~~chairman~~ **chairperson** until the
38 ~~chairman's~~ **chairperson's** successor is selected.

39 SECTION 409. IC 14-12-1-10 IS AMENDED TO READ AS
40 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. The foundation may
41 do the following:

42 (1) Adopt bylaws for the regulation of the foundation's affairs and



- 1 the conduct of the foundation's business.
- 2 (2) Adopt an official seal, which may not be the seal of the state.
- 3 (3) Maintain a principal office and other offices the foundation
- 4 designates.
- 5 (4) Sue and be sued in the name and style of "Indiana Natural
- 6 Resources Foundation", with service of process being made to the
- 7 ~~chairman~~ **chairperson** of the foundation by leaving a copy at the
- 8 principal office of the foundation or at the residence of the
- 9 ~~chairman~~ **chairperson** if the foundation has no principal office.
- 10 (5) To exercise the powers or perform the duties of the
- 11 foundation, do the following:
- 12 (A) Acquire by any means except eminent domain a right or an
- 13 interest in or upon real or personal property of any kind or
- 14 nature. The foundation shall hold the legal title to property
- 15 acquired in the name of the foundation.
- 16 (B) Dispose of a right or an interest in real property.
- 17 (6) Make and enter into all contracts, undertakings, and
- 18 agreements necessary or incidental to the performance of the
- 19 duties and the execution of the powers of the foundation under
- 20 this chapter.
- 21 (7) Employ an executive director and other employees that are
- 22 necessary in the foundation's judgment and fix their
- 23 compensation.
- 24 (8) Conduct studies of the feasibility of certain natural resource
- 25 projects and facilities.
- 26 (9) Receive and accept from any person grants for or in aid of the
- 27 acquisition, construction, improvement, or development of any
- 28 part of the projects of the foundation and receive and accept aid
- 29 or contributions from any source of money, property, labor, or
- 30 other things of value, to be held, used, applied, or disposed of
- 31 only for the purposes consistent with the purposes of this chapter
- 32 for which the grants and contributions may be made.
- 33 (10) Hold, use, administer, and expend money that may be
- 34 acquired by the foundation.
- 35 (11) Do all acts and things necessary or proper to carry out the
- 36 powers expressly granted in this chapter.
- 37 SECTION 410. IC 14-12-2-17 IS AMENDED TO READ AS
- 38 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 17. (a) The project
- 39 committee shall meet at least quarterly and at the call of the ~~chairman~~
- 40 **chairperson**.
- 41 (b) The project committee may convene a meeting at any location
- 42 in Indiana.



1 (c) The project committee shall plan and conduct meetings in a
 2 manner that promotes broad public participation and ensures that the
 3 views of the members of the public attending the meetings may be
 4 fairly presented.

5 SECTION 411. IC 14-13-1-11, AS AMENDED BY P.L.197-2021,
 6 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2024]: Sec. 11. (a) The governor shall designate:

8 (1) one (1) of the voting members of the commission as ~~chairman;~~
 9 **chairperson;** and

10 (2) one (1) of the voting members of the commission as treasurer.

11 (b) The ~~chairman~~ **chairperson** and treasurer serve until:

12 (1) the governor designates another voting member of the
 13 commission as ~~chairman~~ **chairperson** or treasurer, respectively,
 14 under subsection (a); or

15 (2) the term of the member designated as ~~chairman~~ **chairperson**
 16 or treasurer, respectively, expires;

17 whichever occurs first.

18 SECTION 412. IC 14-13-1-12 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. (a) The commission
 20 shall meet on call of any of the following:

21 (1) The ~~chairman;~~ **chairperson.**

22 (2) The executive director.

23 (3) Any three (3) voting members.

24 (b) Seven (7) voting members constitute a quorum.

25 SECTION 413. IC 14-13-1-28 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 28. The commission
 27 may do the following:

28 (1) Adopt bylaws for the regulation of the commission's affairs
 29 and the conduct of the commission's business.

30 (2) Adopt an official seal, which may not be the seal of the state.

31 (3) Maintain a principal office and other offices that the
 32 commission designates.

33 (4) Sue and be sued in the name and style of "White River State
 34 Park Development Commission", with service of process being
 35 had upon the ~~chairman~~ **chairperson** of the commission by leaving
 36 a copy at the principal office of the commission.

37 (5) Acquire by grant, purchase, gift, devise, lease, eminent
 38 domain, or otherwise and hold, use, sell, lease, or dispose of:

39 (A) real and personal property of every kind and nature; and

40 (B) any right and interest;

41 necessary for the full exercise or convenient or useful for the
 42 carrying on of any of the commission's powers under this chapter.



- 1 (6) Exercise within Indiana and in the name of the state of Indiana
2 the power of eminent domain under Indiana law governing the
3 exercise of the power of eminent domain for any public purposes.
- 4 (7) Fix, collect, and review admission charges, entrance fees,
5 tolls, and other user charges for the use of a facility within the
6 projects owned or leased by the commission or dedicated to the
7 commission by a political subdivision of the state or a public
8 agency, department, or commission having jurisdiction of the
9 facility.
- 10 (8) Acquire by fee or by lease, obtain option on, hold, and dispose
11 of real and personal property reasonably necessary and proper to
12 the exercise of the commission's powers and the performance of
13 the commission's duties under this chapter.
- 14 (9) Make and enter into all contracts, undertakings, and
15 agreements necessary or incidental to the performance of the
16 commission's duties and the execution of the commission's
17 powers under this chapter.
- 18 (10) Employ and fix the compensation of consulting engineers,
19 superintendents, and other engineers, construction and accounting
20 experts, attorneys, and other employees and agents the
21 commission considers necessary.
- 22 (11) Conduct studies of the financial feasibility of the park and
23 recreational projects and facilities, betterments, and
24 improvements within those projects.
- 25 (12) Avail itself of the services of professional and other
26 personnel employed by an agency, a department, or a commission
27 of the state for purposes of studying the feasibility of or designing,
28 constructing, or maintaining the projects or a facility within those
29 projects.
- 30 (13) Receive and accept:
- 31 (A) from the federal government or a federal agency or
32 department grants for or in aid of the acquisition, construction,
33 improvement, or development of any part of the projects of the
34 commission; and
- 35 (B) aid or contributions from any source of money, property,
36 labor, or other things of value;
- 37 to be held, used, and applied only for the purposes, consistent
38 with the purposes of this chapter, for which the grants and
39 contributions may be made.
- 40 (14) Hold, use, administer, and expend the money that is
41 appropriated or transferred to the commission.
- 42 (15) Assist or cooperate with a political subdivision or public



1 agency, department, or commission, including the payment of
 2 money or the transfer of property by the commission to the
 3 political subdivision or public agency, department, or
 4 commission, if the commission considers the assistance or
 5 cooperation appropriate and in furtherance of the purposes of this
 6 chapter.

7 (16) Accept assistance and cooperation from a political
 8 subdivision or public agency, department, or commission,
 9 including the acceptance of money or property by the commission
 10 from the political subdivision or public agency, department, or
 11 commission, if the commission considers the assistance or
 12 cooperation appropriate and in furtherance of the purposes of this
 13 chapter.

14 (17) All acts and things necessary or proper to carry out the
 15 powers expressly granted in this chapter.

16 SECTION 414. IC 14-13-1-33 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 33. (a) Revenue bonds
 18 issued under this chapter shall be issued in the name of the commission
 19 and must recite on the face of each bond that the principal of and
 20 interest on the bond are payable solely from revenues pledged for their
 21 payment and are not an obligation of the state or of a political
 22 subdivision of the state.

23 (b) The ~~chairman~~ **chairperson** of the commission shall execute the
 24 bonds, and the secretary of the commission shall affix and attest the
 25 seal of the commission.

26 (c) Coupons attached to the bonds must bear the facsimile signature
 27 of the ~~chairman~~ **chairperson** of the commission.

28 SECTION 415. IC 14-13-2-9 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) The commission
 30 shall elect the following officers:

31 (1) A ~~chairman~~ **chairperson**.

32 (2) A vice ~~chairman~~ **chairperson**.

33 (3) A secretary.

34 (4) A treasurer.

35 (b) The terms of the officers may not exceed one (1) year. Each
 36 officer is eligible for reelection.

37 (c) The commission may create and fill other offices that the
 38 commission determines necessary.

39 (d) Each of the officers shall perform the duties usually pertaining
 40 to the offices.

41 SECTION 416. IC 14-13-2-10, AS AMENDED BY P.L.106-2012,
 42 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



- 1 JULY 1, 2024]: Sec. 10. (a) The commission shall meet:
 2 (1) at least four (4) times per calendar year; and
 3 (2) on call of any of the following:
 4 (A) The ~~chairman~~ **chairperson**.
 5 (B) The executive director.
 6 (C) Any number of members that constitutes a quorum under
 7 subsection (b).
 8 (b) The following number of members constitutes a quorum:
 9 (1) Three (3) commission members before August 1, 2012.
 10 (2) Five (5) commission members beginning August 1, 2012.
 11 SECTION 417. IC 14-13-2-18 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 18. The commission
 13 may do the following:
 14 (1) Adopt bylaws for the regulation of the commission's affairs
 15 and the conduct of the commission's business.
 16 (2) Adopt an official seal, which may not be the seal of the state.
 17 (3) Maintain a principal office and other offices that the
 18 commission designates.
 19 (4) Sue and be sued in the name and style of "Little Calumet
 20 River Basin Development Commission", with service of process
 21 being made upon the ~~chairman~~ **chairperson** of the commission by
 22 leaving a copy at the principal office of the commission.
 23 (5) Acquire by grant, purchase, gift, devise, lease, eminent
 24 domain, or otherwise and hold, use, sell, lease, or dispose of:
 25 (A) real and personal property of every kind and nature; and
 26 (B) any right and interest;
 27 necessary for the full exercise or convenient or useful for the
 28 carrying on of any of the commission's powers under this chapter.
 29 (6) Exercise within Indiana and in the name of the state of Indiana
 30 the power of eminent domain under Indiana law governing the
 31 exercise of the power of eminent domain for any public purposes.
 32 (7) Fix, collect, and review admission charges, entrance fees,
 33 tolls, and other user charges for the use of a facility within the
 34 projects owned or leased by the commission or dedicated to the
 35 commission by a political subdivision of the state or a public
 36 agency, department, or commission having jurisdiction of the
 37 facility.
 38 (8) Acquire by fee or by lease, obtain option on, hold, and dispose
 39 of real and personal property reasonably necessary and proper to
 40 the exercise of the commission's powers and the performance of
 41 the commission's duties under this chapter.
 42 (9) Make and enter into all contracts, undertakings, and



- 1 agreements necessary or incidental to the performance of the
2 commission's duties and the execution of the commission's
3 powers under this chapter.
- 4 (10) Employ and fix the compensation of an executive director or
5 manager, consulting engineers, superintendents, and other
6 engineers, construction and accounting experts, attorneys, and
7 other employees and agents necessary in the commission's
8 judgment.
- 9 (11) Conduct studies of the financial feasibility of the flood
10 control and park and recreational projects and facilities,
11 betterments, and improvements within those projects.
- 12 (12) Avail itself of the services of professional and other
13 personnel employed by an agency, a department, or a commission
14 of the state for purposes of studying the feasibility of or designing,
15 constructing, or maintaining the projects or a facility within those
16 projects.
- 17 (13) Receive and accept:
- 18 (A) from the federal government or a federal agency or
19 department grants for or in aid of the acquisition, construction,
20 improvement, or development of any part of the projects of the
21 commission; and
- 22 (B) aid or contributions from any source of money, property,
23 labor, or other things of value;
- 24 to be held, used, and applied only for the purposes, consistent
25 with the purposes of this chapter, for which the grants and
26 contributions may be made.
- 27 (14) Hold, use, administer, and expend money that is appropriated
28 or transferred to the commission.
- 29 (15) Assist or cooperate with a political subdivision or public
30 agency, department, or commission, including the payment of
31 money or the transfer of property to the political subdivision or
32 public agency, department, or commission by the commission if
33 the commission considers the assistance or cooperation
34 appropriate in furtherance of the purposes of this chapter.
- 35 (16) Accept assistance and cooperation from a political
36 subdivision or public agency, department, or commission,
37 including the acceptance of money or property by the commission
38 from the political subdivision or public agency, department, or
39 commission, if the commission considers the assistance or
40 cooperation appropriate in furtherance of the purposes of this
41 chapter.
- 42 (17) Do all acts and things necessary or proper to carry out the



- 1 powers expressly granted in this chapter.
- 2 (18) Enter into and carry out the terms of a nonfederal interest (as
- 3 defined by 42 U.S.C. 1962d-5b).
- 4 (19) Provide police protection for the commission's property and
- 5 activities by:
- 6 (A) requesting assistance from state, city, or county police
- 7 authorities; or
- 8 (B) having specified employees deputized as police officers.
- 9 (20) Make contracts and leases for facilities and services.
- 10 (21) Appoint the administrative officers and employees necessary
- 11 to carry out the work of the commission, fix their duties and
- 12 compensation, and delegate authority to perform ministerial acts
- 13 in all cases except where final action of the commission is
- 14 necessary.
- 15 (22) Engage in self-supporting activities.
- 16 (23) Contract for special and temporary services and for
- 17 professional assistance.
- 18 (24) Invoke any legal, equitable, or special remedy for the
- 19 enforcement of this chapter.

20 SECTION 418. IC 14-13-2-23, AS AMENDED BY P.L.106-2012,
 21 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2024]: Sec. 23. (a) Bonds issued under this chapter shall be
 23 issued in the name of the commission and must recite on the face of
 24 each bond that the principal of and interest on the bond are payable
 25 solely from revenues pledged for their payment and are not an
 26 obligation of the state or of any other political subdivision of the state.
 27 (b) The ~~chairman~~ **chairperson** of the commission shall execute the
 28 bonds, and the secretary of the commission shall affix and attest the
 29 seal of the commission.

30 (c) Coupons attached to the bonds must bear the facsimile signature
 31 of the ~~chairman~~ **chairperson** of the commission.

32 SECTION 419. IC 14-13-4-9 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) The commission
 34 shall elect the following officers from among the commission's
 35 members:

- 36 (1) A ~~chairman~~ **chairperson**.
- 37 (2) A vice ~~chairman~~ **chairperson**.
- 38 (3) A treasurer.
- 39 (b) Each officer serves a term of one (1) year beginning July 1 of
- 40 each year.

41 SECTION 420. IC 14-13-4-10 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. (a) The



1 commission:

2 (1) shall fix the time for regular meetings; and

3 (2) may hold special meetings on call of the ~~chairman~~
4 **chairperson** with seven (7) days written notice.

5 (b) A member may waive written notice of a specific meeting by a
6 written notice filed with the commission.

7 SECTION 421. IC 14-13-5-9 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) Each year the
9 commission shall elect the following from among the members of the
10 commission:

11 (1) A ~~chairman~~ **chairperson**.

12 (2) A vice ~~chairman~~ **chairperson**.

13 (3) A treasurer.

14 (b) An individual elected as a ~~chairman~~ **chairperson** or a vice
15 ~~chairman~~ **chairperson**:

16 (1) serves a term of one (1) year beginning July 1 following the
17 date the individual is elected; and

18 (2) may be reelected.

19 SECTION 422. IC 14-13-5-10 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. (a) The
21 commission:

22 (1) shall fix the time for regular meetings; and

23 (2) may hold special meetings on call of the ~~chairman~~
24 **chairperson** with seven (7) days written notice.

25 (b) A member may waive written notice of a specific meeting by
26 filing a written notice with the commission.

27 (c) Written notice is considered to have been given under this
28 section when the written notice is:

29 (1) placed in the United States mail, first class postage prepaid;
30 and

31 (2) sent to the business address of the members of the
32 commission.

33 SECTION 423. IC 14-13-9-14, AS ADDED BY P.L.282-2019,
34 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2024]: Sec. 14. (a) This section does not apply to a member
36 appointed under section 10 of this chapter.

37 (b) The commission shall elect the following officers:

38 (1) A ~~chairman~~ **chairperson**.

39 (2) A vice ~~chairman~~ **chairperson**.

40 (3) A secretary.

41 (4) A treasurer.

42 (c) The:



- 1 (1) terms of the officers elected under subsection (b) may not
 2 exceed one (1) year; and
 3 (2) officers are eligible for reelection.
- 4 (d) The commission may establish and fill other offices the
 5 commission considers necessary.
- 6 (e) Each officer of the commission shall perform the duties usually
 7 pertaining to the office.
- 8 SECTION 424. IC 14-13-9-15, AS ADDED BY P.L.282-2019,
 9 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2024]: Sec. 15. The commission shall meet:
 11 (1) at least four (4) times per calendar year; and
 12 (2) on the call of any of the following:
 13 (A) The ~~chairman~~ **chairperson**.
 14 (B) The executive director.
 15 (C) A quorum of the members of the commission.
- 16 SECTION 425. IC 14-20-11-8 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. The members of the
 18 commission shall elect a ~~chairman~~ **chairperson**.
- 19 SECTION 426. IC 14-20-11-10 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. The commission
 21 may accept gifts, bequests, legacies, and donations of money for the
 22 acquisition and maintenance of property if the money received is
 23 deposited in a special trust fund to be designated as the Wendell L.
 24 Willkie memorial fund. The fund shall be applied to and expended
 25 under the direction of the ~~chairman~~ **chairperson** of the commission to
 26 carry out this chapter.
- 27 SECTION 427. IC 14-21-1-21 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 21. The director is
 29 ~~chairman~~ **chairperson** of the review board. The review board may
 30 select other officers that the review board determines.
- 31 SECTION 428. IC 14-27-6-19 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 19. (a) The board shall
 33 by rule provide for regular meetings to be held not less than at
 34 semimonthly intervals throughout the year. The board shall keep
 35 meetings open to the public.
- 36 (b) The board shall convene a special meeting when a special
 37 meeting is called. The ~~chairman~~ **chairperson** or a majority of the
 38 members of the board may call a special meeting. The board shall do
 39 the following:
 40 (1) Establish by rule a procedure for calling special meetings.
 41 (2) Give notice of a special meeting that is open to the public by
 42 publication one (1) time, not less than twenty-four (24) hours



1 before the time of the meeting, in each of two (2) daily
2 newspapers of general circulation in the district.

3 SECTION 429. IC 14-27-8-14 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 14. The drainage
5 commissioners:

6 (1) shall elect one (1) of the drainage commissioners ~~chairman;~~
7 **chairperson;** and

8 (2) may elect one (1) of the drainage commissioners secretary.

9 SECTION 430. IC 14-29-7-11 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. (a) At the first
11 meeting of a river commission, the river commission shall select the
12 following:

13 (1) A ~~chairman~~ **chairperson** from the membership.

14 (2) Other officers that the river commission determines.

15 (b) The officers serve for terms of one (1) year.

16 SECTION 431. IC 14-29-7-12 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. (a) Each river
18 commission shall hold not less than six (6) regular, bimonthly meetings
19 at a time and place fixed at the initial meeting.

20 (b) A river commission may hold special meetings that the river
21 commission considers necessary.

22 (c) The ~~chairman~~ **chairperson** of a river commission may call
23 special meetings.

24 SECTION 432. IC 14-30-2-8 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. The following shall
26 serve as voting members of the commission:

27 (1) Each member of the county executive for a participating
28 county.

29 (2) The executive director or, if a county does not have an
30 executive director, the ~~chairman~~ **chairperson** of a soil and water
31 conservation district that:

32 (A) is subject to IC 14-32;

33 (B) includes territory in a participating county; and

34 (C) includes territory in the basin.

35 (3) The county surveyor of each participating county.

36 SECTION 433. IC 14-30-3-11 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. (a) The commission
38 shall elect from among the members the following officers:

39 (1) A ~~chairman:~~ **chairperson.**

40 (2) A vice ~~chairman:~~ **chairperson.**

41 (3) A secretary.

42 (4) A treasurer.



- 1 (b) The:
- 2 (1) term of office for the officers elected under subsection (a) is
- 3 one (1) year; and
- 4 (2) officers are eligible for reelection.
- 5 (c) The commission may establish and fill other offices that the
- 6 commission considers necessary.
- 7 SECTION 434. IC 14-30-3-12 IS AMENDED TO READ AS
- 8 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. (a) The commission
- 9 may establish an executive board consisting of the following:
- 10 (1) The ~~chairman~~ **chairperson** of the commission.
- 11 (2) One (1) member from each participating county that is not
- 12 represented by the ~~chairman~~, **chairperson**, to be chosen in a
- 13 manner prescribed by the commission.
- 14 (b) The commission may delegate to the executive board the power
- 15 to do the following:
- 16 (1) Recommend agenda items and activities to the commission.
- 17 (2) Conduct hearings on proposed commission projects.
- 18 (3) Perform other administrative duties assigned by the
- 19 commission.
- 20 SECTION 435. IC 14-30-4-8 IS AMENDED TO READ AS
- 21 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. The following serve
- 22 as voting members of the commission:
- 23 (1) The three (3) county commissioners from each participating
- 24 county.
- 25 (2) The ~~chairman~~ **chairperson** of a soil and water conservation
- 26 district for each participating county that:
- 27 (A) is subject to IC 14-32;
- 28 (B) includes territory in a participating county; and
- 29 (C) includes territory in the basin.
- 30 (3) The county surveyor of each participating county.
- 31 SECTION 436. IC 14-31-2-10 IS AMENDED TO READ AS
- 32 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. (a) The department
- 33 may accept contributions and pledges to the fund. Pledges made
- 34 contingent on appropriation of state money are acceptable and shall be
- 35 reported with other pledges as set forth in this section.
- 36 (b) On each December 1 that precedes the beginning of a new
- 37 budgetary biennium, until the campaign size limit is reached, the
- 38 department shall include:
- 39 (1) the amount that has been contributed; and
- 40 (2) the amount that has been pledged for payment in the
- 41 succeeding two (2) calendar years;
- 42 in the department's budget request.



1 (c) In addition to the budget request, the department shall report the
2 amounts to:

3 (1) the governor; and

4 (2) the ~~chairmen~~ **chairpersons** of the standing committees in the
5 house of representatives and senate considering issues of finance
6 and natural resources;

7 so that those public officials can take proper steps to secure the
8 appropriation of a matching amount of public money for the fund.

9 (d) A similar state match of private contributions and pledges for
10 successive years shall be requested in successive biennia until an
11 amount not exceeding five million dollars (\$5,000,000) is appropriated
12 to accomplish the purposes of this chapter.

13 SECTION 437. IC 14-32-2-8, AS AMENDED BY P.L.120-2008,
14 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2024]: Sec. 8. (a) The members of the board shall elect a
16 member as the ~~chairman~~ **chairperson** of the board.

17 (b) The director of the division of soil conservation established
18 within the Indiana state department of agriculture by IC 15-11-4-1 is
19 the secretary of the board.

20 SECTION 438. IC 14-32-2-10 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. The board may
22 delegate the powers and duties that the board considers proper to:

23 (1) the ~~chairman~~ **chairperson** of the board;

24 (2) any of the members of the board; or

25 (3) the division of soil conservation.

26 SECTION 439. IC 14-32-4-7 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) The election held
28 at the annual meeting of land occupiers shall be conducted by an
29 election committee appointed under this section.

30 (b) In October, the district ~~chairman~~ **chairperson** shall do the
31 following:

32 (1) Appoint an election committee made up of a supervisor as
33 ~~chairman~~ **chairperson** and two (2) interested citizens.

34 (2) Submit the names of the committee members to the board by
35 November 1.

36 SECTION 440. IC 14-32-4-8, AS AMENDED BY P.L.129-2011,
37 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2024]: Sec. 8. The election committee appointed under section
39 7 of this chapter shall do the following:

40 (1) Select qualified individuals as prospective nominees to fill any
41 vacancies that exist among the elected supervisors of the district.

42 (2) Contact and ascertain the willingness and ability of each



- 1 individual to serve if elected.
- 2 (3) Submit the list of nominees with the qualifications for
- 3 certification and printing of a sample ballot to the board by
- 4 December 1.
- 5 (4) Place the names of the prospective nominees selected under
- 6 subdivisions (1) and (2) in nomination at the meeting and provide
- 7 an opportunity for additional nominations to be made from the
- 8 floor.
- 9 (5) After nominations are closed:
- 10 (A) if only one (1) candidate is nominated, allow for the
- 11 election of the sole candidate by the land occupiers by a show
- 12 of hands; and
- 13 (B) if more than one (1) candidate is nominated, distribute a
- 14 ballot to each land occupier present at the meeting.
- 15 (6) If a ballot is distributed, collect and count the ballots after
- 16 each land occupier present at the meeting has had an opportunity
- 17 to vote.
- 18 (7) Report the results of the election to the ~~chairman~~
- 19 **chairperson.**

20 SECTION 441. IC 14-32-4-9 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) If a tie vote
 22 occurs in an election held at an annual meeting under this chapter,
 23 voting shall continue until the tie is broken.

24 (b) The individual receiving the highest number of votes is elected
 25 a supervisor for the three (3) year term. If there is also a vacancy to fill
 26 an unexpired term of an elected supervisor, the individual receiving the
 27 second highest number of votes is elected to fill the unexpired term.

28 (c) The ~~chairman~~ **chairperson** shall announce the individuals who
 29 have been elected and report the election results to the board.

30 SECTION 442. IC 14-32-4-14 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 14. The supervisors
 32 shall designate a ~~chairman~~ **chairperson** and may change the
 33 designation.

34 SECTION 443. IC 14-32-4-20 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 20. The supervisors
 36 may delegate the powers and duties that the supervisors consider
 37 proper to any of the following:

- 38 (1) The ~~chairman~~ **chairperson**.
- 39 (2) Any number of supervisors.
- 40 (3) Any number of agents or employees.

41 SECTION 444. IC 14-33-5-6 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. (a) At each annual



1 meeting and before the election of directors, the ~~chairman~~ **chairperson**
 2 shall appoint three (3) freeholders of the district who are present at the
 3 annual meeting to act as clerks of and conduct the election.

4 (b) Before the casting of a vote, each freeholder must sign the list of
 5 freeholders opposite the freeholder's name in the presence of the
 6 secretary of the district. If the clerks find that a freeholder's name is
 7 erroneously omitted from the list, the clerks shall place the name on the
 8 list. The omitted freeholder is then entitled to cast a ballot.

9 (c) The clerks shall note the fact of receipt of a valid written ballot
 10 vote opposite the freeholder's name who cast that vote. At this time the
 11 written ballot vote is considered cast.

12 (d) At the close of the election poll, the clerks shall count the cast
 13 ballots and make a report of the results. The secretary of the district
 14 shall record the results in the records of the district. The ~~chairman~~
 15 **chairperson** shall then declare the successful nominees elected, and
 16 the elected directors are entitled to and shall assume all the duties of
 17 the office for which elected.

18 SECTION 445. IC 14-33-5-10 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. (a) Notwithstanding
 20 other provisions of this chapter, this section applies to all districts
 21 described in IC 14-33-9-4.

22 (b) The following shall serve as advisory members of the board and
 23 have all privileges of membership except the right to vote:

24 (1) The city engineer of each second class city in the district.

25 (2) The county surveyor of the county.

26 (3) The ~~chairman~~ **chairperson** of the county soil and water
 27 conservation district.

28 (c) On the same day as the primary election held in even-numbered
 29 years, the voters shall select the area directors. At the initial election
 30 held under this section, the authority that makes the initial appointment
 31 of directors under section 1 of this chapter shall designate the initial
 32 terms of the directors elected as follows:

33 (1) One-half (1/2) plus one (1) of the directors serve for two (2)
 34 year terms.

35 (2) The other directors serve for four (4) year terms.

36 After the first election, all directors serve for four (4) year terms. Area
 37 directors take office on June 1 after election.

38 (d) The initial appointments of directors under section 1 of this
 39 chapter shall be made so that the directors serve until the election in the
 40 first even-numbered year following the year of appointment.

41 (e) Nominations for director signed by at least five (5) freeholders
 42 shall be filed with the county election board during the period when



1 filing for other county offices takes place, and the board shall publicly
2 invite nominations at least five (5) days before this filing period begins.

3 (f) Each director must be a freeholder and a resident of the district
4 from which elected. Only one (1) director may be elected from each
5 district.

6 (g) When a vacancy occurs on the board:

7 (1) the ~~chairman~~ **chairperson** of the board; or

8 (2) five (5) freeholders from the district where the vacancy exists;
9 may petition the appointing authority to have the appointing authority
10 make an appointment to fill the vacancy for the remainder of the
11 unexpired term.

12 SECTION 446. IC 14-33-5-14 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 14. (a) Special
14 meetings of the board may be called by the ~~chairman~~ **chairperson** or
15 by two (2) members upon written request to the secretary. The
16 secretary shall send to all members, at least three (3) days before a
17 special meeting, a written notice fixing the time and place of the
18 meeting.

19 (b) Written notice of a special meeting is not required if:

20 (1) the time of the special meeting has been fixed in a regular
21 meeting; or

22 (2) all members were present at a meeting at which a special
23 meeting was called.

24 SECTION 447. IC 14-33-5-17 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 17. Immediately
26 following appointment and immediately following each annual meeting
27 of the district, the directors shall meet and elect a ~~chairman~~
28 **chairperson** and a vice ~~chairman~~ **chairperson**. The vice ~~chairman~~
29 **chairperson** may act as ~~chairman~~ **chairperson** during the absence or
30 disability of the ~~chairman~~ **chairperson**. The ~~chairman~~ **chairperson**
31 shall promptly notify the commission in writing of the names and
32 addresses of the officers and directors of the district, and the same
33 information, together with the executed oaths, shall be filed with the
34 circuit court.

35 SECTION 448. IC 14-33-5-20, AS AMENDED BY P.L.122-2023,
36 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2024]: Sec. 20. The board shall do the following:

38 (1) Exercise general supervision of and make regulations for the
39 administration of the affairs of the district.

40 (2) Prescribe uniform rules pertaining to investigations and
41 hearings.

42 (3) Supervise the fiscal affairs and responsibilities of the district.



- 1 (4) Prescribe the qualifications of, appoint, remove, and fix the
2 compensation of the employees of the district. The compensation
3 must be reasonable and similar in amount to the compensation
4 allowed employees performing similar service for the state and
5 political subdivisions of the state. The board may delegate to
6 employees authority to perform ministerial acts in all cases except
7 where final action of the board is necessary.
- 8 (5) Keep an accurate and complete record of all district
9 proceedings and record and file all bonds and contracts, assuming
10 responsibility for the custody and preservation of all papers and
11 documents of the district.
- 12 (6) Make an annual report to the court of income and expenses.
13 The report must be submitted not later than thirty (30) days after
14 the annual meeting and may include any of the following:
- 15 (A) A statement of the progress in accomplishing each purpose
16 for which the district is established.
- 17 (B) Recommendations for amendment to the district plan.
- 18 (C) Any matter that the board believes should be brought to
19 the attention of the court for instructions or approval.
- 20 (7) Adopt a seal and certify all official acts.
- 21 (8) Sue and be sued collectively by the legal name " _____
22 Conservancy District", with service of process made on the
23 **chairman chairperson** of the board. However, costs may not be
24 taxed against the directors individually in an action.
- 25 (9) Invoke any legal, equitable, or special remedy for the
26 enforcement of this article or of any proper action of the board in
27 a court.
- 28 (10) If advisable, establish an advisory committee.
- 29 (11) Exercise the powers granted under this article to accomplish
30 each purpose for which the district is established.
- 31 (12) If a purpose of the district is the construction or maintenance
32 of a levee in cooperation with the United States Secretary of the
33 Army, divide, by resolution, the levee into maintenance sections
34 and make assignment of each section to a director who must be a
35 resident freeholder near the maintenance section. The director
36 shall, upon assignment, supervise and assist in the maintenance
37 of the assigned maintenance section.
- 38 (13) Protect against encroachment by a stream. The board may,
39 alone or in cooperation with state or federal agencies, do whatever
40 is necessary to provide bank stabilization for the protection of the
41 works of improvement of the district.
- 42 (14) Insure property, personnel, and operations of the district



1 against risks and in amounts that the board determines necessary
2 to protect the district.

3 (15) If the board employs a district marshal or deputy district
4 marshal under IC 14-33-25, the board must conduct the
5 disciplinary removal and appeals procedure prescribed by
6 IC 14-33-25-2 and IC 36-8-3-4.

7 SECTION 449. IC 14-33-5.4-3 IS AMENDED TO READ AS
8 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) Within twenty
9 (20) days after the order establishing the district, the board of
10 commissioners of the county shall appoint the initial board of directors.
11 A director shall be appointed for each of the areas in the district as
12 established by the court. A director must be a freeholder of the area of
13 the district for which appointed or an officer or nominee of a corporate
14 freeholder of the area of the district for which appointed and must be
15 qualified by knowledge and experience in matters pertaining to the
16 development of the district. A majority of the directors must be resident
17 freeholders of the district if available and qualified. A majority of the
18 initial directors must be petitioners for the establishment of the district,
19 but for this purpose an officer or nominee of a corporate freeholder of
20 the district, if the corporation is one (1) of the petitioners, is considered
21 a petitioner.

22 (b) When vacancies on the board occur due to expiration of terms,
23 resignation, or otherwise, directors shall be elected by a majority,
24 written ballot vote of the freeholders of the district. Between April 24
25 and May 1, the board shall invite nominations to fill vacancies on the
26 board by one (1) publication in a newspaper of general circulation in
27 each of the counties in the district. Each publication must:

- 28 (1) contain the names of the directors whose terms are expiring
29 and the area of the district involved;
30 (2) invite nominations to fill vacancies; and
31 (3) state the qualifications for the office, that are the same as
32 prescribed by subsection (a), except a nominee need not have
33 been a petitioner for the establishment of the district nor a
34 resident of the area of the district for which nominations are
35 invited.

36 (c) Nominations for director must be submitted to the office of the
37 district in writing before June 1 following notice of vacancies and must
38 be signed by at least five (5) freeholders from the areas designated by
39 the secretary's notice. Nominations that are mailed are valid if
40 delivered or postmarked before June 1 if the envelope has sufficient
41 U.S. postage and is addressed to the district's office.

42 (d) The election of directors of a district shall be held the Saturday



1 or Sunday immediately before or after July 4. The board of directors of
2 a district shall establish the date for the election of directors.

3 (e) Notice of the annual election of directors of the district must be
4 published in one (1) issue of a newspaper of general circulation in each
5 county in the district. The notice must be published:

6 (1) not less than fourteen (14); and

7 (2) not more than thirty-one (31);

8 days before the election. The notice must contain the names of the
9 nominees, the place where ballots can be cast in the election, and the
10 date and time of the election.

11 (f) Before the election, the board shall prepare the ballots and a list
12 of the freeholders of the district, that must be certified by the county
13 auditor and placed in the district's files. No deficiency in this process
14 or omission of the names of any freeholders voids action taken at an
15 annual meeting.

16 (g) A freeholder is entitled to only one (1) vote per freeholder.

17 (h) Before the election of directors, the ~~chairman~~ **chairperson** shall
18 appoint three (3) or, if necessary, more freeholders of the district to act
19 as clerks of the election and to conduct the election.

20 (i) If a district fails to conduct an election of directors as provided
21 by this chapter, any interested person of the district may petition the
22 board of commissioners of the county to appoint a director to fill
23 vacancies. The board of commissioners of the county shall make its
24 appointment within fifteen (15) days from the date the petition is filed.

25 SECTION 450. IC 14-33-5.4-7 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) At the close of an
27 election, the clerks appointed under section 3(h) of this chapter shall
28 count the ballots cast and make a report of the results. The secretary of
29 the district shall record the results reported by the clerks in the records
30 of the district.

31 (b) After the results are reported and recorded under subsection (a),
32 the ~~chairman~~ **chairperson** of the board of directors shall declare the
33 successful nominees elected, and each elected director is entitled to and
34 shall assume all duties of the office to which the nominee was elected
35 at midnight the night of the election or as soon as possible thereafter.

36 SECTION 451. IC 14-33-16-9 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) Before the voting
38 begins, the ~~chairman~~ **chairperson** of the board shall appoint three (3)
39 freeholders of the district as clerks to conduct the election.

40 (b) Before casting a vote, each freeholder must sign the list of
41 freeholders opposite the freeholder's name in the presence of the
42 district secretary.



- 1 (c) If:
- 2 (1) a clerk finds a freeholder's name is omitted from the list; and
- 3 (2) all three (3) clerks determine that the freeholder's name should
- 4 be added to the list;
- 5 the clerks shall place the freeholder's name on the list and the
- 6 freeholder may vote.
- 7 SECTION 452. IC 14-33-20-18 IS AMENDED TO READ AS
- 8 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 18. (a) The bonds,
- 9 notes, or other evidences of indebtedness shall be executed in the name
- 10 of the district by the ~~chairman~~ **chairperson** of the board and attested
- 11 by the secretary. Interest coupons may be executed by placing the
- 12 facsimile signature of the ~~chairman~~ **chairperson** on the coupons.
- 13 (b) The bonds, notes, or other evidences of indebtedness are valid
- 14 and binding obligations of the district for all purposes provided by this
- 15 chapter and in the resolution, even if before delivery any of the persons
- 16 whose signatures appear on the bonds, notes, or other evidences of
- 17 indebtedness have ceased to be officers of the district.
- 18 SECTION 453. IC 14-34-8-11 IS AMENDED TO READ AS
- 19 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. (a) The surface coal
- 20 mine reclamation bond pool committee is established. The committee
- 21 consists of the following:
- 22 (1) Five (5) members appointed by the director as follows:
- 23 (A) Three (3) members must represent a cross-section of coal
- 24 operators.
- 25 (B) One (1) member must be a member of the commission.
- 26 (C) One (1) member must be a representative of the public
- 27 with knowledge of reclamation performance guarantees.
- 28 (2) The director or the director's designee, who is a nonvoting
- 29 member.
- 30 (b) The term of each member is four (4) years beginning July 1. The
- 31 director may remove an appointed member for cause.
- 32 (c) The committee shall do the following:
- 33 (1) Annually elect a ~~chairman~~ **chairperson**.
- 34 (2) Adopt rules for organization and procedure.
- 35 (d) Each member of the committee who is not a state employee is
- 36 entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b).
- 37 The member is also entitled to reimbursement for traveling expenses
- 38 and other expenses actually incurred in connection with the member's
- 39 duties as provided in the state travel policies and procedures
- 40 established by the Indiana department of administration and approved
- 41 by the budget agency.
- 42 (e) The committee shall, acting in an advisory capacity to the



- 1 director, do the following:
- 2 (1) Meet as necessary to perform duties under this chapter, but not
- 3 less than one (1) time each year, for the purpose of formulating
- 4 recommendations to the director concerning oversight of the
- 5 general operation of the bond pool.
- 6 (2) Review and make recommendations concerning the following:
- 7 (A) All proposed expenses from the bond pool.
- 8 (B) All applications for admission to the bond pool.
- 9 (f) The director shall report annually to the committee and to the
- 10 governor on the status of the bond pool.

11 SECTION 454. IC 15-19-2-3, AS ADDED BY P.L.2-2008,

12 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

13 JULY 1, 2024]: Sec. 3. The Indiana standardbred advisory board

14 consists of seven (7) members selected as follows:

- 15 (1) The ~~chairman~~ **chairperson** of the Indiana horse racing
- 16 commission, or the ~~chairman's~~ **chairperson's** designee, is an ex
- 17 officio member.
- 18 (2) Two (2) members who are members of county fair boards
- 19 appointed by the governor.
- 20 (3) Four (4) members appointed by the governor who have in the
- 21 past participated or shown an interest in the standardbred
- 22 industry. This interest may, but does not necessarily have to be,
- 23 evidenced by virtue of being an owner, driver, veterinarian,
- 24 trainer, or breeder.

25 Not more than three (3) of the appointees under subdivisions (2) and

26 (3) may be of the same political party as the ~~chairman~~ **chairperson** of

27 the Indiana horse racing commission.

28 SECTION 455. IC 15-19-2-5, AS ADDED BY P.L.2-2008,

29 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

30 JULY 1, 2024]: Sec. 5. (a) The advisory board shall elect a chairperson,

31 a vice chairperson, a treasurer, and other officers the board considers

32 necessary. The ~~chairman~~ **chairperson** of the Indiana horse racing

33 commission serves as secretary and is entitled to vote on all matters.

34 (b) The records of the board shall be kept by the Indiana horse

35 racing commission.

36 (c) The office of the board must be at the same location as the

37 offices of the Indiana horse racing commission.

38 SECTION 456. IC 15-19-2-7, AS ADDED BY P.L.2-2008,

39 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

40 JULY 1, 2024]: Sec. 7. Board members, excluding the ~~chairman~~ **chairperson**

41 of the Indiana horse racing commission, are eligible to

42 receive a per diem on days the board is in session.



1 SECTION 457. IC 16-20-1-4 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. The board of each
 3 local health department shall, immediately after appointment, meet and
 4 organize. The board shall elect a ~~chairman;~~ **chairperson**, vice
 5 ~~chairman;~~ **chairperson**, and other officers the board considers
 6 necessary.

7 SECTION 458. IC 16-20-2-14 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 14. At the first meeting
 9 of a local board of health each year, the members shall elect a
 10 ~~chairman;~~ **chairperson**.

11 SECTION 459. IC 16-20-2-15 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 15. (a) Meetings may
 13 be called by any of the following:

- 14 (1) The ~~chairman;~~ **chairperson**.
- 15 (2) Four (4) members of the local board of health.
- 16 (3) The local health officer.

17 (b) A majority of the members constitutes a quorum for the
 18 transaction of business.

19 SECTION 460. IC 16-20-3-7 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. At the first meeting
 21 of a multiple county board of health each year, the members shall elect
 22 a ~~chairman;~~ **chairperson**.

23 SECTION 461. IC 16-20-3-8 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) Meetings may be
 25 called by any of the following:

- 26 (1) The ~~chairman;~~ **chairperson**.
- 27 (2) Four (4) members of the multiple county board of health.
- 28 (3) The local health officer.

29 (b) A majority of the members constitutes a quorum for the
 30 transaction of business.

31 SECTION 462. IC 16-20-4-11 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. The board of each
 33 full-time city health department shall, immediately after appointment,
 34 meet and organize by electing a ~~chairman;~~ **chairperson**, vice ~~chairman;~~
 35 **chairperson**, and other officers the board considers necessary.

36 SECTION 463. IC 16-20-5-3 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. An area board of
 38 health shall meet at the call of the ~~chairman;~~ **chairperson**, with the first
 39 meeting to be held during the first month following the date of
 40 establishment of the board.

41 SECTION 464. IC 16-20-5-4 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. At the first meeting



1 and annually thereafter, the area board of health shall elect a ~~chairman~~
 2 **chairperson** and a vice ~~chairman~~ **chairperson**. One (1) of the health
 3 officers shall be designated to serve as secretary. The county treasurer
 4 member serves as treasurer of the board.

5 SECTION 465. IC 16-21-10-7, AS AMENDED BY P.L.108-2019,
 6 SECTION 202, IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) The hospital assessment fee
 8 committee is established. The committee consists of the following four
 9 (4) voting members:

10 (1) The secretary of family and social services appointed under
 11 IC 12-8-1.5-2 or the secretary's designee, who shall serve as the
 12 chair of the committee.

13 (2) The budget director or the budget director's designee.

14 (3) Two (2) individuals appointed by the governor from a list of
 15 at least four (4) individuals submitted by the Indiana Hospital
 16 Association.

17 The committee members described in subdivision (3) serve at the
 18 pleasure of the governor. If a vacancy occurs among the members
 19 appointed under subdivision (3), the governor shall appoint a
 20 replacement committee member from a list of at least two (2)
 21 individuals submitted by the Indiana Hospital Association.

22 (b) The committee shall review any Medicaid state plan
 23 amendments, waiver requests, or revisions to any Medicaid state plan
 24 amendments or waiver requests, to implement or continue the
 25 implementation of this chapter for the purpose of establishing favorable
 26 review of the amendments, requests, and revisions by the United States
 27 Department of Health and Human Services. The committee shall also
 28 develop a disproportionate share payment plan or submit to the office
 29 the default plan, if applicable, as set forth in IC 12-15-16-7.5 and
 30 IC 12-15-16-7.7.

31 (c) The committee shall meet at the call of the chair. The members
 32 serve without compensation.

33 (d) A quorum consists of at least three (3) members. An affirmative
 34 vote of at least three (3) members of the committee is necessary to
 35 approve Medicaid state plan amendments, waiver requests, revisions
 36 to the Medicaid state plan or waiver requests, and the approvals and
 37 other determinations required of the committee under IC 12-15-44.5
 38 and section 13.3 of this chapter.

39 (e) The following apply to the approvals and any other
 40 determinations required by the committee under IC 12-15-44.5 and
 41 section 13.3 of this chapter:

42 (1) The committee shall be guided and subject to the intent of the



- 1 general assembly in the passage of IC 12-15-44.5 and section 13.3
- 2 of this chapter.
- 3 (2) The chair of the committee shall report any approval and other
- 4 determination by the committee to the budget committee.
- 5 (3) If, in taking action, the committee's vote is tied, the committee
- 6 shall follow the following procedure:
- 7 (A) The chair of the committee shall notify the ~~chairman~~
- 8 **chairperson** of the budget committee of the tied vote and
- 9 provide a summary of that matter that was the subject of the
- 10 vote.
- 11 (B) The ~~chairman~~ **chairperson** of the budget committee shall
- 12 provide each committee member who voted an opportunity to
- 13 appear before the budget committee to present information and
- 14 materials to the budget committee concerning the matter that
- 15 was the subject of the tied vote.
- 16 (C) Following a presentation of the information and the
- 17 materials described in clause (B), the budget committee may
- 18 make recommendations to the committee concerning the
- 19 matter that was the subject of the tied vote.

20 SECTION 466. IC 16-22-2-9, AS AMENDED BY P.L.24-2016,
 21 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2024]: Sec. 9. (a) Each governing board member shall not
 23 more than ten (10) days after appointment and before entering on
 24 official duties take an oath to support the Constitution of the United
 25 States and the Constitution of the State of Indiana and to faithfully
 26 discharge the duties of office. The board shall adopt bylaws that
 27 provide for the election of one (1) member as ~~chairman~~, **chairperson**,
 28 one (1) member as secretary, and other officers the board considers
 29 necessary or advisable.

30 (b) The county treasurer of the county in which the hospital is
 31 located shall be the treasurer of the governing board. Money in the
 32 hospital fund shall be disbursed only on warrants issued by the county
 33 auditor and countersigned by the county treasurer. However, the board,
 34 with the approval of the county executive, may elect a treasurer who
 35 shall also serve as the disbursing officer of the hospital. Checks drawn
 36 by the treasurer must be countersigned by a person selected by the
 37 board. Approval by the county executive for the board to elect a
 38 treasurer is permanent, and the treasurer may not be a member of the
 39 board.

40 (c) The executive director and all persons whose duty it is to handle
 41 funds of the hospital must execute a corporate surety bond in an
 42 amount and with conditions required by the board. If a treasurer is



1 elected by the board, the treasurer shall be separately bonded in an
 2 amount fixed by the board but not less than twenty-five thousand
 3 dollars (\$25,000). The board may elect an assistant treasurer who may
 4 not be a member of the board and who must be separately bonded in an
 5 amount fixed by the board greater than twenty-five thousand dollars
 6 (\$25,000). The bond on all persons except the treasurer and assistant
 7 treasurer may be a blanket corporate surety bond conditioned for the
 8 faithful performance of duties. All bonds required by this subsection
 9 must be approved by the board and filed with the county recorder. The
 10 premiums shall be paid out of hospital funds.

11 (d) A majority of the members of the governing board constitutes a
 12 quorum, and board action requires the affirmative vote of a majority of
 13 those members present at a regular or special meeting of the board at
 14 which a quorum is present. If a board member is absent from three (3)
 15 consecutive regular board meetings or is absent from four (4) regular
 16 board meetings during a year, upon recommendation by the board, the
 17 member may be removed from office by the county executive and,
 18 except as provided in section 7(b) of this chapter, the vacancy created
 19 shall be filled as provided in section 11 of this chapter.

20 (e) Each board member shall be reimbursed for expenditures made
 21 by the member in performing the duties of office, and an itemized
 22 statement of expenses must be filed with the secretary and allowed by
 23 the board. Each governing board member may receive annual
 24 compensation not to exceed six thousand dollars (\$6,000), with
 25 compensation to be fixed by the board. The chair of the board may
 26 receive additional compensation not to exceed one thousand two
 27 hundred dollars (\$1,200) annually, with compensation to be fixed by
 28 the board.

29 (f) The governing board shall hold at least ten (10) regular meetings
 30 each year, and special meetings of the board may be called at any time
 31 by the ~~chairman~~ **chairperson** or two (2) members of the board. The
 32 secretary of the board shall keep a complete record of all proceedings.

33 (g) A board member may receive group health and life insurance
 34 benefits paid by the hospital. Health and life insurance benefits are not
 35 considered compensation under subsection (e).

36 (h) A board member may attend meetings and seminars for the
 37 benefit of the hospital, with the cost of the meetings and seminars paid
 38 by the hospital. A payment made by the hospital under this subsection
 39 to a board member is not considered compensation under subsection
 40 (e).

41 SECTION 467. IC 16-31-2-5 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. The commission may



1 meet as often as is necessary upon call of the ~~chairman~~ **chairperson**
 2 but meetings shall be held at least four (4) times each year.

3 SECTION 468. IC 16-39-2-6, AS AMENDED BY P.L.137-2021,
 4 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2024]: Sec. 6. (a) Without the consent of the patient, the
 6 patient's mental health record may only be disclosed as follows:

7 (1) To individuals who meet the following conditions:

8 (A) Are employed by:

9 (i) the provider at the same facility or agency;

10 (ii) a managed care provider (as defined in IC 12-7-2-127);

11 or

12 (iii) a health care provider or mental health care provider, if
 13 the mental health records are needed to provide health care
 14 or mental health services to the patient.

15 (B) Are involved in the planning, provision, and monitoring of
 16 services.

17 (2) To the extent necessary to obtain payment for services
 18 rendered or other benefits to which the patient may be entitled, as
 19 provided in IC 16-39-5-3.

20 (3) To the patient's court appointed counsel and to the Indiana
 21 protection and advocacy services commission.

22 (4) For research conducted in accordance with IC 16-39-5-3 and
 23 the rules of the division of mental health and addiction, the rules
 24 of the division of disability and rehabilitative services, the rules
 25 of the provider, or the rules of the Indiana archives and records
 26 administration and the oversight committee on public records.

27 (5) To the division of mental health and addiction for the purpose
 28 of data collection, research, and monitoring managed care
 29 providers (as defined in IC 12-7-2-127) who are operating under
 30 a contract with the division of mental health and addiction.

31 (6) To the extent necessary to make reports or give testimony
 32 required by the statutes pertaining to admissions, transfers,
 33 discharges, and guardianship proceedings.

34 (7) To a law enforcement agency if any of the following
 35 conditions are met:

36 (A) A patient escapes from a facility to which the patient is
 37 committed under IC 12-26.

38 (B) The superintendent of the facility determines that failure
 39 to provide the information may result in bodily harm to the
 40 patient or another individual.

41 (C) A patient commits or threatens to commit a crime on
 42 facility premises or against facility personnel.



- 1 (D) A patient is in the custody of a law enforcement officer or
 2 agency for any reason and:
 3 (i) the information to be released is limited to medications
 4 currently prescribed for the patient or to the patient's history
 5 of adverse medication reactions; and
 6 (ii) the provider determines that the release of the
 7 medication information will assist in protecting the health,
 8 safety, or welfare of the patient.
 9 Mental health records released under this clause must be
 10 maintained in confidence by the law enforcement agency
 11 receiving them.
- 12 (8) To a coroner or medical examiner, in the performance of the
 13 individual's duties.
- 14 (9) To a school in which the patient is enrolled if the
 15 superintendent of the facility determines that the information will
 16 assist the school in meeting educational needs of the patient.
- 17 (10) To the extent necessary to satisfy reporting requirements
 18 under the following statutes:
 19 (A) IC 12-10-3-10.
 20 (B) IC 12-24-17-5.
 21 (C) IC 16-41-2-3.
 22 (D) IC 16-50-1-8.
 23 (E) IC 31-25-3-2.
 24 (F) IC 31-33-5-4.
 25 (G) IC 34-30-16-2.
 26 (H) IC 35-46-1-13.
- 27 (11) To the extent necessary to satisfy release of information
 28 requirements under the following statutes:
 29 (A) IC 12-24-11-2.
 30 (B) IC 12-24-12-3, IC 12-24-12-4, and IC 12-24-12-6.
 31 (C) IC 12-26-11.
- 32 (12) To another health care provider in a health care emergency.
- 33 (13) For legitimate business purposes as described in
 34 IC 16-39-5-3.
- 35 (14) Under a court order under IC 16-39-3.
- 36 (15) With respect to records from a mental health or
 37 developmental disability facility, to the United States Secret
 38 Service if the following conditions are met:
 39 (A) The request does not apply to alcohol or drug abuse
 40 records described in 42 U.S.C. 290dd-2 unless authorized by
 41 a court order under 42 U.S.C. 290dd-2(b)(2)(c).
 42 (B) The request relates to the United States Secret Service's



- 1 protective responsibility and investigative authority under 18
2 U.S.C. 3056, 18 U.S.C. 871, or 18 U.S.C. 879.
- 3 (C) The request specifies an individual patient.
- 4 (D) The director or superintendent of the facility determines
5 that disclosure of the mental health record may be necessary
6 to protect a person under the protection of the United States
7 Secret Service from serious bodily injury or death.
- 8 (E) The United States Secret Service agrees to only use the
9 mental health record information for investigative purposes
10 and not disclose the information publicly.
- 11 (F) The mental health record information disclosed to the
12 United States Secret Service includes only:
- 13 (i) the patient's name, age, and address;
14 (ii) the date of the patient's admission to or discharge from
15 the facility; and
16 (iii) any information that indicates whether or not the patient
17 has a history of violence or presents a danger to the person
18 under protection.
- 19 (16) To the statewide waiver ombudsman established under
20 IC 12-11-13, in the performance of the ombudsman's duties.
- 21 (b) If a licensed mental health professional, a licensed paramedic,
22 a representative of a mobile integrated healthcare program (as
23 described in IC 16-31-12), or a representative of a mental health
24 community paramedicine program in the course of rendering a
25 treatment intervention, determines that a patient may be a harm to
26 **himself or herself the patient** or others, the licensed mental health
27 professional, the licensed paramedic, the representative of the mobile
28 integrated healthcare program (as described in IC 16-31-12), or the
29 representative of the mental health community paramedicine program
30 may request a patient's individualized mental health safety plan from
31 a psychiatric crisis center, psychiatric inpatient unit, or psychiatric
32 residential treatment provider. Each psychiatric crisis center,
33 psychiatric inpatient unit, and psychiatric residential treatment provider
34 shall, upon request and without the consent of the patient, share a
35 patient's individualized mental health safety plan that is in the standard
36 format established by the division of mental health and addiction under
37 IC 12-21-5-6 with the following individuals who demonstrate proof of
38 licensure and commit to protecting the information in compliance with
39 state and federal privacy laws:
- 40 (1) A licensed mental health professional.
41 (2) A licensed paramedic.
42 (3) A representative of a mobile integrated healthcare program (as



1 described in IC 16-31-12).

2 (4) A representative of a mental health community paramedicine
3 program.

4 An individualized mental health safety plan disclosed under this
5 subsection may be used only to support a patient's welfare and safety
6 and is considered otherwise confidential information under applicable
7 state and federal laws.

8 (c) After information is disclosed under subsection (a)(15) and if the
9 patient is evaluated to be dangerous, the records shall be interpreted in
10 consultation with a licensed mental health professional on the staff of
11 the United States Secret Service.

12 (d) A person who discloses information under subsection (a)(7),
13 (a)(15), or (b) in good faith is immune from civil and criminal liability.

14 SECTION 469. IC 16-46-6-6 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. The council shall
16 select a ~~chairman~~ **chairperson** from the membership annually.

17 SECTION 470. IC 20-23-6-3, AS AMENDED BY P.L.152-2021,
18 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2024]: Sec. 3. (a) If the governing bodies of at least two (2)
20 school corporations desire to consolidate school corporations, the
21 governing bodies may meet together and adopt a joint resolution
22 declaring intention to consolidate school corporations. The resolution
23 must set out the following information concerning the proposed
24 consolidation:

25 (1) The name of the proposed new school corporation.

26 (2) The number of members on the governing body and the
27 manner in which they shall be elected or appointed.

28 (A) If members are to be elected, the resolution must provide
29 for:

30 (i) the manner of the nomination of members;

31 (ii) who shall constitute the board of election
32 commissioners;

33 (iii) who shall appoint inspectors, judges, clerks, and
34 sheriffs; and

35 (iv) any other provisions desirable in facilitating the
36 election.

37 (B) Where applicable and not in conflict with the resolution,
38 the election is governed by the general election laws of
39 Indiana, including the registration laws.

40 (3) Limitations on residences, term of office, and other
41 qualifications required of the members of the governing body. A
42 resolution may not provide for an appointive or elective term of



- 1 more than four (4) years. A member may ~~succeed himself or~~
 2 ~~herself~~ **serve successive terms** in office.
- 3 (4) Names of present school corporations that are to be merged
 4 together as a consolidated school corporation.
- 5 In addition, the resolution may specify the time when the consolidated
 6 school corporation comes into existence.
- 7 (b) The number of members on the governing body as provided in
 8 the resolution may not be less than three (3) or more than seven (7).
 9 However, the joint resolution may provide for a board of nine (9)
 10 members if the proposed consolidated school corporation is formed out
 11 of two (2) or more school corporations that:
- 12 (1) have entered into an interlocal agreement to construct and
 13 operate a joint high school; or
- 14 (2) are operating a joint high school that has an enrollment of at
 15 least six hundred (600) in grades 9 through 12 at the time the joint
 16 resolution is adopted.
- 17 (c) The members of the governing body shall, after adopting a joint
 18 resolution, give notice by publication once each week for two (2)
 19 consecutive weeks:
- 20 (1) with each notice by publication in a newspaper of general
 21 circulation, if any, in each of the school corporations, or, if a
 22 newspaper is not published in the school corporation, publication
 23 shall be made in the nearest newspaper published in the county in
 24 which the school corporation is located; or
- 25 (2) with the first publication of notice in the newspaper or
 26 newspapers as provided in subdivision (1) and the second
 27 publication of notice:
- 28 (A) in accordance with IC 5-3-5; and
- 29 (B) on the official ~~web sites~~ **websites** of each of the school
 30 corporations.
- 31 (d) The governing bodies of school corporations shall hold a public
 32 meeting one (1) week after the date of the appearance of the last
 33 publication of notice of intention to consolidate.
- 34 (e) If a protest has not been filed, as provided in this chapter, the
 35 governing bodies shall declare by joint resolution the consolidation of
 36 the school corporations to be accomplished, to take effect as provided
 37 in section 8 of this chapter. However, on or before the sixth day
 38 following the last publication of the notice of intention to consolidate,
 39 twenty percent (20%) of the legal voters residing in any school
 40 corporation may petition the governing body of the school corporations
 41 for an election to determine whether or not the majority of the voters
 42 of the school corporation is in favor of consolidation.



1 SECTION 471. IC 20-23-8-8, AS AMENDED BY P.L.219-2013,
 2 SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2024]: Sec. 8. (a) A plan is subject to the following
 4 limitations:

5 (1) A member of the governing body may not serve for a term of
 6 more than four (4) years, but a member may ~~succeed himself or~~
 7 ~~herself~~ **serve successive terms** in office. This limitation does not
 8 apply to members who hold over during an interim period to
 9 effect a new plan awaiting the selection and qualification of a
 10 member under the new plan.

11 (2) The plan, if the members are:

12 (A) to be elected, shall conform with one (1) of the types of
 13 board organization permitted by IC 20-23-4-27; or

14 (B) appointed, shall conform with one (1) of the types
 15 permitted by IC 20-23-4-28.

16 (3) The terms of the members of the governing body, either
 17 elected to or taking office on or before the time the plan takes
 18 effect, may not be shortened. The terms of the members taking
 19 office under the plan may be shortened to make the plan workable
 20 on a permanent basis.

21 (4) If the plan provides for electoral districts, where a member of
 22 the governing body is elected solely by the voters of a single
 23 district, the districts must be as near as practicable equal in
 24 population. The districts shall be reapportioned and their
 25 boundaries:

26 (A) changed, if necessary; or

27 (B) recertified, if changes are not necessary;

28 by resolution of the governing body not later than December 31
 29 of the year next following the year in which a decennial census is
 30 taken to preserve the equality of the governing body.

31 (5) The plan shall comply with the:

32 (A) Constitution of the State of Indiana; and

33 (B) Constitution of the United States;

34 including the equal protection clauses of both constitutions.

35 (6) The provisions of IC 20-23-4-26 through IC 20-23-4-33
 36 relating to the board of trustees of a community school
 37 corporation and to the community school corporation, including
 38 provisions relating to powers of the board and corporation and
 39 provisions relating to the mechanics of selection of the board,
 40 where elected and where appointed, apply to a governing body set
 41 up by a plan under this chapter and to the school corporation.

42 (b) The limitations set forth in this section do not have to be



1 specifically set forth in a plan but are a part of the plan. A plan shall be
 2 construed, if possible, to comply with this chapter. If a provision of the
 3 plan or an application of the plan violates this chapter, the invalidity
 4 does not affect the other provisions or applications of the plan that can
 5 be given effect without the invalid provision or application. The
 6 provisions of a plan are severable.

7 SECTION 472. IC 20-27-9-10, AS ADDED BY P.L.1-2005,
 8 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2024]: Sec. 10. (a) The governing body of a school
 10 corporation may allow the use of a school bus for the transportation of
 11 agricultural workers engaged in cultivating, producing, or harvesting
 12 crops.

13 (b) A school bus used under this section may transport only the
 14 school bus driver, a supervisor, ~~or foreman~~, students, and enrolled
 15 college or university students.

16 (c) When a school bus is used to transport agricultural workers, a
 17 sign shall be displayed on the front and on the rear of the school bus.
 18 The sign must carry the words "Agricultural Workers" in letters at least
 19 four (4) inches in height. These signs may be removed or covered
 20 whenever the school bus is not being used to transport agricultural
 21 workers.

22 (d) Notwithstanding any other provision of this article or IC 9, if a
 23 school bus:

24 (1) is:

25 (A) registered as a school bus; and

26 (B) in compliance with all safety and equipment related
 27 requirements for a school bus;
 28 in a state other than Indiana;

29 (2) while in Indiana is used solely to transport agricultural
 30 workers employed to detassel corn; and

31 (3) is operated in accordance with subsection (e);

32 the out-of-state school bus may be operated for not more than sixty (60)
 33 days in a calendar year in Indiana without meeting the inspection and
 34 safety requirements of this article.

35 (e) Before operating a school bus described in subsection (d), an
 36 individual must:

37 (1) be licensed to operate a school bus in:

38 (A) the state in which the school bus is registered; or

39 (B) Indiana; and

40 (2) annually give written notice to the committee at least ten (10)
 41 days before the school bus is operated in Indiana of the:

42 (A) jurisdiction in which the school bus has been registered



- 1 and inspected for safety and equipment related requirements;
 2 (B) approximate dates that the school bus will be operated in
 3 Indiana; and
 4 (C) license plate number of the school bus.
- 5 SECTION 473. IC 20-33-2-15, AS ADDED BY P.L.1-2005,
 6 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2024]: Sec. 15. (a) The governing body of a school
 8 corporation and the chief administrative official of a nonpublic
 9 secondary school system shall authorize the absence and excuse of
 10 each secondary school student who serves:
 11 (1) on the precinct election board; or
 12 (2) as a helper to a political candidate or to a political party on the
 13 date of each general, city or town, special, and primary election
 14 at which the student works.
- 15 (b) Before the date of the election, the student must submit a
 16 document signed by one (1) of the student's parents giving permission
 17 to participate in the election as provided in this section, and the student
 18 must verify to school authorities the performance of services by
 19 submitting a document signed by the candidate, political party
 20 ~~chairman~~, **chairperson**, campaign manager, or precinct officer
 21 generally describing the duties of the student on the date of the
 22 election. A student excused from school attendance under this section
 23 may not be recorded as being absent on any date for which the excuse
 24 is operative and may not be penalized by the school in any manner.
- 25 SECTION 474. IC 20-36-4-5, AS AMENDED BY P.L.43-2021,
 26 SECTION 120, IS AMENDED TO READ AS FOLLOWS
 27 [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) An advisory board for the
 28 academy is established.
- 29 (b) Fifteen (15) members shall be appointed to the advisory board
 30 as follows:
 31 (1) The secretary of education as an ex officio member.
 32 (2) The ~~chairman~~ **chairperson** of the curriculum committee of the
 33 state board as an ex officio member.
 34 (3) The commissioner of the commission for higher education as
 35 an ex officio member.
 36 (4) Seven (7) members appointed by the secretary of education as
 37 follows:
 38 (A) Two (2) members who are classroom teachers.
 39 (B) Two (2) members who are public school administrators.
 40 (C) One (1) member who represents the parents of public
 41 school students.
 42 (D) Two (2) members who are former students of the academy.



- 1 (5) Five (5) members appointed by the governor as follows:
 2 (A) Two (2) representatives from state educational institutions.
 3 (B) One (1) representative from a private postsecondary
 4 educational institution in Indiana.
 5 (C) Two (2) individuals representing business and industry.
 6 (c) At the expiration of the terms of the initial appointees, their
 7 successors shall be appointed to four (4) year terms beginning on July
 8 1 in the year of their appointments. A member may be reappointed to
 9 the advisory board.
 10 (d) A vacancy in any appointive term under this section shall be
 11 filled for the unexpired part of the term by appointment of the officer
 12 who appointed the person creating the vacancy.
 13 (e) On July 1 of each year, the secretary of education shall designate
 14 a member to serve as chairperson. The advisory board shall elect other
 15 officers annually to serve terms from July 1 through June 30.
 16 (f) An advisory board member is not entitled to the minimum salary
 17 per diem as provided in IC 4-10-11-2.1(b) while performing the
 18 member's duties. A member is entitled to reimbursement for traveling
 19 expenses and other expenses actually incurred in connection with the
 20 member's duties, as provided in the state travel policies and procedures
 21 established by the Indiana department of administration and approved
 22 by the budget agency.
 23 (g) The chairperson shall call the meetings of the advisory board.
 24 (h) A majority of the advisory board constitutes a quorum for the
 25 purpose of doing business.
 26 SECTION 475. IC 21-9-4-1, AS AMENDED BY P.L.43-2021,
 27 SECTION 139, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) The board of directors of the
 29 authority is established. The board consists of the following:
 30 (1) The following four (4) ex officio members or directors:
 31 (A) The treasurer of state.
 32 (B) The secretary of education.
 33 (C) The Indiana commissioner for higher education.
 34 (D) The budget director.
 35 (2) Five (5) appointed members or directors who:
 36 (A) are appointed by the governor; and
 37 (B) have knowledge, skill, and experience in academic,
 38 business, financial, or education fields.
 39 (b) During a member's term of service on the board, an appointed
 40 member of the board may not be an official or employee of the state.
 41 (c) Not more than three (3) of the appointed members of the board
 42 may belong to the same political party.



1 (d) An appointed member serves a four (4) year term. An appointed
2 member shall hold over after the expiration of the member's term until
3 the member's successor is appointed and qualified.

4 (e) The governor may reappoint an appointed member of the board.

5 (f) A vacancy shall be filled for the balance of an unexpired term in
6 the same manner as the original appointment.

7 (g) The treasurer of state shall serve as ~~chairman~~ **chairperson** of the
8 board. The board shall annually elect one (1) of its ex officio members
9 as vice ~~chairman~~, **chairperson**, and may elect any other officer that the
10 board desires.

11 (h) The governor may remove an appointed member for
12 misfeasance, malfeasance, willful neglect of duty, or other cause after
13 notice and a public hearing, unless the member expressly waives the
14 notice and hearing in writing.

15 SECTION 476. IC 21-9-4-5, AS AMENDED BY P.L.134-2012,
16 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2024]: Sec. 5. (a) Five (5) members of the board are a quorum
18 for:

19 (1) the transaction of business at a meeting of the board; or

20 (2) the exercise of a power or function of the authority.

21 (b) The affirmative vote of a majority of all the members of the
22 board who are present is necessary for the authority to take action. A
23 vacancy in the membership of the board does not impair the right of a
24 quorum to exercise all the rights and perform all the duties of the
25 authority. An action taken by the board under this article may be
26 authorized by:

27 (1) resolution at any regular or special meeting; or

28 (2) unanimous consent of all the members who have not
29 abstained.

30 A resolution takes effect immediately upon adoption and need not be
31 published or posted.

32 (c) The board shall meet at the call of the ~~chairman~~ **chairperson**
33 and as provided in the bylaws of the authority.

34 (d) Meetings of the board may be held anywhere in Indiana.

35 SECTION 477. IC 21-9-4-11 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. Before the adoption
37 and implementation of any education savings program, the:

38 (1) ~~chairman~~; **chairperson**;

39 (2) vice ~~chairman~~; **chairperson**;

40 (3) manager; and

41 (4) any officer elected by the authority or member of the authority
42 authorized by resolution to handle funds or sign checks;



1 shall execute a surety bond in the penal sum of one hundred thousand
 2 dollars (\$100,000). The surety bond shall be conditioned upon the
 3 faithful performance of the duties of the office of the principal and
 4 shall be executed by a surety company authorized to transact business
 5 in Indiana. The authority shall pay the cost of the bonds.

6 SECTION 478. IC 21-18-4-1, AS ADDED BY P.L.2-2007,
 7 SECTION 259, IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2024]: Sec. 1. The commission shall elect from
 9 its membership:

- 10 (1) a ~~chairman~~; **chairperson**;
- 11 (2) a vice ~~chairman~~; **chairperson**; and
- 12 (3) other necessary officers.

13 SECTION 479. IC 21-22-4-1, AS ADDED BY P.L.2-2007,
 14 SECTION 263, IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2024]: Sec. 1. The members of the state board
 16 of trustees shall elect from their own number a ~~chairman~~ **chairperson**
 17 and a vice ~~chairman~~. **chairperson**.

18 SECTION 480. IC 21-22-5-2, AS AMENDED BY P.L.169-2007,
 19 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2024]: Sec. 2. The state board of trustees shall meet regularly
 21 at least four (4) times a year and at other times upon call by its
 22 ~~chairman~~. **chairperson**.

23 SECTION 481. IC 21-44-5-2, AS AMENDED BY P.L.56-2023,
 24 SECTION 202, IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) The board consists of the
 26 following members:

- 27 (1) The dean of the Indiana University School of Medicine, who
 28 serves as an ex officio member of the board. The dean of the
 29 Indiana University School of Medicine shall serve as the
 30 ~~chairman~~ **chairperson** of the board.
- 31 (2) The commissioner of the Indiana department of health, who
 32 serves as an ex officio member of the board.
- 33 (3) Five (5) members appointed by the governor as follows:
 - 34 (A) One (1) member appointed by the governor who is a
 35 director of medical education of an Indiana hospital not owned
 36 or operated by Indiana University.
 - 37 (B) One (1) member who:
 - 38 (i) is a hospital administrator in a hospital not owned or
 39 operated by Indiana University; and
 - 40 (ii) is not the hospital administrator for the hospital that
 41 employs the member appointed under clause (A).
 - 42 (C) One (1) member who:



1 (i) is a citizen of Indiana; and

2 (ii) is not a physician and not a hospital administrator.

3 (D) Two (2) members who are physicians holding unlimited
4 licenses to practice medicine in Indiana. The two (2)
5 physicians appointed under this subdivision may not be
6 directors of medical education. One (1) of the members
7 appointed under this subdivision must practice in the specialty
8 of family practice.

9 (b) The terms of the five (5) members appointed to the board by the
10 governor are for three (3) years beginning January 1 of the year of
11 appointment and continuing until the member's successor is appointed
12 and qualified. If a membership on the board becomes vacant before the
13 expiration of the term, the governor shall appoint a replacement with
14 the same representative status to fill the unexpired term.

15 SECTION 482. IC 22-2-2-9 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. Any employer who
17 violates the provisions of section 4 of this chapter shall be liable to the
18 employee or employees affected in the amount of their unpaid
19 minimum wages and in an equal additional amount as liquidated
20 damages. Action to recover such liability may be maintained within
21 three (3) years after the cause of action therefor arises in the circuit or
22 superior court of the county in which the services out of which the
23 claim arises were performed or in which the defendant resides or
24 transacts business. Such action may be brought by any one (1) or more
25 employees for and on behalf of ~~himself or themselves~~ **the employee or**
26 **employees** and all other employees of the same employer who are
27 similarly situated. No employee shall be a party plaintiff to any such
28 action unless ~~he~~ **that employee** gives ~~his~~ consent in writing to become
29 such a party and such consent is filed in the court in which such action
30 is brought. The court in such action shall, in addition to any judgment
31 awarded to the plaintiffs, allow recovery of a reasonable attorney's fee
32 and costs of the action. No contract or agreement between the
33 employee and the employer nor any acceptance of a lesser wage by the
34 employee shall be a defense to the action.

35 SECTION 483. IC 22-2-9-4 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) It shall be the
37 duty of the commissioner of labor to enforce and to insure compliance
38 with the provisions of this chapter, to investigate any violations of any
39 of the provisions of this chapter, and to institute or cause to be
40 instituted actions for penalties and forfeitures provided under this
41 chapter. The commissioner of labor may hold hearings to satisfy
42 ~~himself as to~~ the justice of any claim, and ~~he~~ **the commissioner** shall



1 cooperate with any employee in the enforcement of any claim against
 2 ~~his the employee's~~ employer in any case whenever, in ~~his the~~
 3 ~~commissioner's~~ opinion, the claim is just and valid.

4 (b) The commissioner of labor may refer claims for wages under
 5 this chapter to the attorney general, and the attorney general may
 6 initiate civil actions on behalf of the claimant or may refer the claim to
 7 any attorney admitted to the practice of law in Indiana. The provisions
 8 of IC 22-2-5-2 apply to civil actions initiated under this subsection by
 9 the attorney general or ~~his the attorney general's~~ designee.

10 SECTION 484. IC 22-3-1-1, AS AMENDED BY P.L.168-2011,
 11 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2024]: Sec. 1. (a) There is hereby created the worker's
 13 compensation board of Indiana, which shall consist of seven (7)
 14 members, not more than four (4) of whom shall belong to the same
 15 political party, appointed by the governor, one (1) of whom the
 16 governor shall designate as ~~chairman~~ **chairperson**. All members of the
 17 board shall be attorneys in good standing admitted to the practice of
 18 law in Indiana.

19 (b) Each member of said board shall hold office for four (4) years
 20 and until the member's successor is appointed and qualified.

21 (c) No member of the board shall hold any other position of trust or
 22 profit or engage in any occupation or business interfering with or
 23 inconsistent with the discharge of the member's duties.

24 (d) Any member of said board may be removed by the governor at
 25 any time for incompetency, neglect of duty, misconduct in office, or
 26 other good cause to be stated in writing in the order of removal. In case
 27 of a vacancy in the membership of the said board, the governor shall
 28 appoint for the unexpired term.

29 (e) The budget agency, with the approval of the governor, shall
 30 approve the salaries of the members of the board and the secretary.

31 (f) The board may appoint an executive administrator and may
 32 remove the executive administrator. The executive administrator shall
 33 have authority to administer oaths and issue subpoenas in connection
 34 with the administration of IC 22-3-2 through IC 22-3-7.

35 (g) The board, subject to the approval of the governor, may employ
 36 and fix the compensations of such clerical and other assistants as it may
 37 deem necessary.

38 (h) The members of the board and its assistants shall be entitled to
 39 receive from the state their actual and necessary expenses while
 40 traveling on the business of the board, but such expenses shall be
 41 approved by the ~~chairman~~ **chairperson** of the board before payment is
 42 made.



1 (i) All salaries and expenses of the board shall be audited and paid
 2 out of the state treasury in the manner prescribed for similar expenses
 3 in other departments or branches of the state service.

4 SECTION 485. IC 22-3-2-2, AS AMENDED BY P.L.134-2006,
 5 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2024]: Sec. 2. (a) Every employer and every employee, except
 7 as stated in IC 22-3-2 through IC 22-3-6, shall comply with the
 8 provisions of IC 22-3-2 through IC 22-3-6 respectively to pay and
 9 accept compensation for personal injury or death by accident arising
 10 out of and in the course of the employment, and shall be bound thereby.
 11 The burden of proof is on the employee. The proof by the employee of
 12 an element of a claim does not create a presumption in favor of the
 13 employee with regard to another element of the claim.

14 (b) IC 22-3-2 through IC 22-3-6 does not apply to railroad
 15 employees engaged in train service as:

- 16 (1) engineers;
- 17 (2) ~~firemen;~~ **stokers;**
- 18 (3) conductors;
- 19 (4) ~~brakemen;~~ **brake persons;**
- 20 (5) ~~flagmen;~~ **flaggers;**
- 21 (6) ~~baggagemen;~~ **baggage handlers;** or
- 22 (7) ~~foremen~~ **supervisors** in charge of yard engines and helpers
 23 assigned thereto.

24 (c) IC 22-3-2 through IC 22-3-6 does not apply to employees of
 25 municipal corporations in Indiana who are members of:

- 26 (1) the fire department or police department of any such
 27 municipality; and
- 28 (2) a firefighters' pension fund or of a police officers' pension
 29 fund.

30 However, if the common council elects to purchase and procure
 31 worker's compensation insurance to insure said employees with respect
 32 to medical benefits under IC 22-3-2 through IC 22-3-6, the medical
 33 provisions of IC 22-3-2 through IC 22-3-6 apply to members of the fire
 34 department or police department of any such municipal corporation
 35 who are also members of a firefighters' pension fund or a police
 36 officers' pension fund.

37 (d) IC 22-3-2 through IC 22-3-6 do not apply to the following:

- 38 (1) A person who enters into an independent contractor agreement
 39 with a nonprofit corporation that is recognized as tax exempt
 40 under Section 501(c)(3) of the Internal Revenue Code (as defined
 41 in IC 6-3-1-11(a)) to perform youth coaching services on a
 42 part-time basis.



1 (2) A nonprofit corporation that is recognized as tax exempt under
 2 Section 501(c)(3) of the Internal Revenue Code (as defined in
 3 IC 6-3-1-11(a)) to the extent the corporation enters into an
 4 independent contractor agreement with a person for the
 5 performance of youth coaching services on a part-time basis.

6 (e) When any municipal corporation purchases or procures worker's
 7 compensation insurance covering members of the fire department or
 8 police department who are also members of a firefighters' pension fund
 9 or a police officers' pension fund, and pays the premium or premiums
 10 for such insurance, the payment of such premiums is a legal and
 11 allowable expenditure of funds of any municipal corporation.

12 (f) Except as provided in subsection (g), where the common council
 13 has procured worker's compensation insurance under this section, any
 14 member of such fire department or police department employed in the
 15 city carrying such worker's compensation insurance under this section
 16 is limited to recovery of medical and surgical care, medicines,
 17 laboratory, curative and palliative agents and means, x-ray, diagnostic
 18 and therapeutic services to the extent that such services are provided
 19 for in the worker's compensation policy procured by such city, and shall
 20 not also recover in addition to that policy for such same benefits
 21 provided in IC 36-8-4.

22 (g) If the medical benefits provided under a worker's compensation
 23 policy procured by the common council terminate for any reason before
 24 the police officer or firefighter is fully recovered, the common council
 25 shall provide medical benefits that are necessary until the police officer
 26 or firefighter is no longer in need of medical care.

27 (h) The provisions of IC 22-3-2 through IC 22-3-6 apply to:

- 28 (1) members of the Indiana general assembly; and
 29 (2) field examiners of the state board of accounts.

30 SECTION 486. IC 22-3-3-2 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. The notice provided
 32 for in the preceding section shall state the name and address of the
 33 employee, the time, place, nature and cause of the injury or death, and
 34 shall be signed by the injured employee or by some one in his behalf or
 35 by one (1) or more of the dependents, in case of death, or by some
 36 person in their behalf. Said notice may be served personally upon the
 37 employer, or upon any ~~foreman~~, **supervisor**, superintendent or
 38 manager of the employer to whose orders the injured or deceased
 39 employee was required to conform or upon any agent of the employer
 40 upon whom a summons in a civil action may be served under the laws
 41 of the state, or may be sent to the employer by registered letter,
 42 addressed to his last known residence or place of business.



1 SECTION 487. IC 22-3-7-9, AS AMENDED BY P.L.160-2022,
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2024]: Sec. 9. (a) As used in this chapter, "employer" includes
4 the state and any political subdivision, any municipal corporation
5 within the state, any individual or the legal representative of a deceased
6 individual, firm, association, limited liability company, limited liability
7 partnership, or corporation or the receiver or trustee of the same, using
8 the services of another for pay. A corporation, limited liability
9 company, or limited liability partnership that controls the activities of
10 another corporation, limited liability company, or limited liability
11 partnership, or a corporation and a limited liability company or a
12 corporation and a limited liability partnership that are commonly
13 owned entities, or the controlled corporation, limited liability company,
14 limited liability partnership, or commonly owned entities, and a parent
15 corporation and its subsidiaries shall each be considered joint
16 employers of the corporation's, the controlled corporation's, the limited
17 liability company's, the limited liability partnership's, the commonly
18 owned entities', the parent's, or the subsidiaries' employees for purposes
19 of sections 6 and 33 of this chapter. Both a lessor and a lessee of
20 employees shall each be considered joint employers of the employees
21 provided by the lessor to the lessee for purposes of sections 6 and 33
22 of this chapter. The term also includes an employer that provides
23 on-the-job training under the federal School to Work Opportunities Act
24 (20 U.S.C. 6101 et seq.) to the extent set forth under section 2.5 of this
25 chapter. If the employer is insured, the term includes the employer's
26 insurer so far as applicable. However, the inclusion of an employer's
27 insurer within this definition does not allow an employer's insurer to
28 avoid payment for services rendered to an employee with the approval
29 of the employer. The term does not include a nonprofit corporation that
30 is recognized as tax exempt under Section 501(c)(3) of the Internal
31 Revenue Code (as defined in IC 6-3-1-11(a)) to the extent the
32 corporation enters into an independent contractor agreement with a
33 person for the performance of youth coaching services on a part-time
34 basis.

35 (b) As used in this chapter, "employee" means every person,
36 including a minor, in the service of another, under any contract of hire
37 or apprenticeship written or implied, except one whose employment is
38 both casual and not in the usual course of the trade, business,
39 occupation, or profession of the employer. For purposes of this chapter
40 the following apply:

41 (1) Any reference to an employee who has suffered disablement,
42 when the employee is dead, also includes the employee's legal



- 1 representative, dependents, and other persons to whom
- 2 compensation may be payable.
- 3 (2) An owner of a sole proprietorship may elect to include the
- 4 owner as an employee under this chapter if the owner is actually
- 5 engaged in the proprietorship business. If the owner makes this
- 6 election, the owner must serve upon the owner's insurance carrier
- 7 and upon the board written notice of the election. No owner of a
- 8 sole proprietorship may be considered an employee under this
- 9 chapter unless the notice has been received. If the owner of a sole
- 10 proprietorship:
- 11 (A) is an independent contractor in the construction trades and
- 12 does not make the election provided under this subdivision,
- 13 the owner must obtain a certificate of exemption under section
- 14 34.5 of this chapter; or
- 15 (B) is an independent contractor and does not make the
- 16 election provided under this subdivision, the owner may obtain
- 17 a certificate of exemption under section 34.5 of this chapter.
- 18 (3) A partner in a partnership may elect to include the partner as
- 19 an employee under this chapter if the partner is actually engaged
- 20 in the partnership business. If a partner makes this election, the
- 21 partner must serve upon the partner's insurance carrier and upon
- 22 the board written notice of the election. No partner may be
- 23 considered an employee under this chapter until the notice has
- 24 been received. If a partner in a partnership:
- 25 (A) is an independent contractor in the construction trades and
- 26 does not make the election provided under this subdivision,
- 27 the partner must obtain a certificate of exemption under
- 28 section 34.5 of this chapter; or
- 29 (B) is an independent contractor and does not make the
- 30 election provided under this subdivision, the partner may
- 31 obtain a certificate of exemption under section 34.5 of this
- 32 chapter.
- 33 (4) Real estate professionals are not employees under this chapter
- 34 if:
- 35 (A) they are licensed real estate agents;
- 36 (B) substantially all their remuneration is directly related to
- 37 sales volume and not the number of hours worked; and
- 38 (C) they have written agreements with real estate brokers
- 39 stating that they are not to be treated as employees for tax
- 40 purposes.
- 41 (5) A person is an independent contractor in the construction
- 42 trades and not an employee under this chapter if the person is an



1 independent contractor under the guidelines of the United States
2 Internal Revenue Service.

3 (6) An owner-operator that provides a motor vehicle and the
4 services of a driver under a written contract that is subject to
5 IC 8-2.1-24-23, 45 IAC 16-1-13, or 49 CFR 376, to a motor
6 carrier is not an employee of the motor carrier for purposes of this
7 chapter. The owner-operator may elect to be covered and have the
8 owner-operator's drivers covered under a worker's compensation
9 insurance policy or authorized self-insurance that insures the
10 motor carrier if the owner-operator pays the premiums as
11 requested by the motor carrier. An election by an owner-operator
12 under this subdivision does not terminate the independent
13 contractor status of the owner-operator for any purpose other than
14 the purpose of this subdivision.

15 (7) An unpaid participant under the federal School to Work
16 Opportunities Act (20 U.S.C. 6101 et seq.) is an employee to the
17 extent set forth under section 2.5 of this chapter.

18 (8) A person who enters into an independent contractor agreement
19 with a nonprofit corporation that is recognized as tax exempt
20 under Section 501(c)(3) of the Internal Revenue Code (as defined
21 in IC 6-3-1-11(a)) to perform youth coaching services on a
22 part-time basis is not an employee for purposes of this chapter.

23 (9) An officer of a corporation who is an employee of the
24 corporation under this chapter may elect not to be an employee of
25 the corporation under this chapter. An officer of a corporation
26 who is also an owner of any interest in the corporation may elect
27 not to be an employee of the corporation under this chapter. If an
28 officer makes this election, the officer must serve written notice
29 of the election on the corporation's insurance carrier and the
30 board. An officer of a corporation may not be considered to be
31 excluded as an employee under this chapter until the notice is
32 received by the insurance carrier and the board.

33 (10) An individual who is not an employee of the state or a
34 political subdivision is considered to be a temporary employee of
35 the state for purposes of this chapter while serving as a member
36 of a mobile support unit on duty for training, an exercise, or a
37 response, as set forth in IC 10-14-3-19(c)(2)(B).

38 (c) As used in this chapter, "minor" means an individual who has
39 not reached seventeen (17) years of age. A minor employee shall be
40 considered as being of full age for all purposes of this chapter.
41 However, if the employee is a minor who, at the time of the last
42 exposure, is employed, required, suffered, or permitted to work in



1 violation of the employment of minors laws of this state, the amount of
 2 compensation and death benefits, as provided in this chapter, shall be
 3 double the amount which would otherwise be recoverable. The
 4 insurance carrier shall be liable on its policy for one-half (1/2) of the
 5 compensation or benefits that may be payable on account of the
 6 disability or death of the minor, and the employer shall be wholly liable
 7 for the other one-half (1/2) of the compensation or benefits. If the
 8 employee is a minor who is not less than sixteen (16) years of age and
 9 who has not reached seventeen (17) years of age, and who at the time
 10 of the last exposure is employed, suffered, or permitted to work at any
 11 occupation which is not prohibited by law, the provisions of this
 12 subsection prescribing double the amount otherwise recoverable do not
 13 apply. The rights and remedies granted to a minor under this chapter on
 14 account of disease shall exclude all rights and remedies of the minor,
 15 the minor's parents, the minor's personal representatives, dependents,
 16 or next of kin at common law, statutory or otherwise, on account of any
 17 disease.

18 (d) This chapter does not apply to casual laborers as defined in
 19 subsection (b), nor to farm or agricultural employees, nor to household
 20 employees, nor to railroad employees engaged in train service as
 21 engineers, ~~firemen, stokers,~~ conductors, ~~brakemen, flagmen,~~
 22 ~~baggagemen, or foremen~~ **brake persons, flaggers, baggage handlers,**
 23 **or supervisors** in charge of yard engines and helpers assigned thereto,
 24 nor to their employers with respect to these employees. Also, this
 25 chapter does not apply to employees or their employers with respect to
 26 employments in which the laws of the United States provide for
 27 compensation or liability for injury to the health, disability, or death by
 28 reason of diseases suffered by these employees.

29 (e) As used in this chapter, "disablement" means the event of
 30 becoming disabled from earning full wages at the work in which the
 31 employee was engaged when last exposed to the hazards of the
 32 occupational disease by the employer from whom the employee claims
 33 compensation or equal wages in other suitable employment, and
 34 "disability" means the state of being so incapacitated.

35 (f) For the purposes of this chapter, no compensation shall be
 36 payable for or on account of any occupational diseases unless
 37 disablement, as defined in subsection (e), occurs within two (2) years
 38 after the last day of the last exposure to the hazards of the disease
 39 except for the following:

- 40 (1) In all cases of occupational diseases caused by the inhalation
 41 of silica dust or coal dust, no compensation shall be payable
 42 unless disablement, as defined in subsection (e), occurs within



- 1 three (3) years after the last day of the last exposure to the hazards
2 of the disease.
- 3 (2) In all cases of occupational disease caused by the exposure to
4 radiation, no compensation shall be payable unless disablement,
5 as defined in subsection (e), occurs within two (2) years from the
6 date on which the employee had knowledge of the nature of the
7 employee's occupational disease or, by exercise of reasonable
8 diligence, should have known of the existence of such disease and
9 its causal relationship to the employee's employment.
- 10 (3) In all cases of occupational diseases caused by the inhalation
11 of asbestos dust, no compensation shall be payable unless
12 disablement, as defined in subsection (e), occurs within three (3)
13 years after the last day of the last exposure to the hazards of the
14 disease if the last day of the last exposure was before July 1, 1985.
- 15 (4) In all cases of occupational disease caused by the inhalation
16 of asbestos dust in which the last date of the last exposure occurs
17 on or after July 1, 1985, and before July 1, 1988, no compensation
18 shall be payable unless disablement, as defined in subsection (e),
19 occurs within twenty (20) years after the last day of the last
20 exposure.
- 21 (5) In all cases of occupational disease caused by the inhalation
22 of asbestos dust in which the last date of the last exposure occurs
23 on or after July 1, 1988, no compensation shall be payable unless
24 disablement (as defined in subsection (e)) occurs within
25 thirty-five (35) years after the last day of the last exposure.
- 26 (g) For the purposes of this chapter, no compensation shall be
27 payable for or on account of death resulting from any occupational
28 disease unless death occurs within two (2) years after the date of
29 disablement. However, this subsection does not bar compensation for
30 death:
- 31 (1) where death occurs during the pendency of a claim filed by an
32 employee within two (2) years after the date of disablement and
33 which claim has not resulted in a decision or has resulted in a
34 decision which is in process of review or appeal; or
- 35 (2) where, by agreement filed or decision rendered, a
36 compensable period of disability has been fixed and death occurs
37 within two (2) years after the end of such fixed period, but in no
38 event later than three hundred (300) weeks after the date of
39 disablement.
- 40 (h) As used in this chapter, "billing review service" refers to a
41 person or an entity that reviews a medical service provider's bills or
42 statements for the purpose of determining pecuniary liability. The term



1 includes an employer's worker's compensation insurance carrier if the
2 insurance carrier performs such a review.

3 (i) As used in this chapter, "billing review standard" means the data
4 used by a billing review service to determine pecuniary liability.

5 (j) As used in this chapter, "community" means a geographic service
6 area based on ZIP code districts defined by the United States Postal
7 Service according to the following groupings:

8 (1) The geographic service area served by ZIP codes with the first
9 three (3) digits 463 and 464.

10 (2) The geographic service area served by ZIP codes with the first
11 three (3) digits 465 and 466.

12 (3) The geographic service area served by ZIP codes with the first
13 three (3) digits 467 and 468.

14 (4) The geographic service area served by ZIP codes with the first
15 three (3) digits 469 and 479.

16 (5) The geographic service area served by ZIP codes with the first
17 three (3) digits 460, 461 (except 46107), and 473.

18 (6) The geographic service area served by the 46107 ZIP code and
19 ZIP codes with the first three (3) digits 462.

20 (7) The geographic service area served by ZIP codes with the first
21 three (3) digits 470, 471, 472, 474, and 478.

22 (8) The geographic service area served by ZIP codes with the first
23 three (3) digits 475, 476, and 477.

24 (k) As used in this chapter, "medical service provider" refers to a
25 person or an entity that provides services or products to an employee
26 under this chapter. Except as otherwise provided in this chapter, the
27 term includes a medical service facility.

28 (l) As used in this chapter, "medical service facility" means any of
29 the following that provides a service or product under this chapter and
30 uses the CMS 1450 (UB-04) form or the CMS 1500 (HCFA-1500)
31 form for Medicare reimbursement:

32 (1) An ambulatory outpatient surgical center (as defined in
33 IC 16-18-2-14).

34 (2) A hospital (as defined in IC 16-18-2-179).

35 (3) A hospital based health facility (as defined in
36 IC 16-18-2-180).

37 (4) A medical center (as defined in IC 16-18-2-223.4).

38 (m) As used in this chapter, "pecuniary liability" means the
39 responsibility of an employer or the employer's insurance carrier for the
40 payment of the charges for each specific service or product for human
41 medical treatment provided under this chapter as follows:

42 (1) This subdivision applies before July 1, 2014, to all medical



1 service providers, and after June 30, 2014, to a medical service
 2 provider that is not a medical service facility. Payment of the
 3 charges in a defined community, equal to or less than the charges
 4 made by medical service providers at the eightieth percentile in
 5 the same community for like services or products.

6 (2) Payment of the charges in a reasonable amount, which is
 7 established by payment of one (1) of the following:

8 (A) The amount negotiated at any time between the medical
 9 service facility and any of the following, if an amount has been
 10 negotiated:

11 (i) The employer.

12 (ii) The employer's insurance carrier.

13 (iii) A billing review service on behalf of a person described
 14 in item (i) or (ii).

15 (iv) A direct provider network that has contracted with a
 16 person described in item (i) or (ii).

17 (B) Two hundred percent (200%) of the amount that would be
 18 paid to the medical service facility on the same date for the
 19 same service or product under the medical service facility's
 20 Medicare reimbursement rate, if, after conducting the
 21 negotiations described in clause (A), an agreement has not
 22 been reached.

23 (n) "Service or product" or "services and products" refers to
 24 medical, hospital, surgical, or nursing service, treatment, and supplies
 25 provided under this chapter.

26 SECTION 488. IC 22-3-7-22 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 22. (a) The members
 28 of the board and its assistants shall be entitled to receive from the state
 29 their actual and necessary expenses while traveling on the business of
 30 the board, but such expenses shall be sworn to by the person who
 31 incurred the same, and shall be approved by the ~~chairman~~ **chairperson**
 32 of the board before payment is made. All expenses of the board in
 33 connection with this chapter shall be audited and paid out of the state
 34 treasury in the manner prescribed for similar expenses in other
 35 departments or branches of the state service.

36 (b) The board shall be provided with adequate offices in the capitol
 37 or some other suitable building in the city of Indianapolis in which the
 38 records shall be kept and its official business be transacted during
 39 regular business hours. It shall also be provided with necessary office
 40 furniture, stationery, and other supplies. The board or any member
 41 thereof may hold sessions at any place within the state as may be
 42 deemed necessary.



1 SECTION 489. IC 22-3-7-32, AS AMENDED BY P.L.99-2007,
 2 SECTION 184, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2024]: Sec. 32. (a) No proceedings for
 4 compensation under this chapter shall be maintained unless notice has
 5 been given to the employer of disablement arising from an occupational
 6 disease as soon as practicable after the date of disablement. No defect
 7 or inaccuracy of such notices shall be a bar to compensation unless the
 8 employer proves that ~~he~~ **the employer** is unduly prejudiced in such
 9 proceedings by such defect or inaccuracy.

10 (b) The notice provided for in subsection (a) shall state the name
 11 and address of the employee and the nature and cause of the
 12 occupational disease and disablement or death therefrom, and shall be
 13 signed by the employee with a disability or by someone in the
 14 employee's behalf, or by one (1) or more of the dependents, in case of
 15 death, or by some person in their behalf. Such notice may be served
 16 personally upon the employer or upon any ~~foreman,~~ **supervisor,**
 17 superintendent, or manager of the employer to whose orders the
 18 employee with a disability or deceased employee was required to
 19 conform or upon any agent of the employer upon whom a summons in
 20 a civil action may be served under the laws of the state or may be sent
 21 to the employer by registered letter, addressed to the employer's last
 22 known residence or place of business.

23 (c) No proceedings by an employee for compensation under this
 24 chapter shall be maintained unless claim for compensation shall be
 25 filed by the employee with the worker's compensation board within two
 26 (2) years after the date of the disablement.

27 (d) No proceedings by dependents of a deceased employee for
 28 compensation for death under this chapter shall be maintained unless
 29 claim for compensation shall be filed by the dependents with the
 30 worker's compensation board within two (2) years after the date of
 31 death.

32 (e) No limitation of time provided in this chapter shall run against
 33 any person who is mentally incompetent or a minor dependent, so long
 34 as the person has no guardian or trustee.

35 SECTION 490. IC 22-3-9-5 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. Any contract, rule,
 37 regulation, bylaw, or device whatsoever, the purpose, intent, or effect
 38 of which would be to enable any employer to exempt ~~himself or itself~~
 39 **the employer** from any liability created by this chapter, shall to that
 40 extent be void; provided, that in any action brought against any such
 41 employer under or by virtue of any of the provisions of this chapter,
 42 such employer may set off therein by special plea any sum such



1 employer has contributed or paid to any insurance, relief benefit, or
 2 indemnity for and on behalf of such injured employee that may have
 3 been paid to ~~him~~ **the injured employee** or to the person entitled thereto
 4 on account of the injury or death for which said action is brought, but
 5 in no event shall the amount of such setoff exceed the amount paid to
 6 such employee or other person entitled thereto out of such insurance,
 7 relief benefit, or indemnity fund.

8 SECTION 491. IC 22-4-17-5, AS AMENDED BY P.L.136-2018,
 9 SECTION 113, IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) The governor shall appoint a
 11 review board composed of three (3) members, not more than two (2) of
 12 whom shall be members of the same political party, with salaries to be
 13 fixed by the governor. The review board shall consist of the ~~chairman~~
 14 **chairperson** and the two (2) members who shall serve for terms of
 15 three (3) years. At least one (1) member must be admitted to the
 16 practice of law in Indiana.

17 (b) Any claim pending before an administrative law judge, and all
 18 proceedings arising from that claim, may be transferred to and
 19 determined by the review board upon its own motion, at any time
 20 before the administrative law judge announces a decision. If the review
 21 board considers it advisable to procure additional evidence, it may
 22 direct the taking of additional evidence within a time period it shall fix.
 23 An employer that is a party to a claim transferred to the review board
 24 under this subsection is entitled to receive notice in accordance with
 25 section 6 of this chapter of the transfer or any other action to be taken
 26 under this section before a determination is made or other action
 27 concerning the claim is taken.

28 (c) Any proceeding so removed to the review board shall be heard
 29 by a quorum of the review board in accordance with the requirements
 30 of section 3 of this chapter. The review board shall notify the parties to
 31 any claim of its decision, together with its reasons for the decision.

32 (d) Members of the review board, when acting as administrative law
 33 judges, are subject to section 15 of this chapter.

34 (e) The review board may on the board's own motion affirm, modify,
 35 set aside, remand, or reverse the findings, conclusions, or orders of an
 36 administrative law judge on the basis of any of the following:

- 37 (1) Evidence previously submitted to the administrative law
 38 judge.
- 39 (2) The record of the proceeding after the taking of additional
 40 evidence as directed by the review board.
- 41 (3) A procedural error by the administrative law judge.

42 SECTION 492. IC 22-4-17-12 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. (a) Any decision of
2 the review board shall be conclusive and binding as to all questions of
3 fact. Either party to the dispute or the commissioner may, within thirty
4 (30) days after notice of intention to appeal as provided in this section,
5 appeal the decision to the court of appeals of Indiana for errors of law
6 under the same terms and conditions as govern appeals in ordinary civil
7 actions.

8 (b) In every appeal the review board shall be made a party appellee,
9 and the review board shall, at the written request of the appellant and
10 after payment of the uniform average fee required in subsection (c) is
11 made, prepare a transcript of all the proceedings had before the
12 administrative law judge and review board, which shall contain a
13 transcript of all the testimony, together with all objections and rulings
14 thereon, documents and papers introduced into evidence or offered as
15 evidence, and all rulings as to their admission into evidence. The
16 transcript shall be certified by the ~~chairman~~ **chairperson** of the review
17 board and shall constitute the record upon appeal.

18 (c) All expenses incurred in the preparation of the transcript shall
19 be charged to the appellant. The fee for a transcript shall be the actual
20 cost of preparation that may include the cost of materials, reproduction,
21 postage, handling, and hours of service rendered by the preparer. The
22 commissioner shall establish a uniform average fee to be paid by the
23 appellant before the transcript is prepared. After the transcript is
24 completed, the actual cost shall be determined and the appellant shall
25 either pay the amount remaining above the uniform average fee or be
26 refunded the amount the uniform average fee exceeds the actual cost
27 of preparation. The commissioner shall establish the procedure by
28 which transcript fees are determined and paid.

29 (d) Notwithstanding subsections (b) and (c), the appellant may
30 request that a transcript of all proceedings had before the
31 administrative law judge and review board be prepared at no cost to the
32 appellant by filing with the review board, under oath and in writing, a
33 statement:

- 34 (1) declaring that the appellant is unable to pay for the preparation
35 of the transcript because of the appellant's poverty;
36 (2) setting forth the facts that render the appellant unable to pay
37 for the preparation of the transcript; and
38 (3) declaring that the appellant is entitled to redress on appeal.

39 Upon finding that the appellant is unable to pay for the preparation of
40 the transcript because of the appellant's poverty, the review board shall
41 prepare a transcript at no cost to the appellant.

42 (e) The review board may, upon its own motion, or at the request of



1 either party upon a showing of sufficient reason, extend the limit within
 2 which the appeal shall be taken, not to exceed fifteen (15) days. In
 3 every case in which an extension is granted, the extension shall appear
 4 in the record of the proceeding filed in the court of appeals.

5 (f) The appellant shall attach to the transcript an assignment of
 6 errors. An assignment of errors that the decision of the review board is
 7 contrary to law shall be sufficient to present both the sufficiency of the
 8 facts found to sustain the decision and the sufficiency of the evidence
 9 to sustain the findings of facts. In any appeal under this section, no
 10 bond shall be required for entering the appeal.

11 (g) All appeals shall be considered as submitted upon the date filed
 12 in the court of appeals, shall be advanced upon the docket of the court,
 13 and shall be determined without delay in the order of priority. Upon the
 14 final determination of the appeal, the review board shall enter an order
 15 in accordance with the determination, and the decision shall be final.
 16 The court of appeals may in any appeal remand the proceeding to the
 17 review board for the taking of additional evidence, setting time limits
 18 therefor, and ordering the additional evidence to be certified by the
 19 review board to the court of appeals to be used in the determination of
 20 the cause.

21 (h) Any finding of fact, judgment, conclusion, or final order made
 22 by a person with the authority to make findings of fact or law in an
 23 action or proceeding under this article is not conclusive or binding and
 24 shall not be used as evidence in a separate or subsequent action or
 25 proceeding between an individual and the individual's present or prior
 26 employer in an action or proceeding brought before an arbitrator, a
 27 court, or a judge of this state or the United States regardless of whether
 28 the prior action was between the same or related parties or involved the
 29 same facts.

30 SECTION 493. IC 22-4.1-18-3, AS AMENDED BY P.L.86-2020,
 31 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2024]: Sec. 3. (a) The department shall administer the testing
 33 program provided in this chapter. All administrative costs of this
 34 program must be funded through appropriations of the general
 35 assembly.

36 (b) The test shall be:

37 (1) a nationally administered high school equivalency exam
 38 utilizing college and career readiness standards that includes
 39 subtests of reading, mathematics, science, social studies, and
 40 writing; and

41 (2) available in a pencil and paper and online formats.

42 (c) The test vendor shall provide:



- 1 (1) annual in-person and online training;
- 2 (2) an annual national and Indiana statistical report;
- 3 (3) a dedicated customer service line;
- 4 (4) at least one (1) practice test available in both pencil and paper
- 5 and online formats;
- 6 (5) at least two (2) retests for each subtest, free of charge; and
- 7 (6) a nationally based research report on the long term outcomes
- 8 for candidates who passed the test, which shall be presented to the
- 9 department, governor's workforce cabinet, the ~~chairman~~
- 10 **chairperson** of the house committee on education, and the
- 11 ~~chairman~~ **chairperson** of the senate committee on education and
- 12 career development.

13 SECTION 494. IC 22-5-1-4 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. Nothing in this
 15 chapter shall be so construed as to prevent any citizen or subject of any
 16 foreign country temporarily residing in the United States either in a
 17 private or official capacity from engaging, under contract or otherwise,
 18 persons not residents or citizens of the United States to act as private
 19 secretaries, servants, or domestics for such foreigner temporarily
 20 residing in the United States, nor shall this chapter be so construed as
 21 to prevent any person or persons, partnership, limited liability
 22 company, or corporation from engaging, under contract or agreement,
 23 skilled ~~workmen~~ **workers** in foreign countries to perform labor in the
 24 state of Indiana in or upon any new industry not at present established
 25 in the state, provided that skilled labor for that purpose cannot
 26 otherwise be obtained; nor shall the provisions of this chapter apply to
 27 professional actors, artists, lecturers, or singers, nor to persons
 28 employed strictly as personal or domestic servants; however, nothing
 29 in this chapter shall be construed as prohibiting any individual from
 30 assisting any member of ~~his~~ **the individual's** family or relative or
 31 personal friend to migrate from any foreign country to the state for the
 32 purpose of settlement here.

33 SECTION 495. IC 22-8-1.1-10 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. The commission
 35 shall meet annually at the call of the commissioner and elect a
 36 ~~chairman~~ **chairperson** and such other officers as they deem
 37 appropriate.

38 SECTION 496. IC 22-8-1.1-13, AS AMENDED BY P.L.113-2014,
 39 SECTION 116, IS AMENDED TO READ AS FOLLOWS
 40 [EFFECTIVE JULY 1, 2024]: Sec. 13. The commission shall meet at
 41 the call of the commissioner or the ~~chairman~~ **chairperson** or upon the
 42 written request of any four (4) members. However, the commission



1 shall meet at least one (1) time per year at the call of the commissioner
2 to conduct the business that comes before the commission.

3 SECTION 497. IC 22-8-1.1-31 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 31. ~~Board:~~
5 ~~membership~~. The board shall consist of five (5) members, all of whom
6 shall be residents of Indiana and shall be appointed by the governor as
7 follows:

8 (1) Two (2) of the members shall be drawn from backgrounds
9 with labor organizations but not more than one (1) of them shall
10 be from the same international union. ~~and~~

11 (2) Two (2) of the members shall be drawn from backgrounds
12 with employers.

13 (3) The ~~chairman~~ **chairperson** of the board shall be the fifth
14 member and shall be selected from the highest membership
15 classification of the American Society of Safety Engineers.

16 SECTION 498. IC 22-8-1.1-32.1 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 32.1. ~~Board: Terms:~~
18 Members of the board shall be appointed for terms of four (4) years,
19 and until their successors are appointed and qualified. Of the members
20 first appointed, the members appointed who are drawn from those who
21 have backgrounds with management shall be appointed to terms so that
22 in every other year the term of one (1) or the other of them ends; and
23 the members who are drawn from those who have backgrounds with
24 labor organizations shall be appointed so that every other year the term
25 of one (1) or the other of them ends. The first ~~chairman~~ **chairperson**
26 of the board shall have a four (4) year term. Vacancies shall be filled
27 in the same manner as the original appointments, except that a vacancy
28 occurring during the term of office shall be filled by appointment of the
29 governor for the unexpired term.

30 SECTION 499. IC 22-8-1.1-35 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 35. (a) Each member
32 of the board who is not a state employee is entitled to the minimum
33 salary per diem provided by IC 4-10-11-2.1(b). Such a member is also
34 entitled to reimbursement for traveling expenses and other expenses
35 actually incurred in connection with the member's duties, as provided
36 in the state travel policies and procedures established by the
37 department of administration and approved by the budget agency.

38 (b) The board shall meet on the call of the ~~chairman:~~ **chairperson.**

39 SECTION 500. IC 22-9-1-5, AS AMENDED BY P.L.86-2018,
40 SECTION 192, IS AMENDED TO READ AS FOLLOWS
41 [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) The members of the
42 Commission shall be appointed within thirty (30) days after the



1 effective date of this chapter and the first meeting thereof shall be
 2 called by the member first appointed within sixty (60) days after the
 3 effective date of this chapter.

4 (b) At its first meeting and at each annual meeting held thereafter,
 5 the Commission shall organize by the election of a ~~chairman~~
 6 **chairperson** and vice ~~chairman~~ **chairperson** from its membership,
 7 each of whom, except those first elected, shall serve for a term of one
 8 (1) year and until his successor is elected.

9 (c) The Commission shall hold one (1) regular meeting each month,
 10 and such called meetings as its ~~chairman~~ **chairperson** may deem to be
 11 necessary. The April meeting shall be the annual meeting.

12 SECTION 501. IC 22-9-1-6, AS AMENDED BY P.L.205-2019,
 13 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2024]: Sec. 6. (a) The commission shall establish and
 15 maintain a permanent office in the city of Indianapolis.

16 (b) Except as it concerns judicial review, the commission may adopt
 17 rules under IC 4-22-2 to implement this chapter.

18 (c) The commission shall formulate policies to effectuate the
 19 purposes of this chapter and make recommendations to agencies and
 20 officers of the state or local subdivisions thereof to effectuate such
 21 policies. The several departments, commissions, divisions, authorities,
 22 boards, bureaus, agencies, and officers of the state or any political
 23 subdivision or agency thereof shall furnish the commission, upon its
 24 request, all records, papers, and information in their possession relating
 25 to any matter before the commission.

26 (d) The commission shall receive and investigate complaints
 27 alleging discriminatory practices. The commission shall not hold
 28 hearings in the absence of a complaint. All investigations of complaints
 29 shall be conducted by staff members of the civil rights commission or
 30 their agents.

31 (e) The commission may create such advisory agencies and
 32 conciliation councils, local or statewide, as will aid in effectuating the
 33 purposes of this chapter. The commission may itself, or it may
 34 empower these agencies and councils to:

35 (1) study the problems of discrimination in the areas covered by
 36 section 2 of this chapter when based on race, religion, color, sex,
 37 handicap, national origin, or ancestry; and

38 (2) foster through community effort, or otherwise, good will
 39 among the groups and elements of the population of the state.

40 These agencies and councils may make recommendation to the
 41 commission for the development of policies and procedures in general.
 42 Advisory agencies and conciliation councils created by the commission



1 shall be composed of representative citizens serving without pay, but
2 with reimbursement for reasonable and necessary actual expenses.

3 (f) The commission may issue such publications and such results of
4 investigations and research as in its judgment will tend to promote
5 good will and minimize or eliminate discrimination because of race,
6 religion, color, sex, handicap, national origin, or ancestry.

7 (g) The commission shall prevent any person from discharging,
8 expelling, or otherwise discriminating against any other person because
9 the person filed a complaint, testified in any hearing before this
10 commission, or in any way assisted the commission in any matter under
11 its investigation.

12 (h) The commission may hold hearings, subpoena witnesses, compel
13 their attendance, administer oaths, take the testimony of any person
14 under oath, and require the production for examination of any books
15 and papers relating to any matter under investigation or in question
16 before the commission. The commission may make rules as to the
17 issuance of subpoenas by individual commissioners. Contumacy or
18 refusal to obey a subpoena issued under this section shall constitute a
19 contempt. All hearings shall be held within Indiana at a location
20 determined by the commission. A citation of contempt may be issued
21 upon application by the commission to the circuit or superior court in
22 the county in which the hearing is held or in which the witness resides
23 or transacts business.

24 (i) The commission may:

25 (1) before July 1, 2020, appoint administrative law judges other
26 than commissioners; and

27 (2) after June 30, 2020, request assignment of an administrative
28 law judge (as defined in IC 4-21.5-1-2);

29 when an appointment is deemed necessary by a majority of the
30 commission. The administrative law judges shall be members in good
31 standing before the bar of Indiana and shall be appointed by the
32 ~~chairman~~ **chairperson** of the commission. An administrative law judge
33 appointed under this subsection shall have the same powers and duties
34 as a commissioner sitting as an administrative law judge. However, the
35 administrative law judge may not issue subpoenas.

36 (j) The commission shall state its findings of fact after a hearing
37 and, if the commission finds a person has engaged in an unlawful
38 discriminatory practice, shall cause to be served on this person an order
39 requiring the person to cease and desist from the unlawful
40 discriminatory practice and requiring the person to take further
41 affirmative action as will effectuate the purposes of this chapter,
42 including but not limited to the power:



- 1 (1) to restore the complainant's losses incurred as a result of
2 discriminatory treatment, as the commission may deem necessary
3 to assure justice; however, except in discriminatory practices
4 involving veterans, this specific provision when applied to orders
5 pertaining to employment shall include only wages, salary, or
6 commissions;
- 7 (2) to require the posting of notice setting forth the public policy
8 of Indiana concerning civil rights and the respondent's compliance
9 with the policy in places of public accommodations;
- 10 (3) to require proof of compliance to be filed by the respondent at
11 periodic intervals; and
- 12 (4) to require a person who has been found to be in violation of
13 this chapter and who is licensed by a state agency authorized to
14 grant a license to show cause to the licensing agency why the
15 person's license should not be revoked or suspended.
- 16 When an employer has been found to have committed a discriminatory
17 practice in employment by failing to employ an applicant on the basis
18 that the applicant is a veteran, the order to restore the veteran's losses
19 may include placing the veteran in the employment position with the
20 employer for which the veteran applied.
- 21 (k) Judicial review of a cease and desist order or other affirmative
22 action as referred to in this chapter may be obtained under IC 22-9-8.
23 If no proceeding to obtain judicial review is instituted within thirty (30)
24 days from receipt of notice by a person that an order has been made by
25 the commission, the commission, if it determines that the person upon
26 whom the cease and desist order has been served is not complying or
27 is making no effort to comply, may obtain a decree of a court for the
28 enforcement of the order in circuit or superior court upon showing that
29 the person is subject to the commission's jurisdiction and resides or
30 transacts business within the county in which the petition for
31 enforcement is brought.
- 32 (l) If, upon all the evidence, the commission shall find that a person
33 has not engaged in any unlawful practice or violation of this chapter,
34 the commission shall state its findings of facts and shall issue and
35 cause to be served on the complainant an order dismissing the
36 complaint as to the person.
- 37 (m) The commission may furnish technical assistance requested by
38 persons subject to this chapter to further compliance with this chapter
39 or with an order issued under this chapter.
- 40 (n) The commission shall promote the creation of local civil rights
41 agencies to cooperate with individuals, neighborhood associations, and
42 state, local, and other agencies, both public and private, including



1 agencies of the federal government and of other states.

2 (o) The commission may reduce the terms of conciliation agreed to
3 by the parties to writing (to be called a consent agreement) that the
4 parties and a majority of the commissioners shall sign. When signed,
5 the consent agreement shall have the same effect as a cease and desist
6 order issued under subsection (j). If the commission determines that a
7 party to the consent agreement is not complying with it, the
8 commission may obtain enforcement of the consent agreement in a
9 circuit or superior court upon showing that the party is not complying
10 with the consent agreement and the party is subject to the commission's
11 jurisdiction and resides or transacts business within the county in
12 which the petition for enforcement is brought.

13 (p) In lieu of investigating a complaint and holding a hearing under
14 this section, the commission may issue an order based on findings and
15 determinations by the federal Department of Housing and Urban
16 Development or the federal Equal Employment Opportunity
17 Commission concerning a complaint that has been filed with one (1) of
18 these federal agencies and with the commission. The commission shall
19 adopt by rule standards under which the commission may issue such an
20 order.

21 (q) Upon notice that a complaint is the subject of an action in a
22 federal court, the commission shall immediately cease investigation of
23 the complaint and may not conduct hearings or issue findings of fact or
24 orders concerning that complaint.

25 SECTION 502. IC 22-10-1.5-2, AS AMENDED BY P.L.35-2007,
26 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2024]: Sec. 2. (a) The mining board is established. The board
28 is composed of five (5) members appointed by the governor. The
29 members must have the following qualifications:

30 (1) Two (2) members must be practical and experienced
31 nonsupervisory underground coal miners.

32 (2) Two (2) members must be practical and experienced
33 underground coal operators.

34 (3) One (1) member must represent the general public and must
35 not be associated with the coal industry.

36 (b) The governor shall appoint each member to a four (4) year term.
37 The governor shall fill any vacancy occurring on the board for the
38 unexpired term of the member being replaced. The individual
39 appointed to fill a vacancy must have the same qualifications as the
40 member the individual is replacing.

41 (c) The governor may remove a member of the board for cause.

42 (d) The board shall organize by the election of a ~~chairman~~



1 **chairperson** for a one (1) year term.

2 (e) The board may hold meetings on the call of the ~~chairman~~
3 **chairperson** or the director.

4 SECTION 503. IC 22-10-1.5-6, AS AMENDED BY P.L.35-2007,
5 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2024]: Sec. 6. (a) With the governor's approval, the
7 commissioner of labor shall appoint a director of the bureau of mines
8 and mine safety created under IC 22-1-1-4(1) who must have the
9 following qualifications:

10 (1) Be a citizen of the United States and a resident of Indiana.

11 (2) Have at least four (4) years experience in underground coal
12 mines.

13 (3) Hold an Indiana mine ~~foreman~~ **supervisor** certificate.

14 (4) Possess a practical knowledge of:

15 (A) the different systems of working and ventilating coal
16 mines;

17 (B) the nature, chemistry, detection, and control of noxious,
18 poisonous, and explosive gases;

19 (C) the dangers incident to blasting and the prevention of these
20 dangers;

21 (D) the application of electricity in mining operations;

22 (E) the methods for preventing mine fires and gas or dust
23 explosions;

24 (F) the methods for controlling and extinguishing mine fires;

25 (G) the methods of rescue and recovery work following mine
26 disasters; and

27 (H) the mining laws of this state.

28 (b) The director may not be an owner or part owner of a coal mine
29 or coal mining company while serving as director.

30 (c) The director shall serve for a four (4) year term. However, the
31 director serves at the pleasure of the governor.

32 (d) The director is entitled to receive an annual salary to be fixed by
33 the commissioner of labor with the approval of the governor.

34 SECTION 504. IC 22-10-3-1, AS AMENDED BY P.L.10-2012,
35 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2024]: Sec. 1. As used in this article:

37 "Active workings" means all places in a mine that are ventilated and
38 inspected regularly.

39 "Belt examiner" means an individual designated by the mine
40 ~~foreman~~ **supervisor** to perform the functions as required by 30 CFR
41 Part 75 in connection with examinations to ensure that the belt, belt
42 drives, dump points, air movement, roof, and ribs of a mine are in safe



- 1 condition.
- 2 "Board" refers to the mining board established under
3 IC 22-10-1.5-2.
- 4 "Commercial mine" means any underground mine from which coal
5 is produced for sale, exchange, or commercial use.
- 6 "Director" means the director of the bureau of mines and mine
7 safety established under IC 22-1-1-4.
- 8 "Hoisting engineer" means an individual who is capable of
9 transporting people and material in and out of a mine by means of a
10 hoist.
- 11 "Interested persons" means the director, safety personnel designated
12 by the operator, state and federal coal mine inspectors, and, to the
13 extent required by law, any other person.
- 14 "Mine" means an underground commercial coal mine.
- 15 "Mine electrician" means a properly certified individual who can
16 perform electrical work in:
- 17 (1) a surface coal mine;
 - 18 (2) surface areas of underground coal mines; and
 - 19 (3) underground coal mines.
- 20 "Mine examiner" means a properly certified person designated by
21 the mine ~~foreman~~ **supervisor** to examine the mine for gas and other
22 dangers. A mine examiner may temporarily act as a section ~~foreman~~
23 **supervisor** if designated to act as such by the mine ~~foreman~~
24 **supervisor**.
- 25 "Mine ~~foreman~~ **supervisor**" means the person charged with the
26 responsibility of the general supervision of the underground working
27 of a mine and the persons employed in the mine and for the health and
28 safety of those employees.
- 29 "Mine inspector" means the person appointed to assist in
30 administering this article.
- 31 "Mine Safety Administration" refers to the Mine Safety and Health
32 Administration, United States Department of Labor.
- 33 "Mining laws" means:
- 34 (1) this article;
 - 35 (2) IC 22-1-1-5(a);
 - 36 (3) 30 CFR part 75; and
 - 37 (4) 30 CFR part 77.
- 38 "Operator" means an individual, firm, association, partnership,
39 limited liability company, or corporation operating an underground
40 coal mine or any part of a mine.
- 41 "Shot-firer" means a properly certified person designated by the
42 mine ~~foreman~~ **supervisor** to perform the functions as required in this



1 article in connection with breaking down coal or rock.

2 SECTION 505. IC 22-10-3-6, AS AMENDED BY P.L.35-2007,
3 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2024]: Sec. 6. (a) The director shall devote the director's
5 attention to the duties of the office during working hours and is subject
6 to call at all times. The director and any mine inspector funded by the
7 general assembly are authorized to enter, examine, and inspect all
8 commercial coal mines and facilities.

9 (b) The director shall have full direction of the official activities of
10 any mine inspector and shall be responsible therefor.

11 (c) The director and each mine inspector shall have power, and it is
12 their duty, to stop immediately the operation of any coal mine or part
13 thereof when any dangerous or unlawful condition exists. However,
14 where conditions exist justifying the director or the mine inspector to
15 do so, the director or mine inspector shall grant a reasonable period of
16 time for making necessary repairs. Where a stop in operation is
17 enforced, such director and mine inspector shall be empowered to
18 subsequently allow such mine or part of a mine to be reopened when
19 the dangerous or unlawful conditions have been remedied or removed.
20 If the operator or a ~~workman~~ **worker** believes that an inspector has
21 acted illegally in citing violations of mining law, they may appeal to the
22 director for relief from such citation. The director may grant or deny
23 such relief after a hearing, at which all interested parties have been
24 notified of such hearing and given an opportunity to present evidence
25 in support of their contentions.

26 (d) The director shall keep a properly indexed permanent record of
27 all inspections made by the director and the mine inspector, and copies
28 of all reports relating to coal mines shall be kept on file, and all such
29 records shall be open to inspection by the public, and shall be laid
30 before the governor at any time upon the request of the governor. The
31 director shall cause:

32 (1) within sixty (60) days of the date of the inspection, inspection
33 reports; and

34 (2) for two (2) years, all reports relating to coal mines;
35 to be posted on the ~~web site~~ **website** maintained by the bureau of mines
36 and mine safety created under IC 22-1-1-4(1).

37 (e) The director is empowered to revoke, in writing, any order
38 issued by a mine inspector for the purpose of stopping the operation of
39 a mine or part thereof. However, such revocation of an order shall not
40 be made unless and until the director has made a personal examination
41 of the mine or part thereof affected and determined it to be in a safe
42 condition to operate.



1 (f) The director or mine inspector shall make a personal inspection
2 of each mine in this state:

3 (1) at least once every three (3) months, or more often if
4 practicable, while the mine is in operation;

5 (2) whenever any danger to the ~~workmen~~ **workers** may exist; or

6 (3) whenever called upon to do so by the ~~workmen~~ **workers**.

7 During a regular inspection, the director or inspector shall have the
8 authority to inspect the surface plant; every working place in the mine;
9 all active haulageways, travelways, and airways in their entirety;
10 entrances to abandoned workings; accessible old workings; escapeways
11 and all other places where individuals work or travel; electric
12 equipment and installations; first aid equipment; ventilation facilities;
13 communications installations; roof and rib conditions; and blasting
14 practices, etc. The director or inspector shall have the authority to
15 measure the volume of air at the intake and return of the main
16 ventilating current and of each split, and the amount passing through
17 the last breakthrough in each pair or set of entries, and designate to the
18 mine ~~foreman~~ **supervisor** where the director or inspector shall measure
19 the currents of air as required by the mining laws of this state. In mines
20 operating more than one (1) shift in a twenty-four (24) hour period, the
21 director or inspector shall devote sufficient time to the second and third
22 shift to determine conditions and practices related to the health and
23 safety of the employees. The director or inspector shall make tests for
24 gas and oxygen deficiency in each place that the director or inspector
25 is required to inspect in the mine. Time shall be made available during
26 an inspection for interaction with the employees of the mine by the
27 director or the inspector to ascertain the familiarity of the employees
28 with self-rescuers and accessible escapeways.

29 (g) The director or mine inspector making an inspection of a mine
30 shall make an accurate report covering such inspection, showing:

31 (1) the date of inspection and actual time required to make the
32 inspection;

33 (2) the condition in which the mine is found;

34 (3) the extent to which the mining laws are violated;

35 (4) the progress made in the improvement of the mine, where
36 such progress relates to the health and safety of the employees;

37 (5) the number of fatal injuries and the number of nonfatal
38 lost-time injuries resulting from accidents in and around the mine,
39 and their cause; and

40 (6) in case any violation of the mining laws is found, the specific
41 section or sections violated, with recommendations for correcting
42 them, and the action taken to eliminate them.



1 (h) The director or mine inspector making an inspection of a mine
 2 shall within three (3) days after the completion of the inspection,
 3 deliver:

4 (1) one (1) copy of the inspection report on the mine to the
 5 operator, superintendent, or mine ~~foreman~~ **supervisor** of the mine
 6 inspected; and

7 (2) one (1) copy to be posted within the three (3) day limit on a
 8 bulletin board at a prominent place on the premises where it can
 9 be conveniently read by the employees. If corrective action is
 10 implemented, the report shall remain on the bulletin board for
 11 thirty (30) days. If corrective action is not implemented, the report
 12 shall not be removed from the bulletin board until the report of
 13 the succeeding examination is posted.

14 The director or mine inspector shall keep the mine ~~foreman~~ **supervisor**
 15 or superintendent informed as much as is practicable of any violation
 16 or other unsafe condition as the regular inspection progresses. In
 17 instances where, in the opinion of the mine inspector, an imminent or
 18 serious disaster hazard exists, such inspector shall report the same to
 19 the director by the quickest available means.

20 (i) It shall be the duty of the director and mine inspectors to enforce
 21 the mining laws of this state and the mine inspectors shall perform such
 22 other official duties required by the director as may be necessary to
 23 secure full compliance with the mining laws of this state.

24 SECTION 506. IC 22-10-3-9, AS AMENDED BY P.L.10-2012,
 25 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2024]: Sec. 9. (a) The director shall keep a record of the
 27 board's official actions concerning certificates issued under this chapter
 28 and file the record together with questions and answers pertaining to
 29 examinations established by the board, including the grade given for
 30 the answer to each question. The record shall be open for inspection by
 31 interested persons. If applications for certification are received, the
 32 board shall meet at least quarterly at such time and place as it shall
 33 consider advisable for the purpose of examining applicants for
 34 certificates. These quarterly meetings shall be held in January, April,
 35 July, and October. The date, time, and place of examination shall be
 36 published at all coal mines in this state and posted on the ~~web site~~
 37 **website** maintained by the bureau of mines and mine safety at least
 38 thirty (30) days before the examination. By a majority vote, the board
 39 shall establish its rules of procedure and provide suitable certificates.
 40 The board shall adopt rules establishing standards for the competent
 41 practice of mine ~~foreman~~, **supervisor**, belt examiner, mine examiner,
 42 shot-firer, mine electrician, and hoisting engineer.



1 (b) A person desiring certification for mine ~~foreman~~, **supervisor**,
2 belt examiner, mine examiner, shot-firer, mine electrician, or hoisting
3 engineer must make written application to the board on forms supplied
4 by the board not later than ten (10) days prior to the examination date.

5 SECTION 507. IC 22-10-3-10, AS AMENDED BY P.L.10-2012,
6 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2024]: Sec. 10. (a) It is the duty of the board to examine any
8 person applying for a certificate for mine ~~foreman~~, **supervisor**,
9 shot-firer, mine examiner, hoisting engineer, mine electrician, or belt
10 examiner and to issue certificates of competency to the applicants who,
11 upon examination, prove themselves competent and qualified. A
12 certificate is valid only when the examination for certification has been
13 held in the presence of a member of the board and signed by the
14 ~~chairman~~ **chairperson** of the board. A certificate of competency may
15 not be issued to any person whose grade is less than seventy-five
16 percent (75%) for any certification other than that of a certificate for
17 mine electrician, which requires a passing grade of not less than eighty
18 percent (80%). The board shall observe the requirements set forth in
19 this section in conducting the examinations.

20 (b) An applicant for a mine ~~foreman~~ **supervisor** certificate must
21 have at least four (4) years of experience underground in coal mines.
22 However, a person who has graduated and holds a degree in
23 engineering or an approved four (4) year program in coal mining
24 technology from an accredited school, college, or university is required
25 to have only two (2) years of practical underground mining experience
26 to qualify for the examination. A person who has graduated and holds
27 a two (2) year associate in applied science degree in coal mining
28 technology from an accredited school, college, or university is required
29 to have only three (3) years of practical underground mining
30 experience to qualify for the examination. An applicant must prove to
31 the board by written and oral examination and by demonstration, where
32 applicable, that the applicant has a thorough knowledge of:

- 33 (1) the theory and practice of coal mining;
34 (2) the nature and properties of poisonous, noxious, and explosive
35 gases and methods for their detection and control;
36 (3) the requirements of the coal mining laws of this state; and
37 (4) the responsibilities and duties of a mine ~~foreman~~ **supervisor**
38 under such laws;

39 and that the applicant is otherwise qualified by law.

40 (c) An applicant for a mine examiner certificate must have at least
41 three (3) years of experience underground in coal mines. However, a
42 person who has graduated and holds a degree in engineering or an



1 associate in applied science degree in coal mining technology from an
2 accredited school, college, or university is required to have only two (2)
3 years of practical underground mining experience to qualify for the
4 examination. An applicant must prove to the board by written and oral
5 examination and by demonstration, where applicable, that the applicant
6 has a thorough knowledge of:

- 7 (1) the nature and properties of poisonous, noxious, and explosive
8 gases and methods for their detection and control;
- 9 (2) the practical aspects of coal mining pertaining especially to
10 ventilation and roof control; and
- 11 (3) the responsibilities of a mine examiner under coal mining laws
12 of this state;

13 and that the applicant is otherwise qualified by law.

14 (d) An applicant for a shot-firer certificate must have at least one (1)
15 year of underground experience and must have been properly trained
16 in a course approved by the director in the safe use and handling of
17 explosives. An applicant must prove to the board by written and oral
18 examination and by demonstration, where applicable, that the applicant
19 has a working knowledge of:

- 20 (1) the proper handling and use of explosives and blasting devices
21 and the danger connected therewith;
- 22 (2) the nature and properties of poisonous, noxious, and explosive
23 gases and methods for their detection;
- 24 (3) the coal mining laws of the state pertaining to ventilation, roof
25 control, and blasting; and
- 26 (4) the responsibilities of a shot-firer under applicable mining
27 laws;

28 and that the applicant is otherwise qualified by law.

29 (e) An applicant for a hoisting engineer certificate must prove to the
30 board by written and oral examination and by demonstration, where
31 applicable, that the applicant:

- 32 (1) is capable of operating a hoist;
- 33 (2) has a thorough knowledge of the coal mining laws of this state
34 pertaining to hoisting operations;
- 35 (3) has at least one (1) year mining experience;
- 36 (4) has at least twenty (20) hours practical experience under the
37 supervision of a certified hoisting engineer; and
- 38 (5) is otherwise qualified by law.

39 (f) An applicant for a belt examiner certificate must have at least
40 one (1) year of experience in belt maintenance or installation work. The
41 applicant must prove to the board by written and oral examination and
42 by demonstration, where applicable, that the applicant has a thorough



- 1 knowledge of:
- 2 (1) the requirements of the coal mining laws of this state with
- 3 particular emphasis upon those laws pertaining to the use of
- 4 electrical or belt equipment and the transmission of electrical
- 5 energy into coal mines; and
- 6 (2) the responsibilities of a belt examiner under those laws;
- 7 and that the applicant is otherwise qualified by law.
- 8 (g) An applicant for a mine electrician certificate must have
- 9 sufficient (but not less than one (1) year of) experience in performing
- 10 electrical work. The applicant must prove to the board by written and
- 11 oral examination and by demonstration, where applicable, that the
- 12 applicant has a thorough knowledge of:
- 13 (1) the requirements of the coal mining laws of this state, with
- 14 particular emphasis upon laws pertaining to electrical energy in
- 15 coal mines;
- 16 (2) direct and alternating current theory and application;
- 17 (3) electric equipment and electrical circuits in coal mines;
- 18 (4) permissibility of electric equipment;
- 19 (5) 30 CFR 75 subparts F-K; and
- 20 (6) 30 CFR 77 subparts F-J and S.
- 21 (h) An applicant for an examination under this section must pay the
- 22 bureau of mines and mine safety an examination fee of twenty-five
- 23 dollars (\$25). All fees collected under this subsection shall be
- 24 deposited in the mine safety fund established by IC 22-10-12-16. The
- 25 board may set a different fee by rule under IC 22-10-1.5-4.
- 26 (i) A mine ~~foreman~~, **supervisor**, mine examiner, shot-firer, hoisting
- 27 engineer, mine electrician, or belt examiner certificate issued before
- 28 September 1, 1979, is valid under the mining laws of Indiana.
- 29 (j) A person who was issued a fire-boss certificate before July 1,
- 30 2007, shall be issued a replacement mine examiner certificate upon
- 31 request to the director.
- 32 (k) A person designated as mine superintendent or assistant mine
- 33 superintendent, or acting in either capacity, must hold a mine ~~foreman~~
- 34 **supervisor** certificate.
- 35 (l) A certificate may be granted to an applicant who presents to the
- 36 board satisfactory evidence that the applicant has not been convicted
- 37 of:
- 38 (1) an act which would constitute a ground for disciplinary
- 39 sanction under section 11.1(b) of this chapter; or
- 40 (2) a felony that has a direct bearing on the applicant's ability to
- 41 act competently as a mine ~~foreman~~, **supervisor**, shot-firer, mine
- 42 examiner, hoisting engineer, mine electrician, or belt examiner.



1 (m) For the purpose of safety, the board may refuse to examine an
2 applicant who cannot:

3 (1) readily understand the written English language; or

4 (2) express ~~himself or herself~~ **oneself** in the English language.

5 SECTION 508. IC 22-10-3-11, AS AMENDED BY P.L.10-2012,
6 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2024]: Sec. 11. (a) In event of loss or destruction of any
8 certificate issued under the mining laws of this state, the board, upon
9 satisfactory proof of such loss or destruction, shall issue a duplicate
10 certificate upon receipt of five dollars (\$5). The fee shall be deposited
11 into the mine safety fund established by IC 22-10-12-16. The board
12 may set a different fee by rule under IC 22-10-1.5-4.

13 (b) The holder of a mine ~~foreman~~, **supervisor**, mine examiner,
14 shot-firer, hoisting engineer, mine electrician, or belt examiner
15 certificate must present the same or a photostatic copy to the official of
16 the mine where the holder is employed, who shall file it in the office at
17 such mine, and such file shall be available for inspection by interested
18 persons.

19 SECTION 509. IC 22-10-3-12, AS AMENDED BY P.L.10-2012,
20 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2024]: Sec. 12. (a) It is unlawful for any person to serve in the
22 capacity of mine ~~foreman~~, **supervisor**, mine examiner, shot-firer,
23 hoisting engineer, mine electrician, or belt examiner at any time unless
24 the person is properly certified. However, any person who meets the
25 appropriate experience requirements of this chapter and who is
26 properly certified in one (1) of these capacities or its equivalent in
27 another state which recognizes the certification of Indiana may serve
28 in such a capacity until the next examination by the board, when the
29 person must apply to the board for certification in the person's
30 particular classification. A mine electrician who is properly certified:

31 (1) by the federal Mine Safety and Health Administration; or

32 (2) in another state that recognizes the mine electrician
33 certification in Indiana;

34 may serve in the individual's certified capacity and be issued a mine
35 electrician certificate by the director in Indiana without the requirement
36 of applying to the board for examination. However, the individual must
37 obtain an Indiana miner's certificate of competency from the director.

38 (b) It is unlawful for an operator in this state to employ any person
39 in the capacity of mine superintendent, assistant mine superintendent,
40 mine ~~foreman~~, **supervisor**, mine examiner, shot-firer, hoisting
41 engineer, mine electrician, or belt examiner at any time unless the
42 person is properly certified.



1 (c) Before any person certified in another state may perform in the
 2 capacity of mine superintendent, assistant mine superintendent, mine
 3 ~~foreman~~, **supervisor**, mine examiner, shot-firer, hoisting engineer,
 4 mine electrician, or belt examiner in Indiana, the person must present
 5 personally to the director evidence of the out-of-state certificate or
 6 certificates.

7 (d) Every inexperienced miner is required to wear an orange hard
 8 hat until the miner receives a certificate of competency.

9 SECTION 510. IC 22-10-3-14, AS AMENDED BY P.L.35-2007,
 10 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2024]: Sec. 14. A mine shall be supervised by one (1) or more
 12 certified mine ~~foremen~~ **supervisors** who shall see that compliance with
 13 mining laws that pertain to the commercial mine's duties and to the
 14 health and safety of the employees is met. When the mine workings are
 15 so extensive that the mine ~~foremen~~ **supervisors** are unable personally
 16 to carry out the duties required of them by law, the operator shall
 17 employ a sufficient number of properly certified assistants who shall
 18 act under the direction of the mine ~~foremen~~ **supervisors**. The mine
 19 ~~foremen~~ **supervisors** or their assistants shall not permit a person to
 20 work in an unsafe place except for the purpose of making it safe, and
 21 such work shall be under the direction and instruction of a certified
 22 official.

23 SECTION 511. IC 23-1-33-7, AS AMENDED BY P.L.133-2009,
 24 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2024]: Sec. 7. (a) A director may resign at any time by
 26 delivering written notice:

27 (1) to the board of directors, its ~~chairman~~, **chairperson**, or the
 28 secretary of the corporation; or

29 (2) if the articles of incorporation or bylaws so provide, to another
 30 designated officer.

31 (b) A resignation is effective when the notice is delivered unless the
 32 notice specifies:

33 (1) a later effective date; or

34 (2) an effective date determined upon the happening of an event.

35 (c) A resignation that is conditioned upon failing to receive a
 36 specified vote for election as a director may provide that the resignation
 37 is irrevocable.

38 SECTION 512. IC 23-1-36-3 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) An officer may
 40 resign at any time by delivering notice:

41 (1) to the board of directors, its ~~chairman~~, **chairperson**, or the
 42 secretary of the corporation; or



1 (2) if the articles of incorporation or bylaws so provide, to another
2 designated officer.

3 (b) A resignation is effective when the notice is delivered unless the
4 notice specifies a later effective date. If a resignation is made effective
5 at a later date and the corporation accepts the future effective date, its
6 board of directors may fill the pending vacancy before the effective
7 date if the board of directors provides that the successor does not take
8 office until the effective date.

9 (c) A board of directors may remove any officer at any time with or
10 without cause.

11 (d) An officer who appoints another officer or assistant officer may
12 remove the appointed officer or assistant officer at any time with or
13 without cause.

14 SECTION 513. IC 23-4-1-16 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 16. (1) When a person,
16 by words spoken or written or by conduct, represents ~~himself~~, **oneself**,
17 or consents to another representing ~~him~~ **the person** or any one, as a
18 partner in an existing partnership or with one (1) or more persons not
19 actual partners, ~~he~~ **the apparent partner** is liable to any such person
20 to whom such representation has been made, who has, on the faith of
21 such representation, given credit to the actual or apparent partnership,
22 and if ~~he~~ **the apparent partner** has made such representation or
23 consented to its being made in a public manner ~~he~~ **the person** is liable
24 to such person, whether the representation has or has not been made or
25 communicated to such person so giving credit by or with the
26 knowledge of the apparent partner making the representation or
27 consenting to its being made.

28 (a) When a partnership liability results, ~~he~~ **the apparent partner** is
29 liable as though ~~he~~ **the apparent partner** were an actual member of
30 the partnership.

31 (b) When no partnership liability results, ~~he~~ **the apparent partner**
32 is liable jointly with the other persons, if any, so consenting to the
33 contract or representation as to incur liability, otherwise separately.

34 (2) When a person has been thus represented to be a partner in an
35 existing partnership, or with one (1) or more persons not actual
36 partners, ~~he~~ **the person** is an agent of the persons consenting to such
37 representation to bind them to the same extent and in the same manner
38 as though ~~he~~ **the person** were a partner in fact, with respect to persons
39 who rely upon the representation. Where all the members of the
40 existing partnership consent to the representation, a partnership act or
41 obligation results; but in all other cases it is the joint act or obligation
42 of the person acting and the persons consenting to the representation.



1 SECTION 514. IC 23-4-1-35 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 35. (1) After
 3 dissolution a partner can bind the partnership except as provided in
 4 paragraph (3):

5 (a) By any act appropriate for winding up partnership affairs or
 6 completing transactions unfinished at dissolution.

7 (b) By any transaction which would bind the partnership if
 8 dissolution had not taken place, provided the other party to the
 9 transaction:

10 (I) had extended credit to the partnership prior to dissolution
 11 and had no knowledge or notice of the dissolution; or

12 (II) though ~~he~~ **the party** had not so extended credit, had
 13 nevertheless known of the partnership prior to dissolution,
 14 and, having no knowledge or notice of dissolution, the fact of
 15 dissolution had not been advertised in a newspaper of general
 16 circulation in the place (or in each place if more than one) at
 17 which the partnership business was regularly carried on.

18 (2) The liability of a partner under paragraph (1)(b) shall be
 19 satisfied out of partnership assets alone when such partner had been
 20 prior to dissolution:

21 (a) unknown as a partner to the person with whom the contract is
 22 made; and

23 (b) so far unknown and inactive in partnership affairs that the
 24 business reputation of the partnership could not be said to have
 25 been in any degree due to ~~his~~ **the partner's** connection with it.

26 (3) The partnership is in no case bound by any act of a partner after
 27 dissolution:

28 (a) where the partnership is dissolved because it is unlawful to
 29 carry on the business, unless the act is appropriate for winding up
 30 partnership affairs; or

31 (b) where the partner has become bankrupt; or

32 (c) where the partner has no authority to wind up partnership
 33 affairs; except by a transaction with one who:

34 (I) had an extended credit to the partnership prior to
 35 dissolution and had no knowledge or notice of ~~his~~ **the**
 36 **partner's** want of authority; or

37 (II) had not extended credit to the partnership prior to
 38 dissolution, and, having no knowledge or notice of ~~his~~ **the**
 39 **partner's** want of authority, the fact of ~~his~~ **the partner's**
 40 want of authority has not been advertised in the manner provided for
 41 advertising the fact of dissolution in paragraph (1)(b)(II).

42 (4) Nothing in this section shall affect the liability under section 16



1 of this chapter of any person who after dissolution represents **himself**
 2 or consents to another representing **him the person** as a partner in a
 3 partnership engaged in carrying on business.

4 SECTION 515. IC 23-4-1-36 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 36. (1) The dissolution
 6 of the partnership does not of itself discharge the existing liability of
 7 any partner.

8 (2) A partner is discharged from any existing liability upon
 9 dissolution of the partnership by an agreement to that effect between
 10 **himself, the partner**, the partnership creditor and the person or
 11 partnership continuing the business; and such agreement may be
 12 inferred from the course of dealing between the creditor having
 13 knowledge of the dissolution and the person or partnership continuing
 14 the business.

15 (3) Where a person agrees to assume the existing obligations of a
 16 dissolved partnership, the partners whose obligations have been
 17 assumed shall be discharged from any liability to any creditor of the
 18 partnership who, knowing of the agreement, consents to a material
 19 alteration in the nature or time of payment of such obligations.

20 (4) The individual property of a deceased partner shall be liable for
 21 those obligations of the partnership incurred while ~~he~~ **the deceased**
 22 **partner** was a partner but subject to the prior payment of ~~his~~ **the**
 23 **deceased partner's** separate debts and for which the partner was liable
 24 under section 15 of this chapter.

25 SECTION 516. IC 23-7-8-7 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) A person who
 27 solicits charitable contributions may not:

- 28 (1) use the fact of registration as an endorsement by the state;
- 29 (2) misrepresent that the person is an officer or employee of a
 30 public safety agency;
- 31 (3) use the name "police", "law enforcement", "trooper", "rescue
 32 squad", "~~firemen~~", or "firefighter" unless a bona fide police, law
 33 enforcement, rescue squad, or fire department authorizes its use
 34 in writing;
- 35 (4) misrepresent to anyone that the contribution will be used for
 36 a charitable purpose if the person has reason to believe the
 37 contribution will not be used for a charitable purpose;
- 38 (5) misrepresent to anyone that another person endorses the
 39 solicitation unless that person has consented in writing to the use
 40 of the person's name for the purpose of endorsing the solicitation;
- 41 (6) misrepresent to anyone that the contribution is solicited on
 42 behalf of anyone other than the charitable organization that



1 authorized the solicitation; or

2 (7) collect or attempt to collect a contribution in person or by
3 means of a courier unless:

4 (A) the solicitation is made in person and the collection or
5 attempt to collect is made at the time of the solicitation; or

6 (B) the contributor has agreed to purchase goods or items in
7 connection with the solicitation, and the collection or attempt
8 to collect is made at the time of delivery of the goods or items.

9 (b) A person who solicits charitable contributions shall not represent
10 that tickets to events will be donated for use by another, unless the
11 following requirements have been met:

12 (1) The paid solicitor has commitments, in writing, from
13 charitable organizations stating that they will accept donated
14 tickets and specifying the number of tickets they are willing to
15 accept.

16 (2) No more contributions for donated tickets are solicited than
17 the number of ticket commitments received from charitable
18 organizations.

19 SECTION 517. IC 23-13-20-5 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) The trustees shall
21 elect the following officers:

22 (1) A ~~chairman~~ **chairperson**.

23 (2) One (1) or more vice ~~chairmen~~ **chairpersons**.

24 (3) A secretary.

25 (4) A treasurer.

26 (5) The assistant secretaries, assistant treasurers, and other
27 officers provided for in the bylaws.

28 (b) The treasurer and all assistant treasurers shall give a bond in the
29 penal sum and with securities approved by the trustees before entering
30 upon the duties of office.

31 (c) Fourteen (14) trustees constitute a quorum for the transaction of
32 all official business. The majority of the members present at a meeting
33 determine the action of the board.

34 SECTION 518. IC 23-13-20-7 IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) The board of
36 trustees shall meet each May or June in the city of Evansville on a date
37 determined by the board. The president of the university, the ~~chairman~~
38 **chairperson** of the board of trustees, the faculty of the university, any
39 five (5) of the trustees, or the executive committee appointed by the
40 board may call a special meeting of the board. Ten (10) days written
41 notice of a special meeting must be mailed to each member of the
42 board of trustees at the member's last known address.



1 (b) A working majority of the board of trustees may, at any time, for
 2 good cause, declare a vacancy on the board due to lack of interest or
 3 otherwise by a member, and appoint a successor. The retired member
 4 shall receive notice of the removal by mail sent to the last known
 5 address of the member. The trustee appointed to fill the vacancy serves
 6 until the next election by the appointing authority.

7 SECTION 519. IC 23-17-14-3 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) An officer may
 9 resign at any time by delivering notice to one (1) of the following:

10 (1) The board of directors, the ~~chairman~~ **chairperson** of the board
 11 of directors, or the secretary of the corporation.

12 (2) If articles of incorporation or bylaws provide, to another
 13 designated officer.

14 (b) A resignation is effective when the notice is effective unless the
 15 notice specifies a later effective date. If:

16 (1) a resignation is made effective at a later date; and

17 (2) a corporation accepts the future effective date;

18 the corporation's board of directors may fill the pending vacancy before
 19 the effective date if the board of directors provides that the successor
 20 does not take office until the effective date.

21 (c) A board of directors may remove an officer at any time with or
 22 without cause.

23 (d) An officer who appoints another officer or assistant officer may
 24 remove the appointed officer or assistant officer at any time with or
 25 without cause.

26 SECTION 520. IC 23-19-1-2, AS AMENDED BY P.L.158-2022,
 27 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2024]: Sec. 2. In this article, unless the context otherwise
 29 requires:

30 (1) "Agent" means an individual, other than a broker-dealer, who
 31 represents a broker-dealer in effecting or attempting to effect
 32 purchases or sales of securities or represents an issuer in effecting
 33 or attempting to effect purchases or sales of the issuer's securities.
 34 However, a partner, officer, or director of a broker-dealer or
 35 issuer, or an individual having a similar status or performing
 36 similar functions is an agent only if the individual otherwise
 37 comes within the term. The term does not include an individual
 38 excluded by rule adopted or order issued under this article.

39 (2) "Bank" means:

40 (A) a banking institution organized under the laws of the
 41 United States;

42 (B) a member bank of the Federal Reserve System;



- 1 (C) any other banking institution, whether incorporated or not,
 2 doing business under the laws of a state or of the United
 3 States, a substantial portion of the business of which consists
 4 of receiving deposits or exercising fiduciary powers similar to
 5 those permitted to be exercised by national banks under the
 6 authority of the Comptroller of the Currency under Section 1
 7 of Public Law 87-722 (12 U.S.C. 92a), and which is
 8 supervised and examined by a state or federal agency having
 9 supervision over banks, and which is not operated for the
 10 purpose of evading this article; and
 11 (D) a receiver, conservator, or other liquidating agent of any
 12 institution or firm included in clause (A), (B), or (C).
- 13 (3) "Broker-dealer" means a person engaged in the business of
 14 effecting transactions in securities for the account of others or for
 15 the person's own account. The term does not include:
 16 (A) an agent;
 17 (B) an issuer;
 18 (C) a bank, a savings institution, or a trust company that is a
 19 wholly owned subsidiary of a bank or savings institution if its
 20 activities as a broker-dealer are limited to those specified in
 21 subsections 3(a)(4)(B)(i) through (vi), (viii) through (x), and
 22 (xi) if limited to unsolicited transactions; 3(a)(5)(B); and
 23 3(a)(5)(C) of the Securities Exchange Act of 1934 (15 U.S.C.
 24 78c(a)(4) and 15 U.S.C. 78c(a)(5)) or a bank that satisfies the
 25 conditions described in subsection 3(a)(4)(E) of the Securities
 26 Exchange Act of 1934 (15 U.S.C. 78c(a)(4));
 27 (D) an international banking institution; or
 28 (E) a person excluded by rule adopted or order issued under
 29 this article.
- 30 (4) "Commissioner" means the securities commissioner appointed
 31 under IC 23-19-6-1(a).
- 32 (5) "Depository institution" means:
 33 (A) a bank; or
 34 (B) a savings institution, trust company, credit union, or
 35 similar institution that is organized or chartered under the laws
 36 of a state or of the United States, authorized to receive
 37 deposits, and supervised and examined by an official or
 38 agency of a state or the United States if its deposits or share
 39 accounts are insured to the maximum amount authorized by
 40 statute by the Federal Deposit Insurance Corporation, the
 41 National Credit Union Share Insurance Fund, or a successor
 42 authorized by federal law. The term does not include:



- 1 (i) an insurance company or other organization primarily
 2 engaged in the business of insurance;
 3 (ii) a Morris Plan bank; or
 4 (iii) an industrial loan company that is not an insured
 5 depository institution as defined in Section 3(c)(2) of the
 6 Federal Deposit Insurance Act (12 U.S.C. 1813(c)(2)) or any
 7 successor federal statute.
- 8 (6) "Federal covered investment adviser" means a person
 9 registered under the Investment Advisers Act of 1940.
- 10 (7) "Federal covered security" means a security that is, or upon
 11 completion of a transaction will be, a covered security under
 12 Section 18(b) of the Securities Act of 1933 (15 U.S.C. 77r(b)) or
 13 rules or regulations adopted under that provision.
- 14 (8) "Filing" means the receipt under this article of a record by the
 15 commissioner or a designee of the commissioner.
- 16 (9) "Fraud", "fraudulent", "deceit", and "defraud" mean a
 17 misrepresentation of a material fact, a promise, representation, or
 18 prediction not made honestly or in good faith, or the failure to
 19 disclose a material fact necessary in order to make the statements
 20 made, in light of the circumstances under which they were made,
 21 not misleading. This definition does not limit or diminish the full
 22 meaning of the terms as applied by or defined in courts of law or
 23 equity. The terms are not limited to common law deceit.
- 24 (10) "Guaranteed" means guaranteed as to payment of all
 25 principal, dividends, and interest.
- 26 (11) "Institutional investor" means any of the following, whether
 27 acting for itself or for others in a fiduciary capacity:
- 28 (A) a depository institution or international banking
 29 institution;
- 30 (B) an insurance company;
- 31 (C) a separate account of an insurance company;
- 32 (D) an investment company as defined in the Investment
 33 Company Act of 1940;
- 34 (E) a broker-dealer registered under the Securities Exchange
 35 Act of 1934;
- 36 (F) an employee pension, profit-sharing, or benefit plan if the
 37 plan has total assets in excess of ten million dollars
 38 (\$10,000,000) or its investment decisions are made by a
 39 named fiduciary, as defined in the Employee Retirement
 40 Income Security Act of 1974, that is a broker-dealer registered
 41 under the Securities Exchange Act of 1934, an investment
 42 adviser registered or exempt from registration under the



1 Investment Advisers Act of 1940, an investment adviser
 2 registered under this article, a depository institution, or an
 3 insurance company;
 4 (G) a plan established and maintained by a state, a political
 5 subdivision of a state, or an agency or instrumentality of a state
 6 or a political subdivision of a state for the benefit of its
 7 employees, if the plan has total assets in excess of ten million
 8 dollars (\$10,000,000) or its investment decisions are made by
 9 a duly designated public official or by a named fiduciary, as
 10 defined in the Employee Retirement Income Security Act of
 11 1974, that is a broker-dealer registered under the Securities
 12 Exchange Act of 1934, an investment adviser registered or
 13 exempt from registration under the Investment Advisers Act
 14 of 1940, an investment adviser registered under this article, a
 15 depository institution, or an insurance company;
 16 (H) a trust, if it has total assets in excess of ten million dollars
 17 (\$10,000,000), its trustee is a depository institution, and its
 18 participants are exclusively plans of the types identified in
 19 clause (F) or (G), regardless of the size of their assets, except
 20 a trust that includes as participants self-directed individual
 21 retirement accounts or similar self-directed plans;
 22 (I) an organization described in Section 501(c)(3) of the
 23 Internal Revenue Code (26 U.S.C. 501(c)(3)), corporation,
 24 Massachusetts trust or similar business trust, limited liability
 25 company, or partnership, not formed for the specific purpose
 26 of acquiring the securities offered, with total assets in excess
 27 of ten million dollars (\$10,000,000);
 28 (J) a small business investment company licensed by the Small
 29 Business Administration under Section 301(c) of the Small
 30 Business Investment Act of 1958 (15 U.S.C. 681(c)) with total
 31 assets in excess of ten million dollars (\$10,000,000);
 32 (K) a private business development company, as defined in
 33 Section 202(a)(22) of the Investment Advisers Act of 1940 (15
 34 U.S.C. 80b-2(a)(22)) with total assets in excess of ten million
 35 dollars (\$10,000,000);
 36 (L) a federal covered investment adviser acting for its own
 37 account;
 38 (M) a "qualified institutional buyer", as defined in Rule
 39 144A(a)(1), other than Rule 144A(a)(1)(i)(H), adopted under
 40 the Securities Act of 1933 (17 CFR 230.144A);
 41 (N) a "major U.S. institutional investor", as defined in Rule
 42 15a-6(b)(4)(i) adopted under the Securities Exchange Act of



- 1 1934 (17 CFR 240.15a-6);
2 (O) any other person, other than an individual, of institutional
3 character with total assets in excess of ten million dollars
4 (\$10,000,000) not organized for the specific purpose of
5 evading this article; or
6 (P) any other person specified by rule adopted or order issued
7 under this article.
- 8 (12) "Insurance company" means a company organized as an
9 insurance company whose primary business is writing insurance
10 or reinsuring risks underwritten by insurance companies and
11 which is subject to supervision by the insurance commissioner or
12 a similar official or agency of a state.
- 13 (13) "Insured" means insured as to payment of all principal and
14 all interest.
- 15 (14) "International banking institution" means an international
16 financial institution of which the United States is a member and
17 whose securities are exempt from registration under the Securities
18 Act of 1933.
- 19 (15) "Investment adviser" means a person that, for compensation,
20 engages in the business of advising others, either directly or
21 through publications or writings, as to the value of securities or
22 the advisability of investing in, purchasing, or selling securities or
23 that, for compensation and as a part of a regular business, issues
24 or promulgates analyses or reports concerning securities. The
25 term includes a financial planner or other person that, as an
26 integral component of other financially related services, provides
27 investment advice to others for compensation as part of a business
28 or that holds itself out as providing investment advice to others
29 for compensation. The term does not include:
30 (A) an investment adviser representative;
31 (B) a lawyer, accountant, engineer, or teacher whose
32 performance of investment advice is solely incidental to the
33 practice of the person's profession;
34 (C) a broker-dealer or its agents whose performance of
35 investment advice is solely incidental to the conduct of
36 business as a broker-dealer and that does not receive special
37 compensation for the investment advice;
38 (D) a publisher of a bona fide newspaper, news magazine, or
39 business or financial publication of general and regular
40 circulation;
41 (E) a federal covered investment adviser;
42 (F) a bank, a savings institution, or a trust company that is a



- 1 wholly owned subsidiary of a bank or savings institution;
 2 (G) any other person that is excluded by the Investment
 3 Advisers Act of 1940 from the definition of investment
 4 adviser; or
 5 (H) any other person excluded by rule adopted or order issued
 6 under this article.
- 7 (16) "Investment adviser representative" means an individual
 8 employed by or associated with an investment adviser or federal
 9 covered investment adviser and who makes any recommendations
 10 or otherwise gives investment advice regarding securities,
 11 manages accounts or portfolios of clients, determines which
 12 recommendation or advice regarding securities should be given,
 13 provides investment advice or ~~holds herself or himself out as~~
 14 **providing represents that the individual provides** investment
 15 advice, or supervises employees who perform any of the
 16 foregoing. The term does not include an individual who:
 17 (A) performs only clerical or ministerial acts;
 18 (B) is an agent whose performance of investment advice is
 19 solely incidental to the individual acting as an agent and who
 20 does not receive special compensation for investment advisory
 21 services;
 22 (C) is employed by or associated with a federal covered
 23 investment adviser, unless the individual has a "place of
 24 business" in this state, as that term is defined by rule adopted
 25 under Section 203A of the Investment Advisers Act of 1940
 26 (15 U.S.C. 80b-3a), and is:
 27 (i) an "investment adviser representative", as that term is
 28 defined by rule adopted under Section 203A of the
 29 Investment Advisers Act of 1940 (15 U.S.C. 80b-3a); or
 30 (ii) not a "supervised person", as that term is defined in
 31 Section 202(a)(25) of the Investment Advisers Act of 1940
 32 (15 U.S.C. 80b-2(a)(25)); or
 33 (D) is excluded by rule adopted or order issued under this
 34 article.
- 35 (17) "Issuer" means a person that issues or proposes to issue a
 36 security, subject to the following:
 37 (A) The issuer of a voting trust certificate, collateral trust
 38 certificate, certificate of deposit for a security, or share in an
 39 investment company without a board of directors or
 40 individuals performing similar functions is the person
 41 performing the acts and assuming the duties of depositor or
 42 manager under the trust or other agreement or instrument



- 1 under which the security is issued.
- 2 (B) The issuer of an equipment trust certificate or similar
3 security serving the same purpose is the person by which the
4 property is or will be used or to which the property or
5 equipment is or will be leased or conditionally sold or that is
6 otherwise contractually responsible for assuring payment of
7 the certificate.
- 8 (C) The issuer of a fractional undivided interest in an oil, gas,
9 or other mineral lease or in payments out of production under
10 a lease, right, or royalty is the owner of an interest in the lease
11 or in payments out of production under a lease, right, or
12 royalty, whether whole or fractional, that creates fractional
13 interests for the purpose of sale.
- 14 (18) "Nonissuer transaction" or "nonissuer distribution" means a
15 transaction or distribution not directly or indirectly for the benefit
16 of the issuer.
- 17 (19) "Offer to purchase" includes an attempt or offer to obtain, or
18 solicitation of an offer to sell, a security or interest in a security
19 for value. The term does not include a tender offer that is subject
20 to Section 14(d) of the Securities Exchange Act of 1934 (15
21 U.S.C. 78n(d)).
- 22 (20) "Person" means an individual; corporation; business trust;
23 estate; trust; partnership; limited liability company; association;
24 joint venture; government; governmental subdivision, agency, or
25 instrumentality; public corporation; or any other legal or
26 commercial entity.
- 27 (21) "Place of business" of a broker-dealer, an investment adviser,
28 or a federal covered investment adviser means:
- 29 (A) an office at which the broker-dealer, investment adviser,
30 or federal covered investment adviser regularly provides
31 brokerage or investment advice or solicits, meets with, or
32 otherwise communicates with customers or clients; or
- 33 (B) any other location that is held out to the general public as
34 a location at which the broker-dealer, investment adviser, or
35 federal covered investment adviser provides brokerage or
36 investment advice or solicits, meets with, or otherwise
37 communicates with customers or clients.
- 38 (22) "Predecessor act" means IC 23-2-1 (before its repeal).
- 39 (23) "Price amendment" means the amendment to a registration
40 statement filed under the Securities Act of 1933 or, if an
41 amendment is not filed, the prospectus or prospectus supplement
42 filed under the Securities Act of 1933 that includes a statement of



- 1 the offering price, underwriting and selling discounts or
 2 commissions, amount of proceeds, conversion rates, call prices,
 3 and other matters dependent upon the offering price.
- 4 (24) "Principal place of business" of a broker-dealer or an
 5 investment adviser means the executive office of the
 6 broker-dealer or investment adviser from which the officers,
 7 partners, or managers of the broker-dealer or investment adviser
 8 direct, control, and coordinate the activities of the broker-dealer
 9 or investment adviser.
- 10 (25) "Record", except in the phrases "of record", "official record",
 11 and "public record", means information that is inscribed on a
 12 tangible medium or that is stored in an electronic or other medium
 13 and is retrievable in perceivable form.
- 14 (26) "Sale" includes every contract of sale, contract to sell, or
 15 disposition of a security or interest in a security for value, and
 16 "offer to sell" includes every attempt or offer to dispose of, or
 17 solicitation of an offer to purchase, a security or interest in a
 18 security for value. Both terms include:
- 19 (A) a security given or delivered with, or as a bonus on
 20 account of, a purchase of securities or any other thing
 21 constituting part of the subject of the purchase and having
 22 been offered and sold for value;
- 23 (B) a gift of assessable stock involving an offer and sale; and
- 24 (C) a sale or offer of a warrant or right to purchase or
 25 subscribe to another security of the same or another issuer and
 26 a sale or offer of a security that gives the holder a present or
 27 future right or privilege to convert the security into another
 28 security of the same or another issuer, including an offer of the
 29 other security.
- 30 (27) "Securities and Exchange Commission" means the United
 31 States Securities and Exchange Commission.
- 32 (28) "Security" means a note; stock; treasury stock; security
 33 future; bond; debenture; evidence of indebtedness; certificate of
 34 interest or participation in a profit-sharing agreement; collateral
 35 trust certificate; preorganization certificate or subscription;
 36 transferable share; investment contract; voting trust certificate;
 37 certificate of deposit for a security; fractional undivided interest
 38 in oil, gas, or other mineral rights; put, call, straddle, option, or
 39 privilege on a security, certificate of deposit, or group or index of
 40 securities, including an interest therein or based on the value
 41 thereof; put, call, straddle, option, or privilege entered into on a
 42 national securities exchange relating to foreign currency; or, in



1 general, an interest or instrument commonly known as a
 2 "security"; or a certificate of interest or participation in, temporary
 3 or interim certificate for, receipt for, guarantee of, or warrant or
 4 right to subscribe to or purchase, any of the foregoing. The term:

5 (A) includes both a certificated and an uncertificated security;

6 (B) does not include an insurance or endowment policy or
 7 annuity contract under which an insurance company promises
 8 to pay a fixed or variable sum of money either in a lump sum
 9 or periodically for life or another specified period;

10 (C) does not include an interest in a contributory or
 11 noncontributory pension or welfare plan subject to the
 12 Employee Retirement Income Security Act of 1974;

13 (D) includes as an "investment contract" an investment in a
 14 common enterprise with the expectation of profits to be
 15 derived primarily from the efforts of a person other than the
 16 investor and a "common enterprise" means an enterprise in
 17 which the fortunes of the investor are interwoven with those of
 18 either the person offering the investment, a third party, or other
 19 investors; and

20 (E) includes as an "investment contract", among other
 21 contracts, an interest in a limited partnership and a limited
 22 liability company and an investment in a viatical settlement or
 23 similar agreement.

24 (29) "Self-regulatory organization" means a national securities
 25 exchange registered under the Securities Exchange Act of 1934,
 26 a national securities association of broker-dealers registered under
 27 the Securities Exchange Act of 1934, a clearing agency registered
 28 under the Securities Exchange Act of 1934, or the Municipal
 29 Securities Rulemaking Board established under the Securities
 30 Exchange Act of 1934.

31 (30) "Sign" means, with present intent to authenticate or adopt a
 32 record:

33 (A) to execute or adopt a tangible symbol; or

34 (B) to attach or logically associate with the record an
 35 electronic symbol, sound, or process.

36 (31) "Third party solicitor" means a person that, for
 37 compensation, directly or indirectly, solicits a client for or refers
 38 a client to an investment adviser, a federal covered investment
 39 adviser, or an investment adviser representative. The term does
 40 not include the following:

41 (A) An employee subject to the supervision and control of an
 42 investment adviser registered under IC 23-19-4-3.



- 1 (B) A "supervised person", as defined in Section 202(a)(25) of
 2 the Investment Advisers Act of 1940 (15 U.S.C. 80b-2(a)(25)).
 3 (C) A partner, officer, director, or employee of a person that
 4 controls, is controlled by, or is under common control with an
 5 investment adviser or a federal covered investment adviser.
 6 (D) An individual excluded by a rule adopted or order issued
 7 under this article.
- 8 (32) "State" means a state of the United States, the District of
 9 Columbia, Puerto Rico, the United States Virgin Islands, or any
 10 territory or insular possession subject to the jurisdiction of the
 11 United States.
- 12 (33) "Accredited investor" has the meaning set forth in 17 CFR
 13 230.501(a).
- 14 SECTION 521. IC 24-2-1-12, AS AMENDED BY P.L.135-2006,
 15 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2024]: Sec. 12. (a) A person who shall for ~~himself or herself,~~
 17 **the person's own use**, or on behalf of any other person, procure the
 18 filing or registration of any mark in the office of the secretary under
 19 this chapter by knowingly making a false or fraudulent representation
 20 or declaration orally, in writing, or by other fraudulent means, is liable
 21 for all damages sustained in consequence of the filing or registration.
- 22 (b) The damages may be recovered by or on behalf of the injured
 23 party in a court of competent jurisdiction.
- 24 SECTION 522. IC 24-4-4-1 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. It shall be unlawful
 26 for any person, firm, limited liability company, or corporation, by
 27 ~~himself or itself, or by his or~~ its servants or as the servant or agent of
 28 another, to sell or offer for sale or delivery at retail any coal or coke
 29 which is sold by weight, unless each such delivery is accompanied by
 30 a delivery ticket and a duplicate thereof, upon each of which tickets and
 31 duplicates thereof shall be written or otherwise indicated:
- 32 (a) the name and address of the person, firm, limited liability
 33 company, corporation, or association selling and delivering or
 34 attempting to sell or deliver such commodity;
- 35 (b) the gross weight of the load, the tare weight of the delivering
 36 vehicle, and the net amount in weight of the commodity being
 37 delivered in such vehicle;
- 38 (c) the name or identifying initials of the party who weighed it;
- 39 (d) the state in which the coal was mined, the name of the coal,
 40 brand or trade name, if any;
- 41 (e) the number of the vein or seam from which the coal was taken;
- 42 and



1 (f) the size and grade thereof, which size of all grades must be
 2 designated according to the openings in the screens over and
 3 through which each such size of coal is made at the place of
 4 production.

5 One (1) of such delivery tickets or the duplicate thereof shall be
 6 delivered and surrendered to the person or persons in charge of the
 7 delivery of such load of commodities to the purchaser thereof or to ~~his~~
 8 **the person's** agent or representative, and the other ticket or duplicate
 9 shall be retained by the person, firm, limited liability company, or
 10 corporation making such sale for a period of not less than twelve (12)
 11 months from date of sale. All coal or coke so sold or delivered shall
 12 consist of the kind, quality, and weight in all respects as described and
 13 indicated in such delivery ticket and duplicate thereof, and it shall
 14 constitute a violation of this chapter to sell or deliver or substitute any
 15 other kind and quality or weight of coal or coke than that so described
 16 and indicated, and proof of the sale, delivery, or substitution of any coal
 17 or coke which is not of the kind, quality, and weight so described and
 18 indicated shall constitute prima facie evidence and proof of intent to
 19 violate this section.

20 SECTION 523. IC 24-4-4-7 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. It shall be unlawful
 22 for any person, firm, limited liability company, or corporation, by
 23 ~~himself or~~ itself, or by ~~his or~~ its agent or servant, or as agent or servant
 24 of another, to advertise by any false statement, either oral or written, or
 25 to publish or display any false sign, printing, or writing concerning the
 26 grade, size, quality, vein or seam, brand or trade name, name of mine
 27 in which produced, or origin of such coal or coke sold or delivered, or
 28 offered ~~by him, it, or them~~ for sale or delivery. For the purpose of this
 29 chapter, the term "size" where used in reference to coal shall be
 30 construed to mean the various grades into which coal is screened,
 31 namely, lump, block, egg, nut, and screenings, and the size of all such
 32 grades of coal must be designated according to the openings in the
 33 screens over and through which each such size of coal is made at the
 34 place of production. Abbreviations or words, terms, or phrases
 35 describing the size, preparation, or origin of coal or coke shall not be
 36 included in any advertisement as mentioned in this chapter. Any
 37 person, firm, limited liability company, or corporation violating any of
 38 the provisions of this section shall be subject to the provisions of
 39 section 5 of this chapter.

40 SECTION 524. IC 24-6-3-8 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. The division of
 42 weights and measures, the division's deputies and inspectors, and the



1 county and city inspectors of weights and measures are hereby made
 2 special ~~police~~ **police officers** and are authorized and empowered
 3 to arrest without formal warrant for any violation of the statutes in
 4 relation to scales, weights and measures, and to seize and use for
 5 evidence and without formal warrant any false weight, scales, measure,
 6 or weighing or measuring device, or packages or amounts of
 7 commodities found to be used, retained or offered or exposed for sale
 8 or sold in violation of law.

9 SECTION 525. IC 24-6-6-2 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. Every person, firm,
 11 limited liability company, or corporation who, by ~~himself~~ **itself** or by
 12 ~~his~~ **its** agent or employee, packs or repacks fresh fruits or vegetables in
 13 containers intended for sale, either privately or on the open market,
 14 shall cause the same to be marked in a plain and indelible manner, as
 15 follows:

16 (1) With ~~his~~ **the person's** full name and address, including the
 17 name of the state where such fresh fruits and vegetables are
 18 grown or packed.

19 (2) The net contents, by weight, if not in a standard container built
 20 in accordance with the specifications of the federal or state
 21 standard container act, in which case the cubical contents shall be
 22 sufficient.

23 (3) The grade, in accordance with the standards established by
 24 this act.

25 All markings shall be in letters not less than one-half (1/2) of an inch
 26 in height.

27 SECTION 526. IC 25-2.1-2-6 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. (a) Each year the
 29 board shall elect a member as ~~chairman~~ **chairperson**.

30 (b) The board may annually elect a member to fill an office that the
 31 board determines is appropriate.

32 SECTION 527. IC 25-4-1-3, AS AMENDED BY P.L.249-2019,
 33 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2024]: Sec. 3. The board shall organize by the election of a
 35 ~~chairman~~ **chairperson** and vice ~~chairman~~, **chairperson**, each of whom
 36 shall serve for a term of one (1) year. The first meeting of the board
 37 shall be held within thirty (30) days after the members thereof shall
 38 have been appointed, on call of the ~~chairman~~ **chairperson** of the board.
 39 Thereafter, the board shall hold at least two (2) regular meetings each
 40 year and may hold such special meetings, as the board in its discretion
 41 considers necessary or advisable. The time for holding the regular
 42 meetings, the method of calling special meetings and the manner of



1 giving notice of all meetings shall be prescribed in the bylaws of the
 2 board. A quorum of the board consists of a majority of the appointed
 3 members. Approval by a majority of all members of the board shall be
 4 required for action to be taken. The board shall adopt official seals
 5 representing the different professions that shall be affixed to all
 6 certificates of registration granted and issued as provided in this
 7 chapter. Subject to the approval of the governor, the board is hereby
 8 authorized to make bylaws and prescribe and promulgate rules as
 9 considered necessary in the performance of its duty. The board shall
 10 adopt rules establishing standards for the competent practice of
 11 architecture and landscape architecture, and for the administration of
 12 the registered architects and registered landscape architects
 13 investigative fund established by section 32 of this chapter. Suitable
 14 office quarters shall be provided for the use of the board in the city of
 15 Indianapolis.

16 SECTION 528. IC 25-6.1-2-2, AS AMENDED BY P.L.177-2015,
 17 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2024]: Sec. 2. (a) The commission shall, at its first meeting
 19 each year, at a time and place established by the ~~chairman;~~
 20 **chairperson**, conduct an election of officers and such other business
 21 as may be appropriate. The commission shall also meet upon the call
 22 of the ~~chairman~~ **chairperson** or upon the request of any two (2)
 23 members of the commission. The secretary shall provide reasonable
 24 notice of the time and place of each meeting to all members.

25 (b) Three (3) members constitute a quorum for the purpose of
 26 transacting business. A majority vote of the commission is necessary
 27 to bind the commission.

28 SECTION 529. IC 25-6.1-2-3, AS AMENDED BY P.L.177-2015,
 29 SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2024]: Sec. 3. (a) At the first meeting held each year, the
 31 commission shall elect from its membership a ~~chairman~~ **chairperson**
 32 and a vice ~~chairman;~~ **chairperson**. Each officer shall serve for a term
 33 of one (1) year and until the officer's successor is elected.

34 (b) The ~~chairman~~ **chairperson** shall preside at all meetings of the
 35 commission.

36 (c) The vice ~~chairman~~ **chairperson** shall act as presiding officer in
 37 the absence of the ~~chairman~~ **chairperson** and shall perform such other
 38 duties as the ~~chairman~~ **chairperson** may direct.

39 (d) The commission shall be provided with an executive secretary
 40 by the licensing agency. The person provided may not be a member of
 41 the commission.

42 (e) The executive secretary, through the licensing agency, shall:



- 1 (1) notify all members of meetings;
- 2 (2) keep a record of all meetings of the commission, votes taken
- 3 by the commission, and other proceedings, transactions,
- 4 communications, official acts, and records of the commission; and
- 5 (3) perform other duties as the ~~chairman~~ **chairperson** directs.

6 SECTION 530. IC 25-6.1-3-1, AS AMENDED BY P.L.59-2014,
 7 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2024]: Sec. 1. ~~Coverage:~~ (a) Except as provided in subsection
 9 (b), no individual may act as an auctioneer and no person may operate
 10 an auction company without obtaining and having in full force and
 11 effect a valid license issued by the commission in accordance with this
 12 chapter.

13 (b) The requirements of this article do not apply to:

- 14 (1) An auction of goods or real estate conducted exclusively by
- 15 individuals who personally own such goods or real estate and who
- 16 did not acquire such goods or real estate for resale.
- 17 (2) An auction conducted by or under the direction of any public
- 18 authority.
- 19 (3) An auction conducted pursuant to any judicial order or to the
- 20 settlement of a decedent's estate.
- 21 (4) A sale conducted by or on behalf of any political party,
- 22 church, charitable corporation, or association if the individual
- 23 conducting the sale receives no compensation and does not, by
- 24 advertising or otherwise, ~~hold himself or herself out as being~~
- 25 **available represent availability to others** to engage in the sale
- 26 of goods or real estate at auction.

27 SECTION 531. IC 25-10-1-1.5, AS AMENDED BY P.L.249-2019,
 28 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2024]: Sec. 1.5. (a) There is created a board of chiropractic
 30 examiners. The board shall consist of five (5) members appointed by
 31 the governor, not more than three (3) of whom may be affiliated with
 32 the same political party. Subject to IC 25-1-6.5-3, four (4) of the board
 33 members must be licensed under this chapter and must have had at
 34 least five (5) years of experience as a chiropractor prior to their
 35 appointment. Subject to IC 25-1-6.5-3, one (1) member is to represent
 36 the general public and must be:

- 37 (1) a resident of this state; and
- 38 (2) in no way associated with the profession of chiropractic other
- 39 than as a consumer.

40 (b) All members appointed before July 1, 2019, shall be appointed
 41 for a term of three (3) years and serve until their successors are
 42 appointed and qualified.



- 1 (c) Members appointed after June 30, 2019, are appointed under
2 IC 25-1-6.5.
- 3 (d) A member of the board may be removed under IC 25-1-6.5-4.
- 4 (e) The members of the board are entitled to the minimum salary per
5 diem provided by IC 4-10-11-2.1(b). Members are also entitled to
6 reimbursement for traveling expenses as provided under IC 4-13-1-4
7 and other expenses actually incurred in connection with the member's
8 duties as provided in the state policies and procedures established by
9 the Indiana department of administration and approved by the budget
10 agency.
- 11 (f) The members of the board shall organize by the election of a
12 **chairman chairperson** and a vice **chairman chairperson** from among
13 its membership. The officers serve for a term of one (1) year. The board
14 shall meet at least once each year and on other occasions as it considers
15 necessary and advisable. A meeting of the board may be called by its
16 **chairman chairperson** or by a majority of the members on the board.
17 Three (3) members of the board constitute a quorum for the transaction
18 of business. All decisions are required to be made by a majority vote of
19 the quorum.
- 20 (g) The agency shall provide a secretary of the board and other
21 personnel necessary for the proper performance of the board's duties
22 and responsibilities under this chapter. The board, through the agency,
23 shall receive and account for all money collected under this chapter and
24 pay the money to the treasurer of state to be deposited by the treasurer
25 in the general fund of the state.
- 26 (h) The board may do the following:
- 27 (1) Establish reasonable application, examination, and renewal
28 procedures for certification under this chapter.
- 29 (2) Use an examination under this chapter that is designed by the
30 board, designed by another person, or designed in part by the
31 board and in part by another person.
- 32 (3) Conduct in the manner prescribed by the board examinations
33 of applicants for certification under this chapter. The board may
34 conduct any part of the examinations through a person other than
35 the agency who is approved by the board. The agency may
36 conduct any part of the examinations under IC 25-1-5-4.
- 37 (4) Issue, deny, suspend, revoke, and renew certificates.
- 38 (5) Subject to IC 25-1-7, investigate and conduct hearings, upon
39 complaint against individuals certified or not certified under this
40 chapter, concerning alleged violation of this chapter with hearings
41 to be conducted in accordance with IC 4-21.5.
- 42 (6) Initiate the prosecution and enjoinder of a person violating this



- 1 chapter.
- 2 (7) Adopt rules necessary for the proper performance of the
- 3 board's duties, in accordance with IC 4-22-2.
- 4 (8) Maintain a current list of individuals certified under this
- 5 chapter.
- 6 (9) Establish a code of professional conduct.
- 7 (10) Adopt rules under IC 4-22-2 to allow chiropractors licensed
- 8 under this chapter to delegate the manual manipulation, manual
- 9 adjustment, or manual mobilization of the spinal column or the
- 10 vertebral column under section 14(c)(4) of this chapter.
- 11 (11) Adopt rules under IC 4-22-2 establishing standards for the
- 12 registration and regulation of chiropractic management
- 13 consultants (as defined by the board under IC 25-10-2).
- 14 (12) Set fees for the annual registration of a chiropractic
- 15 management consultant under IC 25-10-2.
- 16 (13) Adopt rules under IC 4-22-2 establishing health and
- 17 sanitation standards that conform to public health standards for
- 18 dry needling.
- 19 (i) The board shall adopt rules establishing standards for the
- 20 competent practice of the science of the chiropractic in accordance
- 21 with IC 4-22-2.
- 22 (j) All expenses incurred in the administration of this chapter shall
- 23 be paid from the state general fund upon appropriation being made in
- 24 the manner provided by law for the making of appropriations.
- 25 SECTION 532. IC 25-13-1-11, AS AMENDED BY P.L.35-2020,
- 26 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 27 JULY 1, 2024]: Sec. 11. A person is deemed to be practicing dental
- 28 hygiene within the meaning of this chapter who:
- 29 (1) uses the titles "Licensed Dental Hygienist", "Dental
- 30 Hygienist", or the letters "L.D.H.", "R.D.H.", or "D.H." in
- 31 connection with ~~his or her~~ **the person's** name;
- 32 (2) ~~holds himself or herself out~~ **represents** to the public in any
- 33 manner that ~~he or she~~ **the person** can or will render services as a
- 34 dental hygienist;
- 35 (3) removes calcific deposits or accretions from the surfaces of
- 36 human teeth or cleans or polishes such teeth;
- 37 (4) applies and uses within the patient's mouth such antiseptic
- 38 sprays, washes, or medicaments for the control or prevention of
- 39 dental caries as ~~his or her~~ **the person's** employer dentist may
- 40 direct;
- 41 (5) treats gum disease;
- 42 (6) uses impressions and x-ray photographs for treatment



1 purposes; or

2 (7) administers local dental anesthetics or nitrous oxide, except
3 for the administration of local dental anesthetics or nitrous oxide
4 by:

5 (A) a dentist as provided in IC 25-14-1-23(a)(6);

6 (B) a physician licensed under IC 25-22.5; or

7 (C) a dental assistant (as defined in IC 25-14-1-1.5(4)) in
8 compliance with section 10.7 of this chapter.

9 SECTION 533. IC 25-15-9-2, AS AMENDED BY P.L.249-2019,
10 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2024]: Sec. 2. (a) The board consists of five (5) members as
12 follows:

13 (1) Four (4) members appointed by the governor.

14 (2) Subject to IC 25-1-6.5-3, one (1) member who must:

15 (A) be a resident of Indiana; and

16 (B) not be associated with the practice of funeral service or
17 cemetery operation other than as a consumer.

18 (b) Members are appointed under IC 25-1-6.5.

19 (c) A member of the board may be removed under IC 25-1-6.5-4.

20 (d) The board shall elect a ~~chairman~~ **chairperson** from the board's
21 own membership every two (2) years to serve a term of two (2) years.
22 The ~~chairman~~ **chairperson** shall be elected alternately from those
23 board members appointed under sections 3 and 4 of this chapter.

24 SECTION 534. IC 25-17.6-2-8, AS AMENDED BY P.L.108-2022,
25 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2024]: Sec. 8. (a) The board shall elect from its members a
27 ~~chairman~~ **chairperson** each year.

28 (b) The board shall elect a secretary each year. The secretary is not
29 required to be elected from the members of the board.

30 SECTION 535. IC 25-17.6-3-1, AS AMENDED BY P.L.108-2022,
31 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2024]: Sec. 1. (a) The board shall meet:

33 (1) at least two (2) times each calendar year; and

34 (2) at other times considered necessary by:

35 (A) the ~~chairman~~; **chairperson**; or

36 (B) a quorum of the board;

37 upon being given at least ten (10) days notice.

38 (b) Each year the board shall:

39 (1) determine the cost incurred by the survey in administering the
40 program for the licensure of professional geologists under this
41 article; and

42 (2) if necessary, adjust the amount of the:



1 (A) licensure fee charged under IC 25-17.6-4-7; and

2 (B) renewal fee charged under IC 25-17.6-5-2;

3 to ensure that the program is self-supporting.

4 SECTION 536. IC 25-21.5-2-8 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) Each year the
6 board shall elect a member as ~~chairman~~ **chairperson** and a member as
7 vice ~~chairman~~ **chairperson**.

8 (b) If the ~~chairman~~ **chairperson** and vice ~~chairman~~ **chairperson** are
9 absent from a meeting of the board when a quorum exists, the members
10 who are present may elect a presiding officer who shall serve as acting
11 ~~chairman~~ **chairperson** until the conclusion of the meeting or until the
12 arrival of the ~~chairman~~ **chairperson** or vice ~~chairman~~ **chairperson**.

13 SECTION 537. IC 25-21.5-7-2, AS AMENDED BY P.L.57-2013,
14 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2024]: Sec. 2. (a) The board shall issue a certificate of
16 enrollment as a surveyor intern upon the payment of the certificate fee
17 prescribed in this chapter to any applicant who, in the opinion of the
18 board, has satisfactorily met all of the requirements of this article.

19 (b) A certificate of enrollment as a surveyor intern must state that
20 the applicant has successfully passed the examination in fundamental
21 surveying subjects required by the board and has been enrolled as a
22 surveyor intern. A certificate of enrollment must:

- 23 (1) show the full name of the surveyor intern;
24 (2) bear a serial number and date; and
25 (3) be signed by the ~~chairman~~ **chairperson** and the secretary,
26 under the seal of the board.

27 (c) The issuance of a certificate by the board is evidence that the
28 person named on the certificate is entitled to all the rights and
29 privileges of a surveyor intern until the certificate expires or is revoked.

30 SECTION 538. IC 25-23.6-2-5 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 5. The board shall elect
32 a ~~chairman~~ **chairperson** from among the members of the board for a
33 one (1) year term. An individual may not be elected as ~~chairman~~
34 **chairperson** for more than two (2) consecutive one (1) year terms.

35 SECTION 539. IC 25-24-1-17 IS AMENDED TO READ AS
36 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 17. The following are
37 unlawful and a violation of this chapter:

- 38 (1) For any person or persons to open an office for the purpose of
39 practicing optometry in this state, or to announce to the public in
40 any way an intention to practice optometry in any county in this
41 state, without first having obtained a license from the board.
42 (2) For any person or persons, except a licensed optometrist or



1 optometrists under this chapter whose licenses have not been
 2 revoked or lapsed, to ~~hold himself out~~ **represent to others** by the
 3 use of any sign, newspaper, advertisement, pamphlet, circular, or
 4 any other means as qualified to practice optometry.

5 (3) For any person or persons, except a licensed optometrist or
 6 optometrists under this chapter whose licenses have not been
 7 revoked or lapsed, to have possession of any trial lenses, trial
 8 frames, graduated test cards, or other appliances or instruments
 9 used in the practice of optometry for the purpose of rendering
 10 assistance to patrons in the selection of contact lenses, lenses, or
 11 eyeglasses, or to sell ophthalmic lenses or to replace broken
 12 contact lenses or lenses in eyeglasses except upon the prescription
 13 of a regularly licensed optometrist, or a physician and surgeon
 14 exempted by this chapter. An ophthalmic lens, within the meaning
 15 of this chapter, is any lens which has a spherical or cylindrical or
 16 prismatic power or value and is ground pursuant to a prescription.

17 (4) For any person, not licensed under this chapter or who has not
 18 paid the annual renewal fee as in this chapter provided to be paid,
 19 to practice optometry as defined in this chapter.

20 SECTION 540. IC 25-26-13-29, AS AMENDED BY P.L.209-2018,
 21 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2024]: Sec. 29. (a) It is unlawful:

23 (1) For any person to display or permit to be displayed, a
 24 pharmacy permit in any facility or place of business other than
 25 that for which it was issued.

26 (2) For any person to accept a prescription for filling or
 27 compounding at any place or facility for which there is not a valid
 28 pharmacy permit.

29 (3) For any person to operate a pharmacy or to take, assume,
 30 exhibit, display, or advertise by any medium, the title "drugs",
 31 "prescriptions", "medicine", "drug store", "pharmacy", or
 32 "apothecary shop", or any combination of such titles or any other
 33 title, symbol, term, or description of like import intended to cause
 34 the public to believe that it is a pharmacy unless the person holds
 35 a valid pharmacy permit.

36 (4) For any person to engage or offer to engage in the practice of
 37 pharmacy or to hold ~~himself or herself~~ **oneself** out as a pharmacist
 38 without a valid pharmacist's license that is classified as active by
 39 the board.

40 (b) A person who violates a provision of subsection (a) commits a
 41 Level 6 felony.

42 (c) Nothing in this chapter shall apply to, nor in any manner



1 interfere with the business of a general merchant in selling and
 2 distributing nonnarcotic, nonprescription medicines or drugs which are
 3 prepackaged, fully prepared by the manufacturer for use by the
 4 consumer, and labeled in accordance with the requirements of the state
 5 and federal food and drug acts.

6 (d) This chapter does not apply to, or in any manner interfere with,
 7 the business of a manufacturer in selling and delivering a dialysate
 8 drug or a device that is necessary for home peritoneal renal dialysis for
 9 a patient who has end stage renal disease if all of the following apply:

10 (1) The dialysate drug or device is approved by the federal Food
 11 and Drug Administration under federal law.

12 (2) The dialysate drug or device is held by the manufacturer, a
 13 third party logistics provider, or a wholesale drug distributor in
 14 accordance with the requirements of IC 25-26-14.

15 (3) The dialysate drug or device is delivered in the manufacturer's
 16 original, sealed packaging.

17 (4) The dialysate drug or device is delivered only upon:

18 (A) receipt of a physician's prescription by a pharmacy that
 19 holds a pharmacy permit under this chapter; and

20 (B) the transmittal of an order from the pharmacy described in
 21 clause (A) to the manufacturer, third party logistics provider,
 22 or wholesale drug distributor.

23 (5) The manufacturer, third party logistics provider, or wholesale
 24 drug distributor delivers the dialysate drug or device directly to:

25 (A) the patient or the patient's designee for self-administration
 26 of the dialysis therapy; or

27 (B) a health care provider for administration of the dialysis
 28 therapy to the patient.

29 SECTION 541. IC 25-28.5-1-2, AS AMENDED BY P.L.1-2006,
 30 SECTION 469, IS AMENDED TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2024]: Sec. 2. As used in this chapter:

32 (1) "Plumbing" means the practice of and the materials and fixtures
 33 used in the installation, maintenance, extension, and alteration of all
 34 piping, fixtures, appliances, and appurtenances in connection with any
 35 of the following:

36 (A) Sanitary drainage or storm drainage facilities, the venting
 37 system, and the public or private water supply systems, within or
 38 adjacent to any building or structure.

39 (B) The practice and materials used in the installation,
 40 maintenance, extension, or alteration of the stormwater, liquid
 41 waste, or sewerage, and water supply systems of any premises to
 42 the private property line or to their connection with any point of



1 public disposal or other acceptable terminal.
 2 The term does not include the planning, designing, and installation of
 3 sanitation and water systems in vehicles commonly known as mobile
 4 homes, the drilling of wells, the installation of pumps, pressure tanks,
 5 and piping incidental to the drilling or repair of a well system, the sale
 6 or installation of water softening equipment and apparatuses and
 7 services of the same, or the business of manufacturing or selling
 8 plumbing fixtures; appliances, equipment, or hardware; the installation
 9 of automatic sprinklers, the overhead or underground water supplies or
 10 standpipes when connected to an automatic sprinkler system or to their
 11 related devices or appurtenances connecting thereto; nor does the term
 12 include the work referred to in section 32(i) of this chapter; nor does
 13 the term include the planning or design of water supply or sewage
 14 systems which would ordinarily be performed as "the practice of
 15 engineering", as defined in IC 25-31-1, or the "practice of architecture",
 16 as defined in IC 25-4-1.

17 (2) "Plumbing contractor" means any person who, for compensation,
 18 undertakes to, or submits a bid to, or does ~~himself or herself or by~~
 19 ~~others~~, construct, repair, alter, remodel, add to, subtract from, or
 20 improve plumbing, **including through the employment of others**, and
 21 who is responsible for substantially all the plumbing within the entire
 22 project, or one who fabricates units or plumbing substantially
 23 completed and ready for installation.

24 (3) "Journeyman plumber" means a person who engages or offers to
 25 engage in, as an occupation or trade, the construction, installation,
 26 alteration, maintenance, repair, remodeling, or removal and
 27 replacement of plumbing under the supervision, direction, and
 28 responsibility of a licensed plumbing contractor.

29 (4) "Maintenance **person**" means a person who is employed on a
 30 permanent basis to keep the premises of a business establishment in
 31 good repair.

32 (5) "Contracting" means, except as exempted in this chapter,
 33 engaging in a business as a contractor.

34 (6) "Person" means a natural person, except in the case of a
 35 plumbing contractor, in which case it may mean the partners or
 36 members of a partnership, limited partnership, or any form of
 37 unincorporated enterprise, owned by two (2) or more persons, and as
 38 applied to "corporation" in addition to the corporate entity means the
 39 officers or directors and employees thereof.

40 (7) "Commission" means the Indiana plumbing commission created
 41 by this chapter.

42 (8) "License" means a certificate issued by the commission



1 established by this chapter which confers upon the holder the privilege
 2 to act as a plumbing contractor or a journeyman plumber as defined in
 3 this chapter.

4 (9) "Farmstead" means a farm dwelling together with other
 5 buildings, structures, equipment, piping, and other plumbing materials
 6 and supplies, located upon a parcel of real estate used primarily for
 7 agricultural purposes located outside the corporate limits of a
 8 municipality and not connected to a public water supply.

9 (10) "Licensing agency" means the Indiana professional licensing
 10 agency established under IC 25-1-5-3.

11 (11) "Apprentice plumber" means an individual who:

12 (A) is learning the plumbing trade; and

13 (B) is under the direction and immediate supervision of a licensed
 14 plumbing contractor or a licensed journeyman plumber.

15 (12) "Registration" means the granting of a certificate by the
 16 commission that authorizes an individual to act as an apprentice
 17 plumber.

18 SECTION 542. IC 25-28.5-1-6 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. The commission
 20 shall annually organize and select one (1) of the members as ~~chairman~~
 21 **chairperson** and one (1) of the members to serve as secretary, both to
 22 serve for a term of one (1) year. The commission, through the licensing
 23 agency, shall keep a record of all its proceedings, transactions,
 24 communications, official acts, and records and shall perform said other
 25 duties as required by law.

26 SECTION 543. IC 25-28.5-1-9, AS AMENDED BY P.L.249-2019,
 27 SECTION 118, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2024]: Sec. 9. The secretary shall call all
 29 meetings of the commission as directed by the ~~chairman~~ **chairperson**
 30 or upon request in writing by two (2) members, and at such time and
 31 places, within the state of Indiana as the commission business may
 32 require. Sufficient notice shall be given to permit members to attend all
 33 meetings. A quorum of the board consists of a majority of the
 34 appointed members. Meetings of the commission may be held pursuant
 35 to written waiver of notice signed by all the members of the
 36 commission. A record shall be kept of all proceedings at meetings and
 37 of the vote taken on each act or transaction of the commission, and a
 38 majority vote of all members shall be required to bind the commission.

39 SECTION 544. IC 25-29-2-6 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. (a) The board shall
 41 hold at least one (1) meeting each year. The board may hold additional
 42 meetings that the board considers necessary.



1 (b) A meeting may be called by the ~~chairman~~ **chairperson** or by a
2 majority of the members of the board.

3 SECTION 545. IC 25-29-2-7 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. Each year the board
5 shall elect a ~~chairman~~ **chairperson** and any other officers from its
6 members that the board considers necessary.

7 SECTION 546. IC 25-30-1.3-6, AS AMENDED BY P.L.3-2008,
8 SECTION 199, IS AMENDED TO READ AS FOLLOWS
9 [EFFECTIVE JULY 1, 2024]: Sec. 6. (a) For purposes of this section,
10 "industrial plant" means a factory, business, or concern that is engaged
11 primarily in the manufacture or assembly of goods or the processing of
12 raw materials, or both.

13 (b) This chapter does not apply to the following:

14 (1) A law enforcement officer of the United States, a state, or a
15 political subdivision of a state to the extent that the officer is
16 engaged in the performance of the officer's official duties.

17 (2) An employee to the extent that the employee is hired for the
18 purpose of guarding and protecting the properties of railroad
19 companies and is licensed as a railroad ~~politicman~~ **police officer**
20 under IC 8-3-17, to the extent that the employee is engaged in the
21 performance of the employee's official duties.

22 (3) The owner of an industrial plant or an employee of the owner
23 of an industrial plant to the extent that the owner or the employee
24 is hiring a plant security guard for the owner's industrial plant.

25 (4) A retail merchant or an employee of the retail merchant to the
26 extent that the retail merchant or the employee is hiring a security
27 guard for the retail merchant's retail establishment.

28 SECTION 547. IC 25-31-1-5, AS AMENDED BY P.L.2-2014,
29 SECTION 109, IS AMENDED TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2024]: Sec. 5. (a) The board shall hold in the
31 city of Indianapolis at least two (2) regular meetings each year and
32 special meetings as the board considers necessary. Regular and special
33 meetings must be held at times and places as the rules of the board may
34 provide. Notice of all meetings must be given according to IC 5-14-1.5.

35 (b) The board shall elect, annually, from its own members, a
36 ~~chairman~~ **chairperson** and a vice ~~chairman~~ **chairperson**.

37 (c) A quorum of the board consists of four (4) members and no
38 official action of any meeting may be taken without at least four (4)
39 votes being in accord.

40 (d) Suitable office quarters shall be provided by the state for the use
41 of the board in the city of Indianapolis. This office may be shared with
42 the state board of registration for professional surveyors.



1 SECTION 548. IC 25-31-1-10 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. (a) The board shall
 3 keep a record of its proceedings and a record of all applications for
 4 registration. The record shall show:

- 5 (1) the name, age, and residence of each applicant;
- 6 (2) the date of the application;
- 7 (3) the place of business of the applicant;
- 8 (4) the applicant's education and other qualifications;
- 9 (5) whether or not an examination was required;
- 10 (6) whether or not the applicant was rejected;
- 11 (7) whether a certificate of registration was granted;
- 12 (8) the date of the action of the board; and
- 13 (9) any other information as may be deemed necessary by the
 14 board.

15 (b) The records of the board are prima facie evidence of the
 16 proceedings of the board.

17 (c) A transcript of the proceedings certified by the ~~chairman~~
 18 **chairperson** and attested by the secretary of the board, under its seal,
 19 shall be admissible in evidence with the same force and effect as if the
 20 original were produced.

21 SECTION 549. IC 25-33-1-3, AS AMENDED BY P.L.249-2019,
 22 SECTION 126, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) There is created a board to be
 24 known as the "state psychology board". The board shall consist of five
 25 (5) members appointed by the governor.

26 (b) Subject to IC 25-1-6.5-3, four (4) of the board members shall be
 27 licensed under this article and shall have had at least five (5) years of
 28 experience as a professional psychologist prior to their appointment.

29 (c) Subject to IC 25-1-6.5-3, the fifth member shall be appointed to
 30 represent the general public, must be a resident of this state, must never
 31 have been credentialed in a mental health profession, and must in no
 32 way be associated with the profession of psychology other than as a
 33 consumer.

34 (d) All members shall:

- 35 (1) if appointed before July 1, 2019, be appointed for a term of
 36 three (3) years; and
- 37 (2) if appointed after June 30, 2019, be appointed under
 38 IC 25-1-6.5.

39 (e) A member may be removed under IC 25-1-6.5-4.

40 (f) Each member of the board is entitled to the minimum salary per
 41 diem provided by IC 4-10-11-2.1(b). Such a member is also entitled to
 42 reimbursement for traveling expenses and other expenses actually



1 incurred in connection with the member's duties, as provided in the
 2 state travel policies and procedures established by the Indiana
 3 department of administration and approved by the state budget agency.

4 (g) The members of the board shall organize by the election of a
 5 **chairman chairperson** and a vice **chairman chairperson** from among
 6 its membership. Such officers shall serve for a term of one (1) year.
 7 The board shall meet at least once in each calendar year and on such
 8 other occasions as it considers necessary and advisable. A meeting of
 9 the board may be called by its **chairman chairperson** or by a majority
 10 of the members on the board. A quorum of the board consists of a
 11 majority of the appointed members. A majority of the quorum may
 12 transact business.

13 (h) The board is empowered to do the following:

14 (1) Establish reasonable application, examination, and renewal
 15 procedures and set fees for licensure under this article. However,
 16 no fee collected under this article shall, under any circumstances,
 17 be refunded.

18 (2) Adopt and enforce rules concerning assessment of costs in
 19 disciplinary proceedings before the board.

20 (3) Establish examinations of applicants for licensure under this
 21 article and issue, deny, suspend, revoke, and renew licenses.

22 (4) Subject to IC 25-1-7, investigate and conduct hearings, upon
 23 complaint against individuals licensed or not licensed under this
 24 article, concerning alleged violation of this article, under
 25 procedures conducted in accordance with IC 4-21.5.

26 (5) Initiate the prosecution and enjoinder of any person violating
 27 this article.

28 (6) Adopt rules which are necessary for the proper performance
 29 of its duties, in accordance with IC 4-22-2.

30 (7) Establish a code of professional conduct.

31 (i) The board shall adopt rules establishing standards for the
 32 competent practice of psychology.

33 (j) All expenses incurred in the administration of this article shall be
 34 paid from the general fund upon appropriation being made in the
 35 manner provided by law for the making of such appropriations.

36 (k) The agency shall do the following:

37 (1) Carry out the administrative functions of the board.

38 (2) Provide necessary personnel to carry out the duties of this
 39 article.

40 (3) Receive and account for all fees required under this article.

41 (4) Deposit fees collected with the treasurer of state for deposit in
 42 the state general fund.



1 (l) This section may not be interpreted to prevent a licensed or
 2 certified health care professional from practicing within the scope of
 3 the health care professional's:

- 4 (1) license or certification; and
 5 (2) training or credentials.

6 SECTION 550. IC 25-34.1-2-2 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) The commission
 8 shall elect from its membership a ~~chairman~~ **chairperson** and a vice
 9 ~~chairman~~ **chairperson**. The ~~chairman~~ **chairperson** and vice ~~chairman~~
 10 **chairperson** shall serve in that capacity for one (1) year and until a
 11 successor is elected. The ~~chairman~~ **chairperson** and vice ~~chairman~~
 12 **chairperson** may serve consecutively no more than two (2) terms in
 13 that capacity. The ~~chairman~~ **chairperson** shall preside at all meetings.
 14 The vice ~~chairman~~ **chairperson** shall preside at meetings in the
 15 absence of the ~~chairman~~ **chairperson** and shall perform other duties as
 16 the ~~chairman~~ **chairperson** may direct.

17 (b) The licensing agency shall provide to the commission an
 18 executive director. The executive director may not be a member of the
 19 commission. The executive director shall:

- 20 (1) provide reasonable notice to all commission members of the
 21 time and place of each meeting;
 22 (2) keep a record of all meetings, of all votes taken by the
 23 commission, and of all other proceedings, transactions,
 24 communications, official acts, and records of the commission;
 25 (3) keep a current file of all licenses and licensees; and
 26 (4) perform any other duties which the commission may
 27 prescribe.

28 SECTION 551. IC 25-34.1-2-3 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) The commission
 30 shall meet upon the call of the ~~chairman~~ **chairperson** or at the written
 31 request of any seven (7) members of the commission. The ~~chairman~~
 32 **chairperson** shall establish the time and place of all meetings.

33 (b) A majority of the current members of the commission constitutes
 34 a quorum at a meeting for the purpose of transacting business. A
 35 majority vote of all members present at a meeting is necessary to bind
 36 the commission.

37 (c) Any action required or permitted to be taken at a meeting of the
 38 commission may be taken without a meeting if, prior to that action:

- 39 (1) a written consent to the action, either executed as a single
 40 document or in counterparts, is signed by all members of the
 41 commission; or
 42 (2) all members orally consent to the action and subsequently



1 confirm that consent in writing.

2 The written consent or confirmation shall set forth the action under
3 consideration and shall be filed with the minutes of the meetings which
4 are kept by the executive director. A written consent or a confirmed
5 oral consent shall be treated for all purposes as a unanimous vote of the
6 members and as though the vote had taken place at a regular meeting
7 of the commission.

8 SECTION 552. IC 25-34.1-9-7 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. The council shall
10 elect from the council's membership a ~~chairman~~ **chairperson** and a
11 vice ~~chairman~~ **chairperson**.

12 SECTION 553. IC 25-34.1-9-8 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. The council shall
14 meet upon the call of the ~~chairman~~ **chairperson** or at the request of the
15 commission. The ~~chairman~~ **chairperson** shall establish the time and
16 place of all meetings.

17 SECTION 554. IC 25-35.6-1-2, AS AMENDED BY P.L.212-2005,
18 SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2024]: Sec. 2. (a) As used in this article, "board" means the
20 speech-language pathology and audiology board established by this
21 article.

22 (b) As used in this article, "person" means any individual,
23 organization, or corporate body, except that only an individual may be
24 licensed under this article.

25 (c) As used in this article, "speech-language pathologist" means an
26 individual who practices speech-language pathology and who ~~presents~~
27 ~~himself~~ **represents** to the public by any title or description of services
28 incorporating the words speech pathologist, speech-language
29 pathologist, speech therapist, speech-language specialist, teacher of
30 communication disorders, speech correctionist, speech clinician,
31 language pathologist, language therapist, logopedist, communicologist,
32 voice therapist, voice pathologist, or any similar title or description of
33 service.

34 (d) As used in this article, "speech-language pathology" means the
35 application of nonmedical and nonsurgical principles, methods, and
36 procedures for the following:

37 (1) The prevention, evaluation, habilitation, rehabilitation,
38 instruction, and research of communication and swallowing
39 disorders.

40 (2) The elective modification of communication behaviors.

41 (3) The enhancement of communication, including the use of
42 augmentative or alternate communication strategies.



1 (e) As used in this article, "audiologist" means an individual who
 2 practices audiology and who ~~presents himself~~ **represents** to the public
 3 by any title or description of services incorporating the words
 4 audiologist, hearing clinician, hearing therapist, hearing specialist,
 5 audiometrist, vestibular specialist, or any similar title or description of
 6 service.

7 (f) As used in this article, "audiology" means the application of
 8 nonmedical and nonsurgical principles, methods, and procedures of
 9 prevention, evaluation, habilitation, rehabilitation, instruction, and
 10 research of disorders of hearing, auditory function, and vestibular
 11 function.

12 (g) As used in this article, "support personnel" means individuals
 13 who meet the qualifications which the board shall establish for the
 14 following:

- 15 (1) Speech-language pathology aide.
- 16 (2) Speech-language pathology associate.
- 17 (3) Speech-language pathology assistant.

18 (h) As used in this article, "audiology assistant" means an individual
 19 who:

- 20 (1) is not licensed as an audiologist under this article;
- 21 (2) meets qualifications which the board may establish; and
- 22 (3) provides specific services under the direction and supervision
 23 of a licensed audiologist.

24 (i) As used in this article, "clinical fellowship" means a supervised
 25 professional experience.

26 (j) As used in this article, "direct supervision" means onsite
 27 observation and guidance while an assigned evaluation or therapeutic
 28 activity is being performed.

29 SECTION 555. IC 25-35.6-1-3, AS AMENDED BY P.L.149-2022,
 30 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2024]: Sec. 3. (a) Licensure shall be granted either in
 32 speech-language pathology or audiology independently. A person may
 33 be licensed in both areas if the person meets the respective
 34 qualifications.

35 (b) Except as provided in sections 5.5 and 6.5 of this chapter and
 36 IC 25-35.6-5, no person shall practice or represent ~~himself or herself~~
 37 **oneself** as a speech-language pathologist or audiologist in this state
 38 unless the person is licensed in accordance with the provisions of this
 39 article.

40 SECTION 556. IC 25-35.6-2-3, AS AMENDED BY P.L.249-2019,
 41 SECTION 136, IS AMENDED TO READ AS FOLLOWS
 42 [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) The board may utilize



1 employees provided by the Indiana professional licensing agency as
2 necessary.

3 (b) The board shall adopt a seal by which it shall authenticate its
4 proceedings. Copies of the proceedings, records, and acts of the board,
5 and certificates purporting to relate the facts concerning such
6 proceedings, records, and acts, that are signed by the ~~chairman~~
7 **chairperson** or the executive secretary and authenticated by the seal,
8 shall be prima facie evidence in all courts of this state.

9 (c) Under no circumstances shall the total amount of expenditures
10 incurred by the board exceed the amount of the fees collected as
11 provided in this chapter.

12 SECTION 557. IC 26-1-1-208 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 208. A term providing
14 that one party or ~~his the party's~~ successor in interest may accelerate
15 payment or performance or require collateral or additional collateral "at
16 will" or "when ~~he deems himself insecure~~" **deemed insecure by the**
17 **party"** or in words of similar import shall be construed to mean that ~~he~~
18 **the party** shall have power to do so only if ~~he the party~~ in good faith
19 believes that the prospect of payment or performance is impaired. The
20 burden of establishing lack of good faith is on the party against whom
21 the power has been exercised.

22 SECTION 558. IC 26-1-2-104, AS AMENDED BY P.L.143-2007,
23 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2024]: Sec. 104. (1) "Merchant" means a person who deals in
25 goods of the kind or otherwise by ~~his the person's~~ occupation ~~holds~~
26 **himself is held** out as having knowledge or skill peculiar to the
27 practices or goods involved in the transaction or to whom such
28 knowledge or skill may be attributed by ~~his the person's~~ employment
29 of an agent or broker or other intermediary who by ~~his the~~
30 **intermediary's** occupation ~~holds himself is held~~ out as having such
31 knowledge or skill.

32 (2) "Financing agency" means a bank, finance company, or other
33 person who in the ordinary course of business makes advances against
34 goods or documents of title or who by arrangement with either the
35 seller or the buyer intervenes in ordinary course to make or collect
36 payment due or claimed under the contract for sale, as by purchasing
37 or paying the seller's draft or making advances against it or by merely
38 taking it for collection whether or not documents of title accompany or
39 are associated with the draft. "Financing agency" includes also a bank
40 or other person who similarly intervenes between persons who are in
41 the position of seller and buyer in respect to the goods (IC 26-1-2-707).

42 (3) "Between merchants" means in any transaction with respect to



1 which both parties are chargeable with the knowledge or skill of
2 merchants.

3 SECTION 559. IC 26-1-2-305 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 305. (1) The parties if
5 they so intend can conclude a contract for sale even though the price is
6 not settled. In such a case the price is a reasonable price at the time for
7 delivery if:

8 (a) nothing is said as to price; or

9 (b) the price is left to be agreed by the parties and they fail to agree;

10 or

11 (c) the price is to be fixed in terms of some agreed market or other
12 standard as set or recorded by a third person or agency and it is not so
13 set or recorded.

14 (2) A price to be fixed by the seller or by the buyer means a price for
15 **him the seller or the buyer** to fix in good faith.

16 (3) When a price left to be fixed otherwise than by agreement of the
17 parties fails to be fixed through fault of one (1) party the other may at
18 **his the party's** option treat the contract as canceled or **himself** fix a
19 reasonable price.

20 (4) Where, however, the parties intend not to be bound unless the
21 price be fixed or agreed and it is not fixed or agreed there is no
22 contract. In such a case the buyer must return any goods already
23 received or if unable so to do must pay their reasonable value at the
24 time of delivery and the seller must return any portion of the price paid
25 on account.

26 SECTION 560. IC 26-1-2-312 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 312. (1) Subject to
28 subsection (2) there is in a contract for sale a warranty by the seller that

29 (a) the title conveyed shall be good, and its transfer rightful; and

30 (b) the goods shall be delivered free from any security interest or
31 other lien or encumbrance of which the buyer at the time of contracting
32 has no knowledge.

33 (2) A warranty under subsection (1) will be excluded or modified
34 only by specific language or by circumstances which give the buyer
35 reason to know that the person selling does not claim title in **himself**
36 **the seller's name** or that **he the seller** is purporting to sell only such
37 right or title as **he the seller** or a third person may have.

38 (3) Unless otherwise agreed a seller who is a merchant regularly
39 dealing in goods of the kind warrants that the goods shall be delivered
40 free of the rightful claim of any third person by way of infringement or
41 the like but a buyer who furnishes specifications to the seller must hold
42 the seller harmless against any such claim which arises out of



1 compliance with the specifications.

2 SECTION 561. IC 26-1-2-505, AS AMENDED BY P.L.143-2007,
3 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2024]: Sec. 505. (1) Where the seller has identified goods to
5 the contract by or before shipment:

6 (a) ~~His~~ **The seller's** procurement of a negotiable bill of lading to
7 ~~his own the seller's~~ order or otherwise reserves ~~in him~~ a security
8 interest in the goods. ~~His~~ **The seller's** procurement of the bill to
9 the order of a financing agency or of the buyer indicates in
10 addition only the seller's expectation of transferring that interest
11 to the person named.

12 (b) A nonnegotiable bill of lading to ~~himself the seller~~ or ~~his the~~
13 **seller's** nominee reserves possession of the goods as security, but
14 except in a case of conditional delivery (IC 26-1-2-507(2)), a
15 nonnegotiable bill of lading naming the buyer as consignee
16 reserves no security interest even though the seller retains
17 possession or control of the bill of lading.

18 (2) When shipment by the seller with reservation of a security
19 interest is in violation of the contract for sale, it constitutes an improper
20 contract for transportation within IC 26-1-2-504, but impairs neither
21 the rights given to the buyer by shipment and identification of the
22 goods to the contract nor the seller's powers as a holder of a negotiable
23 document of title.

24 SECTION 562. IC 27-1-7-13 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 13. (a) A corporation
26 has the officers described in its bylaws. However, a corporation must
27 have at least one (1) officer.

28 (b) An officer of a corporation may appoint one (1) or more officers
29 or assistant officers if authorized to do so by the bylaws or the board of
30 directors.

31 (c) The bylaws or the board of directors must delegate to one (1) of
32 the officers responsibility for preparing minutes of the directors' and
33 shareholders' meetings and for authenticating records of the
34 corporation, and that officer is the secretary for purposes of this article.
35 The same individual may simultaneously hold more than one (1) office
36 in the corporation.

37 (d) Each officer of a corporation has the authority and shall perform
38 the duties set forth in the bylaws, to the extent consistent with the
39 bylaws or, the duties prescribed by the board of directors or by
40 direction of an officer authorized by the board of directors to prescribe
41 the duties of other officers.

42 (e) An officer of a corporation may resign at any time by delivering



1 notice to the board of directors, its ~~chairman~~, **chairperson**, the
 2 secretary of the corporation or, if the articles of incorporation or bylaws
 3 so provide, to another designated officer. A resignation is effective
 4 when the notice is delivered unless the notice specifies a later date. If
 5 a resignation is made effective at a later date and the corporation
 6 accepts the future effective date, its board of directors may fill the
 7 pending vacancy before the effective date if the board of directors
 8 provides that the successor does not take office until the effective date.

9 (f) The board of directors of a corporation may remove an officer of
 10 the corporation at any time with or without cause. An officer who
 11 appoints another officer or assistant officer may remove the appointed
 12 officer or assistant officer at any time with or without cause.

13 (g) The election or appointment of an officer of a corporation does
 14 not itself create contract rights.

15 (h) The removal of an officer of a corporation does not affect the
 16 officer's contract rights, if any, with the corporation. An officer's
 17 resignation does not affect the corporation's contract rights, if any, with
 18 the officer.

19 SECTION 563. IC 27-1-15.6-2, AS AMENDED BY P.L.19-2022,
 20 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2024]: Sec. 2. Except as otherwise provided in this section,
 22 the following definitions apply throughout this chapter, IC 27-1-15.7,
 23 IC 27-1-15.8, and IC 27-7-17:

24 (1) "Bureau" refers to the child support bureau established by
 25 IC 31-25-3-1.

26 (2) "Business entity" means a corporation, an association, a
 27 partnership, a limited liability company, a limited liability
 28 partnership, or another legal entity.

29 (3) "Commissioner" means the insurance commissioner appointed
 30 under IC 27-1-1-2.

31 (4) "Consultant" means a person who:

32 (A) ~~holds himself or herself out~~ **represents** to the public as
 33 being engaged in the business of offering; or

34 (B) for a fee, offers;

35 any advice, counsel, opinion, or service with respect to the
 36 benefits, advantages, or disadvantages promised under any policy
 37 of insurance that could be issued in Indiana.

38 (5) "Delinquent" means the condition of being at least:

39 (A) two thousand dollars (\$2,000); or

40 (B) three (3) months;

41 past due in the payment of court ordered child support.

42 (6) "Designated home state license" means a license issued by the



- 1 commissioner to an insurance producer who:
- 2 (A) maintains the insurance producer's principal place of
- 3 residence or principal place of business in a state that does not
- 4 license insurance producers for the line of authority for which
- 5 the insurance producer seeks licensure in Indiana; and
- 6 (B) is permitted by the commissioner to designate Indiana as
- 7 the insurance producer's nonresident home state.
- 8 (7) "FINRA" refers to the independent Financial Industry
- 9 Regulatory Authority.
- 10 (8) "Home state" means the District of Columbia or any state or
- 11 territory of the United States in which an insurance producer:
- 12 (A) maintains the insurance producer's principal place of
- 13 residence or principal place of business; and
- 14 (B) is licensed to act as an insurance producer.
- 15 This subdivision does not apply to IC 27-1-15.8.
- 16 (9) "Insurance producer" means a person required to be licensed
- 17 under the laws of Indiana to sell, solicit, or negotiate insurance.
- 18 (10) "License" means a document issued by the commissioner
- 19 authorizing a person to act as an insurance producer for the lines
- 20 of authority specified in the document. The license itself does not
- 21 create any authority, actual, apparent, or inherent, in the holder to
- 22 represent or commit an insurance carrier.
- 23 (11) "Limited line credit insurance" includes the following:
- 24 (A) Credit life insurance.
- 25 (B) Credit disability insurance.
- 26 (C) Credit property insurance.
- 27 (D) Credit unemployment insurance.
- 28 (E) Involuntary unemployment insurance.
- 29 (F) Mortgage life insurance.
- 30 (G) Mortgage guaranty insurance.
- 31 (H) Mortgage disability insurance.
- 32 (I) Guaranteed automobile protection (gap) insurance.
- 33 (J) Any other form of insurance:
- 34 (i) that is offered in connection with an extension of credit
- 35 and is limited to partially or wholly extinguishing that credit
- 36 obligation; and
- 37 (ii) that the insurance commissioner determines should be
- 38 designated a form of limited line credit insurance.
- 39 (12) "Limited line credit insurance producer" means a person who
- 40 sells, solicits, or negotiates one (1) or more forms of limited line
- 41 credit insurance coverage to individuals through a master,
- 42 corporate, group, or individual policy.



- 1 (13) "Limited lines insurance" means any of the following:
2 (A) The lines of insurance defined in section 18 of this
3 chapter.
4 (B) Any line of insurance the recognition of which is
5 considered necessary by the commissioner for the purpose of
6 complying with section 8(e) of this chapter.
7 (C) For purposes of section 8(e) of this chapter, any form of
8 insurance with respect to which authority is granted by a home
9 state that restricts the authority granted by a limited lines
10 producer's license to less than total authority in the associated
11 major lines described in section 7(a)(1) through 7(a)(6) of this
12 chapter.
- 13 (14) "Limited lines producer" means a person authorized by the
14 commissioner to sell, solicit, or negotiate limited lines insurance.
- 15 (15) "Limited lines travel insurance producer" means any of the
16 following:
17 (A) A travel administrator.
18 (B) A licensed managing general agent or third party
19 administrator.
20 (C) A licensed insurance producer, including a limited lines
21 producer.
- 22 (16) "Negotiate" means the act of conferring directly with or
23 offering advice directly to a purchaser or prospective purchaser of
24 a particular contract of insurance concerning any of the
25 substantive benefits, terms, or conditions of the contract, provided
26 that the person engaged in that act either sells insurance or
27 obtains insurance from insurers for purchasers.
- 28 (17) "Offer and disseminate" includes the following acts:
29 (A) Providing general information regarding an insurance
30 policy, including a description of the coverage and price.
31 (B) Processing an application for an insurance policy.
32 (C) Collecting premiums for an insurance policy.
- 33 (18) "Person" means an individual or a business entity.
- 34 (19) "Sell" means to exchange a contract of insurance by any
35 means, for money or its equivalent, on behalf of a company.
- 36 (20) "Solicit" means attempting to sell insurance or asking or
37 urging a person to apply for a particular kind of insurance from a
38 particular company.
- 39 (21) "Surplus lines producer" means a person who sells, solicits,
40 negotiates, or procures from an insurance company not licensed
41 to transact business in Indiana an insurance policy that cannot be
42 procured from insurers licensed to do business in Indiana.



- 1 (22) "Terminate" means:
2 (A) the cancellation of the relationship between an insurance
3 producer and the insurer; or
4 (B) the termination of a producer's authority to transact
5 insurance.
- 6 (23) "Travel administrator" means a person that directly or
7 indirectly underwrites, collects charges, collateral, or premiums
8 from, or adjusts or settles claims on residents of this state in
9 connection with travel insurance. The term does not include the
10 following:
11 (A) A person working for a travel administrator, to the extent
12 the person's activities are subject to the supervision and
13 control of the travel administrator.
14 (B) An insurance producer selling insurance or engaged in
15 administrative and claims related activities within the scope of
16 the insurance producer's license.
17 (C) A travel retailer offering and disseminating travel
18 insurance that is registered under the license of a limited lines
19 travel insurance producer.
20 (D) An individual adjusting or settling claims in the normal
21 course of the individual's practice or employment as an
22 attorney at law who does not collect charges or premiums in
23 connection with insurance coverage.
24 (E) A business entity that is affiliated with a licensed insurer
25 while acting as a travel administrator for the direct and
26 assumed insurance business of an affiliated insurer.
- 27 (24) "Travel insurance" means insurance coverage for personal
28 risks incident to planned travel, including the following:
29 (A) Interruption or cancellation of a trip or an event.
30 (B) Loss of baggage or personal effects.
31 (C) Damage to accommodations or rental vehicles.
32 (D) Sickness, accident, disability, or death that occurs during
33 travel.
34 (E) Emergency evacuation.
35 (F) Repatriation of remains.
36 (G) Any other contractual obligation to indemnify or pay a
37 specified amount to a traveler upon determinable
38 contingencies related to travel, as approved by the
39 commissioner.
- 40 The term does not include a major medical plan that provides
41 comprehensive medical insurance for a traveler on a trip that lasts
42 at least six (6) months, including a traveler who is an individual



1 who works overseas as an expatriate or is deployed as a member
2 of the military, or any other product that requires a specific
3 insurance producer license.

4 (25) "Travel retailer" means a business entity that makes,
5 arranges, or offers planned travel and may offer or disseminate
6 travel insurance as a service to its customers on behalf of and
7 under the direction of a limited lines travel insurance producer.

8 SECTION 564. IC 27-1-15.6-19.9, AS ADDED BY P.L.19-2022,
9 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2024]: Sec. 19.9. (a) The commissioner may issue a limited
11 lines travel insurance producer license to a person that files an
12 application with the commissioner for a limited lines travel producer
13 insurance license in the form and manner prescribed by the
14 commissioner. A limited lines travel insurance producer licensed under
15 this subsection may sell, solicit, or negotiate travel insurance through
16 a licensed insurer. A person may not act as a limited lines travel
17 insurance producer unless properly licensed or as a travel insurance
18 retailer unless properly registered.

19 (b) A travel retailer may offer and disseminate travel insurance
20 under a limited lines travel insurance producer business entity license
21 only if the following conditions are met:

22 (1) The travel retailer or limited lines travel insurance provider
23 provides the following information to purchasers of a travel
24 insurance policy:

25 (A) A description of the material terms or the actual material
26 terms of the insurance coverage.

27 (B) A description of the process for filing a claim.

28 (C) A description of the review or cancellation process for the
29 travel insurance policy.

30 (D) The identity and contact information of the insurer and
31 limited lines travel insurance producer.

32 (2) At the time of licensure, the limited lines travel insurance
33 producer establishes and maintains a register, on a form
34 prescribed by the commissioner, of each travel retailer that offers
35 travel insurance on behalf of the limited lines travel insurance
36 producer. The register must be maintained and updated by the
37 limited lines travel insurance producer and include the name,
38 address, and contact information of the travel retailer, the
39 individual who directs or controls the travel retailer's operations,
40 and the travel retailer's federal tax identification number. The
41 limited lines travel insurance producer must submit the register
42 to the department upon reasonable request. The limited lines



1 travel insurance producer must also certify the travel retailer
2 registered complies with 18 U.S.C. 1033. The grounds for
3 suspension and revocation and the penalties applicable to resident
4 insurance producers under section 12 of this chapter apply to
5 travel retailers and limited lines travel insurance producers
6 operating under this subsection.

7 (3) The limited lines travel insurance producer designates an
8 individual employee who is a licensed insurance producer as the
9 designated responsible producer responsible for the travel
10 retailer's compliance with the travel insurance laws and
11 regulations applicable to the limited lines travel insurance
12 producer and its registrants.

13 (4) The designated responsible producer, president, secretary,
14 treasurer, and any other officer or individual who directs or
15 controls the operations of the limited lines travel insurance
16 producer complies with the fingerprinting requirements
17 applicable to insurance producers in the resident state of the
18 limited lines travel insurance producer.

19 (5) The limited lines travel insurance producer pays all applicable
20 licensing fees required by state law.

21 (6) The limited lines travel insurance producer requires each
22 employee and authorized representative of the travel retailer
23 whose duties include offering and disseminating travel insurance
24 to receive a training program, which is subject to the review and
25 approval of the commissioner. The training material must, at a
26 minimum, contain adequate instructions on the types of insurance
27 offered, ethical sales practices, and required disclosures to
28 prospective purchasers.

29 (c) A travel retailer that offers or disseminates travel insurance must
30 make available to prospective purchasers any brochures or other
31 written materials approved by the travel insurer. The brochures or other
32 written materials must include, at a minimum, the following
33 information:

34 (1) The identity and contact information of the insurer and the
35 limited lines travel insurance producer.

36 (2) An explanation that the purchase of travel insurance is not
37 required to purchase any other product or service from the travel
38 retailer.

39 (3) An explanation that an unlicensed travel retailer is permitted
40 to provide only general information about the travel insurance
41 offered by the travel retailer, including a description of the
42 coverage and price, but is not qualified or authorized to answer



- 1 technical questions about the terms and conditions of the travel
 2 insurance offered by the travel retailer or to evaluate the adequacy
 3 of the prospective purchaser's existing insurance coverage.
- 4 (d) An employee or authorized representative of a travel retailer
 5 who is not licensed as an insurance producer may not:
- 6 (1) evaluate or interpret the technical terms, benefits, or
 7 conditions of the offered travel insurance coverage;
 8 (2) evaluate or provide advice concerning a prospective
 9 purchaser's existing insurance coverage; or
 10 (3) ~~hold himself or herself out~~ **represent to the public** as a
 11 licensed insurer, licensed producer, or insurance expert.
- 12 (e) Notwithstanding any other law, a travel retailer whose insurance
 13 related activities, including the activities of its employees and
 14 authorized representatives, are limited to offering and disseminating
 15 travel insurance on behalf of and under the direction of a limited lines
 16 travel insurance producer as required under this section may receive
 17 related compensation upon registration by the limited lines travel
 18 insurance producer as required in subsection (b)(2).
- 19 (f) As an insurer's designee, a limited lines insurance producer is
 20 responsible for the acts of a travel retailer and shall use reasonable
 21 means to ensure compliance of the travel retailer with this section.
- 22 (g) Any person licensed in a major line of authority as an insurance
 23 producer is authorized to sell, solicit, and negotiate travel insurance. A
 24 property and casualty insurance producer is not required to become
 25 appointed by an insurer to sell, solicit, or negotiate travel insurance.
- 26 SECTION 565. IC 27-1-29-5, AS AMENDED BY P.L.46-2023,
 27 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2024]: Sec. 5. (a) The Indiana political subdivision risk
 29 management commission is created as a separate body corporate and
 30 politic, constituting an instrumentality of the state for the public
 31 purposes set out in this chapter, but not a state agency. The commission
 32 is separate from the state in its corporate and sovereign capacity. The
 33 purpose of the commission is aiding political subdivisions in protecting
 34 themselves against liabilities. The commission is not subject to
 35 IC 27-6-8, and the Indiana guaranty association created by IC 27-6-8-5
 36 has no obligation to insureds or claimants of the commission.
- 37 (b) The commission consists of the insurance commissioner, who
 38 shall serve as ~~chairman~~, **chairperson**, and nine (9) other commission
 39 members. Except for the insurance commissioner, the members of the
 40 commission shall be appointed by the governor for a term of four (4)
 41 years. No more than five (5) commission members appointed by the
 42 governor under this section may be members of the same political



1 party. The commission members appointed by the governor under this
2 section must include one (1) resident of each congressional district in
3 Indiana. The commission shall elect one (1) of the appointed
4 commission members as secretary of the commission.

5 (c) A commission member may be reappointed to the commission.

6 (d) In appointing commission members under this section, the
7 governor shall consider the qualifications, expertise, and background
8 that would provide the proper talent to administer this chapter. To the
9 degree possible, the members must have backgrounds in educational
10 administration, risk management, and governance of a political
11 subdivision and must include persons with knowledge of insurance
12 matters.

13 (e) A vacancy occurring on the commission shall be filled through
14 the appointment of a resident of the same congressional district as the
15 vacating commission member for the unexpired term of the
16 commission member leaving the commission.

17 (f) Each member of the commission who is not a state employee is
18 entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b).
19 Such a commission member is also entitled to reimbursement for
20 traveling expenses and other expenses actually incurred in connection
21 with the member's duties, as provided in the state travel policies and
22 procedures established by the department of administration and
23 approved by the state budget agency.

24 (g) Each member of the commission who is a state employee is
25 entitled to reimbursement for traveling expenses and other expenses
26 actually incurred in connection with the commission member's duties,
27 as provided in the state travel policies and procedures established by
28 the department of administration and approved by the state budget
29 agency.

30 (h) All property of the commission is public property devoted to an
31 essential public and governmental function and purpose and is exempt
32 from all taxes and special assessments of the state or a political
33 subdivision of the state.

34 (i) The term of a member of the commission expires upon the
35 expiration of this chapter under section 29 of this chapter.

36 SECTION 566. IC 27-8-10-2.1, AS AMENDED BY P.L.229-2011,
37 SECTION 251, IS AMENDED TO READ AS FOLLOWS
38 [EFFECTIVE JULY 1, 2024]: Sec. 2.1. (a) There is established a
39 nonprofit legal entity to be referred to as the Indiana comprehensive
40 health insurance association, which must assure that health insurance
41 is made available throughout the year to each eligible Indiana resident
42 applying to the association for coverage. All carriers, health



1 maintenance organizations, limited service health maintenance
 2 organizations, and self-insurers providing health insurance or health
 3 care services in Indiana must be members of the association. The
 4 association shall operate under a plan of operation established and
 5 approved under subsection (c) and shall exercise its powers through a
 6 board of directors established under this section.

7 (b) The board of directors of the association consists of nine (9)
 8 members whose principal residence is in Indiana selected as follows:

9 (1) Four (4) members to be appointed by the commissioner from
 10 the members of the association, one (1) of which must be a
 11 representative of a health maintenance organization.

12 (2) Two (2) members to be appointed by the commissioner shall
 13 be consumers representing policyholders.

14 (3) Two (2) members shall be the state budget director or
 15 designee and the commissioner of the department of insurance or
 16 designee.

17 (4) One (1) member to be appointed by the commissioner must be
 18 a representative of health care providers.

19 The commissioner shall appoint the ~~chairman~~ **chairperson** of the
 20 board, and the board shall elect a secretary from its membership. The
 21 term of office of each appointed member is three (3) years, subject to
 22 eligibility for reappointment. Members of the board who are not state
 23 employees may be reimbursed from the association's funds for
 24 expenses incurred in attending meetings. The board shall meet at least
 25 semiannually, with the first meeting to be held not later than May 15
 26 of each year.

27 (c) The association shall submit to the commissioner a plan of
 28 operation for the association and any amendments to the plan necessary
 29 or suitable to assure the fair, reasonable, and equitable administration
 30 of the association. The plan of operation becomes effective upon
 31 approval in writing by the commissioner consistent with the date on
 32 which the coverage under this chapter must be made available. The
 33 commissioner shall, after notice and hearing, approve the plan of
 34 operation if the plan is determined to be suitable to assure the fair,
 35 reasonable, and equitable administration of the association and
 36 provides for the sharing of association losses on an equitable,
 37 proportionate basis among the member carriers, health maintenance
 38 organizations, limited service health maintenance organizations, and
 39 self-insurers. If the association fails to submit a suitable plan of
 40 operation within one hundred eighty (180) days after the appointment
 41 of the board of directors, or at any time thereafter the association fails
 42 to submit suitable amendments to the plan, the commissioner shall



1 adopt rules under IC 4-22-2 necessary or advisable to implement this
2 section. These rules are effective until modified by the commissioner
3 or superseded by a plan submitted by the association and approved by
4 the commissioner. The plan of operation must:

- 5 (1) establish procedures for the handling and accounting of assets
6 and money of the association;
7 (2) establish the amount and method of reimbursing members of
8 the board;
9 (3) establish regular times and places for meetings of the board of
10 directors;
11 (4) establish procedures for records to be kept of all financial
12 transactions and for the annual fiscal reporting to the
13 commissioner;
14 (5) establish procedures whereby selections for the board of
15 directors will be made and submitted to the commissioner for
16 approval;
17 (6) contain additional provisions necessary or proper for the
18 execution of the powers and duties of the association; and
19 (7) establish procedures for the periodic advertising of the general
20 availability of the health insurance coverages from the
21 association.

22 (d) The plan of operation may provide that any of the powers and
23 duties of the association be delegated to a person who will perform
24 functions similar to those of this association. A delegation under this
25 section takes effect only with the approval of both the board of
26 directors and the commissioner. The commissioner may not approve a
27 delegation unless the protections afforded to the insured are
28 substantially equivalent to or greater than those provided under this
29 chapter.

30 (e) The association has the general powers and authority enumerated
31 by this subsection in accordance with the plan of operation approved
32 by the commissioner under subsection (c). The association has the
33 general powers and authority granted under the laws of Indiana to
34 carriers licensed to transact the kinds of health care services or health
35 insurance described in section 1 of this chapter and also has the
36 specific authority to do the following:

- 37 (1) Enter into contracts as are necessary or proper to carry out this
38 chapter, subject to the approval of the commissioner.
39 (2) Subject to section 2.6 of this chapter, sue or be sued, including
40 taking any legal actions necessary or proper for recovery of any
41 assessments for, on behalf of, or against participating carriers.
42 (3) Take legal action necessary to avoid the payment of improper



- 1 claims against the association or the coverage provided by or
 2 through the association.
- 3 (4) Establish a medical review committee to determine the
 4 reasonably appropriate level and extent of health care services in
 5 each instance.
- 6 (5) Establish appropriate rates, scales of rates, rate classifications
 7 and rating adjustments, such rates not to be unreasonable in
 8 relation to the coverage provided and the reasonable operational
 9 expenses of the association.
- 10 (6) Pool risks among members.
- 11 (7) Issue policies of insurance on an indemnity or provision of
 12 service basis providing the coverage required by this chapter.
- 13 (8) Administer separate pools, separate accounts, or other plans
 14 or arrangements considered appropriate for separate members or
 15 groups of members.
- 16 (9) Operate and administer any combination of plans, pools, or
 17 other mechanisms considered appropriate to best accomplish the
 18 fair and equitable operation of the association.
- 19 (10) Appoint from among members appropriate legal, actuarial,
 20 and other committees as necessary to provide technical assistance
 21 in the operation of the association, policy and other contract
 22 design, and any other function within the authority of the
 23 association.
- 24 (11) Hire an independent consultant.
- 25 (12) Develop a method of advising applicants of the availability
 26 of other coverages outside the association.
- 27 (13) Provide for the use of managed care plans for insureds,
 28 including the use of:
- 29 (A) health maintenance organizations; and
 30 (B) preferred provider plans.
- 31 (14) Solicit bids directly from providers for coverage under this
 32 chapter.
- 33 (15) Subject to section 3 of this chapter, negotiate reimbursement
 34 rates and enter into contracts with individual health care providers
 35 and health care provider groups.
- 36 (f) Rates for coverages issued by the association may not be
 37 unreasonable in relation to the benefits provided, the risk experience,
 38 and the reasonable expenses of providing the coverage. Separate scales
 39 of premium rates based on age apply for individual risks. Premium
 40 rates must take into consideration the extra morbidity and
 41 administration expenses, if any, for risks insured in the association. The
 42 rates for a given classification must be equal to one hundred fifty



1 percent (150%) of the average premium rate for that class charged by
2 the five (5) carriers with the largest premium volume in the state during
3 the preceding calendar year. In determining the average rate of the five
4 (5) largest carriers, the rates charged by the carriers shall be actuarially
5 adjusted to determine the rate that would have been charged for
6 benefits substantially identical to those issued by the association. All
7 rates adopted by the association must be submitted to the commissioner
8 for approval.

9 (g) Following the close of the association's fiscal year, the
10 association shall determine the net premiums, the expenses of
11 administration, and the incurred losses for the year. Twenty-five
12 percent (25%) of any net loss shall be assessed by the association to all
13 members in proportion to their respective shares of total health
14 insurance premiums as reported to the department of insurance,
15 excluding premiums for Medicaid contracts with the state of Indiana,
16 received in Indiana during the calendar year (or with paid losses in the
17 year) coinciding with or ending during the fiscal year of the
18 association. Seventy-five percent (75%) of any net loss shall be paid by
19 the state. In sharing losses, the association may abate or defer in any
20 part the assessment of a member, if, in the opinion of the board,
21 payment of the assessment would endanger the ability of the member
22 to fulfill its contractual obligations. The association may also provide
23 for interim assessments against members of the association if necessary
24 to assure the financial capability of the association to meet the incurred
25 or estimated claims expenses or operating expenses of the association
26 until the association's next fiscal year is completed. Net gains, if any,
27 must be held at interest to offset future losses or allocated to reduce
28 future premiums. Assessments must be determined by the board
29 members specified in subsection (b)(1), subject to final approval by the
30 commissioner.

31 (h) The association shall conduct periodic audits to assure the
32 general accuracy of the financial data submitted to the association, and
33 the association shall have an annual audit of its operations by an
34 independent certified public accountant.

35 (i) The association is subject to examination by the department of
36 insurance under IC 27-1-3.1. The board of directors shall submit, not
37 later than March 30 of each year, a financial report for the preceding
38 calendar year in a form approved by the commissioner.

39 (j) All policy forms issued by the association must conform in
40 substance to prototype forms developed by the association, must in all
41 other respects conform to the requirements of this chapter, and must be
42 filed with and approved by the commissioner before their use.



1 (k) The association may not issue an association policy to any
2 individual who, on the effective date of the coverage applied for, does
3 not meet the eligibility requirements of section 5.1 of this chapter.

4 (l) The association and the premium collected by the association
5 shall be exempt from the premium tax, the adjusted gross income tax,
6 or any combination of these upon revenues or income that may be
7 imposed by the state.

8 (m) Members who, during any calendar year, have paid one (1) or
9 more assessments levied under this chapter may include in the rates for
10 premiums charged for insurance policies to which this chapter applies
11 amounts sufficient to recoup a sum equal to the amounts paid to the
12 association by the member less any amounts returned to the member
13 insurer by the association, and the rates shall not be deemed excessive
14 by virtue of including an amount reasonably calculated to recoup
15 assessments paid by the member.

16 (n) The association shall provide for the option of monthly
17 collection of premiums.

18 (o) The association shall periodically certify to the budget agency
19 the amount necessary to pay seventy-five percent (75%) of any net loss
20 as specified in subsection (g).

21 SECTION 567. IC 28-7-1-0.5, AS AMENDED BY P.L.129-2020,
22 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2024]: Sec. 0.5. The following definitions apply throughout
24 this chapter:

25 (1) "Automated teller machine" (ATM) means a piece of
26 unmanned electronic or mechanical equipment that performs
27 routine financial transactions for authorized individuals.

28 (2) "Branch" office" means an office, agency, or other place of
29 business at which deposits are received, share drafts are paid, or
30 money is lent to members of a credit union. The term does not
31 include:

32 (A) the principal office of a credit union;

33 (B) the principal office of a credit union affiliate;

34 (C) a branch office of a credit union affiliate;

35 (D) an automated teller machine; or

36 (E) a night depository.

37 (3) "Credit union" is a cooperative, nonprofit association,
38 incorporated under this chapter, for the purposes of educating its
39 members in the concepts of thrift and to encourage savings among
40 its members. A credit union should provide a source of credit at
41 a fair and reasonable rate of interest and provide an opportunity
42 for its members to use and control their own money in order to



- 1 improve their economic and social condition.
- 2 (4) "Department" refers to the department of financial institutions.
- 3 (5) "Surplus" means the credit balance of undivided earnings after
- 4 losses. The term does not include statutory reserves.
- 5 (6) "Unimpaired shares" means paid in shares less any losses for
- 6 which no reserve exists and for which there is no charge against
- 7 undivided earnings.
- 8 (7) "Related credit union service organization" means, in
- 9 reference to a credit union, a credit union service organization (as
- 10 defined and formed under Part 712 of the regulations of the
- 11 National Credit Union Administration, 12 CFR 712) in which the
- 12 credit union has invested under section 9(a)(4) of this chapter.
- 13 (8) "Premises" means any office, branch, suboffice, service
- 14 center, parking lot, real estate, or other facility where the credit
- 15 union transacts or will transact business.
- 16 (9) "Furniture, fixtures, and equipment" means office furnishings,
- 17 office machines, computer hardware, computer software,
- 18 automated terminals, and heating and cooling equipment.
- 19 (10) "Fixed assets" means:
- 20 (A) premises; and
- 21 (B) furniture, fixtures, and equipment.
- 22 (11) "Audit period" means a twelve (12) month period designated
- 23 by the board of directors of a credit union.
- 24 (12) "Community" means:
- 25 (A) a second class city;
- 26 (B) a third class city;
- 27 (C) a town;
- 28 (D) a county other than a county containing a consolidated
- 29 city;
- 30 (E) a census tract;
- 31 (F) a township; or
- 32 (G) any other municipal corporation (as defined in
- 33 IC 36-1-2-10).
- 34 (13) "Control of a related interest" refers to a situation in which
- 35 an individual directly or indirectly, or through or in concert with
- 36 one (1) or more other individuals, possesses any of the following:
- 37 (A) The ownership of, control of, or power to vote at least
- 38 twenty-five percent (25%) of any class of voting securities of
- 39 the related interest.
- 40 (B) The control in any manner of the election of a majority of
- 41 the directors of the related interest.
- 42 (C) The power to exercise a controlling influence over the



1 management or policies of the related interest. For purposes of
 2 this clause, an individual is presumed to have control,
 3 including the power to exercise a controlling influence over
 4 the management or policies of a related interest, if the
 5 individual:

6 (i) is an executive officer or a director of the related interest
 7 and directly or indirectly owns, controls, or has the power to
 8 vote more than ten percent (10%) of any class of voting
 9 securities of the related interest; or

10 (ii) directly or indirectly owns, controls, or has the power to
 11 vote more than ten percent (10%) of any class of voting
 12 securities of the related interest and no other person owns,
 13 controls, or has the power to vote a greater percentage of
 14 that class of voting securities.

15 (14) "Executive officer" includes any of the following officers of
 16 a credit union:

17 (A) The ~~chairman~~ **chairperson** of the board of directors.

18 (B) The president.

19 (C) A vice president.

20 (D) The cashier.

21 (E) The secretary.

22 (F) The treasurer.

23 (15) "Immediate family", for purposes of section 17.2 of this
 24 chapter, means the spouse of an individual, the individual's minor
 25 children, and any of the individual's children, including adults,
 26 residing in the individual's home.

27 (16) "Officer" means any individual who is not solely a director
 28 or committee member and participates or has the authority to
 29 participate in major policymaking functions of a credit union,
 30 regardless of whether:

31 (A) the individual has an official title;

32 (B) the individual's title designates the individual as an
 33 assistant; or

34 (C) the individual is serving without salary or other
 35 compensation.

36 (17) "Related interest", with respect to an individual, means:

37 (A) a partnership, a corporation, or another business
 38 organization that is controlled by the individual; or

39 (B) a political campaign committee:

40 (i) controlled by the individual; or

41 (ii) the funds or services of which benefit the individual.

42 (18) Except as provided in section 9(a)(4) of this chapter, "capital



1 and surplus" means the sum of:

- 2 (A) undivided profits;
 3 (B) reserve for contingencies;
 4 (C) regular reserve; and
 5 (D) allowance for loan and lease losses.

6 SECTION 568. IC 28-11-1-6, AS AMENDED BY P.L.57-2006,
 7 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2024]: Sec. 6. (a) The governor shall designate one (1) of the
 9 members as ~~chairman~~ **chairperson**. The governor may appoint the
 10 director as ~~chairman~~ **chairperson** under this section.

11 (b) The ~~chairman~~ **chairperson** has one (1) vote on all matters voted
 12 on by the members.

13 SECTION 569. IC 28-11-1-8 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) During the first
 15 meeting after June 30 of each year, the members shall elect the
 16 following officers:

- 17 (1) One (1) member as vice ~~chairman~~ **chairperson**.
 18 (2) One (1) individual, who need not be a member, as secretary.
 19 (3) Other officers considered necessary by the members.

20 (b) The officers elected under subsection (a) hold office for one (1)
 21 year and until their successors are elected and qualified.

22 SECTION 570. IC 28-11-1-9 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. Each year the
 24 members shall hold the following:

- 25 (1) Regular meetings at times specified by resolution of the
 26 members.
 27 (2) Special meetings at the call of the ~~chairman~~ **chairperson**.

28 SECTION 571. IC 28-11-1-14, AS AMENDED BY P.L.217-2007,
 29 SECTION 92, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2024]: Sec. 14. All assignments, deeds, instruments, notices,
 31 orders, rules, and other documents of the department shall be executed
 32 in the name of "The Department of Financial Institutions" by the
 33 director or, in case of the director's absence or disability, by:

- 34 (1) the ~~chairman~~ **chairperson**;
 35 (2) an officer elected by the members; or
 36 (3) an employee of the department designated in writing by the
 37 director or the ~~chairman~~ **chairperson**.

38 SECTION 572. IC 28-13-9-7 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) A director may
 40 resign at any time by delivering written notice:

- 41 (1) to the board of directors, its ~~chairman~~ **chairperson**, or the
 42 secretary of the corporation; or



1 (2) if the articles of incorporation or bylaws so provide, to another
2 designated officer.
3 (b) A resignation is effective when the notice is delivered unless the
4 notice specifies a later effective date.
5 SECTION 573. IC 28-13-12-3, AS AMENDED BY P.L.35-2010,
6 SECTION 204, IS AMENDED TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) An officer may resign at any
8 time by delivering notice:
9 (1) to the board of directors, its ~~chairman~~, **chairperson**, or the
10 secretary of the corporation; or
11 (2) if the articles of incorporation or bylaws so provide, to another
12 designated officer.
13 (b) A resignation is effective when the notice is delivered unless the
14 notice specifies a later effective date. If a resignation is made effective
15 at a later date and the corporation accepts the future effective date, the
16 corporation's board of directors may fill the pending vacancy before the
17 effective date if the board of directors provides that the successor does
18 not take office until the effective date.
19 (c) A board of directors may remove any officer at any time with or
20 without cause.
21 (d) An officer who appoints another officer or assistant officer may
22 remove the appointed officer or assistant officer at any time with or
23 without cause.
24 (e) If a corporation replaces the chief executive officer of the
25 corporation, the corporation shall give the department written notice of
26 the replacement not later than thirty (30) days after the chief executive
27 officer is replaced.
28 SECTION 574. IC 29-1-1-22 IS AMENDED TO READ AS
29 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 22. Any person
30 ~~considering himself~~ aggrieved by any decision of a court having
31 probate jurisdiction in proceedings under this article may prosecute an
32 appeal to the court having jurisdiction of such appeal. Such appeal
33 shall be taken as appeals are taken in civil causes. Executors,
34 administrators, guardians and fiduciaries may have a stay of
35 proceedings without bond.
36 SECTION 575. IC 29-1-17-10 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. (a) When the estate
38 is otherwise ready to be distributed, it shall be distributed in kind to
39 whatever extent it is practicable, unless the terms of the will otherwise
40 provide or unless a partition sale is ordered. Except as provided in
41 subsection (b) of this section, any general legatee may elect to take the
42 value of ~~his~~ **the legatee's** legacy in kind, and any distributee, who by



1 the terms of the will is to receive land or any other thing to be
 2 purchased by the personal representative, may, if ~~he~~ **the distributee**
 3 notifies the personal representative before the thing is purchased, elect
 4 to take the purchase price or property of the estate which the personal
 5 representative would otherwise sell to obtain such purchase price.
 6 Values for the purposes of such distributions in kind shall be
 7 determined at a time not more than ten (10) days prior to the filing of
 8 the petition for distribution, and if necessary to avoid substantial
 9 inequities may be redetermined at any time prior to the order of
 10 distribution.

11 (b) If the terms of the will direct the purchase of an annuity, the
 12 person to whom the income thereof shall be directed to be paid shall
 13 not have the right to elect to take the capital sum directed to be used for
 14 such purchase in lieu of such annuity except to the extent that the will
 15 expressly provides that an assignable annuity be purchased. Nothing
 16 herein contained shall affect the rights of election by a surviving spouse
 17 against a testamentary provision as provided in this article.

18 (c) If property distributed in kind or a security interest therein is
 19 acquired in good faith for value by a purchaser from or lender to a
 20 distributee who has received an instrument or deed of distribution or
 21 release from the personal representative, or is so acquired in good faith
 22 by a purchaser from or lender to a transferee of the distributee, the
 23 purchaser or lender takes title free of any right of an interested person
 24 in the estate and incurs no personal liability to the estate, or to any
 25 interested person, whether or not the distribution was proper or
 26 supported by court order or the authority of the personal representative
 27 was terminated before execution of the instrument or deed. This
 28 subsection protects a purchaser from or lender to a distributee who, as
 29 personal representative, has executed a deed of distribution to ~~himself~~;
 30 **the distributee**, and a purchaser from or lender to any other distributee
 31 or ~~his~~ **the distributee's** transferee. To be protected under this
 32 subsection, a purchaser or lender need not inquire whether a personal
 33 representative acted properly in making the distribution in kind, even
 34 if the personal representative and the distributee are the same person,
 35 or whether the authority of the personal representative had terminated
 36 before the distribution.

37 SECTION 576. IC 29-2-1-9 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. A foreign personal
 39 representative submits ~~himself~~ to the jurisdiction of the courts of this
 40 state by (a) filing authenticated copies of ~~his~~ **the personal**
 41 **representative's** appointment as provided in section 5 of this chapter,
 42 (b) receiving payment of money or taking delivery of personal property



1 under section 2 of this chapter, or (c) doing any act as a personal
 2 representative in this state which would have given the state
 3 jurisdiction over ~~him~~ **the personal representative** as an individual.
 4 Jurisdiction under (b) is limited to the money or value of personal
 5 property collected.

6 SECTION 577. IC 29-2-6-1 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. When any resident
 8 of this state shall have ~~absented himself~~ **been absent** from ~~his~~ **the**
 9 **person's** usual place of residence and gone to parts unknown for a
 10 space of five (5) years, and when, in such case, thirty (30) days' notice
 11 shall have been given to such person by publication in a newspaper of
 12 general circulation published at the capital of the state, and also in a
 13 paper published in the county where ~~he~~ **the person** last resided in such
 14 state, if there be any, it shall be presumed and taken by the court having
 15 probate jurisdiction in the county where such person last resided, or
 16 any county of said state where trust funds or an interest therein have
 17 been left to such person, as hereinafter set out, that such person is dead,
 18 upon presentation of proper proof of such absence and of publication
 19 of notice. Any interest any such absentee would have in any property
 20 under and by the terms of any will shall be administered upon by the
 21 executor of such will the same as though such person were in fact dead;
 22 and where, by the terms of any will, a trust has been created in favor of
 23 such absentee, such trust shall be terminated and the executor of such
 24 will or the trustee in charge of said trust funds shall administer and
 25 dispose of such funds as are provided in such will upon the death of the
 26 cestui que trust: Provided, however, That before any distribution of any
 27 such trust funds shall be made to the person or persons entitled to
 28 receive the same, ~~he or they~~ **the person or persons** shall give security
 29 to the approval of the proper circuit or superior court or probate court
 30 of the county having jurisdiction thereof, in such sum as the court shall
 31 direct, and conditioned that if the absentee shall, in fact, be at the time
 32 alive, ~~he or they~~ **the person or persons** will respectively refund the
 33 amounts received by each, with interest, on demand of said cestui que
 34 trust, said bond to run and be enforced for the period of three (3) years
 35 from the date of the judgment of the court declaring said absentee
 36 legally dead, and if, during said period of three (3) years, the absentee
 37 shall not appear and demand any rights ~~he~~ **the absentee** may have in
 38 said trust, the rights of the absentee thereto shall be barred; but if the
 39 person or persons entitled to receive the same is or are unable to give
 40 the security aforesaid, then the court shall appoint a trustee, who shall
 41 give bond for the faithful performance of ~~his~~ **the trustee's** duties in one
 42 and one-half times the amount of such money, with sufficient sureties,



1 who shall invest said money at interest, as the court may direct, which
 2 interest is to be paid annually to the person or persons entitled to it, and
 3 the money to remain at interest until the security aforesaid is given, and
 4 if the absentee does not appear and demand said money and ~~his the~~
 5 **absentee's** rights in said trust within said period of three (3) years, the
 6 court shall order the money so held by such trustee so appointed by
 7 said court to be paid to the person or persons entitled to it absolutely.
 8 The provisions of this section shall apply to all pending and future
 9 administrations of trust funds left to absentees.

10 SECTION 578. IC 30-2-5-3 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. Except as otherwise
 12 provided in this chapter, a corporation or transfer agent making a
 13 transfer of a security pursuant to an assignment by a fiduciary:

14 (a) may assume without inquiry that the assignment, even though
 15 to the fiduciary ~~himself~~ or to ~~his the fiduciary's~~ nominee, is
 16 within ~~his the fiduciary's~~ authority and capacity and is not in
 17 breach of ~~his any~~ fiduciary duties;

18 (b) may assume without inquiry that the fiduciary has complied
 19 with any controlling instrument and with the law of the
 20 jurisdiction governing the fiduciary relationship, including any
 21 law requiring the fiduciary to obtain court approval of the
 22 transfer; and

23 (c) is not charged with notice of and is not bound to obtain or
 24 examine any court record or any recorded or unrecorded
 25 document relating to the fiduciary relationship or the assignment,
 26 even though the record or document is in its possession.

27 SECTION 579. IC 30-4-6-11 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. ~~(Appeals)~~ (a) Any
 29 person ~~considering himself~~ aggrieved by any decision of a court having
 30 jurisdiction in proceedings under this article may prosecute an appeal
 31 to the court having jurisdiction of such an appeal. That appeal shall be
 32 taken as appeals are taken in civil causes.

33 (b) In an appeal, the trustee will be entitled to a stay of proceedings
 34 without bond.

35 SECTION 580. IC 31-16-12-13, AS ADDED BY P.L.80-2010,
 36 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2024]: Sec. 13. If a court finds that a person who holds or has
 38 applied for an employee's permit issued under IC 7.1-3-18-9(a)(3) is
 39 delinquent (as defined in IC 31-25-4-2) as a result of an intentional
 40 violation of an order for child support, the court shall issue an order to
 41 the alcohol and tobacco commission that:

42 (1) requires the person's employee's permit be suspended until



1 further order of the court;

2 (2) orders the ~~chairman~~ **chairperson** of the alcohol and tobacco
3 commission not to issue an employee's permit to the person who
4 is the subject of the order if the person does not currently hold an
5 employee's permit; or

6 (3) orders the ~~chairman~~ **chairperson** of the alcohol and tobacco
7 commission not to renew the employee's permit of the person who
8 is the subject of the order.

9 SECTION 581. IC 32-22-1-2 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) This section does
11 not apply to any sale or contract made and entered into before
12 September 19, 1881.

13 (b) In all sales of real estate by a person less than eighteen (18)
14 years of age, the person may not disaffirm the sale without first
15 restoring to the purchaser the consideration received in the sale, if the
16 person falsely represented ~~himself or herself~~ to the purchaser to be at
17 least eighteen (18) years of age and the purchaser acted in good faith,
18 relied upon the person's representations in the sale, and had good cause
19 to believe the person to be at least eighteen (18) years of age.

20 SECTION 582. IC 33-26-2-4 IS AMENDED TO READ AS
21 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) Except as
22 otherwise provided in this section, a vacancy on the tax court shall be
23 filled as provided in IC 33-27.

24 (b) Before the expiration of the sixty (60) day period prescribed by
25 IC 33-27-3-4, the governor shall:

26 (1) appoint to the tax court one (1) of the three (3) persons
27 initially nominated by the judicial nominating commission; or

28 (2) reject all the persons initially nominated by the commission.

29 If the governor does reject all the nominees, the governor shall notify
30 the ~~chairman~~ **chairperson** of the judicial nominating commission of
31 that action. The commission shall then submit the nominations of three
32 (3) new candidates to the governor not later than forty (40) days after
33 receipt of the notice. The governor shall fill the vacancy on the tax
34 court by appointing one (1) of the new candidates within sixty (60)
35 days from the date the names of the new candidates are submitted by
36 the commission.

37 SECTION 583. IC 33-27-2-1 IS AMENDED TO READ AS
38 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) The governor
39 shall appoint three (3) nonattorney citizens of Indiana, one (1) each
40 from the First District, the Second District, and the Third District of the
41 court of appeals, as commissioners of the judicial nominating
42 commission.



1 (b) One (1) month before the expiration of a term of office of a
2 nonattorney commissioner, the governor shall either reappoint the
3 commissioner as provided in section 5 of this chapter or appoint a new
4 nonattorney commissioner. All appointments made by the governor to
5 the judicial nominating commission shall be certified to the secretary
6 of state and to the clerk of the supreme court not later than ten (10)
7 days after the appointment.

8 (c) Except as provided in subsection (e), the governor shall appoint
9 each nonattorney commissioner for a term of three (3) years.

10 (d) An appointed nonattorney commissioner must reside in the court
11 of appeals district for which the nonattorney commissioner was
12 appointed. A nonattorney commissioner is considered to have resigned
13 the position if the residency of the nonattorney commissioner changes
14 from the court of appeals district for which the nonattorney
15 commissioner was appointed.

16 (e) When a vacancy occurs in the office of a nonattorney
17 commissioner, the ~~chairman~~ **chairperson** of the commission shall
18 promptly notify the governor in writing. Vacancies in the office of
19 nonattorney commissioners shall be filled by appointment by the
20 governor not later than sixty (60) days after the governor receives
21 notice of the vacancy. The term of the nonattorney commissioner
22 appointed to fill the vacancy is for the unexpired term of the member
23 whose vacancy the new nonattorney commissioner has filled.

24 SECTION 584. IC 33-27-3-1 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) When a vacancy
26 occurs in the supreme court, the court of appeals, or the tax court, the
27 clerk of the court shall promptly notify the ~~chairman~~ **chairperson** of
28 the commission of the vacancy.

29 (b) The ~~chairman~~ **chairperson** shall call a meeting of the
30 commission not later than twenty (20) days after receiving the notice.

31 (c) The commission shall submit the nominations of three (3)
32 candidates for the vacancy and certify them to the governor as promptly
33 as possible, but not later than seventy (70) days after the time the
34 vacancy occurs.

35 (d) When it is known that a vacancy will occur at a definite future
36 date, but the vacancy has not yet occurred, the clerk shall notify the
37 commission immediately of the future vacancy, and the commission
38 may, not later than sixty (60) days after receiving the notice of the
39 vacancy, make nominations and submit to the governor the names of
40 three (3) persons nominated for the future vacancy.

41 SECTION 585. IC 33-27-3-6 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 6. (a) The judicial



1 nominating commission shall meet as necessary to discharge the
 2 commission's responsibilities under the Constitution of the State of
 3 Indiana and the state laws. Meetings of the commission shall be called
 4 by the ~~chairman~~, **chairperson**, or if the ~~chairman~~ **chairperson** fails to
 5 call a meeting when a meeting is necessary, upon the call of any four
 6 (4) members of the commission. When a meeting is called, the
 7 ~~chairman~~ **chairperson** shall give each member of the commission at
 8 least five (5) days written notice by mail of the time and place of the
 9 meeting unless the commission at its previous meeting designated the
 10 time and place of the next meeting.

11 (b) Meetings of the commission must be held at a place in Indiana,
 12 as arranged by the ~~chairman~~ **chairperson** of the commission.

13 (c) The commission shall act only at a meeting and may act only on
 14 the concurrence of a majority of the members attending a meeting. The
 15 commission may not vote to reduce the number of candidates for
 16 further consideration or to submit or not submit the list of nominees
 17 under subsection (e) during an executive session. Four (4) members
 18 constitute a quorum.

19 (d) The commission may adopt reasonable and proper rules for the
 20 conduct of its proceedings and the discharge of its duties. The rules
 21 must comply with this chapter and include procedures by which
 22 eligible candidates for a vacancy in the supreme court or court of
 23 appeals may submit their names to the commission. The rules are
 24 public records, and the meetings of the commission at which the rules
 25 are considered for initial adoption or amendment must be publicly
 26 announced and open to the public.

27 (e) Notwithstanding IC 5-14-1.5-2, the commission is a public
 28 agency for the purposes of IC 5-14-1.5. The commission may meet in
 29 executive session under IC 5-14-1.5-6.1 for the consideration of a
 30 candidate for judicial appointment if:

31 (1) notice of the executive session is given in the manner
 32 prescribed by IC 5-14-1.5-5;

33 (2) all interviews of candidates are conducted at meetings open to
 34 the public; and

35 (3) copies of all attributable communications (as defined in
 36 section 2(i) of this chapter) concerning the candidates have been
 37 provided to all commission members and made available for
 38 public inspection and copying.

39 SECTION 586. IC 33-33-2-33 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 33. (a) The judicial
 41 nominating commission consists of seven (7) members, the majority of
 42 whom shall form a quorum. The chief justice of the supreme court (or



1 a justice of the supreme court or judge of the court of appeals
 2 designated by the chief justice) shall be a member and shall act as
 3 ~~chairman~~ **chairperson**. Persons who are admitted to the practice of
 4 law and who reside in Allen County shall, under sections 35 and 36 of
 5 this chapter, elect three (3) members to serve on the commission. The
 6 governor shall appoint to the commission three (3) residents of Allen
 7 County who are not admitted to the practice of law. However, not more
 8 than two (2) of these appointees may be from the same political party.
 9 If the governor fails to appoint any of the nonattorney commission
 10 members within the time required under section 34 of this chapter, the
 11 appointment shall be made by the chief justice of the supreme court.

12 (b) A member of the commission other than a judge or justice may
 13 not hold any other salaried public office, and a member may not hold
 14 an office in a political party or organization. A member of the
 15 commission is ineligible for appointment to a judicial office in Allen
 16 County while the member is a member of the commission and for three
 17 (3) years thereafter. If any member of the commission other than a
 18 judge or justice terminates the member's residence in Allen County, the
 19 member is considered to have resigned from the commission.

20 SECTION 587. IC 33-33-2-34 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 34. (a) The governor
 22 shall appoint the three (3) nonattorney members of the commission.

23 (b) One (1) month before the expiration of a term of office of a
 24 nonattorney commissioner, the governor shall:

- 25 (1) reappoint the commissioner; or
- 26 (2) appoint a replacement.

27 All appointments shall be certified to the secretary of state, the clerk of
 28 the supreme court, and the clerk of Allen superior court not more than
 29 ten (10) days after the appointment.

30 (c) After their initial terms, the governor shall appoint each
 31 nonattorney commissioner for a term of four (4) years.

32 (d) When a vacancy occurs in the office of a nonattorney
 33 commissioner, the ~~chairman~~ **chairperson** of the commission shall
 34 promptly notify the governor in writing of that fact. Vacancies in the
 35 office of nonattorney commissioners shall be filled by appointment of
 36 the governor not more than sixty (60) days after the governor has notice
 37 of the vacancy. The nonattorney commissioner appointed shall serve
 38 during the unexpired term of the member whose vacancy the
 39 nonattorney commissioner has filled.

40 SECTION 588. IC 33-33-2-36 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 36. The attorney
 42 members of the commission shall be elected by the following process:



- 1 (1) The clerk of the superior court shall, at least ninety (90) days
 2 before the date of election, notify all attorneys in Allen County of
 3 the election by mail, informing them that nominations must be
 4 made to the clerk of the superior court at least sixty (60) days
 5 before the election.
- 6 (2) A nomination in writing, accompanied by a signed petition of
 7 ten (10) attorney electors and the written consent of the qualified
 8 nominee, shall be filed by an attorney elector in the office of the
 9 clerk at least sixty (60) days before the election.
- 10 (3) The clerk shall prepare and print ballots containing the names
 11 and residential addresses of all attorney nominees whose written
 12 nominations, petitions, and written statements of consent have
 13 been received sixty (60) days before the election.
- 14 (A) The ballot must read:
 15 "ALLEN SUPERIOR COURT
 16 NOMINATING COMMISSION BALLOT
 17 To be cast by individuals residing in Allen County and admitted to
 18 the practice of law in Indiana. Vote for not more than three (3) of the
 19 following candidates for terms commencing _____.
 20 (Name) (Address)
 21 (Name) (Address)
 22 (etc.) (etc.)
 23 To be counted, this ballot must be completed, the accompanying
 24 certificate completed and signed, and both together mailed or delivered
 25 to the clerk of the Allen Superior Court not later than
 26 _____.
 27 DESTROY BALLOT IF NOT USED".
- 28 (B) The three (3) nominees receiving the most votes are
 29 elected.
- 30 (4) The clerk shall also supply with each ballot distributed by the
 31 clerk a certificate, to be completed and signed and returned by the
 32 attorney elector voting the ballot, certifying that the attorney
 33 elector is admitted to the practice of law in Indiana, that the
 34 attorney elector resides in Allen County, and that the attorney
 35 elector voted the ballot returned. A ballot not accompanied by the
 36 signed certificate of the voter may not be counted.
- 37 (5) A separate envelope shall be provided by the clerk for the
 38 ballot, in which only the voted ballot is to be placed. This
 39 envelope may not be opened until the counting of the ballots.
- 40 (6) The clerk of the superior court shall mail a ballot and its
 41 accompanying material to all qualified electors at least two (2)
 42 weeks before the date of election.



1 (7) Upon receiving the completed ballots and the accompanying
 2 certificates, the clerk shall ensure that the certificates have been
 3 completed in compliance with this chapter. All ballots that are
 4 accompanied by a valid certificate shall be placed in a package
 5 designated to contain ballots. All accompanying certificates shall
 6 be placed in a separate package.

7 (8) The clerk, with the assistance of the Allen County election
 8 board, shall open and canvass all ballots after 4 p.m. on the day
 9 of the election in the office of the clerk of the Allen superior
 10 court. A ballot received after 4 p.m. may not be counted unless
 11 the ~~chairman~~ **chairperson** of the judicial nominating commission
 12 orders an extension of time because of extraordinary
 13 circumstances. Upon canvassing the ballots the clerk shall place
 14 all ballots in their package. These, along with the certificates,
 15 shall be retained in the clerk's office for six (6) months, and the
 16 clerk may not permit anyone to inspect them except upon an order
 17 of the court of appeals.

18 (9) If two (2) or more nominees are tied so that one (1) additional
 19 vote cast for one (1) of them would give that nominee a plurality,
 20 the canvassers shall resolve the tie by lot, and the winner of the
 21 lot is considered to have been elected.

22 SECTION 589. IC 33-33-2-39 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 39. (a) When a judge
 24 of the superior court:

25 (1) dies, resigns, is removed from office; or

26 (2) is for any reason ineligible to continue or incapable of
 27 continuing in office until the end of the judge's term in office;

28 a judge in another division may not more than thirty (30) days after the
 29 vacancy occurs transfer to the vacant position for the remainder of the
 30 transferring judge's term. A judge who has made one (1) transfer is
 31 ineligible to make any other transfers. If more than one (1) judge
 32 desires to transfer, the most senior of these judges is entitled to transfer.
 33 After a transfer, or the thirty (30) day period if a transfer is not made,
 34 the commission shall meet to nominate three (3) candidates to fill the
 35 unexpired term of the vacancy caused by the transferring judge or the
 36 original vacancy if a transfer is not made.

37 (b) The clerk shall promptly notify the members of the commission
 38 of a vacancy that the commission must fill under subsection (a), and the
 39 ~~chairman~~ **chairperson** shall call a meeting of the commission within
 40 ten (10) days following that notice. The commission shall submit its
 41 nominations of three (3) candidates for the vacancy and shall certify
 42 them to the governor not later than sixty (60) days after the vacancy



1 occurred. When it is known that a vacancy will occur at a definite
2 future date within the term of the governor then serving:

3 (1) the clerk shall notify the ~~chairman~~ **chairperson** and each
4 member of the commission immediately; and

5 (2) the ~~chairman~~ **chairperson** shall call a meeting of the
6 commission within ten (10) days following that notice.

7 The commission may then submit its nominations of three (3)
8 candidates for each impending vacancy and shall certify them to the
9 governor.

10 (c) Meetings of the commission shall be called by its ~~chairman;~~
11 **chairperson**, or, if the ~~chairman~~ **chairperson** fails to call a necessary
12 meeting, upon the call of any four (4) members of the commission.
13 Written notice of a meeting shall be given by mail to each member of
14 the commission at least five (5) days before the meeting, unless the
15 commission at its previous meeting designated the time and place of its
16 next meeting.

17 (d) Meetings of the commission may be held in the Allen County
18 courthouse or in another public building in Allen County designated by
19 the commission.

20 (e) The commission shall act only at a meeting and may act only by
21 the concurrence of a majority of its members attending a meeting. The
22 commission may adopt rules for the conduct of its proceedings and the
23 discharge of its duties.

24 SECTION 590. IC 33-33-71-35, AS AMENDED BY P.L.204-2021,
25 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2024]: Sec. 35. A person who has been appointed to a full four
27 (4) year term upon the commission may not ~~succeed himself or herself~~
28 **serve a successive term** or be eligible for appointment to the
29 commission for four (4) years after the expiration of the term to which
30 the person was appointed.

31 SECTION 591. IC 33-33-71-61 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 61. Upon making a
33 determination recommending the censure, retirement, or removal of a
34 judge, the commission on judicial qualifications shall promptly file a
35 copy of the recommendation certified by the ~~chairman~~ **chairperson** or
36 secretary of the commission, together with the transcript and findings
37 and conclusions, with the clerk of the supreme court and shall promptly
38 mail to the judge and to the counsel notice of the filing, together with
39 a copy of the recommendation, finding, and conclusions.

40 SECTION 592. IC 33-33-71-64 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 64. Subpoenas for the
42 attendance of witnesses and the production of documentary evidence



1 between the commission on judicial qualifications or for discovery
2 shall be issued by the ~~chairman~~ **chairperson** of the commission and
3 shall be served in the manner provided by law for the service of
4 process.

5 SECTION 593. IC 33-33-71-66 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 66. All papers and
7 pleadings filed with the ~~chairman~~ **chairperson** of the commission on
8 judicial qualifications at the ~~chairman's~~ **chairperson's** office shall be
9 considered filed with the commission.

10 SECTION 594. IC 33-38-13-9 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. (a) The commission
12 shall meet as necessary to discharge its statutory and constitutional
13 responsibilities. Meetings of the commission shall be called in the same
14 manner as prescribed for the judicial nominating commission. Four (4)
15 members of the commission constitute a quorum for the transaction of
16 business.

17 (b) Meetings of the commission shall be held in Indiana as the
18 ~~chairman~~ **chairperson** of the commission arranges.

19 (c) The commission may act only at a meeting. The commission
20 may adopt rules and regulations to conduct meetings and discharge its
21 duties.

22 SECTION 595. IC 33-38-13-24 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 24. (a) The ~~chairman~~
24 **chairperson** of the commission may extend the time for:

- 25 (1) filing an answer;
- 26 (2) conducting a hearing before the commission; and
- 27 (3) filing objections to the report of the masters.

28 (b) The presiding master may, with the approval of the ~~chairman~~
29 **chairperson** of the commission, extend the time for conducting a
30 hearing before the masters.

31 SECTION 596. IC 33-38-13-28 IS AMENDED TO READ AS
32 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 28. Upon
33 recommending the censure, retirement, or removal of a justice or judge,
34 the commission shall promptly file the following with the clerk of the
35 supreme court:

- 36 (1) A copy of the recommendation certified by the ~~chairman~~
37 **chairperson** or secretary of the commission.
- 38 (2) A transcript of the evidence.
- 39 (3) Findings of fact and conclusions of law.

40 The commission shall promptly mail to the justice or judge and the
41 counsel notice of the filing and copies of the filed documents.

42 SECTION 597. IC 33-38-13-31 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 31. (a) A master may
2 issue a subpoena for:

- 3 (1) the attendance of witnesses;
4 (2) the production of documentary evidence; or
5 (3) discovery;

6 in a proceeding before the masters. The master shall serve the
7 subpoena in the manner provided by law.

8 (b) The ~~chairman~~ **chairperson** of the commission may issue a
9 subpoena for:

- 10 (1) the attendance of witnesses;
11 (2) the production of documentary evidence; or
12 (3) discovery;

13 in a proceeding before the commission in which masters have not been
14 appointed. The ~~chairman~~ **chairperson** shall serve the subpoena in the
15 manner provided by law.

16 SECTION 598. IC 33-38-13-33, AS AMENDED BY P.L.2-2005,
17 SECTION 111, IS AMENDED TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2024]: Sec. 33. All papers and pleadings filed
19 with the office of the ~~chairman~~ **chairperson** of the commission are
20 considered to have been filed with the commission.

21 SECTION 599. IC 33-38-14-11 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. (a) The commission
23 shall meet as necessary to discharge its statutory responsibilities.
24 Meetings of the commission shall be called in the same manner as
25 prescribed for the judicial nominating commission. Four (4) members
26 of the commission constitute a quorum.

27 (b) Commission meetings are to be held in Indiana on the call of the
28 ~~chairman~~ **chairperson**.

29 (c) The commission may act only at a meeting. The commission
30 may adopt rules and regulations to conduct its meetings and discharge
31 its duties.

32 SECTION 600. IC 33-38-14-26 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 26. (a) The ~~chairman~~
34 **chairperson** of the commission may extend the time for:

- 35 (1) filing an answer;
36 (2) commencing a hearing before the commission; or
37 (3) filing objections to the report of the masters.

38 (b) The presiding master, with the approval of the ~~chairman~~
39 **chairperson** of the commission, may extend the time for commencing
40 a hearing before the masters.

41 SECTION 601. IC 33-38-14-30 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 30. Upon



1 recommending the discipline, retirement, or removal of a judge, the
 2 commission shall file a copy of each of the following with the clerk of
 3 the supreme court:

- 4 (1) The recommendation certified by the ~~chairman~~ **chairperson**
 5 or secretary of the commission.
- 6 (2) The transcript.
- 7 (3) The findings of fact and conclusions of law.

8 The commission shall mail to the judge and the counsel notice of the
 9 filing and copies of the filed documents.

10 SECTION 602. IC 33-38-14-33 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 33. (a) A master may
 12 issue a subpoena for:

- 13 (1) the attendance of witnesses;
- 14 (2) the production of documentary evidence; or
- 15 (3) discovery;

16 in a proceeding before the masters. The master shall serve the
 17 subpoena in the manner provided by law.

18 (b) The ~~chairman~~ **chairperson** of the commission may issue a
 19 subpoena for:

- 20 (1) the attendance of witnesses;
- 21 (2) the production of documentary evidence; or
- 22 (3) discovery;

23 in a proceeding before the commission or in which masters have not
 24 been appointed. The ~~chairman~~ **chairperson** shall serve the subpoena
 25 in the manner provided by law.

26 SECTION 603. IC 33-38-14-35 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 35. All papers and
 28 pleadings filed with the office of the ~~chairman~~ **chairperson** of the
 29 commission are considered filed with the commission.

30 SECTION 604. IC 33-40-2-2 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. Upon receiving a
 32 written request under section 1 of this chapter, the state public defender
 33 shall:

- 34 (1) accept ~~the~~ appointment; ~~himself or herself~~;
- 35 (2) appoint any of the state public defender's deputies; or
- 36 (3) appoint any practicing attorney:
 - 37 (A) admitted to the practice of law in Indiana; and
 - 38 (B) who is competent to practice law in criminal cases;

39 subject to the concurring appointment, of record, by the requesting
 40 judge.

41 SECTION 605. IC 34-18-1-2, AS ADDED BY P.L.220-2011,
 42 SECTION 552, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) The addition of
 2 IC 16-9.5-2-2.1, IC 16-9.5-2-2.2, IC 16-9.5-2-2.3, and IC 16-9.5-2-2.4
 3 (before their repeal) by P.L.179-1985 does not apply to medical
 4 malpractice claims initiated through the filing of a proposed complaint
 5 under IC 16-9.5-9-1 (before its repeal) before June 1, 1985.

6 (b) The amendments made to IC 16-9.5-9-10 (before its repeal) by
 7 P.L.180-1985 do not apply to the ~~chairman~~ **chairperson** of a medical
 8 review panel formed before September 1, 1985.

9 SECTION 606. IC 34-18-10-3 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) A medical review
 11 panel consists of one (1) attorney and three (3) health care providers.

12 (b) The attorney member of the medical review panel shall act as
 13 ~~chairman~~ **chairperson** of the panel and in an advisory capacity but may
 14 not vote.

15 (c) The ~~chairman~~ **chairperson** of the medical review panel shall
 16 expedite the selection of the other panel members, convene the panel,
 17 and expedite the panel's review of the proposed complaint. The
 18 ~~chairman~~ **chairperson** may establish a reasonable schedule for
 19 submission of evidence to the medical review panel but must allow
 20 sufficient time for the parties to make full and adequate presentation of
 21 related facts and authorities.

22 SECTION 607. IC 34-18-10-4 IS AMENDED TO READ AS
 23 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. A medical review
 24 panel shall be selected in the following manner:

25 (1) Within fifteen (15) days after the filing of a request for
 26 formation of a medical review panel under section 2 of this
 27 chapter, the parties shall select a panel ~~chairman~~ **chairperson** by
 28 agreement. If no agreement on a panel ~~chairman~~ **chairperson** can
 29 be reached, either party may request the clerk of the supreme
 30 court to draw at random a list of five (5) names of attorneys who:

31 (A) are qualified to practice;

32 (B) are presently on the rolls of the supreme court; and

33 (C) maintain offices in the county of venue designated in the
 34 proposed complaint or in a contiguous county.

35 (2) Before selecting the random list, the clerk shall collect a
 36 twenty-five dollar (\$25) medical review panel selection fee from
 37 the party making the request for the formation of the random list.

38 (3) The clerk shall notify the parties, and the parties shall then
 39 strike names alternately with the plaintiff striking first until one
 40 (1) name remains. The remaining attorney shall be the ~~chairman~~
 41 **chairperson** of the panel.

42 (4) After the striking, the plaintiff shall notify the ~~chairman~~



- 1 **chairperson** and all other parties of the name of the ~~chairman~~
 2 **chairperson**.
 3 (5) If a party does not strike a name within five (5) days after
 4 receiving notice from the clerk:
 5 (A) the opposing party shall, in writing, request the clerk to
 6 strike for the party; and
 7 (B) the clerk shall strike for that party.
 8 (6) When one (1) name remains, the clerk shall within five (5)
 9 days notify the ~~chairman~~ **chairperson** and all other parties of the
 10 name of the ~~chairman~~ **chairperson**.
 11 (7) Within fifteen (15) days after being notified by the clerk of
 12 being selected as ~~chairman~~, **chairperson**, the ~~chairman~~
 13 **chairperson** shall:
 14 (A) send a written acknowledgment of appointment to the
 15 clerk; or
 16 (B) show good cause for relief from serving as provided in
 17 section 12 of this chapter.
- 18 SECTION 608. IC 34-18-10-9 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 9. Within fifteen (15)
 20 days after the ~~chairman~~ **chairperson** is selected, both parties shall
 21 select a health care provider and the parties shall notify the other party
 22 and the ~~chairman~~ **chairperson** of their selection. If a party fails to
 23 make a selection within the time provided, the ~~chairman~~ **chairperson**
 24 shall make the selection and notify both parties. Within fifteen (15)
 25 days after their selection, the health care provider members shall select
 26 the third member within the time provided and notify the ~~chairman~~
 27 **chairperson** and the parties. If the providers fail to make a selection,
 28 the ~~chairman~~ **chairperson** shall make the selection and notify both
 29 parties.
- 30 SECTION 609. IC 34-18-10-11 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 11. When a medical
 32 review panel is formed, the ~~chairman~~ **chairperson** shall within five (5)
 33 days notify the commissioner and the parties by registered or certified
 34 mail of the following:
 35 (1) The names and addresses of the panel members.
 36 (2) The date on which the last member was selected.
- 37 SECTION 610. IC 34-18-10-12 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 12. (a) A member of a
 39 medical review panel who is selected under this chapter shall serve
 40 unless:
 41 (1) the parties by agreement excuse the panelist; or
 42 (2) the panelist is excused as provided in this section for good



1 cause shown.

2 (b) To show good cause for relief from serving, the attorney selected
3 as ~~chairman~~ **chairperson** of a medical review panel must serve an
4 affidavit upon the clerk of the supreme court. The affidavit must set out
5 the facts showing that service would constitute an unreasonable burden
6 or undue hardship. The clerk may excuse the attorney from serving.
7 The attorney shall notify all parties, who shall then select a new
8 ~~chairman~~ **chairperson** as provided in section 4 of this chapter.

9 (c) To show good cause for relief from serving, a health care
10 provider member of a medical review panel must serve an affidavit
11 upon the panel ~~chairman~~ **chairperson**. The affidavit must set out the
12 facts showing that service would constitute an unreasonable burden or
13 undue hardship. The ~~chairman~~ **chairperson** may excuse the member
14 from serving and notify all parties.

15 SECTION 611. IC 34-18-10-13 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 13. (a) The panel shall
17 give its expert opinion within one hundred eighty (180) days after the
18 selection of the last member of the initial panel. However, if:

19 (1) the ~~chairman~~ **chairperson** of the panel is removed under
20 section 15 of this chapter, another member of the panel is
21 removed under section 16 of this chapter, or any member of the
22 panel, including the ~~chairman~~, **chairperson**, is removed by a
23 court order; and

24 (2) a new member is selected to replace the removed member
25 more than ninety (90) days after the last member of the initial
26 panel is selected;

27 the panel has ninety (90) days after the selection of the new member to
28 give an expert opinion.

29 (b) If the panel has not given an opinion within the time allowed
30 under subsection (a), the panel shall submit a report to the
31 commissioner, stating the reasons for the delay.

32 SECTION 612. IC 34-18-10-15 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 15. (a) The
34 commissioner may remove the ~~chairman~~ **chairperson** of the panel if
35 the commissioner determines that the ~~chairman~~ **chairperson** is not
36 fulfilling the duties imposed upon the ~~chairman~~ **chairperson** by this
37 chapter.

38 (b) If the ~~chairman~~ **chairperson** is removed under this section, a
39 new ~~chairman~~ **chairperson** shall be selected under this chapter.

40 SECTION 613. IC 34-18-10-16 IS AMENDED TO READ AS
41 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 16. (a) The ~~chairman~~
42 **chairperson** may remove a member of the panel if the ~~chairman~~



1 **chairperson** determines that the member is not fulfilling the duties
2 imposed upon the panel members by this chapter.

3 (b) If a member is removed under this section, a new member shall
4 be selected under this chapter.

5 SECTION 614. IC 34-18-10-17 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 17. (a) The evidence in
7 written form to be considered by the medical review panel shall be
8 promptly submitted by the respective parties.

9 (b) The evidence may consist of medical charts, x-rays, lab tests,
10 excerpts of treatises, depositions of witnesses including parties, and
11 any other form of evidence allowable by the medical review panel.

12 (c) Depositions of parties and witnesses may be taken before the
13 convening of the panel.

14 (d) The ~~chairman~~ **chairperson** shall ensure that before the panel
15 gives its expert opinion under section 22 of this chapter, each panel
16 member has the opportunity to review every item of evidence
17 submitted by the parties.

18 (e) Before considering any evidence or deliberating with other panel
19 members, each member of the medical review panel shall take an oath
20 in writing on a form provided by the panel ~~chairman~~; **chairperson**,
21 which must read as follows:

22 "I (swear) (affirm) under penalties of perjury that I will well and
23 truly consider the evidence submitted by the parties; that I will
24 render my opinion without bias, based upon the evidence
25 submitted by the parties, and that I have not and will not
26 communicate with any party or representative of a party before
27 rendering my opinion, except as authorized by law."

28 SECTION 615. IC 34-18-10-19 IS AMENDED TO READ AS
29 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 19. The ~~chairman~~
30 **chairperson** of the panel shall advise the panel relative to any legal
31 question involved in the review proceeding and shall prepare the
32 opinion of the panel as provided in section 22 of this chapter.

33 SECTION 616. IC 34-18-10-20 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 20. (a) Either party,
35 after submission of all evidence and upon ten (10) days notice to the
36 other side, has the right to convene the panel at a time and place
37 agreeable to the members of the panel. Either party may question the
38 panel concerning any matters relevant to issues to be decided by the
39 panel before the issuance of the panel's report.

40 (b) The ~~chairman~~ **chairperson** of the panel shall preside at all
41 meetings. Meetings shall be informal.

42 SECTION 617. IC 34-18-10-25, AS AMENDED BY P.L.182-2016,



1 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2024]: Sec. 25. (a) Each health care provider member of the
3 medical review panel is entitled to be paid:

4 (1) up to five hundred dollars (\$500) for all work performed as a
5 member of the panel, exclusive of time involved if called as a
6 witness to testify in court; and

7 (2) reasonable travel expense.

8 (b) The ~~chairman~~ **chairperson** of the panel is entitled to be paid:

9 (1) at the rate of two hundred fifty dollars (\$250) per diem, not to
10 exceed two thousand five hundred dollars (\$2,500); and

11 (2) reasonable travel expenses.

12 (c) The ~~chairman~~ **chairperson** shall keep an accurate record of the
13 time and expenses of all the members of the panel. The record shall be
14 submitted to the parties for payment with the panel's report.

15 (d) Fees of the panel, including travel expenses and other expenses
16 of the review, shall be paid by the side in whose favor the majority
17 opinion is written. If there is no majority opinion, each side shall pay
18 fifty percent (50%) of the cost.

19 SECTION 618. IC 34-18-10-26 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 26. The ~~chairman~~
21 **chairperson** shall submit a copy of the panel's report to:

22 (1) the commissioner; and

23 (2) all parties and attorneys;

24 by registered or certified mail within five (5) days after the panel gives
25 its opinion.

26 SECTION 619. IC 34-18-11-2 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) A party to a
28 proceeding commenced under this article, the commissioner, or the
29 ~~chairman~~ **chairperson** of a medical review panel, if any, may invoke
30 the jurisdiction of the court by paying the statutory filing fee to the
31 clerk and filing a copy of the proposed complaint and motion with the
32 clerk.

33 (b) The filing of a copy of the proposed complaint and motion with
34 the clerk confers jurisdiction upon the court over the subject matter and
35 the parties to the proceeding for the limited purposes stated in this
36 chapter, including the taxation and assessment of costs or the
37 allowance of expenses, including reasonable attorney's fees, or both.

38 (c) The moving party or the moving party's attorney shall cause as
39 many summonses as are necessary to be issued by the clerk and served
40 on the commissioner, each nonmoving party to the proceedings, and the
41 ~~chairman~~ **chairperson** of the medical review panel, if any, unless the
42 commissioner or the ~~chairman~~ **chairperson** is the moving party,



1 together with a copy of the proposed complaint and a copy of the
 2 motion under Rules 4 through 4.17 of the Indiana Rules of Trial
 3 Procedure.

4 SECTION 620. IC 34-18-11-3 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) Each nonmoving
 6 party to the proceeding, including the commissioner and the ~~chairman~~
 7 **chairperson** of the medical review panel, if any, shall have a period of
 8 twenty (20) days after service, or a period of twenty-three (23) days
 9 after service if service is by mail, to appear and file and serve a written
 10 response to the motion, unless the court, for cause shown, orders the
 11 period enlarged.

12 (b) The court shall enter a ruling on the motion:

13 (1) within thirty (30) days after the motion is heard; or

14 (2) if no hearing is requested, granted or ordered, within thirty

15 (30) days after the date on which the last written response to the
 16 motion is filed.

17 (c) The court shall order the clerk to serve a copy of the court's
 18 ruling on the motion by ordinary mail on the commissioner, each party
 19 to the proceeding, and the ~~chairman~~ **chairperson** of the medical review
 20 panel, if any.

21 SECTION 621. IC 34-30-2.1-66, AS ADDED BY P.L.105-2022,
 22 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2024]: Sec. 66. IC 7.1-2-8-2 (Concerning the alcohol and
 24 tobacco commission, its ~~chairman~~ **chairperson** and ~~chairman~~
 25 **chairperson** pro tempore, and the state for claim arising from
 26 collection of money under alcoholic beverage laws).

27 SECTION 622. IC 34-30-15-10 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. Except in cases as
 29 authorized in this chapter, the evidentiary privileges created by this
 30 chapter shall be invoked by all witnesses and organizations in all
 31 judicial and administrative proceedings unless the witness or
 32 organization first has a waiver of the privilege executed in writing, on
 33 behalf of the peer review committee holding the privilege, by its
 34 ~~chairman~~, **chairperson**, vice ~~chairman~~, **chairperson**, or secretary.

35 SECTION 623. IC 34-30-15.5-8, AS ADDED BY P.L.101-2021,
 36 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2024]: Sec. 8. (a) No member, consultant, or participant who
 38 participates in a wellness program shall be required to report a licensed
 39 physician to the medical licensing board for any act, omission,
 40 statement, discovery, or disclosure subject to a wellness program's
 41 consideration or review unless one (1) or more of the following
 42 circumstances exist:



- 1 (1) The licensed physician is not competent to continue practice.
 2 (2) The licensed physician presents a danger to:
 3 (A) ~~himself or herself~~; **the licensed physician**; or
 4 (B) the health and welfare of:
 5 (i) the licensed physician's patients; or
 6 (ii) the general public.
 7 (b) The referral of a licensed physician from a wellness program to
 8 an impaired physician committee shall not require the reporting of the
 9 licensed physician to the medical licensing board and does not violate
 10 any privilege or confidentiality established by this chapter.
 11 SECTION 624. IC 34-55-8-3 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. When the plaintiff
 13 or the plaintiff's agent or attorney, at the time of applying for the order
 14 or at any time afterwards, makes and files an affidavit with the court,
 15 stating that:
 16 (1) there is danger of the debtor leaving the state or concealing
 17 ~~himself or herself~~; **the debtor's whereabouts**; and
 18 (2) there is reason to believe the debtor has property, rights,
 19 credits, moneys, or effects that the debtor unjustly refuses to apply
 20 to the judgment, with intent to defraud the creditor;
 21 the court shall issue to the sheriff of the county an order of arrest and
 22 bail.
 23 SECTION 625. IC 34-55-10-13 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 13. In any case when
 25 the execution defendant is absent from Indiana, or is absent ~~himself or~~
 26 ~~herself~~ from **the execution defendant's** home, and an attachment or
 27 execution is directed against the execution defendant's property, the
 28 spouse may:
 29 (1) make out and verify the schedule of the absent spouse's
 30 property, and claim and receive for the absent spouse the
 31 exemption provided in this chapter; and
 32 (2) claim and exercise all the rights that would belong to the
 33 absent spouse if the absent spouse were present.
 34 SECTION 626. IC 35-33-6-2, AS AMENDED BY P.L.77-2009,
 35 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2024]: Sec. 2. (a) An owner or agent of a store who has
 37 probable cause to believe that a theft has occurred or is occurring on or
 38 about the store and who has probable cause to believe that a specific
 39 person has committed or is committing the theft:
 40 (1) may:
 41 (A) detain the person and request the person to ~~identify~~
 42 ~~himself or herself~~; **provide identification**;



- 1 (B) verify the identification;
- 2 (C) determine whether the person has in the person's
- 3 possession unpurchased merchandise taken from the store;
- 4 (D) inform the appropriate law enforcement officers; and
- 5 (E) inform the person's parents or others interested in the
- 6 person's welfare that the person has been detained; but
- 7 (2) shall not ask the person to make a statement that
- 8 acknowledges that the person committed the theft or conversion
- 9 or waives any of the person's legal rights if:
- 10 (A) the person is less than eighteen (18) years of age; and
- 11 (B) the person has not been afforded an opportunity to have a
- 12 meaningful consultation with ~~his or her~~ **the person's** parent,
- 13 guardian, custodian, or guardian ad litem.
- 14 (b) A statement acknowledging that a child committed theft or
- 15 conversion in violation of subdivision (a)(2) cannot be admitted as
- 16 evidence against the child on the issue of whether the child committed
- 17 a delinquent act or a crime.
- 18 (c) The detention must:
- 19 (1) be reasonable and last only for a reasonable time; and
- 20 (2) not extend beyond the arrival of a law enforcement officer or
- 21 two (2) hours, whichever first occurs.
- 22 SECTION 627. IC 35-33-9-3 IS AMENDED TO READ AS
- 23 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (a) The sureties on
- 24 all appeal bonds must possess the qualifications that are required of
- 25 bail in criminal cases, except the undertaking must also include the
- 26 defendant's promise to:
- 27 (1) faithfully prosecute ~~his~~ **the** appeal;
- 28 (2) abide by the order and judgment of the court to which the
- 29 cause is appealed;
- 30 (3) surrender ~~himself~~ in execution of the judgment if the appeal
- 31 be affirmed or dismissed; and
- 32 (4) surrender ~~himself~~ to the trial court if required by the judgment
- 33 upon reversal.
- 34 (b) If undertaking is given before an appeal has been perfected, the
- 35 undertaking must include a promise that an appeal will be perfected by
- 36 the defendant.
- 37 SECTION 628. IC 35-33-9-4 IS AMENDED TO READ AS
- 38 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. (a) The court in
- 39 which a petition to be admitted to bail is filed shall:
- 40 (1) fix bail in a reasonable amount, considering the nature of the
- 41 offense and the penalty adjudged, as will insure the compliance
- 42 by the defendant with the terms of the bond; and



1 (2) make an order containing the terms of bail.
 2 If the defendant furnishes bail to the satisfaction of the court, ~~he the~~
 3 **defendant** shall be discharged from custody until ~~he the defendant~~ is
 4 required to surrender ~~himself~~ according to the terms of the order.

5 (b) The sureties on the bail bond may, at any time, surrender the
 6 principal of the bond to the court and be released from liability. If the
 7 court so orders, the defendant shall immediately be committed to the
 8 institution to which ~~he the defendant~~ was sentenced unless the court
 9 approves a new bond.

10 (c) If the defendant fails to comply with the terms of the bail bond:

11 (1) the bond shall be forfeited in the court from which the appeal
 12 was taken;

13 (2) a warrant shall be immediately issued for ~~his the defendant's~~
 14 arrest; and

15 (3) upon arrest, ~~he the defendant~~ shall be committed to the
 16 institution to which ~~he the defendant~~ was originally sentenced.

17 SECTION 629. IC 35-33-10-3 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. (1) Where appearing
 19 in this section, the term "governor" includes any person performing the
 20 functions of governor by authority of the law of this state. The term
 21 "executive authority" includes the governor and any person performing
 22 the functions of governor in a state other than this state. The term
 23 "state", referring to a state other than this state, refers to any other state
 24 or territory, organized or unorganized, of the United States of America.

25 (2) Subject to the qualifications of this section and the provisions of
 26 the Constitution of the United States controlling, and acts of congress
 27 in pursuance thereof, it is the duty of the governor of this state to have
 28 arrested and delivered up to the executive authority of any other state
 29 of the United States any person charged in that state with treason, a
 30 felony, or other crime who has fled from justice and is found in this
 31 state.

32 (3) No demand for the extradition of a person charged with crime in
 33 another state shall be recognized by the governor unless in writing and
 34 accompanied by a copy of an indictment found or by an information
 35 supported by affidavit in the state having jurisdiction of the crime, or
 36 by a copy of an affidavit made before a magistrate there, together with
 37 a copy of any warrant which was issued thereon. The indictment,
 38 information, or affidavit made before the magistrate must substantially
 39 charge the person demanded with having committed a crime under the
 40 law of that state; and the copy must be authenticated by the executive
 41 authority making the demand, which shall be prima facie evidence of
 42 its truth.



1 (4) When a demand shall be made upon the governor of this state by
 2 the executive authority of another state for the surrender of a person so
 3 charged with crime, the governor may call upon the attorney general or
 4 any prosecuting officer in this state to investigate or assist in
 5 investigating the demand, and to report to ~~him~~ **the governor** the
 6 situation and circumstances of the person so demanded, and whether
 7 ~~he~~ **the person** ought to be surrendered.

8 (5) A warrant of extradition shall not be issued unless the
 9 documents presented by the executive authority making the demand
 10 show that:

11 (a) except in cases arising under subsection 7 of this section, the
 12 accused was present in the demanding state at the time of the
 13 commission of the alleged crime, and thereafter fled from the
 14 state;

15 (b) the accused is now in this state; and

16 (c) ~~he~~ **the accused** is lawfully charged by indictment found or by
 17 information filed by a prosecuting officer and supported by
 18 affidavit to the facts, or by affidavit made before a magistrate in
 19 that state, with having committed a crime under the laws of that
 20 state, or that ~~he~~ **the accused** has been convicted of a crime in that
 21 state and has escaped from confinement or has broken the terms
 22 of ~~his~~ **the accused's** bail, probation, or parole, or that the sentence
 23 or some portion of it otherwise remains unexecuted and that the
 24 person claimed has not been discharged or otherwise released
 25 from the sentence.

26 (6) When it is desired to have returned to this state a person charged
 27 in this state with a crime, and such person is imprisoned or is held
 28 under criminal proceedings then pending against ~~him~~ **the person** in
 29 another state, the governor of this state may agree with the executive
 30 authority of such other state for the extradition of such person before
 31 the conclusion of such proceedings or ~~his~~ **the person's** term of
 32 sentence in such other state, upon condition that such person be
 33 returned to such other state at the expense of this state as soon as the
 34 prosecution in this state is terminated. The governor of this state may
 35 also surrender on demand of the executive authority of any other state
 36 any person in this state who is charged in the manner provided in
 37 subsection 24 of this section with having violated the laws of the state
 38 whose executive authority is making the demand, even though such
 39 person left the demanding state involuntarily.

40 (7) The governor of this state may also surrender, on demand of the
 41 executive authority of any other state, any person in this state charged
 42 in such other state in the manner provided in subsection 5 of this



1 section with committing an act in this state, or in a third state,
2 intentionally resulting in a crime in the state whose executive authority
3 is making the demand; and the provisions of this section not otherwise
4 inconsistent shall apply to such cases, notwithstanding that the accused
5 was not in that state at the time of the commission of the crime and has
6 not fled therefrom.

7 (8) If the governor shall decide that the demand should be complied
8 with, ~~he~~ **the governor** shall sign a warrant of arrest, which shall be
9 sealed with the state seal, and be directed to a sheriff, marshal, coroner,
10 or other person whom ~~he~~ **the governor** may think fit to entrust with the
11 execution thereof; and the warrant must substantially recite the facts
12 necessary to the validity of its issue.

13 (9) Such warrant shall authorize the officer or other person to whom
14 directed to arrest the accused at any place where ~~he~~ **the accused** may
15 be found within the state, to command the aid of all sheriffs and law
16 enforcement officers in the execution of the warrant, and to deliver the
17 accused subject to the provision of this section, to the duly authorized
18 agent of the demanding state.

19 (10) Every such officer or other person empowered to make the
20 arrest shall have the same authority in arresting the accused to
21 command assistance therein, as sheriffs and other officers have by law
22 in the execution of any criminal process directed to them, with the like
23 penalties against those who refuse their assistance.

24 (11) No person arrested upon such warrant shall be delivered over
25 to the agent whom the executive authority demanding ~~him~~ **the person**
26 shall have appointed to receive ~~him~~ **the person** unless ~~he~~ **the person**
27 has been informed of the demand made for ~~his~~ **the person's** surrender,
28 of the crime with which ~~he~~ **the person** is charged and that ~~he~~ **the**
29 **person** has the right to demand legal counsel; and if the prisoner, his
30 friends, or counsel shall state that ~~he~~ **the prisoner** or they desire to test
31 the legality of the arrest, the prisoner shall be taken forthwith before a
32 judge of a court of record in this state who shall fix a reasonable time
33 to be allowed ~~him~~ **the prisoner** within which to apply for a writ of
34 habeas corpus. And when such writ is applied for, notice thereof, and
35 of the time and place of hearing thereon, shall be given to the public
36 prosecuting officer of the county in which the arrest is made and in
37 which the accused is in custody and to the said agent of the demanding
38 state.

39 (12) An officer who recklessly delivers to the agent for extradition
40 of the demanding state a person in ~~his~~ **the officer's** custody under the
41 governor's warrant in disobedience to subsection 11 of this section
42 commits a Class B misdemeanor.



1 (13) The officer or person executing the governor's warrant of arrest,
2 or the agent of the demanding state to whom the prisoner may have
3 been delivered, may, when necessary, confine the prisoner in the jail of
4 any county or city through which ~~he~~ **the officer or person** may pass;
5 and the keeper of such jail must receive and safely keep the prisoner
6 until the person having charge of ~~him~~ **the prisoner** is ready to proceed
7 on ~~his~~ **the person's** route, such person being chargeable with the
8 expense of keeping.

9 (14) Whenever any person within this state shall be charged on the
10 oath of any credible person before any judge of this state with the
11 commission of a crime in any other state, and, except in cases arising
12 under subsection 7 of this section, with having fled from justice, or
13 whenever complaint shall have been made before any judge in this
14 state setting forth on the affidavit of any credible person in another
15 state that a treason or felony has been committed in such other state
16 and that the accused has been charged in such state with the
17 commission of the treason or felony, and, except in cases arising under
18 subsection 7 of this section, has fled therefrom and is believed to have
19 been found in this state, the judge shall issue a warrant directed to the
20 sheriff of the county in which the oath or complaint is filed directing
21 ~~him~~ **the sheriff** to apprehend the person charged, wherever ~~he~~ **the**
22 **person** may be found in this state, and bring ~~him~~ **the person** before the
23 same or any other judge, who may be convenient of access to the place
24 where the arrest may be made, to answer the charge or complaint and
25 affidavit. A certified copy of the sworn charge or complaint and
26 affidavit upon which the warrant is issued shall be attached to the
27 warrant.

28 (15) The arrest of a person may be lawfully made also by an officer
29 or a private citizen without a warrant upon reasonable information that
30 the accused stands charged in the courts of another state with a crime
31 punishable by death or imprisonment for a term exceeding one (1) year;
32 but when so arrested the accused must be taken before a judge with all
33 practicable speed, and complaint must be made against ~~him~~ **the**
34 **accused** under oath setting forth the ground for the arrest as in the last
35 preceding subsection; and thereafter ~~his~~ **the answer of the accused**
36 shall be heard as if ~~he~~ **the accused** has been arrested on warrant.

37 (16) If from the examination before the judge, it appears that the
38 person held is the person charged with having committed the crime
39 alleged and that ~~he~~ **the person** probably committed the crime, and,
40 except in cases arising under subsection 7 of this section, that ~~he~~ **the**
41 **person** has fled from justice, the judge shall commit ~~him~~ **the person**
42 to jail by a warrant reciting the accusation for such time specified in the



1 warrant as will enable the arrest of the accused to be made under a
2 warrant of the governor on a requisition of the executive authority of
3 the state having jurisdiction of the offense, unless the accused gives
4 bail as provided in subsection 17 of this section, or until ~~he~~ **the person**
5 shall be legally discharged.

6 (17) Unless the offense with which the prisoner is charged is shown
7 to be an offense punishable by death or life imprisonment under the
8 laws of the state in which it was committed, the judge must admit the
9 person arrested to bail by bond or undertaking, with sufficient sureties,
10 and in such sum as ~~he~~ **the judge** deems proper, for ~~his~~ **the prisoner's**
11 appearance before ~~him~~ **the judge** at a time specified in such bond or
12 undertaking, and for ~~his~~ **the prisoner's** surrender, to be arrested upon
13 the warrant of the governor of this state. The prisoner shall not be
14 admitted to bail after issuance of a warrant by the governor of this state.

15 (18) If the accused is not yet arrested under warrant of the governor
16 by the expiration of the time specified in the warrant, bond, or
17 undertaking, the judge may discharge ~~him~~ **the accused** or may
18 recommit ~~him~~ **the accused** to a further day, or may again take bail for
19 ~~his~~ **the accused's** appearance and surrender, as provided in subsection
20 17 of this section; and at the expiration of the second period of
21 commitment, or if ~~he~~ **the accused** has been bailed and appeared
22 according to the terms of ~~his~~ **the accused's** bond or undertaking, the
23 judge may either discharge ~~him~~, **the accused**, or may require ~~him~~ **the**
24 **accused** to enter into a new bond or undertaking, to appear and
25 surrender ~~himself~~ at another day.

26 (19) If the prisoner is admitted to bail and fails to appear and
27 surrender ~~himself~~ according to the conditions of ~~his~~ **the prisoner's**
28 bond, the court, by proper order, shall declare the bond forfeited; and
29 recovery may be had thereon in the name of the state as in the case of
30 other bonds or undertakings given by the accused in criminal
31 proceedings within this state.

32 (20) If a criminal prosecution has been instituted against such
33 person under the laws of this state and is still pending, the governor at
34 ~~his~~ **the governor's** discretion either may surrender ~~him~~ **the person** on
35 the demand of the executive authority of another state or may hold ~~him~~
36 **the person** until ~~he~~ **the person** has been tried and discharged, or
37 convicted and punished in this state.

38 (21) The guilt or innocence of the accused as to the crime of which
39 ~~he~~ **the accused** is charged may not be inquired into by the governor or
40 in any proceedings after the demand for extradition accompanied by a
41 charge of crime in legal form as above provided shall have been
42 presented to the governor, except as it may be involved in identifying



1 the person held as the person charged with the crime.

2 (22) The governor may recall ~~his~~ **the governor's** warrant of arrest

3 or may issue another warrant whenever ~~he~~ **the governor** deems proper.

4 (23) Whenever the governor of this state shall demand a person

5 charged with a crime in this state from the chief executive of any other

6 state or from the chief justice or an associate justice of the Supreme

7 Court of the District of Columbia authorized to receive such demand

8 under the laws of the United States, ~~he~~ **the governor** shall issue a

9 warrant under the seal of this state to some agent commanding ~~him~~ **the**

10 **agent** to receive the person so charged if delivered to ~~him~~ **the agent**

11 and convey ~~him~~ **the person charged** to the proper officer of the county

12 in this state in which the offense was committed.

13 (24) When the return to this state of a person charged with a crime

14 in this state is required, the prosecuting attorney of the county in which

15 the offense is committed shall present to the governor ~~his~~ **the**

16 **prosecuting attorney's** written application for a requisition for the

17 return of the person charged, in which application shall be stated the

18 name of the person so charged, the crime charged against ~~him~~, **the**

19 **person**, the approximate time, place, and circumstances of its

20 committal, the state in which ~~he~~ **the person** is believed to be, including

21 the location of the accused therein at the time the application is made,

22 and certifying that in the opinion of the said prosecuting attorney the

23 ends of justice require the arrest and return of the accused to this state

24 for trial, and that the proceeding is not instituted to enforce a private

25 claim. The application shall be verified by affidavit, shall be executed

26 in triplicate, and shall be accompanied by three (3) certified copies of

27 the indictment returned, or information and affidavit filed, or of the

28 complaint made to the magistrate, stating the offense with which the

29 accused is charged. The prosecuting attorney may also attach such

30 further affidavits and other documents in triplicate as ~~he~~ **the**

31 **prosecuting attorney** shall deem proper to be submitted with such

32 application. One (1) copy of the application with the action of the

33 governor indicated by the endorsement thereon and one (1) of the

34 certified copies of the indictment or complaint or information and

35 affidavit shall be filed in the office of the secretary of state to remain

36 of record in that office. The other copies of all papers shall be

37 forwarded with the governor's requisition.

38 (25) The expenses shall be paid out of the general fund of the

39 county treasury of the county wherein the crime is alleged to have been

40 committed. The expenses shall be the fees paid to the officers of the

41 state on whose governor the requisition is made, as now provided by

42 law, for all necessary travel in returning such prisoner.



1 (26) A person brought into this state on extradition based on a
2 criminal charge shall not be subject to service of personal process in
3 civil actions arising out of the same facts as the criminal proceeding to
4 answer for which ~~he~~ **the person** is returned until ~~he~~ **the person** has
5 been convicted in the criminal proceeding, or if acquitted, until ~~he~~ **the**
6 **person** has had ample opportunity to return to the state from which ~~he~~
7 **the person** was extradited.

8 (27) After a person has been brought back to this state upon
9 extradition proceedings, ~~he~~ **the person** may be tried in this state for
10 other crimes which ~~he~~ **the person** may be charged with having
11 committed here, as well as that specified in the requisition for ~~his~~ **the**
12 **person's** extradition.

13 (28) This section shall be so interpreted and construed as to
14 effectuate its general purpose to make uniform the law of those states
15 which enact it.

16 (29) Nothing in this section contained shall be deemed to constitute
17 a waiver by the state of its right, power, or privilege to regain custody
18 of such person by extradition proceedings or otherwise for the purpose
19 of trial, sentence, or punishment for any crime committed within this
20 state, nor shall any proceedings had under this section which result in,
21 or fail to result in, extradition be deemed a waiver by this state of any
22 of its rights, privileges, or jurisdiction in any way whatsoever.

23 (30) This section may be cited as the Uniform Criminal Extradition
24 Act.

25 SECTION 630. IC 35-36-6-10 IS AMENDED TO READ AS
26 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 10. The sheriff of the
27 county from which venue was taken shall receive actual and necessary
28 expenses for transporting ~~himself and his~~ **the** prisoner, in accordance
29 with this chapter, from the county from which venue was taken to the
30 county receiving the case. The court from which venue was taken shall
31 allow these expenses.

32 SECTION 631. IC 35-41-3-8 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 8. (a) It is a defense
34 that the person who engaged in the prohibited conduct was compelled
35 to do so by threat of imminent serious bodily injury to ~~himself~~ **the**
36 **person** or another person. With respect to offenses other than felonies,
37 it is a defense that the person who engaged in the prohibited conduct
38 was compelled to do so by force or threat of force. Compulsion under
39 this section exists only if the force, threat, or circumstances are such as
40 would render a person of reasonable firmness incapable of resisting the
41 pressure.

42 (b) This section does not apply to a person who:



- 1 (1) recklessly, knowingly, or intentionally ~~placed himself in~~
 2 **entered into** a situation in which it was foreseeable that ~~he the~~
 3 **person** would be subjected to duress; or
 4 (2) committed an offense against the person as defined in
 5 IC 35-42.

6 SECTION 632. IC 35-41-4-2, AS AMENDED BY P.L.3-2023,
 7 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2024]: Sec. 2. (a) Except as otherwise provided in this section,
 9 a prosecution for an offense is barred unless it is commenced:

- 10 (1) within five (5) years after the commission of the offense, in
 11 the case of a Class B, Class C, or Class D felony (for a crime
 12 committed before July 1, 2014) or a Level 3, Level 4, Level 5, or
 13 Level 6 felony (for a crime committed after June 30, 2014); or
 14 (2) within two (2) years after the commission of the offense, in the
 15 case of a misdemeanor.

16 (b) A prosecution for a Class B or Class C felony (for a crime
 17 committed before July 1, 2014) or a Level 3, Level 4, or Level 5 felony
 18 (for a crime committed after June 30, 2014) that would otherwise be
 19 barred under this section may be commenced within one (1) year after
 20 the earlier of the date on which the state:

- 21 (1) first discovers evidence sufficient to charge the offender with
 22 the offense through DNA (deoxyribonucleic acid) analysis; or
 23 (2) could have discovered evidence sufficient to charge the
 24 offender with the offense through DNA (deoxyribonucleic acid)
 25 analysis by the exercise of due diligence.

26 However, if the offense is a sex offense against a child described in
 27 subsection (m), a prosecution otherwise barred under this section may
 28 be prosecuted in accordance with subsection (p).

29 (c) Except as provided in subsection (e), a prosecution for a Class
 30 A felony (for a crime committed before July 1, 2014) or a Level 1
 31 felony or Level 2 felony (for a crime committed after June 30, 2014)
 32 may be commenced at any time.

33 (d) A prosecution for murder may be commenced:

- 34 (1) at any time; and
 35 (2) regardless of the amount of time that passes between:
 36 (A) the date a person allegedly commits the elements of
 37 murder; and
 38 (B) the date the alleged victim of the murder dies.

39 (e) Except as provided in subsection (p), a prosecution for the
 40 following offenses is barred unless commenced before the date that the
 41 alleged victim of the offense reaches thirty-one (31) years of age:

- 42 (1) IC 35-42-4-3 (Child molesting).



- 1 (2) IC 35-42-4-5 (Vicarious sexual gratification).
 2 (3) IC 35-42-4-6 (Child solicitation).
 3 (4) IC 35-42-4-7 (Child seduction).
 4 (5) IC 35-42-4-9 (Sexual misconduct with a minor).
 5 (6) IC 35-46-1-3 (Incest).
- 6 (f) A prosecution for forgery of an instrument for payment of
 7 money, or for the uttering of a forged instrument, under IC 35-43-5-2,
 8 is barred unless it is commenced within five (5) years after the maturity
 9 of the instrument.
- 10 (g) If a complaint, indictment, or information is dismissed because
 11 of an error, defect, insufficiency, or irregularity, a new prosecution may
 12 be commenced within ninety (90) days after the dismissal even if the
 13 period of limitation has expired at the time of dismissal, or will expire
 14 within ninety (90) days after the dismissal.
- 15 (h) The period within which a prosecution must be commenced does
 16 not include any period in which:
- 17 (1) the accused person is not usually and publicly resident in
 18 Indiana or ~~so conceals himself or herself~~ **is concealed** so that
 19 process cannot be served;
 20 (2) the accused person conceals evidence of the offense, and
 21 evidence sufficient to charge the person with that offense is
 22 unknown to the prosecuting authority and could not have been
 23 discovered by that authority by exercise of due diligence; or
 24 (3) the accused person is a person elected or appointed to office
 25 under statute or constitution, if the offense charged is theft or
 26 conversion of public funds or bribery while in public office.
- 27 (i) For purposes of tolling the period of limitation only, a
 28 prosecution is considered commenced on the earliest of these dates:
- 29 (1) The date of filing of an indictment, information, or complaint
 30 before a court having jurisdiction.
 31 (2) The date of issuance of a valid arrest warrant.
 32 (3) The date of arrest of the accused person by a law enforcement
 33 officer without a warrant, if the officer has authority to make the
 34 arrest.
- 35 (j) A prosecution is considered timely commenced for any offense
 36 to which the defendant enters a plea of guilty, notwithstanding that the
 37 period of limitation has expired.
- 38 (k) The following apply to the specified offenses:
- 39 (1) A prosecution for an offense under IC 30-2-9-7(b) (misuse of
 40 funeral trust funds) is barred unless commenced within five (5)
 41 years after the date of death of the settlor (as described in
 42 IC 30-2-9).



- 1 (2) A prosecution for an offense under IC 30-2-10-9(b) (misuse
2 of funeral trust funds) is barred unless commenced within five (5)
3 years after the date of death of the settlor (as described in
4 IC 30-2-10).
- 5 (3) A prosecution for an offense under IC 30-2-13-38(f) (misuse
6 of funeral trust or escrow account funds) is barred unless
7 commenced within five (5) years after the date of death of the
8 purchaser (as defined in IC 30-2-13-9).
- 9 (l) A prosecution for an offense under IC 23-2-6, IC 23-2.5,
10 IC 23-14-48-9, or IC 23-19 is barred unless commenced within five (5)
11 years after the earlier of the date on which the state:
12 (1) first discovers evidence sufficient to charge the offender with
13 the offense; or
14 (2) could have discovered evidence sufficient to charge the
15 offender with the offense by the exercise of due diligence.
- 16 (m) Except as provided in subsection (p), a prosecution for a sex
17 offense listed in IC 11-8-8-4.5 that is committed against a child and
18 that is not:
19 (1) a Class A felony (for a crime committed before July 1, 2014)
20 or a Level 1 felony or Level 2 felony (for a crime committed after
21 June 30, 2014); or
22 (2) listed in subsection (e);
23 is barred unless commenced within ten (10) years after the commission
24 of the offense, or within four (4) years after the person ceases to be a
25 dependent of the person alleged to have committed the offense,
26 whichever occurs later.
- 27 (n) A prosecution for rape (IC 35-42-4-1) as a Class B felony (for a
28 crime committed before July 1, 2014) or as a Level 3 felony (for a
29 crime committed after June 30, 2014) that would otherwise be barred
30 under this section may be commenced not later than five (5) years after
31 the earlier of the date on which:
32 (1) the state first discovers evidence sufficient to charge the
33 offender with the offense through DNA (deoxyribonucleic acid)
34 analysis;
35 (2) the state first becomes aware of the existence of a recording
36 (as defined in IC 35-31.5-2-273) that provides evidence sufficient
37 to charge the offender with the offense; or
38 (3) a person confesses to the offense.
- 39 (o) A prosecution for criminal deviate conduct (IC 35-42-4-2)
40 (repealed) as a Class B felony for a crime committed before July 1,
41 2014, that would otherwise be barred under this section may be
42 commenced not later than five (5) years after the earliest of the date on



- 1 which:
- 2 (1) the state first discovers evidence sufficient to charge the
- 3 offender with the offense through DNA (deoxyribonucleic acid)
- 4 analysis;
- 5 (2) the state first becomes aware of the existence of a recording
- 6 (as defined in IC 35-31.5-2-273) that provides evidence sufficient
- 7 to charge the offender with the offense; or
- 8 (3) a person confesses to the offense.
- 9 (p) A prosecution for an offense described in subsection (e) or
- 10 subsection (m) that would otherwise be barred under this section may
- 11 be commenced not later than five (5) years after the earliest of the date
- 12 on which:
- 13 (1) the state first discovers evidence sufficient to charge the
- 14 offender with the offense through DNA (deoxyribonucleic acid)
- 15 analysis;
- 16 (2) the state first becomes aware of the existence of a recording
- 17 (as defined in IC 35-31.5-2-273) that provides evidence sufficient
- 18 to charge the offender with the offense; or
- 19 (3) a person confesses to the offense.
- 20 SECTION 633. IC 35-46-1-7 IS AMENDED TO READ AS
- 21 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) A person who
- 22 knowingly or intentionally fails to provide support to ~~his~~ **the person's**
- 23 parent, when the parent is unable to ~~support himself~~; **provide for the**
- 24 **parent's own support**, commits nonsupport of a parent, a Class A
- 25 misdemeanor.
- 26 (b) It is a defense that the accused person had not been supported by
- 27 the parent during the time ~~he~~ **the accused person** was a dependent
- 28 child under eighteen (18) years of age, unless the parent was unable to
- 29 provide support.
- 30 (c) It is a defense that the accused person was unable to provide
- 31 support.
- 32 SECTION 634. IC 35-47-1-3 IS AMENDED TO READ AS
- 33 FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 3. "Dealer" means any
- 34 person who holds ~~himself~~ **the person** out as a buyer and seller of
- 35 handguns on a regular and continuing basis.
- 36 SECTION 635. IC 35-48-2-1, AS AMENDED BY P.L.84-2010,
- 37 SECTION 92, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 38 JULY 1, 2024]: Sec. 1. (a) The board shall administer this article and
- 39 may recommend to the general assembly the addition, deletion, or
- 40 rescheduling of all substances listed in the schedules in sections 4, 6,
- 41 8, 10, and 12 of this chapter by submitting in an electronic format
- 42 under IC 5-14-6 a report of such recommendations to the legislative



1 council. In making a determination regarding a substance, the board
2 shall consider the following:

3 (1) The actual or relative potential for abuse.

4 (2) The scientific evidence of its pharmacological effect, if
5 known.

6 (3) The state of current scientific knowledge regarding the
7 substance.

8 (4) The history and current pattern of abuse.

9 (5) The scope, duration, and significance of abuse.

10 (6) The risk to public health.

11 (7) The potential of the substance to produce psychic or
12 physiological dependence liability.

13 (8) Whether the substance is an immediate precursor of a
14 substance already controlled under this article.

15 (b) After considering the factors enumerated in subsection (a), the
16 board shall make findings and recommendations concerning the control
17 of the substance if it finds the substance has a potential for abuse.

18 (c) If the board finds that a substance is an immediate precursor,
19 substances which are precursors of the controlled precursor shall not
20 be subject to control solely because they are precursors of the
21 controlled precursor.

22 (d) If any substance is designated or rescheduled to a more
23 restrictive schedule as a controlled substance under federal law and
24 notice is given to the board, the board shall recommend similar control
25 of the substance under this article in the board's report to the general
26 assembly, unless the board objects to inclusion or rescheduling. In that
27 case, the board shall publish the reasons for objection and afford all
28 interested parties an opportunity to be heard. At the conclusion of the
29 hearing, the board shall publish its findings.

30 (e) If a substance is rescheduled to a less restrictive schedule or
31 deleted as a controlled substance under federal law, the substance is
32 rescheduled or deleted under this article. If the board objects to
33 inclusion, rescheduling, or deletion of the substance, the board shall
34 notify the ~~chairman~~ **chairperson** of the legislative council not more
35 than thirty (30) days after the federal law is changed and the substance
36 may not be rescheduled or deleted until the conclusion of the next
37 complete session of the general assembly. The notice from the board
38 to the ~~chairman~~ **chairperson** of the legislative council must be
39 published.

40 (f) The board shall conduct hearings regarding revocations,
41 suspensions, and restrictions of registrations as provided in
42 IC 35-48-3-4. All hearings shall be conducted in accordance with



1 IC 4-21.5-3.

2 (g) Authority to control under this section does not extend to
3 distilled spirits, wine, or malt beverages, as those terms are defined or
4 used in IC 7.1, or to tobacco.

5 (h) The board shall exclude any nonnarcotic substance from a
6 schedule if that substance may, under the Federal Food, Drug, and
7 Cosmetic Act or state law, be sold over the counter without a
8 prescription.

9 SECTION 636. IC 35-50-2-9, AS AMENDED BY P.L.65-2016,
10 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2024]: Sec. 9. (a) The state may seek either a death sentence
12 or a sentence of life imprisonment without parole for murder by
13 alleging, on a page separate from the rest of the charging instrument,
14 the existence of at least one (1) of the aggravating circumstances listed
15 in subsection (b). In the sentencing hearing after a person is convicted
16 of murder, the state must prove beyond a reasonable doubt the
17 existence of at least one (1) of the aggravating circumstances alleged.
18 However, the state may not proceed against a defendant under this
19 section if a court determines at a pretrial hearing under IC 35-36-9 that
20 the defendant is an individual with an intellectual disability.

21 (b) The aggravating circumstances are as follows:

22 (1) The defendant committed the murder by intentionally killing
23 the victim while committing or attempting to commit any of the
24 following:

25 (A) Arson (IC 35-43-1-1).

26 (B) Burglary (IC 35-43-2-1).

27 (C) Child molesting (IC 35-42-4-3).

28 (D) Criminal deviate conduct (IC 35-42-4-2) (before its
29 repeal).

30 (E) Kidnapping (IC 35-42-3-2).

31 (F) Rape (IC 35-42-4-1).

32 (G) Robbery (IC 35-42-5-1).

33 (H) Carjacking (IC 35-42-5-2) (before its repeal).

34 (I) Criminal organization activity (IC 35-45-9-3).

35 (J) Dealing in cocaine or a narcotic drug (IC 35-48-4-1).

36 (K) Criminal confinement (IC 35-42-3-3).

37 (2) The defendant committed the murder by the unlawful
38 detonation of an explosive with intent to injure a person or
39 damage property.

40 (3) The defendant committed the murder by lying in wait.

41 (4) The defendant who committed the murder was hired to kill.

42 (5) The defendant committed the murder by hiring another person



- 1 to kill.
- 2 (6) The victim of the murder was a corrections employee,
3 probation officer, parole officer, community corrections worker,
4 home detention officer, ~~fireman~~, **firefighter**, judge, or law
5 enforcement officer, and either:
- 6 (A) the victim was acting in the course of duty; or
7 (B) the murder was motivated by an act the victim performed
8 while acting in the course of duty.
- 9 (7) The defendant has been convicted of another murder.
- 10 (8) The defendant has committed another murder, at any time,
11 regardless of whether the defendant has been convicted of that
12 other murder.
- 13 (9) The defendant was:
- 14 (A) under the custody of the department of correction;
15 (B) under the custody of a county sheriff;
16 (C) on probation after receiving a sentence for the commission
17 of a felony; or
18 (D) on parole;
19 at the time the murder was committed.
- 20 (10) The defendant dismembered the victim.
- 21 (11) The defendant:
- 22 (A) burned, mutilated, or tortured the victim; or
23 (B) decapitated or attempted to decapitate the victim;
24 while the victim was alive.
- 25 (12) The victim of the murder was less than twelve (12) years of
26 age.
- 27 (13) The victim was a victim of any of the following offenses for
28 which the defendant was convicted:
- 29 (A) A battery offense included in IC 35-42-2 committed before
30 July 1, 2014, as a Class D felony or as a Class C felony, or a
31 battery offense included in IC 35-42-2 committed after June
32 30, 2014, as a Level 6 felony, a Level 5 felony, a Level 4
33 felony, or a Level 3 felony.
- 34 (B) Kidnapping (IC 35-42-3-2).
- 35 (C) Criminal confinement (IC 35-42-3-3).
- 36 (D) A sex crime under IC 35-42-4.
- 37 (14) The victim of the murder was listed by the state or known by
38 the defendant to be a witness against the defendant and the
39 defendant committed the murder with the intent to prevent the
40 person from testifying.
- 41 (15) The defendant committed the murder by intentionally
42 discharging a firearm (as defined in IC 35-47-1-5):



- 1 (A) into an inhabited dwelling; or
 2 (B) from a vehicle.
- 3 (16) The victim of the murder was pregnant and the murder
 4 resulted in the intentional killing of a fetus that has attained
 5 viability (as defined in IC 16-18-2-365).
- 6 (17) The defendant knowingly or intentionally:
 7 (A) committed the murder:
 8 (i) in a building primarily used for an educational purpose;
 9 (ii) on school property; and
 10 (iii) when students are present; or
 11 (B) committed the murder:
 12 (i) in a building or other structure owned or rented by a state
 13 educational institution or any other public or private
 14 postsecondary educational institution and primarily used for
 15 an educational purpose; and
 16 (ii) at a time when classes are in session.
- 17 (18) The murder is committed:
 18 (A) in a building that is primarily used for religious worship;
 19 and
 20 (B) at a time when persons are present for religious worship or
 21 education.
- 22 (c) The mitigating circumstances that may be considered under this
 23 section are as follows:
 24 (1) The defendant has no significant history of prior criminal
 25 conduct.
 26 (2) The defendant was under the influence of extreme mental or
 27 emotional disturbance when the murder was committed.
 28 (3) The victim was a participant in or consented to the defendant's
 29 conduct.
 30 (4) The defendant was an accomplice in a murder committed by
 31 another person, and the defendant's participation was relatively
 32 minor.
 33 (5) The defendant acted under the substantial domination of
 34 another person.
 35 (6) The defendant's capacity to appreciate the criminality of the
 36 defendant's conduct or to conform that conduct to the
 37 requirements of law was substantially impaired as a result of
 38 mental disease or defect or of intoxication.
 39 (7) The defendant was less than eighteen (18) years of age at the
 40 time the murder was committed.
 41 (8) Any other circumstances appropriate for consideration.
- 42 (d) If the defendant was convicted of murder in a jury trial, the jury



1 shall reconvene for the sentencing hearing. If the trial was to the court,
 2 or the judgment was entered on a guilty plea, the court alone shall
 3 conduct the sentencing hearing. The jury or the court may consider all
 4 the evidence introduced at the trial stage of the proceedings, together
 5 with new evidence presented at the sentencing hearing. The court shall
 6 instruct the jury concerning the statutory penalties for murder and any
 7 other offenses for which the defendant was convicted, the potential for
 8 consecutive or concurrent sentencing, and the availability of
 9 educational credit, good time credit, and clemency. The court shall
 10 instruct the jury that, in order for the jury to recommend to the court
 11 that the death penalty or life imprisonment without parole should be
 12 imposed, the jury must find at least one (1) aggravating circumstance
 13 beyond a reasonable doubt as described in subsection (l) and shall
 14 provide a special verdict form for each aggravating circumstance
 15 alleged. The defendant may present any additional evidence relevant
 16 to:

17 (1) the aggravating circumstances alleged; or

18 (2) any of the mitigating circumstances listed in subsection (c).

19 (e) For a defendant sentenced after June 30, 2002, except as
 20 provided by IC 35-36-9, if the hearing is by jury, the jury shall
 21 recommend to the court whether the death penalty or life imprisonment
 22 without parole, or neither, should be imposed. The jury may
 23 recommend:

24 (1) the death penalty; or

25 (2) life imprisonment without parole;

26 only if it makes the findings described in subsection (l). If the jury
 27 reaches a sentencing recommendation, the court shall sentence the
 28 defendant accordingly. After a court pronounces sentence, a
 29 representative of the victim's family and friends may present a
 30 statement regarding the impact of the crime on family and friends. The
 31 impact statement may be submitted in writing or given orally by the
 32 representative. The statement shall be given in the presence of the
 33 defendant.

34 (f) If a jury is unable to agree on a sentence recommendation after
 35 reasonable deliberations, the court shall discharge the jury and proceed
 36 as if the hearing had been to the court alone.

37 (g) If the hearing is to the court alone, except as provided by
 38 IC 35-36-9, the court shall:

39 (1) sentence the defendant to death; or

40 (2) impose a term of life imprisonment without parole;

41 only if it makes the findings described in subsection (l).

42 (h) If a court sentences a defendant to death, the court shall order



1 the defendant's execution to be carried out not later than one (1) year
 2 and one (1) day after the date the defendant was convicted. The
 3 supreme court has exclusive jurisdiction to stay the execution of a
 4 death sentence. If the supreme court stays the execution of a death
 5 sentence, the supreme court shall order a new date for the defendant's
 6 execution.

7 (i) If a person sentenced to death by a court files a petition for
 8 post-conviction relief, the court, not later than ninety (90) days after the
 9 date the petition is filed, shall set a date to hold a hearing to consider
 10 the petition. If a court does not, within the ninety (90) day period, set
 11 the date to hold the hearing to consider the petition, the court's failure
 12 to set the hearing date is not a basis for additional post-conviction
 13 relief. The attorney general shall answer the petition for post-conviction
 14 relief on behalf of the state. At the request of the attorney general, a
 15 prosecuting attorney shall assist the attorney general. The court shall
 16 enter written findings of fact and conclusions of law concerning the
 17 petition not later than ninety (90) days after the date the hearing
 18 concludes. However, if the court determines that the petition is without
 19 merit, the court may dismiss the petition within ninety (90) days
 20 without conducting a hearing under this subsection.

21 (j) A death sentence is subject to automatic review by the supreme
 22 court. The review, which shall be heard under rules adopted by the
 23 supreme court, shall be given priority over all other cases. The supreme
 24 court's review must take into consideration all claims that the:

- 25 (1) conviction or sentence was in violation of the:
 - 26 (A) Constitution of the State of Indiana; or
 - 27 (B) Constitution of the United States;
- 28 (2) sentencing court was without jurisdiction to impose a
 29 sentence; and
- 30 (3) sentence:
 - 31 (A) exceeds the maximum sentence authorized by law; or
 - 32 (B) is otherwise erroneous.

33 If the supreme court cannot complete its review by the date set by the
 34 sentencing court for the defendant's execution under subsection (h), the
 35 supreme court shall stay the execution of the death sentence and set a
 36 new date to carry out the defendant's execution.

37 (k) A person who has been sentenced to death and who has
 38 completed state post-conviction review proceedings may file a written
 39 petition with the supreme court seeking to present new evidence
 40 challenging the person's guilt or the appropriateness of the death
 41 sentence if the person serves notice on the attorney general. The
 42 supreme court shall determine, with or without a hearing, whether the



1 person has presented previously undiscovered evidence that
2 undermines confidence in the conviction or the death sentence. If
3 necessary, the supreme court may remand the case to the trial court for
4 an evidentiary hearing to consider the new evidence and its effect on
5 the person's conviction and death sentence. The supreme court may not
6 make a determination in the person's favor nor make a decision to
7 remand the case to the trial court for an evidentiary hearing without
8 first providing the attorney general with an opportunity to be heard on
9 the matter.

10 (l) Before a sentence may be imposed under this section, the jury,
11 in a proceeding under subsection (e), or the court, in a proceeding
12 under subsection (g), must find that:

13 (1) the state has proved beyond a reasonable doubt that at least
14 one (1) of the aggravating circumstances listed in subsection (b)
15 exists; and

16 (2) any mitigating circumstances that exist are outweighed by the
17 aggravating circumstance or circumstances.

18 SECTION 637. IC 36-3-2-7, AS AMENDED BY P.L.104-2022,
19 SECTION 152, IS AMENDED TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2024]: Sec. 7. (a) This section governs the
21 transfer of territory that is either:

22 (1) inside the corporate boundaries of the consolidated city and
23 contiguous to an excluded city; or

24 (2) inside the corporate boundaries of an excluded city and
25 contiguous to the consolidated city.

26 IC 36-4-3 does not apply to such a transfer.

27 (b) If the owners of land located in territory described in subsection
28 (a) want to have that territory transferred from one (1) municipality to
29 the other, they must file:

30 (1) a petition for annexation of that territory with the legislative
31 body of the contiguous municipality; and

32 (2) a petition for disannexation of that territory with the legislative
33 body of the municipality containing that territory.

34 Each petition must be signed by at least fifty-one percent (51%) of the
35 owners of land in the territory sought to be transferred. The territory
36 must be reasonably compact in configuration, and its boundaries must
37 generally follow streets or natural boundaries.

38 (c) Each legislative body shall, not later than sixty (60) days after a
39 petition is filed with it under subsection (b), either approve or
40 disapprove the petition, with the following results:

41 (1) If both legislative bodies approve, the transfer of territory
42 takes effect:



- 1 (A) on the effective date of the approval of the latter
 2 legislative body to act; and
 3 (B) when a copy of each transfer approval has been filed under
 4 subsection (f).
- 5 (2) If the legislative body of the contiguous municipality
 6 disapproves or fails to act within the prescribed period, the
 7 proceedings are terminated.
- 8 (3) If the legislative body of the contiguous municipality approves
 9 but the legislative body of the other municipality disapproves or
 10 fails to act within the prescribed period, the proceedings are
 11 terminated unless there is an appeal under subsection (d).
- 12 (d) In the case described by subsection (c)(3), the petitioners may,
 13 not later than sixty (60) days after the disapproval or expiration of the
 14 prescribed period, appeal to the circuit court. The appeal must allege
 15 that the benefits to be derived by the petitioners from the transfer
 16 outweigh the detriments to the municipality that has failed to approve,
 17 which is defendant in the appeal.
- 18 (e) The court shall try an appeal under subsection (d) as other civil
 19 actions, but without a jury. If the court determines that:
- 20 (1) the requirements of this section have been met; and
 21 (2) the benefits to be derived by the petitioners outweigh the
 22 detriments to the municipality;
- 23 it shall order the transfer of territory to take effect on the date its order
 24 becomes final and shall file the order under subsection (f). However,
 25 if the municipality, or a district of it, is furnishing sanitary sewer
 26 service or municipal water service in the territory, or otherwise has
 27 expended substantial sums for public facilities (other than roads)
 28 specially benefiting the territory, the court shall deny the transfer.
- 29 (f) A municipal legislative body that approves a transfer of territory
 30 under subsection (c) or a court that approves a transfer under
 31 subsection (e) shall file a copy of the approval or order, setting forth a
 32 legal description of the territory to be transferred, with:
- 33 (1) the office of the secretary of state; and
 34 (2) the circuit court clerk of each county in which the
 35 municipality is located.
- 36 (g) Not later than ten (10) days after the second of the two (2)
 37 approvals is filed under subsection (f), the municipality that annexes
 38 the territory shall provide notice to the ~~chairman~~ **chairperson** of the
 39 alcohol and tobacco commission as set forth in IC 7.1-4-9-7 of any
 40 retailer's or dealer's premises located within the annexed territory.
- 41 (h) A petition for annexation or disannexation under this section
 42 may not be filed with respect to land as to which a transfer of territory



1 has been disapproved or denied within the preceding three (3) years.

2 (i) The legislative body of a municipality annexing territory under
3 this section shall assign the territory to at least one (1) municipal
4 legislative body district under IC 36-3-4-3 or IC 36-4-6 not later than
5 thirty (30) days after the transfer of territory becomes effective under
6 this section.

7 SECTION 638. IC 36-4-3-22.1, AS ADDED BY P.L.194-2021,
8 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2024]: Sec. 22.1. Not later than ten (10) days after an
10 annexation ordinance is filed under section 22 of this chapter, the
11 annexing municipality shall provide notice to the ~~chairman~~
12 **chairperson** of the alcohol and tobacco commission in accordance
13 with IC 7.1-4-9-7 of any licensed premises located within the annexed
14 territory.

15 SECTION 639. IC 36-7-7-2, AS AMENDED BY P.L.127-2017,
16 SECTION 177, IS AMENDED TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) The legislative bodies of all
18 the counties in a region may, by concurrent resolutions, request the
19 establishment of a regional planning commission (referred to as a
20 "commission" in this chapter). Official copies of the resolutions must
21 be forwarded to the governor. ~~who shall then appoint himself or~~
22 ~~herself, or a member of the governor's staff to~~ **The governor, or the**
23 **governor's designated staff member, shall** immediately notify the
24 other members of the commission and ~~to~~ act as temporary chair for the
25 election of officers. The commission shall, by resolution, designate a
26 name for itself that reflects the commission's role and function and that
27 may include the words "Regional Planning Commission".

28 (b) This subsection applies to each commission established after
29 July 1, 1978. A county participating in a commission is not subject to
30 the tax imposed under section 12 of this chapter, unless all the
31 concurrent resolutions establishing the commission accept the
32 application of the tax.

33 SECTION 640. IC 36-9-13-22, AS AMENDED BY P.L.84-2016,
34 SECTION 186, IS AMENDED TO READ AS FOLLOWS
35 [EFFECTIVE JULY 1, 2024]: Sec. 22. (a) Except as provided in
36 subsection (b), the board of directors of a building authority, acting in
37 the name of the authority, may:

- 38 (1) finance, improve, construct, reconstruct, renovate, purchase,
39 lease, acquire, equip, operate, maintain, and manage land,
40 government buildings, or systems for the joint or separate use of
41 one (1) or more eligible entities;
42 (2) lease all or part of land, government buildings, or systems to



- 1 eligible entities;
- 2 (3) govern, manage, regulate, operate, improve, reconstruct,
3 renovate, repair, and maintain any land, government building, or
4 system acquired or financed under this chapter;
- 5 (4) sue, be sued, plead, and be impleaded, but all actions against
6 the authority must be brought in the circuit court, superior court,
7 or probate court for the county in which the authority is located;
- 8 (5) condemn, appropriate, lease, rent, purchase, and hold any real
9 or personal property needed or considered useful in connection
10 with government buildings or systems regardless of whether that
11 property is then held for a governmental or public use;
- 12 (6) acquire real or personal property by gift, devise, or bequest
13 and hold, use, or dispose of that property for the purposes
14 authorized by this chapter;
- 15 (7) enter upon any lots or lands for the purpose of surveying or
16 examining them to determine the location of a government
17 building;
- 18 (8) design, order, contract for, and construct, reconstruct,
19 renovate, and maintain land, government buildings, or systems
20 and perform any work that is necessary or desirable to improve
21 the grounds, premises, and systems under its control;
- 22 (9) determine, allocate, and adjust space in government buildings
23 to be used by any eligible entity;
- 24 (10) construct, reconstruct, renovate, maintain, and operate
25 auditoriums, public meeting places, and parking facilities in
26 conjunction with or as a part of government buildings;
- 27 (11) collect all money that is due on account of the operation,
28 maintenance, or management of, or otherwise related to, land,
29 government buildings, or systems, and expend that money for
30 proper purposes;
- 31 (12) let concessions for the operation of restaurants, cafeterias,
32 public telephones, news and cigar stands, and vending machines;
- 33 (13) employ the managers, superintendents, architects, engineers,
34 consultants, attorneys, auditors, clerks, ~~foremen~~, **supervisors**,
35 custodians, and other employees or independent contractors
36 necessary for the proper operation of land, government buildings,
37 or systems and fix the compensation of those employees or
38 independent contractors, but a contract of employment may not be
39 made for a period of more than four (4) years although it may be
40 extended or renewed from time to time;
- 41 (14) make and enter into all contracts and agreements necessary
42 or incidental to the performance of its duties and the execution of



1 its powers under this chapter;
2 (15) provide coverage for its employees under IC 22-3 and
3 IC 22-4; and
4 (16) accept grants and contributions for any purpose specified in
5 this subsection.
6 (b) The building authority in a county having a consolidated city
7 may not purchase, construct, acquire, finance, or lease any land,
8 government building, or system for use by an eligible entity other than
9 the consolidated city or county, unless that action is first approved by:
10 (1) the city-county legislative body; and
11 (2) the governing body of the eligible entity involved.

