

# PROPOSED AMENDMENT

## HB 1161 # 5

### DIGEST

Oath of office. Specifies that an officer of a political subdivision must take an oath of office as required under current law. Requires an appointing authority to notify an appointee of the oath of office requirement.

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- 1       Page 1, between the enacting clause and line 1, begin a new  
2 paragraph and insert:  
3       "SECTION 1. IC 5-4-1-1.3 IS ADDED TO THE INDIANA CODE  
4 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE  
5 UPON PASSAGE]: **Sec. 1.3. (a) This section applies only to the**  
6 **appointed officer of a political subdivision.**  
7       **(b) The appointing authority must provide notice to the**  
8 **appointed officer as provided in IC 36-1-4.5."**  
9       Page 8, between lines 11 and 12, begin a new paragraph and insert:  
10       "SECTION 9. IC 36-1-4.5 IS ADDED TO THE INDIANA CODE  
11 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
12 UPON PASSAGE]:  
13       **Chapter 4.5. Appointed Officer Oath of Office**  
14       **Sec. 1. This chapter applies to a person:**  
15           (1) **appointed to an office of a political subdivision; and**  
16           (2) **required to take an oath of office under IC 5-4-1, including**  
17           **a person appointed to serve on a board, committee,**  
18           **commission, council, or body of a political subdivision.**  
19       **Sec. 2. This chapter shall be construed to supplement:**  
20           (1) **IC 5-4-1; and**  
21           (2) **any other statute applicable to an officer of a political**  
22           **subdivision regarding an oath of office under IC 5-4-1.**  
23       **Sec. 3. An appointing authority shall notify an individual of the**  
24 **individual's appointment in writing. The notification shall include**  
25 **the following:**  
26           (1) **The individual's certificate of appointment.**  
27           (2) **A form for endorsement of the oath of office. Unless**

contrary to another statute, endorsement of the oath of office may be on the certificate of appointment.

(3) A statement that IC 5-4-1 requires the individual to do the following not later than thirty (30) days after the individual's term begins:

(A) Sign an oath of office before a person authorized to administer the oath of office in accordance with Indiana law.

(B) File the oath of office with the appropriate county clerk.

(4) A statement that under IC 5-4-1, the failure of the individual to file the oath of office within the time specified may result in the office becoming vacant.

(5) Any other additional requirement, if any, regarding an oath of office that is imposed under a statute applicable to the specific office.

**Sec. 4. The individual shall file a copy of the oath with the appointing authority."**

Page 22, after line 22, begin a new paragraph and insert:

**"SECTION 23. An emergency is declared for this act."**

Renumber all SECTIONS consecutively.

(Reference is to HB 1161 as introduced.)