



# COMMITTEE REPORT

**MR. PRESIDENT:**

**The Senate Committee on Local Government, to which was referred House Bill No. 1161, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:**

- 1           Page 1, delete lines 1 through 15, begin a new paragraph and insert:  
2           "SECTION 1. IC 6-9-18-5, AS AMENDED BY P.L.175-2018,  
3           SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           JULY 1, 2026]: Sec. 5. (a) If a tax is levied under section 3 of this  
5           chapter, the county executive shall create a commission to promote the  
6           development and growth of the convention, visitor, and tourism  
7           industry in the county. If two (2) or more adjoining counties desire to  
8           establish a joint commission, the counties shall enter into an agreement  
9           under IC 36-1-7.  
10          (b) The county executive shall determine the number of members,  
11          which must be an odd number, to be appointed to the commission. A  
12          simple majority of the members must be:  
13               (1) engaged in a convention, visitor, or tourism business; or  
14               (2) involved in or promoting conventions, visitors, or tourism.  
15          A member appointed to the commission under subdivision (1) or (2)  
16          need not be a resident of the county if the member is an owner or an  
17          executive level employee of a convention, visitor, or tourism business  
18          that is located within the county. However, the member must be a  
19          resident of Indiana. If available and willing to serve, at least two (2) of

1 the members must be engaged in the business of renting or furnishing  
 2 rooms, lodging, or accommodations (as described in section 3 of this  
 3 chapter). Not more than one (1) member may be affiliated with the  
 4 same business entity. Except as otherwise provided in this subsection,  
 5 each member must reside in the county. The county executive shall  
 6 also determine who will make the appointments to the commission,  
 7 except that the executive of the largest municipality in the county shall  
 8 appoint a number of the members of the commission, which number  
 9 shall be in the same ratio to the total size of the commission (rounded  
 10 off to the nearest whole number) that the population of the largest  
 11 municipality bears to the total population of the county.

12 (c) This subsection applies to a county in which a tax imposed under  
 13 this chapter becomes effective after December 31, 1989. If a  
 14 municipality other than the largest municipality in the county collects  
 15 fifty percent (50%) or more of the tax revenue collected under this  
 16 chapter during the three (3) month period following imposition of the  
 17 tax, the executive of the municipality shall appoint the same number of  
 18 members to the commission that the executive of the largest  
 19 municipality in the county appoints under subsection (b).

20 (d) Except as provided in subsection (c), all terms of office of  
 21 commission members begin on January 1. Initial appointments must be  
 22 for staggered terms, with subsequent appointments for two (2) year  
 23 terms. A member whose term expires may be reappointed to serve  
 24 another term. If a vacancy occurs, the appointing authority shall  
 25 appoint a qualified person to serve for the remainder of the term. If an  
 26 initial appointment is not made by February 1 or a vacancy is not filled  
 27 within thirty (30) days, the commission shall appoint a member by  
 28 majority vote.

29 (e) **An individual who is appointed** a member of the commission  
 30 **may be removed for cause by serves at the pleasure of** the member's  
 31 appointing authority **as long as:**

32 **(1) the officeholder who appointed the individual continues to**  
 33 **hold the same office; or**

34 **(2) the board, committee, or body that appointed the**  
 35 **individual retains all of the same members who served on the**  
 36 **board, committee, or body when the individual was appointed.**

37 **If subdivision (1) or (2) does not apply, the individual may only be**  
 38 **removed for cause.**

1 (f) Members of the commission may not receive a salary. However,  
2 commission members are entitled to reimbursement for necessary  
3 expenses incurred in the performance of their respective duties.

4 (g) Each commission member, before entering the member's duties,  
5 shall take an oath of office in the usual form, to be endorsed upon the  
6 member's certificate of appointment and promptly filed with the clerk  
7 of the circuit court of the county.

8 (h) The commission shall meet after January 1 each year for the  
9 purpose of organization. It shall elect one (1) of its members president,  
10 another vice president, another secretary, and another treasurer. The  
11 members elected to those offices shall perform the duties pertaining to  
12 the offices. The first officers chosen shall serve from the date of their  
13 election until their successors are elected and qualified. A majority of  
14 the commission constitutes a quorum, and the concurrence of a  
15 majority of the commission is necessary to authorize any action.

16 SECTION 2. IC 7.1-2-4-21 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 21. ~~Removal from~~  
18 ~~Office:~~ **(a) This subsection only applies to a local board in a county**  
19 **that does not contain a consolidated city. An individual who is an**  
20 **appointed member serves at the pleasure of the member's**  
21 **appointing authority as long as:**

22 **(1) the city or town executive who appointed the member still**  
23 **holds the same office; or**

24 **(2) the county executive or fiscal body that appointed the**  
25 **member retains all of the same members who served on the**  
26 **body when the individual was appointed.**

27 **If subdivision (1) or (2) does not apply, the individual may only be**  
28 **removed for good cause.**

29 **(b) This subsection only applies to a local board in a county that**  
30 **has a consolidated city. An appointed member of a local board may**  
31 **be removed from office only for good cause.**

32 **(c) In order to remove an appointed member for good cause, the**  
33 **commission shall give the member a written copy of the charges**  
34 **against him the member and shall fix the time, which shall not be less**  
35 **than five (5) days thereafter, when the member may appear before the**  
36 **commission and show cause why he the member should not be**  
37 **removed. The commission shall establish procedures for the removal**  
38 **of an appointed member of a local board. The findings and**

- 1 determinations of the commission in respect to a removal shall be final.
- 2 SECTION 3. IC 11-12-2-2, AS AMENDED BY P.L.86-2017,  
3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2026]: Sec. 2. (a) To qualify for financial aid under this  
5 chapter, a county must establish a community corrections advisory  
6 board by resolution of the county executive or, in a county having a  
7 consolidated city, by the city-county council. A community corrections  
8 advisory board consists of:
- 9 (1) the county sheriff or the sheriff's designee;
  - 10 (2) the prosecuting attorney or the prosecuting attorney's  
11 designee;
  - 12 (3) the executive of the most populous municipality in the county  
13 or the executive's designee;
  - 14 (4) two (2) judges having criminal jurisdiction, if available,  
15 appointed by the circuit court judge or the judges' designees;
  - 16 (5) one (1) judge having juvenile jurisdiction, appointed by the  
17 circuit court judge;
  - 18 (6) one (1) public defender or the public defender's designee, if  
19 available, or one (1) attorney with a substantial criminal defense  
20 practice appointed by the county executive or, in a county having  
21 a consolidated city, by the city-county council;
  - 22 (7) one (1) victim, or victim advocate if available, appointed by  
23 the county executive or, in a county having a consolidated city, by  
24 the city-county council;
  - 25 (8) one (1) ex-offender, if available, appointed by the county  
26 executive or, in a county having a consolidated city, by the  
27 city-county council;
  - 28 (9) the director of the local office of the department of child  
29 services or the director's designee;
  - 30 (10) a representative from a juvenile correctional facility or  
31 juvenile detention center in the county, but if no facility exists,  
32 one (1) mental health representative chosen by the judge  
33 described in subdivision (5);
  - 34 (11) a representative from the Juvenile Detention Alternatives  
35 Initiative, but if no program exists, a representative from the court  
36 appointed special advocate program in the county or guardian ad  
37 litem program in the county; and
  - 38 (12) the following members appointed by the county executive or,

1 in a county having a consolidated city, by the city-county council:

2 (A) One (1) member of the county fiscal body or the member's  
3 designee.

4 (B) One (1) probation officer.

5 (C) One (1) juvenile probation officer.

6 (D) One (1) educational administrator.

7 (E) One (1) representative of a private correctional agency, if  
8 such an agency exists in the county.

9 (F) One (1) mental health administrator, or, if there is none  
10 available in the county, one (1) psychiatrist, psychologist, or  
11 physician.

12 (G) Four (4) lay persons, at least one (1) of whom must be a  
13 member of a minority race if a racial minority resides in the  
14 county and a member of that minority is willing to serve.

15 (b) Designees of officials designated under subsection (a)(1)  
16 through (a)(6), (a)(9), and (a)(12)(A) serve at the pleasure of the  
17 designating official.

18 **(c) This subsection only applies to an advisory board appointed**  
19 **by the county executive in a county not having a consolidated city.**  
20 **An individual who is appointed a member of the advisory board**  
21 **serves at the pleasure of the county executive as long as the county**  
22 **executive retains all of the same members who served on the body**  
23 **when the individual was appointed.**

24 ~~(c)~~ **(d)** Members of the advisory board appointed by the county  
25 executive or, in a county having a consolidated city, by the city-county  
26 council, shall be appointed for a term of four (4) years. The criminal  
27 defense attorney, the ex-offender, and the victim or victim advocate  
28 shall be appointed for a term of four (4) years. Other members serve  
29 only while holding the office or position held at the time of  
30 appointment. The circuit court judge may fill the position of the judge  
31 having juvenile court jurisdiction by self appointment if the circuit  
32 court judge is otherwise qualified. A vacancy occurring before the  
33 expiration of the term of office shall be filled in the same manner as  
34 original appointments for the unexpired term. Members may be  
35 reappointed.

36 ~~(d)~~ **(e)** Two (2) or more counties, by resolution of their county  
37 executives or, in a county having a consolidated city, by the city-county  
38 council, may combine to apply for financial aid under this chapter. If

1 counties so combine, the counties may establish one (1) community  
 2 corrections advisory board to serve these counties. This board must  
 3 contain the representation prescribed in subsection (a), but the  
 4 members may come from the participating counties as determined by  
 5 agreement of the county executives or, in a county having a  
 6 consolidated city, by the city-county council.

7 ~~(e)~~ **(f)** The members of the community corrections advisory board  
 8 shall, within thirty (30) days after the last initial appointment is made,  
 9 meet and elect one (1) member as chairman and another as vice  
 10 chairman and appoint a secretary-treasurer who need not be a member.  
 11 A majority of the members of a community corrections advisory board  
 12 may provide for a number of members that is:

- 13 (1) less than a majority of the members; and
- 14 (2) at least six (6);

15 to constitute a quorum for purposes of transacting business. The  
 16 affirmative votes of at least five (5) members, but not less than a  
 17 majority of the members present, are required for the board to take  
 18 action. A vacancy in the membership does not impair the right of a  
 19 quorum to transact business.

20 ~~(f)~~ **(g)** The county executive and county fiscal body shall provide  
 21 necessary assistance and appropriations to the community corrections  
 22 advisory board established for that county. Appropriations required  
 23 under this subsection are limited to amounts received from the  
 24 following sources:

- 25 (1) Department grants.
- 26 (2) User fees.
- 27 (3) Other funds as contained within an approved plan.

28 Additional funds may be appropriated as determined by the county  
 29 executive and county fiscal body.

30 SECTION 4. IC 16-20-2-8 IS AMENDED TO READ AS  
 31 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. **(a) This subsection**  
 32 **applies to a member of a local board of health who is appointed by**  
 33 **the county executive. An individual who is appointed a member of**  
 34 **a local board of health serves at the pleasure of the county**  
 35 **executive as long as the county executive that appointed the**  
 36 **member retains all of the same members who served on the body**  
 37 **when the individual was appointed.**

38 **(b) In addition, any** ~~A~~ member of a local board of health may be

1 removed by the **board member's** appointing authority if the board  
2 member does any of the following:

- 3 (1) Is absent from three (3) consecutive regular board meetings.
- 4 (2) Is absent from four (4) regular board meetings during a  
5 calendar year.
- 6 (3) Fails to perform the statutory duties of the office.

7 SECTION 5. IC 16-20-2-10, AS AMENDED BY P.L.219-2021,  
8 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2026]: Sec. 10. **(a) This section applies to a seven (7)  
10 member board appointed under section 5(b) of this chapter.**

11 ~~(a)~~ **(b)** All members of a local board of health shall be appointed for  
12 a term of four (4) years. Each member serves until a successor is  
13 appointed and qualified.

14 ~~(b)~~ **(c)** Unless otherwise required by law, after December 31, 1991,  
15 the board members serve staggered terms. The appointing authority  
16 shall appoint the members of a board in existence on December 31,  
17 1991, and the initial members of a board established after December  
18 31, 1991, as follows:

- 19 (1) One (1) member must be appointed for one (1) year.
- 20 (2) Two (2) members must be appointed for two (2) years.
- 21 (3) Two (2) members must be appointed for three (3) years.
- 22 (4) Two (2) members must be appointed for four (4) years.

23 SECTION 6. IC 16-20-2-10.5 IS ADDED TO THE INDIANA  
24 CODE AS A NEW SECTION TO READ AS FOLLOWS  
25 [EFFECTIVE JULY 1, 2026]: **Sec. 10.5. (a) This section applies to a  
26 nine (9) member local board of health appointed under section 5(a)  
27 of this chapter.**

28 **(b) Notwithstanding any other provision of this chapter, the  
29 term of a board member appointed before January 1, 2027,  
30 terminates on December 31, 2026.**

31 **(c) After December 31, 2026, members shall be appointed to the  
32 following initial staggered terms:**

- 33 **(1) One (1) member shall be appointed under section 5(a)(3)  
34 of this chapter to a one (1) year term.**
- 35 **(2) Two (2) physician members shall be appointed under  
36 section 5(a)(1) of this chapter to two (2) year terms.**
- 37 **(3) Three (3) other members shall be appointed under section  
38 5(a)(1) of this chapter to three (3) year terms.**

1           **(4) One (1) member shall be appointed under section 5(a)(2)**  
2           **of this chapter to a three (3) year term.**

3           **(5) Two (2) members shall be appointed under section 5(a)(4)**  
4           **of this chapter to four (4) year terms.**

5           **(c) All subsequent appointments of members shall be for four**  
6           **(4) year terms. Each member serves until a successor is appointed**  
7           **and qualified.**

8           SECTION 7. IC 16-23-1-9 IS AMENDED TO READ AS  
9           FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) The directors  
10          shall be appointed on the third Monday of January.

11          (b) The initial terms of the governing board are as follows:

12                  (1) Two (2) members for one (1) year.

13                  (2) Two (2) members for two (2) years.

14                  (3) One (1) member for three (3) years.

15                  (4) Two (2) members for four (4) years.

16          (c) Each subsequent term is for four (4) years.

17          (d) The term of each member begins February 1 in the year of  
18          appointment at the expiration of the member's predecessor's term and  
19          continues four (4) years and until a successor is appointed and  
20          qualified. However, an interim member chosen to fill a vacancy begins  
21          tenure at the time specified in the member's certificate of appointment  
22          and serves the unexpired term of the member the interim member  
23          succeeds.

24          **(e) An individual who is appointed a director serves at the**  
25          **pleasure of the appointing board as long as the appointing board**  
26          **retains all of the same members who served on the appointing**  
27          **board when the individual was appointed.**

28          SECTION 8. IC 33-40-7-3, AS AMENDED BY P.L.111-2024,  
29          SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
30          JULY 1, 2026]: Sec. 3. (a) A county executive may adopt an ordinance  
31          establishing a county public defender board consisting of three (3)  
32          members. The county executive shall appoint one (1) member. The  
33          judges who exercise felony or juvenile jurisdiction in the county shall  
34          appoint by majority vote one (1) member. The Indiana commission on  
35          court appointed attorneys shall appoint one (1) member who must be  
36          a resident of the county or region managing the public defender's  
37          office.

38          (b) The members must be persons who have demonstrated an

1 interest in high quality legal representation for indigent persons.  
 2 However, a member may not be:  
 3 (1) a city, town, or county attorney;  
 4 (2) a law enforcement officer;  
 5 (3) a judge;  
 6 (4) a court employee;  
 7 (5) an attorney who provides representation to indigent persons in  
 8 the county or region managed by the public defender board;  
 9 (6) an employee of the department of child services; or  
 10 (7) an employee of any individuals described in subdivisions (1)  
 11 through (6).

12 **(c) This subsection applies to a member of the board who is**  
 13 **appointed by the county executive. A board member serves at the**  
 14 **pleasure of the county executive as long as the county executive**  
 15 **retains all of the same members who served on the body when the**  
 16 **individual was appointed.**

17 ~~(e)~~ **(d)** Each member of the board serves a three (3) year term  
 18 beginning with the date of the member's appointment. A member  
 19 appointed to fill a vacancy holds office for the remainder of the  
 20 previous member's term. If a successor has not been appointed by the  
 21 end of a member's three (3) year term, the member continues in office  
 22 until the member's successor takes office. In the case of a county public  
 23 defender board established before July 1, 2019, the appointment by the  
 24 Indiana commission on court appointed attorneys shall begin upon the  
 25 first expiration of a current term of a member appointed by the judges  
 26 who exercise felony or juvenile jurisdiction in the county.

27 ~~(d)~~ **(e)** The members shall, by a majority vote, elect one (1) member  
 28 to serve as chairperson.

29 ~~(e)~~ **(f)** Meetings shall be held at least quarterly and may be held at  
 30 other times during the year at the call of the:

- 31 (1) chairperson; or  
 32 (2) other two (2) members.

33 ~~(f)~~ **(g)** A county executive may terminate the board by giving at least  
 34 ninety (90) days written notice to the judges described in subsection  
 35 (a).

36 SECTION 9. IC 33-40-7-3.5, AS AMENDED BY P.L.111-2024,  
 37 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2026]: Sec. 3.5. (a) A county executive may adopt an

1 ordinance allowing the county to enter into an interlocal agreement (as  
2 described in IC 36-1-7-3) with one (1) or more counties for the purpose  
3 of:

- 4 (1) creating a multicounty public defender's office; and
- 5 (2) providing legal defense services to indigent persons located in  
6 the counties served by the multicounty public defender's office.

7 (b) An agreement described in subsection (a) shall:

- 8 (1) require any created multicounty public defender's office to be  
9 administered by a joint board (as described in  
10 IC 36-1-7-3(a)(5)(B)); and
- 11 (2) delegate, to an auditor of one (1) of the constituent counties  
12 comprising the multicounty public defender's office, the duty to  
13 receive, disburse, and account for all monies distributed to the  
14 multicounty public defender's office.

15 (c) Notwithstanding any guidelines and standards adopted by the  
16 Indiana commission on court appointed attorneys under IC 33-40-5-4,  
17 the members of a joint board shall be persons who have demonstrated  
18 an interest in high quality legal representation for indigent persons.

19 (d) Notwithstanding any other law or provision, a member of the  
20 joint board may not be:

- 21 (1) a city, town, or county attorney;
- 22 (2) a law enforcement officer;
- 23 (3) a judge;
- 24 (4) a court employee;
- 25 (5) an employee of the department of child services;
- 26 (6) an attorney who provides representation to indigent persons in  
27 one (1) or more of the counties served by the multicounty public  
28 defender's office being administered by the joint board; or
- 29 (7) an employee of any individuals described in subdivisions (1)  
30 through (6).

31 (e) Each member of the joint board shall serve a three (3) year term  
32 that begins on the date of the member's appointment to the joint board.

33 **(f) This subsection applies to a member of the board who is**  
34 **appointed by the county executive. An individual who is appointed**  
35 **a board member serves at the pleasure of the county executive as**  
36 **long as the county executive retains all of the same members who**  
37 **served on the body when the individual was appointed.**

38 (g) A member appointed to the joint board for the purpose of

1 filling a vacancy shall serve a term limited to the duration of the  
2 previous member's term.

3 ~~(g)~~ **(h)** If a successor has not been appointed before the end of a  
4 member's three (3) year term, the current member of the joint board  
5 shall continue the member's service until the member's successor:  
6 (1) has been appointed; and  
7 (2) is able to begin the member's term.

8 ~~(h)~~ **(i)** The members shall, by a majority vote, elect one (1) member  
9 to serve as a chairperson.

10 ~~(i)~~ **(j)** The joint board shall meet on a quarterly basis. The joint  
11 board may convene additional meetings upon the request of:  
12 (1) the chairperson; or  
13 (2) two (2) serving members of the joint board.".

14 Delete pages 2 through 7.  
15 Page 8, delete lines 1 through 34.  
16 Page 10, line 10, delete "establish" and insert "**set**".  
17 Page 11, delete lines 17 through 42, begin a new paragraph and  
18 insert:  
19 "SECTION 14. IC 36-4-9-6, AS AMENDED BY P.L.141-2009,  
20 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
21 JULY 1, 2026]: Sec. 6. (a) This section applies only to second class  
22 cities.  
23 (b) The city executive shall appoint:  
24 (1) a city controller;  
25 (2) a city civil engineer;  
26 (3) a corporation counsel;  
27 (4) a chief of the fire department;  
28 (5) a chief of the police department; and  
29 (6) other officers, employees, boards, and commissions required  
30 by statute.  
31 (c) The board of public works and safety may be composed of three  
32 (3) members or five (5) members appointed by the executive. **An**  
33 **individual who is appointed a member of the board serves at the**  
34 **pleasure of the executive as long as the executive who appointed the**  
35 **member continues to hold the office of executive.** A member may  
36 hold other appointive positions in city government during the member's  
37 tenure. IC 36-4-11-2 applies to board member appointments under this  
38 section. The executive shall appoint a clerk for the board.

1 (d) If the board of public works and board of public safety are  
2 established as separate boards, each board may be composed of three  
3 (3) members or five (5) members who are appointed by the executive.  
4 A member may hold other appointive positions in city government  
5 during the member's tenure. The executive shall appoint a clerk for  
6 each board.

7 (e) If the executive:  
8 (1) increases the number of members of a board of public works  
9 and safety, a board of public works, or a board of public safety  
10 from three (3) to five (5) members; or  
11 (2) decreases the number of members of a board of public works  
12 and safety, a board of public works, or a board of public safety  
13 from five (5) to three (3) members;

14 the city shall publish notice under IC 5-3-1 of the increase or decrease  
15 in members and state the total number of members appointed to the  
16 board.

17 SECTION 15. IC 36-4-9-8, AS AMENDED BY P.L.33-2010,  
18 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
19 JULY 1, 2026]: Sec. 8. (a) This section applies only to third class  
20 cities.

21 (b) The city executive shall appoint:  
22 (1) a city civil engineer;  
23 (2) a city attorney;  
24 (3) a chief of the fire department;  
25 (4) a chief of the police department; and  
26 (5) other officers, employees, boards, and commissions required  
27 by statute.

28 (c) The board of public works and safety consists of three (3) or five  
29 (5) members (as determined by the city executive). The members of the  
30 board of public works and safety are:

31 (1) the city executive; and  
32 (2) two (2) or four (4) persons appointed by the executive.

33 **An individual who is appointed a member of the board serves at**  
34 **the pleasure of the executive as long as the executive who appointed**  
35 **the member continues to hold the office of executive.** If the  
36 executive increases the number of board members from three (3) to five  
37 (5) members or decreases the number of board members from five (5)  
38 to three (3) members, the city shall publish notice under IC 5-3-1 of the

1 increase or decrease in members and state the total number of members  
2 appointed to the board. IC 36-4-4-2 notwithstanding, a member may  
3 hold other appointive or elective positions in city government during  
4 the member's tenure. IC 36-4-11-2 applies to board member  
5 appointments under this section. The city clerk is the clerk of the board.

6 (d) If the city legislative body adopts an ordinance under IC 36-4-12  
7 to employ a city manager, the executive may appoint the city manager  
8 to a position on the board of public works and safety in place of the  
9 executive.

10 (e) The city executive may appoint a public safety director to:

11 (1) serve as the chief administrative officer of; and

12 (2) oversee the operations of;

13 the police department and fire department. The city executive shall  
14 determine the qualifications of the public safety director.

15 SECTION 16. IC 36-7-4-218, AS AMENDED BY P.L.127-2017,  
16 SECTION 171, IS AMENDED TO READ AS FOLLOWS  
17 [EFFECTIVE JULY 1, 2026]: Sec. 218. (a) When an initial term of  
18 office of a citizen member expires, each new appointment of a citizen  
19 member is:

20 (1) for a term of four (4) years (in the case of a municipal, county,  
21 or area plan commission);

22 (2) for a term of three (3) years (in the case of a metropolitan plan  
23 commission); or

24 (3) for a term of one (1), two (2), or three (3) years, as designated  
25 by the appointing authority (in the case of the metropolitan  
26 development commission).

27 A member serves until the member's successor is appointed and  
28 qualified. A member is eligible for reappointment.

29 (b) ADVISORY. Upon the establishment of a nine (9) member  
30 municipal plan commission, the citizen members shall initially be  
31 appointed for the following terms of office:

32 (1) One (1) for a term of two (2) years.

33 (2) Two (2) for a term of three (3) years.

34 (3) Two (2) for a term of four (4) years.

35 Upon the establishment of a seven (7) member municipal plan  
36 commission, two (2) citizen members shall initially be appointed for a  
37 term of three (3) years and two (2) shall initially be appointed for a  
38 term of four (4) years. Each member's term expires on the first Monday

1 of January of the second, third, or fourth year, respectively, after the  
2 year of the member's appointment.

3 (c) ADVISORY. Upon the establishment of a county plan  
4 commission, the citizen members shall initially be appointed for the  
5 following terms of office:

- 6 (1) One (1) for a term of one (1) year.
- 7 (2) One (1) for a term of two (2) years.
- 8 (3) One (1) for a term of three (3) years.
- 9 (4) Two (2) for a term of four (4) years.

10 Each member's term expires on the first Monday of January of the first,  
11 second, third, or fourth year, respectively, after the year of the  
12 member's appointment.

13 (d) ADVISORY. Upon the establishment of a metropolitan plan  
14 commission, the citizen members shall initially be appointed for the  
15 following terms of office:

- 16 (1) Three (3) for a term of one (1) year, one (1) appointed by the  
17 county legislative body and two (2) by the city executive.
- 18 (2) Two (2) for a term of two (2) years, one (1) by each appointing  
19 authority.
- 20 (3) Two (2) for a term of three (3) years, one (1) by each  
21 appointing authority.

22 (e) AREA. If there is one (1) citizen member on the area plan  
23 commission, the member's initial term of office is one (1) year. If there  
24 are two (2) citizen members, one (1) shall be appointed for a term of  
25 one (1) year and one (1) for a term of two (2) years. If there are three  
26 (3) or more citizen members, one (1) shall be appointed for a term of  
27 one (1) year, one (1) for a term of two (2) years, one (1) for a term of  
28 three (3) years, and any remainder for a term of four (4) years. Each  
29 member's term expires on the first Monday of January of the first,  
30 second, third, or fourth year, respectively, after the year of the  
31 member's appointment.

32 (f) ADVISORY–AREA. ~~The appointing authority may remove a~~  
33 ~~member from the plan commission for cause. An individual who is~~  
34 **appointed a member of the plan commission serves at the pleasure**  
35 **of the member's appointing authority as long as:**

- 36 **(1) the officeholder who appointed the individual continues to**  
37 **hold the office; or**
- 38 **(2) the board, committee, or body that appointed the**

1           **individual retains all of the same members who served on the**  
 2           **board, committee, or body when the individual was appointed.**  
 3           **If subdivision (1) or (2) does not apply, the individual may only be**  
 4           **removed for cause. To remove a member for cause,** the appointing  
 5           authority must mail notice of the removal, along with written reasons  
 6           for the removal, to the member at the member's residence address. A  
 7           member who is removed may, within thirty (30) days after receiving  
 8           notice of the removal, appeal the removal to the circuit or superior  
 9           court of the county. The court may, pending the outcome of the appeal,  
 10          order the removal or stay the removal of the member.

11          (g) METRO. The appointing authority may remove a citizen  
 12          member from the metropolitan development commission. The  
 13          appointing authority must mail notice of the removal, along with  
 14          written reasons, if any, for the removal, to the member at the member's  
 15          residence address. A member who is removed may not appeal the  
 16          removal to a court or otherwise.

17          SECTION 17. IC 36-7-4-906, AS AMENDED BY P.L.127-2017,  
 18          SECTION 175, IS AMENDED TO READ AS FOLLOWS  
 19          [EFFECTIVE JULY 1, 2026]: Sec. 906. (a) ADVISORY–AREA.  
 20          When an initial term of office expires, each new appointment is for a  
 21          term of four (4) years.

22          (b) ADVISORY–AREA. Upon the establishment of a division of  
 23          the board of zoning appeals, the members shall initially be appointed  
 24          as provided in the zoning ordinance for the following terms of office:

- 25               (1) One (1) for a term of one (1) year.
- 26               (2) One (1) for a term of two (2) years.
- 27               (3) One (1) for a term of three (3) years.
- 28               (4) Two (2) for a term of four (4) years.

29          (c) ADVISORY–AREA. Under subsection (b), each term expires  
 30          on the first Monday of January of the first, second, third, or fourth year,  
 31          respectively, after the year of the member's appointment.

32          (d) METRO. Each appointment of a member of a division of a board  
 33          of zoning appeals is for a term of one (1) year.

34          (e) METRO. The appointing authority may remove a member from  
 35          the metropolitan board of zoning appeals. The appointing authority  
 36          must mail notice of the removal, along with written reasons, if any, for  
 37          the removal, to the member at the member's residence address. A  
 38          member who is removed may not appeal the removal to a court or

1 otherwise.

2 (f) ~~ADVISORY–AREA. The appointing authority may remove a~~  
3 ~~member from the board of zoning appeals for cause. An individual~~  
4 ~~who is appointed a member of the board of zoning appeals serves~~  
5 ~~at the pleasure of the member's appointing authority as long as:~~

6 (1) ~~the officeholder who appointed the individual continues to~~  
7 ~~hold the office; or~~

8 (2) ~~the board, committee, or body that appointed the~~  
9 ~~individual retains all of the same members that served on the~~  
10 ~~board, committee, or body when the individual was appointed.~~

11 **If subdivision (1) or (2) does not apply, the individual may only be**  
12 **removed for cause. To be removed for cause,** the appointing  
13 authority must mail notice of the removal, along with written reasons  
14 for the removal, to the member at the member's residence address. A  
15 member who is removed may, within thirty (30) days after receiving  
16 notice of the removal, appeal the removal to the circuit or superior  
17 court of the county.

18 (g) A member of a board of zoning appeals serves until the  
19 member's successor is appointed and qualified. A member is eligible  
20 for reappointment.

21 SECTION 18. IC 36-7-12-14, AS AMENDED BY P.L.127-2017,  
22 SECTION 196, IS AMENDED TO READ AS FOLLOWS  
23 [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) **An economic development**  
24 **commissioner of an economic development commission established**  
25 **under section 8 of this chapter may be removed from office for**  
26 **good cause as provided in subsection (c).**

27 (b) **This subsection does not apply to an economic development**  
28 **commission established under section 8 of this chapter. An**  
29 **individual who is an appointed member serves at the pleasure of**  
30 **the member's appointing authority as long as:**

31 (1) **the city or town executive who appointed the individual**  
32 **continues to hold the office; or**

33 (2) **the county executive that appointed the individual retains**  
34 **all of the same members who served on the body when the**  
35 **individual was appointed.**

36 **If subdivision (1) or (2) does not apply, the individual may only be**  
37 **removed for good cause.**

38 (c) An economic development commissioner may be removed from

1 office for neglect of duty, incompetency, inability to perform the  
 2 commissioner's duties, or any other good cause, by the executive or  
 3 fiscal body that selected or nominated the commissioner. The  
 4 commissioner removed may obtain judicial review of the removal by  
 5 filing a complaint in a circuit or superior court in the county, and the  
 6 burden of proof is upon the executive or fiscal body that removed the  
 7 commissioner. The cause shall be placed on the advanced calendar and  
 8 be tried as other civil causes are tried by the court, without a jury. The  
 9 court's judgment may be appealed in the same manner as any civil  
 10 action.

11 SECTION 19. IC 36-7-14.5-8 IS AMENDED TO READ AS  
 12 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) The board is  
 13 composed of three (3) members, who must be residents of the unit  
 14 appointed by the executive of the unit.

15 (b) A member is entitled to serve a three (3) year term. A member  
 16 may be reappointed to subsequent terms.

17 (c) If a vacancy occurs on the board, the executive of the unit shall  
 18 fill the vacancy by appointing a new member for the remainder of the  
 19 vacated term.

20 (d) A board member **for a board established in a county**  
 21 **containing a consolidated city** may be removed for cause by the  
 22 executive of the unit.

23 (e) **This subsection applies to a board established in a county**  
 24 **that does not contain a consolidated city. An individual who is**  
 25 **appointed a board member serves at the pleasure of the member's**  
 26 **appointing authority as long as:**

- 27 (1) **the city or town executive who appointed the member**  
 28 **continues to hold the office of city or town executive; or**  
 29 (2) **the county executive that appointed the individual retains**  
 30 **all of the same members that served on the body when the**  
 31 **individual was appointed.**

32 **If subdivision (1) or (2) does not apply, the individual may only be**  
 33 **removed for cause.**

34 ~~(e)~~ (f) Each member, before entering upon the duties of office, must  
 35 take and subscribe an oath of office under IC 5-4-1, which shall be  
 36 endorsed upon the certificate of appointment and filed with the records  
 37 of the board.

38 ~~(f)~~ (g) A member may not receive a salary, and no profit or money

1 of the authority inures to the benefit of a member.

2 SECTION 20. IC 36-8-9-3.1 IS AMENDED TO READ AS  
3 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3.1. (a) An ordinance  
4 adopted under section 2 of this chapter must provide as follows:

5 (1) The board must consist of either of the following number of  
6 members:

7 (A) Three (3) members. If the ordinance provides for a three  
8 (3) member board, not more than two (2) board members may  
9 be members of the same political party, if individuals who  
10 satisfy this requirement can be found to serve on the board.

11 (B) Five (5) members. If the ordinance provides for a five (5)  
12 member board, not more than three (3) board members may be  
13 members of the same political party, if individuals who satisfy  
14 this requirement can be found to serve on the board.

15 (2) Each board member must be a resident of the town.

16 (3) The town legislative body shall appoint each board member.

17 (4) Except as provided in subdivision (5), the term of each board  
18 member expires January 1 of the third year after the member's  
19 appointment.

20 (5) The ordinance must provide for staggered terms of the board  
21 members and the method for staggering the terms. If the board has  
22 three (3) members, the term of one (1) board member must expire  
23 each year. If the board has five (5) members, the terms of not  
24 more than two (2) board members may expire each year.

25 (6) The town legislative body may remove a board member for  
26 any cause that the legislative body considers sufficient.

27 (7) The town legislative body may not appoint a police officer  
28 employed by the town to serve on the board.

29 (b) The ordinance may provide that a member of the town  
30 legislative body may serve as an ex officio member of the board. If the  
31 ordinance permits members of the town legislative body to serve as  
32 members of the board, the following apply:

33 (1) The ordinance must state the maximum number of board  
34 members that may also be members of the town legislative body.

35 (2) The ordinance must provide either of the following:

36 (A) That a board member vacates the member's position on the  
37 board when the member is no longer a member of the town  
38 legislative body.

1 (B) That a board member may continue to serve until the end  
2 of the board member's term even if the board member vacates  
3 the member's position on the town legislative body.

4 (3) A board member who is also a member of the town legislative  
5 body may not receive compensation as a board member provided  
6 under subsection (g).

7 (4) A board member who is also a member of the town legislative  
8 body is not required to post the bond required by subsection (f).

9 (c) This subsection does not apply to a board member who is a  
10 member of the town legislative body. Before performing any function  
11 of a board member, an individual shall take and subscribe an oath or  
12 affirmation of office before the circuit court clerk of the county in  
13 which the town is located.

14 (d) This subsection applies to all board members. Before performing  
15 any function of a board member, an individual shall take and subscribe  
16 an oath or affirmation:

17 (1) before the circuit court clerk of the county in which the town  
18 is located; **or**

19 (2) **administered by any of the individuals granted notary**  
20 **powers under IC 33-42-9-7, in the case of a reorganized**  
21 **political subdivision (as defined in IC 36-1.5-2-7);**

22 that, in each appointment or removal made by the board to or from the  
23 town police department under this chapter, the board member will not  
24 appoint or remove a member of the town police department because of  
25 the political affiliation of the person or for another cause or reason  
26 other than that of the fitness of the person.

27 (e) The circuit court clerk shall file oaths and affirmations required  
28 by this section among the circuit court clerk's records.

29 (f) This subsection does not apply to a board member who is a  
30 member of the town legislative body. A board member shall give bond  
31 in the penal sum of five thousand dollars (\$5,000), payable to the state  
32 and conditioned upon the faithful and honest discharge of the member's  
33 duties. The bond must be approved by the town legislative body.

34 (g) The town legislative body shall fix the salary of board members  
35 who are not members of the town legislative body. A board member's  
36 salary is payable monthly out of the town treasury.

37 (h) If the board has three (3) members, the town legislative body  
38 may amend the ordinance at any time to increase the number of board

1 members to five (5). The amended ordinance and the appointment of  
2 board members must satisfy all the requirements of subsection (a).

3 (i) A board established in compliance with section 3 of this chapter  
4 (before its repeal) is considered a board established under this section.  
5 A town legislative body may amend an ordinance adopted in  
6 compliance with section 3 of this chapter (before its repeal) as provided  
7 in this section.

8 SECTION 21. IC 36-9-13-18, AS AMENDED BY P.L.127-2017,  
9 SECTION 309, IS AMENDED TO READ AS FOLLOWS  
10 [EFFECTIVE JULY 1, 2026]: Sec. 18. **(a) This subsection only  
11 applies to an individual who is appointed a trustee by a county  
12 executive of a county that does not contain a consolidated city. A  
13 trustee serves at the pleasure of the county executive as long as the  
14 county executive retains all of the same members who served on  
15 the body when the individual was appointed. If any of the members  
16 on the county executive changes, the trustee may only be removed  
17 under subsection (b).**

18 ~~(a)~~ **(b)** A person seeking the removal of a trustee for:

- 19 (1) neglect of duty;
- 20 (2) incompetence;
- 21 (3) inability to perform the trustee's duties; or
- 22 (4) any other good cause;

23 may file a complaint in the circuit or superior court for the county in  
24 which the building authority is located. The complaint must set forth  
25 the charges preferred. The action shall be placed on the court's  
26 advanced calendar, and the court shall try the action in the same  
27 manner as other civil cases, without a jury. If the charges are sustained,  
28 the court shall declare the trustee's office vacant.

29 ~~(b)~~ **(c)** The trustees may summarily remove a director from office at  
30 any time.

31 SECTION 22. IC 36-9-27-5, AS AMENDED BY P.L.278-2019,  
32 SECTION 194, IS AMENDED TO READ AS FOLLOWS  
33 [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) Except ~~in a county having a~~  
34 ~~consolidated city~~ or as provided in subsection ~~(d)~~; **(c)**, the drainage  
35 board consists of either:

- 36 (1) the county executive; or
- 37 (2) three (3) or five (5) persons, at least one (1) of whom must be  
38 a member of the executive, appointed by the executive;

1 at the option of the executive. Appointees under subdivision (2) must  
2 be resident freeholders of the county who are knowledgeable in  
3 drainage matters. Freeholders appointed to the board serve for terms of  
4 three (3) years, with their initial appointments made so as to provide for  
5 staggering of terms on an annual basis. In addition, the county surveyor  
6 serves on the board as an ex officio, nonvoting member.

7 **(b) This subsection only applies to an individual appointed as a**  
8 **member under subsection (a)(2) by a county executive of a county**  
9 **that does not contain a consolidated city. A drainage board**  
10 **member serves at the pleasure of the county executive as long as**  
11 **the county executive that appointed the individual retains all of the**  
12 **same members who served on the body when the individual was**  
13 **appointed.**

14 ~~(b)~~ (c) In a county having a consolidated city, the board of public  
15 works of the consolidated city comprises the drainage board, subject to  
16 IC 36-3-4-23.

17 ~~(c)~~ (d) In a county having a consolidated city, the department of  
18 public works of the consolidated city has all the powers, duties, and  
19 responsibilities of the county surveyor under this chapter, subject to  
20 IC 36-3-4-23.

21 SECTION 23. IC 36-9-27.4-2 IS AMENDED TO READ AS  
22 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. As used in this  
23 chapter, "drainage board" means the following:

- 24 (1) Except as provided in subdivision (2):  
25 (A) the county board of commissioners, as provided in  
26 IC 36-9-27-5(a)(1); or  
27 (B) the drainage board appointed by the board of  
28 commissioners under IC 36-9-27-5(a)(2).  
29 (2) In a county having a consolidated city, the board of public  
30 works of the consolidated city, as provided in ~~IC 36-9-27-5(b)~~:  
31 **IC 36-9-27-5(c).**

32 SECTION 24. IC 36-10-3-6, AS AMENDED BY P.L.127-2017,  
33 SECTION 377, IS AMENDED TO READ AS FOLLOWS  
34 [EFFECTIVE JULY 1, 2026]: Sec. 6. **An individual who is appointed**  
35 **a member serves at the pleasure of the member's appointing**  
36 **authority as long as:**

- 37 **(1) the officeholder who appointed the individual continues to**  
38 **hold the office; or**

1           **(2) the board, committee, or body that appointed the**  
 2           **individual retains all of the same members who served on the**  
 3           **board, committee, or body when the individual was appointed.**  
 4       **If subdivision (1) or (2) does not apply, the** ~~A~~ member may be  
 5 removed only for cause, upon specific written charges filed against the  
 6 member. The charges shall be filed with and heard by the appointing  
 7 authority, unless the appointing authority is bringing the charges. If the  
 8 appointing authority is bringing the charges, the unit's fiscal body shall  
 9 appoint a hearing officer. The person to hear the charges shall fix a date  
 10 for a public hearing and give public notice at least ten (10) days in  
 11 advance of the hearing. At the hearing the member is entitled to present  
 12 evidence and argument and to be represented by counsel."

13           Delete pages 12 through 16.

14           Page 17, delete lines 1 through 40.

15           Page 19, delete lines 37 through 42, begin a new paragraph and  
 16 insert:

17           "SECTION 25. IC 36-10-4-4 IS AMENDED TO READ AS  
 18 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) By February 1  
 19 each year, the executive shall appoint a commissioner to fill the  
 20 vacancy caused by the expiration of a term. Each commissioner  
 21 appointed holds office for a term of four (4) years, beginning with  
 22 January 1 in the year of appointment. If a vacancy occurs on the board,  
 23 the executive shall appoint a commissioner for the remainder of the  
 24 term.

25           **(b) A commissioner serves at the pleasure of the executive as**  
 26 **long as the executive who appointed the commissioner continues to**  
 27 **hold the office of executive. If the executive who appointed the**  
 28 **commissioner no longer holds the office of executive, the**  
 29 commissioner may not be removed from office except upon charges  
 30 preferred in writing before the executive, with a hearing held on them.  
 31 If the executive is bringing the charges, the fiscal body shall appoint a  
 32 hearing officer. The only permissible reasons for removal are as  
 33 follows:

34           (1) Inefficiency.

35           (2) Neglect of duty.

36           (3) Malfeasance in office.

37           SECTION 26. IC 36-10-5-2, AS AMENDED BY P.L.277-2019,  
 38 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

- 1 JULY 1, 2026]: Sec. 2. (a) This section applies to:
- 2 (1) third class cities and towns, unless otherwise provided by law;
- 3 and
- 4 (2) each second class city that:
- 5 (A) adopted second class city status by ordinance under
- 6 IC 36-4-1-1.1, as a result of the 2010 federal decennial census;
- 7 and
- 8 (B) has adopted all or part of this section by ordinance or
- 9 resolution.
- 10 (b) As used in this section, "park authority" means:
- 11 (1) the municipal legislative body; or
- 12 (2) any of the following designated by the legislative body as the
- 13 park authority:
- 14 (A) The governing body of the school corporation.
- 15 (B) A recreation board.
- 16 (C) The municipal works board.
- 17 (D) Any other appropriate board or commission.
- 18 (c) If a recreation board is established under subsection (b)(2)(B),
- 19 it must consist of five (5) resident freeholders appointed by the city
- 20 executive or the town legislative body. At least one (1) member must
- 21 be a member of the governing body of the school corporation and no
- 22 members may serve on the municipal legislative body. All members
- 23 must be qualified by an interest in and knowledge of the social and
- 24 educational value of recreation. The members serve without
- 25 compensation. The members shall be appointed for four (4) year terms
- 26 from January 1 of the year of their appointment or until their successors
- 27 are appointed. The initial terms of board members, however, are as
- 28 follows:
- 29 (1) One (1) for a term of one (1) year.
- 30 (2) One (1) for a term of two (2) years.
- 31 (3) One (1) for a term of three (3) years.
- 32 (4) Two (2) for terms of four (4) years.
- 33 A vacancy shall be filled by the appointing authority for the remainder
- 34 of the unexpired term.
- 35 **(d) A member serves at the pleasure of the member's appointing**
- 36 **authority as long as:**
- 37 **(1) the city executive who appointed the member continues to**
- 38 **hold the office of city executive; or**

1           **(2) the town legislative body that appointed the individual**  
2           **retains all of the same members that served on the body when**  
3           **the individual was appointed.**

4           ~~(d)~~ **(e)** The park authority shall manage all public parks, including  
5 approaches, that belong to the municipality.

6           ~~(e)~~ **(f)** If a municipality decides, by ordinance, to establish, lay out,  
7 or improve a public park or grounds, or to make an extension of a park  
8 or grounds, it may locate the park or grounds, including appurtenances,  
9 and it may lay out and open the public ways necessary for the  
10 improvement. If it is necessary to acquire land, water rights, or  
11 easements, or a pool, lake, or natural stream of water, the park authority  
12 may condemn that property and take possession of it if it is located  
13 within the corporate boundaries of the municipality. Before the park  
14 authority condemns the property, it shall assess the damages to the  
15 owners of the property at a meeting of the authority. Additional  
16 condemnation proceedings are the same as those provided for the  
17 taking of property to open streets.

18           ~~(f)~~ **(g)** The park authority may adopt rules concerning the laying out,  
19 improvement, preservation, ornamentation, and management of parks.  
20 The park authority shall allow monuments or buildings for libraries,  
21 works of art, or historical collections to be erected in a park, as long as  
22 they are under the control of the persons in charge of the park and no  
23 inclosure separates them from the rest of the park.

24           ~~(g)~~ **(h)** The legislative body of the municipality may also levy a tax  
25 on all taxable property in the municipality to pay for park property and  
26 for its improvement. The legislative body may also borrow money and  
27 issue the bonds of the municipality at any rate of interest payable  
28 annually or semiannually and may sell them for at least par value. The  
29 money derived from the sale of bonds may be used only for the  
30 purchase or improvement of parks. The legislative body shall annually  
31 levy a tax sufficient to pay the interest on the debt on all taxable  
32 property in the municipality to create a sinking fund for the liquidation  
33 of the principal of the debt.

34           ~~(h)~~ **(i)** If the park authority of a city decides to lease any buildings  
35 or grounds belonging to the city and located in a public park when they  
36 are not required for public use, the proceeds shall be deposited with the  
37 city fiscal officer to the credit of park funds and devoted to the  
38 improvement of public parks.

1           (†) (j) Any nonreverting fund that was created under IC 19-7-6  
 2 (before its repeal on September 1, 1981) continues until abolished by  
 3 ordinance of the municipal legislative body. The legislative body may  
 4 include in the park authority's annual budget an item and an  
 5 appropriation for the specific purposes of a nonreverting capital fund.  
 6 Money put in the fund may not be withdrawn except for the purposes  
 7 for which the fund was created, unless the legislative body repeals the  
 8 ordinance creating the fund. The repeal may not be made under  
 9 suspension of the rules. Money procured from fees shall be deposited  
 10 at least once each month with the municipal fiscal officer. The fiscal  
 11 officer shall deposit the money either in a special nonreverting  
 12 operating fund or in the nonreverting capital fund as directed by the  
 13 park authority. The legislative body may provide by ordinance that  
 14 expenditures may be made from the special nonreverting operating  
 15 fund without appropriation. Money from fees procured from golf  
 16 courses, swimming pools, skating rinks, or other similar facilities  
 17 requiring major expenditures for management and maintenance may  
 18 not be deposited in this fund. Money from either fund shall be  
 19 disbursed only on approved claims that are allowed and signed in the  
 20 same manner as other claims of the municipality are allowed and  
 21 signed.

22           SECTION 27. IC 36-10-5-5, AS AMENDED BY P.L.104-2022,  
 23 SECTION 220, IS AMENDED TO READ AS FOLLOWS  
 24 [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) This section applies to a  
 25 municipality that:

26           (1) has a population of more than twenty-five thousand (25,000);  
 27           and

28           (2) is located in a county having a population of more than three  
 29           hundred thousand (300,000) and less than three hundred fifty  
 30           thousand (350,000).

31           (b) A municipal board consists of four (4) members appointed by  
 32           the executive of the municipality. A member shall be appointed on the  
 33           basis of the member's interest in and knowledge of parks and  
 34           recreation. The members may include the executive of the municipality  
 35           and one (1) or more members of the municipal fiscal body. The  
 36           ordinance creating a municipal board governed by this section may  
 37           provide for one (1) or two (2) ex officio members.

38           (c) **An individual who is appointed a municipal board member**

1 serves at the pleasure of the executive who appointed the  
2 individual, as long as the executive continues to hold the office of  
3 executive.

4 SECTION 28. IC 36-10-6-2, AS AMENDED BY P.L.127-2017,  
5 SECTION 385, IS AMENDED TO READ AS FOLLOWS  
6 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) This section applies to all  
7 counties.

8 (b) As used in this section, "board" refers to an area park board  
9 established under this chapter.

10 (c) As used in this section, "district" refers to an area park district  
11 established under this chapter.

12 (d) Two (2) or more counties may establish an area park district for  
13 the purposes of establishing, owning, maintaining, and controlling one  
14 (1) or more public parks for the use and benefit of the residents of those  
15 counties. To establish a district, the legislative body of each county  
16 desiring to join shall adopt substantially identical ordinances indicating  
17 this intention. Before the ordinances take effect, they must be published  
18 in their respective counties in accordance with IC 5-3-1. Within ten  
19 (10) days after the publication of the ordinance, the auditor of each  
20 county shall file a certified copy of the ordinance with the auditor of  
21 each of the other counties involved. When the ordinances have been  
22 adopted and filed by all the counties joining, the district is considered  
23 established. All of the territory of the counties joining comprises the  
24 district.

25 (e) Within ten (10) days after the publication of the ordinance, any  
26 registered voter may notify the legislative body of the voter's intent to  
27 file a remonstrance petition. Within sixty (60) days after this notice,  
28 petitions for and against the county's joining in the proposed district  
29 may be filed with the legislative body. The petitions must be signed  
30 and acknowledged by registered voters of the county. The petition that  
31 contains the greater number of signatures prevails.

32 (f) Within thirty (30) days after the establishment of the district, the  
33 legislative body of each county joining shall appoint members to the  
34 area park board. Each county may appoint one (1) member to the  
35 board. In addition, each county may appoint an additional member for  
36 each fifty thousand (50,000) residents or fraction thereof of that  
37 county's population. Each member must be a resident of the county  
38 from which the member is appointed, and at least one (1) member from

1 each county must be an elected official of that county. Members serve  
2 for terms of four (4) years and may be reappointed. **An individual who**  
3 **is appointed a member serves at the pleasure of the county**  
4 **legislative body as long as the county legislative body retains the**  
5 **same members who served on the body when the individual was**  
6 **appointed.** Vacancies shall be filled by the appointing authority for the  
7 unexpired term of the vacating member.

8 (g) The board shall meet within thirty (30) days after the  
9 appointment of all members. Notice of the meeting shall be given by  
10 the auditor of the county that passed the first ordinance to establish the  
11 district. At the meeting the board shall elect one (1) of its members  
12 chair and one (1) secretary and shall adopt rules of order that it  
13 considers necessary. The board shall then meet at times and places that  
14 it determines. Members serve on the board without compensation.  
15 However, all members except the elected official members are entitled  
16 to receive a per diem and mileage for time spent in the performance of  
17 their duties.

18 (h) Except as provided in subsection (i), the board has all of the  
19 powers of a board under IC 36-10-3 except the power of eminent  
20 domain.

21 (i) The board may levy a tax for the establishment, purchase,  
22 maintenance, and control of the parks established and controlled by the  
23 board, but the tax may not exceed one and sixty-seven hundredths cents  
24 (\$0.0167) for each one hundred dollars (\$100) of assessed valuation of  
25 property in the district. When the board determines the rate of the levy,  
26 the board shall certify it to each county auditor. The levy shall then be  
27 placed upon the tax duplicate of each county in the district, and the tax  
28 shall be collected in the same manner as other taxes are collected. All  
29 money received for the district shall be paid into the treasury of the  
30 county with the greatest population. The money shall be deposited and  
31 kept as other public funds are deposited and kept, and interest earned  
32 on the money shall be credited to the area park fund. Money may be  
33 paid out by the treasurer only upon the written order of the board.

34 (j) A county may withdraw from a district only upon a two-thirds  
35 (2/3) vote of its legislative body. If a county decides to withdraw from  
36 a district, the date of withdrawal must be effective on January 1 of a  
37 year at least one (1) year after the date upon which the county voted to  
38 withdraw.

1 SECTION 29. IC 36-10-8-4, AS AMENDED BY P.L.229-2011,  
2 SECTION 267, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The board is composed of  
4 seven (7) members.

5 (b) The county executive shall determine in the creating ordinance  
6 which units within the county shall make appointments to the board. In  
7 addition, the creating ordinance must provide that no more than four  
8 (4) of the members be affiliated with the same political party. The  
9 creating ordinance must also provide staggered terms for the  
10 appointments.

11 (c) Notwithstanding subsection (b), if a board was created under  
12 IC 18-7-18 (before its repeal on February 24, 1982), three (3) members  
13 shall be appointed by the executive of the second class city and three  
14 (3) members shall be appointed by the executive of the county. Those  
15 members shall select the seventh member, who serves as president.  
16 One (1) of the members appointed by the city executive must be  
17 engaged in the hospitality industry in the city. No more than two (2) of  
18 the members appointed by the city executive may be affiliated with the  
19 same political party and no more than two (2) of the members  
20 appointed by the county executive may be affiliated with the same  
21 political party. In addition, each member must have been a resident of  
22 the county for at least one (1) year immediately preceding the member's  
23 appointment. Initial terms of the members are as follows:

24 (1) One (1) of the members appointed by each appointing  
25 authority for a term ending January 15 of the year following the  
26 appointment.

27 (2) Two (2) of the members appointed by each appointing  
28 authority for a term ending January 15 of the second year  
29 following the appointment.

30 (3) The seventh member serves for a term ending January 15 of  
31 the second year following the appointment.

32 (d) Subsequent terms of members are for two (2) years. All terms  
33 begin on January 15. A member serves until a successor is appointed  
34 and qualified. A member may be reappointed after the member's term  
35 has expired.

36 (e) If a vacancy occurs on the board, the appointing authority shall  
37 appoint a new member. That member serves for the remainder of the  
38 vacated term.

1           (f) **An individual who is appointed a member serves at the**  
 2 **pleasure of the member's appointing authority as long as:**  
 3           **(1) the officeholder who appointed the individual continues to**  
 4 **hold the office; or**  
 5           **(2) the board, committee, or body that appointed the**  
 6 **individual retains all of the same members that served on the**  
 7 **board, committee, or body when the individual was appointed.**  
 8 **If subdivision (1) or (2) does not apply, A the board member may be**  
 9 **removed for cause by the appointing authority. ~~who appointed the~~**  
 10 **member.**

11           (g) Each member, before entering upon the member's duties, shall  
 12 take and subscribe an oath of office in the usual form. The oath shall  
 13 be endorsed upon the member's certificate of appointment. The  
 14 certificate shall be promptly filed with the records of the board.  
 15 However, if the board was created under IC 18-7-18 (before its repeal  
 16 on February 24, 1982), the certificate shall be filed with the clerk of the  
 17 circuit court of the county in which the board is created.

18           (h) A member may not receive a salary, but is entitled to  
 19 reimbursement for any expenses necessarily incurred in the  
 20 performance of the member's duties."

21           Delete pages 20 through 25.  
 22           Renumber all SECTIONS consecutively.  
               (Reference is to HB 1161 as printed January 13, 2026.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas 10, Nays 0.

**Buck**

**Chairperson**