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# HOUSE BILL No. 1161

AM116102 has been incorporated into introduced printing.

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**Synopsis:** Local government matters.

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2026

IN 1161—LS 6751/DI 116



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Introduced

Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

## HOUSE BILL No. 1161

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

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

1        SECTION 1. IC 6-9-18-5, AS AMENDED BY P.L.175-2018,  
2        SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3        JULY 1, 2026]: Sec. 5. (a) If a tax is levied under section 3 of this  
4        chapter, the county executive shall create a commission to promote the  
5        development and growth of the convention, visitor, and tourism  
6        industry in the county. If two (2) or more adjoining counties desire to  
7        establish a joint commission, the counties shall enter into an agreement  
8        under IC 36-1-7.

9                (b) The county executive shall determine the number of members,  
10          which must be an odd number, to be appointed to the commission. A  
11          simple majority of the members must be:

12                (1) engaged in a convention, visitor, or tourism business; or  
13                (2) involved in or promoting conventions, visitors, or tourism.  
14          A member appointed to the commission under subdivision (1) or (2)  
15          need not be a resident of the county if the member is an owner or an

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1 executive level employee of a convention, visitor, or tourism business  
2 that is located within the county. However, the member must be a  
3 resident of Indiana. If available and willing to serve, at least two (2) of  
4 the members must be engaged in the business of renting or furnishing  
5 rooms, lodging, or accommodations (as described in section 3 of this  
6 chapter). Not more than one (1) member may be affiliated with the  
7 same business entity. Except as otherwise provided in this subsection,  
8 each member must reside in the county. The county executive shall  
9 also determine who will make the appointments to the commission,  
10 except that the executive of the largest municipality in the county shall  
11 appoint a number of the members of the commission, which number  
12 shall be in the same ratio to the total size of the commission (rounded  
13 off to the nearest whole number) that the population of the largest  
14 municipality bears to the total population of the county.

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

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

32 (e) A member of the commission ~~may be removed for cause by~~  
33 ~~serves at the pleasure of~~ the member's appointing authority.

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

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



9 SECTION 2. IC 7.1-2-4-21 IS AMENDED TO READ AS  
10 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 21. Removal from  
11 Office. **For a local board in a county that does not contain a**  
12 **consolidated city, an appointed member serves at the pleasure of**  
13 **the board of member's appointing authority.** An appointed member  
14 of a local board, **other than a member appointed to a local board in**  
15 **a county that does not contain a consolidated city,** may be removed  
16 from office only for good cause. The commission shall give the  
17 member a written copy of the charges against **him the member** and  
18 shall fix the time, which shall not be less than five (5) days thereafter,  
19 when the member may appear before the commission and show cause  
20 why **he the member** should not be removed. The commission shall  
21 establish procedures for the removal of an appointed member of a local  
22 board. The findings and determinations of the commission in respect  
23 to a removal shall be final.

24 SECTION 3. IC 11-12-2-2, AS AMENDED BY P.L.86-2017,  
25 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26 JULY 1, 2026]: Sec. 2. (a) To qualify for financial aid under this  
27 chapter, a county must establish a community corrections advisory  
28 board by resolution of the county executive or, in a county having a  
29 consolidated city, by the city-county council. A community corrections  
30 advisory board consists of:

31 (1) the county sheriff or the sheriff's designee;  
32 (2) the prosecuting attorney or the prosecuting attorney's  
33 designee;  
34 (3) the executive of the most populous municipality in the county  
35 or the executive's designee;  
36 (4) two (2) judges having criminal jurisdiction, if available,  
37 appointed by the circuit court judge or the judges' designees;  
38 (5) one (1) judge having juvenile jurisdiction, appointed by the  
39 circuit court judge;  
40 (6) one (1) public defender or the public defender's designee, if  
41 available, or one (1) attorney with a substantial criminal defense

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1 practice appointed by the county executive or, in a county having  
2 a consolidated city, by the city-county council;  
3 (7) one (1) victim, or victim advocate if available, appointed by  
4 the county executive or, in a county having a consolidated city,  
5 by the city-county council;  
6 (8) one (1) ex-offender, if available, appointed by the county  
7 executive or, in a county having a consolidated city, by the  
8 city-county council;  
9 (9) the director of the local office of the department of child  
10 services or the director's designee;  
11 (10) a representative from a juvenile correctional facility or  
12 juvenile detention center in the county, but if no facility exists,  
13 one (1) mental health representative chosen by the judge  
14 described in subdivision (5);  
15 (11) a representative from the Juvenile Detention Alternatives  
16 Initiative, but if no program exists, a representative from the  
17 court appointed special advocate program in the county or  
18 guardian ad litem program in the county; and  
19 (12) the following members appointed by the county executive  
20 or, in a county having a consolidated city, by the city-county  
21 council:  
22 (A) One (1) member of the county fiscal body or the  
23 member's designee.  
24 (B) One (1) probation officer.  
25 (C) One (1) juvenile probation officer.  
26 (D) One (1) educational administrator.  
27 (E) One (1) representative of a private correctional agency,  
28 if such an agency exists in the county.  
29 (F) One (1) mental health administrator, or, if there is none  
30 available in the county, one (1) psychiatrist, psychologist,  
31 or physician.  
32 (G) Four (4) lay persons, at least one (1) of whom must be  
33 a member of a minority race if a racial minority resides in  
34 the county and a member of that minority is willing to serve.  
35 (b) Designees of officials designated under subsection (a)(1)  
36 through (a)(6), (a)(9), and (a)(12)(A) serve at the pleasure of the  
37 designating official.  
38 (c) Members of the advisory board appointed by the county  
39 executive or, in a county having a consolidated city, by the city-county  
40 council, shall be appointed for a term of four (4) years. **In addition,**  
41 **members appointed by the county executive of a county that does**

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1       **not contain a consolidated city under this section serve at the**  
2       **pleasure of the county executive.** The criminal defense attorney, the  
3       ex-offender, and the victim or victim advocate shall be appointed for  
4       a term of four (4) years. Other members serve only while holding the  
5       office or position held at the time of appointment. The circuit court  
6       judge may fill the position of the judge having juvenile court  
7       jurisdiction by self appointment if the circuit court judge is otherwise  
8       qualified. A vacancy occurring before the expiration of the term of  
9       office shall be filled in the same manner as original appointments for  
10      the unexpired term. Members may be reappointed.

11      (d) Two (2) or more counties, by resolution of their county  
12      executives or, in a county having a consolidated city, by the city-county  
13      council, may combine to apply for financial aid under this chapter. If  
14      counties so combine, the counties may establish one (1) community  
15      corrections advisory board to serve these counties. This board must  
16      contain the representation prescribed in subsection (a), but the  
17      members may come from the participating counties as determined by  
18      agreement of the county executives or, in a county having a  
19      consolidated city, by the city-county council.

20      (e) The members of the community corrections advisory board  
21      shall, within thirty (30) days after the last initial appointment is made,  
22      meet and elect one (1) member as chairman and another as vice  
23      chairman and appoint a secretary-treasurer who need not be a member.  
24      A majority of the members of a community corrections advisory board  
25      may provide for a number of members that is:

26       (1) less than a majority of the members; and  
27       (2) at least six (6);

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

33      (f) The county executive and county fiscal body shall provide  
34      necessary assistance and appropriations to the community corrections  
35      advisory board established for that county. Appropriations required  
36      under this subsection are limited to amounts received from the  
37      following sources:

38       (1) Department grants.  
39       (2) User fees.  
40       (3) Other funds as contained within an approved plan.

41      Additional funds may be appropriated as determined by the county



1 executive and county fiscal body.

2 SECTION 4. IC 16-20-2-8 IS AMENDED TO READ AS  
 3 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. **(a) A member of a**  
 4 **local board of health appointed by a county executive of a county**  
 5 **that does not contain a consolidated city serves at the pleasure of**  
 6 **the county executive.**

7 **(b) In addition, any** A member of a local board of health may be  
 8 removed by the **board member's** appointing authority if the board  
 9 member does any of the following:

10 (1) Is absent from three (3) consecutive regular board meetings.  
 11 (2) Is absent from four (4) regular board meetings during a  
 12 calendar year.

13 (3) Fails to perform the statutory duties of the office.

14 SECTION 5. IC 16-23-1-9 IS AMENDED TO READ AS  
 15 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9. (a) The directors  
 16 shall be appointed on the third Monday of January.

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

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

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

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

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

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

23 (d) The term of each member begins February 1 in the year of  
 24 appointment at the expiration of the member's predecessor's term and  
 25 continues four (4) years and until a successor is appointed and  
 26 qualified. However, an interim member chosen to fill a vacancy begins  
 27 tenure at the time specified in the member's certificate of appointment  
 28 and serves the unexpired term of the member the interim member  
 29 succeeds. **The member serves at the pleasure of the member's**  
 30 **appointing authority.**

31 SECTION 6. IC 33-40-7-3, AS AMENDED BY P.L.111-2024,  
 32 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2026]: Sec. 3. (a) A county executive may adopt an ordinance  
 34 establishing a county public defender board consisting of three (3)  
 35 members. The county executive shall appoint one (1) member. The  
 36 judges who exercise felony or juvenile jurisdiction in the county shall  
 37 appoint by majority vote one (1) member. The Indiana commission on  
 38 court appointed attorneys shall appoint one (1) member who must be  
 39 a resident of the county or region managing the public defender's  
 40 office.

41 (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
- 8 in 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) Each member of the board serves a three (3) year term  
 13 beginning with the date of the member's appointment. A member  
 14 appointed to fill a vacancy holds office for the remainder of the  
 15 previous member's term. **Each member appointed by a county**  
 16 **executive serves at the pleasure of the county executive.** If a  
 17 successor has not been appointed by the end of a member's three (3)  
 18 year term, the member continues in office until the member's successor  
 19 takes office. In the case of a county public defender board established  
 20 before July 1, 2019, the appointment by the Indiana commission on  
 21 court appointed attorneys shall begin upon the first expiration of a  
 22 current term of a member appointed by the judges who exercise felony  
 23 or juvenile jurisdiction in the county.

24 (d) The members shall, by a majority vote, elect one (1) member  
 25 to serve as chairperson.

26 (e) Meetings shall be held at least quarterly and may be held at  
 27 other times during the year at the call of the:

- 28 (1) chairperson; or
- 29 (2) other two (2) members.

30 (f) A county executive may terminate the board by giving at least  
 31 ninety (90) days written notice to the judges described in subsection  
 32 (a).

33 SECTION 7. IC 33-40-7-3.5, AS AMENDED BY P.L.111-2024,  
 34 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2026]: Sec. 3.5. (a) A county executive may adopt an  
 36 ordinance allowing the county to enter into an interlocal agreement (as  
 37 described in IC 36-1-7-3) with one (1) or more counties for the purpose  
 38 of:

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



office.

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

(1) require any created multicounty public defender's office to be administered by a joint board (as described in IC 36-1-7-3(a)(5)(B)); and

(2) delegate, to an auditor of one (1) of the constituent counties comprising the multicounty public defender's office, the duty to receive, disburse, and account for all monies distributed to the multicounty public defender's office.

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

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

(1) a city, town, or county attorney;

(2) a law enforcement officer;

(3) a judge;

(4) a court employee;

(5) an employee of the department of child services;

(6) an attorney who provides representation to indigent persons in one (1) or more of the counties served by the multicounty public defender's office being administered by the joint board; or  
(7) an employee of any individuals described in subdivisions (1)

(7) an employee of any individuals described in subdivisions (1) through (6).

(e) Each member of the joint board shall serve a three (3) year term that begins on the date of the member's appointment to the joint board. **Each member serves at the pleasure of the member's appointing authority.**

(f) A member appointed to the joint board for the purpose of filling a vacancy shall serve a term limited to the duration of the previous member's term.

(g) If a successor has not been appointed before the end of a member's three (3) year term, the current member of the joint board shall continue the member's service until the member's successor:

(1) has been appointed; and

(2) is able to begin the member's term.

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

(i) The joint board shall meet on a quarterly basis. The joint board may convene additional meetings upon the request of:



3 SECTION 8. IC 36-2-2-14, AS AMENDED BY P.L.127-2017,  
4 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2026]: Sec. 14. (a) The executive may appoint a county  
6 administrator to be the administrative head of the county under the  
7 supervision of the executive and to hold office at the pleasure of the  
8 executive. The executive may assign any office, position, or duties  
9 under its control to the administrator, and may by resolution withdraw  
10 any of the powers and duties assigned.

13 (1) assist in the administration and enforcement of policies and  
14 resolutions of the executive;  
15 (2) supervise activities of county government subject to the  
16 control of the executive;  
17 (3) attend meetings of the executive;  
18 (4) recommend measures for adoption to the executive;  
19 (5) prepare and submit reports that the administrator considers  
20 advisable or that the executive requires;  
21 (6) keep the executive fully advised on the financial condition of  
22 the county;  
23 (7) prepare and submit a budget for each fiscal year; and  
24 (8) perform other duties that the executive requests by  
25 resolution.

25 resolution.  
26 (c) If the administrator is absent from the administrator's office  
27 due to illness, death, vacation, resignation, or removal, the president of  
28 the executive, if any, or a qualified person appointed by the executive  
29 shall act as administrator until the administrator returns to the  
30 administrator's duties or the executive appoints a new administrator.

36 JULY 1, 2020].  
37 **Chapter 21. County Personnel Policy and Evaluation**  
38 **Standards**

## Sec. 1. This chapter does not apply to:

39 See. 1. This chapter does not apply to:

40 (1) a county containing a consolidated city; or

41 (2) employees:

42 (A) of a probation department;



- (B) of a court;**
- (C) of a judicial officer (as defined in IC 35-31.5-2-177.7) or other circuit officers;**
- (D) of a prosecutor's office;**
- (E) of a public defender's office;**
- (F) of a community corrections program;**
- (G) governed by a merit board established under IC 36-8-3.5 or IC 36-8-10-3; or**
- (H) of the state.**

10           **Sec. 2. (a) Each county executive, in coordination with the**  
11           **county fiscal body if applicable, shall adopt and maintain a written**  
12           **personnel policy, employee handbook, or equivalent document**  
13           **establishing minimum standards for county employee conduct and**  
14           **applicable county policies.**

20                   **Sec. 3. Results of evaluations shall be maintained as part of the**  
21                   **employee's personnel record in accordance with county policy.**

Sec. 4. An elected county officer or their designee retains responsibility for and authority over final disciplinary decisions for employees under the officer's supervision, unless otherwise permitted or required by state law.

26                   **Sec. 5. Nothing in this chapter shall be construed to diminish**  
27                   **or infringe upon the statutory authority, autonomy, or**  
28                   **constitutional duties of:**

- (1) a county executive;
- (2) a county fiscal body;
- (3) an elected county officer (as defined in IC 36-2-2.9-3);
- (4) a judicial officer (as defined in IC 35-31.5-2-177.7), other circuit officers, or employees of a judicial or circuit officer;
- (5) a prosecutor's office;
- (6) a public defender's office;
- (7) a community corrections advisory board established under IC 11-12-2-2; or
- (8) a merit board established under IC 36-8-3.5 or IC 36-8-10-3.

40 SECTION 9. IC 36-4-9-6, AS AMENDED BY P.L.141-2009,  
41 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
42 JULY 1, 2026]: Sec. 6. (a) This section applies only to second class

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1        cities.

2        (b) The city executive shall appoint:

3            (1) a city controller;

4            (2) a city civil engineer;

5            (3) a corporation counsel;

6            (4) a chief of the fire department;

7            (5) a chief of the police department; and

8            (6) other officers, employees, boards, and commissions required

9            by statute.

10        (c) The board of public works and safety may be composed of

11        three (3) members or five (5) members appointed by the executive. **A**

12        **member serves at the pleasure of the executive.** A member may hold

13        other appointive positions in city government during the member's

14        tenure. IC 36-4-11-2 applies to board member appointments under this

15        section. The executive shall appoint a clerk for the board.

16        (d) If the board of public works and board of public safety are

17        established as separate boards, each board may be composed of three

18        (3) members or five (5) members who are appointed by the executive.

19        A member may hold other appointive positions in city government

20        during the member's tenure. The executive shall appoint a clerk for

21        each board.

22        (e) If the executive:

23            (1) increases the number of members of a board of public works

24            and safety, a board of public works, or a board of public safety

25            from three (3) to five (5) members; or

26            (2) decreases the number of members of a board of public works

27            and safety, a board of public works, or a board of public safety

28            from five (5) to three (3) members;

29        the city shall publish notice under IC 5-3-1 of the increase or decrease

30        in members and state the total number of members appointed to the

31        board.

32        SECTION 10. IC 36-4-9-8, AS AMENDED BY P.L.33-2010,

33        SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

34        JULY 1, 2026]: Sec. 8. (a) This section applies only to third class

35        cities.

36        (b) The city executive shall appoint:

37            (1) a city civil engineer;

38            (2) a city attorney;

39            (3) a chief of the fire department;

40            (4) a chief of the police department; and

41            (5) other officers, employees, boards, and commissions required



1                   by statute.

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

5                   (1) the city executive; and

6                   (2) two (2) or four (4) persons appointed by the executive.

7                   **A member appointed by the executive serves at the pleasure of the**  
 8                   **executive.** If the executive increases the number of board members  
 9                   from three (3) to five (5) members or decreases the number of board  
 10                  members from five (5) to three (3) members, the city shall publish  
 11                  notice under IC 5-3-1 of the increase or decrease in members and state  
 12                  the total number of members appointed to the board. IC 36-4-4-2  
 13                  notwithstanding, a member may hold other appointive or elective  
 14                  positions in city government during the member's tenure. IC 36-4-11-2  
 15                  applies to board member appointments under this section. The city  
 16                  clerk is the clerk of the board.

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

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

22                   (1) serve as the chief administrative officer of; and  
 23                   (2) oversee the operations of;

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

26                  SECTION 11. IC 36-7-4-218, AS AMENDED BY P.L.127-2017,  
 27                  SECTION 171, IS AMENDED TO READ AS FOLLOWS  
 28                  [EFFECTIVE JULY 1, 2026]: Sec. 218. (a) When an initial term of  
 29                  office of a citizen member expires, each new appointment of a citizen  
 30                  member is:

31                   (1) for a term of four (4) years (in the case of a municipal,  
 32                   county, or area plan commission);  
 33                   (2) for a term of three (3) years (in the case of a metropolitan  
 34                   plan commission); or  
 35                   (3) for a term of one (1), two (2), or three (3) years, as designated  
 36                   by the appointing authority (in the case of the metropolitan  
 37                   development commission).

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

40                  (b) ADVISORY. Upon the establishment of a nine (9) member  
 41                  municipal plan commission, the citizen members shall initially be



1 appointed for the following terms of office:

2                   (1) One (1) for a term of two (2) years.  
 3                   (2) Two (2) for a term of three (3) years.  
 4                   (3) Two (2) for a term of four (4) years.

5 Upon the establishment of a seven (7) member municipal plan  
 6 commission, two (2) citizen members shall initially be appointed for a  
 7 term of three (3) years and two (2) shall initially be appointed for a  
 8 term of four (4) years. Each member's term expires on the first Monday  
 9 of January of the second, third, or fourth year, respectively, after the  
 10 year of the member's appointment.

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

14                   (1) One (1) for a term of one (1) year.  
 15                   (2) One (1) for a term of two (2) years.  
 16                   (3) One (1) for a term of three (3) years.  
 17                   (4) Two (2) for a term of four (4) years.

18                   Each member's term expires on the first Monday of January of the first,  
 19 second, third, or fourth year, respectively, after the year of the  
 20 member's appointment.

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

24                   (1) Three (3) for a term of one (1) year, one (1) appointed by the  
 25 county legislative body and two (2) by the city executive.  
 26                   (2) Two (2) for a term of two (2) years, one (1) by each  
 27 appointing authority.  
 28                   (3) Two (2) for a term of three (3) years, one (1) by each  
 29 appointing authority.

30                   (e) AREA. If there is one (1) citizen member on the area plan  
 31 commission, the member's initial term of office is one (1) year. If there  
 32 are two (2) citizen members, one (1) shall be appointed for a term of  
 33 one (1) year and one (1) for a term of two (2) years. If there are three  
 34 (3) or more citizen members, one (1) shall be appointed for a term of  
 35 one (1) year, one (1) for a term of two (2) years, one (1) for a term of  
 36 three (3) years, and any remainder for a term of four (4) years. Each  
 37 member's term expires on the first Monday of January of the first,  
 38 second, third, or fourth year, respectively, after the year of the  
 39 member's appointment.

40                   (f) ADVISORY—AREA. **A member serves on the plan  
 41 commission at the pleasure of the member's appointing authority.**



1       The appointing authority may remove a member from the plan  
 2       commission for cause. The appointing authority must mail notice of the  
 3       removal, along with written reasons for the removal, to the member at  
 4       the member's residence address. A member who is removed may,  
 5       within thirty (30) days after receiving notice of the removal, appeal the  
 6       removal to the circuit or superior court of the county. The court may,  
 7       pending the outcome of the appeal, order the removal or stay the  
 8       removal of the member.

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

15      SECTION 12. IC 36-7-4-906, AS AMENDED BY P.L.127-2017,  
 16      SECTION 175, IS AMENDED TO READ AS FOLLOWS  
 17      [EFFECTIVE JULY 1, 2026]: Sec. 906. (a) ADVISORY-AREA.  
 18      When an initial term of office expires, each new appointment is for a  
 19      term of four (4) years.

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

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

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

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

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

38      (f) ADVISORY-AREA. **A member of the board of zoning  
 39      appeals serves at the pleasure of the member's appointing  
 40      authority. The appointing authority may remove a member from the  
 41      board of zoning appeals for cause. The appointing authority must mail**



1 notice of the removal, along with written reasons for the removal, to the  
 2 member at the member's residence address. A member who is removed  
 3 may, within thirty (30) days after receiving notice of the removal,  
 4 appeal the removal to the circuit or superior court of the county.

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

8 SECTION 13. IC 36-7-12-14, AS AMENDED BY P.L.127-2017,  
 9 SECTION 196, IS AMENDED TO READ AS FOLLOWS  
 10 [EFFECTIVE JULY 1, 2026]: Sec. 14. **(a) This subsection applies to**  
 11 **an economic development commission established under section 8**  
 12 **of this chapter.** An economic development commissioner may be  
 13 removed from office for neglect of duty, incompetency, inability to  
 14 perform the commissioner's duties, or any other good cause, by the  
 15 executive or fiscal body that selected or nominated the commissioner.  
 16 The commissioner removed may obtain judicial review of the removal  
 17 by filing a complaint in a circuit or superior court in the county, and the  
 18 burden of proof is upon the executive or fiscal body that removed the  
 19 commissioner. The cause shall be placed on the advanced calendar and  
 20 be tried as other civil causes are tried by the court, without a jury. The  
 21 court's judgment may be appealed in the same manner as any civil  
 22 action.

23 **(b) This subsection does not apply to an economic development**  
 24 **commission established under section 8 of this chapter. An**  
 25 **economic development commissioner serves at the pleasure of the**  
 26 **member's appointing authority.**

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

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

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

36 (d) A board member:

37 (1) **for a board established in a county containing a**  
 38 **consolidated city,** may be removed for cause by the executive  
 39 **of the unit; and**  
 40 (2) **for a board established in a county that does not contain**  
 41 **a consolidated city,** serves at the pleasure of the executive.



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

(f) A member may not receive a salary, and no profit or money of the authority inures to the benefit of a member.

A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]:

## **Chapter 21. County Personnel Policy and Evaluation Standards**

**Sec. 1. This chapter does not apply to:**

(1) a county containing a consolidated city; or  
(2) employees of:  
    (A) a probation department;  
    (B) a court;  
    (C) a prosecutor's office; or  
    (D) the state.

**Sec. 2. (a) Each county executive shall adopt and maintain a written personnel policy, employee handbook, or equivalent document establishing minimum standards for county employee conduct, performance, and workplace expectations.**

**(b) The policy shall apply to all county employees, including those employed by separately elected county officers.**

(c) A county executive may require all county employees, including existing employees, to sign an acknowledgment of receipt of the adopted personnel policy or employee handbook.

(d) If an employee refuses to sign the acknowledgment described in subsection (c), the county executive may treat the refusal as noncompliance with mandatory employment requirements and may take appropriate employment action, including termination, subject to applicable county procedures.

Sec. 3. (a) Each elected county officer shall ensure that employees under the county officer's supervision:

- (1) receive and acknowledge the applicable personnel policy; and
- (2) adhere to the policy's provisions regarding conduct and job performance.

(b) A county executive may establish a uniform evaluation rubric derived from the personnel policy to measure compliance with standards of conduct and performance.

**Sec. 4. (a) Evaluations under the rubric may be performed:**

**(1) internally by the elected county officer or their designee;**



1

or

7 (1) one (1) commissioner or the commissioner's designee;

SECTION 15. 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) A trustee appointed by a**  
11 **county executive of a county that does not contain a consolidated**  
12 **city serves at the pleasure of the county executive.**

13                   **(a) (b) This subsection does not apply to a trustee appointed by**  
14                   **a county executive of a county that does not contain a consolidated**  
15                   **city. A person seeking the removal of a trustee for:**

16 (1) neglect of duty;

17 (2) incompetence;

18 (3) inability to perform the trustee's duties; or

19 (4) any other good cause;

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

26                   **(b) (c)** The trustees may summarily remove a director from office  
27                   at any time.

28 SECTION 16. IC 36-9-27-5, AS AMENDED BY P.L.278-2019,  
29 SECTION 194, IS AMENDED TO READ AS FOLLOWS  
30 [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) Except in a county having a  
31 consolidated city or as provided in subsection (d), the drainage board  
32 consists of either:

33 (1) the county executive; or

34 (2) three (3) or five (5) persons, at least one (1) of whom must be  
35 a member of the executive, appointed by the executive;

36 at the option of the executive. Appointees under subdivision (2) must  
37 be resident freeholders of the county who are knowledgeable in  
38 drainage matters. Freeholders appointed to the board serve for terms of  
39 three (3) years, with their initial appointments made so as to provide for  
40 staggering of terms on an annual basis. In addition, the county surveyor  
41 serves on the board as an ex officio, nonvoting member. **If a member**  
42 **is appointed by a county executive of a county that does not contain**

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1       **a consolidated city under subdivision (2) who is not a member of**  
 2       **the executive, the member serves at the pleasure of the county**  
 3       **executive.**

4       (b) In a county having a consolidated city, the board of public  
 5       works of the consolidated city comprises the drainage board, subject to  
 6       IC 36-3-4-23.

7       (c) In a county having a consolidated city, the department of public  
 8       works of the consolidated city has all the powers, duties, and  
 9       responsibilities of the county surveyor under this chapter, subject to  
 10       IC 36-3-4-23.

11       SECTION 17. IC 36-10-3-6, AS AMENDED BY P.L.127-2017,  
 12       SECTION 377, IS AMENDED TO READ AS FOLLOWS  
 13       [EFFECTIVE JULY 1, 2026]: Sec. 6. A member ~~may be removed only~~  
 14       for cause, upon specific written charges filed against the member. The  
 15       charges shall be filed with and heard by the appointing authority,  
 16       unless the appointing authority is bringing the charges. If the  
 17       appointing authority is bringing the charges, the unit's fiscal body shall  
 18       appoint a hearing officer. The person to hear the charges shall fix a date  
 19       for a public hearing and give public notice at least ten (10) days in  
 20       advance of the hearing. At the hearing the member is entitled to present  
 21       evidence and argument and to be represented by counsel. appointed to  
 22       a board under this chapter serves at the pleasure of the member's  
 23       appointing authority. If a member is removed by the member's  
 24       appointing authority, the appointing authority shall fill the vacancy  
 25       by appointing a new member to serve at the pleasure of the  
 26       appointing authority for the remainder of the removed member's  
 27       term.

28       SECTION 18. IC 36-10-3-11 IS AMENDED TO READ AS  
 29       FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) The board may:

- 30       (1) **subject to subsection (d)**, enter into contracts and leases for  
 31       facilities and services;
- 32       (2) contract with persons for joint use of facilities for the  
 33       operation of park and recreation programs and related services;
- 34       (3) contract with another board, a unit, or a school corporation  
 35       for the use of park and recreation facilities or services, and a  
 36       township or school corporation may contract with the board for  
 37       the use of park and recreation facilities or services;
- 38       (4) **subject to subsection (d)**, acquire and dispose of real and  
 39       personal property, either within or outside Indiana;
- 40       (5) **subject to subsection (d)**, exercise the power of eminent  
 41       domain under statutes available to municipalities;
- 42       (6) sell, lease, or enter into a royalty contract for the natural or



1 mineral resources of land that it owns, the money received to be  
 2 deposited in a nonreverting capital fund of the board;  
 3 (7) engage in self-supporting activities as prescribed by section  
 4 22 of this chapter;  
 5 (8) contract for special and temporary services and for  
 6 professional assistance;  
 7 (9) delegate authority to perform ministerial acts in all cases  
 8 except where final action of the board is necessary;  
 9 (10) prepare, publish, and distribute reports and other materials  
 10 relating to activities authorized by this chapter;  
 11 (11) sue and be sued collectively by its legal name, as the  
 12 "\_\_\_\_\_ (unit's name) Park and Recreation Board", with  
 13 service of process being had upon the president of the board, but  
 14 costs may not be taxed against the board or its members in any  
 15 action;  
 16 (12) invoke any legal, equitable, or special remedy for the  
 17 enforcement of this chapter, a park or recreation ordinance, or  
 18 the board's own action taken under either; and  
 19 (13) release and transfer, by resolution, a part of the area over  
 20 which it has jurisdiction for park and recreational purposes to  
 21 park authorities of another unit for park and recreational  
 22 purposes upon petition of the park or recreation board of the  
 23 acquiring unit.  
 24 (b) The board may also lease any buildings or grounds belonging  
 25 to the unit and located within a park to a person for a period not to  
 26 exceed fifty (50) years. The lease may authorize the lessee to provide  
 27 upon the premises educational, research, veterinary, or other proper  
 28 facilities for the exhibition of wild or domestic animals in wildlife  
 29 parks, dining facilities, swimming facilities, golf courses, skating  
 30 facilities, dancing facilities, amusement rides generally found in  
 31 amusement parks, or other recreational facilities. A lease may be made  
 32 for more than one (1) year only to the highest and best bidder, after  
 33 notice that the lease will be made has been given by publication in  
 34 accordance with IC 5-3-1.  
 35 (c) Notwithstanding subsection (b), the board may lease buildings  
 36 or grounds belonging to the unit for a period of more than one (1) year  
 37 without soliciting the highest and best bidder or providing notice under  
 38 IC 5-3-1 if:  
 39 (1) the buildings or grounds are leased to an Indiana nonprofit  
 40 corporation;  
 41 (2) the buildings or grounds are operated as a public golf course;



1 and  
2 (3) the golf course remains subject to rules and regulations  
3 promulgated by the board.

4 (d) This subsection applies after June 30, 2026. Except as  
5 otherwise provided by this subsection, before the board may:

6 (1) exercise the power of eminent domain under subsection  
7 (a)(5);  
8 (2) enter into a contract under subsection (a)(1) with a total  
9 cost exceeding the lesser of:  
10 (A) five hundred thousand dollars (\$500,000); or  
11 (B) ten percent (10%) of the department's annual  
12 budget;  
13 (3) acquire real or personal property under subsection (a)(4)  
14 with a total cost exceeding the lesser of:  
15 (A) five hundred thousand dollars (\$500,000); or  
16 (B) ten percent (10%) of the department's annual  
17 budget; or  
18 (4) approve capital improvements to park facilities or  
19 property with a total cost exceeding the lesser of:  
20 (A) five hundred thousand dollars (\$500,000); or  
21 (B) ten percent (10%) of the department's annual  
22 budget;

23 the board must obtain approval by the executive of each applicable  
24 unit that established the department under this chapter. The board  
25 shall provide the applicable unit executive a description of the cost  
26 of the service, property, or capital improvement described in  
27 subdivisions (1) through (4) and a description of the manner in  
28 which the cost will be paid by the board or department.

29 SECTION 19. IC 36-10-4-4 IS AMENDED TO READ AS  
30 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) By February 1  
31 each year, the executive shall appoint a commissioner to fill the  
32 vacancy caused by the expiration of a term. Each commissioner  
33 appointed holds office for a term of four (4) years, beginning with  
34 January 1 in the year of appointment. If a vacancy occurs on the board,  
35 the executive shall appoint a commissioner for the remainder of the  
36 term.

37 (b) A commissioner ~~may not be removed from office except upon~~  
38 ~~charges preferred in writing before the executive, with a hearing held~~  
39 ~~on them. If the executive is bringing the charges, the fiscal body shall~~  
40 ~~appoint a hearing officer. The only permissible reasons for removal are~~  
41 ~~as follows: serves at the pleasure of the executive. If a commissioner~~  
42 ~~is removed by the executive, the commissioner appointed to replace~~

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1       **the removed commissioner serves at the pleasure of the executive**  
 2       **for the remainder of the removed commissioner's term.**

3           (1) Inefficiency.

4           (2) Neglect of duty.

5           (3) Malfeasance in office.

6       SECTION 20. IC 36-10-5-2, AS AMENDED BY P.L.277-2019,  
 7       SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8       JULY 1, 2026]: Sec. 2. (a) This section applies to:

9           (1) third class cities and towns, unless otherwise provided by  
 10          law; and

11          (2) each second class city that:

12           (A) adopted second class city status by ordinance under  
 13          IC 36-4-1-1.1, as a result of the 2010 federal decennial  
 14          census; and

15           (B) has adopted all or part of this section by ordinance or  
 16          resolution.

17          (b) As used in this section, "park authority" means:

18           (1) the municipal legislative body; or

19           (2) any of the following designated by the legislative body as the  
 20          park authority:

21           (A) The governing body of the school corporation.

22           (B) A recreation board.

23           (C) The municipal works board.

24           (D) Any other appropriate board or commission.

25          (c) If a recreation board is established under subsection (b)(2)(B),  
 26          it must consist of five (5) resident freeholders appointed by the city  
 27          executive or the town legislative body. At least one (1) member must  
 28          be a member of the governing body of the school corporation and no  
 29          members may serve on the municipal legislative body. All members  
 30          must be qualified by an interest in and knowledge of the social and  
 31          educational value of recreation. The members serve without  
 32          compensation. The members shall be appointed for four (4) year terms  
 33          from January 1 of the year of their appointment or until their successors  
 34          are appointed. The initial terms of board members, however, are as  
 35          follows:

36           (1) One (1) for a term of one (1) year.

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

38           (3) One (1) for a term of three (3) years.

39           (4) Two (2) for terms of four (4) years.

40          **A member serves at the pleasure of the member's appointing**  
 41          **authority.** A vacancy shall be filled by the appointing authority for the



1                   remainder of the unexpired term.

2                   (d) The park authority shall manage all public parks, including  
3                   approaches, that belong to the municipality.

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

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

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

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

37                  (i) Any nonreverting fund that was created under IC 19-7-6 (before  
38                  its repeal on September 1, 1981) continues until abolished by ordinance  
39                  of the municipal legislative body. The legislative body may include in  
40                  the park authority's annual budget an item and an appropriation for the  
41                  specific purposes of a nonreverting capital fund. Money put in the fund



1 may not be withdrawn except for the purposes for which the fund was  
2 created, unless the legislative body repeals the ordinance creating the  
3 fund. The repeal may not be made under suspension of the rules.  
4 Money procured from fees shall be deposited at least once each month  
5 with the municipal fiscal officer. The fiscal officer shall deposit the  
6 money either in a special nonreverting operating fund or in the  
7 nonreverting capital fund as directed by the park authority. The  
8 legislative body may provide by ordinance that expenditures may be  
9 made from the special nonreverting operating fund without  
10 appropriation. Money from fees procured from golf courses, swimming  
11 pools, skating rinks, or other similar facilities requiring major  
12 expenditures for management and maintenance may not be deposited  
13 in this fund. Money from either fund shall be disbursed only on  
14 approved claims that are allowed and signed in the same manner as  
15 other claims of the municipality are allowed and signed.

16 SECTION 21. IC 36-10-5-5, AS AMENDED BY P.L.104-2022,  
17 SECTION 220, IS AMENDED TO READ AS FOLLOWS  
18 [EFFECTIVE JULY 1, 2026]: Sec. 5. (a) This section applies to a  
19 municipality that:

20 (1) has a population of more than twenty-five thousand (25,000);  
21 and  
22 (2) is located in a county having a population of more than three  
23 hundred thousand (300,000) and less than three hundred fifty  
24 thousand (350,000).

25 (b) A municipal board consists of four (4) members appointed by  
26 the executive of the municipality. **Members serve at the pleasure of**  
27 **the executive of the municipality.** A member shall be appointed on  
28 the basis of the member's interest in and knowledge of parks and  
29 recreation. The members may include the executive of the municipality  
30 and one (1) or more members of the municipal fiscal body. The  
31 ordinance creating a municipal board governed by this section may  
32 provide for one (1) or two (2) ex officio members.

33 SECTION 22. IC 36-10-6-2, AS AMENDED BY P.L.127-2017,  
34 SECTION 385, IS AMENDED TO READ AS FOLLOWS  
35 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) This section applies to all  
36 counties.

41 (d) Two (2) or more counties may establish an area park district

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1 for the purposes of establishing, owning, maintaining, and controlling  
 2 one (1) or more public parks for the use and benefit of the residents of  
 3 those counties. To establish a district, the legislative body of each  
 4 county desiring to join shall adopt substantially identical ordinances  
 5 indicating this intention. Before the ordinances take effect, they must  
 6 be published in their respective counties in accordance with IC 5-3-1.  
 7 Within ten (10) days after the publication of the ordinance, the auditor  
 8 of each county shall file a certified copy of the ordinance with the  
 9 auditor of each of the other counties involved. When the ordinances  
 10 have been adopted and filed by all the counties joining, the district is  
 11 considered established. All of the territory of the counties joining  
 12 comprises the district.

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

20 (f) Within thirty (30) days after the establishment of the district,  
 21 the legislative body of each county joining shall appoint members to  
 22 the area park board. Each county may appoint one (1) member to the  
 23 board. In addition, each county may appoint an additional member for  
 24 each fifty thousand (50,000) residents or fraction thereof of that  
 25 county's population. Each member must be a resident of the county  
 26 from which the member is appointed, and at least one (1) member from  
 27 each county must be an elected official of that county. Members serve  
 28 for terms of four (4) years and may be reappointed. **A member serves**  
 29 **at the pleasure of the member's appointing authority.** Vacancies  
 30 shall be filled by the appointing authority for the unexpired term of the  
 31 vacating member.

32 (g) The board shall meet within thirty (30) days after the  
 33 appointment of all members. Notice of the meeting shall be given by  
 34 the auditor of the county that passed the first ordinance to establish the  
 35 district. At the meeting the board shall elect one (1) of its members  
 36 chair and one (1) secretary and shall adopt rules of order that it  
 37 considers necessary. The board shall then meet at times and places that  
 38 it determines. Members serve on the board without compensation.  
 39 However, all members except the elected official members are entitled  
 40 to receive a per diem and mileage for time spent in the performance of  
 41 their duties.



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

22 SECTION 23. IC 36-10-8-4, AS AMENDED BY P.L.229-2011,  
23 SECTION 267, IS AMENDED TO READ AS FOLLOWS  
24 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The board is composed of  
25 seven (7) members.

32 (c) Notwithstanding subsection (b), if a board was created under  
33 IC 18-7-18 (before its repeal on February 24, 1982), three (3) members  
34 shall be appointed by the executive of the second class city and three  
35 (3) members shall be appointed by the executive of the county. Those  
36 members shall select the seventh member, who serves as president.  
37 One (1) of the members appointed by the city executive must be  
38 engaged in the hospitality industry in the city. No more than two (2) of  
39 the members appointed by the city executive may be affiliated with the  
40 same political party and no more than two (2) of the members  
41 appointed by the county executive may be affiliated with the same

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1 political party. In addition, each member must have been a resident of  
2 the county for at least one (1) year immediately preceding the member's  
3 appointment. Initial terms of the members are as follows:

4 (1) One (1) of the members appointed by each appointing  
5 authority for a term ending January 15 of the year following the  
6 appointment.

7 (2) Two (2) of the members appointed by each appointing  
8 authority for a term ending January 15 of the second year  
9 following the appointment.

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

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

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

19 (f) A board member, **other than a board member appointed by**  
20 **the county executive**, may be removed for cause by the appointing  
21 authority who appointed the member. **A member appointed by the**  
22 **county executive serves at the pleasure of the county executive.**

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

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

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