
HOUSE BILL No. 1161

AM116106 has been incorporated into January 13, 2026 printing.

Synopsis: Local government matters.

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January 13, 2026

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

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

37 (2) **the board, committee, or body that appointed the**
38 **individual retains all of the same members who served on the**
39 **board, committee, or body when the individual was**
40 **appointed.**

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

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

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

11 (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 removed for good cause.

41 SECTION 3. IC 11-12-2-2, AS AMENDED BY P.L.86-2017,
42 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2026]: Sec. 2. (a) To qualify for financial aid under this
2 chapter, a county must establish a community corrections advisory
3 board by resolution of the county executive or, in a county having a
4 consolidated city, by the city-county council. A community corrections
5 advisory board consists of:

- 6 (1) the county sheriff or the sheriff's designee;
- 7 (2) the prosecuting attorney or the prosecuting attorney's
8 designee;
- 9 (3) the executive of the most populous municipality in the county
10 or the executive's designee;
- 11 (4) two (2) judges having criminal jurisdiction, if available,
12 appointed by the circuit court judge or the judges' designees;
- 13 (5) one (1) judge having juvenile jurisdiction, appointed by the
14 circuit court judge;
- 15 (6) one (1) public defender or the public defender's designee, if
16 available, or one (1) attorney with a substantial criminal defense
17 practice appointed by the county executive or, in a county having
18 a consolidated city, by the city-county council;
- 19 (7) one (1) victim, or victim advocate if available, appointed by
20 the county executive or, in a county having a consolidated city,
21 by the city-county council;
- 22 (8) one (1) ex-offender, if available, appointed by the county
23 executive or, in a county having a consolidated city, by the
24 city-county council;
- 25 (9) the director of the local office of the department of child
26 services or the director's designee;
- 27 (10) a representative from a juvenile correctional facility or
28 juvenile detention center in the county, but if no facility exists,
29 one (1) mental health representative chosen by the judge
30 described in subdivision (5);
- 31 (11) a representative from the Juvenile Detention Alternatives
32 Initiative, but if no program exists, a representative from the
33 court appointed special advocate program in the county or
34 guardian ad litem program in the county; and
- 35 (12) the following members appointed by the county executive
36 or, in a county having a consolidated city, by the city-county
37 council:
 - 38 (A) One (1) member of the county fiscal body or the
39 member's designee.
 - 40 (B) One (1) probation officer.
 - 41 (C) One (1) juvenile probation officer.
 - 42 (D) One (1) educational administrator.

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

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

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

39 (e) (f) The members of the community corrections advisory board
40 shall, within thirty (30) days after the last initial appointment is made,
41 meet and elect one (1) member as chairman and another as vice
42 chairman and appoint a secretary-treasurer who need not be a member.



1 A majority of the members of a community corrections advisory board
 2 may provide for a number of members that is:

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

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

10 ~~(f)~~ (g) The county executive and county fiscal body shall provide
 11 necessary assistance and appropriations to the community corrections
 12 advisory board established for that county. Appropriations required
 13 under this subsection are limited to amounts received from the
 14 following sources:

15 (1) Department grants.
 16 (2) User fees.
 17 (3) Other funds as contained within an approved plan.

18 Additional funds may be appropriated as determined by the county
 19 executive and county fiscal body.

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

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

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

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

38 (b) The initial terms of the governing board are as follows:
 39 (1) Two (2) members for one (1) year.
 40 (2) Two (2) members for two (2) years.
 41 (3) One (1) member for three (3) years.
 42 (4) Two (2) members for four (4) years.

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

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

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

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

(b) The members must be persons who have demonstrated an interest in high quality legal representation for indigent persons. However, a member may not be:

- (1) a city, town, or county attorney;
- (2) a law enforcement officer;
- (3) a judge;
- (4) a court employee;
- (5) an attorney who provides representation to indigent persons in the county or region managed by the public defender board;
- (6) an employee of the department of child services; or
- (7) an employee of any individuals described in subdivisions (1) through (6).

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

(c) (d) Each member of the board serves a three (3) year term beginning with the date of the member's appointment. A member appointed to fill a vacancy holds office for the remainder of the

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1 previous member's term. If a successor has not been appointed by the
 2 end of a member's three (3) year term, the member continues in office
 3 until the member's successor takes office. In the case of a county public
 4 defender board established before July 1, 2019, the appointment by the
 5 Indiana commission on court appointed attorneys shall begin upon the
 6 first expiration of a current term of a member appointed by the judges
 7 who exercise felony or juvenile jurisdiction in the county.

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

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

12 (1) chairperson; or
 13 (2) other two (2) members.

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

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

23 (1) creating a multicounty public defender's office; and
 24 (2) providing legal defense services to indigent persons located
 25 in the counties served by the multicounty public defender's
 26 office.

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

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

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

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

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

41 (1) a city, town, or county attorney;
 42 (2) a law enforcement officer;

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- (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) through (6).

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

23 (1) has been appointed; and
24 (2) is able to begin the member's term.

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

29 (1) the chairperson; or
30 (2) two (2) serving members of the joint board.

31 SECTION 8. IC 36-1-8.5-2, AS AMENDED BY P.L.238-2025,
32 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2026]: Sec. 2. As used in this chapter, "covered person"
34 means any of the following:

- (1) A judge.
- (2) A law enforcement officer.
- (3) An address confidentiality program participant.
- (4) A public official.
- (5) The surviving spouse of a person described in subdivision (2), if the person was killed in the line of duty.
- (6) An employee of the department of child services.
- (7) A current or former probation officer.

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8 SECTION 9. IC 36-1-8.5-4.4 IS ADDED TO THE INDIANA
9 CODE AS A NEW SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2026]: **Sec. 4.4.** As used in this chapter,
11 "public defender" means an individual who is any of the following:

- (1) An individual employed full time by a county as a public defender.
- (2) An individual who maintains a full-time equivalent caseload, as certified by the Indiana commission on court appointed attorneys under IC 21-13-12-16, as a contractual or hourly public defender.
- (3) The state public defender.
- (4) A deputy of the state public defender.
- (5) A chief public defender.

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

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1 resolution.

10 SECTION 11. IC 36-2-21 IS ADDED TO THE INDIANA CODE
11 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2026]:

13 **Chapter 21. County Personnel Policy and Evaluation** 14 **Standards**

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

(1) a county containing a consolidated city; or
(2) employees:
 (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.

28 **Sec. 2. (a) Each county executive, in coordination with the**
29 **county fiscal body if applicable, shall adopt and maintain a written**
30 **personnel policy, employee handbook, or equivalent document**
31 **establishing minimum standards for county employee conduct and**
32 **applicable county policies.**

40 Sec. 4. An elected county officer or their designee retains
41 responsibility for and authority over final disciplinary decisions for
42 employees under the officer's supervision, unless otherwise

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1 **permitted or required by state law.**

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

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

16 SECTION 12. IC 36-4-9-6, AS AMENDED BY P.L.141-2009,
 17 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2026]: Sec. 6. (a) This section applies only to second class
 19 cities.

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

28 (c) The board of public works and safety may be composed of
 29 three (3) members or five (5) members appointed by the executive. **An**
 30 **individual who is appointed a member of the board serves at the**
 31 **pleasure of the executive as long as the executive who appointed the**
 32 **member continues to hold the office of executive.** A member may
 33 hold other appointive positions in city government during the member's
 34 tenure. IC 36-4-11-2 applies to board member appointments under this
 35 section. The executive shall appoint a clerk for the board.

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

42 (e) If the executive:

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9 board.
10 SECTION 13. IC 36-4-9-8, AS AMENDED BY P.L.33-2010,
11 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2026]: Sec. 8. (a) This section applies only to third class
13 cities

14 (b) The city executive shall appoint:

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

26 **An individual who is appointed a member of the board serves at**
27 **the pleasure of the executive as long as the executive who appointed**
28 **the member continues to hold the office of executive.** If the
29 executive increases the number of board members from three (3) to five
30 (5) members or decreases the number of board members from five (5)
31 to three (3) members, the city shall publish notice under IC 5-3-1 of the
32 increase or decrease in members and state the total number of members
33 appointed to the board. IC 36-4-4-2 notwithstanding, a member may
34 hold other appointive or elective positions in city government during
35 the member's tenure. IC 36-4-11-2 applies to board member
36 appointments under this section. The city clerk is the clerk of the board.

41 (e) The city executive may appoint a public safety director to:
42 (1) serve as the chief administrative officer; and

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4 SECTION 14. IC 36-7-4-218, AS AMENDED BY P.L.127-2017,
5 SECTION 171, IS AMENDED TO READ AS FOLLOWS
6 [EFFECTIVE JULY 1, 2026]: Sec. 218. (a) When an initial term of
7 office of a citizen member expires, each new appointment of a citizen
8 member is:

9 (1) for a term of four (4) years (in the case of a municipal,
10 county, or area plan commission);
11 (2) for a term of three (3) years (in the case of a metropolitan
12 plan commission); or
13 (3) for a term of one (1), two (2), or three (3) years, as designated
14 by the appointing authority (in the case of the metropolitan
15 development commission).

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

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

33 (1) One (1) for a term of one (1) year.
34 (2) One (1) for a term of two (2) years.
35 (3) One (1) for a term of three (3) years.
36 (4) Two (2) for a term of four (4) years.

37 Each 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.

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17 (f) ADVISORY-AREA. The appointing authority may remove a
18 member from the plan commission for cause. An individual who is
19 appointed a member of the plan commission serves at the pleasure
20 of the member's appointing authority as long as:

23 (2) the board, committee, or body that appointed the
24 individual retains all of the same members who served on the
25 board, committee, or body when the individual was
26 appointed.

27 **If subdivision (1) or (2) does not apply, the individual may only be**
28 **removed for cause. To remove a member for cause**, the appointing
29 authority must mail notice of the removal, along with written reasons
30 for the removal, to the member at the member's residence address. A
31 member who is removed may, within thirty (30) days after receiving
32 notice of the removal, appeal the removal to the circuit or superior
33 court of the county. The court may, pending the outcome of the appeal,
34 order the removal or stay the removal of the member.

41 SECTION 15. IC 36-7-4-906, AS AMENDED BY P.L.127-2017,
42 SECTION 175, IS AMENDED TO READ AS FOLLOWS

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1 [EFFECTIVE JULY 1, 2026]: Sec. 906. (a) ADVISORY-AREA.
 2 When an initial term of office expires, each new appointment is for a
 3 term of four (4) years.

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

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

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

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

16 (e) METRO. The appointing authority may remove a member from
 17 the metropolitan board of zoning appeals. The appointing authority
 18 must mail notice of the removal, along with written reasons, if any, for
 19 the removal, to the member at the member's residence address. A
 20 member who is removed may not appeal the removal to a court or
 21 otherwise.

22 (f) ADVISORY-AREA. **The appointing authority may remove a**
 23 **member from the board of zoning appeals for cause. An individual**
 24 **who is appointed a member of the board of zoning appeals serves**
 25 **at the pleasure of the member's appointing authority as long as:**

- 26 (1) **the officeholder who appointed the individual continues**
 to hold the office; or
- 27 (2) **the board, committee, or body that appointed the**
 individual retains all of the same members that served on the
 board, committee, or body when the individual was
 appointed.

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

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

38 SECTION 16. IC 36-7-12-14, AS AMENDED BY P.L.127-2017,

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1 SECTION 196, IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2026]: Sec. 14. (a) An economic development
 3 commissioner of an economic development commission established
 4 under section 8 of this chapter may be removed from office for
 5 good cause as provided in subsection (c).

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

10 (1) the city or town executive who appointed the individual
 11 continues to hold the office; or

12 (2) the county executive that appointed the individual retains
 13 all of the same members who served on the body when the
 14 individual was appointed.

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

17 (c) An economic development commissioner may be removed
 18 from office for neglect of duty, incompetency, inability to perform the
 19 commissioner's duties, or any other good cause, by the executive or
 20 fiscal body that selected or nominated the commissioner. The
 21 commissioner removed may obtain judicial review of the removal by
 22 filing a complaint in a circuit or superior court in the county, and the
 23 burden of proof is upon the executive or fiscal body that removed the
 24 commissioner. The cause shall be placed on the advanced calendar and
 25 be tried as other civil causes are tried by the court, without a jury. The
 26 court's judgment may be appealed in the same manner as any civil
 27 action.

28 SECTION 17. IC 36-7-14.5-8 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 8. (a) The board is
 30 composed of three (3) members, who must be residents of the unit
 31 appointed by the executive of the unit.

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

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

37 (d) A board member for a board established in a county
 38 containing a consolidated city may be removed for cause by the
 39 executive of the unit.

40 (e) This subsection applies to a board established in a county
 41 that does not contain a consolidated city. An individual who is
 42 appointed a board member serves at the pleasure of the member's



1 **appointing authority as long as:**

2 **(1) the city or town executive who appointed the member**
 3 **continues to hold the office of city or town executive; or**
 4 **(2) the county executive that appointed the individual retains**
 5 **all of the same members that served on the body when the**
 6 **individual was appointed.**

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

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

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

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

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

26 (1) neglect of duty;
 27 (2) incompetence;
 28 (3) inability to perform the trustee's duties; or
 29 (4) any other good cause;

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

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

38 SECTION 19. IC 36-9-27-5, AS AMENDED BY P.L.278-2019,
 39 SECTION 194, IS AMENDED TO READ AS FOLLOWS
 40 [EFFECTIVE JULY 1, 2026]: Sec. 5. **(a) Except in a county having a**
 41 **consolidated city or as provided in subsection (d); (c), the drainage**
 42 **board consists of either:**

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17 **(b) (c)** In a county having a consolidated city, the board of public
18 works of the consolidated city comprises the drainage board, subject to
19 IC 36-3-4-23.

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

24 SECTION 20. IC 36-9-27.4-2 IS AMENDED TO READ AS
25 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. As used in this
26 chapter, "drainage board" means the following:

35 SECTION 21. IC 36-10-3-6, AS AMENDED BY P.L.127-2017,
36 SECTION 377, IS AMENDED TO READ AS FOLLOWS
37 [EFFECTIVE JULY 1, 2026]: Sec. 6. **An individual who is appointed**
38 **a member serves at the pleasure of the member's appointing**
39 **authority as long as:**

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1 **individual retains all of the same members who served on the**
 2 **board, committee, or body when the individual was**
 3 **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 SECTION 22. IC 36-10-3-11 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 11. (a) The board may:

- 15 (1) **subject to subsection (d)**, enter into contracts and leases for
 facilities and services;
- 16 (2) contract with persons for joint use of facilities for the
 operation of park and recreation programs and related services;
- 17 (3) contract with another board, a unit, or a school corporation
 for the use of park and recreation facilities or services, and a
 township or school corporation may contract with the board for
 the use of park and recreation facilities or services;
- 18 (4) **subject to subsection (d)**, acquire and dispose of real and
 personal property, either within or outside Indiana;
- 19 (5) **subject to subsection (d)**, exercise the power of eminent
 domain under statutes available to municipalities;
- 20 (6) sell, lease, or enter into a royalty contract for the natural or
 mineral resources of land that it owns, the money received to be
 deposited in a nonreverting capital fund of the board;
- 21 (7) engage in self-supporting activities as prescribed by section
 22 of this chapter;
- 22 (8) contract for special and temporary services and for
 professional assistance;
- 23 (9) delegate authority to perform ministerial acts in all cases
 except where final action of the board is necessary;
- 24 (10) prepare, publish, and distribute reports and other materials
 relating to activities authorized by this chapter;
- 25 (11) sue and be sued collectively by its legal name, as the
 "_____ (unit's name) Park and Recreation Board", with
 service of process being had upon the president of the board, but
 costs may not be taxed against the board or its members in any
 action;

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(12) invoke any legal, equitable, or special remedy for the enforcement of this chapter, a park or recreation ordinance, or the board's own action taken under either; and

(13) release and transfer, by resolution, a part of the area over which it has jurisdiction for park and recreational purposes to park authorities of another unit for park and recreational purposes upon petition of the park or recreation board of the acquiring unit.

24 (1) the buildings or grounds are leased to an Indiana nonprofit
25 corporation;
26 (2) the buildings or grounds are operated as a public golf course;
27 and
28 (3) the golf course remains subject to rules and regulations
29 promulgated by the board.

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

40 with a total cost exceeding the lesser of:
41 (A) five hundred thousand dollars (\$500,000); or

42 (B) ten percent (10%) of the department's annual

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budget; or

(4) approve capital improvements to park facilities or property with a total cost exceeding the lesser of:

- (A) five hundred thousand dollars (\$500,000); or
- (B) ten percent (10%) of the department's annual budget;

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

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

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

(1) Inefficiency.

(2) Neglect of duty.

(3) Malfeasance in office.

SECTION 24. IC 36-10-5-2, AS AMENDED BY P.L.277-2019, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) This section applies to:

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

(2) each second class city that:

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

census; and
(B) has adopted all or part of this section by ordinance or

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resolution.

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

(1) the municipal legislative body; or

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

(A) The governing body of the school corporation.

(B) A recreation board.

(C) The municipal works board.

(D) Any other appropriate board or commission.

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

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

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

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

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

A vacancy shall be filled by the appointing authority for the remainder of the unexpired term.

(d) A member serves at the pleasure of the member's appointing authority as long as:

(1) the city executive who appointed the member continues to hold the office of city executive; or

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

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

(e) (f) If a municipality decides, by ordinance, to establish, lay out, or improve a public park or grounds, or to make an extension of a park or grounds, it may locate the park or grounds, including appurtenances, and it may lay out and open the public ways necessary for the improvement. If it is necessary to acquire land, water rights, or easements, or a pool, lake, or natural stream of water, the park authority may condemn that property and take possession of it if it is located

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1 within the corporate boundaries of the municipality. Before the park
 2 authority condemns the property, it shall assess the damages to the
 3 owners of the property at a meeting of the authority. Additional
 4 condemnation proceedings are the same as those provided for the
 5 taking of property to open streets.

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

12 (g) (h) The legislative body of the municipality may also levy a tax
 13 on all taxable property in the municipality to pay for park property and
 14 for its improvement. The legislative body may also borrow money and
 15 issue the bonds of the municipality at any rate of interest payable
 16 annually or semiannually and may sell them for at least par value. The
 17 money derived from the sale of bonds may be used only for the
 18 purchase or improvement of parks. The legislative body shall annually
 19 levy a tax sufficient to pay the interest on the debt on all taxable
 20 property in the municipality to create a sinking fund for the liquidation
 21 of the principal of the debt.

22 (f) (i) If the park authority of a city decides to lease any buildings
 23 or grounds belonging to the city and located in a public park when they
 24 are not required for public use, the proceeds shall be deposited with the
 25 city fiscal officer to the credit of park funds and devoted to the
 26 improvement of public parks.

27 (f) (j) Any nonreverting fund that was created under IC 19-7-6
 28 (before its repeal on September 1, 1981) continues until abolished by
 29 ordinance of the municipal legislative body. The legislative body may
 30 include in the park authority's annual budget an item and an
 31 appropriation for the specific purposes of a nonreverting capital fund.
 32 Money put in the fund may not be withdrawn except for the purposes
 33 for which the fund was created, unless the legislative body repeals the
 34 ordinance creating the fund. The repeal may not be made under
 35 suspension of the rules. Money procured from fees shall be deposited
 36 at least once each month with the municipal fiscal officer. The fiscal
 37 officer shall deposit the money either in a special nonreverting
 38 operating fund or in the nonreverting capital fund as directed by the
 39 park authority. The legislative body may provide by ordinance that
 40 expenditures may be made from the special nonreverting operating
 41 fund without appropriation. Money from fees procured from golf
 42 courses, swimming pools, skating rinks, or other similar facilities



1 requiring major expenditures for management and maintenance may
 2 not be deposited in this fund. Money from either fund shall be
 3 disbursed only on approved claims that are allowed and signed in the
 4 same manner as other claims of the municipality are allowed and
 5 signed.

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

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

11 and

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

15 (b) A municipal board consists of four (4) members appointed by
 16 the executive of the municipality. A member shall be appointed on the
 17 basis of the member's interest in and knowledge of parks and
 18 recreation. The members may include the executive of the municipality
 19 and one (1) or more members of the municipal fiscal body. The
 20 ordinance creating a municipal board governed by this section may
 21 provide for one (1) or two (2) ex officio members.

22 **(c) An individual who is appointed a municipal board member
 23 serves at the pleasure of the executive who appointed the
 24 individual, as long as the executive continues to hold the office of
 25 executive.**

26 SECTION 26. IC 36-10-6-2, AS AMENDED BY P.L.127-2017,
 27 SECTION 385, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) This section applies to all
 29 counties.

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

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

34 (d) Two (2) or more counties may establish an area park district
 35 for the purposes of establishing, owning, maintaining, and controlling
 36 one (1) or more public parks for the use and benefit of the residents of
 37 those counties. To establish a district, the legislative body of each
 38 county desiring to join shall adopt substantially identical ordinances
 39 indicating this intention. Before the ordinances take effect, they must
 40 be published in their respective counties in accordance with IC 5-3-1.
 41 Within ten (10) days after the publication of the ordinance, the auditor
 42 of each county shall file a certified copy of the ordinance with the

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1 auditor of each of the other counties involved. When the ordinances
 2 have been adopted and filed by all the counties joining, the district is
 3 considered established. All of the territory of the counties joining
 4 comprises the district.

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

12 (f) Within thirty (30) days after the establishment of the district,
 13 the legislative body of each county joining shall appoint members to
 14 the area park board. Each county may appoint one (1) member to the
 15 board. In addition, each county may appoint an additional member for
 16 each fifty thousand (50,000) residents or fraction thereof of that
 17 county's population. Each member must be a resident of the county
 18 from which the member is appointed, and at least one (1) member from
 19 each county must be an elected official of that county. Members serve
 20 for terms of four (4) years and may be reappointed. **An individual who**
 21 **is appointed a member serves at the pleasure of the county**
 22 **legislative body as long as the county legislative body retains the**
 23 **same members who served on the body when the individual was**
 24 **appointed.** Vacancies shall be filled by the appointing authority for the
 25 unexpired term of the vacating member.

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

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

39 (i) The board may levy a tax for the establishment, purchase,
 40 maintenance, and control of the parks established and controlled by the
 41 board, but the tax may not exceed one and sixty-seven hundredths cents
 42 (\$0.0167) for each one hundred dollars (\$100) of assessed valuation of



1 property in the district. When the board determines the rate of the levy,
 2 the board shall certify it to each county auditor. The levy shall then be
 3 placed upon the tax duplicate of each county in the district, and the tax
 4 shall be collected in the same manner as other taxes are collected. All
 5 money received for the district shall be paid into the treasury of the
 6 county with the greatest population. The money shall be deposited and
 7 kept as other public funds are deposited and kept, and interest earned
 8 on the money shall be credited to the area park fund. Money may be
 9 paid out by the treasurer only upon the written order of the board.

10 (j) A county may withdraw from a district only upon a two-thirds
 11 (2/3) vote of its legislative body. If a county decides to withdraw from
 12 a district, the date of withdrawal must be effective on January 1 of a
 13 year at least one (1) year after the date upon which the county voted to
 14 withdraw.

15 SECTION 27. IC 36-10-8-4, AS AMENDED BY P.L.229-2011,
 16 SECTION 267, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2026]: Sec. 4. (a) The board is composed of
 18 seven (7) members.

19 (b) The county executive shall determine in the creating ordinance
 20 which units within the county shall make appointments to the board. In
 21 addition, the creating ordinance must provide that no more than four
 22 (4) of the members be affiliated with the same political party. The
 23 creating ordinance must also provide staggered terms for the
 24 appointments.

25 (c) Notwithstanding subsection (b), if a board was created under
 26 IC 18-7-18 (before its repeal on February 24, 1982), three (3) members
 27 shall be appointed by the executive of the second class city and three
 28 (3) members shall be appointed by the executive of the county. Those
 29 members shall select the seventh member, who serves as president.
 30 One (1) of the members appointed by the city executive must be
 31 engaged in the hospitality industry in the city. No more than two (2) of
 32 the members appointed by the city executive may be affiliated with the
 33 same political party and no more than two (2) of the members
 34 appointed by the county executive may be affiliated with the same
 35 political party. In addition, each member must have been a resident of
 36 the county for at least one (1) year immediately preceding the member's
 37 appointment. Initial terms of the members are as follows:

38 (1) One (1) of the members appointed by each appointing
 39 authority for a term ending January 15 of the year following the
 40 appointment.

41 (2) Two (2) of the members appointed by each appointing
 42 authority for a term ending January 15 of the second year

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1 following the appointment.

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

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

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

11 (f) **An individual who is appointed a member serves at the
12 pleasure of the member's appointing authority as long as:**

13 (1) **the officeholder who appointed the individual continues
14 to hold the office; or**

15 (2) **the board, committee, or body that appointed the
16 individual retains all of the same members that served on the
17 board, committee, or body when the individual was
18 appointed.**

19 **If subdivision (1) or (2) does not apply, A the board member may be
20 removed for cause by the appointing authority. who appointed the
21 member.**

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

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

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