

**IC 23-17-28**  
**Chapter 28. Notice**

**IC 23-17-28-1**

**Notice**

Sec. 1. Notice under this article must be in writing unless oral notice is authorized by a corporation's articles of incorporation or bylaws.

*As added by P.L.179-1991, SEC.1.*

**IC 23-17-28-2**

**Notice; means of communication**

Sec. 2. Notice, if otherwise in proper form under this article and subject to the requirements of section 1 of this chapter, may be communicated by any of the following:

- (1) In person.
- (2) By telephone, telegraph, teletype, or other form of wire or wireless communication.
- (3) By mail.
- (4) By a newspaper of general circulation in the area where published or by radio, television, or other form of public broadcast communication.

*As added by P.L.179-1991, SEC.1.*

**IC 23-17-28-3**

**Corporations; notice by mail**

Sec. 3. Written notice by a domestic or foreign corporation to a member is effective when mailed, if correctly addressed to the member's address shown in the corporation's current record of members.

*As added by P.L.179-1991, SEC.1.*

**IC 23-17-28-4**

**Address of corporations; notice**

Sec. 4. Written notice to a domestic or foreign corporation authorized to transact business in Indiana, other than in the corporation's capacity as a member, may be addressed to the corporation's registered agent at the corporation's registered office or to the corporation's secretary at the corporation's principal office shown in the most recent filing of the corporation under this article.

*As added by P.L.179-1991, SEC.1. Amended by P.L.228-1995, SEC.22.*

**IC 23-17-28-5**

**Effective date of notice**

Sec. 5. Except as provided in this chapter or other applicable law, written notice is effective at the earliest of the following:

- (1) When received.
- (2) Five (5) days after the notice is mailed, as evidenced by the postmark or private carrier receipt, if mailed correctly addressed

to the address listed in the most current records of the corporation.

(3) On the date shown on the return receipt, if sent by registered or certified United States mail, return receipt requested, and the receipt is signed by or on behalf of the addressee.

(4) Thirty (30) days after the notice is deposited with another method of the United States Postal Service other than first class, registered, or certified postage affixed, as evidenced by the postmark, if mailed correctly addressed to the address listed in the most current records of the corporation.

*As added by P.L.179-1991, SEC.1. Amended by P.L.110-2008, SEC.9.*

#### **IC 23-17-28-6**

##### **Newsletters, magazines, or other publications; written notice**

Sec. 6. A written notice or report delivered as part of a newsletter, magazine, or other publication regularly sent to members constitutes a written notice or report if addressed or delivered to the member's address shown in the corporation's current list of members, or if members are residents of the same household and have the same address in the corporation's current list of members, if addressed or delivered to one (1) of the members at the address appearing on the current list of members.

*As added by P.L.179-1991, SEC.1.*

#### **IC 23-17-28-7**

##### **Oral notice**

Sec. 7. Oral notice is effective when communicated.

*As added by P.L.179-1991, SEC.1.*

#### **IC 23-17-28-8**

##### **Prescribed notice requirements**

Sec. 8. If this article prescribes notice requirements for particular circumstances, those requirements govern. If articles of incorporation or bylaws prescribe notice requirements not inconsistent with this chapter or other provisions of this article, those requirements govern.

*As added by P.L.179-1991, SEC.1.*