

IC 2-2.1

ARTICLE 2.1. LEGISLATIVE SESSIONS AND PROCEDURES

IC 2-2.1-1

Chapter 1. Legislative Sessions and Procedures Law of 1971

IC 2-2.1-1-1

Definitions

Sec. 1. The following definitions apply throughout this chapter:

- (1) "Bill" includes a bill and a joint resolution.
- (2) "Term of the general assembly" means that two (2) year period of time extending from the first Wednesday after the first Monday in November of any even-numbered year until, but not including, the first Wednesday after the first Monday in November of the next even-numbered year.
- (3) "Session" refers to a regular session, regular technical session, or special session of the general assembly.
- (4) "Special session" means that period of time during which the general assembly is convened in session upon the proclamation and call of the governor under Article 4, Section 9 of the Constitution of the State of Indiana.

(Formerly: Acts 1971, P.L.6, SEC.2.) As amended by P.L.4-1995, SEC.3.

IC 2-2.1-1-2

First regular session

Sec. 2. (a) The first regular session of each term of the general assembly shall convene on the third Tuesday after the first Monday of November of each even-numbered year to do the following:

- (1) Organize itself.
- (2) Elect its officers.
- (3) Receive the oath of office.

(b) If a special session is called before the date set in subsection (a), then the organization, election, and receiving the oath of office shall be held on the first day of the special session.

(c) The general assembly shall then adjourn until a day:

- (1) certain fixed by a concurrent resolution; or
- (2) when the gavel of each house falls in the presence of a quorum whether or not a day certain to reconvene in session has been fixed.

(d) The general assembly shall reconvene in session no later than the second Monday in January of the following year.

(e) The first regular session of each term of the general assembly shall adjourn sine die not later than April 29 in any odd-numbered year.

(Formerly: Acts 1971, P.L.6, SEC.2; Acts 1973, P.L.1, SEC.1.) As amended by P.L.4-1995, SEC.4.

IC 2-2.1-1-2.5

First regular technical session

Sec. 2.5. (a) Before the first regular session adjourns sine die, the general assembly may adopt a concurrent resolution to fix a day to convene the first regular technical session of the general assembly. The day fixed under this subsection may not be earlier than thirty (30) days after the first regular session adjourns sine die.

(b) Only the following may be considered and acted upon during a first regular technical session:

- (1) Bills enacted during the first regular session vetoed by the governor.
- (2) Bills to correct conflicts among bills enacted during the first regular session.
- (3) Bills to correct technical errors in bills enacted during the first regular session.

(c) The first regular technical session must adjourn sine die before midnight after it convenes.

(d) The concurrent resolution adopted under subsection (a) may provide that the first regular technical session is not required to convene if the speaker of the house of representatives and the president pro tempore of the senate jointly issue an order finding that the purposes for which a regular technical session may meet under subsection (b) do not justify the cost and inconvenience of meeting in a regular technical session.

(e) If the general assembly does not meet in a regular technical session under this section, the general assembly shall consider and act upon vetoes of bills enacted during the first regular session at the next second regular session.

(f) For purposes of Article 5, Section 14 of the Constitution of the State of Indiana, the first regular technical session is not considered a regular session if the general assembly does not consider or act upon vetoes of bills enacted during the first regular session under this section.

As added by P.L.4-1995, SEC.5.

IC 2-2.1-1-3

Second regular session

Sec. 3. (a) The second regular session of each term of the general assembly shall convene on the third Tuesday after the first Monday of November of each odd-numbered year. The general assembly shall then adjourn until a day:

- (1) certain fixed by a concurrent resolution; or
- (2) when the gavel of each house falls in the presence of a quorum whether or not a day certain to reconvene in session has been fixed.

(b) The general assembly shall reconvene in session no later than the second Monday in January of the following year. The second regular session of each term of the general assembly shall adjourn sine die not later than March 14 in any even-numbered year.

(Formerly: Acts 1971, P.L.6, SEC.2; Acts 1973, P.L.1, SEC.2.) As amended by P.L.4-1995, SEC.6.

IC 2-2.1-1-3.5

Second regular technical session

Sec. 3.5. (a) Before the second regular session adjourns sine die, the general assembly may adopt a concurrent resolution to fix a day to convene the second regular technical session of the general assembly. The day fixed under this subsection may not be earlier than thirty (30) days after the second regular session adjourns sine die.

(b) Only the following may be considered and acted upon during a second regular technical session:

(1) Bills enacted during the second regular session vetoed by the governor.

(2) Bills to correct conflicts among bills enacted during the second regular session.

(3) Bills to correct technical errors in bills enacted during the second regular session.

(c) The second regular technical session must adjourn sine die before midnight after it convenes.

(d) The concurrent resolution adopted under subsection (a) may provide that the second regular technical session is not required to convene if the speaker of the house of representatives and the president pro tempore of the senate jointly issue an order finding that the purposes for which a regular technical session may meet under subsection (b) do not justify the cost and inconvenience of meeting in a regular technical session.

(e) If the general assembly does not meet in a regular technical session under this section, the general assembly may consider and act upon vetoes of bills enacted during the second regular session at the next first regular session.

(f) For purposes of Article 5, Section 14 of the Constitution of the State of Indiana, the second regular technical session is not considered a regular session if the general assembly does not consider or act upon vetoes of bills enacted during the second regular session under this section.

As added by P.L.4-1995, SEC.7.

IC 2-2.1-1-4

Special sessions

Sec. 4. Length and Frequency of Sessions: Special Session. A special session of the General Assembly, called by the Governor as provided in Article 4, section 9 of the Constitution of the State of Indiana, shall continue for not more than thirty (30) session days nor more than forty (40) calendar days following the day upon which it is commenced.

(Formerly: Acts 1971, P.L.6, SEC.2.)

IC 2-2.1-1-5

Repealed

(Repealed by P.L.4-1995, SEC.16.)

IC 2-2.1-1-6

Organization of senate

Sec. 6. Procedures: Organization of the Senate. (a) The President of the Senate shall preside at the organizational meeting during the election of the President Pro Tempore and other officers of the Senate.

(b) The oath of office shall be administered to senators-elect by the Chief Justice of the Supreme Court of Indiana, or an associate justice designated by the Chief Justice.

(c) The President Pro Tempore and such other officers as may be determined by the standing rules and orders of the Senate shall be elected. The oath of office shall be administered to the President Pro Tempore by the Chief Justice, and to the other officers by the President of the Senate.

(d) In the event there is no President or he is absent or unable to serve, the Chief Justice of the Supreme Court or an associate justice designated by the Chief Justice shall preside during the election of the President Pro Tempore and, upon being elected and sworn, the President Pro Tempore shall take the chair and conduct the further business of the Senate until the vacancy in the office of President is filled, if there is no President, or until the President is able to serve, if he is absent or unable to serve.

(Formerly: Acts 1971, P.L.6, SEC.2.) As amended by P.L.2-1998, SEC.1.

IC 2-2.1-1-7

Organization of house of representatives

Sec. 7. (a) The Secretary of State shall preside at the organizational meeting during the election of the Speaker of the House of Representatives.

(b) The oath of office shall be administered to representatives-elect by the Chief Justice of the Supreme Court of Indiana, or an associate justice designated by the Chief Justice.

(c) Subject to section 7.5 of this chapter, the Speaker shall be elected. The oath of office shall be administered to the Speaker of the House by the Chief Justice of the Supreme Court or an associate justice designated by the Chief Justice.

(d) Upon being elected and taking the oath of office, the Speaker shall take the chair and conduct the further business of the House, including the election and swearing in of such other officers as may be determined by the standing rules and orders of the House of Representatives.

(e) In the event there is no Secretary of State or he is absent or unable to serve, the Chief Justice of the Supreme Court or an associate justice designated by the Chief Justice shall preside during the election of the Speaker.

(Formerly: Acts 1971, P.L.6, SEC.2.) As amended by P.L.9-1995, SEC.2.

IC 2-2.1-1-7.5

Equal political party affiliation by house members; election of speaker and principal clerk; rules

Sec. 7.5. (a) This section applies only if the number of members of the house of representatives affiliated with one (1) political party equals the number of members of the house of representatives affiliated with a different political party.

(b) For purposes of this section, an individual is considered to be affiliated with a political party if the individual was:

- (1) the nominee (as defined in IC 3-5-2-33) of that political party for election to the office to which the individual was elected at the previous general election; or
- (2) selected by that political party to fill a candidate vacancy or a vacancy in the office under IC 3-13 for the office the individual currently holds.

(c) The speaker of the house of representatives and the principal clerk of the house of representatives shall be elected by the members of the house of representatives affiliated with the political party whose:

- (1) candidate was elected governor at the previous general election; or
- (2) candidate was elected secretary of state at the previous general election, if the governor was not elected at the previous general election.

(d) The rules that governed the house of representatives before the previous general election shall govern the house of representatives after the general election until those rules are amended as provided in those rules.

As added by P.L.9-1995, SEC.3.

IC 2-2.1-1-8

Procedure for each house at organizational meeting

Sec. 8. Procedures for Each House at the Organizational Meeting.

(a) Upon the election of the officers in each house, the membership of each house shall adopt standing rules and orders for their respective houses, and joint rules for conducting the business in the two houses.

(b) Each house, by rule, shall determine such other business as the respective houses may perform at the organizational meeting.

(c) The rules, as adopted, shall govern the respective houses for that term of the General Assembly, unless amended or suspended.

(d) The officers elected at the organizational meeting shall serve for that entire term of the General Assembly, unless removed, suspended or unable to serve.

(Formerly: Acts 1971, P.L.6, SEC.2.)

IC 2-2.1-1-9

Standing committee appointments

Sec. 9. Procedures: Standing Committee Appointments. (a) By not later than ten (10) days after the election of officers as provided in sections 6 and 7 of this chapter the appointments to the standing committees of the two houses of the General Assembly shall be made and announced by the Speaker and the President Pro Tempore, respectively.

(b) At the reconvening in January of the first session of the term, the lists of appointments to the standing committees shall be read in their respective houses and recorded in the journals thereof.

(c) The members of the standing committees shall serve for the term of the General Assembly in which they are appointed, unless removed, suspended or unable to serve.

(Formerly: Acts 1971, P.L.6, SEC.2.)

IC 2-2.1-1-10

Filing of bills and resolutions

Sec. 10. Procedures: Filing of Bills and Resolutions. Bills and resolutions may be filed and assigned to committees at any time after the convening of a session according to the rules of each house. During any session the standing committees of the House and Senate may announce and hold public hearings on any bill or resolution assigned to them upon the authorization of the Speaker of the House or the President Pro Tempore of the Senate, respectively, but may take no action with regard to its disposition until it is introduced according to the rules of the house of origin.

(Formerly: Acts 1971, P.L.6, SEC.2.)

IC 2-2.1-1-11

Preparation of calendar

Sec. 11. Procedures: Preparation of a Calendar. The Speaker of the House of Representatives and the President Pro Tempore of the Senate shall prepare a calendar in accordance with the joint rules of the House and Senate.

(Formerly: Acts 1971, P.L.6, SEC.2.)

IC 2-2.1-1-12

Bills or resolutions; signatures; time for presentation to governor

Sec. 12. (a) This section applies only to those bills or joint resolutions which pass during the two days before the sine die adjournment of a regular or special session of the general assembly. This section does not apply to bills passed during a regular technical session.

(b) The presiding officers of the house of representatives and the senate shall sign each bill or joint resolution passed under Article 4, Section 25 of the Constitution of the State of Indiana as soon as practicable, but not later than seven (7) calendar days after sine die adjournment of the session of the general assembly at which the bill

was passed.

(c) A bill that has been signed under subsection (b) must be presented to the governor as soon as practicable, but not later than seven (7) calendar days after sine die adjournment of the session of the general assembly at which the bill was passed.

As added by P.L.3-1991, SEC.1. Amended by P.L.4-1995, SEC.8.

IC 2-2.1-1-13

Bills passed during regular technical session; signatures; time for presentation to governor

Sec. 13. (a) This section applies only to bills passed during a regular technical session.

(b) The presiding officers of the house and senate shall sign each bill passed under Article 4, Section 25 of the Constitution of the State of Indiana as soon as practicable, but not later than the next business day after sine die adjournment of the regular technical session at which the bill was passed.

(c) A bill that has been signed under subsection (b) must be presented to the governor as soon as practicable, but not later than the second business day after sine die adjournment of the regular technical session at which the bill was passed.

As added by P.L.4-1995, SEC.9.