

IC 2-7-7

Chapter 7. Commission Investigations and Hearings

IC 2-7-7-1

Complaints alleging violation of article; conduct of investigation

Sec. 1. The commission shall conduct an investigation under this chapter of a complaint alleging a violation of this article.

As added by P.L.9-1993, SEC.17.

IC 2-7-7-2

Complaint

Sec. 2. A complaint must be in writing and be signed by the individual making the complaint.

As added by P.L.9-1993, SEC.17.

IC 2-7-7-3

Delivery of complaint to alleged violator

Sec. 3. When a complaint is filed, the commission shall promptly send a copy of the complaint to the person alleged to have committed the violation of this article.

As added by P.L.9-1993, SEC.17.

IC 2-7-7-4

Complaints or preliminary investigations failing to state violation of article; disposition

Sec. 4. If the commission determines the complaint does not allege facts sufficient to constitute a violation of this article, the commission shall do both of the following:

- (1) Dismiss the complaint.
- (2) Notify the complainant and the respondent of the commission's action.

As added by P.L.9-1993, SEC.17.

IC 2-7-7-5

Complaints alleging violation of article; preliminary investigation; probable cause findings

Sec. 5. (a) If the commission determines the complaint does allege facts sufficient to constitute a violation of this article, the commission shall promptly investigate the allegation.

(b) If after a preliminary investigation the commission finds that probable cause does not exist to support an allegation of a violation of this article, the commission shall do the following:

- (1) Dismiss the complaint.
- (2) Notify the complainant and the respondent of the commission's action.

(c) If the commission finds that probable cause exists to support an allegation of a violation of this article, the commission shall hold a hearing on the matter not more than thirty (30) days after making the determination. IC 4-21.5 applies to a hearing held under this

subsection.

As added by P.L.9-1993, SEC.17.

IC 2-7-7-6

Commission meetings in executive session

Sec. 6. The commission may meet in executive session to do either of the following:

- (1) Make a determination under section 4 of this chapter.
- (2) Investigate a complaint under section 5 of this chapter.

As added by P.L.9-1993, SEC.17.

IC 2-7-7-7

Confidentiality

Sec. 7. The following matters are confidential:

- (1) Action of the commission and records relating to those actions under section 4 of this chapter.
- (2) Investigations and records relating to a preliminary investigation under section 5 of this chapter.

As added by P.L.9-1993, SEC.17.

IC 2-7-7-8

Subpoenas

Sec. 8. (a) Upon the affirmative vote of three (3) members of the commission, the commission may request from the legislative council the authority to compel either or both of the following by subpoena:

- (1) The attendance and testimony of witnesses.
- (2) The production of documents.

(b) If the legislative council authorizes the commission to issue subpoenas after a request under subsection (a), the circuit or superior court of the county where a subpoena is to be served shall enforce the subpoena.

As added by P.L.9-1993, SEC.17.