IC 4-23-2

Chapter 2. Indiana Arts Commission

IC 4-23-2-1

Creation; membership; contracts; meetings; quorum

Sec. 1. (a) There is hereby created a commission to be known as the Indiana arts commission. On and after July 1, 1967, the commission shall consist of fifteen (15) members who shall be appointed by the governor and shall serve for a term of four (4) years and until their successors are appointed and qualified. In event of a vacancy, the governor shall appoint a successor to complete the unexpired term.

(b) Insofar as practicable, the members of the commission shall be selected so as to give representation to the various geographical areas of the state and to all fields of the performing and fine arts. Members shall be selected from among the residents of Indiana who have competence, experience, and interest in connection with the performing and fine arts. In making such appointments, due consideration shall be given to any recommendations made by representative civic, educational, and professional associations and groups concerned with or engaged in the production or presentation of the performing and fine arts.

(c) On or before July 1, 1967, the governor shall appoint five (5) members to serve for a term of one (1) year, five (5) members to serve for a term of two (2) years, and five (5) members to serve for a term of four (4) years. Upon the expiration of the terms of the original members appointed under this subsection, their successors shall be appointed for terms of four (4) years. A member shall be eligible to succeed himself.

(d) The commission shall each year designate one (1) of its members to serve as the chairman of the commission who shall be the chief executive officer of the commission, one (1) member to serve as vice chairman who shall act as chairman in the absence or inability to act of the chairman, and one (1) to serve as secretary who shall be responsible for maintaining records of the proceedings of the commission.

(e) All contracts, applications for grants, and other documents shall be executed in the name of the commission either by the chairman of the commission or, when authorized by resolution of the commission, by the executive director and shall be attested by the secretary.

(f) Meetings of the commission shall be held at least quarterly and at such other times as may be necessary. All meetings shall be upon call of the chairman.

(g) The members of the commission shall not be required to devote their full time to their duties, but shall devote such time as is necessary to carry out their duties under this chapter. The members of the commission shall serve without pay, but shall be reimbursed

for their reasonable and necessary expenses actually incurred in carrying out their duties.

(h) Eight (8) members of the commission shall constitute a quorum for the transaction of the business of the commission. A vacancy in the commission shall not impair the power of a quorum to transact business.

(Formerly: Acts 1965, c.248, s.1; Acts 1967, c.274, s.1.) As amended by P.L.5-1984, SEC.180.

IC 4-23-2-2

Purposes and duties

Sec. 2. The commission shall have the following purposes and duties:

(a) To stimulate and encourage throughout the state the study and presentation of the performing and fine arts and public interest and participation therein;

(b) To make such surveys as may be deemed advisable of public and private institutions engaged within the state in artistic and cultural activities, including but not limited to, music, theatre, dance, painting, sculpture, architecture, and allied arts and crafts, and to make recommendations, concerning appropriate methods to encourage participation in and appreciation of the arts to meet the legitimate needs and aspirations of persons in all parts of the state;

(c) To take such steps as may be necessary and appropriate to encourage public interest in the cultural heritage of our state and to expand the state's cultural resources; and

(d) To encourage and assist freedom of artistic expression essential for the well-being of the arts.

(Formerly: Acts 1965, c.248, s.2; Acts 1967, c.274, s.2.)

IC 4-23-2-3

Powers

Sec. 3. In furtherance of its purposes and duties, the commission shall have, and may exercise, the following powers:

(1) To employ an executive director.

(2) To adopt, promulgate, amend and rescind such rules and regulations not inconsistent with the provisions of this chapter as it may deem necessary, acting in accordance with the provisions of IC 4-22-2.

(3) To hold public hearings.

(4) To enter into contracts, within the limit of funds available therefor, with individuals, organizations and institutions for services furthering the objectives of the commission's programs.

(5) To enter into contracts, within the limit of funds available therefor, with local and regional not-for-profit corporations or associations for cooperative endeavors furthering the objectives of the commission's program.

(6) To accept gifts, contributions and bequests of funds from

individuals, foundations, corporations, limited liability companies, and other organizations or institutions.

(7) To apply for, receive and disburse any funds available from the state or federal government in furtherance of the objectives of this chapter and to enter into any agreements which may be required by the state or federal government as a condition of obtaining such funds.

(8) To make and sign any agreements and to do and perform any acts that may be necessary to carry out its purposes and duties.

(Formerly: Acts 1965, c.248, s.3; Acts 1967, c.274, s.3.) As amended by Acts 1977, P.L.39, SEC.1; Acts 1979, P.L.17, SEC.2; P.L.8-1993, SEC.29; P.L.100-2012, SEC.6.

IC 4-23-2-4

Executive director

Sec. 4. (a) The executive director shall be the chief administrative officer of the commission. The executive director shall supervise the employees of the commission and shall assist the commission in promoting and carrying on its activities and administrative work. The executive director shall not be a member of the commission, but shall devote the executive director's full time to the performance of the executive director's duties under the direction and supervision of the commission. The executive director's compensation shall be fixed by the commission with the approval of the budget agency.

(b) The executive director shall be selected for the executive director's knowledge, competence, and experience in the performing and fine arts and in the development and encouragement of the performing and fine arts through the efforts of private or governmental organizations.

(Formerly: Acts 1965, c.248, s.4; Acts 1967, c.274, s.4.) As amended by Acts 1977, P.L.39, SEC.2; P.L.215-2016, SEC.90.

IC 4-23-2-5

Offices

Sec. 5. Appropriate office facilities, supplies and equipment shall be provided for the commission and the executive director and other employees of the commission.

(Formerly: Acts 1965, c.248, s.5; Acts 1967, c.274, s.5.)

IC 4-23-2-6

Repealed

(Repealed by P.L.4-1988, SEC.4.)

IC 4-23-2-7

Arts and cultural district certification

Sec. 7. (a) As used in this section, "district" means an area certified as an arts and cultural district under this section.

(b) As used in this section, "unit" means a city, town, or county.

(c) The commission shall establish an arts and cultural district certification program.

(d) To have an area certified as a district, a unit must:

(1) apply to the commission on a form prescribed by the commission; and

(2) provide any proof the commission determines is necessary to certify a district.

Two (2) or more units may apply jointly for certification of a district that extends across a common boundary.

(e) The commission, after reviewing an application filed by a unit under subsection (d)(1), may certify an area as a district.

(f) The commission shall adopt rules under IC 4-22-2:

(1) to establish criteria for a unit wishing to have an area certified as a district; and

(2) that are necessary to carry out this section.

As added by P.L.10-2008, SEC.1.