

IC 4-4-2

Chapter 2. Inability of Lieutenant Governor to Discharge Official Duties

IC 4-4-2-1

Repealed

(Repealed by Acts 1979, P.L.19, SEC.4.)

IC 4-4-2-1.1

Self-declaration of inability to discharge office; appointment of acting lieutenant governor; resumption of office

Sec. 1.1. Whenever the lieutenant governor transmits to the governor the lieutenant governor's written declaration that the lieutenant governor is unable to discharge the powers and duties of the lieutenant governor's office, and until the lieutenant governor transmits to the governor a written declaration to the contrary, the powers and duties shall be discharged by a person appointed by the governor as acting lieutenant governor. Thereafter, when the lieutenant governor transmits to the governor the lieutenant governor's written declaration that no inability exists, the lieutenant governor shall resume the powers and duties of the lieutenant governor's office.

As added by Acts 1979, P.L.19, SEC.1. Amended by P.L.215-2016, SEC.21.

IC 4-4-2-2

Supreme court decision of inability to discharge office; resumption of office; procedures

Sec. 2. Whenever the governor, the president pro tempore of the senate, and the speaker of the house of representatives file with the supreme court a written statement suggesting that the lieutenant governor is unable to discharge the powers and duties of the lieutenant governor's office, the supreme court shall, after giving notice to the lieutenant governor of the date, time, and place of their meeting, meet within forty-eight (48) hours to decide the question and the decision shall be final. Whenever the lieutenant governor files with the supreme court the lieutenant governor's written declaration that no inability exists, the supreme court shall meet within forty-eight (48) hours to decide whether no inability exists, and the decision shall be final. Upon a decision that no inability exists, the lieutenant governor shall resume the powers and duties of the lieutenant governor's office.

As added by Acts 1979, P.L.19, SEC.2. Amended by P.L.215-2016, SEC.22.

IC 4-4-2-3

Supreme court decision of inability to discharge office; appointment of acting lieutenant governor

Sec. 3. Whenever the supreme court decides that the lieutenant governor is unable to discharge the powers and duties of the lieutenant governor's office, the governor shall appoint a person as acting lieutenant governor to discharge the powers and duties of the office of lieutenant governor until the supreme court decides that no inability exists.

As added by Acts 1979, P.L.19, SEC.3. Amended by P.L.215-2016, SEC.23.