

SENATE BILL No. 270

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-4-1-1.2.

Synopsis: Oath of office. Provides that an individual appointed or elected to an office of a political subdivision may take the oath of office at any time after the individual's appointment or election. Provides that an individual appointed or elected to an office of a political subdivision must take the oath of office and deposit it as required by law not later than 30 days after the beginning of the term of office. Provides that if an individual appointed or elected to an office of a political subdivision does not take and deposit the oath not later than 30 days after the beginning of the term of office, the office becomes vacant.

Effective: January 1, 2000 (retroactive).

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January 10, 2000, read first time and referred to Committee on Governmental and Regulatory Affairs.

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Second Regular Session 111th General Assembly (2000)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1999 General Assembly.

SENATE BILL No. 270



A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-4-1-1.2, AS AMENDED BY P.L.176-1999,
2 SECTION 120, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JANUARY 1, 2000 (RETROACTIVE)]: Sec. 1.2. (a)
4 This section does not apply to an individual appointed or elected to an
5 office the establishment or qualifications of which are expressly
6 provided for in the Constitution of the State of Indiana or the
7 Constitution of the United States.

8 (b) ~~If Subject to subsection (c), an officer individual appointed or~~
9 ~~elected to an office~~ of a political subdivision ~~does not take and file~~
10 ~~may take~~ the oath required under section 1 of this chapter ~~within~~ **at**
11 **any time after the individual's appointment or election.**

12 (c) **An individual appointed or elected to an office of a political**
13 **subdivision must take the oath required by section 1 of this chapter**
14 **and deposit the oath as required by section 4 of this chapter not**
15 **later than** thirty (30) days after the beginning of the ~~officer's~~ term of
16 **office.**

17 (d) **If an individual appointed or elected to an office of a political**



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1 **subdivision does not comply with subsection (c), the office becomes**
2 **vacant.**

3 **SECTION 2. [EFFECTIVE JANUARY 1, 2000 (RETROACTIVE)]**

4 **(a) Notwithstanding IC 5-4-1-1.2, as amended by this act, an**
5 **individual appointed or elected to an office of a political**
6 **subdivision after November 1, 1999, and before July 1, 2000, does**
7 **not vacate the office under IC 5-4-1-1.2, as amended by this act, if**
8 **all of the following apply:**

9 **(1) The individual took the oath required by IC 5-4-1-1 at any**
10 **time after the individual's appointment or election.**

11 **(2) The individual took the oath required by IC 5-4-1-1 not**
12 **later than thirty (30) days after the beginning of the term of**
13 **office.**

14 **(3) The oath was deposited with the appropriate office not**
15 **later than December 31, 2000, under IC 5-4-1-4, as in effect**
16 **July 1, 2000.**

17 **(b) This SECTION expires January 1, 2004**

18 **SECTION 3. An emergency is declared for this act.**

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