HOUSE BILL No. 1022

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-1-8-10.5.

Synopsis: Officeholder qualifications. Prohibits a county, city, or town employee from being a candidate for or serving on the legislative or fiscal body of the county, city, or town that employs the employee. Allows a county, city, or town employee serving on a fiscal or legislative body on July 1, 2011, to serve the remainder of the member's term.

Effective: July 1, 2011.

Saunders

January 5, 2011, read first time and referred to Committee on Local Government.

C o p y

Introduced

First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

C o p y

HOUSE BILL No. 1022

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

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

SECTION 1. IC 36-1-8-10.5, AS AMENDED BY P.L.1-2005, SECTION 231, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 10.5. (a) This section does not apply to the following:

(1) An elected or appointed officer.

(2) An individual described in IC 20-26-4-11.

(b) **Except as provided in subsection (c),** an employee of a political subdivision may:

(1) be a candidate for any elected office and serve in that office if elected; or

(2) be appointed to any office and serve in that office if appointed;

without having to resign as an employee of the political subdivision.

(c) An employee of a county, city, or town may not be a candidate for membership on or serve as a member of the legislative or fiscal body of the county, city, or town that employs the employee unless the employee resigns as an employee of the county, city, or town.

(d) Notwithstanding subsection (c), a person who, on July 1, 2011, is:

(1) an employee of a county, city, or town; and

(2) a member of the fiscal or legislative body of the county, city, or town that employs the person;

is entitled to serve as a member of the fiscal or legislative body through the remainder of the member's term without resigning as an employee of the county, city, or town. This subsection expires July 1, 2015.

C o p y