

IC 16-18-3

Chapter 3. Effect of Recodification by Senate Enrolled Act 24 of the 1993 Regular Session of the General Assembly

IC 16-18-3-1

"Prior health and hospital law" defined

Sec. 1. As used in this chapter, "prior health and hospital law" refers to the statutes that are repealed or amended in senate enrolled act 24 of the 1993 regular session of the general assembly as the statutes existed before the effective date of the applicable or corresponding provision of senate enrolled act 24 of the 1993 regular session of the general assembly.

As added by P.L.2-1993, SEC.1.

IC 16-18-3-2

Purpose of act; operation and effect of prior health and hospital law

Sec. 2. The purpose of senate enrolled act 24 of the 1993 regular session of the general assembly is to recodify prior health and hospital law in a style that is clear, concise, and easy to interpret and apply. Except to the extent that:

- (1) senate enrolled act 24 of the 1993 regular session of the general assembly is amended to reflect the changes made in a provision of another bill that adds to, amends, or repeals a provision in senate enrolled act 24 of the 1993 regular session of the general assembly; or
- (2) the minutes of meetings of the code revision commission during 1992 expressly indicate a different purpose;

the substantive operation and effect of the prior health and hospital law continue uninterrupted as if senate enrolled act 24 of the 1993 regular session of the general assembly had not been enacted.

As added by P.L.2-1993, SEC.1.

IC 16-18-3-3

Application

Sec. 3. Subject to section 2 of this chapter, sections 4 through 7 of this chapter shall be applied to the statutory construction of senate enrolled act 24 of the 1993 regular session of the general assembly.

As added by P.L.2-1993, SEC.1.

IC 16-18-3-4

Preservation of rights, liabilities, penalties, violations, proceedings, indebtedness, and tax levies

Sec. 4. Senate enrolled act 24 of the 1993 regular session of the general assembly does not affect any:

- (1) rights or liabilities accrued;
- (2) penalties incurred;
- (3) violations committed;
- (4) proceedings begun;
- (5) bonds, notes, loans, or other forms of indebtedness issued,

incurred, or made; or
(6) tax levies made;
before the effective date of senate enrolled act 24 of the 1993 regular session of the general assembly (July 1, 1993). Those rights, liabilities, penalties, offenses, proceedings, bonds, notes, loans, other forms of indebtedness, and tax levies continue and shall be imposed and enforced under prior health and hospital law as if senate enrolled act 24 of the 1993 regular session of the general assembly had not been enacted.

As added by P.L.2-1993, SEC.1.

IC 16-18-3-5

Construction of act

Sec. 5. Senate enrolled act 24 of the 1993 regular session of the general assembly shall be construed as a recodification of prior health and hospital law. If the literal meaning of senate enrolled act 24 of the 1993 regular session of the general assembly would result in a substantive change in the prior health and hospital law, the difference shall be construed as a typographical, spelling, or other clerical error that must be corrected by:

- (1) inserting, deleting, or substituting words, punctuation, or other matters of style in senate enrolled act 24 of the 1993 regular session of the general assembly; and
- (2) using any other rule of statutory construction;

as necessary or appropriate to apply senate enrolled act 24 of the 1993 regular session of the general assembly in a manner that does not result in a substantive change in the law. The principle of statutory construction that a court must apply the literal meaning of an act if the literal meaning of the act is unambiguous does not apply to senate enrolled act 24 of the 1993 regular session of the general assembly to the extent that senate enrolled act 24 of the 1993 regular session of the general assembly is not substantively identical to the prior health and hospital law.

As added by P.L.2-1993, SEC.1.

IC 16-18-3-6

References to repealed statutes

Sec. 6. Subject to section 7 of this chapter, a reference in a statute or rule to a statute that is repealed and replaced in the same or a different form in senate enrolled act 24 of the 1993 regular session of the general assembly shall be treated after the effective date of the new provision as a reference to the new provision.

As added by P.L.2-1993, SEC.1.

IC 16-18-3-7

Construction of citation references to include references to prior law

Sec. 7. A citation reference in senate enrolled act 24 of the 1993 regular session of the general assembly to another provision of senate enrolled act 24 of the 1993 regular session of the general assembly

shall be treated as including a reference to the provision of prior health and hospital law that is substantively equivalent to the provision of senate enrolled act 24 of the 1993 regular session of the general assembly that is referred to by the citation reference.

As added by P.L.2-1993, SEC.1.

IC 16-18-3-8

Validity of rules adopted under certain repealed statutes

Sec. 8. (a) As used in this section, "repealed statute" refers to any of the following statutes repealed by P.L.2-1993:

- (1) IC 13-1-2.
- (2) IC 13-1-7.
- (3) IC 13-1-8.
- (4) IC 13-1-9.
- (5) IC 13-1-13.
- (6) IC 16-1.
- (7) IC 16-2.
- (8) IC 16-2.5.
- (9) IC 16-3.
- (10) IC 16-4.
- (11) IC 16-5.
- (12) IC 16-6.
- (13) IC 16-6.5.
- (14) IC 16-7.
- (15) IC 16-8.
- (16) IC 16-9.
- (17) IC 16-9.5.
- (18) IC 16-10.
- (19) IC 16-11.
- (20) IC 16-12.
- (21) IC 16-12.1.
- (22) IC 16-12.2.
- (23) IC 35-1-58.5.

(b) A rule adopted under a repealed statute is valid and effective until a rule is adopted under IC 4-22-2 that:

- (1) supersedes in whole or in part the rule adopted under the repealed statute; or
- (2) repeals the rule adopted under the repealed statute.

As added by P.L.220-2011, SEC.308.