IC 1

TITLE 1. GENERAL PROVISIONS

IC 1-1

ARTICLE 1. LAWS GOVERNING THE STATE

IC 1-1-1

Chapter 1. Implementary Provisions for the Indiana Code

IC 1-1-1-1

Citation

Sec. 1. Citation. The Indiana Code may be cited as "IC".

IC 1-1-1-2

Repeal of prior laws; provisions not repealed

Sec. 2. All acts enacted before the 1976 regular session of the Indiana general assembly are repealed, except that this repeal does not include the following:

(1) The following acts of incorporation enacted before the 36th session of the general assembly, and their amendments, whether those amendments were enacted before, during, or after the 36th session:

Acts 1807, c.75, s.1-2.
Acts 1810, c.17, s.1-9.
1824 Revised Statutes, c.64, s.5-6.
Acts 1832, c.133, s.1.
Local Acts 1835, c.96, s.1-3.
Local Acts 1836, c.7, s.1-22.
Local Acts 1836, c.9, s.1-21.
Local Acts 1836, c.23, s.1-4.
Local Acts 1837, c.4, s.1-10.
Local Acts 1838, c.5, s.1-57.
Local Acts 1838, c.9, s.1-22.
Local Acts 1838, c.11, s.1-17.
Local Acts 1838, c.198, s.1.
Local Acts 1839, c.21, s.1-3 and 5-11.
Local Acts 1839, c.42, s.1-2.
Local Acts 1840, c.33, s.1-5.
Local Acts 1841, c.37, s.1-3 and 7-22.
Local Acts 1842, c.45, s.1.
Local Acts 1842, c.51, s.1.
Local Acts 1843, c.4, s.1-5.
Local Acts 1843, c.27, s.1-2.
Local Acts 1843, c.31, s.1-2.
Local Acts 1844, c.11, s.1-4.
Local Acts 1844, c.30, s.1-4.
Local Acts 1844, c.31, s.1-4.
Local Acts 1844, c.34, s.1-3.
Local Acts 1844, c.134, s.1-5.

Local Acts 1845, c.118, s.1-4.
Local Acts 1845, c.234, s.1.
Local Acts 1845, c.250, s.1.
Local Acts 1846, c.2, s.1-3.
Local Acts 1846, c.61, s.1.
Local Acts 1846, c.168, s.1-5.
Local Acts 1846, c.329, s.1-3.
Local Acts 1847, c.22, s.1-13.
Local Acts 1847, c.71, s.1-4 and 6-9.
Local Acts 1847, c.93, s.1-4.
Local Acts 1847, c.129, s.1-4.
Local Acts 1847, c.172, s.1-2.
Local Acts 1847, c.204, s.1-3.
Local Acts 1847, c.336, s.1-5.
Local Acts 1848, c.123, s.1.
Local Acts 1848, c.252, s.1.
Local Acts 1848, c.346, s.1-15.
Local Acts 1849, c.116, s.1-9.
Local Acts 1849, c.203, s.1.
Local Acts 1849, c.220, s.1-4.
Local Acts 1849, c.221, s.1-7.
Local Acts 1849, c.269, s.1.
Local Acts 1850, c.138, s.1-5.
Local Acts 1850, c.213, s.1.
Local Acts 1850, c.265, s.1-10.
Local Acts 1850, c.269, s.1-8.
Local Acts 1850, c.331, s.1-17.
Local Acts 1850, c.338, s.1.
Local Acts 1851, c.1, s.1-10, 12-19, 27-34, and 36.
Local Acts 1851, c.39, s.1.
Local Acts 1851, c.92, s.1-34.
Local Acts 1851, c.226, s.1-3.
Local Acts 1851, c.281, s.1-10.
Local Acts 1851, c.336, s.1-7.
Acts 1865(ss), c.11, s.1-6.
Acts 1873, c.88, s.1.
Acts 1873, c.101, s.1.
Acts 1873, c.103, s.1.
Acts 1885, c.42, s.1.
Acts 1895, c.59, s.1.
Acts 1901, c.153, s.1.
Acts 1905, c.7, s.1.
Acts 1909, c.7, s.1-4.
Acts 1909, c.51, s.1.
Acts 1911, c.167, s.1-2.
Acts 1913, c.253, s.1.
Acts 1925, c.165, s.1-3.
Acts 1927, c.68, s.1-5.
Acts 1935, c.58, s.1.
Acts 1937, c.227, s.1.

Acts 1939, c.51.
Acts 1959, c.165, s.1.
Acts 1963, c.107, s.1-2.

(2) The following appropriation:
Acts 1967, c.180, s.3.

(3) The following statement of legislative purpose, finding, intent, or policy:
Acts 1973, P.L.322, s.1.

As amended by P.L.1-1989, SEC.1; P.L.1-1990, SEC.1; P.L.3-1995, SEC.1; P.L.20-2010, SEC.1.

IC 1-1-1-2.1

Repeal of statutes not compiled and enacted after the 1975 regular session and before the 1985 regular session; provisions not repealed

Sec. 2.1. (a) This section applies to all statutes and parts of statutes:

(1) enacted:
(A) after the 1975 regular session of the Indiana general assembly; and
(B) before the 1985 regular session of the Indiana general assembly; and

(2) not compiled in the Indiana Code.

(b) The statutes and parts of statutes subject to this section are repealed, except for the following:

(1) The following provisions concerning judicial proceedings:
Acts 1976, P.L.148, SECTION 26.
Acts 1977, P.L.26, SECTION 26.
Acts 1977, P.L.340, SECTIONS 149-150.
Acts 1978, P.L.145, SECTION 14.
Acts 1979, P.L.294, SECTION 2.
Acts 1980, P.L.204, SECTION 3.
Acts 1981, P.L.298, SECTIONS 8-9.
P.L.334-1983, SECTION 4.
P.L.79-1984, SECTION 3.

(2) The following provisions concerning appropriations:
Acts 1979, P.L.307, SECTIONS 1-4 and 6-7.
Acts 1981, P.L.322, SECTIONS 1-4 and 6-7.
P.L.1-1982(ss), SECTIONS 15-20.
P.L.381-1983, SECTIONS 1-4 and 6-7.
P.L.217-1984, SECTIONS 1-5.

(3) The following special provisions:
Acts 1980, P.L.8, SECTION 180.
P.L.374-1983, SECTION 1.

(4) The following transitional provisions:
Acts 1976, P.L.140, SECTION 9.
Acts 1977, P.L.239, SECTION 4.
Acts 1977, P.L.241, SECTION 4.
Acts 1979, P.L.205, SECTION 2.
Acts 1981, P.L.137, SECTION 19.

Acts 1981, P.L.220, SECTION 5.
P.L.274-1983, SECTION 2.
P.L.317-1983, SECTION 2.
P.L.51-1984, SECTION 2.
P.L.68-1984, SECTION 3.
As added by P.L.1-1989, SEC.2. Amended by P.L.3-1993, SEC.1.

IC 1-1-1-3
Procedural statutes

Sec. 3. Procedural Statutes. Notwithstanding the inclusion in the Indiana Code of provisions relating to process, practice, procedure, or appeals that have been superseded by rules of court, those provisions have only such force as they had before the enactment of the Indiana Code.

IC 1-1-1-4
Invalid statutes

Sec. 4. Invalid Statutes. Notwithstanding the inclusion in the Indiana Code of statutory provisions declared impliedly repealed, unconstitutional or otherwise invalid by a court of competent jurisdiction, those provisions have only such force as they had before the enactment of the Indiana Code.

IC 1-1-1-5
Construction of statutes

Sec. 5. (a) The operation of any law repealed and replaced by the Indiana Code is intended to be continuous. All rules and regulations in force on January 21, 1976, shall be treated as if they were adopted under the corresponding provisions of this Code.

(b) Any appropriation repealed and replaced by a provision of the Indiana Code has only such force as it did before the enactment of the Code.

(c) If a conflict existed between provisions of law that have been replaced by this Code, to resolve the conflict, the dates of enactment of the conflicting provisions may be considered along with other appropriate aids to statutory construction, but the order in which the corresponding provisions appear in this Code may not be considered.

(d) References in the text of the Indiana Code, or in other statutes, to provisions of laws replaced by provisions of the Indiana Code, are intended to refer respectively to the corresponding provisions of this Code.

(e) The numerical or alphabetical designations assigned to the several provisions of the Indiana Code, as originally enacted, or as added by amendment, are part of the law and may be altered only by specific amendment.

(f) The headings of titles, articles, and chapters as they appear in the Indiana Code, as originally enacted or added by amendment, are not part of the law and may be altered by the lawful compilers, in any official publication, to more clearly indicate content. These descriptive headings are intended for organizational purposes only

and are not intended to affect the meaning, application or construction of the statute they precede.

(g) Each parenthetical source and history line published with the Indiana Code is for historical reference purposes only and is not a part of the law.

(h) A reference by citation to any provision of the Indiana Code shall be construed to include any later amendments to that provision, unless otherwise provided.

As amended by P.L.1-1991, SEC.1.

IC 1-1-1-6

Preservation of penalties, offenses, rights, and liabilities

Sec. 6. Preservation of Penalties, Offenses, Rights, Liabilities. All felonies and misdemeanors committed under acts in force before the effectiveness of the Indiana Code may be prosecuted and remain punishable as provided in those acts.

This Code does not affect rights, privileges, or liabilities accrued, remedies provided, duties imposed, penalties incurred, or proceedings begun before the effectiveness of this Code. Punishments, penalties or forfeitures may be imposed and enforced as if this Code had not been enacted.

IC 1-1-1-7

Periods of limitation and requirements of notice

Sec. 7. Periods of Limitation and Requirements of Notice. The running of any period of limitation or any requirement of notice contained in any provisions of law repealed and replaced by provisions of the Indiana Code are not affected by the enactment of the Code. All actions, proceedings, and prosecutions, whether civil or criminal, for causes arising or acts committed before the effectiveness of this Code, may be commenced and prosecuted as if this Code had not been enacted.

IC 1-1-1-8

Severability

Sec. 8. Severability (a) If any provision of this Code as now or later amended or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions that can be given effect without the invalid provision or application.

(b) Except in the case of a statute containing a nonseverability provision, each part and application of every statute is severable. If any provision or application of a statute is held invalid, the invalidity does not affect the remainder of the statute unless:

(1) the remainder is so essentially and inseparably connected with, and so dependent upon, the invalid provision or application that it cannot be presumed that the remainder would have been enacted without the invalid provision or application; or

(2) the remainder is incomplete and incapable of being executed in accordance with the legislative intent without the invalid

provision or application.

This subsection applies to every statute, regardless of whether enacted before or after the passage of this subsection. The general assembly may preserve the legislative history of this subsection by adoption of a concurrent resolution and publication of the resolution in the legislative journals.

(c) The repeal of a statute stating that the provisions of an act are severable as provided in subsection (b) does not affect the operation of subsection (b) with respect to that act.

As amended by Acts 1978, P.L.1, SEC.1; P.L.220-2011, SEC.1.

IC 1-1-1-8.5

Severability of provisions of P.L.240-1991; provisions of P.L.95-2004 not severable

Sec. 8.5. Notwithstanding section 8 of this chapter, the following apply:

(1) Both of the following apply to P.L.240-1991:

(A) Section 8 of this chapter does not apply to P.L.240-1991.

(B) If any SECTION, legislative district, or other provision of P.L.240-1991 or its application to any person or circumstance is held invalid, the invalidity of that SECTION, legislative district, or provision does not affect other SECTIONS, legislative districts, or provisions of P.L.240-1991 that can be given effect without the invalid SECTION, legislative district, or provision.

(2) The provisions of P.L.95-2004 are not severable.

As added by P.L.220-2011, SEC.2.

IC 1-1-1-8.7

Effect to be given to provisions of P.L.224-2003

Sec. 8.7. If a provision of P.L.224-2003 is found by a court with jurisdiction to be in violation of Article 4, Section 23 of the Constitution of the State of Indiana, it is the intent of the general assembly that the provision be given general application.

As added by P.L.220-2011, SEC.3.

IC 1-1-1-9

Effective date

Sec. 9. Because an emergency exists, the Indiana Code takes effect January 21, 1976.

As amended by P.L.1-1991, SEC.2.

IC 1-1-1.1

Chapter 1.1. Repeal of Certain Noncode Statutes; Preservation of Other Noncode Statutes

IC 1-1-1.1-1

Application of chapter to noncode provisions enacted after the 1984 regular session and before the 2010 regular session

Sec. 1. This chapter applies to all noncode statutes and parts of noncode statutes enacted:

(1) after the 1984 regular session of the Indiana general assembly; and

(2) before the 2010 regular session of the Indiana general assembly.

As added by P.L.220-2011, SEC.4.

IC 1-1-1.1-2

Repeal of noncode statutes; exceptions

Sec. 2. Except as provided in this chapter, the statutes and parts of statutes described in section 1 of this chapter are repealed.

As added by P.L.220-2011, SEC.4.

IC 1-1-1.1-3

Preservation of certain noncode statutes with expiration dates; expiration of such statutes

Sec. 3. Section 2 of this chapter does not repeal a statute described in section 1 of this chapter that expires after June 30, 2011. However, such a statute expires on the expiration date provided in the statute.

As added by P.L.220-2011, SEC.4.

IC 1-1-1.1-4

Effect of striking reference to preserved noncode statute; effect of repeal of IC 1-1-1-2, IC 1-1-1-2.1, or section of chapter

Sec. 4. (a) An act of the general assembly that strikes a statute listed in IC 1-1-1-2, IC 1-1-1-2.1, or this chapter has the effect of repealing that listed statute.

(b) An act of the general assembly that repeals IC 1-1-1-2, IC 1-1-1-2.1, or another section of this chapter has the effect of repealing all the statutes listed in IC 1-1-1-2, IC 1-1-1-2.1, or that section of this chapter, whichever is applicable.

As added by P.L.220-2011, SEC.4.

IC 1-1-1.1-5

Preservation of certain noncode statute concerning transfer of state agency or facility to private control

Sec. 5. Section 2 of this chapter does not repeal P.L.9-1991, SECTION 124 (concerning the construction of that act relating to the transfer of state agency or facility to private control).

As added by P.L.220-2011, SEC.4.

IC 1-1-1.1-6

Preservation of certain noncode statutes concerning the change of fiscal years by a holding company or regulated financial corporation

Sec. 6. Section 2 of this chapter does not repeal either P.L.347-1989, SECTION 30 or P.L.21-1990, SECTION 60 (the latter statute amending the former statute) (concerning the change of fiscal years by a holding company or regulated financial corporation).

As added by P.L.220-2011, SEC.4.

IC 1-1-1.1-7

Preservation of certain noncode statute concerning certain reports required by the Indiana department of transportation

Sec. 7. Section 2 of this chapter does not repeal P.L.234-2007, SECTION 223 (requiring the Indiana department of transportation to submit a quarterly report describing the projects that the department has expended or encumbered money for major moves construction program).

As added by P.L.220-2011, SEC.4.

IC 1-1-1.1-8

Preservation of certain noncode statutes concerning motor vehicles

Sec. 8. Section 2 of this chapter does not repeal the following statutes concerning motor vehicles:

(1) P.L.2-1991, SECTION 110 (concerning the effect of the enactment of the amendments to IC 9-8-6-20 (before its repeal)).

(2) P.L.61-1996, SECTION 26 (concerning certain practices of the bureau of motor vehicles under IC 9-18-2-1).

As added by P.L.220-2011, SEC.4.

IC 1-1-1.1-9

Preservation of certain noncode statutes concerning human services

Sec. 9. Section 2 of this chapter does not repeal the following statutes concerning human services:

(1) P.L.109-1986, SECTION 3 (concerning the application of IC 12-3-6.1-1 (before its repeal) to a director of a children's home).

(2) P.L.28-2004, SECTION 199 (concerning a report to be submitted by the division of disability, aging, and rehabilitative services).

As added by P.L.220-2011, SEC.4.

IC 1-1-1.1-10

Preservation of certain noncode statutes concerning family law and juvenile law

Sec. 10. Section 2 of this chapter does not repeal the following statutes concerning family law and juvenile law:

(1) P.L.289-1987, SECTION 2 (concerning application of amendments to a statute concerning child support).

(2) P.L.211-1999, SECTION 6 (concerning special needs foster children and therapeutic foster children).

As added by P.L.220-2011, SEC.4.

IC 1-1-1.1-11

Preservation of certain noncode statutes concerning conveyance of real estate to the University of Evansville

Sec. 11. Section 2 of this chapter does not repeal either P.L.202-1988, SECTION 1 or P.L.250-1997, SECTION 1 (the latter statute amending the former statute) (concerning conveyance of real estate to the University of Evansville).

As added by P.L.220-2011, SEC.4.

IC 1-1-1.1-12

Preservation of certain noncode statutes concerning amendments to certain local acts

Sec. 12. Section 2 of this chapter does not repeal the following amendments to local acts:

(1) P.L.1-1990, SECTION 370 (amendments to Local Acts 1851, c.39, s.1 concerning the trustees of Indiana Asbury University).

(2) P.L.1-1990, SECTION 371 (amendments to Local Acts 1851, c.1, s.10 concerning the duties of the mayor of Vernon, Indiana).

(3) P.L.1-1990, SECTION 373 (amendments to Local Acts 1851, c.1, s.35 removing the term "justice of the peace").

As added by P.L.220-2011, SEC.4.

IC 1-1-1.1-13

Preservation of certain noncode statutes concerning state biennial budgets

Sec. 13. Section 2 of this chapter does not repeal the following statutes relating to the state biennial budgets:

(1) The following statutes defining terms in the state budgets: P.L.372-1985, SECTION 1; P.L.383-1987, SECTION 5; P.L.396-1987, SECTION 1; P.L.209-1988, SECTION 1; P.L.357-1989, SECTION 1; P.L.185-1990, SECTION 1; P.L.240-1991, SECTION 1; P.L.277-1993, SECTION 1; P.L.340-1995, SECTION 1; P.L.260-1997, SECTION 1; P.L.273-1999, SECTION 1; P.L.291-2001, SECTION 1; P.L.224-2003, SECTION 1; P.L.246-2005, SECTION 1; P.L.234-2007, SECTION 1; P.L.182-2009, SECTION 1.

(2) The following statutes stating the general appropriation language for budget bills: P.L.372-1985, SECTION 2; P.L.383-1987, SECTION 6; P.L.396-1987, SECTION 2; P.L.209-1988, SECTIONS 2 and 15; P.L.357-1989, SECTION 2; P.L.185-1990, SECTION 2; P.L.240-1991, SECTION 2; P.L.277-1993, SECTION 2; P.L.340-1995, SECTION 2; P.L.260-1997, SECTION 2; P.L.273-1999, SECTION 2; P.L.291-2001, SECTION 2; P.L.224-2003, SECTION 2;

P.L.246-2005, SECTION 2; P.L.234-2007, SECTION 2; P.L.182-2009, SECTION 2.

(3) The following statutes relating to appropriations for general government: P.L.378-1987, SECTION 16; P.L.383-1987, SECTION 7; P.L.396-1987, SECTION 3; P.L.209-1988, SECTION 4; P.L.357-1989, SECTION 3; P.L.185-1990, SECTIONS 3 and 10; P.L.240-1991, SECTION 3; P.L.277-1993, SECTION 3; P.L.340-1995, SECTION 3; P.L.260-1997, SECTION 3; P.L.273-1999, SECTION 3; P.L.291-2001, SECTIONS 3, 9, 13, and 15; P.L.224-2003, SECTION 3; P.L.246-2005, SECTION 3; P.L.234-2007, SECTION 3; P.L.182-2009, SECTION 3.

(4) The following statutes relating to appropriations for public safety: P.L.383-1987, SECTION 8; P.L.396-1987, SECTION 4; P.L.209-1988, SECTION 5; P.L.357-1989, SECTION 4; P.L.185-1990, SECTION 4; P.L.240-1991, SECTION 4; P.L.277-1993, SECTION 4; P.L.340-1995, SECTION 4; P.L.260-1997, SECTION 4; P.L.273-1999, SECTION 4; P.L.291-2001, SECTIONS 8 and 14; P.L.224-2003, SECTION 4; P.L.246-2005, SECTION 4; P.L.234-2007, SECTION 4; P.L.182-2009, SECTION 4.

(5) The following statutes relating to appropriations for conservation and environment: P.L.383-1987, SECTION 9; P.L.396-1987, SECTION 5; P.L.357-1989, SECTION 5; P.L.185-1990, SECTION 5; P.L.240-1991, SECTION 5; P.L.277-1993, SECTION 5; P.L.16-1994, SECTION 15; P.L.340-1995, SECTION 5; P.L.260-1997, SECTION 5; P.L.273-1999, SECTION 5; P.L.291-2001, SECTIONS 10 and 12; P.L.224-2003, SECTION 5; P.L.246-2005, SECTION 5; P.L.234-2007, SECTION 5; P.L.182-2009, SECTION 5.

(6) The following statutes relating to appropriations for economic development: P.L.383-1987, SECTION 10; P.L.396-1987, SECTION 6; P.L.209-1988, SECTION 6; P.L.357-1989, SECTION 6; P.L.240-1991, SECTION 6; P.L.277-1993, SECTION 6; P.L.340-1995, SECTION 6; P.L.260-1997, SECTION 6; P.L.273-1999, SECTION 6; P.L.291-2001, SECTION 6; P.L.224-2003, SECTION 6; P.L.246-2005, SECTION 6; P.L.234-2007, SECTION 6; P.L.182-2009, SECTION 6.

(7) The following statutes relating to appropriations for transportation: P.L.372-1985, SECTION 31; P.L.396-1987, SECTION 7; P.L.357-1989, SECTION 7; P.L.240-1991, SECTION 7; P.L.277-1993, SECTION 7; P.L.340-1995, SECTION 7; P.L.260-1997, SECTION 7; P.L.273-1999, SECTION 7; P.L.291-2001, SECTION 11; P.L.224-2003, SECTION 7; P.L.246-2005, SECTION 7; P.L.234-2007, SECTION 7; P.L.182-2009, SECTION 7.

(8) The following statutes relating to appropriations for either health and human services or for family and social services, health, and veterans' affairs: P.L.383-1987, SECTIONS 11 and

12; P.L.396-1987, SECTION 8; P.L.209-1988, SECTIONS 3 and 7; P.L.357-1989, SECTION 8; P.L.185-1990, SECTION 7; P.L.240-1991, SECTION 8; P.L.277-1993, SECTION 8; P.L.340-1995, SECTION 8 and P.L.30-1996, SECTION 8 (the latter statute amending the former statute); P.L.260-1997, SECTION 8; P.L.273-1999, SECTION 8; P.L.291-2001, SECTION 7; P.L.224-2003, SECTION 8; P.L.246-2005, SECTION 8; P.L.234-2007, SECTION 8; P.L.182-2009, SECTION 8.

(9) The following statutes relating to appropriations for education, including higher education: P.L.383-1987, SECTION 13; P.L.383-1987, SECTION 14; P.L.396-1987, SECTION 9; P.L.209-1988, SECTIONS 9 through 13; P.L.357-1989, SECTIONS 9 through 11; P.L.51-1990, SECTION 46; P.L.185-1990, SECTION 8; P.L.240-1991, SECTIONS 9 through 11; P.L.277-1993, SECTIONS 9 through 11; P.L.36-1994, SECTION 41; P.L.340-1995, SECTIONS 9 through 11; P.L.260-1997, SECTIONS 9 through 11; P.L.273-1999, SECTIONS 9 through 11; P.L.291-2001, SECTIONS 4, 5, 16, and 17; P.L.224-2003, SECTIONS 9, 11, and 12; P.L.246-2005; SECTIONS 9, 11, and 12; P.L.234-2007, SECTIONS 9, 11, and 12; P.L.182-2009, SECTIONS 9, 11, and 12.

(10) The following statutes relating to payment of utility bills and other claims at the end of a state fiscal year: P.L.372-1985, SECTION 4; P.L.396-1987, SECTION 10; P.L.357-1989, SECTION 12; P.L.240-1991, SECTION 12; P.L.277-1993, SECTION 12; P.L.340-1995, SECTION 12; P.L.260-1997, SECTION 12; P.L.273-1999, SECTION 12; P.L.291-2001, SECTION 18; P.L.224-2003, SECTION 13; P.L.246-2005, SECTION 13; P.L.234-2007, SECTION 13; P.L.182-2009, SECTION 13.

(11) The following statutes relating to state travel and related expenses: P.L.372-1985, SECTION 5; P.L.396-1987, SECTION 11; P.L.357-1989, SECTION 13; P.L.240-1991, SECTION 13; P.L.277-1993, SECTION 13; P.L.340-1995, SECTION 13; P.L.260-1997, SECTION 13; P.L.273-1999, SECTION 13; P.L.291-2001, SECTION 19; P.L.224-2003, SECTION 14; P.L.246-2005, SECTION 14; P.L.234-2007, SECTION 14; P.L.182-2009, SECTION 14.

(12) The following statutes setting per diem rates for members of boards and commissions: P.L.372-1985, SECTION 6; P.L.396-1987, SECTION 12; P.L.357-1989, SECTION 14; P.L.240-1991, SECTION 14; P.L.277-1993, SECTION 14; P.L.340-1995, SECTION 14; P.L.260-1997, SECTION 14; P.L.273-1999, SECTION 14; P.L.291-2001, SECTION 20; P.L.224-2003, SECTION 15; P.L.246-2005, SECTION 15; P.L.234-2007, SECTION 15; P.L.182-2009, SECTION 15.

(13) The following statutes providing that payment for personal services may not be made unless approved by the budget

agency: P.L.372-1985, SECTION 7; P.L.396-1987, SECTION 13; P.L.357-1989, SECTION 15; P.L.240-1991, SECTION 15; P.L.277-1993, SECTION 15; P.L.340-1995, SECTION 15; P.L.260-1997, SECTION 15; P.L.273-1999, SECTION 15; P.L.291-2001, SECTION 21; P.L.224-2003, SECTION 16; P.L.246-2005, SECTION 16; P.L.234-2007, SECTION 16; P.L.182-2009, SECTION 16.

(14) The following statutes relating to the frequency of deposit of money into the state treasury: P.L.372-1985, SECTION 8; P.L.396-1987, SECTION 14; P.L.357-1989, SECTION 16; P.L.240-1991, SECTION 16; P.L.277-1993, SECTION 16; P.L.340-1995, SECTION 16; P.L.260-1997, SECTION 16; P.L.273-1999, SECTION 16; P.L.291-2001, SECTION 22; P.L.224-2003, SECTION 17; P.L.246-2005, SECTION 17; P.L.234-2007, SECTION 17; P.L.182-2009, SECTION 17.

(15) The following statutes relating to the deposit of money received as a result of casualty losses to the state: P.L.372-1985, SECTION 9; P.L.396-1987, SECTION 15; P.L.357-1989, SECTION 17; P.L.240-1991, SECTION 17; P.L.277-1993, SECTION 17; P.L.340-1995, SECTION 17; P.L.260-1997, SECTION 17; P.L.273-1999, SECTION 17; P.L.291-2001, SECTION 23; P.L.224-2003, SECTION 18; P.L.246-2005, SECTION 18; P.L.234-2007, SECTION 18; P.L.182-2009, SECTION 18.

(16) The following statutes relating to the disposition of excess state computer equipment: P.L.372-1985, SECTION 10; P.L.396-1987, SECTION 16; P.L.357-1989, SECTION 18; P.L.240-1991, SECTION 18; P.L.277-1993, SECTION 18; P.L.340-1995, SECTION 18; P.L.260-1997, SECTION 18; P.L.273-1999, SECTION 18; P.L.291-2001, SECTION 24; P.L.224-2003, SECTION 19; P.L.246-2005, SECTION 19; P.L.234-2007, SECTION 19; P.L.182-2009, SECTION 19.

(17) The following statutes relating to the use of excess commodities produced at state institutions: P.L.372-1985, SECTION 11; P.L.396-1987, SECTION 17; P.L.357-1989, SECTION 19; P.L.240-1991, SECTION 19; P.L.277-1993, SECTION 19; P.L.340-1995, SECTION 19; P.L.260-1997, SECTION 19; P.L.273-1999, SECTION 19; P.L.291-2001, SECTION 25; P.L.224-2003, SECTION 20; P.L.246-2005, SECTION 20; P.L.234-2007, SECTION 20; P.L.182-2009, SECTION 20.

(18) The following statutes requiring the approval of the budget agency for repairs to state buildings: P.L.372-1985, SECTION 12; P.L.396-1987, SECTION 18; P.L.357-1989, SECTION 20; P.L.240-1991, SECTION 20; P.L.277-1993, SECTION 20; P.L.340-1995, SECTION 20; P.L.260-1997, SECTION 20; P.L.273-1999, SECTION 20; P.L.291-2001, SECTION 26; P.L.224-2003, SECTION 21; P.L.246-2005, SECTION 21; P.L.234-2007, SECTION 21; P.L.182-2009, SECTION 21.

(19) The following statutes concerning the interpretation of

statutory annual or continuing appropriations: P.L.372-1985, SECTION 13; P.L.396-1987, SECTION 19; P.L.357-1989, SECTION 21; P.L.240-1991, SECTION 21; P.L.277-1993, SECTION 21; P.L.340-1995, SECTION 21; P.L.260-1997, SECTION 21; P.L.273-1999, SECTION 21; P.L.291-2001, SECTION 27; P.L.224-2003, SECTION 22; P.L.246-2005, SECTION 22; P.L.234-2007, SECTION 22; P.L.182-2009, SECTION 22.

(20) The following statutes relating to the disposition of appropriations made to reorganized state agencies: P.L.372-1985, SECTION 15; P.L.396-1987, SECTION 20; P.L.357-1989, SECTION 22; P.L.240-1991, SECTION 22; P.L.277-1993, SECTION 22; P.L.340-1995, SECTION 22; P.L.260-1997, SECTION 22; P.L.273-1999, SECTION 22; P.L.291-2001, SECTION 28; P.L.224-2003, SECTION 23; P.L.246-2005, SECTION 23; P.L.234-2007, SECTION 23; P.L.182-2009, SECTION 23.

(21) The following statutes relating to the purchase of automobiles by the state: P.L.372-1985, SECTION 16; P.L.396-1987, SECTION 21; P.L.357-1989, SECTION 23; P.L.240-1991, SECTION 23; P.L.277-1993, SECTION 23; P.L.340-1995, SECTION 23; P.L.260-1997, SECTION 23; P.L.273-1999, SECTION 23; P.L.291-2001, SECTION 29; P.L.224-2003, SECTION 24; P.L.246-2005, SECTION 24; P.L.234-2007, SECTION 24; P.L.182-2009, SECTION 24.

(22) The following statutes relating to advisory recommendations of the state budget committee: P.L.372-1985, SECTION 17; P.L.396-1987, SECTION 22; P.L.357-1989, SECTION 24; P.L.240-1991, SECTION 24; P.L.277-1993, SECTION 24; P.L.340-1995, SECTION 24; P.L.260-1997, SECTION 24; P.L.273-1999, SECTION 24; P.L.291-2001, SECTION 30; P.L.224-2003, SECTION 25; P.L.246-2005, SECTION 25; P.L.234-2007, SECTION 25; P.L.182-2009, SECTION 25.

(23) The following statutes relating to the governor's authority to accept federal funds: P.L.372-1985, SECTION 18; P.L.396-1987, SECTION 23; P.L.357-1989, SECTION 25; P.L.240-1991, SECTION 25; P.L.277-1993, SECTION 25; P.L.340-1995, SECTION 25; P.L.260-1997, SECTION 25; P.L.273-1999, SECTION 25; P.L.291-2001, SECTION 31; P.L.224-2003, SECTION 26; P.L.246-2005, SECTION 26; P.L.234-2007, SECTION 26; P.L.182-2009, SECTION 26.

(24) The following statutes requiring allotment of federal funds received by the state: P.L.372-1985, SECTION 19; P.L.396-1987, SECTION 24; P.L.357-1989, SECTION 26; P.L.240-1991, SECTION 26; P.L.277-1993, SECTION 26; P.L.340-1995, SECTION 26; P.L.260-1997, SECTION 26; P.L.273-1999, SECTION 26; P.L.291-2001, SECTION 32; P.L.224-2003, SECTION 27; P.L.246-2005, SECTION 27; P.L.234-2007, SECTION 27; P.L.182-2009, SECTION 27.

(25) The following statutes relating to state contracts for personal services: P.L.372-1985, SECTION 20; P.L.396-1987, SECTION 25; P.L.357-1989, SECTION 27; P.L.240-1991, SECTION 27; P.L.277-1993, SECTION 27; P.L.340-1995, SECTION 27; P.L.260-1997, SECTION 27; P.L.273-1999, SECTION 27; P.L.291-2001, SECTION 33; P.L.224-2003, SECTION 28; P.L.246-2005, SECTION 28; P.L.234-2007, SECTION 28; P.L.182-2009, SECTION 28.

(26) The following statutes relating to appropriations for personal services: P.L.372-1985, SECTION 21; P.L.396-1987, SECTION 26; P.L.357-1989, SECTION 28; P.L.240-1991, SECTION 28; P.L.277-1993, SECTION 28; P.L.340-1995, SECTION 28; P.L.260-1997, SECTION 28; P.L.273-1999, SECTION 28; P.L.291-2001, SECTION 34; P.L.224-2003, SECTIONS 29 and 34; P.L.246-2005, SECTION 29; P.L.234-2007, SECTION 29; P.L.182-2009, SECTION 29.

(27) The following statutes authorizing the withholding of allotments of appropriations: P.L.372-1985, SECTION 23; P.L.396-1987, SECTION 27; P.L.357-1989, SECTION 29; P.L.240-1991, SECTION 29; P.L.277-1993, SECTION 29; P.L.340-1995, SECTION 29; P.L.260-1997, SECTION 29; P.L.273-1999, SECTION 29; P.L.291-2001, SECTION 35; P.L.224-2003, SECTION 30; P.L.246-2005, SECTION 30; P.L.234-2007, SECTION 30; P.L.182-2009, SECTION 30.

(28) The following statutes making construction appropriations: P.L.372-1985, SECTIONS 24 and 25; P.L.396-1987, SECTION 28; P.L.357-1989, SECTION 30; P.L.185-1990, SECTION 9; P.L.240-1991, SECTION 31; P.L.277-1993, SECTION 31; P.L.340-1995, SECTION 31; P.L.260-1997, SECTION 31; P.L.273-1999, SECTION 31; P.L.291-2001, SECTION 37; P.L.224-2003, SECTION 32; P.L.246-2005, SECTION 32; P.L.234-2007, SECTION 32; P.L.182-2009, SECTION 31.

(29) The following statutes authorizing the budget agency to employ architects: P.L.372-1985, SECTION 30; P.L.396-1987, SECTION 33; P.L.357-1989, SECTION 31; P.L.240-1991, SECTION 32; P.L.277-1993, SECTION 32; P.L.340-1995, SECTION 32; P.L.260-1997, SECTION 34; P.L.273-1999, SECTION 36; P.L.291-2001, SECTION 41; P.L.224-2003, SECTION 35; P.L.246-2005, SECTION 33; P.L.234-2007, SECTION 33; P.L.182-2009, SECTION 32.

(30) The following statutes relating to the duration of appropriations for construction: P.L.372-1985, SECTION 26; P.L.383-1987, SECTION 15; P.L.396-1987, SECTION 29; P.L.357-1989, SECTION 32; P.L.240-1991, SECTION 33; P.L.277-1993, SECTION 33; P.L.340-1995, SECTION 33; P.L.260-1997, SECTION 35; P.L.273-1999, SECTION 37; P.L.291-2001, SECTION 42; P.L.224-2003, SECTION 36; P.L.246-2005, SECTION 34; P.L.234-2007, SECTION 34; P.L.182-2009, SECTION 33.

(31) The following statutes reappropriating the proceeds of the

sale of state property: P.L.372-1985, SECTION 27; P.L.396-1987, SECTION 30; P.L.357-1989, SECTION 33; P.L.240-1991, SECTION 34.

(32) The following statutes relating to the allotment of appropriations: P.L.372-1985, SECTION 28; P.L.396-1987, SECTION 31; P.L.357-1989, SECTION 34; P.L.240-1991, SECTION 35.

(33) The following statutes relating to increase of expenditures for construction appropriations: P.L.372-1985, SECTION 29; P.L.396-1987, SECTION 32; P.L.357-1989, SECTION 35; P.L.240-1991, SECTION 36.

(34) The following statutes relating to use of the counter-cyclical revenue and economic stabilization fund: P.L.277-1993, SECTION 34; P.L.291-2001, SECTIONS 44 and 49; P.L.224-2003, SECTION 38; P.L.234-2007, SECTION 36; P.L.182-2009, SECTION 35.

(35) The following statutes relating to balances in the mental health fund: P.L.340-1995, SECTION 114; P.L.291-2001, SECTION 47; P.L.224-2003, SECTION 37; P.L.246-2005, SECTION 35; P.L.234-2007, SECTION 35; P.L.182-2009, SECTION 34.

(36) The following statutes concerning distributions from certain state funds: P.L.224-2003, SECTION 10; P.L.246-2005, SECTION 10; P.L.234-2007, SECTION 10; P.L.182-2009, SECTION 10.

(37) The following statutes stating that provisions of budget acts are severable: P.L.372-1985, SECTION 37; P.L.357-1989, SECTION 38; P.L.277-1993, SECTION 35; P.L.340-1995, SECTION 126; P.L.260-1997, SECTION 104; P.L.273-1999, SECTION 233; P.L.291-2001, SECTION 242.

As added by P.L.220-2011, SEC.4.

IC 1-1-1.1-14

Preservation of certain noncode statutes concerning education finance

Sec. 14. Section 2 of this chapter does not repeal the following statutes concerning education finance:

(1) P.L.65-1985, SECTIONS 1, 7, and 12 (concerning school corporation general fund levies).

(2) The following statutes concerning tuition support: P.L.372-1985, SECTION 3; P.L.5-1988, SECTIONS 229 and 230; P.L.59-1988, SECTIONS 13 through 16, and 18; P.L.240-1991, SECTION 30; P.L.43-1992, SECTION 19; P.L.277-1993, SECTION 30; P.L.278-1993, SECTION 1; P.L.340-1995, SECTION 30; P.L.30-1996, SECTION 7; P.L.178-2002, SECTION 156; P.L.224-2003, SECTION 31; P.L.276-2003, SECTION 39; P.L.246-2005, SECTION 31; P.L.162-2006, SECTION 58; P.L.234-2007, SECTION 31; P.L.146-2008, SECTION 854.

(3) P.L.85-1987, SECTION 5 (concerning school corporation

cumulative building fund levies).

(4) P.L.382-1987, SECTIONS 1 through 12, SECTION 18, SECTIONS 27 through 48, and SECTION 51 (concerning school finance).

(5) P.L.59-1991, SECTION 4 (concerning the effect of amendments to statutes relating to education finance).

(6) P.L.277-1993, SECTION 137 (concerning transfer of money from excess levy funds).

(7) P.L.30-1996, SECTION 6 (concerning transfers of money between school corporation funds).

(8) P.L.273-1999, SECTION 159 (concerning primetime distributions).

(9) P.L.3-2000, SECTION 15 (concerning which vocational education formula to use in 2001).

(10) P.L.111-2002, SECTION 12 (concerning transfer tuition).

(11) P.L.146-2008, SECTION 855 (abolishing the tuition reserve account in the state general fund and transferring money to the state tuition reserve fund).

As added by P.L.220-2011, SEC.4. Amended by P.L.6-2012, SEC.1.

IC 1-1-1.1-15

Preservation of certain noncode statutes concerning state educational institutions

Sec. 15. Section 2 of this chapter does not repeal the following statutes concerning state educational institutions:

(1) P.L.209-1988, SECTION 8 (concerning fee replacement appropriations to Indiana University).

(2) P.L.209-1988, SECTION 14 (concerning the construction of facilities for the animal disease diagnostic laboratory by Purdue University).

(3) P.L.155-1992, SECTION 1 (concerning the issuance of bonds by Purdue University for turbine generators).

(4) P.L.55-1994, SECTION 6 (concerning the issuance of refunding bonds by Indiana State University).

(5) P.L.55-1994, SECTION 7 (concerning the issuance of bonds for the following:

(A) A telephone/computer network by Purdue University.

(B) The university center addition by the University of Southern Indiana.).

(6) P.L.340-1995, SECTION 117 (concerning the issuance of bonds by Purdue University for the food science and agriculture biotech complex project).

(7) P.L.340-1995, SECTION 118 (concerning the issuance of bonds by Indiana State University for the advanced technology center).

(8) P.L.340-1995, SECTION 119 (concerning the issuance of bonds by Purdue University for the science and engineering building project).

(9) P.L.340-1995, SECTION 120 (concerning the issuance of bonds by Ivy Tech State College for the Ivy Tech State College,

South Bend Campus, main campus building project).
(10) P.L.340-1995, SECTION 121 (concerning the issuance of bonds by Indiana University for the law school/Herron art school project).
(11) P.L.340-1995, SECTION 122 (concerning the issuance of bonds by Purdue University for the Purdue University, Calumet campus, classroom and office building project).
(12) P.L.340-1995, SECTION 123 (concerning the issuance of bonds by the University of Southern Indiana for the general purpose classroom project).
(13) P.L.340-1995, SECTION 124 (concerning the issuance of bonds by Indiana University for the classroom and student support services building and renovation project).
(14) P.L.26-1996, SECTION 12 (amending P.L.340-1995, SECTION 121 concerning the issuance of bonds by Indiana University for the law school/Herron art school project).
(15) P.L.26-1996, SECTION 13 (amending P.L.340-1995, SECTION 122 concerning the issuance of bonds by Purdue University for the Purdue University, Calumet campus, classroom and office building project).
(16) P.L.26-1996, SECTION 14 (amending P.L.340-1995, SECTION 123 concerning the issuance of bonds by the University of Southern Indiana for the general purpose classroom project).
(17) P.L.26-1996, SECTION 15 (amending P.L.340-1995, SECTION 124 concerning the issuance of bonds by Indiana University for the classroom and student support services building and renovation project).
(18) P.L.260-1997, SECTION 32 (concerning the issuance of bonds for the following:
(A) Indiana University for the following:
(i) Neal-Marshall Theater Project.
(ii) Graduate School of Business.
(iii) Southeast campus, Life Science Building.
(B) Indiana University Purdue University at Indianapolis, Herron Art School/Law Building.
(C) Purdue University for the following:
(i) Food Science Building.
(ii) Boiler upgrade Phase I.
(iii) Calumet campus classrooms.
(iv) Fort Wayne campus Science Building.
(D) Indiana State University for the steam condensate distribution system.
(E) Ball State University for the North Quadrangle Building.
(F) Ivy Tech State College Lafayette campus for the Ross Road Building.
(G) Indiana University Bloomington campus for the Auditorium Renovation, Phase I.
(H) University of Southern Indiana for the Wellness/Fitness Recreational Facility.).

(19) P.L.273-1999, SECTION 32 (concerning the issuance of bonds for the following:

(A) Indiana University, Bloomington campus, for the Undergraduate Business School Renovation.

(B) Indiana University, Kokomo campus, for the New Science and Allied Health Building.

(C) Indiana University, Northwest campus, for the Professional Education Building.

(D) Indiana University, South Bend campus, for the Student Activities Center.

(E) Indiana University Purdue University at Indianapolis, for the Classroom Building University Information Technology Services (UITS).

(F) Purdue University, West Lafayette campus, for the Visual Performing Arts Building.

(G) Purdue University, West Lafayette campus, for the Boiler Upgrade Phase II.

(H) Indiana State University, for the Power Plant.

(I) Ball State University, for the South Quadrangle Project.

(J) Ivy Tech State College, Bloomington campus.

(K) University of Southern Indiana, for the Science Education Building.).

(20) P.L.273-1999, SECTION 39 (concerning the issuance of bonds for, or authority to construct, the following:

(A) Purdue University, for the Purdue Memorial Union project.

(B) Purdue University, Fort Wayne campus, for the parking garage number one.

(C) Purdue University, Fort Wayne campus, for the parking garage number two.

(D) University of Southern Indiana, for the wellness/fitness recreational facility.

(E) Purdue University, for the Recreation Gymnasium project.).

(21) P.L.291-2001, SECTION 46 (concerning the issuance of bonds for the following:

(A) Indiana University, Bloomington campus, for the Multidisciplinary Science Building Phase I.

(B) Indiana University, Bloomington campus, for the Classroom Building associated with Graduate School of Business.

(C) Indiana University Purdue University Indianapolis, for the Classroom Academic Building and Related Infrastructure.

(D) Indiana University Purdue University Indianapolis, for the Campus Center.

(E) Indiana University, Southeast campus, for the Library/Student Center.

(F) Purdue University, West Lafayette campus, for the Engineering Building A&E/Chiller Plant.

(G) Purdue University, West Lafayette campus, for the Computer Science Building Phase I.
(H) Purdue University, West Lafayette campus, for the Mechanical Engineering Addition A&E.
(I) Indiana State University, for the Stalker Hall renovation.
(J) University of Southern Indiana, for the Science/Education Classroom Building completion.
(K) Ball State University, for the Music Instructional Building.
(L) Vincennes University, for the Technology Building Phase II.
(M) Vincennes University, for the Performing Arts Center gift match.
(N) Ivy Tech State College, Lafayette campus, for the Ross Road Building Phase III.
(O) Ivy Tech State College, Richmond campus, for the Classroom Building Phase I.
(P) Ivy Tech State College, Evansville campus, for the Main Building Addition and Renovation Phase I.
(Q) Ivy Tech State College, Terre Haute campus, for the Library and Business Building.
(R) Ivy Tech State College, Valparaiso campus, for the Instructional Center.).

(22) P.L.291-2001, SECTION 50 (concerning the issuance of bonds by Purdue University for the Recreational Gymnasium project).
(23) P.L.291-2001, SECTION 51 (authorizing Indiana University to construct a women's field hockey facility).
(24) P.L.138-2002, SECTION 1 (concerning the issuance of bonds by Purdue University for the Nanotechnologies/Life Sciences Research Facility).
(25) P.L.173-2002, SECTION 4 (concerning the issuance of bonds by Vincennes University for a Technology Building, a Performing Arts Center, and a Recreation Building).
(26) P.L.224-2003, SECTION 99 (concerning the issuance of bonds by Indiana University for the Indiana University - Purdue University at Fort Wayne Medical Building).
(27) P.L.224-2003, SECTION 100 (concerning the issuance of bonds by Purdue University for the Indiana University - Purdue University at Fort Wayne Music Building).
(28) P.L.224-2003, SECTION 101 (concerning the issuance of bonds by Indiana University and Purdue University for the following:

(A) Indiana University, Bloomington campus, for the Multidisciplinary Science Building Phase II.
(B) Indiana University Purdue University Indianapolis, for the Research Institute Building III.
(C) Indiana University Purdue University Indianapolis, for the Information Sciences Building.
(D) Purdue University, West Lafayette campus, for the

Millennium Engineering Building.

(E) Purdue University, West Lafayette campus, for the Biomedical Engineering Building.

(F) Indiana University-Purdue University Indianapolis Campus Center.).

(29) P.L.224-2003, SECTION 102 (concerning the issuance of bonds by the University of Southern Indiana for renovation of the University Center).

(30) P.L.224-2003, SECTION 103 (concerning the issuance of bonds for the University of Southern Indiana Library).

(31) P.L.224-2003, SECTION 104 (concerning the issuance of bonds by the University of Southern Indiana for the parking garage project).

(32) P.L.224-2003, SECTION 105 (concerning the issuance of bonds for Indiana University, South Bend campus, land acquisition).

(33) P.L.224-2003, SECTION 106 (concerning the issuance of bonds for Vincennes University, Jasper campus, Jasper Center New Academic Building).

(34) P.L.224-2003, SECTION 107 (concerning the issuance of bonds by Ivy Tech State College for the following:

(A) Richmond Building Addition, Phase II.

(B) Indianapolis/Lawrence Roosevelt Building Acquisition.

(C) Valparaiso New Campus, Phase I.

(D) Madison A&E.

(E) Portage A&E.

(F) Marion A&E.

(G) Evansville Phase II Project.).

(35) P.L.224-2003, SECTION 108 (concerning the issuance of bonds by Ball State University for the Communication Media Building).

(36) P.L.224-2003, SECTION 109 (concerning the issuance of bonds by Purdue University, Calumet campus, for the Parking Garage No. 1 project).

(37) P.L.224-2003, SECTION 110 (concerning the issuance of bonds by Indiana State University, for the University Hall Renovation and Business School A&E).

(38) P.L.121-2005, SECTION 2 (concerning the issuance of bonds by Indiana University for the hotel facility adjacent to the Indiana University Conference Center on the Indianapolis campus).

(39) P.L.214-2005, SECTION 95 (concerning appropriations for Ivy Tech State College for the Logansport campus).

(40) P.L.246-2005, SECTION 244 (concerning the issuance of bonds for the following:

(A) Ivy Tech, Valparaiso New Campus, Phase II.

(B) Ivy Tech, Madison Main Campus Expansion.

(C) Ivy Tech, Marion New Campus.

(D) University of Southern Indiana, Education/Science Building Completion SOB/GCB A&E and Physical Plant

Expansion.

(E) Indiana State University, University Hall Renovation for College of Education.

(F) University of Southern Indiana, Recreation and Fitness Center Expansion Phase II.

(G) Purdue University, North Central Campus Parking Garage No. 1.

(H) Indiana University, Bloomington campus, Central Heating Plant Renovation Phase I.

(I) Purdue University, West Lafayette campus, Infrastructure and Utilities Improvement.

(J) Ball State University, Boiler Plant Replacement and Chilled Water Plant Improvements.

(41) P.L.159-2006, SECTION 3 (making appropriations from the state general fund to the budget agency for general repair and rehabilitation or for repair and rehabilitation of dormitories or other student housing of state educational institutions and for the Indiana higher education telecommunications system).

(42) P.L.192-2006, SECTION 12 (concerning the issuance of bonds by Indiana State University for the Student Recreation Center Project).

(43) P.L.192-2006, SECTION 13 (concerning the issuance of bonds by Ball State University for the renovation and expansion of a recreation center).

(44) P.L.192-2006, SECTION 14 (concerning the issuance of bonds by the University of Southern Indiana for a university center expansion).

(45) P.L.234-2007, SECTION 175 (concerning the issuance of bonds by Vincennes University for a center for advanced manufacturing and applied technology on the Jasper campus).

(46) P.L.234-2007, SECTION 176 (concerning the appropriation of money from the state general fund for construction of a center for advanced manufacturing in Gibson County).

(47) P.L.234-2007, SECTION 177 (concerning authority given to Vincennes University to construct a multicultural center).

(48) P.L.234-2007, SECTION 178 (concerning the appropriation of money from the state general fund to Indiana University School of Medicine for the construction of the Cancer Research Institute).

(49) P.L.234-2007, SECTION 179, as amended by P.L.131-2008, SECTION 71.

(50) P.L.234-2007, SECTION 180 (concerning issuance of bonds by Purdue University for Purdue University West Lafayette, Animal Disease Diagnostic Laboratory (BSL-3)).

(51) P.L.234-2007, SECTION 181 (concerning issuance of bonds by Indiana University for the new Athletic Facilities (including all related and subordinate components of the new Athletic facilities)).

(52) P.L.234-2007, SECTION 182 (making appropriations from

the state general fund to the budget agency for general repair and rehabilitation or for repair and rehabilitation of dormitories or other student housing of state educational institutions and for the Indiana higher education telecommunications system).

(53) P.L.234-2007, SECTION 183 (making appropriations from the state general fund to Ivy Tech Community College for making lease payments for the Portage campus).

(54) P.L.234-2007, SECTION 186 (concerning the issuance of bonds by Purdue University for Purdue University North Central Campus Parking Garage No. 1).

(55) P.L.131-2008, SECTION 64 (concerning issuance of bonds by Indiana University, Purdue University at Fort Wayne Student Services and Library Complex).

(56) P.L.131-2008, SECTION 71, amending P.L.234-2007, SECTION 179 (concerning the issuance of bonds for the following:

(A) Indiana University South Bend, Arts Building Renovation.

(B) Indiana University Bloomington, Cyber Infrastructure Building.

(C) Indiana University, Purdue University at Indianapolis, Neurosciences Research Building.

(D) Indiana University Southeast Medical Education Center.

(E) Indiana State University, Life Sciences/Chemistry Laboratory Renovations and Satellite Chiller Capacity.

(F) Ball State University, Central Campus Academic Project, Phase I & Utilities.

(G) Ivy Tech, Fort Wayne Technology Center and Demolition Costs.

(H) Ivy Tech, Indianapolis Community College for the Fall Creek Expansion Project.

(I) Ivy Tech, Lamkin Center for Instructional Development and Leadership.

(J) Ivy Tech, Logansport.

(K) Ivy Tech, Sellersburg.

(L) Ivy Tech, Warsaw.

(M) Ivy Tech, Muncie\Anderson.

(N) Ivy Tech, Elkhart Phase I.

(O) Ivy Tech, Greencastle.

(P) Purdue University Calumet, Gyt Building.

(Q) Purdue University North Central, Student Services & Recreation Center.

(R) University of Southern Indiana College of Business, General Classroom Building.

(S) Vincennes University, Health and Science Lab Rehabilitation.

(T) Indiana University, Purdue University at Fort Wayne Student Services and Library Complex.

(U) Purdue University West Lafayette, Mechanical Engineering Addition.

(V) Purdue University West Lafayette, Boiler No. 6.

(57) P.L.182-2009(ss), SECTION 40, as amended by P.L.182-2009(ss), SECTION 518 (concerning the issuance of bonds for the following:

(A) Purdue University:

(i) Life Sciences Laboratory Renovations.

(ii) Medical School Renovations.

(B) Vincennes University:

(i) Davis Hall.

(ii) P.E. Building.

(C) Indiana State University Federal Building.

(D) Indiana University Northwest campus Tamarack Hall.

(E) Ivy Tech Community College Gary campus.

(F) University of Southern Indiana Teacher Theatre Replacement Project.

(G) Indiana University Life Sciences Laboratory Renovations.

(H) Indiana University Southeast Education and Technology Building.

(I) Indiana University Purdue University at Indianapolis Life Sciences Laboratory Renovations.

(J) Ivy Tech Community College:

(i) Anderson campus.

(ii) Bloomington campus.

(iii) Warsaw campus.

(iv) Ball State University Central Campus Rehabilitation.

(v) Indiana University Purdue University Fort Wayne Northeast Indiana Innovation Center.).

(58) P.L.182-2009(ss), SECTION 41 (concerning issuance of bonds for the following:

(A) Indiana University Purdue University at Indianapolis Neurosciences Building.

(B) Indiana University Bloomington Cyber Infrastructure.

(C) Purdue University North Central Campus Student Services Complex.

(59) P.L.182-2009(ss), SECTION 42 (concerning issuance of bonds for the following:

(A) Purdue University Lafayette campus Student Fitness and Wellness Center.

(B) Indiana University Purdue University at Fort Wayne Parking Garage.

(60) P.L.182-2009(ss), SECTION 43 (concerning issuance of bonds for Purdue University West Lafayette Drug Discovery Facility).

(61) P.L.182-2009(ss), SECTION 44 (concerning issuance of bonds for the following:

(A) Indiana State University, Life Sciences/Chemistry Laboratory Renovations & Chiller.

(B) Ball State University, Central Campus Academic Project, Phase I & Utilities.

(C) Ivy Tech, Elkhart Phase I.).

(62) P.L.182-2009(ss), SECTION 45 (concerning issuance of bonds for Purdue University North Central Campus Parking Garage No. 1).

As added by P.L.220-2011, SEC.4.

IC 1-1-1.1-16

Preservation of certain noncode statutes concerning miscellaneous appropriations and fiscal matters

Sec. 16. Section 2 of this chapter does not repeal the following statutes concerning miscellaneous appropriations and fiscal matters:

(1) P.L.282-1985, SECTION 5 (concerning an appropriation to the state board of health from the state general fund).

(2) P.L.372-1985, SECTION 14 (requiring certain persons receiving appropriations to be subject to audit by the state board of accounts).

(3) P.L.372-1985, SECTION 22 (relating to approval granted to state agencies for the expenditure of certain federal funds).

(4) P.L.372-1985, SECTIONS 32 through 36 (concerning certain highway and transportation matters).

(5) P.L.107-1986, SECTION 4 (concerning a general fund appropriation to the distressed township supplemental poor relief fund).

(6) P.L.236-1986, SECTION 1 (concerning distribution of money by the department of mental health to Developmental Services, Inc.).

(7) P.L.237-1986, SECTION 8 (concerning a general fund appropriation for the work of the general corporation law study commission).

(8) P.L.248-1986, SECTION 1 (concerning a general fund appropriation for restoring the Soldiers' and Sailors' Monument and Monument Circle).

(9) P.L.154-1987, SECTION 5 (concerning a general fund appropriation to the budget agency to carry out that act).

(10) P.L.370-1987, SECTION 1 (concerning reversion of an appropriation made by Acts 1975, P.L.146, SECTION 3(a), for the residual malpractice insurance authority).

(11) P.L.396-1987, SECTION 34 (making deficiency appropriations).

(12) P.L.109-1988, SECTION 22 (concerning a general fund appropriation to the oil and gas environmental fund).

(13) The following statutes relating to general fund appropriations to the St. Joseph River basin commission: P.L.191-1988, SECTION 2; P.L.307-1989, SECTION 2.

(14) P.L.334-1989, SECTION 49 (concerning a general fund appropriation to the judicial conference of Indiana).

(15) P.L.341-1989, SECTION 18 (concerning a general fund appropriation to the state lottery commission).

(16) P.L.357-1989, SECTION 36 (concerning reversion of appropriations to the legislative council contingency fund).

(17) P.L.13-1990, SECTION 26 (concerning transfer of money from the underground petroleum storage tank excess liability fund).
(18) P.L.51-1990, SECTION 54 (concerning general fund appropriations for performance based awards program under IC 20-1-1.3 (before its repeal)).
(19) P.L.185-1990, SECTION 6 (concerning appropriations made to the Chicago third airport site selection).
(20) P.L.240-1991, SECTION 112 (concerning transfer of money between state funds).
(21) The following statutes concerning Build Indiana Fund appropriations: P.L.278-1993, SECTION 2; P.L.340-1995, SECTION 37; P.L.273-1999, SECTION 33; P.L.291-2001, SECTION 38; P.L.291-2001, SECTION 40.
(22) P.L.278-1993, SECTIONS 32 and 33 (concerning interpretation of P.L.277-1993 and P.L.278-1993).
(23) P.L.18-1995, SECTION 145 (concerning increasing appropriations to the Indiana judicial center).
(24) P.L.18-1995, SECTION 147 (concerning general fund appropriations to the public defense fund).
(25) P.L.70-1995, SECTION 12 (concerning appropriations from the fire and building services fund to the firefighting equipment revolving loan fund).
(26) P.L.104-1995, SECTIONS 5 through 14 (concerning several appropriations to the state police department or the state police pension fund for carrying out the purposes of IC 10-1-1-4.5 (subsequently repealed)).
(27) P.L.340-1995, SECTION 34 (concerning the liability of the Indiana port commission to repay the state for certain appropriations made in 1965).
(28) P.L.13-1996, SECTION 4 (concerning appropriations for construction of certain correctional facilities).
(29) P.L.202-1997, SECTION 8 (concerning general fund appropriations for the Indiana conference for legal education opportunity).
(30) P.L.260-1997, SECTION 30 (concerning appropriations for the computer contingency fund).
(31) P.L.260-1997, SECTION 33 (concerning transfers from the state general fund to the local road and street fund).
(32) P.L.260-1997, SECTION 37 (authorizing the state armory board to transfer money to the Indiana war memorials commission).
(33) P.L.260-1997, SECTION 98 (directing the auditor of state to make certain distributions).
(34) P.L.260-1997, SECTION 100 (canceling a certain appropriation made by P.L.340-1995).
(35) P.L.260-1997, SECTION 103 (concerning an appropriation from the lottery and gaming surplus account of the build Indiana fund to the electronic and enhanced access fund).
(36) P.L.273-1999, SECTION 34 (canceling certain

appropriations).
(37) P.L.273-1999, SECTION 35 (directing the auditor of state to make certain distributions).
(38) P.L.21-2000, SECTION 12 as amended by P.L.291-2001, SECTION 79 (concerning transfer of money between the tobacco settlement fund and the Indiana tobacco master settlement agreement fund and related appropriations).
(39) P.L.26-2001, SECTION 2 (concerning the use of appropriations from the Indiana economic development partnership fund).
(40) P.L.291-2001, SECTION 36 (concerning additional appropriations).
(41) P.L.291-2001, SECTION 39 (concerning the cancellation of appropriations made under P.L.273-1999, SECTION 33 relating to the Mount Hermon Youth Organization and making an appropriation to GEMS, Inc.).
(42) P.L.291-2001, SECTION 45 (concerning deposits to the Build Indiana Fund).
(43) P.L.291-2001, SECTION 48 (concerning Medicaid appropriations).
(44) P.L.291-2001, SECTION 79 (concerning transfer of money between the tobacco settlement fund and the Indiana tobacco master settlement agreement fund and related appropriations).
(45) P.L.291-2001, SECTION 235 (concerning build Indiana fund appropriations for the Jennings County Economic Development Corporation).
(46) P.L.178-2002, SECTION 155 as amended by P.L.1-2003, SECTION 110 (concerning appropriations to state educational institutions).
(47) P.L.192-2002, SECTION 209 as amended by P.L.224-2003, SECTION 176 (concerning appropriations for the twenty-first century research and technology fund).
(48) P.L.1-2003, SECTION 110 (concerning appropriations to state educational institutions).
(49) P.L.224-2003, SECTION 176 (concerning appropriations from the build Indiana fund to the twenty-first century research and technology fund).
(50) The following statutes (concerning appropriations to the department of local government finance from the assessment training fund): P.L.1-2004, SECTION 83; P.L.23-2004, SECTION 86.
(51) P.L.51-2004, SECTION 12 (concerning appropriations to the budget agency to implement IC 27-8-10-2.1(g)).
(52) P.L.58-2006, SECTION 11 (concerning appropriations for statutory fee remission related to dependents of veterans with disabilities).
(53) P.L.187-2006, SECTION 20 (concerning appropriations to the department of homeland security to provide training).
(54) P.L.218-2007, SECTION 62 (annually transferring money from the state general fund to the Indiana tobacco use

prevention and cessation trust fund and related appropriations).

(55) P.L.227-2007, SECTION 73 (concerning return of excess money by a county to the state from the property tax refunds appropriation made by HEA 1001-2007).

(56) P.L.234-2007, SECTION 299 (concerning appropriations from the build Indiana fund for public water supply systems serving Ripley, Decatur, and Jennings counties).

(57) P.L.1-2008, SECTION 10 (concerning transfers of money between the state general fund and the property tax reduction trust fund).

(58) P.L.32-2008, SECTION 9 (transferring an appropriation from the department of labor, bureau of safety education and training to INSafe).

(59) P.L.107-2008, SECTION 19 (transferring money from bureau of motor vehicles to the Indiana criminal justice institute for licensing of commercial driver training schools and instructors).

(60) P.L.146-2008, SECTION 851 (appropriating money from the state general fund to the property tax replacement fund board).

(61) P.L.146-2008, SECTION 859 (appropriating money from the state general fund to the state forestry fund).

(62) P.L.146-2008, SECTION 860 (appropriating money from the state general fund to the state fair fund).

(63) P.L.182-2009, SECTIONS 36, 37, 47, and 48 (concerning use of funds under the American Recovery and Reinvestment Act of 2009).

(64) P.L.182-2009, SECTION 39 (requiring certain reversions of appropriations).

(65) P.L.182-2009, SECTION 46 (concerning appropriations for a trauma care center in Gary).

As added by P.L.220-2011, SEC.4.

IC 1-1-1.1-17

Preservation of certain noncode statutes concerning taxation

Sec. 17. Section 2 of this chapter does not repeal the following statutes concerning taxation:

(1) P.L.74-1987, SECTION 29 (concerning application of certain property tax statutes).

(2) P.L.91-1989, SECTION 3 (concerning actions for refund of a tax).

(3) P.L.100-1989, SECTION 3 (concerning adjudications before the Indiana tax court).

(4) P.L.50-1990, SECTION 16, as amended by P.L.61-1991, SECTION 6 (concerning property tax sales).

(5) P.L.59-1990, SECTION 5 (concerning the jurisdiction of the Indiana tax court).

(6) P.L.41-1993, SECTION 55 (concerning application of property tax amendments).

(7) P.L.6-1997, SECTION 246 (concerning proceedings

pending before the state board of tax commissioners).

(8) P.L.38-1998, SECTION 8 (concerning excess payments transferred to a surplus tax fund).

(9) P.L.129-2001, SECTION 35 (concerning tax collection proceedings).

(10) P.L.198-2001, SECTION 112, as amended by P.L.1-2002, SECTION 166 (concerning application of property tax amendments).

(11) P.L.198-2001, SECTION 117, as amended by P.L.178-2002, SECTION 143 (concerning petitions for review, petitions for judicial review, and refund of property taxes).

(12) P.L.1-2004, SECTION 69 (legalizing certain actions taken by the department of local government finance).

(13) P.L.1-2004, SECTION 71 (concerning tax refunds that result from assessment reductions).

(14) P.L.1-2004, SECTION 84 (concerning controlled projects).

(15) P.L.23-2004, SECTION 72 (legalizing certain actions taken by the department of local government finance).

(16) P.L.23-2004, SECTION 74 (concerning refunds that result from assessment reductions).

(17) P.L.23-2004, SECTION 81 (concerning reviews of an assessment of real property for the 2003 assessment date).

(18) P.L.23-2004, SECTION 87 (concerning controlled projects).

(19) P.L.154-2006, SECTION 97 (concerning application of property tax amendments).

(20) P.L.219-2007, SECTION 156 (concerning administrative and judicial review of matters relating to property taxes).

As added by P.L.220-2011, SEC.4.

IC 1-1-2

Chapter 2. Laws Governing the State

IC 1-1-2-1

Hierarchy of law

Sec. 1. The law governing this state is declared to be:

First. The Constitution of the United States and of this state.

Second. All statutes of the general assembly of the state in force, and not inconsistent with such constitutions.

Third. All statutes of the United States in force, and relating to subjects over which congress has power to legislate for the states, and not inconsistent with the Constitution of the United States.

Fourth. The common law of England, and statutes of the British Parliament made in aid thereof prior to the fourth year of the reign of James the First (except the second section of the sixth chapter of forty-third Elizabeth, the eighth chapter of thirteenth Elizabeth, and the ninth chapter of thirty-seventh Henry the Eighth,) and which are of a general nature, not local to that kingdom, and not inconsistent with the first, second and third specifications of this section.

(Formerly: Acts 1852,1RS, c.61, s.1.)

IC 1-1-2-2

Criminal law statutory

Sec. 2. Crimes shall be defined and punishment therefor fixed by statutes of this state and not otherwise.

(Formerly: Acts 1852,1RS, c.61, s.2.) As amended by Acts 1978, P.L.2, SEC.101.

IC 1-1-2.5

Chapter 2.5. Regulation of Intrastate Commerce

IC 1-1-2.5-1

Application of chapter

Sec. 1. This chapter applies to all:

(1) goods grown, manufactured, or made; and

(2) services performed;

in Indiana after July 1, 2012.

As added by P.L.152-2012, SEC.1.

IC 1-1-2.5-2

General Assembly declarations

Sec. 2. The general assembly declares the following:

(1) The Tenth Amendment to the Constitution of the United States provides that the only powers that the federal government may exercise are those that have been delegated to the federal government in the Constitution of the United States.

(2) The Ninth Amendment to the Constitution of the United States guarantees to the people rights not enumerated in the Constitution and reserves to the people of Indiana those rights.

(3) Under Article I, Section 8, Clause 3 of the Constitution of the United States, the federal government is empowered to regulate commerce among the several states.

(4) The power to regulate intrastate commerce is reserved to the states or the people under the Ninth and Tenth Amendments to the Constitution of the United States.

(5) During the Constitutional Convention, the founders considered a plan that would have authorized the federal government not only to regulate commerce among the several states, but also to regulate any activity having spillover effects across state lines. The founders rejected this latter idea.

(6) All:

(A) goods grown, manufactured, or made in Indiana; and

(B) services performed in Indiana;

when the goods or services are sold, maintained, and retained in Indiana are not subject to the authority of the Congress of the United States under the constitutional power of Congress to regulate commerce among the several states.

As added by P.L.152-2012, SEC.1.

IC 1-1-3

Chapter 3. Proclamation Date; Effective Dates of Session Laws

IC 1-1-3-1

Certificate of receipt

Sec. 1. It shall be the duty of the several clerks of circuit courts in this state, immediately on the receipt of the laws of any session as provided for by IC 2-6-1.5-5, to transmit to the governor a certificate stating the day when such laws were so received.

(Formerly: Acts 1855, c.100, s.1.) As amended by Acts 1978, P.L.3, SEC.1.

IC 1-1-3-2

Proclamation by governor

Sec. 2. So soon as certificates from all the counties have been received, the governor shall issue and publish his proclamation, announcing the date at which the latest filing took place; of the facts contained in which proclamation, all courts shall take notice.

(Formerly: Acts 1855, c.100, s.2.)

IC 1-1-3-3

Effective dates

Sec. 3. (a) As used in this section, "regular session" includes a regular technical session.

(b) Except as otherwise provided in subsection (d), each provision of each act passed at a regular session of the general assembly takes effect on July 1 next following its enactment, unless a different time is specified in the act.

(c) Except as otherwise provided in subsection (d), each provision of each act passed at a special session of the general assembly takes effect on the first day of the third calendar month after the calendar month of sine die adjournment, unless a different time is specified in the act.

(d) If an act contains a SECTION that specifies an effective date or dates for one (1) or more other provisions of the act or declares that an emergency exists for the act, then the SECTION takes effect at the same time as the earliest date that any other provision of the act takes effect.

(e) This section does not apply to acts that are vetoed by the governor.

As added by Acts 1978, P.L.3, SEC.2. Amended by P.L.1-1983, SEC.1; P.L.1-1987, SEC.1; P.L.1-1993, SEC.1; P.L.4-1995, SEC.1.

IC 1-1-3.1

Chapter 3.1. Effectiveness of Acts Passed Over Governor's Veto

IC 1-1-3.1-1

Application of chapter

Sec. 1. This chapter applies only to an act passed by the general assembly over the governor's veto under Article 5, Section 14 of the Constitution of the State of Indiana.

As added by P.L.1-1987, SEC.2.

IC 1-1-3.1-2

Definitions

Sec. 2. For purposes of this chapter, "approval of the act" occurs at the time the second house of the general assembly votes to approve a bill over the governor's veto under Article 5, Section 14 of the Constitution of the State of Indiana. "Second house of the general assembly" refers to the house of the general assembly that reconsiders a bill vetoed by the governor under Article 5, Section 14 of the Constitution of the State of Indiana after the house in which the bill originated has passed the bill over the governor's veto.

As added by P.L.1-1987, SEC.2.

IC 1-1-3.1-3

Acts containing declaration of emergency

Sec. 3. (a) This section applies only to an act that contains a declaration that an emergency exists.

(b) If the act provides that a provision of the act takes effect:

(1) upon passage; or

(2) retroactively to a specified date;

then the provision takes effect upon approval of the act.

(c) If:

(1) the act provides that a provision of the act takes effect on a specified date; and

(2) approval of the act occurs on or before the specified date;

then the provision takes effect on the specified effective date.

(d) If:

(1) the act provides that a provision of the act takes effect on a specified date; and

(2) approval of the act occurs after the specified date;

then the provision takes effect on July 1 next following approval of the act.

(e) If the act does not provide an effective date for a provision of the act, then the provision takes effect on July 1 next following approval of the act, subject to section 5 of this chapter.

As added by P.L.1-1987, SEC.2.

IC 1-1-3.1-4

Acts not containing declaration of emergency

Sec. 4. (a) This section applies only to an act that does not contain

a declaration that an emergency exists.

(b) If:

(1) the act provides that a provision of the act takes effect on a specified date; and

(2) approval of the act occurs on or before the specified date;

then the provision takes effect on the specified effective date, unless promulgation of the act must occur under subsection (c).

(c) If, in a case described in subsection (b), the specified effective date occurs before promulgation of the act, then the provision takes effect when promulgation of the act is completed. As used in this subsection, "promulgation" means the publication and circulation of an act in accordance with Article 4, Section 28 of the Constitution of the State of Indiana.

(d) If:

(1) the act provides that a provision of the act takes effect on a specified date; and

(2) approval of the act occurs after the specified date;

then the provision takes effect on July 1 next following approval of the act.

(e) If the act does not provide an effective date for a provision of the act, then the provision takes effect on July 1 next following approval of the act, subject to section 5 of this chapter.

As added by P.L.1-1987, SEC.2.

IC 1-1-3.1-5

Effective date sections

Sec. 5. If an act described in either section 3 or section 4 of this chapter contains a SECTION that specifies an effective date or dates for one (1) or more other provisions of the act, then the effective date SECTION takes effect at the same time as the earliest date that any other provision of the act takes effect.

As added by P.L.1-1987, SEC.2.

IC 1-1-3.2
Repealed

(Repealed by P.L.1-2010, SEC.156.)

IC 1-1-3.5

Chapter 3.5. Political Subdivisions Classified by Population; Effective Date of Decennial Census

IC 1-1-3.5-1

Repealed

(Repealed by P.L.1-1988, SEC.10.)

IC 1-1-3.5-1.5

"Corrected population count"

Sec. 1.5. As used in this chapter, "corrected population count" means a certification of census population count for a political subdivision that:

(1) is issued by the Bureau of the Census after the tabulation of population of Indiana in the federal decennial census has been reported to the governor by the United States Secretary of Commerce under 13 U.S.C. 141(c);

(2) is issued:

(A) to correct an error in the enumeration of persons residing in the political subdivision on the date of the federal decennial census or federal special census; or

(B) to provide a population count for a municipality incorporated following the most recent federal decennial census; and

(3) supersedes any previous tabulation of population reported for the political subdivision in the federal decennial census or federal special census.

The term does not include a statistical adjustment made in the tabulation of population by the Bureau of the Census to compensate for a predicted undercount or overcount in a federal decennial census or federal special census.

As added by P.L.1-1988, SEC.1.

IC 1-1-3.5-2

Definitions

Sec. 2. (a) As used in this chapter, "federal decennial census" means a United States decennial census of population conducted under 13 U.S.C. 141.

(b) As used in this chapter, "political subdivision" has the meaning set forth in IC 36-1-2-13. The term does not include congressional districts, state legislative districts, local office election districts, or school board office election districts.

As added by Acts 1981, P.L.1, SEC.1. Amended by P.L.1-1988, SEC.2.

IC 1-1-3.5-2.5

Special tabulation

Sec. 2.5. As used in this chapter, "special tabulation" means a certification of the census population count for a political subdivision that:

(1) is issued by the Bureau of the Census:

(A) at the request of a political subdivision; and

(B) after the tabulation of population of Indiana in the federal decennial census has been reported to the governor by the United States Secretary of Commerce under 13 U.S.C. 141(c); and

(2) indicates the census count population for the political subdivision that would have been reported under subdivision (1) if individuals residing in territory:

(A) not located within the political subdivision according to the Boundary and Annexation Survey used as the basis for the tabulation of population reported under subdivision (1); and

(B) located within the political subdivision after the tabulation of population reported under subdivision (1);

had been included in the tabulation of population of the political subdivision reported to the governor by the United States Secretary of Commerce.

As added by P.L.2-1990, SEC.1.

IC 1-1-3.5-3

Use of census data in Indiana statutes

Sec. 3. (a) For purposes of the statutes described in section 5(c) of this chapter, a reference to population is a reference to population as determined by the most recent of the following:

(1) Federal decennial census.

(2) Federal special census.

(3) Special tabulation.

(4) Corrected population count.

(b) For purposes of statutes relating to drawing boundaries of county executive districts, county fiscal body districts, municipal legislative body districts, or the districts of any other political subdivision, a reference to population is a reference to population as determined by the most recent of the following:

(1) Federal decennial census.

(2) Federal special census.

(3) Special tabulation.

(4) Corrected population count.

(c) For purposes of a noncode statute, a reference to population is the population determined by the most recent federal decennial census in effect before the passage of the statute, unless the population description in the statute is changed by subsequent legislation.

(d) For purposes of statutes not described in subsection (a), (b), or (c), a reference to population is the population determined by the most recent federal decennial census in effect, unless the statute specifically provides otherwise.

(e) This subsection applies to a political subdivision located in more than one (1) county. If a political subdivision is described in a statute by reference to the county in which the political subdivision

is located, the reference is to the county that contains a majority of the population of the political subdivision.

(f) The effective date of each:

(1) federal decennial census;

(2) federal special census;

(3) special tabulation; or

(4) corrected population count;

is April 1 of the calendar year following the year in which the tabulation of population or corrected population count is delivered to the state by the United States Secretary of Commerce under 13 U.S.C. 141 and received by the governor.

(g) Promptly upon receiving the tabulation of population or corrected population count, the governor shall issue an executive order:

(1) evidencing the date of receipt; and

(2) noting that the effective date of the tabulation of population or corrected population count for purposes of any statute described in this section is April 1 of the following year.

As added by Acts 1981, P.L.1, SEC.1. Amended by P.L.1-1988, SEC.3; P.L.2-1990, SEC.2; P.L.170-2002, SEC.1; P.L.66-2003, SEC.1.

IC 1-1-3.5-4
Repealed

(Repealed by P.L.3-1987, SEC.570.)

IC 1-1-3.5-5
Notification of effective date of tabulation of population

Sec. 5. (a) The governor shall forward a copy of the executive order issued under section 3 of this chapter to:

(1) the director of the Indiana state library;

(2) the election division; and

(3) the Indiana Register.

(b) The director of the Indiana state library, or an employee of the Indiana state library designated by the director to supervise a state data center established under IC 4-23-7.1, shall notify each state agency using population counts as a basis for the distribution of funds or services of the effective date of the tabulation of population or corrected population count.

(c) The agencies that the director of the Indiana state library must notify under subsection (b) include the following:

(1) The auditor of state, for distribution of money from the following:

(A) The cigarette tax fund in accordance with IC 6-7-1-30.1.

(B) Excise tax revenue allocated under IC 7.1-4-7-8.

(C) The local road and street account in accordance with IC 8-14-2-4.

(2) The board of trustees of Ivy Tech Community College for the board's division of Indiana into service regions under IC 21-22-6-1.

(3) The division of disability and rehabilitative services, for establishing priorities for community residential facilities under IC 12-11-1.1 and IC 12-28-4-12.

(4) The department of state revenue, for distribution of money from the motor vehicle highway account fund under IC 8-14-1-3.

(5) The Indiana economic development corporation, for the evaluation of enterprise zone applications under IC 5-28-15.

(6) The alcohol and tobacco commission, for the issuance of permits under IC 7.1.

(7) The Indiana library and historical board, for distribution of money to eligible public library districts under IC 4-23-7.1-29.

(8) The state board of accounts, for calculating the state share of salaries paid under IC 33-38-5, IC 33-39-6, and IC 33-41-2.

As added by P.L.2-1990, SEC.3. Amended by P.L.2-1992, SEC.25; P.L.2-1993, SEC.30; P.L.4-1993, SEC.1; P.L.5-1993, SEC.1; P.L.5-1995, SEC.1; P.L.6-1995, SEC.1; P.L.3-1997, SEC.1; P.L.272-1999, SEC.1; P.L.204-2001, SEC.1; P.L.98-2004, SEC.24; P.L.4-2005, SEC.1; P.L.127-2005, SEC.1; P.L.141-2006, SEC.1; P.L.2-2007, SEC.1; P.L.1-2009, SEC.1.

IC 1-1-3.5-6
Repealed

(Repealed by P.L.170-2002, SEC.178.)

IC 1-1-3.5-8
Effect of amendments relating to population parameters made during 2012 regular session of the general assembly

Sec. 8. (a) A reference in this section to amendments made to a statute is a reference to amendments made during the 2012 regular session of the general assembly.

(b) Notwithstanding any other bill enacted during the 2012 regular session of the Indiana general assembly, this subsection applies to each SECTION of each bill enacted during the 2012 regular session of the Indiana general assembly that satisfies all the following:

(1) The SECTION amends a noncode statute or a provision of the Indiana Code.

(2) The SECTION takes effect before April 1, 2012.

(3) The SECTION contains an amendment to a population parameter.

The amendment to a population parameter in a SECTION described in this subsection takes effect April 1, 2012, and the amendment to other provisions in a SECTION described in this subsection take effect as otherwise provided in the bill described in this subsection.

(c) Notwithstanding any other bill enacted during the 2012 regular session of the Indiana general assembly, this subsection applies to each SECTION of each bill enacted during the 2012 regular session of the Indiana general assembly that satisfies all the following:

(1) The SECTION enacts a noncode statute or a new provision of the Indiana Code.

(2) The SECTION takes effect before April 1, 2012.

(3) The SECTION contains a population parameter.

Notwithstanding section 3 of this chapter, a population parameter in a SECTION described in this subsection refers to the population of the described political subdivisions as tabulated following the 2010 Decennial Census and delivered to the state by the United States Secretary of Commerce under 13 U.S.C. 141 and received by the governor during 2011.

(d) The amendments to change the population parameters in IC 5-13-9-5.6 take effect April 1, 2012. Any other amendments to IC 5-13-9-5.6 take effect July 1, 2012.

(e) The population parameters in IC 11-10-5-4 (repealed, effective July 1, 2012) refer to the following from April 1, 2012, to July 1, 2012:

(1) Parke County in IC 11-10-5-4(f)(1).

(2) Hendricks County in IC 11-10-5-4(f)(2).

(f) The amendments to change the population parameters in IC 7.1-3-20-16 are effective April 1, 2012.

(g) The amendments to change the population parameters in IC 36-2-13-15.3 are effective April 1, 2012.

(h) The amendments to change the population parameters in IC 36-8-8-7 are effective April 1, 2012.

(i) The amendments to change the population parameters in IC 36-2-13-15.3 are effective April 1, 2012.

(j) Notwithstanding any other bill enacted during the 2012 regular session of the Indiana general assembly, this subsection applies to each SECTION of each bill enacted during the 2012 regular session of the Indiana general assembly that satisfies all of the following:

(1) The SECTION amends a noncode statute or a provision of the Indiana Code.

(2) The SECTION, according to its effective date provision, takes effect after April 1, 2012.

(3) The SECTION contains an amendment to a population parameter.

In a SECTION described in this subsection, the amendment to the population parameter takes effect April 1, 2012, and any amendment to a provision other than a population parameter takes effect as otherwise provided in the bill containing the SECTION.

As added by P.L.119-2012, SEC.1. Amended by P.L.13-2013, SEC.1.

IC 1-1-4

Chapter 4. Construction of Statutes

IC 1-1-4-1

Rules

Sec. 1. The construction of all statutes of this state shall be by the following rules, unless the construction is plainly repugnant to the intent of the legislature or of the context of the statute:

(1) Words and phrases shall be taken in their plain, or ordinary and usual, sense. Technical words and phrases having a peculiar and appropriate meaning in law shall be understood according to their technical import.

(2) Words importing joint authority to three (3) or more persons shall be construed as authority to a majority of the persons, unless otherwise declared in the statute giving authority.

(3) Words importing the singular number only may be also applied to the plural of persons and things.

(4) Words importing the masculine gender only may be extended to females also.

(5) When a statute requires an act to be done which, by law, an agent or deputy as well may do as the principal, the requisition is satisfied by the performance of the act by an authorized agent or deputy.

(6) When a person is required to be disinterested or indifferent in acting on any question or matter affecting other parties, consanguinity or affinity within the sixth degree, inclusive, by the civil law rules, or within the degree of second cousin, inclusive, disqualifies the person from acting, except by consent of parties.

(Formerly: Acts 1852, 2 RS PART II, c.17, s.1.) As amended by Acts 1978, P.L.2, SEC.102; Acts 1982, P.L.1, SEC.1; P.L.1-1988, SEC.4; P.L.1-1990, SEC.2; P.L.1-1991, SEC.3.

IC 1-1-4-2

Repealed

(Repealed by P.L.1-1990, SEC.3.)

IC 1-1-4-3

Uniform Determination of Death Act

Sec. 3. (a) Only an individual who has sustained either:

(1) irreversible cessation of circulatory and respiratory functions; or

(2) irreversible cessation of all functions of the entire brain, including the brain stem;

is dead. A determination of death must be made in accordance with accepted medical standards.

(b) This section shall be applied and construed to effectuate its general purpose to make uniform the law with respect to the subject of this section among states enacting it.

(c) This section may be cited as the Uniform Determination of

Death Act.
As added by P.L.1-1986, SEC.1.

IC 1-1-4-4
Internal Revenue Code definition; applicability

Sec. 4. Except as otherwise provided, the definition of Internal Revenue Code set forth in IC 6-3-1-11 applies to all statutes referring to the Internal Revenue Code.
As added by P.L.2-1987, SEC.1.

IC 1-1-4-5
Definitions applicable to construction of all Indiana statutes

Sec. 5. The following definitions apply to the construction of all Indiana statutes, unless the construction is plainly repugnant to the intent of the general assembly or of the context of the statute:

(1) "Adult", "of full age", and "person in his majority" mean a person at least eighteen (18) years of age.
(2) "Attorney" includes a counselor or other person authorized to appear and represent a party in an action or special proceeding.
(3) "Autism" means a neurological condition as described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.
(4) "Bond" does not necessarily imply a seal.
(5) "Clerk" means the clerk of the court or a person authorized to perform the clerk's duties.
(6) "Health record", "hospital record", or "medical record" means written or printed information possessed by a provider (as defined in IC 16-18-2-295) concerning any diagnosis, treatment, or prognosis of the patient, unless otherwise defined. Except as otherwise provided, the terms include mental health records and drug and alcohol abuse records.
(7) "Highway" includes county bridges and state and county roads, unless otherwise expressly provided.
(8) "Infant" or "minor" means a person less than eighteen (18) years of age.
(9) "Inhabitant" may be construed to mean a resident in any place.
(10) "Judgment" means all final orders, decrees, and determinations in an action and all orders upon which executions may issue.
(11) "Land", "real estate", and "real property" include lands, tenements, and hereditaments.
(12) "Mentally incompetent" means of unsound mind.
(13) "Money demands on contract", when used in reference to an action, means an action arising out of contract when the relief demanded is a recovery of money.
(14) "Month" means a calendar month, unless otherwise expressed.
(15) "Noncode statute" means a statute that is not codified as

part of the Indiana Code.

(16) "Oath" includes "affirmation", and "to swear" includes to "affirm".

(17) "Person" extends to bodies politic and corporate.

(18) "Personal property" includes goods, chattels, evidences of debt, and things in action.

(19) "Population" has the meaning set forth in IC 1-1-3.5-3.

(20) "Preceding" and "following", referring to sections in statutes, mean the sections next preceding or next following that in which the words occur, unless some other section is designated.

(21) "Property" includes personal and real property.

(22) "Sheriff" means the sheriff of the county or another person authorized to perform sheriff's duties.

(23) "State", applied to any one (1) of the United States, includes the District of Columbia and the commonwealths, possessions, states in free association with the United States, and the territories. "United States" includes the District of Columbia and the commonwealths, possessions, states in free association with the United States, and the territories.

(24) "Under legal disabilities" includes persons less than eighteen (18) years of age, mentally incompetent, or out of the United States.

(25) "Verified", when applied to pleadings, means supported by oath or affirmation in writing.

(26) "Will" includes a testament and codicil.

(27) "Without relief" in any judgment, contract, execution, or other instrument of writing or record, means without the benefit of valuation laws.

(28) "Written" and "in writing" include printing, lithographing, or other mode of representing words and letters. If the written signature of a person is required, the terms mean the proper handwriting of the person or the person's mark.

(29) "Year" means a calendar year, unless otherwise expressed.

(30) The definitions in IC 35-31.5 apply to all statutes relating to penal offenses.

As added by P.L.1-1990, SEC.4. Amended by P.L.2-1990, SEC.5; P.L.4-1997, SEC.1; P.L.76-2001, SEC.1; P.L.170-2002, SEC.2; P.L.114-2012, SEC.1.

IC 1-1-4-6

Attorney's fees as including paralegal's fees

Sec. 6. (a) As used in this section, "paralegal" means a person who is:

(1) qualified through education, training, or work experience; and

(2) employed by a lawyer, law office, governmental agency, or other entity;

to work under the direction of an attorney in a capacity that involves the performance of substantive legal work that usually requires a

sufficient knowledge of legal concepts and would be performed by the attorney in the absence of the paralegal.

(b) A reference in the Indiana Code to attorney's fees includes paralegal's fees.

As added by P.L.6-1993, SEC.1.

IC 1-1-4-7

State educational institution; applicability

Sec. 7. A reference in the Indiana Code to a state educational institution refers to a state educational institution (as defined in IC 21-7-13-32).

As added by P.L.2-2007, SEC.2.

IC 1-1-5

Chapter 5. Effect of Repeal or Expiration; Reservation of Legislative Authority

IC 1-1-5-1

Revival; release or extinguishment

Sec. 1. Whenever a statute is repealed which repealed a former statute, the former statute shall not thereby be revived unless it shall be so expressly provided. And the repeal of any statute shall not have the effect to release or extinguish any penalty, forfeiture, or liability incurred under such statute, unless the repealing statute shall so expressly provide; and such statute shall be treated as still remaining in force for the purposes of sustaining any proper action or prosecution for the enforcement of such penalty, forfeiture, or liability.

(Formerly: Acts 1877(ss), c.36, s.1.) As amended by P.L.2-1988, SEC.1.

IC 1-1-5-2

Right of general assembly to amend or repeal law; waiver

Sec. 2. Each general law of the state is enacted subject to the right of the general assembly to amend or repeal that law at any time, unless the general assembly waives this right in that law. Except as provided in:

(1) IC 5-1-14-9; or

(2) any other law containing a covenant that the general assembly will not amend or repeal that law;

the general assembly may not be construed to have waived its right to amend or repeal any general law at any time.

As added by P.L.19-1986, SEC.40. Amended by P.L.2-1989, SEC.1.

IC 1-1-5-3

Special acts incorporating corporations

Sec. 3. The repeal or expiration of a special act incorporating a corporation has no effect on the subsequent reorganization of the corporation under a general statute.

As added by P.L.1-1989, SEC.3. Amended by P.L.16-2009, SEC.1.

IC 1-1-5-4

Legalizing or validating statutes

Sec. 4. The repeal or expiration of a legalizing or validating statute or part of a statute does not affect the legalization or validation.

As added by P.L.1-1989, SEC.4. Amended by P.L.16-2009, SEC.2.

IC 1-1-5-5

Statutes authorizing transfer, conveyance, or acceptance of property, powers, duties, and liabilities, or rules by governmental entities; cession or retrocession of jurisdiction over property between state and United States

Sec. 5. (a) This section applies to the repeal or expiration of a statute or part of a statute authorizing either of the following:

(1) The transfer, conveyance, or acceptance of:

(A) property;

(B) powers, duties, and liabilities; or

(C) rules adopted under IC 4-22-2;

by a governmental entity.

(2) Cession or retrocession of jurisdiction over property between the state and the United States.

(b) The repeal or expiration does not affect the validity of the transfer, conveyance, or acceptance of:

(1) property;

(2) powers, duties, and liabilities; or

(3) rules;

occurring before the effectiveness of the repeal or the date of the expiration.

(c) The repeal or expiration does not affect the validity of the cession or retrocession of jurisdiction over property between the state and the United States.

As added by P.L.1-1989, SEC.5. Amended by P.L.7-1993, SEC.1; P.L.16-2009, SEC.3.

IC 1-1-5-6

Expired statutes

Sec. 6. (a) This section applies to the repeal of a statute or part of a statute that has expired.

(b) The repeal does not affect the validity of an action taken under the statute or part of the statute before its expiration.

As added by P.L.1-1989, SEC.6.

IC 1-1-5-7

Statutes nullifying actions

Sec. 7. Whenever a statute that nullified an action:

(1) is repealed; or

(2) expires;

the action is not approved or ratified unless the approval or ratification is expressly provided in the statute.

As added by P.L.1-1989, SEC.7. Amended by P.L.16-2009, SEC.4.

IC 1-1-5-8

Revival of rule voided by statute subsequently repealed or expired

Sec. 8. Whenever a statute that voided a rule:

(1) is repealed; or

(2) expires;

the rule is not revived unless the statute expressly provides for the revival.

As added by P.L.1-1989, SEC.8. Amended by P.L.16-2009, SEC.5.

IC 1-1-5-9

Statutes setting forth effective date of a statute

Sec. 9. The repeal or expiration of a statute or part of a statute that:

(1) sets forth the effective date of a statute or part of a statute; and

(2) is repealed or expires after the statute or part of a statute has taken effect;

has no effect on the effective date of the statute.

As added by P.L.1-1989, SEC.9. Amended by P.L.16-2009, SEC.6.

IC 1-1-5-10

Expiration of statute has same effect as repeal

Sec. 10. The expiration of a statute has the same effect that the repeal of the statute, effective on the date of the expiration of the statute, would have had.

As added by P.L.16-2009, SEC.7.

IC 1-1-5.5

Chapter 5.5. Effect of Certain Acts

IC 1-1-5.5-1

No effect of P.L.30-1987 on rights or liabilities accrued, penalties incurred, or proceedings begun

Sec. 1. A SECTION of P.L.30-1987 does not affect any:

(1) rights or liabilities accrued;

(2) penalties incurred; or

(3) proceedings begun;

before the effective date of that SECTION. Those rights, liabilities, penalties, and proceedings continue and shall be imposed and enforced under prior law as if that SECTION of P.L.30-1987 had not been enacted.

As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-2

No effect of P.L.39-1987 on rights or liabilities accrued, penalties incurred, or proceedings begun

Sec. 2. A SECTION of P.L.39-1987 does not affect any:

(1) rights or liabilities accrued;

(2) penalties incurred; or

(3) proceedings begun;

before the effective date of that SECTION. Those rights, liabilities, penalties, and proceedings continue and shall be imposed and enforced under prior law as if that SECTION of P.L.39-1987 had not been amended.

As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-3

No effect of P.L.217-1987 on rights or liabilities accrued, penalties incurred, or proceedings begun

Sec. 3. A SECTION of P.L.217-1987 does not affect:

(1) rights or liabilities accrued;

(2) penalties incurred; or

(3) proceedings begun;

before July 1, 1987. Those rights liabilities, penalties, and proceedings continue and shall be imposed and enforced under prior law as if P.L.217-1987 had not been enacted.

As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-4

No effect of P.L.28-1988 on rights or liabilities accrued, penalties incurred, crimes committed, or proceedings begun

Sec. 4. A SECTION of P.L.28-1988 does not affect:

(1) rights or liabilities accrued;

(2) penalties incurred;

(3) crimes committed; or

(4) proceedings begun;

before the effective date of that SECTION. Those rights, liabilities,

penalties, crimes, and proceedings continue and shall be imposed and enforced under prior law as if that SECTION of P.L.28-1988 had not been enacted.
As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-5
P.L.1-1989 intended to be a codification and restatement of applicable or corresponding provisions of certain laws

Sec. 5. P.L.1-1989 is intended to be a codification and restatement of applicable or corresponding provisions of certain laws repealed by P.L.1-1989. If P.L.1-1989 repeals and replaces a law in the same form or in a restated form, the substantive operation and effect of that law continue uninterrupted.
As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-6
No effect of P.L.8-1989 on rights or liabilities accrued, penalties incurred, crimes committed, or proceedings begun

Sec. 6. A SECTION of P.L.8-1989 does not affect:
(1) rights or liabilities accrued;
(2) penalties incurred;
(3) crimes committed; or
(4) proceedings begun;
before July 1, 1989. Those rights, liabilities, penalties, crimes, and proceedings continue and shall be imposed and enforced under prior law as if P.L.8-1989 had not been enacted.
As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-7
P.L.1-1990 intended to resolve technical conflicts; no effect on rights or liabilities accrued, penalties incurred, violations committed, or proceedings begun; references to repealed statutes

Sec. 7. (a) P.L.1-1990 is intended to resolve technical conflicts among acts enacted by the general assembly and to correct other technical errors. P.L.1-1990 is not intended to change the effective date of any statute or otherwise result in any substantive change in the law.

(b) A SECTION of P.L.1-1990 does not affect any:
(1) rights or liabilities accrued;
(2) penalties incurred;
(3) violations committed; or
(4) proceedings begun;
before the effective date of that SECTION of P.L.1-1990. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if that SECTION of P.L.1-1990 had not been enacted.

(c) Any reference in any statute or rule to a statute that is repealed and replaced in the same or a different form in P.L.1-1990 shall be treated after the effective date of the new provisions as a reference to the new provision.

As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-8

P.L.3-1990 intended to correct repealed or incorrect citations in the Indiana Code; no effect on rights or liabilities accrued, penalties incurred, violations committed, or proceedings begun; references to repealed statutes

Sec. 8. (a) P.L.3-1990 is intended to correct repealed or incorrect citations in the Indiana Code. P.L.3-1990 is not intended to change the effective date of any statute or otherwise result in any substantive change in the law.

(b) A SECTION of P.L.3-1990 does not affect any:

(1) rights or liabilities accrued;

(2) penalties incurred;

(3) violations committed; or

(4) proceedings begun;

before March 13, 1990. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if P.L.3-1990 had not been enacted.

As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-9

P.L.1-1991 intended to resolve technical conflicts among acts and correct technical errors; no effect on rights or liabilities accrued, penalties incurred, violations committed, or proceedings begun; references to repealed statutes

Sec. 9. (a) P.L.1-1991 is intended to resolve technical conflicts among acts enacted by the general assembly and to correct other technical errors. P.L.1-1991 is not intended to change the effective date of any statute or otherwise result in any substantive change in the law.

(b) A SECTION of P.L.1-1991 does not affect any:

(1) rights or liabilities accrued;

(2) penalties incurred;

(3) violations committed; or

(4) proceedings begun;

before the effective date of that SECTION of P.L.1-1991. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if that SECTION of P.L.1-1991 had not been enacted.

(c) Any reference in any statute or rule to a statute that is repealed and replaced in the same or a different form in P.L.1-1991 shall be treated after the effective date of the new provision as a reference to the new provision.

As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-10

P.L.1-1992 intended to resolve technical conflicts among acts and correct technical errors; no effect on rights or liabilities accrued, penalties incurred, violations committed, or proceedings begun;

references to repealed statutes

Sec. 10. (a) P.L.1-1992 is intended to resolve technical conflicts among acts enacted by the general assembly and to correct other technical errors. P.L.1-1992 is not intended to change the effective date of any statute or otherwise result in any substantive change in the law.

(b) A SECTION of P.L.1-1992 does not affect any:

(1) rights or liabilities accrued;

(2) penalties incurred;

(3) violations committed; or

(4) proceedings begun;

before the effective date of that SECTION of P.L.1-1992. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if that SECTION of P.L.1-1992 had not been enacted.

(c) Any reference in any statute or rule to a statute that is repealed and replaced in the same or a different form in P.L.1-1992 shall be treated after the effective date of the new provision as a reference to the new provision.

As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-11

P.L.1-1993 intended to resolve technical conflicts among acts and correct technical errors; no effect on rights or liabilities accrued, penalties incurred, violations committed, or proceedings begun; references to repealed statutes

Sec. 11. (a) P.L.1-1993 is intended to resolve technical conflicts among acts enacted by the general assembly and to correct other technical errors. P.L.1-1993 is not intended to change the effective date of any statute or otherwise result in any substantive change in the law.

(b) A SECTION of P.L.1-1993 does not affect any:

(1) rights or liabilities accrued, including the right to carry forward tax credits accrued under an expired statute that is repealed by P.L.1-1993 and the duties under an agreement authorized under an expired statute that is repealed by P.L.1-1993;

(2) penalties incurred;

(3) violations committed; or

(4) proceedings begun;

before the effective date of the SECTION of P.L.1-1993. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if that SECTION of P.L.1-1993 had not been enacted.

(c) Any reference in any statute or rule to a statute that is repealed and replaced in the same or a different form in P.L.1-1993 shall be treated after the effective date of the new provision as a reference to the new provision.

As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-12
No effect of P.L.47-1993 on rights or liabilities accrued, penalties incurred, crimes committed, or proceedings begun

Sec. 12. A SECTION of P.L.47-1993 does not affect:

(1) rights or liabilities accrued;
(2) penalties incurred;
(3) crimes committed; or
(4) proceedings begun;

before July 1, 1993. Those rights, liabilities, penalties, crimes, and proceedings continue and shall be imposed and enforced under prior law as if P.L.47-1993 had not been enacted.

As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-13
P.L.1-1994 intended to resolve technical conflicts among acts and correct technical errors; no effect on rights or liabilities accrued, penalties incurred, violations committed, or proceedings begun; references to repealed statutes

Sec. 13. (a) P.L.1-1994 is intended to resolve technical conflicts among acts enacted by the general assembly and to correct other technical errors. P.L.1-1994 is not intended to change the effective date of any statute or otherwise result in any substantive change in the law.

(b) A SECTION of P.L.1-1994 does not affect any:

(1) rights or liabilities accrued;
(2) penalties incurred;
(3) violations committed; or
(4) proceedings begun;

before the effective date of that SECTION of P.L.1-1994. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if that SECTION of P.L.1-1994 had not been enacted.

(c) Any reference in any statute or rule to a statute that is repealed and replaced in the same or a different form in P.L.1-1994 shall be treated after the effective date of the new provision as a reference to the new provision.

As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-14
P.L.2-1995 intended to resolve technical conflicts among acts and correct technical errors; no effect on rights or liabilities accrued, penalties incurred, violations committed, or proceedings begun; references to repealed statutes

Sec. 14. (a) P.L.2-1995 is intended to resolve technical conflicts among acts enacted by the general assembly and to correct other technical errors. P.L.2-1995 is not intended to change the effective date of any statute or otherwise result in any substantive change in the law.

(b) A SECTION of P.L.2-1995 does not affect any:

(1) rights or liabilities accrued;

(2) penalties incurred;
(3) violations committed; or
(4) proceedings begun;

before the effective date of that SECTION of P.L.2-1995. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if that SECTION of P.L.2-1995 had not been enacted.

(c) Any reference in any statute or rule to a statute that is repealed and replaced in the same or a different form in P.L.2-1995 shall be treated after the effective date of the new provision as a reference to the new provision.

As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-15

P.L.2-1996 intended to resolve technical conflicts among acts and correct technical errors; no effect on rights or liabilities accrued, penalties incurred, violations committed, or proceedings begun; references to repealed statutes

Sec. 15. (a) P.L.2-1996 is intended to resolve technical conflicts among acts enacted by the general assembly and to correct other technical errors. P.L.2-1996 is not intended to change the intended effective date of any statute or otherwise result in any substantive change in the law.

(b) A SECTION of P.L.2-1996 does not affect any:
(1) rights or liabilities accrued;
(2) penalties incurred;
(3) violations committed; or
(4) proceedings begun;

before the effective date of that SECTION of P.L.2-1996. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if that SECTION of P.L.2-1996 had not been enacted.

(c) Any reference in any statute or rule to a statute that is repealed and replaced in the same or a different form in P.L.2-1996 shall be treated after the effective date of the new provision as a reference to the new provision.

As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-16

P.L.2-1997 intended to resolve technical conflicts among acts and correct technical errors; no effect on rights or liabilities accrued, penalties incurred, violations committed, or proceedings begun; references to repealed statutes

Sec. 16. (a) P.L.2-1997 is intended to resolve technical conflicts among acts enacted by the general assembly and to correct other technical errors. P.L.2-1997 is not intended to change the intended effective date of any statute or otherwise result in any substantive change in the law.

(b) A SECTION of P.L.2-1997 does not affect any:
(1) rights or liabilities accrued;

(2) penalties incurred;
(3) violations committed; or
(4) proceedings begun;

before the effective date of the SECTION of P.L.2-1997. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if that SECTION of P.L.2-1997 had not been enacted.

(c) Any reference in any statute or rule to a statute that is repealed and replaced in the same or a different form in P.L.2-1997 shall be treated after the effective date of the new provision as a reference to the new provision.

As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-17

P.L.2-1998 intended to resolve technical conflicts among acts and correct technical errors; no effect on rights or liabilities accrued, penalties incurred, violations committed, or proceedings begun; references to repealed statutes

Sec. 17. (a) P.L.2-1998 is intended to resolve technical conflicts among acts enacted by the general assembly and to correct other technical errors. P.L.2-1998 is not intended to change the intended effective date of any statute or otherwise result in any substantive change in the law.

(b) A SECTION of P.L.2-1998 does not affect any:
(1) rights or liabilities accrued;
(2) penalties incurred;
(3) violations committed; or
(4) proceedings begun;

before the effective date of that SECTION of P.L.2-1998. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if that SECTION of P.L.2-1998 had not been enacted.

(c) Any reference in any statute or rule to a statute that is repealed and replaced in the same or a different form by P.L.2-1998 shall be treated after the effective date of the new provision as a reference to the new provision.

As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-18

No effect of P.L.177-2003 on rights or liabilities accrued, penalties incurred, crimes committed, or proceedings begun

Sec. 18. A SECTION of P.L.177-2003 does not affect:
(1) rights or liabilities accrued;
(2) penalties incurred;
(3) crimes committed; or
(4) proceedings begun;

before the effective date of that SECTION of P.L.177-2003. Those rights, liabilities, penalties, crimes, and proceedings continue and shall be imposed and enforced under prior law as if that SECTION of P.L.177-2003 had not been enacted.

As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-19
No effect of P.L.258-2003 on rights or liabilities accrued, penalties incurred, crimes committed, or proceedings begun

Sec. 19. A SECTION of P.L.258-2003 does not affect:

(1) rights or liabilities accrued;
(2) penalties incurred;
(3) crimes committed; or
(4) proceedings begun;

before the effective date of that SECTION of P.L.258-2003. Those rights, liabilities, penalties, crimes, and proceedings continue and shall be imposed under prior law as if that SECTION of P.L.258-2003 had not been enacted.
As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-20
Resolution of conflicts between P.L.258-2003 and other acts

Sec. 20. To the extent possible, if there is a conflict between P.L.276-2003 and the provisions of any other act, it is the intent of the general assembly that:

(1) charter schools be funded under the same formula as other school corporations to the extent of the conflict;
(2) the two (2) acts be read together consistently and harmoniously; and
(3) the policies in both acts be implemented into law.

As added by P.L.220-2011, SEC.5.

IC 1-1-5.5-21
No effect of P.L.158-2013 or HEA 1006-2014 on rights or liabilities accrued, penalties incurred, crimes committed, or proceedings begun; doctrine of amelioration inapplicable

Sec. 21. (a) A SECTION of P.L.158-2013 or HEA 1006-2014 does not affect:

(1) penalties incurred;
(2) crimes committed; or
(3) proceedings begun;

before the effective date of that SECTION of P.L.158-2013 or HEA 1006-2014. Those penalties, crimes, and proceedings continue and shall be imposed and enforced under prior law as if that SECTION of P.L.158-2013 or HEA 1006-2014 had not been enacted.

(b) The general assembly does not intend the doctrine of amelioration (see Vicory v. State, 400 N.E.2d 1380 (Ind. 1980)) to apply to any SECTION of P.L.158-2013 or HEA 1006-2014.
As added by P.L.185-2014, SEC.1.

IC 1-1-5.5-22
No effect of P.L. 217-2014 on penalties incurred, crimes committed, or proceedings begun; doctrine of amelioration

Sec. 22. (a) A SECTION of HEA 1279-2014 does not affect:

(1) penalties incurred;
(2) crimes committed; or
(3) proceedings begun;

before the effective date of that SECTION of HEA 1279-2014. Those penalties, crimes, and proceedings continue and shall be imposed and enforced under prior law as if that SECTION of HEA 1279-2014 had not been enacted.

(b) The general assembly does not intend the doctrine of amelioration (see Vicory v. State, 400 N.E.2d 1380 (Ind. 1980)) to apply to any SECTION of HEA 1279-2014.

As added by P.L.217-2014, SEC.1.

IC 1-1-6

Chapter 6. Interpretation of Name Designations

IC 1-1-6-1

Incorrect names

Sec. 1. Whenever a statute or rule designates a board, bureau, commission, division, department, officer, agency, authority, or instrumentality of state government, or a political subdivision and the name is incorrectly stated, on the effective date of the statute or rule, or following the effective date, the rights, powers, duties, or liabilities placed with the board, bureau, commission, division, department, officer, agency, authority, or instrumentality were transferred to a different board, bureau, commission, division, department, officer, agency, authority, or instrumentality, then the named board, bureau, commission, division, department, officer, agency, authority, or instrumentality, whether correctly named in the statute or rule on its effective date or not, refers to the properly or correctly named or designated board, bureau, commission, division, department, officer, agency, authority, or instrumentality, or the one to which the rights, powers, duties, and liabilities were transferred. *(Formerly: Acts 1945, c.14, s.1.) As amended by P.L.1-1989, SEC.10.*

IC 1-1-7

Chapter 7. Interpretation of Registered Mail as Certified Mail

IC 1-1-7-1

Registered or certified mail

Sec. 1. (a) If a statute enacted by the general assembly or a rule, as defined by IC 4-22-2-3, requires that notice or other matter be given or sent by registered mail or certified mail, a person may use:

(1) any service of the United States Postal Service or any service of a designated private delivery service (as defined by the United States Internal Revenue Service) that:

(A) tracks the delivery of mail; and

(B) requires a signature upon delivery; or

(2) delivery by an employee of the unit of government sending the notice;

to comply with the statute or rule.

(b) If means of giving notice is not covered by rules adopted by the supreme court and if a notice or other matter sent as described in subsection (a) is returned undelivered, the notice or other matter must be given by:

(1) delivering a copy of the notice or other matter to the person to whom the notice or other matter must be given personally;

(2) leaving a copy of the notice or other matter at the dwelling house or usual place of abode of the person to whom the notice or other matter must be given;

(3) sending by first class mail a copy of the notice or other matter to the last known address of the person to whom the notice or other matter must be given; or

(4) serving the agent of the person to whom the notice or other matter must be given as provided by rule, statute, or valid agreement.

(Formerly: Acts 1957, c.196, s.1.) As amended by P.L.2-1983, SEC.1; P.L.208-2007, SEC.1.

IC 1-1-7.5

Chapter 7.5. Interpretation of Certified Check as Bank Draft, Cashiers Check, or Money Order

IC 1-1-7.5-1

Federally insured financial institution instruments

Sec. 1. In all cases where it is required by law that a certified check be submitted in conjunction with the submission of bids on public contracts, it is lawful to submit a draft, cashiers check, or money order issued by a financial institution insured by an agency of the United States.

As added by Acts 1981, P.L.2, SEC.1.

IC 1-1-8
Repealed

(Repealed by Acts 1972, P.L.7, SEC.2.)

IC 1-1-8.1

Chapter 8.1. Standard Time

IC 1-1-8.1-1

Repealed

(Repealed by P.L.243-2005, SEC.2.)

IC 1-1-8.1-2

Repealed

(Repealed by P.L.243-2005, SEC.2.)

IC 1-1-8.1-3

State supports county effort to change time zone

Sec. 3. The state supports the county executive of any county that seeks to change the time zone in which the county is located under the procedures established by federal law.

As added by P.L.243-2005, SEC.1.

IC 1-1-9

Chapter 9. Legal Holidays

IC 1-1-9-1

List; observance

Sec. 1. (a) The following are legal holidays within the state of Indiana for all purposes:

New Year's Day, January 1.
Martin Luther King, Jr.'s Birthday, the third Monday in January.
Abraham Lincoln's Birthday, February 12.
George Washington's Birthday, the third Monday in February.
Good Friday, a movable feast day.
Memorial Day, the last Monday in May.
Independence Day, July 4.
Labor Day, the first Monday in September.
Columbus Day, the second Monday in October.
Election Day, the day of any general, municipal, or primary election.
Veterans Day, November 11.
Thanksgiving Day, the fourth Thursday in November.
Christmas Day, December 25.
Sunday, the first day of the week.

(b) When any of these holidays, other than Sunday, comes on Sunday, the following Monday shall be the legal holiday. When any of these holidays comes on Saturday, the preceding Friday shall be the legal holiday.

(c) This section does not affect any action taken by the state, the general assembly while in session, or a political subdivision (as defined in IC 36-1-2-13). Any action taken by the state, the general assembly, or a political subdivision on any such holiday shall be valid for all purposes.

(Formerly: Acts 1947, c.236, s.1; Acts 1949, c.2, s.1; Acts 1955, c.6, s.1; Acts 1969, c.59, s.1; Acts 1972, P.L.12, SEC.1.) As amended by Acts 1982, P.L.2, SEC.2; P.L.4-1989, SEC.1; P.L.4-1995, SEC.2; P.L.26-2000, SEC.1.

IC 1-1-9-2

Paid holidays for state employees; governor shifting observance; exception

Sec. 2. All legal holidays, except Sundays, shall be paid holidays for state employees. However, the governor may shift to another day the observance of a legal holiday, except that Martin Luther King, Jr.'s birthday shall be observed as a holiday on the third Monday in January.

As added by P.L.2-1986, SEC.1. Amended by P.L.4-1989, SEC.2.

IC 1-1-10

Chapter 10. Indiana Day

IC 1-1-10-1

Proclamation; observance

Sec. 1. The governor shall issue a proclamation annually designating the eleventh day of December as Indiana Day, and in pursuance thereof suitable exercises, having reference to the historical event to be commemorated thereby, may be held in the public schools of the state, and by citizens generally throughout the state, in appropriate and patriotic observance of the anniversary of the admission of the state of Indiana into the Union.

(Formerly: Acts 1925, c.11, s.1.)

IC 1-1-11

Chapter 11. Flag Day and Veterans' Day

IC 1-1-11-1

Flag Day; proclamation

Sec. 1. The governor shall issue a proclamation annually setting apart and designating the fourteenth day of June as Flag Day, and recommending therein that the day be observed by the people in the display of the flag, in conducting suitable exercises having reference to the adoption of the national flag, and in such other ways as shall be in harmony with the general character of the day.

(Formerly: Acts 1925, c.53, s.1.)

IC 1-1-11-2

Veterans' Day; proclamation

Sec. 2. (a) The governor shall issue a proclamation annually setting apart and designating November 11 as Veterans' Day. The governor in the proclamation shall:

(1) recommend that all places of business, other than school corporations and places of business necessary to the immediate health and welfare of the citizens of the state, remain closed in commemoration of Veterans' Day; and

(2) proclaim that Veterans' Day be observed generally throughout the state as a day on which to hold appropriate exercises in commemoration of the historical events associated with the day.

(b) School corporations shall observe Veterans' Day each year with appropriate exercises in commemoration of the historical events associated with the day. If classes are not conducted on November 11, the school corporation shall conduct these exercises on the first day after November 11 on which classes are conducted.

(Formerly: Acts 1925, c.53, s.2; Acts 1955, c.5, s.1; Acts 1959, c.341, s.1.) As amended by P.L.1-1985, SEC.1.

IC 1-1-12
Repealed

(Repealed by P.L.2-1986, SEC.3.)

IC 1-1-12.5

Chapter 12.5. Casimir Pulaski Day

IC 1-1-12.5-1

Proclamation; observance

Sec. 1. The governor shall issue an annual proclamation setting apart the first Monday in March for the recognition of Casimir Pulaski's birthday and designating that day as "Casimir Pulaski Day". On this commemorative day, suitable exercises may be held in the public schools of the state and by citizens generally throughout the state in appropriate and patriotic observance of Casimir Pulaski's great contributions to the cause of the American Revolution.

(Formerly: Acts 1974, P.L.3, SEC.1.)

IC 1-1-13

Chapter 13. George Rogers Clark Day

IC 1-1-13-1

Proclamation; observance

Sec. 1. The governor shall issue an annual proclamation setting apart the twenty-fifth day of February for the recognition of George Rogers Clark and designating that day as "George Rogers Clark Day." On this commemorative day, the Indiana Historical Bureau, the schools of Indiana and the citizens of Indiana are exhorted to celebrate the memory of George Rogers Clark by holding suitable exercises in fitting and patriotic observance of his great contributions to the cause of American Independence which include conquering and securing the Northwest Territory and establishing and promoting the first permanent American settlement in the Northwest Territory. *(Formerly: Acts 1975, P.L.1, SEC.1.)*

IC 1-1-14

Chapter 14. Northwest Ordinance Day

IC 1-1-14-1

Proclamation

Sec. 1. The governor shall issue a proclamation each year designating July 13 as "Northwest Ordinance Day" and exhorting the Indiana Historical Bureau, the educational, historic, and patriotic organizations of Indiana, and the citizens of Indiana to celebrate the anniversary of the adoption of the Northwest Ordinance by holding suitable exercises in fitting and patriotic observance of this great document and its contributions to freedom and democracy.

As added by P.L.3-1988, SEC.1.

IC 1-2

ARTICLE 2. STATE EMBLEMS

IC 1-2-1

Repealed

(Repealed by P.L.4-1988, SEC.1.)

IC 1-2-2

Chapter 2. State Flag

IC 1-2-2-1

Design and dimensions

Sec. 1. A state flag is hereby adopted, and the same shall be of the following design and dimensions, to-wit: Its dimensions shall be three (3) feet fly by two (2) feet hoist; or five (5) feet fly by three (3) feet hoist; or any size proportionate to either of those dimensions. The field of the flag shall be blue with nineteen (19) stars and a flaming torch in gold or buff. Thirteen (13) stars shall be arranged in an outer circle, representing the original thirteen (13) states; five (5) stars shall be arranged in a half circle below the torch and inside the outer circle of stars, representing the states admitted prior to Indiana; and the nineteenth star, appreciably larger than the others and representing Indiana shall be placed above the flame of the torch. The outer circle of stars shall be so arranged that one (1) star shall appear directly in the middle at the top of the circle, and the word "Indiana" shall be placed in a half circle over and above the star representing Indiana and midway between it and the star in the center above it. Rays shall be shown radiating from the torch to the three (3) stars on each side of the star in the upper center of the circle.

Township trustees, boards of school trustees and boards of school commissioners of the various school corporations of this state, and board of county commissioners of the several counties of the state, may procure a state flag for each school and for each courthouse under their respective supervision and cause the same to be placed conspicuously in the principal room or assembly hall and any courtroom of any such building or courthouse.

(Formerly: Acts 1917, c.114, s.1; Acts 1955, c.146, s.1.) As amended by Acts 1979, P.L.1, SEC.1.

IC 1-2-2-2

Military forces; public functions

Sec. 2. The banner described in section 1 of this chapter shall be regulation, in addition to the American flag, with all of the militia forces of the state of Indiana, and in all public functions in which the state may or shall officially appear.

(Formerly: Acts 1917, c.114, s.2.) As amended by Acts 1982, P.L.2, SEC.3.

IC 1-2-3

Chapter 3. Display and Distribution of State Flag

IC 1-2-3-1

State capitol; display

Sec. 1. A new and different Indiana state flag shall be displayed at the state capitol building on each and every day whenever practicable and feasible.

(Formerly: Acts 1967, c.162, s.1.) As amended by Acts 1979, P.L.1, SEC.2.

IC 1-2-3-2

Storing flags; request for flags

Sec. 2. It shall be the duty of the commissioner of the department of administration to receive and store every flag displayed pursuant to section 1 of this chapter following such display. Upon receipt of a request of a member of the Indiana general assembly, the commissioner shall forward to the individual, group, organization, association, or other entity indicated in the legislator's request one (1) of the state flags displayed according to section 1 of this chapter. The commissioner shall forward such flags in the same order as the requests are received by him.

(Formerly: Acts 1967, c.162, s.2.) As amended by Acts 1982, P.L.2, SEC.4.

IC 1-2-3-3

Legislator's request for flags

Sec. 3. Each and every member of the Indiana general assembly shall be entitled to request and have sent, during any one (1) period of three hundred (300) days, two (2) of the state flags displayed pursuant to section 1 of this chapter. In the event that any flags are not sent at the request of a legislator before December 31, 1967, or at the end of any subsequent period of three hundred (300) days, they shall be delivered to the lieutenant governor of the state of Indiana by the commissioner of the department of administration to be disposed of at the lieutenant governor's discretion. Provided, however, that any member of the Indiana general assembly may purchase from the department of administration any other state flag which may have been manufactured in state industries at a price not to exceed the actual cost of each of said flags.

(Formerly: Acts 1967, c.162, s.3.) As amended by Acts 1982, P.L.2, SEC.5.

IC 1-2-3-4

Repealed

(Repealed by Acts 1972, P.L.13, SEC.1.)

IC 1-2-3-5

Display at state supported institutions

Sec. 5. Each and every institution supported in whole or in part by

state funds shall display the state flag in a prominent place upon its property.
(Formerly: Acts 1971, P.L.2, SEC.1.)

IC 1-2-3-6
Retiring and disposal of state flag

Sec. 6. A state flag, when it is in such condition that it is no longer a fitting emblem for display, should be destroyed using the same method provided for the retiring and disposing of the flag of the United States under 4 U.S.C. 8(k).
As added by P.L.163-2003, SEC.1. Amended by P.L.2-2005, SEC.1.

IC 1-2-4

Chapter 4. State Seal

IC 1-2-4-1

Description

Sec. 1. The official seal for the state of Indiana shall be described as follows:

A perfect circle, two and five eighths (2 5/8) inches in diameter, inclosed by a plain line. Another circle within the first, two and three eighths (2 3/8) inches in diameter inclosed by a beaded line, leaving a margin of one quarter (1/4) of an inch. In the top half of this margin are the words "Seal of the State of Indiana".

At the bottom center, 1816, flanked on either side by a diamond, with two (2) dots and a leaf of the tulip tree (liriodendron tulipifera), at both ends of the diamond. The inner circle has two (2) trees in the left background, three (3) hills in the center background with nearly a full sun setting behind and between the first and second hill from the left.

There are fourteen (14) rays from the sun, starting with two (2) short ones on the left, the third being longer and then alternating, short and long. There are two (2) sycamore trees on the right, the larger one being nearer the center and having a notch cut nearly half way through, from the left side, a short distance above the ground. The woodsman is wearing a hat and holding his ax nearly perpendicular on his right. The ax blade is turned away from him and is even with his hat.

The buffalo is in the foreground, facing to the left of front. His tail is up, front feet on the ground with back feet in the air—as he jumps over a log.

The ground has shoots of blue grass, in the area of the buffalo and woodsman.

(Formerly: Acts 1963, c.207, s.1.)

IC 1-2-5

Chapter 5. State Poem

IC 1-2-5-1

Title and text

Sec. 1. The poem of Arthur Franklin Mapes, Kendallville, Indiana, the title and text of which are set forth in full as a part of this section, is hereby adopted as Indiana's official poem. It reads as follows:

INDIANA

God crowned her hills with beauty,
Gave her lakes and winding streams,
Then He edged them all with woodlands
As the setting for our dreams.
Lovely are her moonlit rivers,
Shadowed by the sycamores,
Where the fragrant winds of Summer
Play along the willowed shores.
I must roam those wooded hillsides,
I must heed the native call,
For a pagan voice within me
Seems to answer to it all.
I must walk where squirrels scamper
Down a rustic old rail fence,
Where a choir of birds is singing
In the woodland . . . green and dense.
I must learn more of my homeland
For it's paradise to me,
There's no haven quite as peaceful,
There's no place I'd rather be.
Indiana . . . is a garden
Where the seeds of peace have grown,
Where each tree, and vine, and flower
Has a beauty . . . all its own.
Lovely are the fields and meadows,
That reach out to hills that rise
Where the dreamy Wabash River
Wanders on . . . through paradise.

(Formerly: Acts 1963, c.220, s.1.) As amended by Acts 1982, P.L.2, SEC.6.

IC 1-2-6

Chapter 6. State Song

IC 1-2-6-1

Form

Sec. 1. The song entitled, "On the Banks of the Wabash, Far Away," words and music by Paul Dresser, be and is hereby established as the state song of Indiana. The form in which this song shall be sung as the state song of Indiana shall be as follows:

'Round my Indiana homestead wave the cornfields,
In the distance loom the woodlands clear and cool,
Oftentimes my tho'ts revert to scenes of childhood,
Where I first received my lessons - nature's school.
But one thing there is missing in the picture,
Without her face it seems so incomplete,
I long to see my mother in the doorway,
As she stood there years ago, her boy to greet.

CHORUS

Oh, the moonlight's fair tonight along the Wabash,
From the fields there comes the breath of new-mown hay,
Through the sycamores the candle lights are gleaming,
On the banks of the Wabash, far away.
Many years have passed since I strolled by the river,
Arm in arm, with sweetheart Mary by my side,
It was there I tried to tell her that I loved her,
It was there I begged of her to be my bride.
Long years have passed since I strolled thro' the churchyard.
She's sleeping there, my angel, Mary dear,
I loved her, but she thought I didn't mean it,
Still I'd give my future were she only here.

(Formerly: Acts 1913, c.254, s.1.)

IC 1-2-7

Chapter 7. State Flower and Tree

IC 1-2-7-1

Tulip tree; peony

Sec. 1. The tulip tree (liriodendron tulipifera) is hereby adopted and designated as the official state tree, and the flower of the peony (Paeonie) is hereby adopted and designated as the official state flower of the state of Indiana.

(Formerly: Acts 1931, c.48, s.1; Acts 1957, c.283, s.1.)

IC 1-2-8

Chapter 8. State Bird

IC 1-2-8-1

Cardinal

Sec. 1. The bird commonly known as the Red Bird or Cardinal (Richmondena Cardinalis Cardinalis) is hereby adopted and designated as the official state bird of the state of Indiana.

(Formerly: Acts 1933, c.223, s.1.)

IC 1-2-9

Chapter 9. State Stone

IC 1-2-9-1

Limestone

Sec. 1. The regal type rock "Limestone" which is found and quarried in south and central Indiana from the geologic formation named the Salem Limestone, is hereby adopted as the official stone of the State of Indiana.

(Formerly: Acts 1971, P.L.3, SEC.1.)

IC 1-2-10

Chapter 10. State Language

IC 1-2-10-1

Official language of state

Sec. 1. The English language is adopted as the official language of the state of Indiana.

As added by P.L.1-1984, SEC.1.

IC 1-2-10-2

Recognition of American Sign Language as independent language

Sec. 2. American Sign Language is recognized as a standard, independent language with its own grammar, syntax, vocabulary, and cultural heritage, which is widely used by individuals who hear, individuals who are deaf, and individuals who are hard of hearing in Indiana and in the United States.

As added by P.L.7-1995, SEC.1. Amended by P.L.99-2007, SEC.1.

IC 1-2-11

Chapter 11. State River

IC 1-2-11-1

Wabash River

Sec. 1. The river commonly known as the Wabash River is adopted and designated as the official river of the state of Indiana.

As added by P.L.3-1996, SEC.1.

IC 1-2-12

Chapter 12. State Poet Laureate

IC 1-2-12-1

"Commission"

Sec. 1. As used in this chapter, "commission" refers to the Indiana arts commission established by IC 4-23-2-1.

As added by P.L.164-2005, SEC.1.

IC 1-2-12-2

"Selection committee"

Sec. 2. As used in this chapter, "selection committee" refers to the committee described in section 4 of this chapter.

As added by P.L.164-2005, SEC.1.

IC 1-2-12-3

Selection of poet laureate

Sec. 3. The poet laureate of Indiana shall be selected under this chapter.

As added by P.L.164-2005, SEC.1.

IC 1-2-12-4

Establishment of selection committee

Sec. 4. (a) The selection committee consists of the following eight (8) members:

(1) Seven (7) members selected by the commission who represent state educational institutions and private postsecondary educational institutions.

(2) The executive director of the commission.

(b) The president of each of the institutions selected under subsection (a)(1) shall name a faculty member to serve on the selection committee. The faculty member must:

(1) be a member of the fine arts or English department of the institution; and

(2) teach writing.

(c) The executive director of the commission:

(1) is the chair of; and

(2) shall establish the meeting times and dates for;

the selection committee.

As added by P.L.164-2005, SEC.1. Amended by P.L.2-2007, SEC.3.

IC 1-2-12-5

Duties of selection committee

Sec. 5. The selection committee shall do the following:

(1) Meet on a biennial basis to select the poet laureate.

(2) Determine a method of selecting the poet laureate.

(3) Select a poet laureate not later than December 1 of each odd-numbered year.

(4) Permit a person to be selected as poet laureate even if the person has previously served as poet laureate.

As added by P.L.164-2005, SEC.1.

IC 1-2-12-6
Poet laureate's term of service

Sec. 6. A person selected as poet laureate serves a two (2) year term that begins January 1 following the poet laureate's selection.
As added by P.L.164-2005, SEC.1.

IC 1-2-12-7
Duties of poet laureate

Sec. 7. (a) The poet laureate shall do the following:

(1) Make a formal appearance at schools, libraries, and other educational facilities.

(2) Offer advice to the commission concerning ways to further the art of poetry in Indiana.

(3) Represent Indiana and the art of poetry to the education community and the public.

(b) The department of education shall assist the poet laureate in scheduling the poet laureate's appearances in educational facilities and at other appropriate events.
As added by P.L.164-2005, SEC.1.

IC 1-2-12-8
Annual honorarium for poet laureate

Sec. 8. (a) The commission may pay an annual honorarium of two thousand five hundred dollars ($2,500) to the poet laureate.

(b) The commission may pay a per diem to the poet laureate for each day that the poet laureate makes an appearance under this chapter.

(c) The commission may pay travel expenses to a member of the selection committee unless the member's institution reimburses the member for the expenses.
As added by P.L.164-2005, SEC.1.

IC 1-2-12-9
Payment of expenses from commission funds

Sec. 9. All expenses and other payments permitted under this chapter shall be paid from appropriations to or other funds of the commission.
As added by P.L.164-2005, SEC.1.

IC 1-2-13

Chapter 13. State Rifle

IC 1-2-13-1

"Grouseland Rifle"

Sec. 1. The "Grouseland Rifle" made by Colonel John Small of Vincennes, Indiana, between 1803 and 1812 is designated the official rifle of the state of Indiana.

As added by P.L.84-2012, SEC.1.

IC 1-2-13-2

Authorization to reproduce Grouseland Rifle

Sec. 2. Any:

(1) duplication or reproduction; or

(2) sale of any duplication or reproduction;

of the "Grouseland Rifle" must be authorized by the Grouseland Foundation of Vincennes, Indiana.

As added by P.L.84-2012, SEC.1.

IC 1-3

ARTICLE 3. STATE BOUNDARIES

IC 1-3-1

Chapter 1. Indiana-Kentucky Boundary Compact

IC 1-3-1-1

Boundary

Sec. 1. Upon the approval and consent of the Congress of the United States to the compact hereby effected, the boundary line between the State of Indiana and the Commonwealth of Kentucky is as follows:

Commencing at a point on the line between Sections 15 and 14, Township 7 South, Range 10 West, and 67.25 chains south of the northeast corner of Section 15, the same being the beginning point in the description of the part of the boundary line as fixed by the Supreme Court of the United States in Indiana v. Kentucky, decided May 18, 1896, and reported in 163 U.S. Reports 520, thence south 0 degrees 53 minutes 15 seconds west to the low water mark on the right side of the Ohio River and thence upstream at low water mark on the right side of the Ohio River. Also beginning at the same beginning point to-wit: The beginning point in the description of the part of the boundary line between the State of Indiana and the Commonwealth of Kentucky as fixed by the Supreme Court in 163 U.S. 520 and following that line to the end of so much of the boundary line as was fixed by the decree; thence due west to the low water mark on the right side of the Ohio River and thence downstream with the low water mark on the right side of the river.

As added by P.L.1-1995, SEC.32.

IC 1-3-1-2

Filing of compact

Sec. 2. Upon the approval and consent of the Congress of the United States to the compact hereby effected:

(1) evidence of the compact, together with the survey and report of the commissioners by whom the boundary line was agreed upon, shall be filed in the office of the secretary of state; and

(2) a copy of the compact, survey, and report shall be filed in the office of the recorder of Vanderburgh County, Indiana.

As added by P.L.1-1995, SEC.32.

IC 1-3-2

Chapter 2. Indiana-Michigan Boundary Line Commission

IC 1-3-2-0.5
"1827 Survey"

Sec. 0.5. As used in this chapter, "1827 survey" refers to the original federal government survey of the Indiana - Michigan boundary conducted during 1827.

As added by P.L.131-2013, SEC.1.

IC 1-3-2-1
"Boundary county"

Sec. 1. As used in this chapter, "boundary county" refers to any of the following:

(1) Elkhart County.
(2) LaGrange County.
(3) LaPorte County.
(4) St. Joseph County.
(5) Steuben County.

As added by P.L.106-2009, SEC.1.

IC 1-3-2-2
"Commission"

Sec. 2. As used in this chapter, "commission" refers to the Indiana-Michigan boundary line commission established by section 3 of this chapter.

As added by P.L.106-2009, SEC.1.

IC 1-3-2-2.3
"Department"

Sec. 2.3. As used in this chapter, "department" refers to the Indiana department of administration created by IC 4-13-1-2.

As added by P.L.131-2013, SEC.2.

IC 1-3-2-2.5
"Indiana member"

Sec. 2.5. As used in this chapter, "Indiana member" refers to a commission member appointed under section 4.1(a)(1) of this chapter.

As added by P.L.131-2013, SEC.3.

IC 1-3-2-3
Commission established

Sec. 3. The Indiana-Michigan boundary line commission is established.

As added by P.L.106-2009, SEC.1.

IC 1-3-2-4
Repealed

(Repealed by P.L.131-2013, SEC.4.)

IC 1-3-2-4.1
Commission; qualifications; meetings; officers; quorum

Sec. 4.1. (a) The commission consists of the following members:

(1) Five (5) individuals appointed by the governor. The governor shall appoint one (1) member from each of the boundary counties.

(2) Five (5) individuals from the State of Michigan appointed under the laws of Michigan.

(b) Each of the Indiana members must be a surveyor registered under IC 25-21.5.

(c) At the commission's first meeting, the members shall elect from its members:

(1) the commission's chair; and

(2) other officers the commission considers necessary or appropriate.

(d) After the commission's first meeting, the commission shall meet quarterly. The commission may meet more frequently:

(1) at the call of the chair; or

(2) if six (6) or more commission members request a meeting.

(e) A quorum of the commission consists of:

(1) at least three (3) Indiana members; and

(2) at least three (3) members appointed from the State of Michigan.

A quorum of members is required for official action of the commission.

(f) The commission's business must be conducted during a public meeting held in compliance with IC 5-14-1.5.

(g) A writing prepared, owned, used, in the possession of or retained by the commission in the performance of an official function of the commission is a public record as provided in IC 5-14-3.

As added by P.L.131-2013, SEC.5.

IC 1-3-2-5
Commission member compensation

Sec. 5. (a) An Indiana member is not entitled to compensation for service on the commission.

(b) An Indiana member is entitled to reimbursement for expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the department and approved by the budget agency.

As added by P.L.106-2009, SEC.1. Amended by P.L.131-2013, SEC.6.

IC 1-3-2-6
Repealed

(Repealed by P.L.131-2013, SEC.7.)

IC 1-3-2-7
Repealed

(Repealed by P.L.131-2013, SEC.8.)

IC 1-3-2-7.1
Commission duties; professional survey services; reports

Sec. 7.1. (a) The commission shall do the following:

(1) Administer a survey and remonumentation of the Indiana-Michigan border.

(2) Recover or reestablish relatively permanent monuments at the mileposts of the Indiana-Michigan state line as established in the 1827 survey that defined that line. The commission shall also recover or reestablish relatively permanent monuments at the posts originally set at or near the shores of lakes and large rivers of the Indiana-Michigan state line as established in the 1827 survey that defined that line, or witness corners for set posts.

(3) Compile appropriate records and documents verifying the location of the monuments, and furnish those records and documents to the state land office division of the department of natural resources established by IC 14-18-1.5-1.

(4) Resolve any controversies regarding the location of monuments defining the Indiana-Michigan boundary.

(5) The commission shall file with the appropriate county recorder's office a recordation certificate that provides appropriate references, and Indiana East or West zone state plane coordinates, for each milepost of the posts originally set at or near the shores of lakes or large rivers determined under this chapter. A copy of those documents shall be submitted to the state land office division of the department of natural resources established by IC 14-18-1.5-1.

(6) The commission, in consultation with the department, shall procure professional surveying services through negotiated contracts for purposes of this chapter. The commission, in consultation with the department, shall use a qualification-based selection method for awarding contracts and shall award contracts only to business entities incorporated or located in Indiana.

(7) Not later than sixty (60) days after the completion of the commission's duties under this chapter, the commission shall submit a written report to the general assembly in an electronic format under IC 5-14-6. The report shall summarize the work performed under this chapter and the activities of the commission.

(b) For purposes of subsection (a)(6), "qualification-based selection" means a method of selecting professional firms to perform contractual work as follows:

(1) The selection of professional firms to provide a service must be based first upon the qualifications of the professional firms to perform the required work.

(2) After the qualified professional firms have been chosen by the commission, the department shall negotiate the cost of the

services.

(3) If price negotiations cannot be completed satisfactorily with the highest ranked professional firm, these negotiations cease and negotiations begin with the professional firm that is next most qualified to perform the required work. This process shall continue until a professional firm is selected to perform the services.

As added by P.L.131-2013, SEC.9.

IC 1-3-2-8

Expiration of chapter

Sec. 8. This chapter expires July 1, 2018.

As added by P.L.106-2009, SEC.1. Amended by P.L.131-2013, SEC.10.