

# **FORM AND STYLE MANUAL FOR LEGISLATIVE MEASURES**

**Prepared Under the Direction of the  
INDIANA CODE REVISION COMMISSION**

**By the  
OFFICE OF CODE REVISION  
LEGISLATIVE SERVICES AGENCY**

**Approved by the  
INDIANA LEGISLATIVE COUNCIL**

**September 23, 1999**





## **INDIANA LEGISLATIVE COUNCIL**

Senator Robert D. Garton, Chairman  
Representative John Gregg, Vice Chairman

Senator Joseph W. Harrison  
Senator Harold H. Wheeler  
Senator Patricia Miller  
Senator Thomas Wyss  
Senator Richard D. Young, Jr.  
Senator James A. Lewis  
Senator Earline Rogers

Representative Charlie Brown  
Representative William C. Cochran  
Representative F. Dale Grubb  
Representative Mark Kruzan  
Representative Paul S. Mannweiler  
Representative Jeffrey Linder  
Representative Richard W. Mangus

Philip Sachtleben  
Acting Executive Director

## **INDIANA CODE REVISION COMMISSION**

Representative Robert Kuzman, Chairman

Senator Luke Kenley  
Senator Sue Landske  
Senator Anita Bowser  
Senator Samuel Smith, Jr.  
Representative Robert Behning  
Representative Ralph Foley  
Representative John Frenz

Chief Justice Randall T. Shepard  
Chief Judge John T. Sharpnack  
Attorney General Jeff Modisett  
Secretary of State Sue Ann Gilroy  
Professor William F. Harvey  
Mr. Fred Biesecker  
Mr. Gene R. Leeuw

John J. Stieff  
Director of Code Revision

Rebecca Walker Mortell  
Deputy Director of Statutes

Doug Masson  
Deputy Director of Rules

Judy Stull  
Data Processing Manager



## **FOREWORD**

This manual was prepared by the Indiana Legislative Services Agency under the direction of the Code Revision Commission (IC 2-5-1.1-10), which "functions as an advisory body to the legislative council ... [to] assist the council in developing and revising standards, techniques, and format to be used when preparing legislation for consideration by the Indiana general assembly ..." On September 23, 1999, the Indiana Legislative Council met and approved this manual for use in the preparation and review of legislative measures.



## TABLE OF CONTENTS

<b>Chapter 1. General Information</b> .....	Page 1
A. INDIANA CONSTITUTION .....	Page 1
Introduction .....	Page 1
Arrangement .....	Page 1
Citations .....	Page 1
B. INDIANA CODE .....	Page 1
Introduction .....	Page 1
Arrangement .....	Page 1
Citations .....	Page 2
C. SESSION LAWS (ACTS) .....	Page 2
Introduction .....	Page 2
Arrangement .....	Page 2
Citations .....	Page 2
D. INDIANA ADMINISTRATIVE CODE .....	Page 3
Introduction .....	Page 3
Arrangement .....	Page 3
Citations .....	Page 3
E. INDIANA REGISTER .....	Page 3
Introduction .....	Page 3
Arrangement .....	Page 3
Citations .....	Page 4
Voiding Administrative Rules .....	Page 4
F. TYPES OF LEGISLATIVE MEASURES .....	Page 4
Introduction .....	Page 4
Bill .....	Page 4
Joint Resolutions .....	Page 4
Concurrent Resolutions .....	Page 4
Simple Resolutions .....	Page 4
<b>Chapter 2. Drafting Rules</b> .....	Page 6
A. INTRODUCTION .....	Page 6
B. GENERAL CONSTITUTIONAL AND STATUTORY CONSIDERATIONS .....	Page 6
C. RULES .....	Page 8
Sentence Structure .....	Page 8
Subject of Sentence .....	Page 8
Tense .....	Page 8
Mood .....	Page 8
Voice .....	Page 8
Number: Singular vs. Plural .....	Page 9
Gender .....	Page 9
Consistency .....	Page 9
Brevity .....	Page 9
Commanding, Authorizing, Forbidding, and Negating .....	Page 9
And; Or; And/Or .....	Page 10
Such; Said .....	Page 10
Which; That .....	Page 10
Limitations, Exceptions, and Conditions .....	Page 10
Designation .....	Page 11
Redesignation .....	Page 12

Tabulation .....	Page 12
Capitalization .....	Page 14
Commas .....	Page 16
Parentheses .....	Page 17
Brackets .....	Page 18
Apostrophes .....	Page 18
Semicolons .....	Page 18
Colons .....	Page 18
Quotation Marks .....	Page 19
Hyphens .....	Page 19
Expression of Numbers .....	Page 19
Indiana; State .....	Page 21

<b>Chapter 3. Bills</b> .....	Page 22
<b>A. PRINCIPAL COMPONENTS OF BILL</b> .....	Page 22
Introduction .....	Page 22
Order of Provisions in New Chapter or Article .....	Page 22
<b>B. BILL DIGEST</b> .....	Page 22
Introduction .....	Page 22
Form of a Digest .....	Page 24
<b>C. BILL TITLE</b> .....	Page 24
Introduction .....	Page 24
Emergency .....	Page 24
Appropriations .....	Page 25
Repeal of Code Provisions .....	Page 25
Noncode Bill .....	Page 25
<b>D. BILL PREAMBLE</b> .....	Page 25
<b>E. BILL ENACTING CLAUSE</b> .....	Page 26
<b>F. INTRODUCTORY CLAUSE (LEAD-IN LINE)</b> .....	Page 26
Introduction .....	Page 26
Amendments to the Code .....	Page 26
Additions to the Code .....	Page 26
Repealers .....	Page 27
Noncode Provisions .....	Page 27
<b>G. CODE PROVISIONS GENERALLY</b> .....	Page 28
Numbering System .....	Page 28
Headings .....	Page 28
Printing Style .....	Page 29
Internal References .....	Page 29
<b>H. SPECIFIC TYPES OF CODE PROVISIONS</b> .....	Page 32
Short Titles .....	Page 32
Purpose Provisions .....	Page 32
Applicability Provisions .....	Page 32
Definitions .....	Page 33
Creation of Agency or Office .....	Page 35
Criminal and Civil Penalties .....	Page 35
Population Parameters .....	Page 36
Appropriation Provisions .....	Page 37
Funds .....	Page 37
Legislative Oversight .....	Page 38
Executive Committees and Commissions: Travel Expenses, Per Diem, Membership,	

Voting Practices, and Other Matters .....	Page 38
Legislative Committees and Commission: Travel Expenses, Per Diem, Membership, Voting Practices, and Other Matters .....	Page 39
Administrative Rules .....	Page 39
Construction Provisions .....	Page 40
Nonseverability Provisions .....	Page 40
Expiration Provisions .....	Page 40
Vehicle Bills .....	Page 41
I. REPEALERS .....	Page 41
Code Provisions .....	Page 41
Noncode Provisions .....	Page 41
J. NONCODE PROVISIONS GENERALLY .....	Page 42
Defined .....	Page 42
Expiration Date .....	Page 42
K. SPECIFIC TYPES OF NONCODE PROVISIONS .....	Page 42
Transitional Provisions .....	Page 42
Legalizing Provisions .....	Page 43
Savings Provisions .....	Page 43
Severability Provisions .....	Page 45
Appropriation Provisions .....	Page 45
Special Relief Bills .....	Page 47
Medicaid Waiver Provisions .....	Page 47
L. EFFECTIVE DATES .....	Page 47
Uniform Effective Date .....	Page 47
Other Effective Dates .....	Page 47
Early Effective Dates .....	Page 48
Effective Dates for Code Provisions .....	Page 48
Effective Dates for Repealers .....	Page 48
Effective Dates for Noncode Provisions .....	Page 48
Effective Dates Upon Passage .....	Page 48
Effective Dates to be Avoided .....	Page 49
Delayed Effective Dates .....	Page 49
Fiscal Years .....	Page 49
Retroactivity .....	Page 49
Contingent on Some Event .....	Page 49
<b>Chapter 4. Joint Resolutions</b> .....	Page 51
A. AMENDING THE CONSTITUTION OF THE STATE OF INDIANA .....	Page 51
Introduction .....	Page 51
Printing Style Types .....	Page 51
Form .....	Page 51
B. RATIFYING A PROPOSED AMENDMENT TO THE UNITED STATES CONSTITUTION .....	Page 53
C. CALLING A UNITED STATES CONSTITUTIONAL CONVENTION .....	Page 54
Approach 1: Specific Language .....	Page 54
Approach 2: General Subject Matter .....	Page 55
<b>Chapter 5. Concurrent Resolutions</b> .....	Page 56
A. GENERAL FORM .....	Page 56
B. INTERIM STUDY COMMITTEE FORM .....	Page 56

<b>Chapter 6. Simple Resolutions</b> .....	Page 57
<b>Chapter 7. Post-Introductory Drafting</b> .....	Page 58
<b>A. REFERENCE LINES</b> .....	Page 58
Introduced Version (First House Committee Amendments) .....	Page 58
First Printing (First House Floor Amendments and Second House Committee Amendments) .....	Page 58
Reprinted First Printing (Second House Committee Amendments) .....	Page 59
Engrossed Printing (Second House Floor Amendments) .....	Page 59
<b>B. DRAFTING TERMINOLOGY</b> .....	Page 60
Altering Introductory Clauses .....	Page 60
Altering Nonamendatory SECTIONS of a Bill .....	Page 60
Altering Amendatory SECTIONS of a Bill .....	Page 60
Adding New SECTIONS to a Bill .....	Page 60
Altering the Entire Body of a Bill by Bill Stripping .....	Page 62
Changing a Title .....	Page 62
Use of Quotation Marks .....	Page 62
Renumbering SECTIONS of a Bill .....	Page 62
Changing Effective Dates in a SECTION .....	Page 63
Miscellaneous Drafting Commands .....	Page 63
<b>C. AMENDMENT OF PROVISIONS NOT FOUND IN A PRINTED BILL (SECOND         HOUSE COMMITTEE AMENDMENTS); TECHNICAL CORRECTIONS</b> .....	Page 66
Deleting a Second Reading Amendment .....	Page 66
Deleting a Part of a Second Reading Amendment .....	Page 66
Restoring Language Stricken in a Second Reading Amendment .....	Page 67
Reinserting Language Deleted by a Second Reading Motion in an Amendatory SECTION .....	Page 67
Reinserting Language Deleted by a Second Reading Motion in a Nonamendatory SECTION .....	Page 67
Deleting Language that Includes an Amendment .....	Page 67
Technical Corrections .....	Page 67
<b>D. CONFERENCE COMMITTEE REPORTS</b> .....	Page 68
Introduction .....	Page 68
Checklist for a Conference Committee Report .....	Page 68
<b>E. ALTERING PROVISIONS ADDED OR AMENDED EARLIER IN THE SAME SESSION</b> .....	Page 69
Introduction .....	Page 69
Introductory Clause .....	Page 69
Text (Amendments Only) .....	Page 69
Effective Date .....	Page 69
<b>F. JOINT RULE 20 CORRECTIONS</b> .....	Page 70
Introduction .....	Page 70
Committee Action .....	Page 70
Preparation .....	Page 70
Form .....	Page 71
<b>G. JOINT RULE 21 CORRECTIONS</b> .....	Page 72
Introduction .....	Page 72
Form .....	Page 72
<b>EXHIBITS</b> .....	Page 74

**INDEX TO SUBJECTS** ..... Page 152

# Chapter 1. General Information

## A. INDIANA CONSTITUTION

### (1) Introduction

The Constitution of the State of Indiana was approved in convention at Indianapolis on February 10, 1851, and was adopted by the electorate, effective November 1, 1851. It superseded the 1816 Constitution. The Constitution sets forth the basic structure of Indiana government and the rights, powers, privileges, and immunities granted the citizens of Indiana. Constitutional provisions supersede all other state law. The text of the Constitution can be found in the front of Volume I of the Indiana Code. Constitutional amendments adopted after 1998 can be found in the annual cumulative supplement to the Indiana Code.

### (2) Arrangement

The Constitution consists of a Preamble and 16 major groupings called Articles. Each Article is composed of smaller individual units called Sections. Material that is temporary, implementary, or transitional in nature is included in a schedule that immediately follows the particular section of the Constitution to which it is related.

### (3) Citations

To cite a particular Section of the Constitution, refer first to the Article and then to the Section.

**Example:** Article 1, Section 22 of the Constitution of the State of Indiana

## B. INDIANA CODE

### (1) Introduction

The official Indiana Code (IC) was enacted by the general assembly and signed into law January 21, 1976. An official edition of the Code is published under the authority of the Indiana Legislative Council every six years. The Code contains all general and permanent statutory law. All statutes are considered to be of a general and permanent nature unless they:

- (a) are effective for a period of less than five years;
- (b) provide for transitional, implementary matters in an otherwise permanent statute;
- (c) apply to special cases; or
- (d) terminate by implication when their purpose is fulfilled or ceases to exist.

All laws of a permanent and general nature are drafted as amendments to the Code. Statutory laws not included in the Code, such as transitory and temporary laws, are known as noncode provisions. The 1998 Edition of the Code consists of a base set of 15 volumes updated with an annual cumulative supplement. The next official edition of the Code will incorporate all of the annual supplements published since 1998.

### (2) Arrangement

The Indiana Code consists of major groupings of law called titles that are numbered 1 through 36. Each

title contains one or more articles, each article contains one or more chapters, and each chapter contains one or more sections.

### **(3) Citations**

The Indiana Code numbering scheme involves use of numbers separated by hyphens. A four-part numerical citation is used for statute sections. The contents of a chapter are indicated through use of a three-part citation and of an entire article by use of a two-part citation. Reference to a title is by a one-number citation.

#### **Example:**

IC 4-3-2-1 refers to Title 4, Article 3, Chapter 2, Section 1.

IC 4-3-2 refers to Title 4, Article 3, Chapter 2.

IC 4-3 refers to Title 4, Article 3.

IC 4 refers to Title 4.

The letters "IC" should always precede a citation to a Code section, chapter, article, or title, except when using internal references [See Pages 29-30].

## **C. SESSION LAWS (ACTS)**

### **(1) Introduction**

The enrolled acts of each legislative session that become law are bound together, assigned public law numbers by the Office of Code Revision, and referred to as "Acts 20\_\_". The most important use of the Acts is to locate temporary or special provisions that are not included in the Indiana Code. These noncode provisions include almost all appropriations and transitional provisions as well as any other statutes effective for a period of less than five years. The Acts also include an index and tables showing affected Code citations and converting numbers to the corresponding public law numbers.

### **(2) Arrangement**

The Acts of each session are arranged into three categories: first, acts of a permanent nature that amend the Indiana Code; second, acts that are temporary or special in nature and that do not amend the Code; and third, joint resolutions. The text of all acts that amend the Code is arranged, insofar as possible, in the order of the Code itself, i.e., acts affecting Title 1 followed by acts affecting Title 2, etc. Note, however, that this arrangement is determined only by the first provision affecting the Code within each act, and later provisions of that act may affect different sections, chapters, articles, or titles of the Code.

### **(3) Citations**

If the occasion arises for using an "Acts" citation to refer to a noncode provision or to identify a provision published in the session laws, use one of the following forms:

(a) For acts enacted before the 1971 Indiana Code, the proper citation form is as follows:

**Example:** Acts 1953, c.20, s.2

(b) For acts enacted beginning with the enactment of the 1971 Indiana Code and through the 1982

Regular Session, the proper citation form is as follows:

**Example:** Acts 1982, P.L.33, SECTION 22

(c) For acts enacted beginning with the 1982 Special Session, the proper form is as follows:

**Example:** P.L.74-1983, SECTION 10

To indicate a special session of the Indiana general assembly, use the designation "(ss)" after the year.

**Examples:** Acts 1981(ss), P.L.1, SECTION 1 P.L.3-1982(ss), SECTION 5

## **D. INDIANA ADMINISTRATIVE CODE**

### **(1) Introduction**

The Indiana Administrative Code (IAC), which is published under the authority of the Indiana Legislative Council, is a compilation of the text of all Indiana administrative rules. The first official edition of the Administrative Code was published in 1979. The 1996 Edition consists of a base set of 14 volumes updated with an annual cumulative supplement and the Indiana Register.

### **(2) Arrangement**

The rules are organized according to adopting agency and classified under a numbering scheme with a four-part numerical citation. Each agency has been assigned a title number with all rules of that agency classified under that title. Agencies with related subject matter are grouped together. Each title contains one or more articles, each article contains one or more rules, and each rule contains one or more sections.

### **(3) Citations**

Use a citation form containing the designation "IAC" following the title number to indicate that the Indiana Administrative Code is cited. Article, rule, and section numbers are separated by hyphens.

**Example:** 595 IAC 1-1-1 refers to Title 595, Article 1, Rule 1, Section 1

## **E. INDIANA REGISTER**

### **(1) Introduction**

The Indiana Register is a periodical publication of the full text of proposed rules, final rules, and other documents such as executive orders and Attorney General's opinions. The Register has been published monthly since July 1, 1978. Final rules published in the Register are later codified in the Indiana Administrative Code. In a sense, the Indiana Register can be considered an "advance sheet" to the Indiana Administrative Code. However, executive orders and attorney general's opinions that are found in the Register are not subsequently published in the Indiana Administrative Code.

### **(2) Arrangement**

The Indiana Register is arranged with the publication of final rules first, followed by proposed rules, attorney general's actions, and nonrule policy documents. Also included in the Register are reference tables

and an index.

### **(3) Citations**

To cite to the Indiana Register, use a citation form containing the designation "IR" following the volume number of the publication to indicate that the Indiana Register is cited. The page number of the publication follows the IR designation.

**Example:** 22 IR 1000 refers to Volume 22, Page 1000

### **(4) Voiding Administrative Rules**

To void an administrative rule, the following language should be used:

SECTION \_\_. [EFFECTIVE JULY 1, 2000] **410 IAC [410 IAC 4] [410 IAC 4-1] [410 IAC 4-1-1] is void. The publisher of the Indiana Administrative Code and Indiana Register shall remove this title [article] [rule] [section] from the Indiana Administrative Code.**

## **F. TYPES OF LEGISLATIVE MEASURES**

### **(1) Introduction**

The general assembly may take action on bills, joint resolutions, concurrent resolutions, and simple resolutions. Any of these measures may be introduced in either house, except that bills to raise revenue may be introduced only in the house of representatives (Article 4, Section 17 of the Constitution of the State of Indiana).

### **(2) Bill**

A bill must be used to enact a law (Article 4, Section 1 of the Constitution of the State of Indiana). A bill that passes both houses in identical form must be presented to the governor for approval (Article 5, Section 14 of the Constitution of the State of Indiana).

### **(3) Joint Resolutions**

A joint resolution, which must be adopted by both houses to be effective, is used to:

- (a) amend the Constitution of the State of Indiana under Article 16;
- (b) ratify a proposed amendment to the United States Constitution;
- (c) apply to the Congress of the United States to call a constitutional convention to consider an amendment to the United States Constitution under Article V of the United States Constitution; or
- (d) remove state officers under Article 6, Section 7 of the Constitution of the State of Indiana.

Joint resolutions are not required to be presented to the governor.

### **(4) Concurrent Resolutions**

A concurrent resolution, which must be adopted by both houses to be effective, does not have the effect of law and is used to express the sentiment of the general assembly. Concurrent resolutions are not presented to the governor.

### **(5) Simple Resolutions**

A simple resolution, which needs to be adopted by only one house to be effective, does not have the effect of law and is used to express the sentiment of that house. A simple resolution may also be used to deal with

the internal affairs of the house in which it is introduced. Simple resolutions are not presented to the governor.

## Chapter 2. Drafting Rules

### A. INTRODUCTION

The essentials of good bill drafting are accuracy, brevity, clarity, and simplicity. The purpose and effect of a legislative measure should be evident from its language. Choose words that are plain and commonly understood (Article 4, Section 20 of the Constitution of the State of Indiana).

### B. STATUTORY AND CONSTITUTIONAL CONSIDERATIONS:

When drafting legislation, a drafter should consider constitutional (both federal and state) restrictions on legislative measures. In addition, the drafter should be aware of statutory rules for drafting and construction of statutes.

The following is a list of commonly referred to provisions:

#### INDIANA CONSTITUTIONAL PROVISIONS:

ARTICLE 1	BILL OF RIGHTS
Art. 1, Sec. 24	Prohibition against ex post facto laws and laws impairing the obligation of contracts
Art. 1, Sec. 25	Taking effect of laws may not be contingent on any other authority, other than that set out in the Constitution
ARTICLE 2	SUFFRAGE AND ELECTION
Art. 2, Sec. 9	Prohibition against dual office holding
ARTICLE 3	SEPARATION OF POWERS
Art. 3, Sec. 1	Separation of powers
ARTICLE 4	LEGISLATIVE
Art. 4, Sec. 1	Enacting clause
Art. 4, Sec. 17	Revenue raising statutes must originate in House Bills
Art. 4, Sec. 19	One subject matter requirement
Art. 4, Sec. 20	Laws to be plainly worded
Art. 4, Sec. 22	Special legislation prohibited
Art. 4, Sec. 23	Laws to be general and of uniform operation throughout state
Art. 4, Sec. 24	Special relief legislation
Art. 4, Sec. 28	No act to take effect until published and circulated, except in emergency; emergency clause required
Art. 4, Sec. 30	Eligibility of Legislators for other offices
ARTICLE 5	EXECUTIVE
Art. 5, Sec.14	Passage of bills; action by Governor; veto power; General Assembly required to reconsider and vote on vetoed bills
ARTICLE 8	EDUCATION
Art. 8, Sec. 2	Fines assessed for breaches of state penal laws to be deposited in common school fund
Art. 8, Sec. 3	Principal of common school fund may not be diminished

Art. 8, Sec. 7	State trust funds may not be used for purposes other than that for which established.
ARTICLE 10	FINANCE
Art. 10, Sec. 1	Uniform and equal rate of property assessment and taxation
Art. 10, Sec. 5	Incurring state debt prohibited, except in certain situations
Art. 10, Sec. 8	Authority to levy income tax
ARTICLE 11	CORPORATIONS
Art. 11, Sec. 12	Loaning credit of state prohibited
ARTICLE 13	INDEBTEDNESS
Art. 13, Sec. 1	Debt Limitation
ARTICLE 15	MISCELLANEOUS
Art. 15, Sec. 2	Maximum term of office four years for office created by General Assembly

#### INDIANA CODE PROVISIONS:

IC 1	GENERAL PROVISIONS
IC 1-1-1	Implementary Provisions for the Indiana Code
IC 1-1-1-5(f)	Headings of titles, articles, and chapters not part of law
IC 1-1-1-8	General severability provision
IC 1-1-2	Laws Governing the State
IC 1-1-3	Proclamation Date; Effective Dates of Session Laws
IC 1-1-3-3	Effective dates generally
IC 1-1-3.1	Effectiveness of Acts Passed Over the Governor's Veto
IC 1-1-3.5	Political Subdivisions Classified by Population; Effective Date of Decennial Census ( See: discussion concerning the use of <b>Population Parameters</b> , Page 36).
IC 1-1-4	Construction of Statutes
IC 1-1-4-1	Statutes to be given their plain meaning. Singular includes the plural. Masculine gender includes females.
IC 1-1-4-5	Definitions that apply to the construction of all Indiana statutes
IC 1-1-5	Effect of Repeal; Reservation of Legislative Authority
IC 1-1-7	Interpretation of Registered Mail as Certified Mail
IC 4	STATE OFFICES AND ADMINISTRATION
IC 4-1-1	Fiscal Year
IC 4-1-8	State Requests for Social Security Numbers

IC 4-13-2	Financial Reorganization Act of 1947
IC 4-13-2-19	Reversion of funds at end of state fiscal year
IC 34-28-5-4	Infractions defined
IC 35-50	Criminal Sentencing Structure
IC 36-1	Home Rule for Local Government Units

## C. RULES

### (1) Sentence Structure

Use short, simple sentences. Avoid excessive use of dependent clauses, parallel clauses, compound sentences, and other complex sentence structures.

### (2) Subject of Sentence

Unless it is clear from the context, use as the subject of each sentence the person or entity to whom a power, right, or privilege is granted or upon whom a duty, obligation, or prohibition is imposed.

### (3) Tense

Use the present tense. However, when it is necessary to express a time relationship (such as when there is a condition precedent to the operation of the law), state the facts that are concurrent with the operation of the law as present facts and the facts precedent to its operation as past facts.

**Example:** If a person has finished the training, the person may . . .

When the future tense is appropriate, use "will".

**Example:** If the director determines that the computer system will cause problems, the director shall . . .

### (4) Mood

Use the indicative mood.

#### **Don't say:**

The report shall include . . .

A person shall be entitled . . .

#### **Say:**

The report must include . . .

A person is entitled . . .

### (5) Voice

Use the active voice whenever possible.

In rare instances the passive voice may be used, such as when the subject of the sentence is the focus of some action to be implicitly taken by another person who is not mentioned in the sentence.

**Example:** A person who commits a Class D felony shall be imprisoned.

**(6) Number: Singular vs. Plural**

Use the singular instead of the plural, since singular words apply to several persons or things as well as to one person or thing.

**(7) Gender**

To the extent possible, avoid words importing gender.

**(8) Consistency**

Be consistent in the use of language throughout the legislative measure. Do not use the same word or phrase to convey different meanings. Do not use different language to convey the same meaning.

Be consistent in the arrangement of comparable provisions. Arrange sections containing similar material in the same way.

**(9) Brevity**

Omit unnecessary words.

If a word has the same meaning as a phrase, use the word.

Use the shortest sentence that conveys the intended meaning.

**(10) Commanding, Authorizing, Forbidding, and Negating**

To create a right, say "is entitled to".

To create discretionary authority, say "may".

To create a duty, say "shall".

To create a condition precedent, say "must".

To negate a right, say "is not entitled to".

To negate discretionary authority, say "may not".

To negate a duty or a mere condition precedent, say "is not required to".

To create a duty not to act, say "shall not".

[From: Dickerson, F.R., Legal Drafting, West Publishing Company (1981), p.182]

Avoid false imperatives. Avoid using hortatory qualifiers such as "will", "should", and "ought" in the text of a legislative measure.

### **(11) And; Or; And/Or**

"And" usually stands for the conjunctive, connective, or additive; "or" for the disjunctive or alternative. An ambiguity occurs where it is not clear whether the inclusive "or" (A or B, or both) or the exclusive "or" (A or B, but not both) is intended. It is also not always clear whether the several "and" (A and B, jointly or severally) or the joint "and" (A and B, jointly but not severally) is intended. To avoid this ambiguity, say the following as appropriate:

- (a) "A or B" where the exclusive is intended.
- (b) "A or B, or both" where the inclusive is intended or where jointly or severally is intended.
- (c) "A and B" where the conjunctive, connective, or additive is intended.

Never use the term "and/or".

### **(12) Such; Said**

Use the articles "a", "an", and "the" instead of the words "such" or "said". It is appropriate to use "such" to express an example.

**Example:     The commission may take steps to provide compliance, such as ordering the applicant to submit a verified statement.**

Also, do not use "any", "each", "every", "all", or "some" if "a", "an", or "the" can be used with the same result.

### **(13) Which; That**

Use "which" and a comma to introduce a nonrestrictive clause. A nonrestrictive clause is a clause that is not needed to clarify the meaning of the word that it modifies.

**Example:     The application, which need not be verified, must be signed by the applicant.**

Use "that" to introduce a restrictive clause modifying the nearest antecedent. A restrictive clause is a clause that is needed to make clear the meaning of the word that it modifies.

**Example:     An application to renew a license that has been revoked must be signed by the applicant.**

### **(14) Limitations, Exceptions, and Conditions**

Limitations or exceptions to the coverage of the legislative measure or conditions placed on its application should be described in the first part of the legislative measure--i.e. at the beginning of the title, article, chapter, section, or noncode provision [see **Bills**, Page 22]. If they are numerous, notice of their existence should be given in the first part of the legislative measure, and they should be stated separately later in the legislative measure.

If a provision is limited in its application or is subject to an exception or condition, it generally promotes clarity to begin the provision with a statement of the limitation, exception, or condition or with a notice of its existence. Avoid using "notwithstanding" to express a limitation of a general provision of the same legislative measure.

**Say:**

**Sec. 1. (a) Except as provided in subsection (b), . . .**

**Don't say:**

**(b) Notwithstanding subsection (a), . . .**

"If", "when", and "whenever" are expressions of limitation or condition. If the condition is limited by a single occurrence that may never occur, use "if" to introduce the condition.

**Example: If the mayor resigns from office, the deputy mayor assumes the duties of the office.**

If the condition will occur more than once, introduce the condition with "whenever".

**Example: Whenever the operator answers a call, the operator shall . . .**

If the condition is certain to occur, use "when".

**Example: When the statute takes effect, the governor shall . . .**

Do not use "provided that", "provided however that", or similar proviso language. Use "but" instead of "except that".

**(15) Designation of Sections, Subsections, Subdivisions, Clauses, and Items**

Use short sections. Use a separate section for each separate topic.

For paragraph divisions of a section (called subsections), use "(a)", "(b)", "(c)", etc. All paragraphs, whether in new or existing provisions, must be designated. When drafting a new section or when adding new subsections to an existing section, do not create more than eight subsections, because if there are that many ideas, they are probably best expressed in separate sections and because the ninth subsection "(i)" is easily confused with the division known as "item (i)".

Do not use divisions below items, because a separate sentence should probably be used in that case.

1: When designating divisions in a section that has subsections, use the following style (in the left hand margin is a description of the different levels of tabulation shown):

Subsection)))))))))

Sec. 1. (a) .....

Subdivision)))))))))

(1) .....

(2) .....

Clause)))))))))

(A) .....; and (or)

(B) .....

Item)))))))))

(i) .....; and (or)

(ii) ..... ; and (or)

Subdivision)))))))))

(3) .....

Subsection)))))))))

(b) .....

2: When designating divisions in a section that has no subsections, use the following style:

Sec. 1. ....:

Subdivision)))))))))

(1) .....;

(2) .....; and (or)

(3) .....

Clause)))))))))

(A) .....; and (or)

(B) .....

**(16) Redesignation**

Within a section, renumber or reletter an already designated provision of that section only if:

(a) there is little probability that an Indiana Code designation is relied on by users of the Code; and

(b) a computer search has been conducted using FOLIO (software that is capable of searching statutes for certain words, phrases, and numerals) to locate sections containing internal references to the Code provisions to be redesignated.

**(17) Tabulation**

**Introduction**

The purpose of tabulation is to break down the elements of a sentence into readily identifiable components as an aid to understanding. Break a sentence into its parts and present them in tabular form only if this makes the meaning substantially clearer. There are two basic types of tabulation, listing and sentence. It is important to remember, however, that no matter which style is used, the introductory language preceding the tabulated material must apply to all of the elements because those elements are a part of the whole thought.

Often it is possible to use either style of tabulation. Use the style that works best within the context.

Avoid beginning a new sentence after a tabulation. If the sentence is not a part of the tabulated series, it is better practice to draft it as a separate subsection or section.

## Listing Style

The first style of tabulation is known as a listing. As the name implies, each element is listed after the introductory clause and begins with a capital letter and ends with a period. When a listing is used, the introductory language must include the words "as follows" or "the following".

**Example: Sec. 1. The application must include the following information:**

- (1) The applicant's name.**
- (2) The name of the sponsoring agency.**
- (3) The name of the city in which the event is to take place.**

Each listed element can have subelements, but each element must end with a period even if it has subelements.

## Sentence Style

The second style of tabulation is known as sentence style. This style is best envisioned by thinking of a sentence with a series of elements where each element is given a line of its own, where each element has some type of designation before it, and where the commas are replaced with semicolons. Use the following sentence for an example: "To be entitled to vote, a person must be a resident of Indiana, at least eighteen (18) years of age, and registered with the county election board.". When this sentence is tabulated as follows, it is easier for the reader to quickly identify the three qualifying elements:

**Sec. 1. To be entitled to vote, a person must be:**

- (1) a resident of Indiana;**
- (2) at least eighteen (18) years of age; and**
- (3) registered with the county election board.**

Note that the conjunction always follows the next to last element in the tabulation, and that the only permissible conjunctions are "and" or "or". The conjunction, however, applies to each element in the tabulation and not just to the last two elements.

This style of tabulation can be expanded with each of the elements having subelements.

## Listings Without Numbering or Lettering

The numbering or lettering of a listing of elements when using listing style is not required when:

- (a) the elements may be listed in order (such as alphabetical order, numerical order, or Indiana Code cite order);
- (b) it is likely that the listing will be frequently modified; and
- (c) there is no need to cite to a particular element within the listing.

**Example: Sec. 2. The following drugs are controlled substances:**

**Acetylmethadol  
Allylprodine  
Alphacetylmethadol.**

**Example: Sec. 1. The following agencies are not abolished:**

**Department of administration (IC 4-13-1-2 )**

**Legislative council (IC 2-5-1.1-1)  
Regional planning commissions (IC 36-7-7).**

**Formulas**

A variation of the listing style of tabulation is the style of tabulation used when writing formulas. The style is the same as the listing style except that the word "STEP" followed by the appropriate numeral written out in capital letters is substituted as the first division. This style is most frequently used for tax, school finance, and mathematical computations.

**Example:**     **Sec. 2. The amount of credit a taxpayer is entitled to under this chapter is determined in STEP FIVE of the following formula:**  
**STEP ONE: Add:**  
          **(A) the costs paid by the taxpayer for the qualified energy system; and**  
          **(B) the cost paid for its installation and materials used in its installation.**  
**STEP TWO: Subtract five hundred dollars (\$500) from the sum determined under STEP ONE.**  
**STEP THREE: Multiply the remainder determined under STEP TWO by two (2).**  
**STEP FOUR: Divide the product determined under STEP THREE by three (3).**  
**STEP FIVE: Determine the lesser of the following:**  
          **(A) The quotient determined under STEP FOUR.**  
          **(B) One thousand dollars (\$1,000).**

**(18) Capitalization**

As a general rule, capitalization should be used sparingly.

**Do capitalize the following:**

- (a) The first word in a sentence and the first word in tabulated items in the listing style.
- (b) Geographic names.

**Examples:**     Ohio River; Marion County; Hoosier National Forest

- (c) Months and days of the week.
- (d) Names of streets, roads, parks, and buildings.

**Examples:**     the White House; U.S. Route 50; Garfield Park

- (e) Names of nationalities and languages.

**Examples:**     Spanish-speaking people; English language

- (f) Political parties and religious denominations.

**Examples:**     the Democratic party; the Republican party; the Methodist church (but, First Methodist Church)

- (g) Official titles of organizations and institutions.

**Examples:** Associated Press; Indiana University; Indiana State Medical Association

(h) Federal and international entities. Always use the correct name of an entity, and do not use acronyms as abbreviations.

**Examples:** United States Department of the Interior; United States House of Representatives; United States Senate; Federal Bureau of Investigation; World Bank; United Nations

(i) Titles of specific acts, federal laws, and other official documents.

**Examples:** Equal Rights Amendment; Internal Revenue Code; Social Security Act; the Constitution of the United States; the Constitution of the State of Indiana; Rules of Trial Procedure

(j) References to the "Indiana Code".

(k) Titles of honor and respect, when preceding the name.

**Examples:** Governor Frank O'Bannon; State Senator Robert D. Garton; State Representative John Gregg; Senator Richard Lugar (but, senator of Indiana); Queen Elizabeth (but, queen of England)

(l) Holidays, religious days, and historic events.

**Examples:** Fourth of July; Thanksgiving Day; Passover

(m) Titles of books, magazines, newspapers, and periodicals.

**Examples:** the Indianapolis Star; the Indiana Register

(n) The first word after each "Whereas" in a resolution.

**Example:** Whereas, The protection and welfare of the children of Indiana is of primary concern . . .

(o) "Class" when referring to a criminal penalty or a type of infraction, such as a "Class B felony".

(p) The second word of hyphenated titles, such as "Community-Board".

(q) The first letter of all significant words in an Indiana Code chapter heading.

**Example:** **Chapter 2. Prohibitions in the Sale and Use of Certain Detergents**

(r) Every letter in an Indiana Code title or article heading.

**Example:** **ARTICLE 4. AIR AND WATER POLLUTION CONTROL**

**Do not capitalize the following:**

(a) Words such as "city", "county", "state", etc., when alone or with the word "of" preceding a specific name.

**Examples:** city of Indianapolis; second class city; the county (but, Lake County)

(b) Directional parts of states and counties (except in surveyors' reports and other such documents).

**Examples:** northern Indiana; central Tippecanoe County; midwestern states

(c) General designations of buildings.

**Examples:** library in Fort Wayne (but, the Fort Wayne Library); the county courthouse; the Indianapolis post offices

(d) The words "government" or "federal" (except when "federal" is a part of the name of the agency or statute). However, use "United States" instead of "federal" when referring to a specific entity that does not have "federal" in the name. Always use the correct name of an agency.

**Examples:** United States government; federal agencies (but, Federal Bureau of Investigation); United States Department of Health and Human Services; United States Social Security Administration

(e) Names of legislative, judiciary, and administrative bodies and government departments, unless the name refers to a federal body, department, etc.

**Examples:** Indiana general assembly; Indiana senate; department of state revenue; Congress of the United States; Supreme Court of the United States

(f) Official titles of state, county, or municipal officers, agencies, commissions, committees, or funds.

**Examples:** clerk of the circuit court; board of county commissioners; public employees' retirement fund; commission on the aging and aged; legislative services agency; state general fund

(g) Substitutes for official titles when used without a proper name.

**Examples:** the governor; the commissioner; the speaker of the house

(h) References to laws on a particular subject.

**Examples:** motor vehicle laws; federal election laws; federal tax laws (but, Internal Revenue Code)

(i) Names of seasons of the year.

**Examples:** spring; summer session

## **(19) Commas**

If a sentence consists of two independent clauses, each with subject and predicate, use a comma before the conjunction.

**Example:** **The commission shall submit a report, and the governor shall review the report.**

If a sentence has a compound predicate, a comma is unnecessary unless required for clarity.

**Example:**        **The treasurer shall file the report before June 30 and shall submit copies of the report to each member of the commission.**

A comma is used to set off a nonrestrictive adjective clause.

**Example:**        **The director, who may not have other employment, is entitled to receive a salary.**

A comma is not used to set off a restrictive clause.

**Example:**        **The registrar shall assign a student identification number to each student who enters Purdue University.**

Enclose a parenthetical phrase or clause with two commas.

**Example:**        **The treasurer shall, before June 30 of each fiscal year, submit copies of the report to each member of the commission.**

Words, phrases, or clauses in a series are separated by commas, including a comma before the conjunction connecting the last two members of a series.

**Example:**        **The report shall be filed with the auditor of state, the treasurer of state, and the state board of tax commissioners. The report must contain all debits, credits, and profits of the corporation.**

Adverbial phrases, introductory participial phrases, and introductory, long subordinate clauses should be set off by commas.

**Examples:**        **Because of the need for a more effective welfare program, the chairman ordered an extensive study of the present program. Until further notice is given, the present rules remain in effect.**

## **(20) Parentheses**

Avoid parentheses except when they are more reliable than commas in setting off a phrase where there is possible uncertainty as to how the ideas that follow the phrase are linked to the ideas that precede it.

**Example:**        When it is necessary to order individuals to active duty (other than for training) without their consent, . . . [See Dickerson, F. Reed, Legislative Drafting, West Publishing Company (1981), p.71]

Parentheses may also be used if necessary to make clear a reference to another statutory provision by indicating the nature of the referenced provision.

**Example:**        IC 35-42-3-2 (kidnapping)

Parentheses should be used to set off an internal reference to the citation where a term is defined.

**Example:**        **"System" means:  
                  (1) a computer (as defined in IC 36-8-15-4);**

- (2) a communications system (as defined in IC 36-8-15-3(1)); or
- (3) mobile or remote equipment that is coordinated by or linked with a computer or communications system.

### (21) Brackets

Do not use brackets as punctuation.

### (22) Apostrophes

The possessive case of a singular or plural noun not ending in "s" is formed by adding an apostrophe and "s".

**Examples:** attorney's fees; children's hospital; man's; women's; worker's compensation

Although the possessive case of a singular noun ending in "s" or with an "s" sound is formed by adding an apostrophe and "s", this situation should be avoided by redrafting the language.

**Example:** tires of the bus (NOT bus's tires)

The possessive case of a plural noun ending in "s" or with an "s" sound is formed by adding an apostrophe.

**Example:** public employees' retirement fund

An apostrophe should not be used after the names of countries and other organized bodies ending in "s" or after words more descriptive than possessive.

**Example:** department of veterans affairs; prosecuting attorneys council

In compound nouns, the "'s" or "s'" is added to the element nearest the object possessed.

**Examples:** attorney general's appointments; secretary of state's agenda; soldiers and sailors' home

### (23) Semicolons

Generally, only use semicolons in the sentence style of tabulation.

**Example:** A school corporation may grant a teacher, on written request, a sabbatical for improvement of professional skills through:  
(1) advanced study;  
(2) work experience;  
(3) teacher exchange programs; or  
(4) approved educational travel.

### (24) Colons

Use a colon to introduce a series.

**Example:** THE FOLLOWING ARE REPEALED: IC 17; IC 18; IC 19.

Use a colon to introduce a long quotation.

**(25) Quotation Marks**

Quotation marks should be used only to enclose defined words or phrases. Commas, periods, and question marks should be placed outside the quotation marks unless the punctuation is included as part of the quoted material. Commas are also placed outside quotation marks when in the middle of a sentence.

**Examples:**            **As used in this section, "ad valorem tax" means . . .  
"Revenue bonds", as used in this subsection, refers to bonds issued under  
IC 36-9-31-10.**

**(26) Hyphens**

Avoid hyphens, because many words that once were hyphenated are now written as one word or as two words without a hyphen. It is easier to perform computer searches if hyphens are not used.

**Examples:**            statewide attorney general reelect lieutenant governor bipartisan vice president  
cooperate

**(27) Expression of Numbers**

**Introduction**

Integers, dollar amounts, percentages, and fractions (except dates, times, and numbers within the text of a bill digest or a resolution) should be expressed in words followed by figures in parentheses. Style policy is less restrictive for the digest and resolutions, and journalistic style normally should be followed.

**Style for Numbers Expressed in Words**

**Examples:**            twenty-four (24)  
one hundred ten (110)  
eight hundred ninety-eight (898)  
one thousand six hundred fifty (1,650)  
eighty-four thousand (84,000)

Numbers may be expressed in figures if length would prohibit expressing them in both words and figures, especially in tables.

**Examples:**            County government share ..... \$15  
State government share ..... 34

**Fractions**

Percentages are preferred to fractions whenever practicable.

<b>Don't say:</b>	<b>Say:</b>
one-half (1/2)	fifty percent (50%)
three-fourths (3/4)	seventy-five percent (75%)

Compound fractions should be expressed as follows:

**Examples:**

three and one-half (3 1/2)  
four and three-eighths (4 3/8)

**Percentages**

Decimals are preferred whenever practicable.

**Examples:**

one-tenth of one percent (0.1%)  
sixty-two and one-half percent (62.5%)

**Ordinals**

Express ordinals in words only.

**Examples:**

first (NOT 1st); twenty-second (NOT 22nd)

**Use of "One"**

When "one" is used as a pronoun, it should not be followed by a numeral in parentheses.

**Example:**

**He was the only one to attend the meeting.**

However, when "one" is used as a number, it should be followed by a numeral in parentheses.

**Example:**

**The precinct shall nominate one (1) delegate.**

**Dates**

When a date includes month, day, and year, the year is set off by commas, but when the date includes only the month and year, no comma is used.

**Examples:**

June 30	October 30, 1978
June 1984	April, May, and June 1985

**Time**

Generally, time should be expressed in figures. Avoid using terms such as "local time" and "prevailing local time", and avoid referring to time zones, since IC 1-1-8.1 and federal law define official time. It is not necessary to use "midnight" as the expiration time for a term or license since these will automatically expire at midnight unless some other time is indicated.

**Examples:**

6 a.m.; 4:30 p.m.; midnight (NOT 12:00 midnight); noon (NOT 12:00 noon)

**Temperatures**

**Examples:**

one hundred sixty (160) degrees Fahrenheit  
ninety (90) degrees Celsius

## Money

Monetary amounts should be expressed as written words followed by a dollar sign and figures in parentheses. Dollar amounts that are whole do not need decimal points and zeroes.

**Examples:** one dollar (\$1)  
ninety-seven dollars (\$97)  
two hundred dollars (\$200)  
three thousand five hundred dollars (\$3,500)

When using dollars and cents, use the word "and" and decimal points to separate dollars and cents.

**Examples:** eighty-five cents (\$0.85)  
five hundred twenty-five dollars and fifty cents (\$525.50)  
six hundred seventy-five thousand nine hundred eighty-two dollars and eleven cents (\$675,982.11)

## Formulas

Use the STEP method rather than numerators and denominators [see **Formulas**, Page 14].

## Age

Use "at least", "less than", and "years of age" when referring to age.

**Example:** An applicant must be at least fifteen (15) years of age but less than eighteen (18) years of age.

**Example:** A person who is at least sixty-five (65) years of age is entitled to a pension.

## Fiscal Year

When referring to the state fiscal year, use "beginning July 1" and "ending June 30" (See IC 4-1-1-1).

**Example:** The appropriation covers the state fiscal year beginning July 1, 2000, and ending June 30, 2001.

## (28) Indiana; State

Do not use "the state of Indiana".

Use "Indiana" when referring to the geographic entity.

**Example:** resident of Indiana

Use "state" when referring to the political entity.

**Example:** departments of state government; real property owned by the state

## Chapter 3. Bills

### A. PRINCIPAL COMPONENTS OF BILL

#### (1) Introduction

The principal components of a bill are the following:

**Digest**

**Title**

**Enacting Clause**

**Body**

The body of a bill may contain amendments and additions to the Indiana Code, repealers of Indiana Code provisions and noncode provisions, and noncode provisions.

#### (2) Order of Provisions in New Chapter or Article

The following is suggested as the order of provisions in a bill that adds a new chapter or article:

##### **Code Provisions**

- (a) Applicability (including scope, exceptions, and exclusions)
- (b) Definitions
- (c) Creation of entity
- (d) Administrative and procedural provisions
- (e) Substance (state requirements in order of time, importance, or other logical sequence)
- (f) Prohibitions and penalties

##### **Noncode Provisions**

- (g) Repeals
- (h) Transitional provisions
- (i) Legalizing provisions
- (j) Savings provisions
- (k) Severability provisions
- (l) Appropriations

### B. BILL DIGEST

#### (1) Introduction

The rules of each house require that each bill contain a brief digest stating the nature of the proposed legislation. The purpose of the digest is to tell the casual reader in laymen's terms what the bill does, avoiding legal jargon and technical terminology. Follow these general rules when preparing a digest:

(a) The first part of a digest should list the Indiana Code citations affected. If the bill also amends noncode provisions, list those provisions after the Code citations. If the bill only adds noncode provisions, write "None (noncode).".

(b) The second part of a digest is the synopsis. The synopsis is a brief summary of the contents of the bill. The synopsis should be as short as possible. The digest is intended to be a general summary of the bill and not a point by point outline.

(c) The first sentence in the synopsis should summarize the entire bill in a topic sentence of five to eight words. The other sentences in the synopsis for a bill amending the Code should begin with a verb followed by a brief explanation of the proposed change. If, however, so many changes are being made that a complete listing would be impractical, the following language may be used:

**Example:** "Makes numerous other changes in the law of ...".

(d) The digest of each bill containing an appropriation should state the appropriated amount in the synopsis.

(e) The digest of each bill containing a repealer should provide a description of the repealed provision in the synopsis.

(f) At the end of the synopsis, there may be inserted a statement that the bill was prepared at the request of a particular committee or commission, if:

(A) the bill was prepared under the direction of an interim study committee established by the Legislative Council or by a commission established by the general assembly with legislative members; and

(B) the committee or commission agrees to insert such a statement.

The statement must be in the following form:

(The introduced version of this bill was prepared by the \_\_\_\_\_.)

This statement may not be inserted in the bill synopsis if the author makes any unauthorized substantive changes in the bill for introduction after committee or commission action.

If a bill contains text that corrects a conflict between two bills enacted during the previous session of the general assembly, the digest should contain the following statement at the end of the synopsis:

Reconciles conflicts between statutes enacted by the [year] general assembly (shown in italicized type).

(g) The third part of each digest is a statement of the bill's effective date. Each effective date in the bill must be mentioned, even the uniform effective date (IC 1-1-3-3) of July 1.

## (2) Form of a Digest

### Example:

DIGEST

**Citations Affected:** IC 1-1-1; IC 5-10-6-2.

**Synopsis:** State holidays. Requires the governor to establish five new holidays for state employees. Repeals provision prohibiting state employees from being paid for unused sick leave.

**Effective:** July 1, 20\_\_; January 1, 20\_\_.

### Example:

DIGEST

**Citations Affected:** None (noncode).

**Synopsis:** Indiana statehood commission. Establishes the commission on the bicentennial of Indiana statehood.

**Effective:** July 1, 20\_\_.

### Example:

DIGEST

**Citations Affected:** P.L.365-1995, SECTION 1.

**Synopsis:** Extends the agent orange birth defects study. Appropriates \$500,000 to the agent orange fund from the state general fund.

**Effective:** December 1, 20\_\_.

## C. BILL TITLE

### (1) Introduction

The rules of each house require each bill to contain a title that expresses the subject matter of the bill in concise terms in order to acquaint the reader with the general subject matter under consideration. The title should not state what the bill does but should provide a short, general statement of the subject matter of the bill. Usually, the title should be worded the same as the title of the Indiana Code being amended. The following form should be followed for bills that amend the Indiana Code by amending a provision or adding a provision:

**Example:** A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

### (2) Emergency

If an emergency is declared, it is not necessary to state that fact in the title. Article 4, Section 28 of the Constitution of the State of Indiana provides that the emergency must be declared either in the preamble

or in the body of the law to be effective.

**(3) Appropriations**

If the bill makes an appropriation, include that fact in the title. Say:

A BILL FOR AN ACT to . . . and to make an appropriation.

**(4) Repeal of Code Provisions**

A repealer is not mentioned in the title, except when the sole purpose of a bill is to repeal existing legislation (i.e., the bill does not contain any new Indiana Code provisions and does not contain amendatory provisions). In that case the title of the bill is prepared by reciting the fact of the repeal and setting forth what is repealed.

**Examples:** A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning . . .

or

A BILL FOR AN ACT to repeal certain provisions of the Indiana Code concerning . . .

**(5) Noncode Bill**

The title of a noncode bill, which is a bill that contains only noncode provisions, should appear as follows:

A BILL FOR AN ACT concerning . . .

If the bill amends only an existing noncode act, use one of the following [see **Session Law Citations**, Page 2]:

A BILL FOR AN ACT to amend Acts \_\_\_\_, c. \_\_\_\_, s. \_\_\_\_, concerning . . .

A BILL FOR AN ACT to amend Acts \_\_\_\_, P.L. \_\_\_\_, SECTION \_\_\_\_, concerning . . .

A BILL FOR AN ACT to amend P.L. \_\_-19\_\_, SECTION \_\_\_\_, concerning . . .

**D. BILL PREAMBLE** [see also **Purpose Provisions**, Page 32.]

A preamble is used only in the rare instance when it is desirable to express the reasons for legislation, the purpose of legislation, or findings related to legislation on the face of the bill itself. This material takes the form of "Whereas" clauses that are placed at the beginning of the bill following the title and before the enacting clause. Since a preamble appears before the enacting clause, the preamble is not printed as a part of the law in the Indiana Code but does appear in the session laws. Thus, a preamble is similar to a concurrent resolution; that is, it is a statement that does not have the effect of law but reflects the sentiment of the general assembly at the time that it is passed.

**Example:** *Whereas, . . . . .;*  
*Whereas, . . . . .;*  
*Whereas, . . . . .; and*

Whereas, . . . . .: Therefore,

**E. BILL ENACTING CLAUSE**

Each bill must contain the following standard enacting clause required by Article 4, Section 1 of the Constitution of the State of Indiana:

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

**F. INTRODUCTORY CLAUSE (LEAD-IN LINE)**

**(1) Introduction**

The body of a bill is divided into segments known as "SECTIONS". If a SECTION of a bill affects the Indiana Code, the SECTION must begin with an introductory clause (also referred to as a lead-in line), which identifies by Indiana Code citation the part of the law being altered. This is followed by the content of the proposed law. Only one section of an existing law may be amended in a single SECTION of an amendatory bill. However, if a new title, article, or chapter is being added, the entire title, article, or chapter should be put into one SECTION. The following general rules apply to all introductory clauses:

- (a) The entire lead-in line is in capital letters.
- (b) An introductory clause to a section of the Indiana Code must include both the Indiana Code citation for that section and the designation of the last act, published after the last official edition of the Code, that amended that particular section, if any.
- (c) The introductory clause must indicate when the affected SECTION is effective [see **EFFECTIVE DATES**, Pages 47-49].

**(2) Amendments to the Code**

To amend a section that has not been amended or added since the publication of the 1998 Edition of the Indiana Code, say:

SECTION \_\_. IC 1-2-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]:

To amend a section that has been added or amended in the 1999 Regular Session or since, show only the addition (or the latest amendment to the section) as follows:

SECTION \_\_. IC 1-2-3-4, AS ADDED (AMENDED) BY P.L. \_\_-19\_\_, SECTION \_\_, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]:

[See **ALTERING PROVISIONS ADDED OR AMENDED EARLIER IN THE SAME SESSION**, Page 69, for a discussion of introductory clauses for a section previously added or amended during a legislative session.]

**(3) Additions to the Code**

For each new section, new chapter, new article, or new title added to the Indiana Code, an introductory clause is needed as follows:

To add a **new section** to a chapter, say:

SECTION \_\_. IC 1-2-3-4 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]:

To add a **new chapter** to an article, say:

SECTION \_\_. IC 5-6-7 IS ADDED TO THE INDIANA CODE AS A **NEW CHAPTER** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]:

To add a **new article** to a title, say:

SECTION \_\_. IC 8-9 IS ADDED TO THE INDIANA CODE AS A **NEW ARTICLE** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]:

To add a **new title** to the Code, say:

SECTION \_\_. IC 37 IS ADDED TO THE INDIANA CODE AS A **NEW TITLE** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]:

#### **(4) Repealers**

A repealer does not have a separate introductory clause as does legislation amending existing law or adding new provisions. The repealer itself indicates the law to be repealed and there is no need to set forth the text. [See **REPEALERS**, Pages 41-42.]

#### **(5) Noncode Provisions**

##### **Additions**

If a noncode provision is being added, an introductory clause is not required because the provision does not amend the Indiana Code.

##### **Amendments**

Before amending a noncode provision, the drafter should check the Session Law Disposition Table in Volume 13 of the 1998 Edition of the Indiana Code and the Session Law Disposition Table in the latest Supplement to the Indiana Code to make sure that the noncode provision has not been amended.

If a noncode provision is being amended, one of the following introductory clauses is required to properly identify the noncode provision. The P.L. referred to in the introductory clause should be a reference to the latest P.L. amending the noncode provision.

(a) For noncode provisions in acts enacted beginning with the 1982 Special Session:

SECTION \_\_. P.L.\_\_-19\_\_, SECTION \_\_, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]:

(b) For noncode provisions in acts enacted beginning with the 1971 Session and through the 1982 Regular Session:

SECTION \_\_. ACTS \_\_, P.L.\_\_, SECTION \_\_, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]:

(c) For noncode provisions in acts enacted before 1971:

SECTION \_\_. ACTS \_\_, C.\_\_, S.\_\_, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]:

## **G. CODE PROVISIONS GENERALLY**

### **(1) Numbering System**

#### **Sections**

The first section to be added to a chapter is numbered "1" and the remaining sections are numbered consecutively. The only exceptions to this numbering scheme are found in the following:

- (a) The Uniform Commercial Code (IC 26-1).
- (b) The Uniform Consumer Credit Code (IC 24-4.5).
- (c) The local planning and zoning law (IC 36-7-4).
- (d) The fuel tax laws (IC 6-6).

A decimal citation should be used only if it is clearly the best placement for understanding.

#### **Chapters and Articles**

As with sections, articles and chapters are to be numbered consecutively, starting with "1". Since the introduction of the Indiana Code, decimal numbers for various articles and chapters have been used; however, a placement that would result in a new chapter or article having a decimal Code citation should be used only if it is clearly the best placement for understanding.

#### **Numbering of Definitions**

(See **Definitions**, Pages 33-35.)

#### **Use of Repealed Sections, Chapters, Articles, and Titles**

To avoid confusing references after a section, chapter, article, or title has been repealed, do not place new text at that Indiana Code location.

### **(2) Headings**

#### **Titles, Articles, Chapters**

Title, article, and chapter headings are inserted by legislation. The heading should be as broad as possible without being misleading. Once a title, article, or chapter heading has been adopted, however, it cannot be changed by legislation. When it appears that a title, article, or chapter heading change is needed, contact the Office of Code Revision, because IC 1-1-1-5(f) provides that title, article, and chapter headings are not a part of the law and may be changed by the lawful compilers to more accurately reflect the text.

## Sections

Section headings, which do become a part of the law, are not to be used in bills, even when a new section is being added to a chapter that has sections with existing headings. Furthermore, when an existing section that contains a heading is amended, the heading should be stricken, even in uniform laws.

[Note: The headings in IC 36-7-4, the local planning and zoning law, are not section headings but relate to applicability. They should be stricken only when a change in applicability is desired. See IC 36-7-4-101, IC 36-7-4-102, and IC 36-7-4-103.]

### (3) Printing Style

#### Amending a Section

When an existing section of the Indiana Code is amended, the latest version of text is set forth in regular roman type (roman type). Material to be deleted is stricken through (~~strike~~), and material to be added is set in bold type (**bold type**).

#### New Title, Article, Chapter, or Section

When a new title, article, chapter, or section is added to the Indiana Code, the entire title, article, chapter, or section is set in bold type.

### (4) Internal References

#### Internal References to Indiana Code Provisions

If one provision makes reference to another Indiana Code provision, the form specified in Chapter 1 [see Pages 2-3] is to be followed, except as follows:

- (a) A reference to the title in which the reference occurs should be expressed as "this title".
- (b) A reference to the article in which the reference occurs should be expressed as "this article".
- (c) A reference to the chapter in which the reference occurs should be expressed as "this chapter".
- (d) A reference to the section in which the reference occurs should be expressed as "this section".
- (e) A reference to the subsection in which the reference occurs should be expressed as "this subsection".
- (f) A reference to another section or sections in the same chapter should be expressed as "section ... of this chapter" or "sections ... through ... of this chapter".
- (g) A reference to a specific subsection in the same section should be expressed, for example, as "subsection (a)" or "subsections (a) through (d)".
- (h) A reference to a subsection in the same chapter but not in the same section should be cited, for example, as "section 5(b) of this chapter".

(i) A reference to multiple subsections should be as follows:

**Examples:** subsections (a) and (b) [PLURAL]  
subsection (a) or (b) [SINGULAR]  
subsections (a) through (d) [PLURAL]

However, if different subdivisions are referred to within the same subsection, the drafter should use the SINGULAR because it is the same subsection.

**Examples:** subsection (a)(1) and (a)(3)  
subsection (a)(1) through (a)(3)

Unless the context necessitates reference to a specific subsection, refer to the section as a whole. References to subparts of laws below the subsection level should be avoided.

If a statute refers, by citation, to a group of provisions in a different Code unit, the references should be cited as follows:

For a group of titles, cite as "IC 2 through IC 6".

For a group of articles, cite as "IC 2-3 through IC 2-5".

For a group of chapters, cite as "IC 5-4-7 through IC 5-4-8".

For a group of sections, cite as "IC 5-4-3-2 through IC 5-4-3-9".

### **Confusing References to Statutes**

Existing references to "the preceding section", "the next section", "the following section", "above", "below", "herein", "hereinafter", "therein", or "hereinbefore" must be clarified by replacing the reference with the corresponding Indiana Code citation.

### **Internal References to Specific Indiana Session Laws**

If it is necessary to use an Acts citation in an Indiana Code provision, the form stated in Chapter 1 [see Page 1] should be followed.

If an Acts citation is found in an existing Code provision, the Code citation must be substituted for the Acts citation unless the law being amended indicated that the adopted law was incorporated as it existed at a particular time or unless the reference is no longer desired. This is the case even if the Acts citation is by quotation of its title, such as "an act concerning the proceedings, order, and determinations of State officers and agencies and judicial review thereof". Thus, one of the following actions is required:

(a) Retain the Acts citation. Note, however, that this may require striking an Acts citation by title and inserting the Acts citation in the proper form.

**Example:** "An act to amend sections 1 and 12 of an act entitled 'An act concerning highways',

approved March 8, 1905" would be replaced by "Acts 1907, c.232".

- (b) Replace the Acts citation with a Code citation to the current law on the matter.
- (c) Delete the citation entirely.

### **Internal References to Effective Dates**

An internal reference to an effective date of an Indiana statute, usually in the form of "the effective date of this act", should be stricken if obsolete. Otherwise, it must be replaced with a specific date as follows:

- (a) If an act has a specific effective date, substitute that date for the reference.
- (b) If an act declares an emergency and provides that it takes effect upon passage, insert the approval date, which is found in the Acts after the chapter or public law number.
- (c) For an act passed beginning in 1852 and through 1978, if the act contains no emergency clause or specific effective date, use the promulgation date for that year's laws. The promulgation dates for the Acts are listed in the prefatory pages of each Indiana Code volume.
- (d) For an act passed beginning in 1852 and through 1978, if there is no declaration of emergency and the specific effective date is before promulgation, insert the promulgation date for that year (Article 4, Section 28 of the Constitution of the State of Indiana).
- (e) For an act passed during or after 1979, see **EFFECTIVE DATES**, Pages 47-49.

If the occasion arises for using an effective date reference in a Code provision, do not use the phrase "upon the effective date of this act". Instead, insert a definite date reference.

### **Confusing Internal References to Effective Dates**

The words "now", "existing", "present", "currently", "already", "heretofore", and "hereafter" are inherently ambiguous in statutes, though they usually relate to the time when the provision took effect. These words should be either replaced by a definite date reference or eliminated.

### **Internal References to Federal Statutes**

When citing to a federal law, use the United States Code reference.

**Example:** 16 U.S.C. 201

Convert federal Public Law numbers and references to the Statutes at Large to U.S.C. references when found in existing statutes. If there is no U.S.C. citation, use the Public Law designation with the designation from the Statutes at Large.

**Example:** P.L.85-864 (64 Stat. 514)

### **Internal References to Federal Regulations**

When citing to a federal regulation, use the Code of Federal Regulations reference.

**Example:** 24 CFR 201

### **Internal References to Indiana Agency Rules**

When citing to an Indiana administrative rule, use the Indiana Administrative Code reference.

**Example:** 310 IAC 2-18-1

When citing to an Indiana administrative rule not in the Indiana Administrative Code, use the Indiana Register reference.

**Example:** 5 IR 1000

### **Internal References Within the UCC, UCCC, and Certain Model and Uniform Acts and Compacts**

The form of internal references specified in Chapter 1 [see Page 1] is ordinarily used in the Uniform Commercial Code (IC 26-1), Uniform Consumer Credit Code (IC 24-4.5), state compacts, and certain model and uniform acts. Contact the Office of Code Revision for guidelines on the proper citation format in these statutes.

### **Other Internal References**

Refer to the latest edition of A Uniform System of Citation for other internal reference citations.

## **H. SPECIFIC TYPES OF CODE PROVISIONS**

### **(1) Short Titles**

Short titles are not to be used except for short titles included in uniform laws drafted by the Conference of Commissioners on Uniform State Laws.

### **(2) Purpose Provisions** [see also **BILL PREAMBLE**, Page 25]

A well-drafted act requires no statement of what it seeks to accomplish or the reasons prompting its enactment. Do not include language stating the purpose of an act or reciting the facts upon which an act is predicated unless the included language would be useful in upholding the act against constitutional attack or is necessary to give meaning to a provision for liberal construction.

### **(3) Applicability Provisions**

An applicability provision is used to specify the persons, things, or occurrences to which the statute applies or to limit the time frame to which the statute applies.

**Example:** **This chapter applies to taxable years beginning after December 31, 2000, and ending before January 1, 2003.**

Do not use definitions to limit a statute's application when a substantive statement in an applicability provision would be clearer.

An applicability provision should be placed at the beginning of a title, article, section, or subsection, rather than

the end.

#### **(4) Definitions**

##### **Introduction**

Use definitions only:

- (a) when a word is used in the sense of one of several dictionary meanings or is used in a technical manner;
- (b) to avoid repetition of a lengthy phrase; or
- (c) to limit or extend the meaning of a word for the provisions of the statute.

##### **(a) DO NOT:**

Write substantive or applicability provisions into definitions.

**Example: "Applicant" means a person who:**

- (1) applies for a license from the department;**
- (2) has at least twenty (20) hours training at an accredited school;**
- (3) has at least twenty (20) hours of clinical experience; and**
- (4) pays the prescribed fee.**

**Explanation:** The definition should have stopped with subdivision (1)--i.e. "Applicant" means a person who applies for a license from the department. Subdivisions (2), (3), and (4) are substantive requirements that should be addressed separately as conditions of licensure.

**Example: "Medicaid waiver" refers to a waiver from compliance with the requirements of the federal Medicaid law, which the state department must request from the federal Department of Health and Human Services, in writing, before December 31, 2000.**

**Explanation:** The definition should have stopped after "law"--i.e. "Medicaid waiver" refers to a waiver from compliance with the requirements of the federal Medicaid law. The requirements that the waiver be requested: (1) in writing, and (2) before December 31, 2000, should be put in separate, substantive provisions.

##### **(b) DO NOT:**

Use a word in a sense foreign to a dictionary meaning.

**Example: "Wheat" means wheat, rye, and barley.**

##### **(c) DO NOT:**

Develop and use an artificial concept.

**Example:** See Acts 1967, Ch. 283, SEC.2, in which the concept of "local time" is developed.

##### **(d) DO NOT:**

Use a definition if the defined term is used once or very few times.

## Form Generally

Use quotation marks and the following style when defining a term:

- (a) Use **"means"** to indicate that there is an exact equivalency between the defined term and the description.

**Example:**      **Sec. 1. "Executive" means the mayor of a city.**

- (b) Use **"includes"** to indicate items that are marginally included within a nonexhaustive definition.

**Example:**      **Sec. 2. "License" includes permit.**

Avoid the phrase "includes but is not limited to".

- (c) Use **"refers to"** when adopting a shortened version of a term for use throughout a statute.

**Example:**      **Sec. 3. "Population" refers to the population according to the most recent federal special or decennial census.**

**Example:**      **Sec. 4. There is established the Elkhart superior court (referred to as "the court" in this chapter).**

- (d) Use **"has the meaning set forth in IC . . ."** to reference an existing definition.

**Example:**      **Sec. 5. "Products" has the meaning set forth in IC 6-1.1-3-13.**

The elements of a definition may be tabulated.

## Form in New Articles

When adding a new article, put the definitions for that article in one chapter with each definition in a separate section in alphabetical order. The first section in the definitions chapter should be an applicability section as follows:

**Sec. 1. The definitions in this chapter apply throughout this article.**

The definition sections themselves should begin with the defined term itself.

**Example: Sec. 2. "Incorporated entity" means a . . .**

## Form in New Chapters

When adding a new chapter, put each of the definitions in separate sections at the beginning of the chapter in alphabetical order. Each definition section should begin with a statement of applicability:

**Example: Sec. 2. As used in this chapter, "incorporated entity" means a . . .**

## Adding Definitions to Existing Articles and Chapters

When it is necessary to add a new definition to an existing chapter or article, the manner in which the

definition is added will depend upon the definitions style that is used in that chapter or article.

### **Definitions in New and Recodified Titles:**

When adding or recodifying a new title, all definitions used in the title should be inserted in alphabetical order in a chapter at the beginning of the title. Definitions should not be inserted throughout the rest of the title.

### **Definitions in Certain Recently Recodified Titles:**

Recently recodified titles include Titles 9, 13, 14, 16, 31, and 34. These titles have all been recently recodified under the supervision of the Code Revision Commission. In addition, Title 12 was substantively amended and reorganized in 1992. The Code Revision Commission has slightly varied the format for definitions in recodified titles over the years.

In Titles 9, 12, 13, 14, and 16, all definitions used in a title appear at the beginning of the title. However, if a definition is used in only one chapter or one section of the title, the text of the definition appears in the chapter or section and only a reference to the term is placed in the Definitions Chapter at the beginning of the title (e.g. Sec. 1. "Computer" has the meaning set forth in IC...(the body of the title)').

In the most recently recodified titles, Titles 31 and 34, all definitions appear in alphabetical order at the beginning of the title. None of the definitions appear throughout the text of the title.

### **Adding a Definition to a Recodified/Revised Title (Title 9, 12, 13, 14, 16, 31, or 34):**

The new definition should be added in alphabetical order as a decimal point section, if necessary.

## **Code Definitions and Construction Provisions**

IC 1-1-4 contains a list of definitions and construction provisions that apply to all Code provisions and incorporates by reference the criminal law definitions set forth in IC 35-41. Avoid defining these terms differently in other parts of the Indiana Code.

### **(5) Creation of Agency or Office**

Use simple language in the present tense to create or establish an agency, commission, or office.

**Example:** The office of \_\_\_\_\_ is [created][established] in the department of \_\_\_\_\_.

**Example:** The state recount commission is established.

### **(6) Criminal and Civil Penalties**

#### **Crimes**

Felonies and misdemeanors constitute crimes under Indiana law. Crimes carry a potential penalty of imprisonment, and any fines imposed on persons convicted of crimes must be deposited in the common school fund.

IC 35-50-2 describes the four classes of felonies, and IC 35-50-3 describes the three classes of misdemeanors. All crimes should be classified into one of these statutory classes. [See **EXHIBIT 20, Page 97**].

Ordinarily, a culpability standard should be included in the provision defining a crime. The standards recognized in Indiana are "intentionally", "knowingly", and "recklessly". [See IC 35-41-2-2 for descriptions of these standards.]

## **Civil Violations**

Infractions and ordinance violations constitute civil violations. They are not criminal offenses (for which a person can be imprisoned) and do not need to be proved beyond a reasonable doubt. Infractions are defined by state statutes, while ordinance violations are defined by local government ordinances. The procedures governing civil violations are set forth in IC 34-28-5.

### **Infractions**

There are four classes of infractions [see IC 34-28-5], and the amounts collected as judgments for violations of statutes defining infractions are deposited in the state general fund. Do not draft provisions describing a violation of a local ordinance as an infraction, since infractions carry state penalties.

### **Ordinance Violations**

Counties, cities, towns, and some other local governmental entities, such as hospital corporations and airport authorities, have the power to provide penalties for violation of their own ordinances. Counties, cities, and towns are limited in this area by IC 36-1-3-8. Do not include a specific penalty for violating a local ordinance in a statute. The local entity should provide penalties for violations in its own ordinances, and these ordinances should specify the fund in which fines should be deposited.

## **Form Generally**

Properly drafted felony, misdemeanor, and infraction provisions are shown by the following examples:

**Example:**      **A person who recklessly kills another human being commits reckless homicide, a Class D felony.**

**Example:**      **A person who knowingly serves as a member of a precinct election board in violation of IC 3-6-6 commits a Class A misdemeanor.**

**Example:**      **A person operating a vehicle who fails to dim bright or blinding lights when meeting another vehicle or pedestrian commits a Class B infraction.**

Avoid providing a general penalty for violation of any provision of a chapter, article, or title. General penalty provisions can be overly broad and may produce unintended results.

## **(7) Population Parameters**

When using a population parameter, the drafter must take great care to ensure that the population parameters are the most current parameters. The drafter should not rely on population figures contained in outside drafts. Note that rapidly growing areas are often subject to a special census. See IC 1-1-3.5.

## **(8) Appropriation Provisions**

Since most appropriations are temporary in nature, they are drafted as noncode provisions. A few types of appropriations are ongoing and are drafted as Code provisions. Both types are discussed under the heading **SPECIFIC TYPES OF NONCODE PROVISIONS**, Pages 45-47.

## **(9) Funds**

A fund is a sum of money segregated for the purpose of carrying on specific activities or attaining certain objectives. If it is necessary to establish a fund, the following form sets forth the issues that should be considered:

- Sec. \_\_. (a) The [1] is established for the purpose of [2]. The fund shall be administered by [3].**  
**(b) The expenses of administering the fund shall be paid from money in the fund. [4]**  
**(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested. (Interest that accrues from these investments shall be deposited in the fund.) [5]**  
**(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund. [6] (However, if the amount of money in the fund at the end of a particular fiscal year exceeds [7], the treasurer shall transfer the excess from the fund into the [8].)**

### **Explanation:**

[1] Insert the name of the fund.

[2] Insert the purpose of the fund, such as to:

- (A) receive taxes or other revenues for specific uses;
- (B) provide for the production or distribution of saleable goods and services; or
- (C) receive, hold, and disburse funds as a fiduciary.

[3] Insert the name of the entity that is to administer the fund.

[4] This is an optional provision. Its use should be discussed with the author.

[5] This is an optional provision that should only be used in the case of trust funds, where specifically requested by the legislator, or where required by federal law.

[6] If this language does not appear, the money remaining in the fund at the end of a fiscal year automatically reverts to the state general fund if the money was originally appropriated from the state general fund (IC 4-13-2-19).

[7] This is an optional "scrape-off" or "spill-over" provision. Insert the dollar amount over which the fund should not grow.

[8] If an optional "scrape-off" provision is used, insert the name of the fund into which the excess money is to be deposited.

**(10) Legislative Oversight:**

In budgetary matters, if oversight by the state budget committee is desired, the drafter should use language similar to that found in the following statutes, because of separation of powers considerations: IC 4-34-3-2(c); IC 4-34-3-4; IC 6-3.1-15-17; IC 21-6.1-2-8(d); IC 36-7-31-12.

**(11) Executive Committees and Commissions: Travel Expenses, Per Diem, Membership, Voting Practices, and Other Procedural Matters**

When establishing a committee or commission, the drafter must determine what, if any, per diem is to be provided to the committee or commission members. In addition, because of separation of powers considerations, legislative members on executive committees should be nonvoting members.

The following language should be used for a committee or commission that will be controlled by the executive branch [Note: Delete inappropriate subsections]:

Sec. \_\_. (a) As used in this section, "committee" ["commission"] refers to the [insert name of committee/commission].

(b) There is established the \_\_\_\_\_ committee [commission] on \_\_\_\_\_ [insert subject matter]. The committee [commission] consists of the following members:

(1) ... .

(2) ... . (et cetera)

(c) \_\_\_\_ [Insert appointing authority] shall appoint \_\_\_\_ the chairperson of the committee [commission].

(d) The committee [commission] shall study \_\_\_\_\_.

(e) The \_\_\_\_\_ shall staff the committee [commission].

(f) The expenses of the committee [commission] shall be paid from [insert fund or other source of payment].

(g) Each member of the committee [commission] who is not a state employee is [is not] entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also [is, however,] entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(h) Each member of the committee [commission] who is a state employee [but who is not a member of the general assembly] is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(i) Each member of the committee [commission] who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.

(j) Each member of the committee [commission] who is a member of the general assembly is a nonvoting member.

(k) The affirmative votes of a majority of the voting members appointed to the [committee] [commission] are required for the [committee] [commission] to take action on any measure, including final reports.

**(12) Legislative Committees and Commissions: Travel Expenses, Per Diem, Membership, and Other Procedural Matters**

When establishing a legislative study committee or commission, the following language should be used:

"SECTION \_\_\_. [EFFECTIVE \_\_\_\_\_] [Sec.] 1. (a) As used in this SECTION [section], "committee" ["commission"] refers to the interim study committee on [insert subject matter] established by this SECTION.

(b) There is established the interim study committee [commission] on [insert subject matter]. The committee [commission] shall study \_\_\_\_\_.

(c) The committee [commission] shall operate under the policies governing study committees adopted by the legislative council.

(d) The affirmative votes of a majority of the voting members appointed to the [committee] [commission] are required for the [committee] [commission] to take action on any measure, including final reports.

(e) This SECTION [section] expires [insert date]."

( Each year the Legislative Council establishes the procedures for legislative study committees, which provide for the appointment of the chairman, the number of members, per diem and mileage, funding, and other matters.)

See (13) infra for a discussion of Voting Practices of Legislative Committees.

**(13) Voting Practices for Legislative Committees Created by Statute**

The Legislative Council requires that the affirmative votes of a majority of the voting members appointed to a legislative committee or commission are necessary for the legislative committee or commission to take action on any measure, including final reports. The following language must be included whenever a permanent or temporary legislative commission or committee is established by statute:

**Sec. \_\_. The affirmative votes of a majority of the voting members appointed to the [committee] [commission] are required for the [committee] [commission] to take action on any measure, including final reports.**

**(14) Administrative Rules**

To allow or to require an agency to adopt administrative rules, the following form should be used:

**Sec. \_\_. The [name of the agency] may [shall] adopt rules under IC 4-22-2 to implement this [section, chapter, article, title].**

To prohibit an agency from adopting administrative rules on a certain matter, the following form may be used:

**Example: The air pollution control board may not adopt a rule requiring vehicle emission testing in certain counties.**

[Note: See **Transfer of Responsibilities to Successor Agencies**, Page 43, for provisions transferring rules from one agency to another.]

## **(15) Construction Provisions**

Construction provisions state the manner in which statutes are to be construed. IC 1-1-4 sets forth rules of construction that apply throughout the Indiana Code. Individual construction provisions may be used only if a matter cannot be clarified in the substance of the bill itself or in a preamble to the bill. In that case, the construction provision should be drafted as a Code provision [see the discussion of **Preamble** and **Purpose Provisions** on Pages 25 and 32].

## **(16) Nonseverability Provisions**

Under IC 1-1-1-8(b) each part of every statute is severable unless a nonseverability provision is included in the statute. If a statute contains a nonseverability provision and if any part of that statute is declared invalid, the whole statute is void. Whether a nonseverability provision should be drafted as amendatory of the Indiana Code or not depends upon the situation. For example, a nonseverability provision must be inserted in the Code whenever it is necessary to indicate that one provision of the Code should be void if another is held invalid or unconstitutional. If the amendments made by a particular act to an existing Code section are to be void if the amendments made by another SECTION of that act to another existing Code section are held invalid, the nonseverability provision should be drafted as a Code provision. If, on the other hand, one noncode provision is to be void if another noncode SECTION of a bill is held invalid, the nonseverability provision should be drafted as a noncode provision.

### **Examples:**

**Sec. \_\_. For the purposes of IC 1-1-1-8, if any part of this chapter [title, article, or section] is held invalid, the entire chapter [title, article, or section] is void.**

**Sec. \_\_. For the purposes of IC 1-1-1-8, if section [chapter] \_\_ of this chapter [article] is held invalid, section [chapter] \_\_ is also void.**

**Sec. \_\_. For the purposes of IC 1-1-1-8, if the amendments to section \_\_ of this chapter made by SEA [HEA] 23-2000, SECTION \_\_, are held invalid, the amendments to section \_\_ of this chapter made by SEA [HEA] 23-2000, SECTION \_\_, are void.**

**SECTION \_\_. For the purposes of IC 1-1-1-8, if any part of this SECTION is held invalid, SECTION \_\_ of this act is also void.**

## **(17) Expiration Provisions**

### **Introduction**

If a provision is to expire on a certain date and that date is more than five years after enactment so that the provision may not be drafted as a noncode provision, the provision must contain a statement of its expiration.

For an article, chapter, or section, an expiration section [or subsection] is required at the end of the article, chapter, or section:

**Sec. \_\_. This article [chapter] expires \_\_\_\_\_, 20\_\_.**

**(g) This section expires \_\_\_\_\_, 20\_\_.**

Often, however, applicability provisions are clearer [see p.32].

## **(18) Vehicle Bills**

The rules and legislative procedures committee of the house of representatives and members of the Indiana senate may introduce vehicle bills. A vehicle bill contains no amended text but may be amended later in the legislative process in order to insert the desired text. (If a drafter receives a request for a vehicle bill, contact the director of the drafter's office. No drafting is required, as model vehicle bills are available through the legislative services agency's bill drafting system.)

### **Example:**

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

*Be it enacted by the general assembly of the State of Indiana:*

**SECTION 1. IC 14 is amended concerning natural and cultural resources.**

## **I. REPEALERS**

### **(1) Code Provisions**

A repealer SECTION may not repeal less than an entire Indiana Code section. If less than an entire Indiana Code section must be removed from the law, the text should be stricken by amendment.

The repealer for a single Indiana Code provision should be written as follows (note that capital letters are used):

SECTION \_\_. IC \_\_\_\_\_ IS REPEALED [EFFECTIVE JULY 1, 2000].

The repealer for two or more Code provisions should be written as follows:

SECTION \_\_. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 2000]: IC \_\_; IC \_\_;  
IC \_\_; IC \_\_; IC \_\_.

If an entire title, article, or chapter is to be repealed, the repealer should not list each of the Code sections within the title, article, or chapter.

### **(2) Noncode Provisions**

A repealer SECTION may not repeal less than an entire noncode SECTION. If less than an entire noncode SECTION must be removed from the law, the text should be stricken by amendment.

The repealer for a noncode provision added beginning with the 1982 Special Session should be written as follows:

SECTION \_\_. P.L. \_\_-19 \_\_, SECTION \_\_, IS REPEALED [EFFECTIVE JULY 1, 1996].

The repealer for a noncode provision added beginning in 1971 and through the 1982 Regular Session should be written as follows:

SECTION \_\_. ACTS \_\_, P.L. \_\_, SECTION \_\_, IS REPEALED [EFFECTIVE JULY 1, 1996].

The repealer for noncode provisions in acts enacted before 1971 should be written as follows:

SECTION \_\_. ACTS \_\_, C. \_\_, S. \_\_, IS REPEALED [EFFECTIVE JULY 1, 1996].

## **J. NONCODE PROVISIONS GENERALLY**

### **(1) Defined**

Noncode provisions are acts or parts of acts that are not included in the Indiana Code. Provisions that are not part of the general and permanent statute law of Indiana are ordinarily excluded from the Code.

If a provision does not apply to the state generally, but instead applies only to a particular situation or class, it is "special" legislation (Article 4, Section 22 of the Constitution of the State of Indiana) and not included in the Code. Examples include property transfer acts, where the state authorizes the sale or transfer of a particular piece of land that it owns, and amendments to pre-1852 charters of corporations for towns, churches, cemeteries, or businesses.

If a provision has a general application, but is not permanent law, it is considered "temporary" legislation and may be drafted as a noncode provision. Generally, temporary provisions include those that:

- (a) contain a specific termination date that is within five (5) years of the date of passage of the act;
- (b) provide for transitional or implementary matters in an otherwise permanent act; or
- (c) terminate by implication when their purpose is fulfilled or ceases to exist.

The drafter should not place a temporary, transitional, or self-terminating provision in the Indiana Code unless there are compelling articulable reasons (including time constraints during critical points during the legislative session) for doing so.

Noncode provisions are sometimes called "fall-away" SECTIONS, since these SECTIONS are included in the bound session laws (Acts), but "fall away" after that and are not included in the Indiana Code or its supplements. Noncode SECTIONS are often set forth in annotated, unofficial publications of the Indiana Code (published by West and Burns) in notes following the related Code sections.

### **(2) Expiration Date**

Include a statement of expiration in each temporary noncode provision for which the expiration date is known.

**Example:**           **(b) This SECTION expires July 1, 2000.**

## **K. SPECIFIC TYPES OF NONCODE PROVISIONS**

### **(1) Transitional Provisions**

#### **Initial Terms; Staggered Terms**

Provisions for initial terms of officers or members set forth the procedure for staggering the terms or for making the transition from one entity to another entity.

**Example:** SECTION \_\_. [EFFECTIVE JULY 1, 2000] (a) **The initial terms of office for the four (4) individuals appointed to the bureau of motor vehicles commission by the governor under IC 9-15-1-2 are as follows:**

- (1) **One (1) member for a term of one (1) year.**
- (2) **One (1) member for a term of two (2) years.**
- (3) **One (1) member for a term of three (3) years.**
- (4) **One (1) member for a term of four (4) years.**

(b) **The initial terms begin July 1, 2000.**

(c) **This SECTION expires July 1, 2004.**

**Example:**

SECTION \_\_. [EFFECTIVE JULY 1, 1996] (a) **Notwithstanding IC 33-5-8-1(b), as added by this act, the judge of the Bartholomew county court on June 30, 1996, is entitled to serve as the initial judge of the Bartholomew superior court No. 2 for a term beginning July 1, 1996, and ending December 31, 1997.**

(b) **The initial election of a judge of the Bartholomew superior court No. 2 is the general election to be held November 6, 1997. The person elected in that election takes office January 1, 1998.**

(c) **This SECTION expires January 2, 1998.**

### **Transfer of Responsibilities to Successor Agencies**

A provision transferring rules from one agency or entity to another may be written as follows:

**Example:** SECTION \_\_. [EFFECTIVE UPON PASSAGE] **The rules adopted by the stream pollution control board before April 1, 2000, concerning solid waste management are considered, after March 31, 2000, rules of the solid waste management board.**

A provision transferring property from one agency or entity to another may be written as follows:

**Example:** SECTION \_\_. [EFFECTIVE JANUARY 1, 1997] **On January 1, 1997, the state department of public welfare becomes the owner of all the personal property of the county departments of public welfare abolished by this act.**

A provision transferring funds from one agency or entity to another may be written as follows:

**Example:** SECTION \_\_. [EFFECTIVE JULY 1, 1997] (a) **The funds that remain in a county's county welfare fund and the county welfare trust clearance fund on December 31, 1997, that are attributable to administration, facilities, supplies, and equipment, as determined by the state board of tax commissioners, shall be transferred to the state and deposited in the state welfare fund.**

(b) **This SECTION expires January 1, 1998.**

### **Interim Administrative Rules**

Under the administrative rule adoption procedure (IC 4-22-2), it usually takes six months or more for a rule to progress from its proposed form to its taking effect. Occasionally it is necessary to draft a temporary provision to provide that interim guidelines apply while formal rules are being adopted under IC 4-22-2. This temporary provision should be a noncode SECTION. The following form is suggested:

**Example:** SECTION \_\_. [EFFECTIVE UPON PASSAGE] (a) **Notwithstanding IC \_\_\_\_\_, as added [amended] by this act, the state fire marshal [or other agency] shall carry out the duties imposed upon it under IC \_\_\_\_\_ under interim written guidelines approved by the state fire marshal [or other agency head].**

(b) **This SECTION expires on the earlier of the following:**

- (1) **The date rules are adopted under IC \_\_\_\_\_.**
- (2) **\_\_\_\_\_ [a date by which rules can be reasonably adopted].**

Note that IC 4-22-2-19 permits agencies to begin the rulemaking process before the statute authorizing the rule becomes effective.

## **(2) Legalizing Provisions**

A legalizing provision is a statute passed to:

- (a) cure defects in prior law; or
- (b) validate legal proceedings, instruments, or acts of public and private administrative authorities;

that, in the absence of the legalizing provision, would be void for want of conformance with existing legal requirements, but that would have been valid if the statute had so provided at the time of the action. Because the purpose of a legalizing provision is fulfilled on its effective date, the provision should be drafted as a noncode provision. For examples of some legalizing provisions, see P.L.10-1988, SECTION 239, and P.L.42-1988, SECTION 5.

Statutes may be retrospective only if:

- (a) contract rights are not impaired (Article 1, Section 24 of the Constitution of the State of Indiana); or
- (b) existing rights are not affected.

The constitutional prohibition against ex post facto laws applies only to criminal statutes.

## **(3) Savings Provisions**

### **Introduction**

A savings provision is designed to preserve rights or liabilities that have already accrued. There is a general savings provision located at IC 1-1-5-1 that preserves penalties, forfeitures, or liabilities. It states that:

Sec. 1. . . . 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 act shall so expressly provide; and such statute shall be treated as still remaining in force for the purpose of sustaining any proper action, or prosecution for the enforcement of such penalty, forfeiture, or liability.

Note that this provision does not have the effect of saving rights accrued under a statute. Generally, it is not the intent of the general assembly to perpetuate rights under repealed provisions, but if that is the intent in a particular instance, a specific noncode savings provision is required.

A savings clause should be included in a bill only if the general savings clause is not adequate and there is some uncertainty that cannot be removed in the specific language of the bill. In such a case, the savings provision should be made noncode.

**Example:** SECTION \_\_. [EFFECTIVE UPON PASSAGE] **This act does not affect:**  
(1) **rights or liabilities accrued;**  
(2) **penalties incurred;**  
(3) **crimes committed; or**  
(4) **proceedings begun;**  
**before the effective date of this act. Those rights, liabilities, penalties, crimes, and proceedings continue and shall be imposed and enforced under prior law as if this act had not been enacted.**

#### **Codification**

See **EXHIBIT 22, Page 100**, as an example of a savings clause inserted in a recodified title.

#### **(4) Severability Provisions**

A severability provision (also sometimes referred to as a separability clause) provides that if any part of an act is found invalid the remainder of the act should be upheld. The Indiana Code contains a general severability provision at IC 1-1-1-8 (b) that applies to all Indiana statutes. If a severability provision is required to be included in a bill, it should be drafted as a noncode provision since the Code already contains the general severability provision.

**Example:** SECTION \_\_. [EFFECTIVE UPON PASSAGE] **The provisions of this act are severable in the manner provided by IC 1-1-1-8(b).**

Nonseverability provisions can be drafted as noncode provisions when the bill is a noncode bill. [See **Nonseverability Provisions**, Page 40.]

#### **(5) Appropriation Provisions**

There are two types of appropriations, **continuing** and **temporary**.

##### **Continuing**

A continuing appropriation is an annual and continuing appropriation or an appropriation that exceeds five years. This type of appropriation should be drafted as a Code provision.

The general assembly usually likes to retain control over agencies through the appropriations process and, therefore, does not want legislation that annually appropriates money without an affirmative act. Occasionally, however, the general assembly will want to provide an ongoing appropriation known as a continuing appropriation. If properly drafted, a continuing appropriation appropriates money to an agency without further action by the general assembly. Of course, the general assembly can always change its mind and remove the continuing appropriations language or supersede it in a budget act. A continuing appropriation is drafted as amendatory of the Code as follows:

**Sec. \_\_. There is annually appropriated to [1] [2] from [3] for its use in [4].**

**Explanation:**

[1] Insert the full statutory title of the agency to receive the funds.

[2] Insert the amount of money to be appropriated. If there is no definite dollar amount, insert the method to be used to compute the maximum possible amount of the appropriation.

[3] Insert the source of the money, such as "the state general fund".

[4] Insert the purposes for which the funds are to be used. This purpose may be expressed in general terms such as "carrying out the purposes of this chapter".

**Don't say:**

The general assembly shall appropriate . . .

**or**

The general assembly may appropriate . . .

These phrases are significant only to the extent that they indicate the present intent of the general assembly as to future funding. Since one general assembly cannot bind another, these phrases do not themselves provide for funding.

**Temporary**

A temporary appropriation is for a specific period of time not to exceed five years. This type of appropriation should be drafted as a noncode provision. The following form should be followed for a temporary appropriation:

SECTION \_\_. [EFFECTIVE JULY 1, 2000] **There is appropriated to [1] [2] from [3] for its use in [4] [5].**

**Explanation:**

[1] Insert the full statutory title of the agency to receive the funds.

[2] Insert the amount of money to be appropriated. If there is no definite dollar amount, insert the method to be used to compute the maximum possible amount of the appropriation.

[3] Insert the source of the money, such as "from the state general fund".

[4] Insert the purpose for which the funds are to be used. This purpose may be expressed in general terms such as "carrying out the purposes of IC \_\_\_\_\_".

[5] Insert the period of time (not to exceed five years) for which the appropriation is made. For example, for a state fiscal year say, "beginning July 1, 20\_\_, and ending June 30, 20\_\_". For most appropriations, it is best to appropriate the money at the start of a fiscal year]. However, do not use "fiscal year" and the specific dates of the fiscal year together since that would be redundant.

In the appropriation, note if it is in addition to or in place of money appropriated in a budget act. However, do this only if you know that the budget act made an appropriation for the same purpose.

## Reversion

Appropriated funds that are not used or encumbered during the fiscal year or fiscal biennium for which they are appropriated revert to the state general fund unless otherwise provided by the appropriation or unless specifically covered by IC 4-13-2-19 . Do not state the fiscal year if reversion is not desired. If reversion is not desired, insert the following language:

**Example:**        **The money appropriated by this section [SECTION] [act] does not revert to the state general fund at the close of any fiscal year but remains available to the state department of health [insert name of agency] until the purpose for which it was appropriated is fulfilled.**

### (6) Special Relief Bills

A bill for special relief on behalf of a citizen to redress an alleged wrong of the state or a state agency may be drafted in such a manner that it is not in conflict with Article 4, Section 24 of the Constitution of the State of Indiana. Use the following form:

#### DIGEST

**Citations Affected:** None (noncode).

**Synopsis:** Provides special relief for \_\_\_ [insert the name of the person to receive the relief].

**Effective:** July 1, 2000.

A BILL FOR AN ACT for the special relief of \_\_\_ [insert the name of the person to receive the relief].

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

SECTION 1. [EFFECTIVE JULY 1, 2000] **There is appropriated to \_\_ [insert claimant's name], \$\_\_ from the state general fund for special relief. This money is not appropriated for payment of damages but is provided solely out of humanitarian consideration for the wrongs done to \_\_\_ [insert claimant's name].**

(7) **Medicaid Waiver Provisions:** See **EXHIBIT 21, Page 98**, for an example.

## L. EFFECTIVE DATES

### (1) Uniform Effective Date

IC 1-1-3-3 provides for a uniform effective date of July 1 for acts passed at a regular session of the general assembly. The uniform effective date should be included in the lead-in line for a SECTION, if the SECTION is to take effect on that date.

### (2) Other Effective Dates

Effective dates other than the uniform date should be included in the lead-in line of the SECTION affected.

### **(3) Early Effective Dates**

Article 4, Section 28 of the Constitution of the State of Indiana specifies that an act may take effect before it is published and circulated in all counties only if the general assembly declares an emergency in the act. **A separate noncode provision containing an emergency clause is required in the following cases:**

**(a) The session is a long session and the effective date of an act precedes June 15.**

**(b) The session is a short session and the effective date of an act precedes May 1.**

The noncode provision must be in the following form:

SECTION \_\_. **An emergency is declared for this act.**

### **(4) Effective Dates for Code Provisions**

An effective date affecting a code provision must be inserted in brackets in all roman capital letters before the colon in the lead-in line as follows:

SECTION \_\_. IC 33-5-25-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2000]:

### **(5) Effective Dates for Repealers**

An effective date affecting a repealer must be inserted in brackets in all roman capital letters after the word "REPEALED" as follows:

SECTION \_\_. IC 33-5-25-1 IS REPEALED [EFFECTIVE JULY 1, 2000].  
SECTION \_\_. THE FOLLOWING ARE REPEALED [EFFECTIVE JANUARY 1, 2000]:  
IC 1-7-5-6; IC 12-17-4-3.

### **(6) Effective Dates for Noncode Provisions**

An effective date affecting a noncode provision other than an amendment of another noncode provision must be inserted in brackets in all roman capital letters after the SECTION number as follows:

SECTION \_\_. [EFFECTIVE JANUARY 1, 2000] **(a) The initial members. . .**

The effective date clause for the amendment of a noncode provision must be prepared in the same style as the effective date clause for a code provision.

SECTION \_\_. P.L.18-1991, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2000]: SECTION 1. . .

### **(7) Effective Dates Upon Passage**

For a bill to take effect at the earliest possible time, say:

SECTION \_\_. IC 4-21.5-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

The language "upon passage" has been interpreted to mean that the bill takes effect when signed by the governor or on the eighth day after presentment to the governor if the governor refuses to sign or veto the bill (Article 5, Section 14 of the Constitution of the State of Indiana). Ordinarily, however, it is best to provide for a specific effective date.

If a bill contains a SECTION that takes effect upon passage, the bill requires an emergency clause.

#### **(8) Effective Dates to be Avoided**

Avoid the use of "effective upon passage".

In long sessions, avoid effective dates from January 1 to May 14 of that year.

In short sessions, avoid effective dates from January 1 to March 31 of that year.

#### **(9) Delayed Effective Dates**

Avoid providing for an effective date beyond July 1 of the year following the year of enactment. Instead, it may be more practical to insert dates of application in the Indiana Code.

**Example:**      **Sec. \_\_. After July 1, 2004, the commissioner shall operate all license branches.**

#### **(10) Fiscal Years**

Often if an appropriation is involved, the bill will need to take effect at the beginning of the next fiscal year. Each state fiscal year runs from July 1 of one year through June 30 of the following year.

**Example:**      **SECTION \_\_. [EFFECTIVE JULY 1, 2000] One million dollars (\$1,000,000) is appropriated...**

[Note: The fiscal year for political subdivisions is January 1 through December 31, but the budget-making process for local government begins July 1 of the preceding year.]

#### **(11) Retroactivity**

If a SECTION is to take effect retroactively, say:

SECTION \_\_. IC 4-21.5-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE \_\_\_\_\_, 20\_\_ (RETROACTIVE)]:

If a bill contains a SECTION that takes effect retroactively, the bill requires an emergency clause.

#### **(12) Contingent on Some Event**

It is possible to draft legislation that will be applicable upon the occurrence or nonoccurrence of some future event. In drafting such a provision, comply with Article 1, Section 25 of the Constitution of the State of Indiana, which voids any act taking effect on any " authority outside that provided in the Constitution".

**Example:**      **If a majority of the votes cast in the referendum favor the election of the members of the governing body, then IC 20-3-19 applies to the school**

**corporation.**

Provisions that might fail to comply with the constitutional requirement are as follows:

**Don't say:**

This act becomes effective when the Association of Electricians adopts standards to govern the installation of wiring.

**or**

This act becomes effective when the United States Drug Enforcement Agency adds the substances listed in this article to its list of controlled substances.

## Chapter 4. Joint Resolutions

### A. AMENDING THE CONSTITUTION OF THE STATE OF INDIANA

#### (1) Introduction

Amendments to the Constitution of the State of Indiana must be agreed to by two separately elected general assemblies. Once a joint resolution has passed one general assembly, it must then be presented to a second general assembly. If agreed to by the second general assembly, the amendment must be placed on the state election ballot and ratified by a majority of the voters (Article 16 of the Constitution of the State of Indiana).

#### (2) Printing Style Types

Amendments and additions to the Constitution of the State of Indiana are set forth in the same type style as are amendments and additions to the Indiana Code.

#### (3) Form

State the substance of the resolution and the action to date in the synopsis of the digest of a joint resolution. On the effective line of the digest, state the action still needed. The forms for first and second presentation are identical, except for differences in the digest and descriptive SECTION as noted:

##### (a) Digest

##### Example:

#### DIGEST

**Citations Affected:** Article \_\_\_\_, Section \_\_\_\_ of the Constitution of the State of Indiana.

**Synopsis:** Removes the ban on lotteries. This proposed amendment has been agreed to by one general assembly. [OR: This proposed amendment has not been previously agreed to by a general assembly.]

**Effective:** This proposed amendment must be agreed to by a second general assembly [OR: two consecutive general assemblies] and ratified by a majority of the state's voters voting on the question to be effective.

##### (b) Title

##### Amendment

A JOINT RESOLUTION proposing an amendment to Article \_\_\_\_, Section \_\_\_\_ of the Constitution of the State of Indiana concerning \_\_\_\_.

**Addition**

A JOINT RESOLUTION proposing an amendment to Article \_\_\_ of the Constitution of the State of Indiana by adding a new Section concerning \_\_\_.

**Repealer**

A JOINT RESOLUTION proposing an amendment by striking out Article \_\_\_, Section \_\_\_ of the Constitution of the State of Indiana.

[Note: The title upon second presentation is identical.]

**(c) Resolving Clause**

*Be it resolved by the General Assembly of the State of Indiana:*

[Note: The resolving clause upon second presentation is identical.]

**(d) Body**

**Descriptive SECTION on First Presentation**

SECTION 1. The following amendment to the Constitution of the State of Indiana is proposed and agreed to by this, the \_\_\_ [insert in words the number of that general assembly, e.g., One Hundred Seventh] General Assembly of the State of Indiana, and is referred to the next General Assembly for reconsideration and agreement.

**Descriptive SECTION on Second Presentation**

SECTION 1. The following proposed amendment to the Constitution of the State of Indiana, which was agreed to by the [insert in words the number of the preceding general assembly] General Assembly and referred to this General Assembly for reconsideration and agreement, is agreed to by this the \_\_\_ [insert in words the number of the current general assembly] \_\_\_ General Assembly of the State of Indiana.

**Amendatory Provisions**

**(i) Amendment**

SECTION 2. ARTICLE \_\_\_, SECTION \_\_\_ OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED TO READ AS FOLLOWS: Section \_\_\_ [insert a number] \_\_\_ [insert the actual amended language of the Constitution].

**(ii) Addition**

SECTION 2. ARTICLE \_\_\_ OF THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED BY ADDING A NEW SECTION TO READ AS FOLLOWS: Section \_\_\_ [insert a number] \_\_\_ [insert the new section's text].

**(iii) Repealer**

SECTION 2. THE CONSTITUTION OF THE STATE OF INDIANA IS AMENDED BY STRIKING OUT ARTICLE \_\_\_\_, SECTION \_\_\_\_

[Note: The only difference between the first and second presentation in the body is in the descriptive section.]

**B. RATIFYING A PROPOSED AMENDMENT TO THE UNITED STATES CONSTITUTION**

To ratify a proposed amendment to the United States Constitution under Article V of the United States Constitution, the form is as follows:

DIGEST

**Citations Affected:** Article \_\_\_\_, Section \_\_\_\_, Clause \_\_\_\_ of the United States Constitution.

**Synopsis:** [Insert a brief description of the proposed change]

**Effective:** This United States Constitutional amendment must be ratified by 3/4 of the states to be effective.

---

A JOINT RESOLUTION providing for ratification of the proposed amendment to the Constitution of the United States concerning \_\_\_\_ [insert in concise terms the subject matter of the proposed change].

*Whereas, Both Houses of the \_\_\_\_ [insert in words the number of the particular United States Congress, i.e., One Hundredth, etc.] \_\_\_\_ Congress of the United States of America, at the \_\_\_\_ [insert the number of that session] session of that Congress, adopted a Joint Resolution proposing to amend the Constitution of the United States in the following words:*

"JOINT RESOLUTION

---

---

---

---

[Insert in quotation marks the EXACT text of the official document furnished by the federal General Services Administration]

---

---

---

---

*Be it resolved by the General Assembly of the State of Indiana:*

SECTION 1. That this proposed amendment to the Constitution of the United States of America is ratified by the general assembly of the State of Indiana.

SECTION 2. That certified copies of this Joint Resolution be forwarded by the Governor of Indiana to the Administrator of General Services, as required by 1 U.S.C. 106(b), as well as to the Secretary of State of the United States, to the President of the United States Senate, and to the Speaker of the House of Representatives of the United States.

**C. CALLING A UNITED STATES CONSTITUTIONAL CONVENTION**

Article V of the United States Constitution provides for two approaches to calling a constitutional convention to consider an amendment to the United States Constitution:

**(1) Approach 1: Specific Language**

DIGEST

**Citations Affected:** Article \_\_\_\_, Section \_\_\_\_, Clause \_\_\_\_ of the United States Constitution.

**Synopsis:** [Insert a brief description of the proposed change]

**Effective:** A constitutional convention is called when two-thirds of the state legislatures make application to the Congress to call a constitutional convention to consider an amendment to the Constitution of the United States.

---

A JOINT RESOLUTION directing the United States Congress to call a constitutional convention to propose an amendment to the Constitution of the United States concerning \_\_\_\_ [insert in concise terms the subject matter of the proposed amendment].

*Be it resolved by the General Assembly of the State of Indiana:*

SECTION 1. That the Congress of the United States is directed to call a constitutional convention for the purpose of proposing the following amendment to the Constitution of the United States:

"ARTICLE ...

---

---

---

---

[Insert in quotation marks the text of the proposed amendment]".

SECTION 2. That certified copies of this resolution be sent to the presiding officers of the Congress of the United States, to the Secretary of the Senate and the Clerk of the United States House of Representatives, and to the presiding officer of each chamber of each state legislature in the United States [and, possibly, to the members of the Congress of the United States from Indiana].

**(2) Approach 2: General Subject Matter**

DIGEST

**Citations Affected:** Article \_\_\_\_, Section \_\_\_\_, Clause \_\_\_\_ of the United States Constitution.

**Synopsis:** [Insert a brief description of the proposed change]

**Effective:** A constitutional convention is called when 2/3 of the state legislatures make application to the Congress to call a constitutional convention to consider an amendment to the Constitution of the United States.

---

A JOINT RESOLUTION requesting the Congress to call a constitutional convention for the purpose of proposing an amendment to the Constitution of the United States concerning \_\_\_\_ [insert in concise terms the subject of the proposed amendment].

*Be it resolved by the General Assembly of the State of Indiana:*

SECTION 1. That the general assembly of the State of Indiana makes application to the Congress of the United States for a convention under Article V of the Constitution of the United States for the specific and exclusive purpose of proposing an amendment to the Constitution of the United States \_\_\_\_ [insert in general terms a description of the purpose of the amendment].

SECTION 2. That certified copies of this resolution be sent to the presiding officers of the Congress of the United States, to the Secretary of the Senate and the Clerk of the United States House of Representatives, and to the presiding officer of each chamber of each state legislature in the United States [and, possibly, to the members of the Congress of the United States from Indiana].

## Chapter 5. Concurrent Resolutions

### A. GENERAL FORM

A concurrent resolution has a digest with a concise statement of the proposed resolution. Use the following form to draft a concurrent resolution:

A CONCURRENT RESOLUTION (congratulating, memorializing, urging, etc.)... [Insert in the title a concise statement of the proposed resolution] .....

*Whereas, ..... [Insert the preamble; it is not indispensable; as in the case of a simple resolution, its purpose is to give reasons for the resolution];*

*Whereas, .....*;

*Whereas, .....; and*

*Whereas, .....: Therefore,*

*Be it resolved by the House of Representatives [Senate] of the General Assembly of the State of Indiana, the Senate [House of Representatives] concurring:*

SECTION 1. That .....

.....

[Insert the text of the resolution; like the body of a bill, the body is divided into SECTIONS numbered SECTION 1, SECTION 2, etc.]

SECTION 2. That .....

.....

SECTION 3. That .....

.....

### B. INTERIM STUDY COMMITTEE FORM

If a legislator wants the general assembly to go on record in favor of establishing a particular interim study committee, a resolution may be adopted. Use the following form in that case:

A CONCURRENT RESOLUTION urging the establishment of an interim study committee on .....

*Whereas, ..... [if desired, insert the reasons the committee is needed]: Therefore,*

*Be it resolved by the House of Representatives [Senate] of the General Assembly of the State of Indiana, the Senate [House of Representatives] concurring:*

SECTION 1. That the legislative council is urged to establish an interim study committee to \_\_\_\_ [Insert a concise statement of the purpose of the proposed study committee].

SECTION 2. That the committee, if established, shall operate under the direction of the legislative council and that the committee shall issue a final report when directed to do so by the council.

## **Chapter 6. Simple Resolutions**

The legislative services agency does not ordinarily prepare simple resolutions. These are usually prepared on floor motion forms by the majority or minority attorneys. A digest and title are not used in a simple resolution. However, a salutation is placed before the preamble.

See **EXHIBIT 35 (Page 124)** and **EXHIBIT 36 (Page 127)** for forms used in drafting a simple resolution.

## Chapter 7. Post-Introductory Drafting

### A. REFERENCE LINES

When preparing to amend a bill at any stage of the legislative process, the first thing the drafter must do is to note which version of the bill is to be amended, i.e., the introduced version, the first printing, or the engrossed printing. The amendment itself must contain a statement at the end (known as the reference line) indicating which version is being amended.

#### (1) Introduced Version (First House Committee Amendments)

If the introduced version of the bill is to be amended by the first house committee, a reference line must be inserted at the end of the amendment as follows:

(Reference is to SB [HB] \_\_\_\_ as introduced.)

#### (2) First Printing (First House Floor Amendments and Second House Committee Amendments)

After an introduced bill is passed out of the first house committee and the committee report is adopted on the floor, the bill is printed for the first time. This version of the bill may be amended on second or third reading in the first house or by a second house committee.

##### (a) Second or Third Reading Floor Amendments

If the first printing is to be amended on second or third reading in the first house, the amendment must contain a reference line as follows:

(Reference is to SB [HB] \_\_\_\_ as printed \_\_\_\_\_, 20\_\_.)

##### (b) Second House Committee Amendments

##### No Floor Amendments

If the first printing of the bill is not amended on second or third reading and the bill is passed out of the first house, it is the first printing of the bill that the second house committee will consider. If the second house committee is to amend the bill, the amendment must contain a reference line referring to the first printing as follows:

(Reference is to SB [HB] \_\_\_\_ as printed \_\_\_\_\_, 20\_\_.)

##### Unincorporated Floor Amendments

If:

- (i) the first printing of the bill was amended on second or third reading;
  - (ii) the bill was passed out of the first house;
  - (iii) the second or third reading amendments are not incorporated into a reprinted version of the bill; and
  - (iv) the second house committee is to amend the bill;
- the amendment must contain a reference line referring to the first printing and to the unincorporated

first house floor amendments as follows:

(Reference is to SB [HB] \_\_\_\_ as printed \_\_\_\_\_, 20\_\_, and as amended on motion of Senator [Representative] \_\_\_\_\_ adopted \_\_\_\_\_, 20\_\_, and on motion of Senator [Representative] \_\_\_\_\_ adopted \_\_\_\_\_, 20\_\_.)

### **Unincorporated Committee of One Report**

If there are unincorporated changes that are made in the committee report of a Committee of One, the reference line should read as follows:

(Reference is to SB [HB] \_\_\_\_ as printed \_\_\_\_\_, 20\_\_, and as amended by the committee report of the committee of one adopted \_\_\_\_\_, 20\_\_.)

### **Unincorporated Technical Corrections**

If there are unincorporated changes that are made by Senate Rule 34 or House Rule 67 technical corrections, the reference line should read as follows:

(Reference is to SB [HB] \_\_\_\_ as printed \_\_\_\_\_, 20\_\_, and as corrected under Senate Rule 34 [House Rule 67] \_\_\_\_\_, 20\_\_.)

### **(3) Reprinted First Printing (Second House Committee Amendments)**

Sometimes a bill will be reprinted to incorporate second reading amendments. This reprinted version will be printed on yellow paper and will contain the date on which it was reprinted. If a second house committee is to amend a reprinted bill, the amendment must contain a reference line as follows:

(Reference is to SB [HB] \_\_\_\_ as reprinted \_\_\_\_\_, 20\_\_.)

### **(4) Engrossed Printing (Second House Floor Amendments)**

After a bill is passed out of the second house committee and the committee report is adopted on the floor, the bill is again printed. This version of the bill is referred to as the engrossed printing.

#### **(a) Second Reading Amendments**

If the engrossed bill is to be amended on second reading in the second house, the amendment must contain a reference line as follows:

(Reference is to ESB [EHB] \_\_\_\_ as printed \_\_\_\_\_, 20\_\_.)

#### **(b) Incorporated Floor Amendments**

If the engrossed bill is amended by the second house on second reading and the bill is reprinted (on yellow paper) to incorporate those amendments, any further amendment of the bill (such as on third reading or by a conference committee) must contain a reference line as follows:

(Reference is to ESB [EHB] \_\_\_\_ as reprinted \_\_\_\_\_, 20\_\_.)

#### **(c) Unincorporated Floor Amendments**

If the engrossed bill is amended by the second house on second reading and the bill is not reprinted to incorporate those amendments, any further amendment of the bill (such as on third reading or by a conference committee) must contain a reference line as follows:

**Example:**

(Reference is to ESB [EHB] \_\_\_\_ as printed \_\_\_\_\_, 20\_\_, and as amended on motion of Representative [Senator] \_\_\_\_ adopted \_\_\_\_\_, 20\_\_, and on motion of Representative [Senator] \_\_\_\_ adopted \_\_\_\_\_, 20\_\_.)

**Example:**

(Reference is to ESB [EHB] \_\_\_\_ as printed\_\_\_\_,20\_\_, and as amended by the committee report of the Committee of One adopted\_\_\_\_, 20\_\_.)

**(d) Unincorporated Technical Corrections**

If there are unincorporated changes that are made by Senate Rule 33(c) or House Rule 67 technical corrections, the reference line must read as follows:

(Reference is to ESB [EHB] \_\_\_\_ as printed \_\_\_\_\_, 20\_\_, and as corrected under House Rule 67 [Senate Rule 33(c)] \_\_\_\_\_, 20\_\_.)

**B. DRAFTING TERMINOLOGY**

Use the following terminology whenever amending a bill. These instructions are for the benefit of the legislative printer, who must follow the instructions literally. **Because of computer programming, it is very important to always remember to include ending quotation marks when using quotation marks.** [See **AMENDMENT OF PROVISIONS NOT FOUND IN A PRINTED BILL**, Page 66, for additional rules affecting bills in the second house committee.]

**A summary of commonly used drafting commands may be found in EXHIBIT 23, Page 106.**

**(1) Altering Introductory Clauses**

To cause material to be removed, use "delete".

**Example:** Page 1, line 1, delete "AMENDED".

To cause material to be added, use "insert".

**Example:** Page 1, line 1, delete "AMENDED" and insert "ADDED".

**(2) Altering Nonamendatory SECTIONS of a Bill** (i.e., changes in a SECTION of the bill adding entirely new material such as a new section, a new chapter, and the text of a noncode SECTION.)

To cause material to be removed from text, use "delete" .

**Example:** Page 1, line 6, delete "article".

To cause material to be added to the text, use "insert".

**Example:** Page 1, line 6, delete "article" and insert "**chapter**".

**(3) Altering Amendatory SECTIONS of a Bill** ( i.e., changes in text of a SECTION of the bill that amends a section of existing law.)

To cause material in bold type to be removed from text, use "delete".

**Example:** Page 1, line 6, delete "article".

To cause material in roman type to appear in cancelled type, use "strike".

**Example:** Page 1, line 7, strike "1979,".

To cause material to be added in bold type, use "insert".

**Example:** Page 2, line 7, after "director" insert "**or deputy**".

**Example:** Page 4, line 10, strike "agency" and insert "**commission**".

**Example:** Page 5, line 15, delete "district" and insert "**authority**".

To cause material in cancelled type to be reset in roman type, use "reset in roman".

**Example:** Page 3, line 8, reset in roman "commissioner".

[Note: Do not show the stricken material as stricken in the instruction to reset in roman.]

#### **(4) Adding New SECTIONS to a Bill**

To add an amendatory Indiana Code provision, use "insert:" and indicate the necessary typefaces.

**Example:** Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 5-6-7-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1997]: Sec. 1. A person ~~is authorized to~~ **may** ...".

To add a new Code provision or a noncode provision, use "insert:" and indicate the necessary typefaces.

**Example:** Page 6, between lines 21 and 22, begin a new paragraph and insert:

"SECTION ... IC 5-6-7-10 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1997]: **Sec. 10. ....**".

**IMPORTANT NOTE: Always check the daily action file, the Table of Amendments, Repeals, and Additions, and the Comprehensive Citation Report to determine conflicts with other legislation.** Make certain that all succeeding SECTIONS and references to SECTIONS in the bill are renumbered accordingly. Also, check the title, and, if necessary, recommend a title amendment to the majority attorney of the chamber considering the bill.

#### **(5) Altering the Entire Body of a Bill by Bill Stripping**

For inserting an entirely new body of text into a bill, use the following language:

Delete everything after the enacting clause and insert the following:

Because the subject matter of the new material is often different from that in the original bill, determine if a title amendment is necessary.

Avoid "stripping" a bill if the amendment can be done by use of line and page references. If the drafter or

legislator decides that bill stripping is still the best approach, check the rules of each house to determine its policy on bill stripping before proceeding.

Also keep in mind at conference committee time that if a conference committee inserts a totally new subject matter into a bill (material that has not previously been passed by one of the houses), the senate rules require that the conference committee report be referred to the Senate Committee on Rules and Legislative Procedures.

If that committee approves the report, the bill is then placed on a special calendar for consideration.

#### **(6) Changing a Title**

To amend an existing title or to add an entirely new title, say:

Delete the title and insert the following:

A BILL FOR AN ACT . . .

Avoid overly specific titles. Say "A BILL FOR AN ACT concerning local government" rather than "... concerning the fire protection district tax of the town of Spring Grove".

#### **(7) Use of Quotation Marks**

Material to be inserted in a bill should be enclosed by quotation marks, except when a bill is stripped.

**Example:** Page 8, between lines 9 and 10, begin a new paragraph and insert:

**""Person" means an individual, a corporation, or a partnership."**

#### **(8) Renumbering SECTIONS of a Bill**

To renumber the SECTIONS of a bill when a SECTION is added or removed, the drafter should renumber all of the SECTIONS of the bill by adding a renumbering command immediately before the reference line as follows:

Renumber all SECTIONS consecutively.

Whenever SECTIONS are renumbered, carefully check for any internal references to those SECTIONS that should be changed.

## **(9) Changing Effective Dates in One or More SECTIONS**

Whenever an effective date is changed in a SECTION, the drafter can use individual line and page references or the drafter can change several consecutive SECTIONS of the bill at once. Remember that a separate noncode SECTION may be needed to declare an emergency in some cases. [See **Early Effective Dates**, Page 48.]

### **(a) Replacing Effective Dates in Several SECTIONS**

Assume that a bill contains 15 SECTIONS and that SECTION 3 has been removed. To change the effective date in the remaining SECTIONS, use the following form:

Replace the effective dates in SECTIONS 4 through 15 with "[EFFECTIVE JULY 1, 2001]".

Note: When this command is used, it must be the first command in the document, except for a title amendment.

### **(b) Replacing an Effective Date in Only One SECTION**

Page 3, line 16, delete "[EFFECTIVE JANUARY 1, 2000]" and insert "[EFFECTIVE SEPTEMBER 1, 2000]".

or

Replace the effective date in SECTION 3 with "[EFFECTIVE JANUARY 1, 2001]".

## **(10) Miscellaneous Drafting Commands**

### **(a) To delete new material from or strike part of a line:**

#### **Don't say:**

Page 1, line 6, after "an" delete [strike] the rest of the line.

#### **Say:**

Page 1, line 6, delete [strike] "individual who wishes to ride the".

### **(b) To delete or strike an entire line, say:**

Page 1, delete [strike] line 6.

### **(c) To delete or strike two or more consecutive lines, say:**

Page 2, delete [strike] lines 1 through 2.

### **(d) To strike an entire subsection or subdivision, strike the numeric or alphabetic designation at the beginning of the text being stricken.**

**Example:**

...the following:

(1) Name of corporation.

~~(2) Address:~~

**(2) State where incorporated.**

**(e) To delete one entire page, say:**

Delete page 2.

**(f) To delete two or more entire pages, say:**

Delete pages 2 through 5.

**(g) To begin a new paragraph, say:**

Page 3, between lines 6 and 7, begin a new paragraph and insert:

**"(b) A house trailer may be taxed once a year."**

**(h) To block indent, say:**

Page 4, line 6, after "or" begin a new line block indented and insert:

**"(1)".**

**(i) To double block indent, say:**

Page 5, line 10, after "year." begin a new line double block indented and insert:

**"(C) A license must be renewed each year."**

**(j) To have a line return to the margin, say:**

Page 5, line 6, block left beginning with "commits".

**(k) To begin a new line at the margin, say:**

Page 10, line 5, begin a new line blocked left and insert **"must renew the license each year."**

**(l) To have two lines run together that are separated by some type of indentation, say:**

Page 1, run in lines 20 through 21.

Page 5, run in line 42 through page 6, line 1.

**(m) To have two lines run together after an intervening line has been deleted, say:**

Page 2, run in lines 30 and 32.

**(n) To run in two lines that are being amended:**

Be sure to make any necessary amendments to the lines being run in before using the run in command.

**Example:**

Page 1, line 1, strike "agency:".  
Page 1, line 2, strike "(1) employee".  
Run in lines 1 through 2.

**(o) To delete or strike a word or numeral that appears more than once in a line, the command must identify which occurrence of the word or numeral is to be deleted or stricken.**

**Example:** If page 4, line 15 reads as follows: "Sec. 1. Before July 1 of each year" and you wish to change July 1 to July 31,

**Don't say:**

Page 4, line 15, delete [strike] "1" and insert "31".

**Say:**

Page 4, line 15, delete [strike] "July 1" and insert "July 31".

**(p) To add indentation or tabulation to a paragraph, say the following:**

**Example:**

**1     The applicant must submit an affidavit that the applicant has completed the**  
**2     training required under section 3 of this chapter and pay the annual fee**  
**3     prescribed by the department before the department may issue a license to the**  
**4     applicant.**

**To insert indentation in the above paragraph, use the following commands:**

Page 1, line 1, after "must" insert ":

**(1)**".

Page 1, line 2, after "chapter" insert ";

Page 1, line 2, after "and" insert:

**(2)**".

Page 1, line 3, after "department" insert ";

Page 1, line 3, block left beginning with "before".

**The resulting paragraph will look like this:**

The applicant must:

**(1)** submit an affidavit that the applicant has completed the training required under section 3 of this chapter; and

**(2)** pay the annual fee prescribed by the department; before the department may issue a license to the applicant.

[Note: Item (b) or (c) [Page 64] may be combined with item (h), (i), (j), or (k) in a single command.]

**(q) To facilitate the smooth running of computer programs, avoid the term "before" in an amendatory command whenever possible.**

### **C. AMENDMENT OF PROVISIONS NOT FOUND IN A PRINTED BILL (SECOND HOUSE COMMITTEE AMENDMENTS); TECHNICAL CORRECTIONS**

Use the following techniques in preparing a committee amendment in the second house that affects floor amendments or technical corrections made earlier but not incorporated into the latest printed version of the bill. If an unincorporated amendment or correction is to be entirely deleted, begin the committee amendment by deleting the unincorporated amendment or correction. Also review the discussion on reference lines [see Pages 58-60] in this chapter.

#### **(1) Deleting a Second Reading Amendment**

To delete a second reading amendment in its entirety, say:

Delete the amendment made on motion of Senator [Representative] \_\_\_\_\_ adopted \_\_\_\_\_, 20\_\_.

#### **(2) Deleting a Part of a Second Reading Amendment**

**Technique 1:** Delete the entire motion and then put back those parts of the amendment desired to be retained. This method is most useful when:

- (a) the committee wants to retain only a small part of a lengthy floor amendment; or
- (b) it is difficult to understand the effect of the amendment using page and line numbers.

**Technique 2:** The second method is to assume that the amendment is a part of the bill and to then remove the language that is to be deleted.

**Example:** Assume that a second reading motion had made ten amendments and that one of them was the following:

Page 10, line 7, after "account." insert "**The commissioner shall publish an annual fiscal report.**".

Now assume that the second house committee agreed with all the other changes in the second reading amendment, but the committee disagreed with the amendment enumerated above. That part of the amendment could be removed as follows:

Page 10, line 7, after "account." delete "The commissioner shall publish an annual fiscal report." as inserted on motion of Senator [Representative] \_\_\_\_\_ adopted \_\_\_\_\_, 20\_\_.

If the second house committee wanted only to remove the word "fiscal" so that an annual report not limited to fiscal matters is required, the amendment could be amended as follows:

Page 10, line 7, after "annual" delete "fiscal" as inserted on motion of Senator [Representative] \_\_\_\_\_ adopted \_\_\_\_\_, 20\_\_.

#### **(3) Restoring Language Stricken in a Second Reading Amendment**

**Example:**

Assume that a second reading amendment strikes language in a bill as follows:

Page 7, line 11, strike "and towns".

To restore this language say:

Page 7, line 11, reset in roman "and towns" as stricken on motion of Senator [Representative] \_\_\_\_\_ adopted \_\_\_\_\_, 20\_\_.

**(4) Reinserting Language Deleted by a Second Reading Motion in an Amendatory SECTION.**

**Example:**

Assume new language in an amendatory SECTION was removed on second reading as follows:  
Page 5, line 21, delete "incorporated".

To restore this deleted language, say:

Page 5, line 21, after "applies to" insert "**incorporated**" as deleted on motion of Senator [Representative] \_\_\_\_\_ adopted \_\_\_\_\_, 20\_\_.

**(5) Reinserting Language Deleted by a Second Reading Motion in a Nonamendatory SECTION.**

The procedure to be followed when an earlier amendment has deleted language shown in bold in a nonamendatory bill is similar to reinserting language deleted by a second reading motion for an amendatory SECTION as described in item (4) above.

**(6) Deleting Language that Includes an Amendment**

If a second house committee decides to delete or strike several lines or an entire SECTION of a bill, and the part to be deleted or stricken was affected by a second reading amendment, say:

Page \_\_\_\_, delete [strike] lines 14 through 25, including the amendment to line \_\_\_\_ made on motion of Senator [Representative] \_\_\_\_\_ adopted \_\_\_\_\_, 20\_\_.

**(7) Technical Corrections**

If language in a bill is altered by a technical correction (Senate Rule 34 or House Rule 67) and the language is affected by later committee action, treat it in the same manner as floor amendments but make reference to the rule itself.

**Example:** Page 10, line 7, delete "incorporated" as inserted under Senate Rule 34 [House Rule 67] \_\_\_\_\_, 20\_\_.

To delete a technical correction in its entirety, say:

Delete the technical correction made under Senate Rule 34 [House Rule 67] \_\_\_\_\_, 20\_\_.

**D. CONFERENCE COMMITTEE REPORTS**

**(1) Introduction**

Follow these steps when drafting a conference committee report:

- (a) Examine the daily action file to determine if further amendments are necessary to the latest printing

of the engrossed bill.

(b) If further amendments are necessary:

(i) insert a new title if needed; and

(ii) use page and line reference amendments to the selected printing. These amendments might include unincorporated amendments, language from other bills, or entirely new material.

Remember, if a conference committee report "contains subject matter not previously passed by at least one house", the drafter must notify the Senate Majority Attorney of that fact.

(c) Examine the Comprehensive Citation Report to determine if any SECTIONS of the bill as amended by the conference committee report conflict with the same Code provisions in other bills. If a conflict exists, notify the Office of Code Revision before proceeding.

## **(2) Checklist for a Conference Committee Report**

A conference committee report must:

(a) refer to the latest printing of a bill;

(b) delete all unincorporated amendments and corrections;

(c) list all changes to that version that have been agreed to by the conferees; and

(d) include a comprehensive reference line.

[See **EXHIBIT 33, Page 118, and EXHIBIT 34, Page 121**, for examples.]

## **E. ALTERING PROVISIONS ADDED OR AMENDED EARLIER IN THE SAME SESSION**

### **(1) Introduction**

If a section of the Indiana Code is added or amended, the introductory clause and text for a later amendment to that section during the same session must reflect the prior addition or amendment. A reference to the prior amendment should be to the bill number and the year of the session in which it was enacted, separated by a hyphen. Bills enacted in a special session should also parenthetically reference the special session.

### **(2) Introductory Clause**

#### **Amendment of Section Previously Amended**

SECTION \_\_\_\_. IC 5-10-3-34, AS AMENDED BY SEA [HEA] 23-1999 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]:

#### **Amendment of Section Previously Added**

SECTION \_\_\_\_. IC 5-10-3-34, AS ADDED BY SEA [HEA] 23-1999, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]:

#### **Addition of a Provision to a Previously Added Chapter, Article, or Title**

If a new section, chapter, or article is to be added to a chapter, article, or title previously added in the same session, it is necessary to refer to the legislation that added the new provision. For example, if HEA 1123-2000 added a new chapter at IC 4-12-9 and the addition of a new section 12 is desired, the lead in line should appear as follows:

SECTION \_\_\_\_. IC 4-12-9-12 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO THE NEW CHAPTER** ADDED BY HEA 1123-2000, TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2000]:

### **(3) Text (Amendments Only)**

The text set forth must be the latest version with all canceled type deleted and all bold type inserted in roman. The changes to be made by the later amendment should then be set forth in canceled or bold type.

### **(4) Effective Date**

The later addition or amendment should be drafted so that it will not take effect before the prior addition or amendment.

## **F. JOINT RULE 20 CORRECTIONS**

### **(1) Introduction**

In Indiana, the legal effect of enacting two acts that technically conflict with each other is unsettled. However, the joint rules of the house and senate contain an extraordinary mechanism for making last-minute corrections to bills for the purpose of avoiding technical conflicts between acts. Under Joint Rule 20, a technical conflict exists when any of the following situations occurs:

- (a) If two bills amending the same section of the Indiana Code are approved in the same session of the general assembly and neither bill recognizes the existence of the other.
- (b) If one bill amends a section of the Indiana Code and another bill repeals that section with an effective date preceding the effective date of the amendment.
- (c) If two bills each add a new provision to the Indiana Code at the same Code citation without either bill recognizing the addition made by the other and both bills are approved in the same session of the general assembly.

### **(2) Committee Action**

In any of the above situations, Joint Rule 20 provides that one of the two bills may be corrected at enrollment to recognize the existence of the other. The correction must be approved by both the Committee on Rules and Legislative Procedures of the House of Representatives and the Committee on Rules and Legislative Procedure of the Senate. However, a correction under the rule is limited to the extent necessary to resolve the technical conflict and may not be made unless the report of each of the two committees includes the written consent of the respective committee's ranking minority member. In addition, the committee report in each house must include the written consent of the corrected bill's author or sponsor, as the case may be.

### **(3) Preparation**

The Office of Code Revision consults with the authors, sponsors, and house and senate attorneys regarding all technical conflict situations. A Joint Rule 20 correction should be prepared only after agreement has been reached that there is no other way to resolve a technical conflict. Follow these steps when drafting a Joint Rule 20 correction:

- (a) Determine the simplest, most direct way to resolve the technical conflict. Avoid methods that will require extensive changes to the text of one of the bills. Also avoid making changes that might appear to substantively affect one of the bills.
- (b) Use page and line reference amendments to the latest printing of the bill being corrected. These amendments might also need to include changes to unincorporated amendments, earlier technical corrections, or conference committee reports.
- (c) Recheck the comprehensive citation report to be certain that no new technical conflicts will be created by resolving an existing one.
- (d) Notify the staff of the house of origin that a Joint Rule 20 correction needs to be made to the bill at enrollment. The house or senate staff may have to make special arrangements to have the enrolled act printed with the Joint Rule 20 changes incorporated.

**(4) Form:**

**Example:**

JOINT RULE 20 CORRECTION

TO HB 1387

COMMITTEE REPORT

Mr. Speaker [Mr. President]: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedures [Committee on Rules and Legislative Procedure], to which was referred Engrossed House Bill 1387 because it amends the same sections of the law as Senate Enrolled Act 461 and House Enrolled Act 1075 without properly recognizing the existence of those Acts, has had House Bill 1387 under consideration and begs leave to report back to the House [Senate] with the recommendation that House Bill 1387 be corrected as follows:

Page 56, line 39, delete "P.L.103-2000" and insert "SEA 461-2000,".

Page 56, line 40, delete "1985, SECTION 13,".

Page 56, line 44, delete "The docket" and insert "**These fees**".

Page 58, line 31, delete "P.L.167-2000" and insert "HEA 1075-2000,".

Page 58, line 32, delete "1984, SECTION 75,".

Page 59, line 1, delete "and".

Page 59, line 4, delete "." and insert "; **and**".

Page 59, between lines 4 and 5, begin a new line block indented and insert:

**"(5) a redocketing fee, if any, of five dollars (\$5)."**

Page 59, line 9, delete "said" and insert "**the**".

(Reference is to EHB 1387 as printed March 11, 2000.)

## G. JOINT RULE 21 CORRECTIONS

### (1) Introduction

If a bill has been passed by both houses and does not contain a needed emergency clause, the bill can be corrected at enrollment under Joint Rule 21. As is the case with Joint Rule 20 corrections, a Joint Rule 21 correction must be approved by the Rules Committee of the House and Senate.

### (2) JOINT RULE 21 HOUSE FORM

#### COMMITTEE REPORT

Mr. Speaker: Pursuant to Joint Rule 21, your Committee on Rules and Legislative Procedures, to which was referred Senate [House] Bill \_\_\_\_ because it does not contain a needed emergency clause, has had Senate [House] Bill \_\_\_\_ under consideration and begs leave to report back to the House with the recommendation that Senate [House] Bill \_\_\_\_ be corrected as follows:

Page 36, after line 21, begin a new paragraph and insert:

"SECTION 46. **An emergency is declared for this act.**".

Re-number all SECTIONS consecutively.

(Reference is to ESB [EHB] \_\_\_\_ as reprinted April 10, 2000.)

---

Representative \_\_\_\_\_, Chairperson

---

Representative \_\_\_\_\_, R.M.M.

---

Representative \_\_\_\_\_, Sponsor [Author]

**(3) JOINT RULE 21 SENATE FORM**

**COMMITTEE REPORT**

Mr. President: Pursuant to Joint Rule 21, your Committee on Rules and Legislative Procedures, to which was referred Senate [House] Bill \_\_\_\_ because it does not contain a needed emergency clause, has had Senate [House] Bill \_\_\_\_ under consideration and begs leave to report back to the Senate with the recommendation that Senate [House] Bill \_\_\_\_ be corrected as follows:

Page 36, after line 21, begin a new paragraph and insert: "SECTION  
46. **An emergency is declared for this act.**".  
Re-number all SECTIONS consecutively.  
(Reference is to ESB [EHB] \_\_\_\_ as reprinted April 10, 2001.)

---

Senator \_\_\_\_\_, Chairperson

---

Senator \_\_\_\_\_, R.M.M.

---

Senator \_\_\_\_\_, Sponsor [Author]

## EXHIBIT INDEX

Exhibit 1:	Bill Digest .....	Page 76
Exhibit 2:	Bill: Amendment by Adding New Language .....	Page 77
Exhibit 3:	Bill: Amendment by Deleting Existing Language .....	Page 78
Exhibit 4:	Bill: Amendment by Combining Additions and Deletions .....	Page 79
Exhibit 5:	Bill: Amendment by Adding a Subsection .....	Page 80
Exhibit 6:	Bill: Amendment of a Subsection .....	Page 81
Exhibit 7:	Bill: Addition of an Article .....	Page 82
Exhibit 8:	Bill: Addition of a Chapter .....	Page 83
Exhibit 9:	Bill: Addition of a Section .....	Page 84
Exhibit 10:	Bill: Independent Repeal of One Provision .....	Page 85
Exhibit 11:	Bill: Independent Repeal of Several Provisions .....	Page 86
Exhibit 12:	Bill: Repealer Coupled With Other Amendments .....	Page 87
Exhibit 13:	Bill: Amendment of a Noncode Act .....	Page 88
Exhibit 14:	Bill: Enactment of a Noncode Act .....	Page 89
Exhibit 15:	Bill: Repeal of Noncode Act .....	Page 91
Exhibit 16:	Vehicle Bill .....	Page 92
Exhibit 17:	Bill for Special Relief .....	Page 93
Exhibit 18:	Language to Establish a Legislative Study Committee .....	Page 94
Exhibit 19:	Language to Establish an Executive Committee .....	Page 95
Exhibit 20:	Summary of Criminal Penalties .....	Page 97
Exhibit 21:	Language to Request a Medicaid Waiver .....	Page 98
Exhibit 22:	Savings Clause Language for a Recodified Title .....	Page 100
Exhibit 23:	Commonly Used Drafting Commands .....	Page 106
Exhibit 24:	Checklist for Reviving Legislation from a Previous Year .....	Page 108
Exhibit 25:	Checklist for Preparing Amendments, Motions, and Committee Reports .....	Page 109
Exhibit 26:	Proposed Committee Amendment .....	Page 111

Exhibit 27:	Senate Committee Report: Do Pass .....	Page 112
Exhibit 28:	House Committee Report: Do Pass .....	Page 113
Exhibit 29:	Senate Committee Report: Do Pass Amended .....	Page 114
Exhibit 30:	House Committee Report: Do Pass Amended .....	Page 115
Exhibit 31:	Senate Second and Third Reading Amendments .....	Page 116
Exhibit 32:	House Second and Third Reading Amendments .....	Page 117
Exhibit 33:	Conference Committee Report, Senate Version .....	Page 118
Exhibit 34:	Conference Committee Report, House Version .....	Page 121
Exhibit 35:	Simple Resolution, Senate .....	Page 124
Exhibit 36:	Simple Resolution, House .....	Page 127
Exhibit 37:	Senate Concurrent Resolution .....	Page 129
Exhibit 38:	House Concurrent Resolution .....	Page 132
Exhibit 39:	Joint Resolution on First Presentation: Adding New Sections to the Indiana Constitution .....	Page 135
Exhibit 40:	Joint Resolution on Second Presentation: Amending the Indiana Constitution .....	Page 137
Exhibit 41:	Joint Resolution, Vehicle Bill .....	Page 140
Exhibit 42:	Joint Resolution to Ratify an Amendment to the U.S. Constitution .....	Page 142
Exhibit 43:	Joint Resolution Applying to Congress for a Constitutional Convention (General Subject Matter Form) .....	Page 145
Exhibit 44:	Concurrent Resolution Urging Congress .....	Page 147
Exhibit 45:	Concurrent Resolution Urging Congress to Establish an Interim Study Committee .....	Page 150



**EXHIBIT 1**

*Bill Digest*

Introduced Version

\*\*\*

**HOUSE BILL No. \_\_\_\_\_**

**DIGEST OF INTRODUCED BILL**

**Citations Affected:** IC 25-1; IC 25-21.8.

**Synopsis:** Licensure of motor vehicle repair. Establishes the Indiana motor vehicle repair board. Requires a person who does business in Indiana as a specialty mechanic, master mechanic, motor vehicle mechanic, or mechanic trainee or who operates a motor vehicle repair facility in Indiana to be licensed by the board. Provides that the board shall establish licensure requirements for licenses issued by the board. Provides that a consumer is entitled to an estimate of the cost of a car repair before agreeing to the car repair. Provides that if a consumer has a car repaired, the consumer is entitled to the return of any replaced motor vehicle part except under certain circumstances. Provides that a consumer may waive the consumer's rights under the motor vehicle repair law under certain circumstances. Provides penalties for violation of licensure and other requirements of the motor vehicle repair law.

**Effective:** July 1, 20\_\_.

**Author**

\_\_\_\_\_, read first time and referred to Committee on \_\_\_\_\_

20001242

20\_\_

LS6004/DI 100



**EXHIBIT 2**

***Bill: Amendment by Adding New Language***

Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

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

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

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

**SENATE BILL No. 18**



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

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

- 1 SECTION 1. IC 6-3.1-13-13 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 20\_\_]: Sec. 13. (a) The board may
- 3 make credit awards under this chapter to foster job creation **and**
- 4 **preservation** in Indiana.
- 5 (b) The credit shall be claimed for the taxable years specified in the
- 6 taxpayer's tax credit agreement.
- 7 SECTION 2. IC 6-3.1-13-14 IS AMENDED TO READ AS
- 8 FOLLOWS [EFFECTIVE JULY 1, 20\_\_]: Sec. 14. A person that
- 9 proposes a project to create new jobs **or preserve jobs** in Indiana may
- 10 apply to the board to enter into an agreement for a tax credit under this
- 11 chapter. The director shall prescribe the form of the application.

**EXHIBIT 3**

***Bill: Amendment by Deleting Existing Language***

Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

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

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

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

**HOUSE BILL No. 1049**

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

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

1           SECTION 1. IC 12-17-12-5 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 20\_\_]: Sec. 5. As used in this  
3 chapter, "school age child care program" means a program operated by  
4 a school corporation or a nonprofit organization that offers care to  
5 children who are at least five (5) years of age but less than fifteen (15)  
6 years of age for the following periods of time:  
7           (1) Before or after the school day, or both.  
8           (2) When school is not in session.  
9           (3) ~~When school is in session for students who are enrolled in a~~  
10           ~~half-day kindergarten~~ program.

20\_\_

IN 1049—LS 6363/DI 73



**EXHIBIT 4**

***Bill: Amendment by Combining Additions and Deletions***

Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

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

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

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

**SENATE BILL No. 21**

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

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

- 1 SECTION 1. IC 20-10.1-17-3 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 20\_\_]: Sec. 3. ~~(a)~~ The board shall
- 3 adopt state achievement standards for mathematics and
- 4 English/language arts for the grade levels tested under the ISTEP
- 5 program. ISTEP program testing shall be administered in the following
- 6 subject areas:
- 7 (1) English/language ~~arts~~.
- 8 (2) **Arts.**
- 9 ~~(2)~~ (3) Mathematics.
- 10 (4) **Science.**
- 11 (b) ISTEP program testing may be administered in the following
- 12 subject areas:
- 13 ~~(1)~~ Social studies.

20\_\_

IN 21—LS 6159/DI 2



**EXHIBIT 5**

***Bill: Amendment by Adding a Subsection***

Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

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

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

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

**SENATE BILL No. 111**

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

- 1 SECTION 1. IC 33-4-1-10 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 20\_\_]: Sec. 10. (a) The county of
- 3 Clark shall constitute the Fourth Judicial Circuit of the State of Indiana.
- 4 (b) **The judges of the Clark circuit court and Clark superior**
- 5 **court may jointly appoint one (1) full-time magistrate under**
- 6 **IC 33-4-7 to serve the circuit and superior courts.**
- 7 (c) **The magistrate continues in office until removed by the**
- 8 **judges of the Clark circuit and superior courts.**
- 9 SECTION 2. IC 33-4-1-22 IS AMENDED TO READ AS
- 10 FOLLOWS [EFFECTIVE JULY 1, 20\_\_]: Sec. 22. (a) The county of
- 11 Floyd shall constitute the Fifty-second Judicial Circuit.
- 12 (b) **The judges of the Floyd circuit court, Floyd superior court,**
- 13 **and Floyd county court may jointly appoint one (1) full-time**
- 14 **magistrate under IC 33-4-7 to serve the circuit, superior, and**
- 15 **county courts.**



**EXHIBIT 6**

***Bill: Amendment of a Subsection***

Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

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

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

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

**SENATE BILL**



A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

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

1           SECTION 1. IC 9-18-25-14 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 20\_\_]: Sec. 14. (a) This section  
3 applies to an organization that receives a special group license plate  
4 issued under this chapter before January 1, 1998.  
5           (b) The bureau shall terminate the organization's qualification for  
6 the special group license plate program and no further special group  
7 recognition license plates shall be issued for the organization if less  
8 than ~~two thousand (2,000)~~ **five hundred (500)** of the organization's  
9 special group license plates are sold or ~~renwed~~ **renewed** before January  
10 1, 2001. The bureau shall notify the organization's representatives that  
11 the organization will be ineligible to participate in the special group  
12 license plate in a plate cycle beginning after December 31, 20\_\_.

**EXHIBIT 7**  
**Bill: Addition of an Article**

Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

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

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

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

**SENATE BILL No. 120**

---

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

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

- 1           SECTION 1. IC 4-2.5 IS ADDED TO THE INDIANA CODE AS A
- 2           NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
- 3           20\_\_]:
- 4           **ARTICLE 2.5. SALARIES OF PUBLIC OFFICERS**
- 5           **Chapter 1. Definitions**
- 6           **Sec. 1. The definitions in this chapter apply throughout this**
- 7           **article.**
- 8           **Sec. 2. "Commission" refers to the public officers salary**
- 9           **commission established by IC 4-2.5-2-1.**
- 10          **Sec. 3. "Political subdivision" has the meaning set forth in**
- 11          **IC 36-1-2-13.**
- 12          **Sec. 4. "Public employee" refers to any of the following:**
- 13               **(1) An employee of the state.**
- 14               **(2) An employee of a political subdivision.**
- 15               **(3) An employee of any other entity whose salary is paid in**
- 16               **any part from funds derived from taxes imposed by the state.**



**EXHIBIT 8**

***Bill: Addition of a Chapter***

Introduced

\_\_\_\_ Regular Session \_\_\_\_ General Assembly (20\_\_)

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

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

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

**SENATE BILL No. 26**

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

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

1 SECTION 1. IC 22-13-5 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 20\_\_]:

4 **Chapter 5. Power of State Building Commissioner to Interpret**  
5 **Building Laws**

6 **Sec. 1. The office of the state building commissioner may issue**  
7 **a written interpretation of a building law. An interpretation issued**  
8 **by the office of the state building commissioner must be consistent**  
9 **with building laws enacted by the general assembly or adopted by**  
10 **the commission.**

11 **Sec. 2. A written interpretation issued by the office of the state**  
12 **building commissioner under section 1 of this chapter shall be**  
13 **treated as a building law until it is amended or repealed.**

**EXHIBIT 9**  
**Bill: Addition of a Section**

Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

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

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

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

## HOUSE BILL No. 1358

A BILL FOR AN ACT to amend the Indiana Code concerning hate crimes.

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

1           SECTION 1. IC 5-2-5-14 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 20\_\_]: **Sec. 14. (a) A law enforcement agency shall collect**  
4 **information concerning offenses that are apparently directed at an**  
5 **individual or group because of the color, creed, disability, national**  
6 **origin, race, religion, sexual orientation, or sex of the individual or**  
7 **the members of the group.**  
8           **(b) At least two (2) times each year, a law enforcement agency**  
9 **shall submit information collected under subsection (a) to the**  
10 **Indiana criminal justice institute.**

20\_\_

IN 1358—LS 6556/DI 101



**EXHIBIT 10**

***Bill: Independent Repeal of One Statute***

Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

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

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

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

**SENATE BILL No. 70**



A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning education.

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

1           SECTION 1. IC 20-1-1-6.3 IS REPEALED [EFFECTIVE JULY 1,  
2           20\_\_].

**EXHIBIT 11**

***Bill: Independent Repeal of Several Statutes***

Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

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

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

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

**SENATE BILL No. 100**

\_\_\_\_\_

A BILL FOR AN ACT to repeal certain provisions of the Indiana Code concerning court and court officers.

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

1           SECTION 1. THE FOLLOWING ARE REPEALED [EFFECTIVE  
2           JULY 1, 20\_\_]: IC 33-20-2-1; IC 33-20-5-8.

20\_\_

IN 100—LS 6151/DI 99



**EXHIBIT 12**

***Bill: Repealer Coupled with Other Amendments***

Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

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

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

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

**HOUSE BILL No. 1070**

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

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

- 1 SECTION 1. IC 25-8-4-19 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 20\_\_]: Sec. 19. The board shall
- 3 renew a license if the license holder
- 4 (†) pays the fee set forth in IC 25-8-13 to renew the license before
- 5 the license is to expire. ~~and~~
- 6 (‡) ~~fulfills the continuing education requirements under~~
- 7 ~~IC 25-8-15.~~
- 8 SECTION 2. THE FOLLOWING ARE REPEALED [EFFECTIVE
- 9 JULY 1, 20\_\_]: IC 25-8-2-2.5; IC 25-8-2-3.5; IC 25-8-15.

**EXHIBIT 13**

**Bill: Amendment of a Noncode Act**

Introduced

\_\_\_\_ Regular Session \_\_\_\_ General Assembly (20\_\_)

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

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

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

**HOUSE BILL No. 1200**

A BILL FOR AN ACT concerning state finance.

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

1 SECTION 1. P.L.340-1995, SECTION 25, IS AMENDED TO  
2 READ AS FOLLOWS [EFFECTIVE OCTOBER 1, 20\_\_]: SECTION  
3 25. (a) The governor of the state of Indiana is solely authorized to  
4 accept on behalf of the state any and all federal funds available to the  
5 state of Indiana.  
6 (b) **This subsection does not apply to federal funds that are**  
7 **received under a federal block grant that replaces any part of a**  
8 **federal categorical grant after September 30, 1999.** Federal funds  
9 received under this SECTION are appropriated for their purposes,  
10 subject to allotment by the budget agency. **Subject to the limitations**  
11 **in this subsection,** the provisions of this SECTION and all other  
12 SECTIONS concerning the acceptance, disbursement, review, and  
13 approval of any grant, loan, or gift made by the federal government or  
14 any other source to the state or its agencies and political subdivisions  
15 shall apply, notwithstanding any other law.

20\_\_

IN 1200—LS 6251/DI 99



**EXHIBIT 14**  
***Bill: Enactment of a Noncode Act***

Introduced

\_\_\_\_ Regular Session \_\_\_\_ General Assembly (20\_\_)

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

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

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

## HOUSE BILL No. 1050

A BILL FOR AN ACT concerning human services.

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

- 1           SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **As used in this**  
2 **SECTION, "ICF/MR" means an intermediate care facility for the**  
3 **mentally retarded.**
- 4           (b) **As used in this SECTION, "waiver" means a Section 19159c)**  
5 **waiver under the federal Home and Community-Based Services**  
6 **Program (42 U.S.C. 1396 et seq.).**
- 7           (c) **Before July 1, 20\_\_, the office of Medicaid policy and**  
8 **planning shall apply to the United States Department of Health and**  
9 **Human Services for approval allowing Indiana to increase by an**  
10 **additional two thousand one hundred (2,100), before July 1, 20\_\_,**  
11 **the total number of individuals using an ICF/MR under the waiver.**
- 12           (d) **The office of Medicaid policy and planning shall request in**  
13 **its application under subsection (c) for the increase that Indiana be**  
14 **allowed to increase the number of individuals using an ICF/MR**  
15 **under the waiver by at least three hundred sixty (360) but not more**  
16 **than five hundred (500) each year, based upon available**  
17 **appropriations, and until the maximum number specified under**

20\_\_

IN 1050—LS 6251/DI 13



**EXHIBIT 14, *continued***

1 subsection (c) is reached.

2 (e) The office of Medicaid policy and planning may not increase  
3 under this SECTION the number of individuals under the waiver  
4 until the office of Medicaid policy and planning files an affidavit  
5 with the governor that attests that the approval applied for under  
6 subsection (c) is in effect. The office of Medicaid policy and  
7 planning shall file the affidavit under this subsection not later than  
8 five (5) days after the office of Medicaid policy and planning is  
9 notified of the approval.

10 (f) If the office of Medicaid policy and planning receives an  
11 approval for an increase under this SECTION from the United  
12 States Department of Health and Human Services and the  
13 governor receives the affidavit filed under subsection (e), the office  
14 of Medicaid policy and planning shall increase the number of  
15 individuals using an ICF/MR under the waiver not more than sixty  
16 (60) days after the governor receives the affidavit.

17 (g) This SECTION expires July 1, 20\_\_.

18 SECTION 2. An emergency is declared for this act.



**EXHIBIT 15**  
**Bill: Repeal of a Noncode Act**

Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

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

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

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

## HOUSE BILL No. 2002

---

*[Editorial Note: Use the following style for acts enacted after the 1971 regular session but before the 1982 special session.]*

A BILL FOR AN ACT to repeal Acts 1981, P.L.600 concerning noncode acts.

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

1           SECTION 1. ACTS 1981, P.L.600 IS REPEALED [EFFECTIVE  
2           JULY 1, 20\_\_].

*[Editorial Note: Use the following style for acts enacted after the 1982 Regular Session.]*

A BILL FOR AN ACT to repeal P.L.600-1983 concerning noncode acts.

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

1           SECTION 1. P.L.600-1983 IS REPEALED [EFFECTIVE JULY 1,  
2           20\_\_].

**EXHIBIT 16**  
***Vehicle Bill***

Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

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

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

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

**SENATE BILL No. 69**

---

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

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

1        **SECTION 1. IC 20 is amended concerning education.**



**EXHIBIT 17**  
***Bill for Special Relief***

Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

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

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

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

**SENATE BILL No. 12**

---

A BILL FOR AN ACT for the special relief of Bill Backer.

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

- 1       SECTION 1. [EFFECTIVE JULY 1, 20\_\_] (a) **There is**
- 2       **appropriated to Bill Backer one thousand dollars (\$1,000) from the**
- 3       **state general fund for special relief. This money is not appropriated**
- 4       **for payment of damages but is provided solely out of humanitarian**
- 5       **consideration for the wrongs done to Bill Backer.**
- 6       (b) **This SECTION expires July 1, 20\_\_.**

**EXHIBIT 18**

*Language for Establishment of a Legislative Study Committee*

Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

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

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

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

**HOUSE BILL No. 1999**

A BILL FOR AN ACT concerning the general assembly.

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

- 1 SECTION 1. [EFFECTIVE JULY 1, 20\_\_] (a) As used in this
- 2 SECTION [section], "committee" ["commission"] refers to the
- 3 interim study committee on [insert subject matter] established by
- 4 this SECTION [section].
- 5 (b) There is established the interim study committee
- 6 [commission] on [insert subject matter]. The committee
- 7 [commission] shall study\_\_\_\_\_.
- 8 (c) The committee [commission] shall operate under the policies
- 9 governing study committees adopted by the legislative council.
- 10 (d) The affirmative votes of a majority of the voting members
- 11 appointed to the [committee] [commission] are required for the
- 12 [committee] [commission] to take action on any measure, including
- 13 final reports.
- 14 (e) This SECTION [section] expires [insert date].

20\_\_

IN 1999—LS 6159/DI 50



**EXHIBIT 19**  
*Language for Establishment of an Executive Committee*

Introduced

\_\_\_\_ Regular Session \_\_\_\_ General Assembly (20\_\_)

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

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

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

**HOUSE BILL No. 1888**

A BILL FOR AN ACT to amend the Indiana Code concerning  
\_\_\_\_\_.

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

- 1           SECTION 1. IC 12-4-4-20 IS ADDED TO THE INDIANA CODE  
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 20\_\_]: **Sec. 20. (a) As used in this section, "committee"**  
4 **["commission"] refers to the [insert name of**  
5 **committee/commission].**  
6           **(b) There is established the \_\_\_\_\_ committee [commission]**  
7 **on \_\_\_\_\_ [insert subject matter]. The committee [commission]**  
8 **consists of the following members:**  
9           **(1) . . . .**  
10           **(2) . . . . (et cetera)**  
11           **(c) \_\_\_\_ [Insert appointing authority] shall appoint \_\_\_\_ the**  
12 **chairperson of the committee [commission].**  
13           **(d) The committee [commission] shall study \_\_\_\_.**  
14           **(e) The \_\_\_\_\_ shall staff the committee [commission].**  
15           **(f) The expenses of the committee [commission] shall be paid**  
16 **from [insert fund or other source of payment].**

20\_\_

IN 1888—LS 6159/DI 50



EXHIBIT 19, *continued*

1 (g) Each member of the committee [commission] who is not a  
2 state employee is [is not] entitled to the minimum salary per diem  
3 provided by IC 4-10-11-2.1(b). The member is also [is, however,]  
4 entitled to reimbursement for traveling expenses as provided under  
5 IC 4-13-1-4 and other expenses actually incurred in connection  
6 with the member's duties as provided in the state policies and  
7 procedures established by the Indiana department of  
8 administration and approved by the budget agency.

9 (h) Each member of the committee [commission] who is a state  
10 employee [but who is not a member of the general assembly] is  
11 entitled to reimbursement for traveling expenses as provided under  
12 IC 4-13-1-4 and other expenses actually incurred in connection  
13 with the member's duties as provided in the state policies and  
14 procedures established by the Indiana department of  
15 administration and approved by the budget agency.

16 (i) Each member of the committee [commission] who is a  
17 member of the general assembly is entitled to receive the same per  
18 diem, mileage, and travel allowances paid to legislative members  
19 of interim study committees established by the legislative council.  
20 Per diem, mileage, and travel allowances paid under this  
21 subsection shall be paid from appropriations made to the  
22 legislative council or the legislative services agency.

23 (j) Each member of the committee [commission] who is a  
24 member of the general assembly is a nonvoting member.

25 (k) The affirmative votes of a majority of the voting members  
26 appointed to the [committee] [commission] are required for the  
27 [committee] [commission] to take action on any measure, including  
28 final reports.



**EXHIBIT 20**  
*Criminal Penalties*

<b>EXPLANATION OF PENALTY PROVISIONS AND PROCEDURES IN THE INDIANA CODE</b> Prepared by the Legislative Services Agency (Last Revised: 8/98)			
<b>CRIMINAL MATTERS</b>			
<b>CATEGORY</b>	<b>FIXED TERM OF IMPRISONMENT</b>	<b>MAXIMUM FINE</b>	<b>STATUTORY AUTHORITY****</b>
Murder	55 years (+10 or -10)*, Death Penalty, or Life Imprisonment without Parole	\$10,000***	IC 35-50-2-3(a) IC 35-50-2-9
Class A Felony	30 years (+20 or -10)*	\$10,000***	IC 35-50-2-4
Class B Felony	10 years (+10 or -4)*	\$10,000***	IC 35-50-2-5
Class C Felony	4 years (+4 or -2)*	\$10,000***	IC 35-50-2-6
Class D Felony	1.5 years (+1.5 or -1)* or Reduction to Class A misdemeanor**	\$10,000***	IC 35-50-2-7
Class A Misdemeanor	Up to 1 year	\$ 5,000***	IC 35-50-3-2
Class B Misdemeanor	Up to 180 days	\$ 1,000***	IC 35-50-3-3
Class C Misdemeanor	Up to 60 days	\$ 500***	IC 35-50-3-4
<b>CIVIL MATTERS</b>			
<b>CATEGORY</b>	<b>FIXED TERM OF IMPRISONMENT</b>	<b>MAXIMUM CIVIL JUDGMENT</b>	<b>STATUTORY AUTHORITY</b>
Class A Infraction	None	\$10,000	IC 34-28-5-4(a)
Class B Infraction	None	\$ 1,000	IC 34-28-5-4(b)
Class C Infraction	None	\$ 500	IC 34-28-5-4(c)
Class D Infraction	None	\$ 25	IC 34-28-5-4(d)
Ordinance Violation	None	\$ 2,500*****	IC 36-1-3-8(10)
<p>* The numbers in parentheses represent the extent of judicial discretion in cases in which aggregating or mitigating circumstances are found.</p> <p>** Certain crimes not eligible for reduction to Class A misdemeanor.</p> <p>*** IC 35-50-5-2 provides for an alternative fine equal to twice the offender's pecuniary gain or twice the pecuniary loss of the victim.</p> <p>**** Miscellaneous other statutes provide various sanctions in specific cases, including driver's license suspension (e.g., IC 9-30-5-10; IC 9-30-13), treble damages (IC 34-24-3), forfeiture (IC 34-24-1 and IC 34-24-2), disenfranchisement (IC 35-50-5-1.1), and restitution (IC 35-50-5-3).</p> <p>*****The maximum civil judgment for violations of certain ordinances concerning air emissions is \$10,000.</p>			

**EXHIBIT 21**  
***Language Requesting a Medicaid Waiver***

Introduced

\_\_\_\_ Regular Session \_\_\_\_ General Assembly (20\_\_)

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

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

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

**HOUSE BILL No. 1777**

A BILL FOR AN ACT concerning human services.

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

- 1           SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **As used in this**  
2 **SECTION, "office" refers to the office of Medicaid policy and**  
3 **planning.**
- 4           (b) **As used in this SECTION, "traumatic brain injury" means**  
5 **an injury to the brain arising from external forces, including closed**  
6 **or open head injuries, toxic chemical reactions, anoxia, near**  
7 **drownings, and focal brain injuries.**
- 8           (c) **As used in this SECTION, "waiver" refers to a home and**  
9 **community based services traumatic brain injury waiver.**
- 10          (d) **Before July 1, 20\_\_, the office shall apply to the United**  
11 **States Department of Health and Human Services for approval of**  
12 **the necessary waiver under the federal Home and Community**  
13 **Based Services program (42 U.S.C. 1396 et seq.) to develop and**  
14 **implement home and community based services for individuals**  
15 **with a traumatic brain injury.**
- 16          (e) **The office of Medicaid policy and planning may not**  
17 **implement the waiver until the office files an affidavit with the**

20\_\_

IN 1777—LS 9999/DI 13



**EXHIBIT 21, *continued***

1       **governor attesting that the federal waiver applied for under this**  
2       **SECTION is in effect. The office shall file the affidavit under this**  
3       **subsection not later than five (5) days after the office is notified**  
4       **that the waiver is approved.**  
5       **(f) If the office receives a waiver under this SECTION from the**  
6       **United States Department of Health and Human Services and the**  
7       **governor receives the affidavit filed under subsection (e), the office**  
8       **shall implement the waiver not more than sixty (60) days after the**  
9       **governor receives the affidavit.**  
10       **(g) The office may adopt rules under IC 4-22-2 necessary to**  
11       **implement this SECTION.**  
12       **(i) This SECTION expires July 1, 20\_\_.**  
13       **SECTION 2. An emergency is declared for this act.**



**EXHIBIT 22**  
*Language Savings Clause for a Recodified Title*

Introduced

Second Regular Session 110th General Assembly (1998)

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

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

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

## SENATE BILL No. 8

---

A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

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

1           SECTION 1. IC 34-7-1 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
3 1998]:

4           **ARTICLE 7. GENERAL PROVISIONS**

5           **Chapter 1. Effect of Recodification Act of the 1998 Regular**  
6 **Session of the General Assembly**

7           **Sec. 1. The purpose of the recodification act of the 1998 regular**  
8 **session of the general assembly is to recodify prior civil law and**  
9 **procedure in a style that is clear, concise, and easy to interpret and**  
10 **apply. Except to the extent that:**

11           **(1) the recodification act of the 1998 regular session of the**  
12 **general assembly is amended to reflect the changes made in a**  
13 **provision of another bill that adds to, amends, or repeals a**  
14 **provision in the recodification act of the 1998 regular session**

1998

IN 8—LS 6159/DI 50



EXHIBIT 22, *continued*

1 of the general assembly; or  
2 (2) the minutes of meetings of the code revision commission  
3 during 1997 expressly indicate a different purpose;  
4 the substantive operation and effect of the prior civil law and  
5 procedure continue uninterrupted as if the recodification act of the  
6 1998 regular session of the general assembly had not been enacted.

7 Sec. 2. Subject to section 1 of this chapter, sections 3 through 9  
8 of this chapter shall be applied to the statutory construction of the  
9 recodification act of the 1998 regular session of the general  
10 assembly.

11 Sec. 3. (a) The recodification act of the 1998 regular session of  
12 the general assembly does not affect:

- 13 (1) any rights or liabilities accrued;
- 14 (2) any penalties incurred;
- 15 (3) any violations committed;
- 16 (4) any proceedings begun;
- 17 (5) any bonds, notes, loans, or other forms of indebtedness  
18 issued, incurred, or made;
- 19 (6) any tax levies made or authorized;
- 20 (7) any funds established;
- 21 (8) any patents issued;
- 22 (9) the validity, continuation, or termination of any contracts  
23 or leases executed;
- 24 (10) the validity, continuation, scope, termination, suspension,  
25 or revocation of:
  - 26 (A) permits;
  - 27 (B) licenses;
  - 28 (C) certificates of registration;
  - 29 (D) grants of authority; or
  - 30 (E) limitations of authority; or
- 31 (11) the validity of court decisions entered regarding the  
32 constitutionality of any provision of the prior civil law and  
33 procedure;

34 before the effective date of the recodification act of the 1998  
35 regular session of the general assembly (July 1, 1998). Those rights,  
36 liabilities, penalties, offenses, proceedings, bonds, notes, loans,  
37 other forms of indebtedness, tax levies, funds, patents, contracts,



**EXHIBIT 22, *continued***

1 leases, permits, licenses, certificates of registration, grants of  
2 authority, or limitations of authority continue and shall be imposed  
3 and enforced under prior civil law and procedure as if the  
4 recodification act of the 1998 regular session of the general  
5 assembly had not been enacted.

6 (b) The recodification act of the 1998 regular session of the  
7 general assembly does not:

8 (1) extend, or cause to expire, a permit, license, certificate of  
9 registration, or other grant or limitation of authority; or

10 (2) in any way affect the validity, scope, or status of a license,  
11 permit, certificate of registration, or other grant or limitation  
12 of authority;

13 issued under the prior civil law and procedure.

14 (c) The recodification act of the 1998 regular session of the  
15 general assembly does not affect the revocation, limitation, or  
16 suspension of a permit, license, certificate of registration, or other  
17 grant or limitation of authority based in whole or in part on  
18 violations of the prior civil law and procedure or the rules adopted  
19 under the prior civil law and procedure.

20 **Sec. 4.** The recodification act of the 1998 regular session of the  
21 general assembly shall be construed as a recodification of prior  
22 civil law and procedure statutes. Except as provided in section 1(1)  
23 and 1(2) of this chapter, if the literal meaning of the recodification  
24 act of the 1998 regular session of the general assembly (including  
25 a literal application of an erroneous change to an internal  
26 reference) would result in a substantive change in the prior civil  
27 law and procedure, the difference shall be construed as a  
28 typographical, spelling, or other clerical error that must be  
29 corrected by:

30 (1) inserting, deleting, or substituting words, punctuation, or  
31 other matters of style in the recodification act of the 1998  
32 regular session of the general assembly; or

33 (2) using any other rule of statutory construction;

34 as necessary or appropriate to apply the recodification act of the  
35 1998 regular session of the general assembly in a manner that does  
36 not result in a substantive change in the law. The principle of  
37 statutory construction that a court must apply the literal meaning



**EXHIBIT 22, *continued***

1 of an act if the literal meaning of the act is unambiguous does not  
2 apply to the recodification act of the 1998 regular session of the  
3 general assembly to the extent that the recodification act of the  
4 1998 regular session of the general assembly is not substantively  
5 identical to the prior civil law and procedure.

6 **Sec. 5.** Subject to section 8 of this chapter, a reference in a  
7 statute or rule to a statute that is repealed and replaced in the same  
8 or a different form in the recodification act of the 1998 regular  
9 session of the general assembly shall be treated after the effective  
10 date of the new provision as a reference to the new provision.

11 **Sec. 6.** A citation reference in the recodification act of the 1998  
12 regular session of the general assembly to another provision of the  
13 recodification act of the 1998 regular session of the general  
14 assembly shall be treated as including a reference to the provision  
15 of prior civil law and procedure that is substantively equivalent to  
16 the provision of the recodification act of the 1998 regular session  
17 of the general assembly that is referred to by the citation reference.

18 **Sec. 7. (a)** As used in the recodification act of the 1998 regular  
19 session of the general assembly, a reference to rules adopted under  
20 any provision of this title or under any other provision of the  
21 recodification act of the 1998 regular session of the general  
22 assembly refers to either:

23 (1) rules adopted under the recodification act of the 1998  
24 regular session of the general assembly; or

25 (2) rules adopted under the prior civil law and procedure until  
26 those rules have been amended, repealed, or superseded.

27 (b) Rules adopted under the prior civil law and procedure  
28 continue in effect after June 30, 1998, until the rules are amended,  
29 repealed, or suspended.

30 **Sec. 8. (a)** A reference in the recodification act of the 1998  
31 regular session of the general assembly to a citation in the prior  
32 civil law and procedure before its repeal is added in certain  
33 sections of the recodification act of the 1998 regular session of the  
34 general assembly only as an aid to the reader.

35 (b) The inclusion or omission in the recodification act of the  
36 1998 regular session of the general assembly of a reference to a  
37 citation in the prior civil law and procedure before its repeal does



EXHIBIT 22, *continued*

- 1       **not affect:**  
2           (1) any rights or liabilities accrued;  
3           (2) any penalties incurred;  
4           (3) any violations committed;  
5           (4) any proceedings begun;  
6           (5) any bonds, notes, loans, or other forms of indebtedness  
7           issued, incurred, or made;  
8           (6) any tax levies made;  
9           (7) any funds established;  
10          (8) any patents issued;  
11          (9) the validity, continuation, or termination of contracts or  
12          leases executed;  
13          (10) the validity, continuation, scope, termination, suspension,  
14          or revocation of:  
15               (A) permits;  
16               (B) licenses;  
17               (C) certificates of registration;  
18               (D) grants of authority; or  
19               (E) limitations of authority; or  
20          (11) the validity of court decisions entered regarding the  
21          constitutionality of any provision of the prior civil law and  
22          procedure;  
23       before the effective date of the recodification act of the 1998  
24       regular session of the general assembly (July 1, 1998). Those rights,  
25       liabilities, penalties, offenses, proceedings, bonds, notes, loans,  
26       other forms of indebtedness, tax levies, funds, patents, contracts,  
27       leases, licenses, permits, certificates of registration, and other  
28       grants of authority continue and shall be imposed and enforced  
29       under prior civil law and procedure as if the recodification act of  
30       the 1998 regular session of the general assembly had not been  
31       enacted.  
32       (c) The inclusion or omission in the recodification act of the  
33       1998 regular session of the general assembly of a citation to a  
34       provision in the prior civil law and procedure statutes does not  
35       affect the use of a prior conviction, violation, or noncompliance  
36       under the prior civil law and procedure as the basis for revocation  
37       of a license, permit, certificate of registration, or other grant of



**EXHIBIT 22, *continued***

1 authority under the recodification act of the 1998 regular session  
2 of the general assembly, as necessary or appropriate to apply the  
3 recodification act of the 1998 regular session of the general  
4 assembly in a manner that does not result in a substantive change  
5 in the law.  
6 Sec. 9. Sections 1 through 8 of this chapter apply to IC 34-18  
7 concerning medical malpractice, which, before it was recodified in  
8 the recodification act of the 1998 regular session of the general  
9 assembly effective July 1, 1998, appeared at IC 27-12 in the  
10 Indiana Code.



## EXHIBIT 23

### *Commonly Used Drafting Commands*

#### **Page, line commands:**

Delete the title and insert the following:

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

A BILL FOR AN ACT concerning XX.

Delete everything after the enacting clause and insert the following:

(Note: This is a command to strip a bill.)

Delete pages XX through XX.

Delete page XX.

Delete the amendment made on motion of XX, adopted XX, 2000.

Page XX, line XX, delete "XX" and insert "**XX**".

Page XX, line XX, delete "XX" and insert "XX".

(Note: insertions in the commands on this page might be either bold or roman, depending on the context).

Page XX, line XX, delete "XX".

Page XX, line XX, after "XX" insert "**XX**".

Page XX, line XX, before "XX" insert "**XX**".

Page XX, line XX, strike "XX".

Page XX, line XX, strike "XX" and insert "XX".

Page XX, between lines XX and XX, begin a new paragraph and insert:

"(a)...".

Page XX, line XX, beginning with "XX" begin a new line blocked left.

Page XX, line XX, begin a new line block indented and insert:

"(1)...".

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"(a)...".

Page XX, line XX, reset in roman "XX".

Page XX, reset in roman lines "XX" through "XX".

Page XX, delete lines XX through XX.

Page XX, delete line XX.

Page XX, run in lines XX through XX.

Replace the effective dates in SECTIONS XX through XX with "[XX]".

Replace the effective date in SECTION XX with "[XX]".

Page XX, after line XX, begin a new paragraph and insert:

"SECTION XX. **An emergency is declared for this act.**".

Re-number all SECTIONS consecutively.

#### **Reference lines:**

(Reference is to XX as introduced.)

(Reference is to XX as printed XX, 2000.)

(Reference is to XX as reprinted XX, 2000.)

(Reference is to XX as printed XX, 2000, and as amended by the committee report of the committee of one adopted XX, 2000.)

(Reference is to XX as printed XX, 2000, and as amended on motion of XX adopted XX, 2000.)

(Reference is to XX as printed XX, 2000, and as corrected under Senate Rule 33(c) XX, 2000.)

(Reference is to XX as printed XX, 2000, and as corrected under House Rule 67 XX, 2000.)

**EXHIBIT 23, *continued***

**Effective Date Styles:**

[EFFECTIVE UPON PASSAGE]

[EFFECTIVE JULY 1, 2000]

[EFFECTIVE XX, 2000]

[EFFECTIVE JANUARY 1, 2000 (RETROACTIVE)]

[EFFECTIVE XX, 20XX (RETROACTIVE)]

## EXHIBIT 24

### *Checklist for Reviving Legislation from a Previous Year*

#### **"Revival" of a Bill From a Previous Session**

Here are the steps you should follow every time you revive a bill:

Do not assume that a bill is ready for introduction merely because it was introduced in a prior legislative session. The fact that a bill was introduced and not passed could mean that it was rejected due to flaws in the draft. Always do the following before logging in a "revival":

- (1) Check each Indiana Code section in the bill to make sure it hasn't been amended or repealed.
- (2) Check all internal references in the bill to make sure they haven't been amended or repealed.
- (3) Make sure that the Code placement of each Indiana Code section is correct. If a new chapter, section, etc., is being added in the draft, be sure that a chapter, section, etc., has not already been added at the same Code location.
- (4) Revise all effective dates and make sure an effective date appears in brackets in each lead-in line. Double check to make sure there's an emergency clause at the end of the document if an emergency clause is needed. An emergency clause will be needed if any SECTION in the bill takes effect upon passage, retroactively, before June 30, 20\_\_ (for a bill introduced during a long session), or before May 15, 20\_\_ (for a bill introduced during a short session).
- (5) Read through the "revival" to be sure it makes sense.
- (6) Correct technical errors in compliance with the Drafting Manual.
- (7) If the bill can be improved, inform the legislator of this fact before making the improvements so that he or she is not "blind-sided". Usually, legislators are pleased to have improvements made to "revivals".

Remember that a "revival" deserves as much thoughtful analysis and attention to detail as a "new" bill request. Think of a "revival" as a good starting point, not as a completed project that merely needs to be logged in.

- (8) Remember that the effective date [EFFECTIVE JULY 1, 20\_\_] should appear in the lead-in line for SECTIONS that are to take effect on the standard effective date. Bills and other documents prepared for sessions before 1994 won't have a specified effective date in the lead-in line if they were to take effect on the standard effective date.

## EXHIBIT 25

### *Checklist for*

### *Preparing Amendments, Motions, and Committee Reports*

#### AMENDMENTS, MOTIONS, AND COMMITTEE REPORTS

Here are some reminders that, if followed, will result in high quality documents that can be processed quickly and smoothly. Please remember that attention to detail is very important when preparing amendments, motions, and committee reports.

1. Use the latest version of the bill. Legislators will often ask for a second reading amendment right after a committee meeting. You need to wait until the committee report is adopted and a new version of the bill is printed before drafting the second reading amendment.

2. LSA PERSONNEL: Give OCR the true time a document is needed. This is really important. OCR constantly reorders the work flow based upon deadlines. Don't put your fellow drafters at a disadvantage by requesting work earlier than is necessary.

3. LSA PERSONNEL: If your document is **BASED ON** another document, let OCR know. This will save lots of time.

4. Remember to type **STRICKEN TEXT BEFORE BOLD TEXT**.

E.g. before ~~August~~ **July** 1 of each year

NOT before **July** ~~August~~ 1 of each year

5. Don't delete text that appears in existing law. Use the **strike** command only.

6. Don't delete and reinsert in roman any text that appears in existing law. (There is one exception--when changing the first letter in one word from upper case to lower case or vice versa.)

7. Show proper indentation and designation.

8. Make sure that a period appears at the end of each sentence and at the end of each command.

9. Punctuation should appear in the **SAME TYPEFACE** as the preceding word. Resetting a stricken word may require the punctuation to be reset also, including adding back punctuation that the bill may have deleted.

10. **CHECK THE DAILY ACTION FILE** for legal and technical problems in the bill you are amending. Try to take care of these problems in your amendment or committee report.

11. **CHECK THE DAILY ACTION FILE** for unincorporated amendments. Remember to reference all unincorporated amendments in the reference line. An unincorporated amendment is an amendment that has been adopted, but has not been included in the latest printing of a bill.

12. Check to see if a title amendment is needed.

13. Quotation marks go at the beginning and end of material added to or deleted from a bill.

Title amendments and Delete Everything do not have quotation marks. Note that Title amendments and Delete Everything commands are the only commands that should contain the phrase "insert the following:".

14. When inserting a new line of text with indentation or changing the indentation, show the text with the appropriate indentation (i.e., blocked left, paragraph, block indented, double block indented, or triple block indented). For example:

Page 3, between lines 8 and 9, begin a new line block indented and insert:

**"(3) Other vector abatement programs."**

**EXHIBIT 25, continued**

Note that in this example the indented text is preceded by "insert:".

15. When inserting new text in a line without changing the indentation, merely insert the text without using "the following:" or a ":". For example:

Page 4, line 2, after "rat" insert **"day"**.

16. When inserting bold text in a line and also bold indentation immediately following, insert without using "the following:" or a ":" but do show the proper indentation. For example:

Page 6, line 7, after "day" insert **"explaining the importance of destroying:**

**(1) rats; and**

**(2) mice."**

17. When adding or deleting SECTIONS in a bill, remember to check the effective dates for possible revision and remember to renumber the SECTIONS. The Renumber all SECTIONS consecutively command should appear immediately before the reference line.

18. Make sure that the bill you're amending has an emergency clause at the end if any SECTION of the bill will take effect before June 30, 20\_\_ (for a bill introduced during the long session) or before May 15, 20\_\_ (for a bill introduced during the short session).

19. Make sure each SECTION in the bill (other than emergency clause SECTIONS) has a specific effective date.

\*\*\*\*\*

Many problems and delays in the processing of your documents are caused by errors and omissions in the documents that cause the computerized logging system to fail.

The most common things that cause problems are:

(1) Missing reference line or missing [TAB] before the reference line.

(2) Tab sets at the beginning of the amendment or committee report.

(3) More than one source box or wrong source box.

(4) Document reflects CR when it should be AM or AM when it should be CR.

(5) Too many 00's in document name.

(6) Logging document under wrong bill number.

**EXHIBIT 26**

*Proposed Committee Amendment  
(Same Form Used for House and Senate Bills)*

# PROPOSED AMENDMENT

## DIGEST

PROPOSED COMMITTEE AMENDMENT TO SB 375.

---

- 1 Page 2, delete lines 15 through 42.
- 2 Delete page 3.  
(Reference is to SB 375 as introduced.)

**EXHIBIT 27**

*Senate Committee Report:  
Do Pass Bill or Resolution*

# **COMMITTEE REPORT**

---

**MR. PRESIDENT:**

The Senate Committee \_\_\_\_\_, to which was referred House [Senate] Bill [Resolution] No. \_\_\_\_\_, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill [resolution] **DO PASS.**

(Reference is made to House [Senate] Bill \_\_\_\_\_ as printed \_\_\_\_\_, 20\_\_.)

Committee Vote: Yeas \_\_, Nays \_\_.

---

**Senator \_\_\_\_\_, Chairperson**

EXHIBIT 28

*House Committee Report:  
Do Pass Bill or Resolution*

Adopted	Rejected
---------	----------

# COMMITTEE REPORT

YES: \_\_\_\_\_  
 NO: \_\_\_\_\_

**MR. SPEAKER:**

*Your Committee on \_\_\_\_\_, to which was referred \_\_\_ Senate [House] Bill [Joint Resolution, Concurrent Resolution] ....., has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill [resolution] do pass.*

\_\_\_\_\_  
 Representative \_\_\_\_\_

EXHIBIT 29

*Senate Committee Report  
Amending a Bill or Resolution*

# COMMITTEE REPORT

---

**MR. PRESIDENT:**

The Senate Committee on \_\_\_\_\_, to which was referred House [Senate] Bill [Joint Resolution, Concurrent Resolution] No. \_\_\_\_, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill [resolution] be **AMENDED** as follows:

- 1 Page 1, line 3, after "405 IAC 5-20-8(1)" insert "**and 405**
- 2 **IAC 5-21-1(c)**".  
(Reference is to HB [SB] \_\_\_\_\_ as printed \_\_\_\_\_, 20\_\_.)

**and when so amended that said bill do pass.**

Committee Vote: Yeas \_\_, Nays \_\_.

---

**Senator \_\_\_\_\_, Chairperson**

EXHIBIT 30

House Committee Report:  
Do Pass Amended

Adopted	Rejected
---------	----------

# COMMITTEE REPORT

YES: \_\_\_\_\_  
NO: \_\_\_\_\_

**MR. SPEAKER:**

Your Committee on \_\_\_\_\_, to which was referred \_\_\_\_\_ Senate [House] Bill [Joint Resolution, Concurrent Resolution] . . . , has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill [resolution] **be amended** as follows:

- 1 Page 1, line 17, delete "eleven (11)" and insert "**thirteen (13)**".
  - 2 Page 2, between lines 12 and 13, begin a new line block indented
  - 3 and insert:
  - 4 "**(5) One (1) public defender appointed by the chairman of the**
  - 5 **board of directors of the public defenders council.**
  - 6 **(6) One (1) probation officer appointed by the chairman of the**
  - 7 **board of directors of the Indiana judicial conference."**
- (Reference is to SB [HB] \_\_\_\_\_ as printed \_\_\_\_\_, 20\_\_.)

**and when so amended that said bill do pass.**

\_\_\_\_\_  
Representative \_\_\_\_\_

EXHIBIT 31

*Senate Second and Third Reading Amendments*

# SENATE MOTION

**MR. PRESIDENT:**

**I move** that [3rd Reading add Engrossed] House [Senate] Bill \_\_\_\_\_ be amended to read as follows:

- 1 Page 18, line 9, delete "or" and insert "**and**".
- 2 Page 18, line 10, delete "do not".  
(Reference is to EHB [ESB] \_\_\_\_\_ as printed \_\_\_\_\_,  
20\_\_.)

---

Senator \_\_\_\_\_

EXHIBIT 32

*House Second and Third Reading Amendments*

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that [3rd Reading add Engrossed] Senate [House] Bill \_\_\_\_ be amended to read as follows:

- 1           Page 2, between lines 26 and 27, begin a new paragraph and insert:
- 2           "SECTION 3. IC 5-22-15-23 IS ADDED TO THE INDIANA CODE
- 3           AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 4           1, 20\_\_]: **Sec. 23. (a) As used in this section, "forced labor" has the**
- 5           **meaning set forth in 19 U.S.C. 1307.**
- 6           **(b) If an offeror offers to furnish supplies made in a country**
- 7           **other than the United States, a governmental body may not award**
- 8           **a contract to the offeror for those supplies if the supplies were**
- 9           **made using forced labor.**
- 10          **(c) A governmental body shall inform offerors in the solicitation**
- 11          **of the provisions of this section."**
- 12          Renumber all SECTIONS consecutively.
- (Reference is to ESB [EHB] \_\_\_\_\_ as printed \_\_\_\_\_, 20\_\_.)

\_\_\_\_\_  
Representative \_\_\_\_\_

**EXHIBIT 33**

*Conference Committee Report  
Senate Version*

**CONFERENCE COMMITTEE REPORT  
DIGEST FOR SB \_\_\_\_\_**

**Citations Affected:** IC 20-10.1; noncode.

**Synopsis:** Reading diagnostic assessments. Establishes the reading diagnostic and remediation program and fund. Provides that the program and fund are to be administered by the department of education. Requires the program to be implemented. Provides that a grade 1 or grade 2 student who is selected by the student's teacher because of difficulty in reading may be assessed and, if determined to be lacking in reading skills, must have an individualized reading instruction plan prepared for the student. Requires the state board of education to select and purchase a diagnostic instrument for the assessment portion of the program. Provides that the student's school must track the student's performance after remediation. Provides that a school may receive diagnostic and remediation grants from the fund. (This conference committee report removes language amending publication requirements for annual performance reports by school corporations.)

**Effective:** July 1, 20\_\_.

## CONFERENCE COMMITTEE REPORT

**MR. PRESIDENT:**

*Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate [House] Bill No. \_\_\_\_ respectfully reports that said two committees have conferred and agreed as follows to wit:*

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Page 1, delete lines 1 through 17.
- 2 Page 2, delete lines 1 through 35.
- 3 Renumber all SECTIONS consecutively.  
(Reference is to ESB [EHB] \_\_\_\_ as reprinted \_\_\_\_\_, 20\_\_.)

# Conference Committee Report

on

**Senate Bill** \_\_\_\_\_

**S**igned by:

\_\_\_\_\_  
Senator \_\_\_\_\_

\_\_\_\_\_  
Representative \_\_\_\_\_

\_\_\_\_\_  
Senator \_\_\_\_\_

\_\_\_\_\_  
Representative \_\_\_\_\_

**Senate Conferees**

**House Conferees**

**EXHIBIT 34**

*Conference Committee Report  
House Version*

**CONFERENCE COMMITTEE REPORT  
DIGEST FOR SB \_\_\_\_**

**Citations Affected:** IC 20-10.1; noncode.

**Synopsis:** Reading diagnostic assessments. Establishes the reading diagnostic and remediation program and fund. Provides that the program and fund are to be administered by the department of education. Requires the program to be implemented. Provides that a grade 1 or grade 2 student who is selected by the student's teacher because of difficulty in reading may be assessed and, if determined to be lacking in reading skills, must have an individualized reading instruction plan prepared for the student. Requires the state board of education to select and purchase a diagnostic instrument for the assessment portion of the program. Provides that the student's school must track the student's performance after remediation. Provides that a school may receive diagnostic and remediation grants from the fund. (This conference committee report removes language amending publication requirements for annual performance reports by school corporations.)

**Effective:** July 1, 20\_\_.

Adopted	Rejected
---------	----------

## CONFERENCE COMMITTEE REPORT

**MR. SPEAKER:**

*Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate [House] Bill No. \_\_\_\_ respectfully reports that said two committees have conferred and agreed as follows to wit:*

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

- 1 Page 1, delete lines 1 through 17.
- 2 Page 2, delete lines 1 through 35.
- 3 Renumber all SECTIONS consecutively.  
(Reference is to ESB [EHB] \_\_\_\_ as reprinted \_\_\_\_\_,  
20\_\_.)

# Conference Committee Report

on

**Senate Bill** \_\_\_\_\_

**S**igned by:

\_\_\_\_\_  
Senator \_\_\_\_\_

\_\_\_\_\_  
Representative \_\_\_\_\_

\_\_\_\_\_  
Senator \_\_\_\_\_

\_\_\_\_\_  
Representative \_\_\_\_\_

**Senate Conferees**

**House Conferees**



**EXHIBIT 35**  
*Senate Simple Resolution*

Introduced Version

---

---

**SENATE RESOLUTION No. \_\_\_\_**

\_\_\_\_\_

**DIGEST OF INTRODUCED RESOLUTION**

A SENATE RESOLUTION to honor Chapter 80 of the Disabled American Veterans for their steadfast devotion to the well being of their members and to the future of America.

---

**AUTHOR**

---

---

\_\_\_\_\_, read first time and referred to Committee on

---

---



**EXHIBIT 35, continued**

Introduced

\_\_\_\_ Regular Session \_\_\_\_ General Assembly (20\_\_)

**SENATE RESOLUTION**

MR. PRESIDENT:

I offer the following resolution and move its adoption:

A SENATE RESOLUTION to honor Chapter 80 of the Disabled American Veterans for their steadfast devotion to the well being of their members and to the future of America.

*Whereas, Chapter 80 of the Disabled American Veterans was chartered on March 15, 1949 and now numbers over 400 members. The Chapter has nine members with over 50 years of membership and 50 more who have between 25 and 48 years of membership;*

*Whereas, Chapter 80 provides help and information to veterans in the Lake County area. Chief among the assistance that the Chapter provides is transportation to medical services. Additionally, the Chapter provides assistance to needy veterans and scholarships to graduating high school seniors;*

*Whereas, The Disabled Veterans of America is an organization of military service men and women who were wounded, gassed or otherwise disabled in World War I, World War II, Korea, Vietnam, the Persian Gulf, and any*

20\_\_

RR 3555/DI grg



**EXHIBIT 35, continued**

*other conflict where this country's gallant veterans have fought for freedom and for America; and*

*Whereas, The Disabled American Veterans at Chapter 80 continue the commitment to duty, honor and country that inspired each of them to service. They exemplify the true spirit and courage of America: Therefore,*

*Be it resolved by the Senate of the  
General Assembly of the State of Indiana:*

1           SECTION 1. The commitment to service which the members of  
2 Chapter 80 of the Disabled American Veterans have for those who  
3 have sacrificed much to preserve freedom and the American way is  
4 inspiring to us all. We salute their spirit, their courage, and their  
5 service.

6           SECTION 2. The Secretary of the Senate is directed to transmit  
7 a copy of this resolution to Chapter 80 of the Disabled American  
8 Veterans and to the nine members of the chapter who have given  
9 service for over 50 years.



**EXHIBIT 36**

*House Simple Resolution*

Introduced Version

---

---

**HOUSE  
RESOLUTION No. \_\_\_\_**

---

*Introduced by: \_\_\_\_\_*

---

---

A RESOLUTION honoring Battalion Chief Percy Moten.

*Whereas, Battalion Chief Percy Moten, a Gary firefighter, pulled Leonard Petty, 4, his sister, Destiny, 3, and their grandmother, Naomi Taylor to safety from inside their burning home;*

*Whereas, Two other occupants of the home, a two-year-old boy and a woman, were already safely outside the home, having been awakened earlier by the barking of the family dog;*

*Whereas, When Percy Moten noticed that the children he*



**EXHIBIT 36, continued**

*had pulled from the home were barely breathing, he immediately administered mouth-to-mouth resuscitation until an ambulance arrived;*

*Whereas, The two children and Ms. Taylor survived the fire due to the quick actions of Percy Moten, both in rescuing them from the burning home and by administering mouth-to-mouth resuscitation to the children; and*

*Whereas, Men like Battalion Chief Percy Moten risk their lives daily in the service of others. It is people like Mr. Moten that make our country great: Therefore,*

*Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:*

- 1 SECTION 1. That the Indiana House of Representatives wishes to
- 2 thank Battalion Chief Percy Moten for his bravery and the caring
- 3 nature he displayed while carrying out the duties of a firefighter.
- 4 SECTION 2. That the Principal Clerk of the House of
- 5 Representatives transmit a copy of this resolution to Battalion Chief
- 6 Percy Moten and his family.



**EXHIBIT 37**

*Senate Concurrent Resolution*

Introduced Version

---

---

**SENATE CONCURRENT  
RESOLUTION No. \_\_\_\_\_**

\_\_\_\_\_

DIGEST OF INTRODUCED RESOLUTION

A CONCURRENT RESOLUTION to recognize Richmond native and resident Lamar Lundy as one of the greatest athletes produced by our great state.

---

**AUTHOR**

---

\_\_\_\_\_, read first time and referred to Committee on

---

---

**EXHIBIT 37, continued**

Introduced

\_\_\_\_ Regular Session \_\_\_\_ General Assembly (20\_\_)

**SENATE CONCURRENT  
RESOLUTION**

---

A CONCURRENT RESOLUTION to recognize Richmond native and resident Lamar Lundy as one of the greatest athletes produced by our great state.

*Whereas, born in Richmond, Indiana, Lamar Lundy attended Richmond High School, where he earned All-State honors in IHSAA football and basketball;*

*Whereas, Lamar later attended Purdue University on a scholarship, where he played both football and basketball. He lettered for three years in both sports, and he was named the Most Valuable Player of both teams in his senior year. Lamar is the only Boilermaker in the school's history to achieve this feat;*

*Whereas, upon graduation from Purdue, Lamar achieved great fame playing for thirteen years with the Los Angeles Rams. While with the Rams, Lamar became famous as a member of one of pro-football's legendary defenses, the "Fearsome Foursome", along with Deacon Jones, Rosey Grier, and Merlin Olsen. Lamar concluded his football career as a coach with the San Diego Chargers;*

*Whereas, due to his success on the field and on the court,*

20\_\_

RC 1625/DI es



**EXHIBIT 37, continued**

*Lamar is only one of three persons inducted into the Indiana Football Hall of Fame and the Indiana Basketball Hall of Fame;*

*Whereas, Lamar presently resides in Richmond, where he serves as the president of the Indiana Football Hall of Fame, along as an analyst for WKBV during the Richmond High School football season;*

*Whereas, in addition to football-related activities, Lamar is also an active member of the Oak Park Church of God, the Townsend Community Center, and former board member of Civic Hall Associates. He further serves as a volunteer and speaker for various community affairs; and*

*Whereas, the people of Indiana are very interested in the athletic endeavors of its citizens, and we are quite proud of Lamar Lundy's accomplishments and success: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

1           SECTION 1. That the Indiana General Assembly recognizes Lamar  
2 Lundy as one of Indiana's greatest professional and non-professional  
3 athletes.

4           SECTION 2. That we also acknowledge Lamar Lundy for his  
5 inspirational message to the citizens of this great state that success is  
6 obtained by effort and dedication to a cause.

7           SECTION 2. The Secretary of the Senate is hereby directed to  
8 transmit a copy of this resolution to Lamar Lundy and to Richmond  
9 Mayor Dennis Andrews.





**EXHIBIT 38**

*House Concurrent Resolution*

Introduced Version

**HOUSE CONCURRENT  
RESOLUTION No. \_\_\_\_\_**

**DIGEST OF INTRODUCED RESOLUTION**

A CONCURRENT RESOLUTION congratulating the Alexandria-Monroe Tigers as the 20\_\_ Class 2A State Boys Baseball Champions.

**AUTHOR**

\_\_\_\_\_, read first time and referred to Committee on



**EXHIBIT 38, continued**

Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

**HOUSE CONCURRENT  
RESOLUTION**

---

A CONCURRENT RESOLUTION congratulating the Alexandria-Monroe Tigers as the 20\_\_ Class 2A State Boys Baseball Champions.

*Whereas, The Tigers finished their season at 25-4 by winning the 20\_\_ Class 2A State Baseball Championship at Victory Field;*

*Whereas, This Championship Team provided those who participated on the field, as well as students and supporters of Alexandria-Monroe, with one of the most memorable and hotly contested Championship games in IHSAA baseball history;*

*Whereas, The Alexandria-Monroe High School Class 2A State Baseball Champions, along with the Class 2A State Basketball Champions, made history by becoming the first school to have these two champions in the same year;*

*Whereas, Each member of this Team should be congratulated for desire, dedication, and perseverance to make the 20\_\_ Tiger's the Champions of Class 2A;*

*Whereas, Hard-work in preseason and throughout the entire season was amply rewarded for every person associated with this Team when the final out was reached*

20\_\_

RC 2586/DI ch



**EXHIBIT 38, continued**

*and each member was able to lift the Championship Trophy;*

*Whereas, Players, coaches and managers should be commended for their tremendous accomplishment but also for bringing immeasurable pride to the people of Alexandria: Therefore,*

*Be it resolved by the House of Representatives  
of the General Assembly of the State of Indiana,  
the Senate concurring:*

SECTION 1. That the Indiana General Assembly wishes to congratulate the 20\_\_ Alexandria-Monroe Tigers State Class 2A Baseball Champions and recognize the pride it brought the Alexandria community.

SECTION 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to Alexandria-Monroe High School, as well as each player, coach, and manager.



EXHIBIT 39

*Joint Resolution on First Presentation  
Adding a New Section to the Indiana Constitution*

Introduced Version

---

---

**SENATE JOINT  
RESOLUTION No. \_\_\_**

---

DIGEST OF INTRODUCED RESOLUTION

**Citations Affected:** Article 10 of the Constitution of the State of Indiana.

**Synopsis:** Prohibition of property taxes for schools. Amends the Constitution of the State of Indiana to prohibit the assessment or taxation of property for the support of the common schools.

**Effective:** This proposed amendment must be agreed to by two consecutive general assemblies and ratified by a majority of the state's voters voting on the question to be effective.

---

---

**Author**

---

---

\_\_\_\_\_, 20\_\_\_, read first time and referred to Committee on \_\_\_\_\_.

---

---

**EXHIBIT 39, continued**

Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

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

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

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

**SENATE JOINT  
RESOLUTION**

---

A JOINT RESOLUTION proposing an amendment to Article 10 of the Constitution of the State of Indiana concerning taxation.

*Be it resolved by the General Assembly of the State of Indiana:*

1 SECTION 1. The following amendment to the Constitution of the  
2 State of Indiana is proposed and agreed to by this, the One Hundred  
3 \_\_\_\_\_ General Assembly of the State of Indiana, and is referred to the  
4 next General Assembly for reconsideration and agreement.

5 SECTION 2. ARTICLE 10 OF THE CONSTITUTION OF THE  
6 STATE OF INDIANA IS AMENDED BY ADDING A **NEW**  
7 SECTION TO READ AS FOLLOWS: **Section 9. Property may not**  
8 **be assessed or taxed for common school purposes.**

20\_\_

SJ 9— 9SJ 9609/DI 47



EXHIBIT 40

*Joint Resolution on First Presentation  
Amending the Indiana Constitution*

Introduced Version

---

---

**HOUSE JOINT  
RESOLUTION No. 1**

---

DIGEST OF INTRODUCED RESOLUTION

**Citations Affected:** Articles 8, 10, and 13 of the Indiana Constitution.

**Synopsis:** Elimination of property taxation. Prohibits the assessment and levy of a property tax. Eliminates the requirement that the general assembly provide for the assessment of property. Changes the limitation on debt for a political or municipal corporation from 2% of assessed valuation to 20% of total revenue. This proposed amendment has not been previously agreed to by a general assembly.

**Effective:** This proposed amendment must be agreed to by two consecutive general assemblies and ratified by a majority of the state's voters voting on the question to be effective.

---

---

**Author**

---

---

\_\_\_\_\_, 20\_\_, read first time and referred to Committee on \_\_\_\_\_.

---

---

**EXHIBIT 40, continued**

Introduced

\_\_\_\_ Regular Session \_\_\_\_ General Assembly (20\_\_)

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

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

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

**HOUSE JOINT  
RESOLUTION No. 1**

A JOINT RESOLUTION proposing an amendment to Articles 8, 10, and 13 of the Indiana Constitution concerning taxation.

*Be it resolved by the General Assembly of the State of Indiana:*

1 SECTION 1. The following amendment to the Constitution of the  
2 State of Indiana is proposed and agreed to by this, the One Hundred  
3 \_\_\_\_\_ General Assembly of the State of Indiana, and is referred to  
4 the next General Assembly for reconsideration and agreement.

5 SECTION 2. ARTICLE 8, SECTION 2 OF THE CONSTITUTION  
6 OF THE STATE OF INDIANA IS AMENDED TO READ AS  
7 FOLLOWS: Section 2. The Common School fund shall consist of the  
8 **following:**

- 9 (1) The Congressional Township fund, and the lands belonging  
10 thereto.  
11 (2) The Surplus Revenue fund.  
12 (3) The Saline fund and the lands belonging thereto.  
13 (4) The Bank Tax fund, and the fund arising from the one hundred

20\_\_

HJ 1—HJ 9204/DI 73



**EXHIBIT 40, *continued***

1 and fourteenth section of the charter of the State Bank of Indiana.



20\_\_

HJ 1—HJ 9204/DI 73

EXHIBIT 41

*Joint Resolution, Vehicle Bill*

Introduced Version

---

---

**SENATE JOINT  
RESOLUTION No. \_\_\_**

---

DIGEST OF INTRODUCED RESOLUTION

**Citations Affected:** The Constitution of the State of Indiana.

**Synopsis:** Vehicle joint resolution. This proposed amendment has not been previously agreed to by a general assembly.

**Effective:** This proposed amendment must be agreed to by two consecutive general assemblies and ratified by a majority of the state's voters voting on the question to be effective.

---

---

**Garton**

---

---

\_\_\_\_\_, 20\_\_\_, read first time and referred to Committee on Rules and Legislative Procedure.

---

---



**EXHIBIT 41, continued**

Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

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

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

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

**SENATE JOINT  
RESOLUTION No. \_\_\_\_**

---

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana concerning the Constitution of the State of Indiana.

*Be it resolved by the General Assembly of the State of Indiana:*

1           SECTION 1. The following amendment to the Constitution of the  
2 State of Indiana is proposed and agreed to by this, the \_\_\_\_\_ General  
3 Assembly of the State of Indiana, and is referred to the next General  
4 Assembly for reconsideration and agreement.

5           SECTION 2. **The Constitution of the State of Indiana is**  
6 **amended.**

20\_\_

SJ 2—SJ 9604/DI 44



**EXHIBIT 42**

*Joint Resolution to Ratify  
an Amendment to the U.S. Constitution*

\_\_\_\_\_, 20\_\_

---

---

**SENATE JOINT  
RESOLUTION No. \_\_\_\_**

---

DIGEST OF SJR \_\_\_\_ (Updated \_\_\_\_\_, 20\_\_ - DI kcc)

**Citations Affected:** Article \_\_, Sections 1 through 3 of the United States Constitution.

**Synopsis:** Equal rights amendment. Provides for the ratification of the proposed amendment to the Constitution of the United States relative to equal rights for men and women.

**Effective:** The United States Constitutional amendment must be ratified by three-fourths of the states to be effective.

---

---

**Author**

---

---

\_\_\_\_\_, 20\_\_, read first time and referred to Committee on Rules and Legislative Procedure.  
\_\_\_\_\_, 20\_\_, amended; reassigned to Committee on \_\_\_\_\_.

---

---



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

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

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

## SENATE JOINT RESOLUTION No. \_\_\_\_\_



A JOINT RESOLUTION for ratification of the proposed amendment to the Constitution of the United States concerning equal rights for men and women.

*Whereas, Both Houses of the One Hundredth Congress of the United States of America, at the second session of that Congress, adopted a Joint Resolution proposing to amend the Constitution of the United States in the following words:*

*"Joint RESOLUTION*

*Proposing an amendment to the Constitution of the United States relative to equal rights for men and women.*

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein). That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission by the Congress:*

ARTICLE \_\_\_\_

*Section 1. Equality of rights under the law shall not be denied or abridged by the United States or by any State or account of sex.*

*Section 2. The Congress shall have the power to enforce, by*

**SJ0020—SJ 9605/DI 44**



*appropriate legislation, the provisions of this article.*

*Section 3. This amendment shall take effect two years after the date of ratification."*

*Be it resolved by the General Assembly of the State of Indiana:*

1           SECTION 1. That this proposed amendment of the Constitution of  
2 the United States of America is ratified by the General Assembly of the  
3 State of Indiana.

4           SECTION 2. That certified copies of this joint resolution be  
5 forwarded by the governor of Indiana to the Administrator of General  
6 Services, as required by 1 U.S.C. 106(b), as well as to the Secretary of  
7 State of the United States, to the President of the United States Senate,  
8 and to the Speaker of the House of Representatives of the United  
9 States.



EXHIBIT 43

*Joint Resolution Applying to Congress for a  
Constitutional Convention (General Subject Matter Form)*

\_\_\_\_\_, 20\_\_

---

---

**HOUSE JOINT  
RESOLUTION No. 22**

\_\_\_\_\_

DIGEST OF HJR \_\_\_ (Updated \_\_\_\_\_, 20\_\_ - DI 13)

**Citations Affected:** Article III, Sections 1 through 3 of the United States Constitution.

**Synopsis:** Length of federal judge service. Requests Congress to call a constitutional convention to propose an amendment to the Constitution of the United States to limit the length of service of the members of the federal judiciary, and for no other purpose.

**Effective:** A constitutional convention is called when two-thirds of the state legislatures make application to the Congress to call a constitutional convention to consider an amendment to the Constitution of the United States.

---

---

**Author**

---

---

\_\_\_\_\_, 20\_\_, read first time and referred to Committee on Rules and Legislative Procedure.  
\_\_\_\_\_, 20\_\_, amended; reassigned to Committee on \_\_\_\_\_.

---

---

**EXHIBIT 43, continued**

\_\_\_\_\_, 20\_\_

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

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

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

**HOUSE JOINT  
RESOLUTION No. \_\_\_\_**

---

A JOINT RESOLUTION requesting Congress to call a constitutional convention for the purpose of proposing an amendment to the Constitution of the United States concerning the length of service of the members of the federal judiciary.

*Be it resolved by the General Assembly of the State of Indiana:*

- 1 SECTION 1. That the General Assembly of the State of Indiana
- 2 makes application to the Congress of the United States for a convention
- 3 under Article V of the Constitution of the United States for the specific
- 4 and exclusive purpose of proposing an amendment to the Constitution
- 5 of the United States to limit the length of service of the members of the
- 6 federal judiciary, and for no other purpose.
- 7 SECTION 2. That certified copies of this resolution be sent to the
- 8 presiding officers of the Congress of the United States, to the Secretary
- 9 of the Senate and the Clerk of the United States House of
- 10 Representatives, to the presiding officer of each chamber of each state
- 11 legislature in the United States, and to the members of the Congress of
- 12 the United States from Indiana.

**HJ0022—SJ 9605/DI 44**



**EXHIBIT 44**

*Concurrent Resolution Urging Congress*

Introduced Version

---

---

**HOUSE CONCURRENT  
RESOLUTION No. \_\_\_\_\_**

**DIGEST OF INTRODUCED RESOLUTION**

A CONCURRENT RESOLUTION urging Congress to study the issue of non-collection of state and local sales and use taxes by the United States Postal Service to estimate the cost to the states and localities due to lost tax revenue.

---

**Author**

---

\_\_\_\_\_, read first time and referred to Committee on

---

---

**EXHIBIT 44, continued**

Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

**HOUSE CONCURRENT  
RESOLUTION No. \_\_\_\_\_**

---

A CONCURRENT RESOLUTION urging Congress to study the issue of non-collection of state and local sales and use taxes by the United States Postal Service to estimate the cost to the states and localities due to lost tax revenue.

*Whereas, the citizens of the State of Indiana, as residents of the "Crossroads of America," have a strong economic interest in efficient and economical interstate commerce; and*

*Whereas, the citizens of Indiana should have the ability to choose from among a competitive variety of methods and vendors for shipping and receiving goods aside from universal mail delivery ; and*

*Whereas, shipping and transporting goods by land , air and water is a quickly growing business sector, particularly in Indiana; and*

*Whereas, the United States Postal Service has in recent years expanded its activities beyond its core mission of universal mail service to include non-postal related business products and services in direct competition with Indiana private-sector enterprises; and*

*Whereas, private enterprise pays taxes and fees in engaging*

2000

DC 2966/DI bjc



**EXHIBIT 44, continued**

*in some services and offering some products with which the Postal Service now competes while, at the same time, the Postal Service enjoys exemption from those taxes and fees; and*

*Whereas, these exemptions enjoyed by the United States Postal Service deprive Indiana state and local governments of needed revenue;*

*Whereas, the House and Senate of the Indiana General Assembly hereby call on the United States Congress, particularly the Members from the Indiana Congressional delegation, to enact legislation in the \_\_\_\_\_ Congress that would either: 1. Require the United States Postal Service to collect and remit state and local sales and use tax on the sale of non-postal item by the United States Postal Service; or, 2. Prohibit the sale of non-postal items by United States Postal Service.*

*Be it resolved by the House of Representatives  
of the General Assembly of the State of Indiana,  
the Senate concurring:*

- 1           SECTION 1. That the General Assembly of the Indiana House of  
2           Representatives urges Congress to study the issue of non-collection of  
3           state and local sales and use taxes by the United States Postal Service  
4           to estimate the cost to the states and localities due to lost tax revenue.  
5           SECTION 2. That the Principal Clerk of the Indiana House of  
6           Representatives transmit a copy of this resolution to the United States  
7           Congress.



**EXHIBIT 45**

*Concurrent Resolution to Establish an  
Interim Study Committee*

Introduced Version

---

---

**SENATE CONCURRENT  
RESOLUTION No. \_\_\_\_\_**

---

**DIGEST OF INTRODUCED RESOLUTION**

A CONCURRENT RESOLUTION urging the establishment of an interim study committee to examine the investigation of reports of child abuse and neglect by local child protection services.

---

**Author**

---

\_\_\_\_\_, read first time and referred to Committee on

---

---

19996276

20\_\_

SC 2015/DI 77



Introduced

\_\_\_\_\_ Regular Session \_\_\_\_\_ General Assembly (20\_\_)

**SENATE CONCURRENT  
RESOLUTION**

---

A CONCURRENT RESOLUTION urging the establishment of an interim study committee to examine the investigation of reports of child abuse and neglect by local child protection services.

*Whereas, ..... [If desired, insert the reasons the committee is needed]: Therefore,*

*Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:*

1 SECTION 1. That the legislative council is urged to establish an  
2 interim study committee with the responsibility of examining  
3 investigation of reports of child abuse and neglect by local child  
4 protection services.

5 SECTION 2. That the committee, if established, shall operate under  
6 the direction of the legislative council, and that the committee shall  
7 issue a final report when directed to do so by the council.



## INDEX TO SUBJECTS

Acts (Session Laws) .....	Page 2
Adding New SECTIONS to a Bill .....	Page 61
Additions to the Code .....	Page 26
Administrative Rules:	
Generally .....	Page 3
Prohibiting an agency from adopting .....	Page 39
Requiring an agency to adopt .....	Page 39
Interim administrative rules .....	Page 43
Internal reference to .....	Page 3
Transfer of responsibilities to successor agencies .....	Page 43
Voiding of .....	Page 4
Age .....	Page 21
Agency or Office, creation of .....	Page 35
Altering Amendatory SECTIONS of a Bill .....	Page 60
Altering Introductory Clauses .....	Page 60
Altering Nonamendatory SECTIONS of a Bill .....	Page 60
Altering Provisions Added or Amended Earlier in the Same Session .....	Page 69
Altering the Entire Body of a Bill by Bill Stripping .....	Page 61
Amendments:	
To the Indiana Code, generally .....	(See Amendment of Bills, this index)
Of the state constitution .....	(See Constitution, Indiana, this index)
Amendment of Bills, form of:	
Amending a title .....	Page 62
Amending provisions not found in printed bill .....	Page 66
Altering provisions added or amended in same session .....	Page 69
Changing effective dates .....	Page 63
Commonly used drafting commands .....	Pages 60-66
Conflicts with other bills .....	Page 61
Quotation marks, use of .....	Pages 19, 62
Reference lines .....	Pages 58-60
Renumbering SECTIONS .....	Page 62
Stripping a bill .....	Page 61
Style for amending Code provisions .....	Page 61

Technical corrections .....	Pages 67-68
Amendments, types of:	
Committee amendment .....	(See Exhibits 29 and 30, Pages 114-115)
Second reading amendment .....	(See Exhibits 31 and 32, Pages 116-117)
Third reading amendment .....	(See Exhibits 31 and 32, Pages 116-117)
"And"; "or"; "and/or" .....	Page 10
Apostrophes .....	Page 18
Applicability Provisions .....	Page 32
Appropriations:	
Generally .....	Pages 45-47
Inclusion in title of bill .....	Page 25
Order of components .....	Pages 45-46
Reversion of funds .....	Page 47
Types: continuing and temporary .....	Pages 45-46
Arrangement (Order) of Indiana Code .....	Page 1
Articles:	
Headings .....	Page 28
Numbering of .....	Page 28
Bills:	
Generally .....	Page 4
Digest .....	(See Digest of Bills, this index)
Enacting clause .....	Page 26
Order of components .....	Page 22
Preamble .....	Page 25
Special relief .....	Page 47
Title of .....	(See Title of Bills, this index)
Vehicle .....	Page 41
Boilerplate Language for:	
Establishment of study committees .....	Pages 38-39
Committee voting requirements .....	Page 39
Medicaid waivers .....	Page 47
Savings clause .....	Pages 44-45
Brackets .....	Page 18
Brevity .....	Page 9
Budget Committee, Oversight .....	Page 38

Calling a United States Constitutional Convention .....	Page 54
Capitalization .....	Pages 14-16
Changing a Title .....	Page 62
Changing Effective Dates .....	Page 63
Chapters:	
Headings .....	Page 28
Numbering of .....	Page 28
Checklist for Preparing Amendments,	
Motions, and Committee Reports .....	(See Exhibit 25, Page 109)
Checklist for Reviving Legislation from a Previous Year .....	
(See Exhibit 24, Page 108)	
Checklist for Conference Committee Reports .....	
Page 68	
Citations to:	
Acts of Indiana .....	Page 2
Indiana Administrative Rules .....	Page 3
Indiana Code .....	Page 2
Indiana Constitution .....	Page 1
Indiana Register .....	Page 3
Noncode provisions .....	Pages 2-3
Civil Penalties:	
Generally .....	Page 36
Infractions .....	Page 36
Ordinance violations .....	Page 36
Clauses .....	
Page 11	
Code Provisions:	
Generally .....	Page 1
Order of .....	Page 22
Colons .....	
Page 18	
Commanding, Authorizing, Forbidding, and Negating .....	
Page 9	
Commas .....	
Page 16-17	
Committee Amendments .....	
(See Amendments of Bills, this index)	
Committee Report:	
Checklist .....	(See Exhibit 25, Page 109)
Committee of One .....	Page 59

Committees:	
Executive committees .....	Page 38
Legislative study committees .....	Page 39
Commonly Used Drafting Commands .....	(See Exhibit 23, Page 106)
Concurrent Resolutions .....	Page 56
Conference Committee Reports:	
Generally .....	Pages 67-68
Checklist .....	Page 68
Conflicts with Other Bills .....	Page 61
Consistency .....	Page 9
Constitution, Indiana:	
Generally .....	Page 1
Amendment of .....	Pages 51-53
Constitution, United States:	
Calling a United States Constitutional Convention .....	Pages 54-55
Ratifying proposed amendment to .....	Pages 53-54
Construction Provisions .....	Page 40
Contingent on Some Event .....	Pages 49-50
Continuing Appropriations .....	Pages 45-46
Criminal and Civil Penalties:	
Generally .....	Pages 35-36
Form .....	Page 36
Culpability standards .....	Page 36
Infractions .....	Page 36
Ordinance violations .....	Page 36
Where fines are deposited .....	Page 36
Dates, drafting style .....	Page 20
Decimal Points .....	Pages 20-21
Definitions:	
Form generally .....	Pages 33-34
Do's and don'ts .....	Page 33
Form in new articles .....	Page 34
Form in new chapters .....	Page 34

Form when adding definitions to existing articles and chapters .....	Pages 34-35
General statutory provisions governing definitions .....	Page 35
Use of "means", "includes", "refers to", "has the meaning set forth" .....	Page 34
In recodified titles .....	Page 35
Delayed Effective Dates .....	Page 49
Deleting a Part of a Second Reading Amendment .....	Page 66
Deleting a Second Reading Amendment .....	Page 66
Deleting Language that Includes an Amendment .....	Page 67
Designation of Sections, Subsections, Subdivisions, Clauses, and Items .....	Pages 11-12
Digest of Bills:	
Generally .....	Pages 22-24
Form .....	Page 24
Inclusion of statements that bill was prepared by study committee .....	Page 23
Drafting Rules:	
Amendments, drafting commands .....	Pages 63-66
Sentence structure generally .....	Page 8
Statutory and constitutional requirement .....	Pages 6-8
Terms/phrases to use or to avoid using .....	Pages 8-10
"Each"; "every" .....	Page 10
Early Effective Dates .....	Page 48
Effective Dates:	
Changing effective dates .....	Page 63
Contingent on some event .....	Pages 49-50
Delayed effective dates .....	Page 49
Early effective dates .....	Page 48
Effective dates to avoid .....	Page 49
Emergency .....	Page 48
Form .....	Pages 48-49
Repealers .....	Page 48
Retroactivity .....	Page 49
Uniform effective date .....	Page 47
Upon passage .....	Pages 48-49
Emergency clauses .....	Pages 24-25, 48
Enacting Clause of Bill, form of .....	Page 26

Engrossed Printing of Bill .....	Page 59
Enrolled Act .....	Page 2
Establishing an Agency or Office .....	Page 35
"Except" vs. "notwithstanding" .....	Pages 10-11
Exceptions, statutory language for .....	Page 10
Executive Committee and Commissions .....	Page 38
Exhibits .....	Page 74
Expiration Date (Code) .....	Page 40
Expiration Date (Noncode) .....	Page 42
Ex Post Facto Laws .....	Pages 6, 44
False Imperative .....	Page 9
Felonies, classes of .....	Pages 35-36
First Printing (First House Floor Amendments and Second House Committee Amendments) .....	Page 58
Fiscal Year, state .....	Pages 21, 49
Fiscal Year, other .....	Page 49
Formulas .....	Pages 14, 21
Fractions .....	Pages 19-20
Funds, establishing of .....	Page 37
Gender .....	Page 9
Grammar Rules .....	Pages 8-21
Headings of Titles, Articles, Chapters:	
Form generally .....	Page 28
Headings not part of law .....	Page 28
Zoning law headings .....	Page 29
Hyphens .....	Page 19
"If", "when", and "whenever" .....	Page 11
Impairment of Contracts .....	Page 6
Indentation .....	Pages 11-12, 65
"Indiana" vs. "State" .....	Page 21
Indiana Administrative Code .....	Page 3
Indiana Code Generally .....	Pages 1-2
Indiana Register .....	Pages 3-4
Infractions .....	Page 36
Interim Administrative Rules .....	Pages 43-44

Interim Study Committees .....	(See Committees, this index)
Internal References:	
Reference styles to avoid .....	Pages 30-31
References to administrative rules .....	Pages 3, 32
References to Indiana Code provisions .....	Pages 2, 29, 30
References to noncode provisions .....	Pages 2-3
References to the Indiana Constitution .....	Page 1
References to the Indiana Register .....	Pages 3-4
References to federal laws .....	Page 31
References to session laws .....	Pages 2, 30
References to uniform acts .....	Page 32
References to effective dates of statutes .....	Page 31
Decimal point citations .....	Page 28
Introductory Clause .....	(See Lead-in lines, this index)
Introduced Version (First House Committee Amendments) .....	Page 58
Item .....	Page 11
Joint Resolutions .....	Pages 51-55
Joint Rule 20 Corrections .....	Pages 70-71
Joint Rule 21 Corrections .....	Pages 72-73
Lead-in Lines:	
Additions to Code .....	Pages 26-27
Amendments to Code .....	Page 26
Noncode provisions .....	Pages 2-3
Repealers .....	Page 27
Legalizing Provisions .....	Page 44
Legislation:	
Types .....	Page 4
Legislative Oversight; State Budget Committee .....	Page 38
Legislative Study Committees and Commissions:	
Generally .....	Page 39
Establishing, language for .....	Page 39
Membership, per diem, travel expenses	
and other procedural matters .....	Page 39
Rules of Legislative Council .....	Page 39
Voting practices of .....	Page 39

Limitations, Exceptions, and Conditions .....	Page 10
Lists .....	Page 13
"May" vs. "shall" .....	Page 9
Medicaid Waivers .....	Page 47
Misdemeanors, classes of .....	Page 36
Money .....	Page 21
Mood .....	Page 8
Noncode Bill .....	Page 25
Noncode Provisions:	
Generally .....	Page 42
Expiration provisions .....	Page 42
Title requirements .....	Page 25
Types of .....	Pages 42-43
Nonseverability Provisions .....	Page 40
"Notwithstanding" .....	Page 10
Numbering of Sections, Articles, and Chapters .....	Page 28
Numbers, Singular vs. Plural .....	Page 9
Numbers, Style in drafting .....	Page 19
"One", used as a pronoun .....	Page 20
"Or" vs. "and" .....	Page 10
Order of Noncode Provisions .....	Page 22
Order of Provisions in New Chapter or Article .....	Page 22
Ordinals .....	Page 20
Parentheses/Brackets .....	Page 17
Percentages .....	Pages 19-20
Per diem .....	Pages 38-39
Population Parameters .....	Page 36
Post-introductory Drafting .....	(See Amendment of Bills, this index)
Preamble/Purpose Provisions .....	Pages 25, 32
Printing style .....	Page 29
Pronouns .....	Page 20
Punctuation Generally .....	Pages 8-21
Purpose Provisions .....	Pages 25, 32
Quotation Marks .....	Pages 19, 62
Ratifying a Proposed Amendment to the United States Constitution .....	Page 53

Recodifications:	
Definitions .....	Page 35
Savings Clause .....	Page 45
Redesignation of Section Subpart .....	Page 12
Reference Lines:	
Amendments generally .....	Pages 58-68
Unincorporated amendments .....	Page 58
Unincorporated Committee of One Report .....	Page 59
Unincorporated floor amendments .....	Page 58
Unincorporated technical amendments .....	Page 58
Reinserting Language Deleted by a Second Reading Motion .....	Page 67
Renumbering SECTIONS of a Bill .....	Page 62
Repeal of Code Provisions .....	(See Repealers, this index)
Repealers:	
Inclusion in title of bill .....	Page 25
Repeal of noncode provisions .....	Page 41
Repeal of single code section .....	Page 41
Repeal of multiple code sections .....	Page 41
Reprinted First Printing (Second House Committee Amendments) .....	Page 59
Resolutions:	
Types generally .....	Page 4
Concurrent .....	Page 56
Joint .....	Pages 51-55
Simple .....	Page 57
Resolving Clause .....	Page 52
Restoring Language Stricken in a Second Reading Amendment .....	Pages 66-67
Retroactivity .....	Page 49
Reversion of Funds .....	Page 47
Savings Clauses:	
Generally .....	Page 44
In recodified titles .....	Page 45
Sections:	
Designation of .....	Page 11
Numbering of .....	Page 28
Semicolons .....	Page 18

Sentence Structure .....	Page 8
Session Laws (Acts) .....	Page 2
Severability Provisions .....	Page 45
"Shall" vs. "may" .....	Page 9
Short Titles .....	Page 32
Simple Resolutions .....	Page 57
Singular vs. Plural .....	Page 9
Special Legislation, prohibition of .....	Page 6
Special Relief Bills .....	Page 47
State of Indiana, reference to .....	Page 21
Statutory Construction, rules of .....	Page 40
STEP, use in formula .....	Pages 14, 21
Stripping a Bill .....	Page 62
Study Committees:	
Executive .....	Page 38
Legislative .....	Page 39
Subdivisions .....	Page 11
Subject of a Sentence .....	Page 8
Subparts of a Code Section .....	Pages 11-12
Subsections, designation of .....	Page 11
"Such"; "said" .....	Page 10
Tabulation:	
Generally .....	Page 12
Listing style .....	Page 13
Sentence style .....	Page 13
Technical Corrections .....	Page 67
Temperature, expression of .....	Page 20
Temporary Appropriations .....	Page 46
Temporary Legislation .....	Page 1
Tense .....	Page 8
Terms to Avoid:	
already .....	Page 31
currently .....	Page 31
existing .....	Page 31

hereafter .....	Page 31
heretofore .....	Page 31
notwithstanding .....	Page 10
now .....	Page 31
ought .....	Page 9
present .....	Page 31
provided that .....	Page 11
should .....	Page 9
will .....	Pages 8-9
Time, expression of .....	Page 20
Title of Bills, requirements for:	
Amending existing title or adding new title .....	Page 62
If appropriation .....	Page 25
If emergency .....	Page 24
If noncode .....	Page 25
If repealer .....	Page 25
Titles of Indiana Code:	
Headings .....	Page 28
Transfer of Responsibilities to Successor Agencies .....	Page 43
Transitional Provisions .....	Page 42
Travel Expenses and Per Diem .....	Pages 38-39
Typeface .....	Page 29
Types of Legislative Measures .....	Pages 4-5
Uniform Acts .....	Page 32
Uniform Effective Date .....	Page 47
Unincorporated Amendments, inclusion in reference line .....	Page 58
Unincorporated Committee of One Report, inclusion in reference line .....	Page 59
Unincorporated Floor Amendments, inclusion in reference line .....	Page 58
Unincorporated Technical Corrections, inclusion in reference line .....	Page 59
Vehicle Bills .....	Page 41
Voice .....	Page 8
Voting Practices of Statutory Committees .....	Page 39
"Which" vs. "that" .....	Page 10

Zoning Laws:

Headings of ..... Page 29