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# SENATE BILL No. 260

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 1-1; IC 4-5-1-11.

**Synopsis:** Veto override procedures. Requires the clerk of the house of representatives and the secretary of the senate to: (1) maintain a list of vetoed bills that have been returned to the general assembly; and (2) present a message to the house of representatives and the senate identifying the vetoed bills that are eligible for reconsideration. Requires the general assembly to file acts passed by the general assembly over the governor's veto with the secretary of state. Requires the secretary of state to maintain a list of acts filed with the secretary of state.

**Effective:** Upon passage.

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**Kenley**

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January 8, 2004, read first time and referred to Committee on Rules and Legislative Procedure.

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Second Regular Session 113th General Assembly (2004)

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 2003 Regular Session of the General Assembly.

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## SENATE BILL No. 260



A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

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

1 SECTION 1. IC 1-1-3-4 IS ADDED TO THE INDIANA CODE AS  
2 A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON  
3 PASSAGE]: **Sec. 4. (a) The principal clerk of the house of**  
4 **representatives shall maintain a list of the bills that originated in**  
5 **the house of representatives, and the principal secretary of the**  
6 **senate shall maintain a list of the bills that originated in the senate**  
7 **and that have been:**

- 8 (1) passed by the general assembly;
- 9 (2) vetoed by the governor; and
- 10 (3) returned by the governor to the chamber of origin, as
- 11 required by Article 5, Section 14 of the Constitution of the
- 12 State of Indiana.

13 Each list must identify the bill number of the bill, its title, the  
14 session in which it was passed, the date the bill was vetoed (if  
15 known), and the date on which the bill was physically received. The  
16 list may contain any other information determined appropriate.

17 (b) A list described in subsection (a) may be maintained in hard



1 copy form or in a form retrievable through a computer or other  
 2 machine readable interface, or both. If maintained for computer or  
 3 other machine retrieval, a list may be maintained in the form of a  
 4 document or a database. The general assembly and the secretary  
 5 of state may maintain a common list or interface to comply with  
 6 this section and IC 4-5-1-11. Any computer or other machine  
 7 retrieval interface must be designed to allow the public to readily  
 8 determine whether a bill has been vetoed and whether it has been  
 9 returned to the general assembly.

10 (c) On the first day of each regular session, the principal  
 11 secretary of the senate shall present a message to the president of  
 12 the senate for the purpose of reading the message into the journal.  
 13 The message must indicate whether any bill:

- 14 (1) originating in the senate; and
- 15 (2) vetoed by the governor;

16 was returned by the governor to the senate after the first day of the  
 17 immediately preceding regular session. If any bill was returned, the  
 18 message must identify the bill and the date when it was physically  
 19 received by the principal secretary of the senate. The message may  
 20 include any other information determined appropriate.

21 (d) On the first day of each regular session, the principal clerk  
 22 of the house of representatives shall present a message to the  
 23 speaker of the house of representatives for the purpose of reading  
 24 the message into the journal. The message must indicate whether  
 25 any bill:

- 26 (1) originating in the house of representatives; and
- 27 (2) vetoed by the governor;

28 was returned by the governor to the house of representatives after  
 29 the first day of the immediately preceding regular session. If any  
 30 bill was returned, the message must identify the bill and the date  
 31 when it was physically received by the principal clerk of the house  
 32 of representatives. The message may include any other information  
 33 determined appropriate.

34 SECTION 2. IC 1-1-3.1-6 IS ADDED TO THE INDIANA CODE  
 35 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE  
 36 UPON PASSAGE]: **Sec. 6. Every act passed by the general assembly  
 37 over the governor's veto under Article 5, Section 14 of the  
 38 Constitution of the State of Indiana shall be filed with the secretary  
 39 of state for safekeeping and preservation under IC 4-5-1-2.**

40 SECTION 3. IC 4-5-1-11 IS ADDED TO THE INDIANA CODE  
 41 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE  
 42 UPON PASSAGE]: **Sec. 11. (a) The secretary of state shall maintain**

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1 a list of the acts passed by the general assembly that are filed with  
2 the secretary of state. The list must include the following  
3 information:

- 4 (1) The bill number of the act.
- 5 (2) The public law number of the act.
- 6 (3) The title of the act.
- 7 (4) The session in which it was passed.
- 8 (5) An indication of whether the act was filed:
  - 9 (A) with the signature of the governor;
  - 10 (B) without the signature of the governor; or
  - 11 (C) after the act was passed by the general assembly over
  - 12 the governor's veto under Article 5, Section 14 of the
  - 13 Constitution of the State of Indiana.
- 14 (6) The date when it was filed with the secretary of state.

15 The list may include any other information determined  
16 appropriate.

17 (b) The list may be maintained in hard copy form or in a form  
18 retrievable through a computer or other machine readable  
19 interface, or both. If maintained for computer or other machine  
20 retrieval, the list may be maintained in the form of a document or  
21 a database. The general assembly and the secretary of state may  
22 maintain a common list or interface to comply with IC 1-1-3-4 and  
23 this section. Any computer or other machine retrieval interface  
24 must be designed to allow the public to readily determine when the  
25 act was filed.

26 SECTION 4. [EFFECTIVE UPON PASSAGE] IC 1-1-3-4,  
27 IC 1-1-3.1-6, and IC 4-5-1-11, all as added by this act, apply only  
28 to bills passed by the general assembly after November 17, 2003.

29 SECTION 5. An emergency is declared for this act.

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