

SENATE BILL No. 267

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-26-4.

Synopsis: Election of regional district boards. Requires that a board of trustees of a regional water, sewage, or solid waste district be elected. Requires that each unit included in the district be represented on the board. Repeals provisions that allow appointments to a board.

Effective: July 1, 2009; January 1, 2010.

Kruse

January 7, 2009, read first time and referred to Committee on Local Government.

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Introduced

First Regular Session 116th General Assembly (2009)

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 2008 Regular Session of the General Assembly.

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SENATE BILL No. 267

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

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

1 SECTION 1. IC 13-26-4-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. **(a)** The board of
3 trustees of a district is the governing body of the district.

4 **(b) Subject to subsection (c)**, a board may consist of:

- 5 (1) three (3);
6 (2) five (5);
7 (3) seven (7);
8 (4) nine (9);
9 (5) eleven (11); or
10 (6) thirteen (13);

11 trustees.

12 **(c) After December 31, 2009, each unit (as defined in**
13 **IC 36-1-2-23) included in the district shall be represented on the**
14 **board by at least one (1) trustee elected by the voters who reside in**
15 **the unit. The board may also include trustees representing the**
16 **district at large elected by the voters who reside in the district. Not**
17 **later than January 1, 2010, a board established before January 1,**



1 **2010, shall adopt a plan to transition to a board that meets the**
 2 **requirements of this subsection not later than January 1, 2014.**
 3 SECTION 2. IC 13-26-4-2 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. **(a) Before January**
 5 **1, 2010, an order establishing a district may provide for the board to be**
 6 elected by the voters in the district from districts or wards or from the
 7 district at large.
 8 **(b) After December 31, 2009, an order establishing a district**
 9 **must provide for the board to be elected by voters in the district.**
 10 **(c) A trustee of a board established before January 1, 2010,**
 11 **who:**
 12 **(1) was appointed before; and**
 13 **(2) is serving on;**
 14 **January 1, 2010, is entitled to complete the term to which the**
 15 **trustee was appointed. The successor to the trustee shall be elected**
 16 **as provided by this chapter.**
 17 **(d) Elections and provisions for filling vacancies must be in**
 18 accordance with IC 3, with the commissioner or the commissioner's
 19 designees performing the functions of the election officials.
 20 SECTION 3. THE FOLLOWING ARE REPEALED [EFFECTIVE
 21 JANUARY 1, 2010]: IC 13-26-4-3; IC 13-26-4-4; IC 13-26-4-5;
 22 IC 13-26-4-6.

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