

## SENATE BILL No. 23

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 2-2.1; IC 2-5-1.1-1; IC 15-13-6-2.

**Synopsis:** Sessions of the general assembly. Changes the legislative session cycle beginning in 2021 to: (1) eliminate the second regular session of the general assembly; and (2) require a regular session of the general assembly to adjourn sine die not later than May 15 of any odd-numbered year. Makes technical and conforming changes.

**Effective:** November 1, 2020 (retroactive).

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January 4, 2021, read first time and referred to Committee on Rules and Legislative Procedure.

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First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

## SENATE BILL No. 23

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

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

- 1 SECTION 1. IC 2-2.1-1-2 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE NOVEMBER 1, 2020 (RETROACTIVE)]:
- 3 Sec. 2. (a) The ~~first~~ regular session of each term of the general
- 4 assembly shall convene on the third Tuesday after the first Monday of
- 5 November of each even-numbered year to do the following:
- 6 (1) Organize itself.
- 7 (2) Elect its officers.
- 8 (3) Receive the oath of office.
- 9 (b) If a special session is called before the date set in subsection (a),
- 10 then the organization, election, and receiving the oath of office shall be
- 11 held on the first day of the special session.
- 12 (c) The general assembly shall then adjourn until a day:
- 13 (1) certain fixed by a concurrent resolution; or
- 14 (2) when the gavel of each house falls in the presence of a quorum
- 15 whether or not a day certain to reconvene in session has been
- 16 fixed.
- 17 (d) The general assembly shall reconvene in session no later than



1 the second Monday in January of the following year.

2 (e) The ~~first~~ regular session of each term of the general assembly  
3 shall adjourn sine die not later than ~~April 29~~ **May 15** in any  
4 odd-numbered year **beginning after December 31, 2020**.

5 SECTION 2. IC 2-2.1-1-2.5 IS AMENDED TO READ AS  
6 FOLLOWS [EFFECTIVE NOVEMBER 1, 2020 (RETROACTIVE)]:  
7 Sec. 2.5. (a) Before the ~~first~~ regular session adjourns sine die, the  
8 general assembly may adopt a concurrent resolution to fix a day to  
9 convene the ~~first~~ regular technical session of the general assembly. The  
10 day fixed under this subsection may not be earlier than thirty (30) days  
11 after the ~~first~~ regular session adjourns sine die.

12 (b) Only the following may be considered and acted upon during a  
13 ~~first~~ regular technical session:

14 (1) Bills enacted during the ~~first~~ regular session vetoed by the  
15 governor.

16 (2) Bills to correct conflicts among bills enacted during the ~~first~~  
17 regular session.

18 (3) Bills to correct technical errors in bills enacted during the ~~first~~  
19 regular session.

20 (c) The ~~first~~ regular technical session must adjourn sine die before  
21 midnight after it convenes.

22 (d) The concurrent resolution adopted under subsection (a) may  
23 provide that the ~~first~~ regular technical session is not required to  
24 convene if the speaker of the house of representatives and the president  
25 pro tempore of the senate jointly issue an order finding that the  
26 purposes for which a regular technical session may meet under  
27 subsection (b) do not justify the cost and inconvenience of meeting in  
28 a regular technical session.

29 (e) If the general assembly does not meet in a regular technical  
30 session under this section, the general assembly shall consider and act  
31 upon vetoes of bills enacted during ~~the first~~ **that** regular session at the  
32 next ~~second~~ regular session.

33 (f) For purposes of Article 5, Section 14 of the Constitution of the  
34 State of Indiana, the ~~first~~ regular technical session is not considered a  
35 regular session if the general assembly does not consider or act upon  
36 vetoes of bills enacted during the ~~first~~ regular session under this  
37 section.

38 SECTION 3. IC 2-2.1-1-3 IS REPEALED [EFFECTIVE  
39 NOVEMBER 1, 2020 (RETROACTIVE)]. ~~Sec. 3: (a) The second~~  
40 ~~regular session of each term of the general assembly shall convene on~~  
41 ~~the third Tuesday after the first Monday of November of each~~  
42 ~~odd-numbered year. The general assembly shall then adjourn until a~~



- 1 day:
- 2 (1) certain fixed by a concurrent resolution; or
- 3 (2) when the gavel of each house falls in the presence of a quorum
- 4 whether or not a day certain to reconvene in session has been
- 5 fixed:
- 6 (b) The general assembly shall reconvene in session no later than
- 7 the second Monday in January of the following year. The second
- 8 regular session of each term of the general assembly shall adjourn sine
- 9 die not later than March 14 in any even-numbered year.
- 10 SECTION 4. IC 2-2.1-1-3.5 IS REPEALED [EFFECTIVE
- 11 NOVEMBER 1, 2020 (RETROACTIVE)]. Sec. 3.5: (a) Before the
- 12 second regular session adjourns sine die, the general assembly may
- 13 adopt a concurrent resolution to fix a day to convene the second regular
- 14 technical session of the general assembly. The day fixed under this
- 15 subsection may not be earlier than thirty (30) days after the second
- 16 regular session adjourns sine die.
- 17 (b) Only the following may be considered and acted upon during a
- 18 second regular technical session:
- 19 (1) Bills enacted during the second regular session vetoed by the
- 20 governor;
- 21 (2) Bills to correct conflicts among bills enacted during the
- 22 second regular session;
- 23 (3) Bills to correct technical errors in bills enacted during the
- 24 second regular session;
- 25 (c) The second regular technical session must adjourn sine die
- 26 before midnight after it convenes.
- 27 (d) The concurrent resolution adopted under subsection (a) may
- 28 provide that the second regular technical session is not required to
- 29 convene if the speaker of the house of representatives and the president
- 30 pro tempore of the senate jointly issue an order finding that the
- 31 purposes for which a regular technical session may meet under
- 32 subsection (b) do not justify the cost and inconvenience of meeting in
- 33 a regular technical session;
- 34 (e) If the general assembly does not meet in a regular technical
- 35 session under this section, the general assembly may consider and act
- 36 upon vetoes of bills enacted during the second regular session at the
- 37 next first regular session;
- 38 (f) For purposes of Article 5, Section 14 of the Constitution of the
- 39 State of Indiana, the second regular technical session is not considered
- 40 a regular session if the general assembly does not consider or act upon
- 41 vetoes of bills enacted during the second regular session under this
- 42 section.



1 SECTION 5. IC 2-2.1-1-9 IS AMENDED TO READ AS  
 2 FOLLOWS [EFFECTIVE NOVEMBER 1, 2020 (RETROACTIVE)]:  
 3 Sec. 9. ~~Procedures: Standing Committee Appointments:~~ (a) By not later  
 4 than ten (10) days after the election of officers as provided in sections  
 5 6 and 7 of this chapter the appointments to the standing committees of  
 6 the two houses of the General Assembly shall be made and announced  
 7 by the Speaker and the President Pro Tempore, respectively.

8 (b) At the reconvening in January of the **first regular session, of the**  
 9 ~~term,~~ the lists of appointments to the standing committees shall be read  
 10 in their respective houses and recorded in the journals thereof.

11 (c) The members of the standing committees shall serve for the term  
 12 of the General Assembly in which they are appointed, unless removed,  
 13 suspended or unable to serve.

14 SECTION 6. IC 2-2.1-4-4, AS ADDED BY P.L.229-2011,  
 15 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 NOVEMBER 1, 2020 (RETROACTIVE)]: Sec. 4. As used in this  
 17 chapter, "final day of session" means **either of the following:**

18 (1) **In the case of a regular session beginning before November**  
 19 **1, 2020,** April 29 in odd-numbered years and March 14 in  
 20 even-numbered years ~~or (2) a date earlier than April 29 in~~  
 21 ~~odd-numbered years and March 14 in even-numbered years;~~ if  
 22 **unless** the presiding officers of each body have:

23 (A) jointly agreed; and

24 (B) publicly announced;

25 that ~~the an~~ earlier date will be the final day of session.

26 (2) **In the case of a regular session beginning after October 31,**  
 27 **2020, May 15 unless the presiding officers of each body have:**

28 (A) jointly agreed; and

29 (B) publicly announced;

30 **that an earlier date will be the final day of session.**

31 SECTION 7. IC 2-5-1.1-1 IS AMENDED TO READ AS  
 32 FOLLOWS [EFFECTIVE NOVEMBER 1, 2020 (RETROACTIVE)]:  
 33 Sec. 1. (a) There is ~~hereby~~ created a legislative council ~~which shall be~~  
 34 composed of sixteen (16) members of the general assembly as follows:

35 (a) (1) From the senate:

36 (A) the president pro tempore;

37 (B) the minority leader;

38 (C) the majority caucus chairman;

39 (D) the minority caucus chairman;

40 (E) three (3) members appointed by the president pro tempore;

41 and

42 (F) one (1) member appointed by the minority leader.



- 1           **(b) (2)** From the house of representatives:  
 2           **(A)** the speaker of the house;  
 3           **(B)** the majority leader;  
 4           **(C)** the minority leader;  
 5           **(D)** the majority caucus chairman;  
 6           **(E)** the minority caucus chairman;  
 7           **(F)** two (2) members appointed by the speaker; and  
 8           **(G)** one (1) member appointed by the minority leader.  
 9           **(c)** **(b)** The president of the senate may serve as an ex officio  
 10 non-voting member of the council.  
 11           **(d)** **(c)** The members of the council who serve by virtue of their  
 12 office shall serve until their successors are selected.  
 13           **(e)** **(d)** The appointed members shall serve from the date of their  
 14 appointment until the next general election at which they run for  
 15 reelection, or until the convening of the ~~first~~ regular session of the next  
 16 general assembly, whichever is first to occur. The president pro  
 17 tempore, speaker, and minority leaders shall appoint their members not  
 18 later than five (5) days after the close of a ~~first~~ regular session of a  
 19 general assembly.  
 20           SECTION 8. IC 15-13-6-2, AS ADDED BY P.L.2-2008, SECTION  
 21 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 22 NOVEMBER 1, 2020 (RETROACTIVE)]: Sec. 2. (a) The advisory  
 23 committee consists of the following members:  
 24           (1) Four (4) members of the senate, not more than two (2) of  
 25 whom are members of the same political party, appointed by the  
 26 president pro tempore of the senate.  
 27           (2) Four (4) members of the house of representatives, not more  
 28 than two (2) of whom are members of the same political party,  
 29 appointed by the speaker of the house of representatives.  
 30           (b) A member appointed under subsection (a) serves until the first  
 31 day of the ~~first~~ **next** regular session of the next general assembly  
 32 following the member's appointment.  
 33           (c) A vacancy on the advisory committee shall be filled for the  
 34 unexpired term by the appointing authority who appointed the member  
 35 whose position is vacant.  
 36           (d) After appointment of the members of the advisory committee  
 37 under subsection (a), the:  
 38           (1) speaker of the house of representatives shall name one (1) of  
 39 the members as chairperson; and  
 40           (2) president pro tempore of the senate shall name another  
 41 member as vice chairperson.  
 42           The chairperson and the vice chairperson serve until the first day of the



1 ~~second next~~ regular session of ~~that the~~ general assembly. The vice  
2 chairperson during the **first preceding** session then becomes the  
3 chairperson, and the chairperson during the **first preceding** session  
4 becomes the vice chairperson. The appointing authority may name a  
5 different chairperson or vice chairperson at any time.

6 SECTION 9. **An emergency is declared for this act.**

