

Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

SENATE ENROLLED ACT No. 193

AN ACT to amend the Indiana Code concerning the general assembly.

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

SECTION 1. IC 2-5-16.1-3, AS ADDED BY P.L.231-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 3. (a) The commission has the following membership:

- (1) Nine (9) members appointed by the governor that meet the following requirements:
 - (A) Each Indiana congressional district must be represented by at least one (1) member appointed under this subdivision who is a resident of that congressional district.
 - (B) One (1) member must work in the trust department of a bank, trust company, savings institution, or credit union chartered and supervised under IC 28 or federal law.
 - (C) One (1) member must be an attorney licensed in Indiana who primarily practices in the area of creditors' rights.
 - (D) One (1) member must be an attorney licensed in Indiana who practices in the area of estate planning.
 - (E) One (1) member must be an attorney licensed in Indiana who practices in the area of guardianships.
 - (F) One (1) member must be an attorney licensed in Indiana who practices in the area of trusts.
 - (G) One (1) member must be an attorney licensed in Indiana

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who practices in the area of probate of estates.

(H) One (1) member must be an attorney licensed in Indiana who practices in the area of probate litigation.

(I) One (1) member must be an Indiana trial court judge, full-time magistrate, or full-time commissioner whose jurisdiction includes probate.

(J) One (1) member must be an active or retired faculty member of an Indiana institution of higher learning who specializes in the field of estate planning and probate.

(2) Three (3) members appointed by the president pro tempore of the senate from among the members of the senate, not more than two (2) of whom may be affiliated with the same political party.

(3) Three (3) members appointed by the speaker of the house of representatives from among the members of the house of representatives, not more than two (2) of whom may be affiliated with the same political party.

(4) The chief justice of the supreme court or a designee of the chief justice, **who shall serve as a nonvoting member.**

(b) If a legislative member of the commission ceases to be a member of the chamber from which the member was appointed, the person ceases to be a member of the commission.

(c) The term of a member is two (2) years.

(d) If:

- (1) the term of a member expires;
- (2) the member is not reappointed; and
- (3) a successor is not appointed;

the term of the member continues until a successor is appointed.

(e) All initial appointments to the probate code study commission must be made no later than July 1, 2019.

SECTION 2. IC 2-5-16.1-6, AS ADDED BY P.L.231-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2022]: Sec. 6. (a) A quorum for a meeting of the commission is determined as follows:

STEP ONE: Determine the total number of members currently serving on the commission.

STEP TWO: Divide the number determined in STEP ONE by two (2). If the quotient is not a whole number, round the quotient up to the nearest whole number.

STEP THREE: Add one (1) member to the quotient determined in STEP TWO.

(b) ~~Before the commission takes any final action, The number of affirmative votes on the action must be at least equal to the number of~~



members in a quorum of at least eight (8) voting members of the commission are required for the commission to take final action.



President of the Senate

President Pro Tempore

Speaker of the House of Representatives

Governor of the State of Indiana

Date: _____ Time: _____

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