

IC 36-1-8-10 Board; political affiliation of board appointees

Sec. 10. (a) As used in this section, "board" means an administration, an agency, an authority, a board, a bureau, a commission, a committee, a council, a department, a division, an institution, an office, a service, or another similarly designated body of a political subdivision.

(b) Whenever a law or political subdivision's resolution requires that an appointment to a board be conditioned upon the political affiliation of the appointee, or that the membership of a board not exceed a stated number of members from the same political party, at the time of an appointment, one (1) of the following must apply to the appointee:

(1) The most recent primary election in Indiana in which the appointee voted was a primary election held by the party with which the appointee claims affiliation.

(2) If the appointee has never voted in a primary election in Indiana, the appointee is certified as a member of that party by the party's county chair for the county in which the appointee resides.

(c) If a certification by a county chair of a political party is required under subsection (b), the certification must be filed with the office of the circuit court clerk not later than the time the appointee's oath of office is filed with the clerk under IC 5-4-1. If the county chair's certification is not filed with the circuit court clerk's office as required by this subsection, the appointment is void.

(d) Notwithstanding any other law, if the term of an appointed member of a board expires and the appointing authority does not make an appointment to fill the vacancy, both of the following apply:

(1) The member may continue to serve on the board for only ninety (90) days after the expiration date of the member's term.

(2) The county chair of the political party of the member whose term has expired shall make the appointment.

As added by P.L.185-1988, SEC.1. Amended by P.L.68-1996, SEC.4; P.L. 167-2001, SEC.10; P.L.199-2001, SEC.28; P.L.126-2002, SEC.91; P.L. 127-2017, SEC.15; P.L.193-2017, SEC.3; P.L.86-2018, SEC.336.