

West's Annotated Indiana Code  
Title 36. Local Government (Refs & Annos)  
Article 7. Planning and Development  
Chapter 14.5. Redevelopment Authority

IC 36-7-14.5-9.5

36-7-14.5-9.5 Annual organization meeting; application; definitions; meetings and policy

Effective: July 1, 2016

[Currentness](#)

Sec. 9.5. (a) This section applies to meetings under IC 5-14-1.5 of members of:

- (1) the commission; or
- (2) the board.

(b) The definitions in IC 5-14-1.5 apply to this section.

(c) A member may participate in a meeting by an electronic means that allows:

- (1) all participating members; and
- (2) all members of the public who are physically present at the meeting;

to simultaneously communicate with each other. The member shall be considered present for purposes of establishing a quorum and may participate in any final action taken at the meeting.

(d) Both of the following apply to a meeting under this section:

- (1) At least one-third (  $\frac{1}{3}$  ) of the members must be physically present at the place where the meeting is conducted.
- (2) All votes during the meeting must be taken by roll call vote.

This section does not affect the public's right to attend a meeting at the place where the meeting is conducted and the minimum number of members is physically present.

(e) Each member of the commission is required to physically attend at least one (1) meeting of the commission annually. Each member of the board is required to physically attend at least one (1) meeting of the board annually.

(f) The commission may adopt a policy to govern participation in the meetings of the commission or the board by electronic communication. The policy may do any of the following:

(1) Require a member to request authorization to participate in a meeting by electronic communication within a certain number of days before the meeting to allow for arrangements to be made for the member's participation by electronic communication.

(2) Limit the number of meetings in a calendar year in which any one (1) member may participate by electronic communication.

(3) Provide that a member who participates in a meeting by electronic communication may not cast the deciding vote on any official action. For purposes of this chapter, a member casts the deciding vote on an official action if, regardless of the order in which the votes are cast:

(A) the member votes with the majority; and

(B) the official action is adopted or defeated by one (1) vote.

(4) Require a member participating in a meeting by electronic communication to confirm in writing the votes cast by the member during the meeting within a certain number of days after the date of the meeting.

(5) Provide that in addition to the location where a meeting is conducted, the public may also attend some or all meetings, excluding executive sessions, at a public place or public places at which a member is physically present and participates by electronic communication. If the commission's policy includes this provision, a meeting notice must provide the following information:

(A) The identity of each member who will be physically present at a public place and participate in the meeting by electronic communication.

(B) The address and telephone number of each public place where a member will be physically present and participate by electronic communication.

(C) Unless the meeting is an executive session, a statement that a location described in clause (B) will be open and accessible to the public.

(6) Establish any other procedures, limitations, or conditions that govern participation in meetings of the commission by electronic communication and are not in conflict with this chapter.

(g) This section does not affect the right of the commission or board to exclude the public from an executive session in which a member participates by electronic communication.

**Credits**

As added by [P.L.55-2016, SEC.3](#), eff. July 1, 2016.

I.C. 36-7-14.5-9.5, IN ST 36-7-14.5-9.5

The statutes and Constitution are current with all legislation of the 2021 First Regular Session of the 122nd General Assembly effective through May 10, 2021.

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