THE CONSTITUTIONAL INDEX

Constitution of the State of Indiana

Indiana

Adopted 1851

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Published · 2026-11-08

Table of Contents

Preamble

Article 1 — Bill of Rights

Section 1 — Inalienable rights; all power inherent in the people; indefeasible right to alter or reform government

Section 2 — Natural right to worship

Section 3 — Freedom of religious opinions; rights of conscience

Section 4 — Freedom of religion

Section 5 — Religious test for office prohibited

Section 6 — Use of public money for benefit of religious or theological institutions prohibited

Section 7 — Witness competent regardless of religious opinions

Section 8 — Oath or affirmation, administration

Section 9 — Freedom of thought, speech, writing and printing; abuse of right

Section 10 — Truth as defense in prosecutions for libel

Section 11 — Unreasonable search or seizure; warrant

Section 12 — Courts open; remedy by due course of law; administration of justice

Section 13 — Rights of accused in criminal prosecutions

Section 14 — Double jeopardy and self-incrimination prohibited

Section 15 — Treatment of arrested or confined

Section 16 — Excessive bail, fines, cruel or unusual punishment prohibited; proportional penalties

Section 17 — Bailable and not bailable offenses

Section 18 — Penal code founded on reformation

Section 19 — Jury to determine law and facts in criminal cases

Section 20 — Right to trial by jury in civil cases

Section 21 — Right to compensation for services and property

Section 22 — Privileges of debtor; imprisonment for debt

Section 23 — Equal privileges or immunities

Section 24 — Ex post facto law; law impairing contracts prohibited

Section 25 — Effect of laws

Section 26 — Suspension of operation of law

Section 27 — Suspension of habeas corpus; exception

Section 28 — Treason; definition

Section 29 — Treason; proof

Section 30 — Conviction; effect
Section 31 — Right to assemble; instruct representatives; apply to general assembly for redress of grievances
Section 32 — Right to bear arms
Section 33 — Military subordinate to civil power
Section 34 — Quartering of soldiers
Section 35 — Titles of nobility and hereditary distinctions prohibited
Section 36 — Freedom of emigration
Section 37 — Slavery and involuntary servitude prohibited
Section 39 — Hunting, fishing and harvesting wildlife

Article 2 — Suffrage and Election

Section 1 — Free and equal elections
Section 2 — Voting qualifications
Section 3 — Repealed
Section 4 — Residence; absence from state
Section 5 — Repealed
Section 6 — Disqualification for bribery
Section 7 — Repealed
Section 8 — Conviction of infamous crime
Section 9 — Holder of lucrative office; eligibility
Section 10 — Collectors and holders of public money; eligibility
Section 11 — Pro tempore appointment; term of office
Section 12 — Freedom from arrest of electors; exceptions
Section 13 — Election methods
Section 14 — Time of elections; judges of courts; registration of voters

Article 3 — Distribution of Powers

Section 1 — Three separate departments

Article 4 — Legislative

Section 1 — General assembly; composition; style of law
Section 2 — Senate and house of representatives; membership
Section 3 — Senators and representatives; tenure
Section 4 — Vacancies in general assembly
Section 5 — Legislative apportionment
Section 6 — Repealed
Section 7 — Senators and representatives; qualifications
Section 8 — Legislative immunity; exceptions

Section 9 — Sessions of general assembly
Section 10 — Selection of officers; rules of proceedings; adjournment
Section 11 — Quorum
Section 12 — Journal; entry of yeas and nays
Section 13 — Open sessions and committee meetings
Section 14 — Discipline of members
Section 15 — Contempt by non-members; punishment
Section 16 — Legislative powers
Section 17 — Bills; raising revenue
Section 18 — Reading and passage of bills
Section 19 — One subject acts; exceptions
Section 20 — Acts and resolutions; plain language
Section 21 — Repealed
Section 22 — Local and special laws; restrictions
Section 23 — General and uniform laws
Section 24 — Right to sue the state
Section 25 — Passage of bills and resolutions; signing
Section 26 — Protest by members; entry of dissent on journal
Section 27 — Public laws
Section 28 — Effective date of acts
Section 29 — Compensation of members; conditions
Section 30 — Holding of public office; eligibility

Article 5 — Executive

Section 1 — Governor; term of office
Section 2 — Lieutenant governor; term of office
Section 3 — Election of governor and lieutenant governor
Section 4 — Method of voting
Section 5 — Tie vote
Section 6 — Contested elections of governor and lieutenant governor
Section 7 — Qualifications of governor and lieutenant governor
Section 8 — Ineligible persons
Section 9 — Term of office; commencement
Section 10 — Vacancies and disabilities; succession
Section 11 — President of the senate
Section 12 — Commander-in-chief
Section 13 — Messages by governor to general assembly

Section 14 — Presentment of bills for signature; veto power

Section 15 — Administrative officers and departments

Section 16 — Laws faithfully executed

Section 17 — Pardons and reprieves; exception

Section 18 — Vacancies; filling during recess

Section 19 — Repealed

Section 20 — Meeting place of general assembly

Section 21 — Functions and duties of lieutenant governor

Section 22 — Compensation of governor

Section 23 — Compensation of lieutenant governor

Section 24 — Dual holding of office

Article 6 — Administrative

Section 1 — State officers; secretary, auditor and treasurer; election

Section 2 — County officers; clerk of circuit court, auditor, recorder, treasurer, sheriff, coroner and surveyor; election

Section 3 — Election or appointment of other county and township officers

Section 4 — County officers; qualifications

Section 5 — State officers; residence

Section 6 — Local officers; residence

Section 7 — State officers; removal methods; impeachment

Section 8 — State, county, township and town officers, impeachment and removal

Section 9 — County, township and town offices; vacancies

Section 10 — Powers of county boards

Section 11 — Repealed

Article 7 — Judicial

Section 1 — Judicial power

Section 2 — Supreme Court

Section 3 — Chief Justice

Section 4 — Jurisdiction of Supreme Court

Section 5 — Court of Appeals

Section 6 — Jurisdiction of Court of Appeals

Section 7 — Judicial circuits

Section 8 — Circuit courts

Section 9 — Judicial nominating commission

Section 10 — Selection of justices of the Supreme Court and Judges of the Court of Appeals

Section 11 — Tenure of Justices of Supreme Court and Judges of the Court of Appeals
Section 12 — Substitution of Judges
Section 13 — Removal of Circuit Court Judges and Prosecuting Attorneys
Section 14 — Repealed
Section 15 — No limitation on term of office
Section 16 — Prosecuting Attorneys
Section 17 — Grand jury
Section 18 — Criminal prosecutions
Section 19 — Pay
Section 20 — Repealed
Section 21 — Repealed

Article 8 — Education

Section 1 — Common schools system
Section 2 — Common school fund
Section 3 — Principal and income of fund
Section 4 — Investment and distribution of fund interest
Section 5 — Reinvestment of unused interest
Section 6 — Preservation of fund by counties; liability
Section 7 — State trust funds inviolate
Section 8 — State superintendent of public instruction

Article 9 — State Institutions

Section 1 — Institutions for the deaf, mute, blind and the insane
Section 2 — Institutions for juvenile offenders
Section 3 — County asylum farms

Article 10 — Finance

Section 1 — Property assessment and taxation
Section 2 — Public debt; payment
Section 3 — Appropriations made by law
Section 4 — Receipts and expenditures; publication
Section 5 — State debt; requirements; balanced budget
Section 6 — Corporation stock and subscription by counties; state assumption of county debts
Section 7 — Wabash and Erie Canal
Section 8 — Income tax; levy and collection authorized

Article 11 — Corporations

Section 1 — Banks, banking companies and moneyed institutions; incorporation
Section 2 — General banking laws; exception
Section 3 — Registry by state of votes
Section 4 — Banks and branches of banks; charter
Section 5 — Bank branches mutually liable
Section 6 — Repealed
Section 7 — Redemption of bills and notes
Section 8 — Holders of bank notes; preference
Section 9 — Interest rate
Section 10 — Repealed
Section 11 — Trust funds; investment in banks with branches
Section 12 — State as stockholder in banks; prohibition
Section 13 — Corporations other than banking; creation
Section 14 — Liability of stockholders

Article 12 — Militia

Section 1 — Membership
Section 2 — Commander-in-chief
Section 3 — Adjutant general
Section 4 — Conscientious objectors
Section 5 — Classes
Section 6 — Exemptions

Article 13 — Indebtedness

Section 1 — Limitation on debt; excess; exceptions
Section 2 — Repealed
Section 3 — Repealed
Section 4 — Repealed

Article 14 — Boundaries

Section 1 — Boundaries of state established
Section 2 — Jurisdiction and sovereignty

Article 15 — Miscellaneous

Section 1 — Nonconstitutional officers; appointment
Section 2 — Term of office
Section 3 — Holding over of office pending successor
Section 4 — Oath or affirmation of office

Section 5 — Seal of state

Section 6 — Commission issued by state

Section 7 — Areas of counties

Section 8 — Repealed

Section 9 — State grounds in Indianapolis

Section 10 — Tippecanoe Battle Ground

Article 16 — Amendments

Section 1 — Constitutional amendments; procedure

Section 2 — Multiple amendments; separate vote

Schedule — Schedule

Table of Contents Index

Preamble

Preamble

TO THE END, that justice be established, public order maintained, and liberty perpetuated; WE, the People of the State of Indiana, grateful to ALMIGHTY GOD for the free exercise of the right to choose our own form of government, do ordain this Constitution.

Article 1 Bill of Rights

Inalienable rights

Section 1

Inalienable rights; all power inherent in the people; indefeasible right to alter or reform government

LAST AMENDED 1984

WE DECLARE, That all people are created equal; that they are endowed by their CREATOR with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that all power is inherent in the people; and that all free governments are, and of right ought to be, founded on their authority, and instituted for their peace, safety, and well-being. For the advancement of these ends, the people have, at all times, an indefeasible right to alter and reform their government.

Religious freedom

Section 2 Natural right to worship

LAST AMENDED 1984

All people shall be secured in the natural right to worship ALMIGHTY GOD, according to the dictates of their own consciences.

Religious freedom

Section 3 Freedom of religious opinions; rights of conscience

LAST AMENDED 1851

No law shall, in any case whatever, control the free exercise and enjoyment of religious opinions, or interfere with the rights of conscience.

Religious freedom

Section 4 Freedom of religion

No preference shall be given, by law, to any creed, religious society, or mode of worship; and no person shall be compelled to attend, erect, or support, any place of worship, or to maintain any ministry, against his consent.

Religious freedom

Section 5 Religious test for office prohibited

No religious test shall be required, as a qualification for any office of trust or profit.

Religious freedom

Section 6

Use of public money for benefit of religious or theological institutions prohibited

No money shall be drawn from the treasury, for the benefit of any religious or theological institution.

Religious freedom

Section 7 Witness competent regardless of religious opinions

No person shall be rendered incompetent as a witness, in consequence of his opinions on matters of religion.

Manner of administering oath

Section 8 Oath or affirmation, administration

The mode of administering an oath or affirmation, shall be such as may be most consistent with, and binding upon, the conscience of the person, to whom such oath or affirmation may be administered.

Freedom of speech, expression and press

Section 9 Freedom of thought, speech, writing and printing; abuse of right

No law shall be passed, restraining the free interchange of thought and opinion, or restricting the right to speak, write, or print, freely, on any subject whatever: but for the abuse of that right, every person shall be responsible.

Freedom of speech, expression and press

Section 10 Truth as defense in prosecutions for libel

In all prosecutions for libel, the truth of the matters alleged to be libellous, may be given in justification.

Searches and seizures; right to privacy

Section 11 Unreasonable search or seizure; warrant

The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable search or seizure, shall not be violated; and no warrant shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched, and the person or thing to be seized.

Access to courts; remedy for injury

Section 12

Courts open; remedy by due course of law; administration of justice

LAST AMENDED 1984

All courts shall be open; and every person, for injury done to him in his person, property, or reputation, shall have remedy by due course of law. Justice shall be administered freely, and without purchase; completely, and without denial; speedily, and without delay.

Due process of law; rights of accused

Section 13 Rights of accused in criminal prosecutions

LAST AMENDED 1996

(a) In all criminal prosecutions, the accused shall have the right to a public trial, by an impartial jury, in the county in which the offense shall have been committed; to be heard by himself and counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face, and to have compulsory process for obtaining witnesses in his favor.

(b) Victims of crime, as defined by law, shall have the right to be treated with fairness, dignity, and respect throughout the criminal justice process; and, as

defined by law, to be informed of and present during public hearings and to confer with the prosecution, to the extent that exercising these rights does not infringe upon the constitutional rights of the accused.

Double jeopardy
Self-incrimination; no privilege to witness

Section 14 Double jeopardy and self-incrimination prohibited

No person shall be put in jeopardy twice for the same offense. No person, in any criminal prosecution, shall be compelled to testify against himself.

Excessive bail, fines, and punishment; criminal justice

Section 15 Treatment of arrested or confined

No person arrested, or confined in jail, shall be treated with unnecessary rigor.

Excessive bail, fines, and punishment; criminal justice

Section 16

Excessive bail, fines, cruel or unusual punishment prohibited; proportional penalties

Excessive bail shall not be required. Excessive fines shall not be imposed. Cruel and unusual punishments shall not be inflicted. All penalties shall be proportioned to the nature of the offense.

Right to bail

Section 17 Bailable and not bailable offenses

Offenses, other than murder or treason, shall be bailable by sufficient sureties. Murder or treason shall not be bailable, when the proof is evident, or the presumption strong.

Excessive bail, fines, and punishment; criminal justice

Section 18 Penal code founded on reformation

The penal code shall be founded on the principles of reformation, and not of vindictive justice.

Right of trial by jury

Section 19 Jury to determine law and facts in criminal cases

In all criminal cases whatever, the jury shall have the right to determine the law and the facts.

Right of trial by jury

Section 20 Right to trial by jury in civil cases

In all civil cases, the right of trial by jury shall remain inviolate.

Eminent domain; taking property for public use

Section 21 Right to compensation for services and property

LAST AMENDED 1984

No person's particular services shall be demanded, without just compensation. No person's property shall be taken by law, without just compensation; nor, except in case of the State, without such compensation first assessed and tendered.

No imprisonment for debt

Section 22 Privileges of debtor; imprisonment for debt

The privilege of the debtor to enjoy the necessary comforts of life, shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure or sale, for the payment of any debt or liability hereafter contracted: and there shall be no imprisonment for debt, except in case of fraud.

Limits on punitive and retrospective legislation

Section 23 Equal privileges or immunities

The General Assembly shall not grant to any citizen, or class of citizens, privileges or immunities, which, upon the same terms, shall not equally belong to all citizens.

Limits on punitive and retrospective legislation

Section 24 Ex post facto law; law impairing contracts prohibited

No ex post facto law, or law impairing the obligation of contracts, shall ever be passed.

Time laws take effect; publication of laws

Section 25 Effect of laws

No law shall be passed, the taking effect of which shall be made to depend upon any authority, except as provided in this Constitution.

Suspension of laws

Section 26 Suspension of operation of law

The operation of the laws shall never be suspended, except by the authority of the General Assembly.

Habeas corpus

Section 27 Suspension of habeas corpus; exception

The privilege of the writ of habeas corpus shall not be suspended, except in case of rebellion or invasion; and then, only if the public safety demand it.

Treason

Section 28 Treason; definition

Treason against the State shall consist only in levying war against it, and in giving aid and comfort to its enemies.

Treason

Section 29 Treason; proof

No person shall be convicted of treason, except on the testimony of two witnesses to the same overt act, or upon his confession in open court.

Limits on punitive and retrospective legislation

Section 30 Conviction; effect

No conviction shall work corruption of blood, or forfeiture of estate.

Right to assemble and petition

Section 31

Right to assemble; instruct representatives; apply to general assembly for redress of grievances

No law shall restrain any of the inhabitants of the State from assembling together in a peaceable manner, to consult for their common good; nor from instructing their representatives; nor from applying to the General Assembly for redress of grievances.

Right to bear arms

Section 32 Right to bear arms

he people shall have a right to bear arms, for the defense of themselves and the State.

Civil control, standing armies, and quartering

Section 33 Military subordinate to civil power

The military shall be kept in strict subordination to the civil power.

Civil control, standing armies, and quartering

Section 34 Quartering of soldiers

No soldier shall, in time of peace, be quartered in any house, without the consent of the owner; nor, in time of war, but in a manner to be prescribed by law.

Perpetuities and hereditary emoluments

Section 35 Titles of nobility and hereditary distinctions prohibited

The General Assembly shall not grant any title of nobility, nor confer hereditary distinctions.

Freedom of movement

Section 36 Freedom of emigration

Emigration from the State shall not be prohibited.

Slavery, involuntary servitude, and prison labor

Section 37 Slavery and involuntary servitude prohibited

LAST AMENDED 1984

There shall be neither slavery, nor involuntary servitude, within the State, otherwise than for the punishment of crimes, whereof the party shall have been duly convicted.

Right to fish and hunt

Section 39 Hunting, fishing and harvesting wildlife

LAST AMENDED 2016

(a) The right to hunt, fish, and harvest wildlife:

(1) is a valued part of Indiana's heritage; and

(2) shall be forever preserved for the public good.

(b) The people have a right, which includes the right to use traditional methods, to hunt, fish, and harvest wildlife, subject only to the laws prescribed by the General

Assembly and rules prescribed by virtue of the authority of the General Assembly to:

(1) promote wildlife conservation and management; and

(2) preserve the future of hunting and fishing.

(c) Hunting and fishing shall be a preferred means of managing and controlling wildlife.

(d) This section shall not be construed to limit the application of any provision of law relating to trespass or property rights.

Article 2 Suffrage and Election

Free and equal elections

Section 1 Free and equal elections

All elections shall be free and equal.

Qualifications of electors

Section 2 Voting qualifications

LAST AMENDED 1998

(a) A citizen of the United States, who is at least eighteen (18) years of age and who has been a resident of a precinct thirty (30) days immediately preceding an election may vote in that precinct at the election.

(b) A citizen may not be disenfranchised under subsection (a), if the citizen is entitled to vote in a precinct under subsection (c) or federal law.

(c) The General Assembly may provide that a citizen who ceases to be a resident of a precinct before an election may vote in a precinct where the citizen previously resided if, on the date of the election, the citizen's name appears on the registration rolls for the precinct.

Section 3 Repealed

REPEALED 1998

Retention of voting residence

Section 4 Residence; absence from state

No person shall be deemed to have lost his residence in the State, by reason of his absence, either on business of this State or of the United States.

Section 5 Repealed

REPEALED 1851

Disqualification from public office for misconduct

Section 6 Disqualification for bribery

Every person shall be disqualified from holding office, during the term for which he may have been elected, who shall have given or offered a bribe, threat, or reward, to procure his election.

Section 7 Repealed

REPEALED 1984

Disfranchisement

Section 8 Conviction of infamous crime

The General Assembly shall have power to deprive of the right of suffrage, and to render ineligible, any person convicted of an infamous crime.

Dual office holding

Section 9 Holder of lucrative office; eligibility

LAST AMENDED 1984

No person holding a lucrative office or appointment under the United States or under this State is eligible to a seat in the General Assembly; and no person may hold more than one lucrative office at the same time, except as expressly permitted in this Constitution. Offices in the militia to which there is attached no annual salary shall not be deemed lucrative.

Defaulting custodian of public money ineligible to hold office

Section 10 Collectors and holders of public money; eligibility

No person who may hereafter be a collector or holder of public moneys, shall be eligible to any office of trust or profit, until he shall have accounted for, and paid over, according to law, all sums for which he may be liable.

Temporary appointments not a part of that term

Section 11 Pro tempore appointment; term of office

In all cases in which it is provided, that an office shall not be filled by the same person more than a certain number of years continuously, an appointment pro tempore shall not be reckoned a part of that term.

Privilege of electors from arrest

Section 12 Freedom from arrest of electors; exceptions

In all cases, except treason, felony, and breach of the peace, electors shall be free from arrest, in going to elections, during their attendance there, and in returning from the same.

Method of voting

Elections by legislative bodies

Section 13 Election methods

All elections by the People shall be by ballot; and all elections by the General Assembly, or by either branch thereof, shall be viva voce.

Date of holding election

Section 14 Time of elections; judges of courts; registration of voters

LAST AMENDED 1998

(a) General elections shall be held on the first Tuesday after the first Monday in November.

(b) The General Assembly may provide by law for the election of all judges of courts of general and appellate jurisdiction, by an election to be held for such officers only, at which time no other officer shall be voted for.

(c) The General Assembly shall provide for the registration of all persons entitled to vote.

Article 3 Distribution of Powers

Distribution of powers

Section 1 Three separate departments

The powers of the Government are divided into three separate departments; the Legislative, the Executive including the Administrative, and the Judicial: and no person, charged with official duties under one of these departments, shall exercise any of the functions of another, except as in this Constitution expressly provided.

Article 4 Legislative

Legislative power vested

Enacting clause of bills

Section 1 General assembly; composition; style of law

The Legislative authority of the State shall be vested in a General Assembly, which shall consist of a Senate and a House of Representatives. The style of every law shall be: “Be it enacted by the General Assembly of the State of Indiana”; and no law shall be enacted, except by bill.

Number of senators and representatives

Section 2 Senate and house of representatives; membership

LAST AMENDED 1984

The Senate shall not exceed fifty, nor the House of Representatives one hundred members; and they shall be chosen by the electors of the respective districts into which the State may, from time to time, be divided.

Terms of members

Section 3 Senators and representatives; tenure

LAST AMENDED 1984

Senators shall be elected for the term of four years, and Representatives for the term of two years, from the day next after their general election. One half of the Senators, as nearly as possible, shall be elected biennially.

Legislative vacancies

Section 4 Vacancies in general assembly

LAST AMENDED 1984

The General Assembly may provide by law for the filling of such vacancies as may occur in the General Assembly.

Apportionment by law; procedures; standards

Section 5 Legislative apportionment

LAST AMENDED 1984

The General Assembly elected during the year in which a federal decennial census is taken shall fix by law the number of Senators and Representatives and apportion them among districts according to the number of inhabitants in each district, as revealed by that federal decennial census. The territory in each district shall be contiguous.

Section 6 Repealed

REPEALED 1984

Qualifications of senators and representatives

Section 7 Senators and representatives; qualifications

LAST AMENDED 1984

No person shall be a Senator or a Representative, who, at the time of his election, is not a citizen of the United States; nor any one who has not been for two years next preceding his election, an inhabitant of this State, and, for one year next preceding his election, an inhabitant of the district whence he may be chosen. Senators shall be at least twenty-five, and Representatives at least twenty-one years of age.

Member immunity and freedom of debate

Section 8 Legislative immunity; exceptions

Senators and Representatives, in all cases except treason, felony, and breach of the peace, shall be privileged from arrest, during the session of the General Assembly, and in going to and returning from the same; and shall not be subject to any civil process, during the session of the General Assembly, nor during the fifteen days next before the commencement thereof. For any speech or debate in either House, a member shall not be questioned in any other place.

Legislative sessions

Section 9 Sessions of general assembly

Section 9. The sessions of the General Assembly shall be held at the capitol of the State, commencing on the Tuesday next after the second Monday in January of each year in which the General Assembly meets unless a different day or place shall have been appointed by law. But if, in the opinion of the Governor, the public welfare shall require it, he may, at any time by proclamation, call a special session. The length and frequency of the sessions of the General Assembly shall be fixed by law.

Selection of legislative officers

Restrictions on unilateral adjournment

Section 10 Selection of officers; rules of proceedings; adjournment

Each House, when assembled, shall choose its own officers, the President of the Senate excepted; judge the elections, qualifications, and returns of its own members; determine its rules of proceeding, and sit upon its own adjournment. But neither House shall, without the consent of the other, adjourn for more than three days, nor to any place other than that in which it may be sitting.

Quorum

Compensation of legislators

Section 11 Quorum

Two-thirds of each House shall constitute a quorum to do business; but a smaller number may meet, adjourn from day to day, and compel the attendance of absent members. A quorum being in attendance, if either House fail to effect an organization within the first five days thereafter, the members of the House so failing, shall be entitled to no compensation, from the end of the said five days until an organization shall have been effected.

Journal of proceedings

Section 12 Journal; entry of yeas and nays

Each House shall keep a journal of its proceedings, and publish the same. The yeas and nays, on any question, shall, at the request of any two members, be entered, together with the names of the members demanding the same, on the journal; Provided, that on a motion to adjourn, it shall require one-tenth of the members present to order the yeas and nays.

Public sessions

Section 13 Open sessions and committee meetings

The doors of each House, and of Committees of the Whole, shall be kept open, except in such cases, as, in the opinion of either House, may require secrecy.

Rules of proceedings; judge of qualifications; expulsion

Section 14 Discipline of members

Either House may punish its members for disorderly behavior, and may, with the concurrence of two-thirds, expel a member; but not a second time for the same cause.

Rules of proceedings; judge of qualifications; expulsion

Section 15 Contempt by non-members; punishment

Either House, during its session, may punish, by imprisonment, any person not a member, who shall have been guilty of disrespect to the House, by disorderly or contemptuous behavior, in its presence; but such imprisonment shall not, at any one time, exceed twenty-four hours.

Rules of proceedings; judge of qualifications; expulsion

Section 16 Legislative powers

Each House shall have all powers, necessary for a branch of the Legislative department of a free and independent State.

Revenue bills

Section 17 Bills; raising revenue

Bills may originate in either House, but may be amended or rejected in the other; except that bills for raising revenue shall originate in the House of Representatives.

Bill readings and enactment procedures

Section 18 Reading and passage of bills

LAST AMENDED 1984

Every bill shall be read, by title, on three several days, in each House; unless, in case of emergency, two-thirds of the House where such bill may be pending shall, by a vote of yeas and nays, deem it expedient to dispense with this rule; but the reading of a bill, by title, on its final passage, shall, in no case, be dispensed with; and the vote on the passage of every bill or joint resolution shall be taken by yeas and nays.

Subject and title of bills

Section 19 One subject acts; exceptions

LAST AMENDED 1974

An act, except an act for the codification, revision or rearrangement of laws, shall be confined to one subject and matters properly connected therewith.

Acts to be plainly worded

Section 20 Acts and resolutions; plain language

Every act and joint resolution shall be plainly worded, avoiding, as far as practicable, the use of technical terms.

Section 21 Repealed

REPEALED 1960

General, local and special laws

Section 22 Local and special laws; restrictions

The General Assembly shall not pass local or special laws:

Providing for the punishment of crimes and misdemeanors;

Regulating the practice in courts of justice;

Providing for changing the venue in civil and criminal cases;

Granting divorces;

Changing the names of persons;

Providing for laying out, opening, and working on, highways, and for the election or appointment of supervisors;

Vacating roads, town plats, streets, alleys, and public squares;

Summoning and empaneling grand and petit juries, and providing for their compensation;

Regulating county and township business;

Regulating the election of county and township officers and their compensation;

Providing for the assessment and collection of taxes for State, county, township, or road purposes;

Providing for the support of common schools, or the preservation of school funds;

Relating to fees or salaries, except that the laws may be so made as to grade the compensation of officers in proportion to the population and the necessary services required;

Relating to interest on money;

Providing for opening and conducting elections of State, county, or township officers, and designating the places of voting;

Providing for the sale of real estate belonging to minors or other persons laboring under legal disabilities, by executors, administrators, guardians, or trustees.

General, local and special laws

Section 23 General and uniform laws

In all the cases enumerated in the preceding section, and in all other cases where a general law can be made applicable, all laws shall be general, and of uniform operation throughout the State.

Sovereign immunity

General, local and special laws

Section 24 Right to sue the state

LAST AMENDED 1984

Provision may be made, by general law, for bringing suit against the State; but no special law authorizing such suit to be brought, or making compensation to any person claiming damages against the State, shall ever be passed.

Signing of bills

Section 25 Passage of bills and resolutions; signing

A majority of all the members elected to each House, shall be necessary to pass every bill or joint resolution; and all bills and joint resolutions so passed, shall be signed by the Presiding Officers of the respective Houses.

Rights of members to protest

Section 26 Protest by members; entry of dissent on journal

Any member of either House shall have the right to protest, and to have his protest, with his reasons for dissent, entered on the journal.

Public law

Section 27 Public laws

Every statute shall be a public law, unless otherwise declared in the statute itself.

Time laws take effect; publication of laws

Section 28 Effective date of acts

No act shall take effect, until the same shall have been published and circulated in the several counties of the State, by authority, except in case of emergency, which emergency shall be declared in the preamble, or in the body, of the law.

Compensation of legislators

Section 29 Compensation of members; conditions

LAST AMENDED 1970

The members of the General Assembly shall receive for their services a compensation to be fixed by law; but no increase of compensation shall take effect during the session at which such increase may be made.

Ineligibility of legislators to other offices

Section 30 Holding of public office; eligibility

No Senator or Representative shall, during the term for which he may have been elected, be eligible to any office, the election to which is vested in the General Assembly; nor shall he be appointed to any civil office of profit, which shall have been created, or the emoluments of which shall have been increased, during such term; but this latter provision shall not be construed to apply to any office elective by the People.

Article 5 Executive

Supreme executive power vested in governor
Executive state officer term limit
Executive state officer term

Section 1 Governor; term of office

LAST AMENDED 1972

The executive power of the State shall be vested in a Governor. He shall hold his office during four years, and shall not be eligible more than eight years in any period of twelve years.

Executive state officer term

Section 2 Lieutenant governor; term of office

There shall be a Lieutenant Governor, who shall hold his office during four years.

Election of governor and lieutenant governor

Section 3 Election of governor and lieutenant governor

The Governor and Lieutenant Governor shall be elected at the times and places of choosing members of the General Assembly.

Election of governor and lieutenant governor
Joint ticket

Section 4 Method of voting

LAST AMENDED 1974

Each candidate for Lieutenant Governor shall run jointly in the general election with a candidate for Governor, and his name shall appear jointly on the ballot with the candidate for Governor. Each vote cast for a candidate for Governor shall be considered cast for the candidate for Lieutenant Governor as well. The candidate for Lieutenant Governor whose name appears on the ballot jointly with that of the successful candidate for Governor shall be elected Lieutenant Governor.

Election of governor and lieutenant governor
Plurality voting; tie vote

Section 5 Tie vote

LAST AMENDED 1974

In the event of a tie vote, the Governor and Lieutenant Governor shall be elected from the candidates having received the tie vote by the affirmative vote in joint session of a majority of the combined membership of both Houses as the first order of business after their organization.

Election of governor and lieutenant governor
Contested elections

Section 6 Contested elections of governor and lieutenant governor

Contested elections for Governor or Lieutenant Governor, shall be determined by the General Assembly, in such manner as may be prescribed by law.

Qualifications of governor and lieutenant governor

Section 7 Qualifications of governor and lieutenant governor

No person shall be eligible to the office of Governor or Lieutenant Governor, who shall not have been five years a citizen of the United States, and also a resident of the State of Indiana during the five years next preceding his election; nor shall any person be eligible to either of the said offices, who shall not have attained the age of thirty years.

Governorship ineligibility; incompatibility

Section 8 Ineligible persons

No member of Congress, or person holding any office under the United States or under this State, shall fill the office of Governor or Lieutenant Governor.

Election of governor and lieutenant governor

Section 9 Term of office; commencement

The official term of the Governor and Lieutenant Governor shall commence on the second Monday of January, in the year one thousand eight hundred and fifty-three; and on the same day every fourth year thereafter.

Succession of governor and lieutenant governor

Governor of unsound mind

Section 10 Vacancies and disabilities; succession

LAST AMENDED 2024

(a) In case the Governor-elect fails to assume office, or in case of the death or resignation of the Governor or the Governor's removal from office, the Lieutenant Governor shall become Governor and hold office for the unexpired term of the person whom the Lieutenant Governor succeeds. In case the Governor is unable to discharge the powers and duties of the office, the Lieutenant Governor shall discharge the powers and duties of the office as Acting Governor.

(b) Whenever there is a vacancy in the office of Lieutenant Governor, the Governor shall nominate a Lieutenant Governor who shall take office upon confirmation by a majority vote in each house of the General Assembly and hold office for the unexpired term of the previous Lieutenant Governor. If the General Assembly is not in session, the Governor shall call it into special session to receive and act upon the Governor's nomination. In the event of the inability of the Lieutenant Governor to discharge the powers and duties of the office, the General Assembly may provide by law for the manner in which a person shall be selected to act in the Lieutenant Governor's place and declare which powers and duties of the office such person shall discharge.

(c) Whenever the Governor transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives the Governor's written declaration that the Governor is unable to discharge the powers and duties of the office, and until the Governor transmits to them a written declaration to the contrary, such powers and duties shall be discharged by the Lieutenant Governor as Acting Governor. Thereafter, when the Governor transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives the Governor's written declaration that no inability exists, the Governor shall resume the powers and duties of the office.

(d) Whenever the President pro tempore of the Senate and the Speaker of the House of Representatives file with the Supreme Court a written statement suggesting that the Governor is unable to discharge the powers and duties of the office, the Supreme Court shall meet within forty-eight hours to decide the question and such decision shall be final. Thereafter, whenever the Governor files

with the Supreme Court the Governor's written declaration that no inability exists, the Supreme Court shall meet within forty-eight hours to decide whether such be the case and such decision shall be final. Upon a decision that no inability exists, the Governor shall resume the powers and duties of the office.

(e) Whenever there is a vacancy in both the office of Governor and Lieutenant Governor, the General Assembly shall convene in joint session forty-eight hours after such occurrence and elect a Governor from and of the same political party as the immediately past Governor by a majority vote of each house. If either house of the General Assembly is unable to assemble a quorum of its members because of vacancies in the membership of that house, the General Assembly shall convene not later than forty-eight hours after a sufficient number of the vacancies are filled to provide a quorum of members for that house.

(f) An individual holding one (1) of the following offices shall discharge the powers and duties of the governor if the office of governor and the office of lieutenant governor are both vacant, in the order listed:

(1) The speaker of the house of representatives.

(2) The president pro tempore of the senate, if the office described in subdivision (1) is vacant.

(3) The treasurer of state, if the offices described in subdivisions (1) and (2) are vacant.

(4) The auditor of state, if the offices described in subdivisions (1) through (3) are vacant.

(5) The secretary of state, if the offices described in subdivisions (1) through (4) are vacant.

(g) An individual's authority to discharge the governor's powers and duties under subsection (f) ends when the general assembly fills the office of governor under this section.

Succession of governor and lieutenant governor

Section 11 President of the senate

Whenever the Lieutenant Governor shall act as Governor, or shall be unable to attend as President of the Senate, the Senate shall elect one of its own members as President for the occasion.

Governor to be commander in chief

Section 12 Commander-in-chief

LAST AMENDED 1984

The Governor shall be commander-in-chief of the armed forces, and may call out such forces, to execute the laws, or to suppress insurrection, or to repel invasion.

Messages to the legislature

Section 13 Messages by governor to general assembly

LAST AMENDED 1984

The Governor shall, from time to time, give to the General Assembly information touching the condition of the State, and recommend such measures as he shall judge to be expedient.

Bills presented to governor for approval or veto

Veto power

Section 14 Presentment of bills for signature; veto power

LAST AMENDED 1990

(a) Every bill which shall have passed the General Assembly shall be presented to the Governor. The Governor shall have seven days after the day of presentment to act upon such bill as follows:

(1) He may sign it, in which event it shall become a law.

(2) He may veto it:

(A) In the event of a veto while the General Assembly is in session, he shall return such bill, with his objections, within seven days of presentment, to the House in which it originated. If the Governor does not return the bill within seven days of presentment, the bill becomes a law notwithstanding the veto.

(B) If the Governor returns the bill under clause (A), the House in which the bill originated shall enter the Governor's objections at large upon its journals and proceed to reconsider and vote upon whether to approve the bill. The bill must be reconsidered and voted upon within the time set out in clause (C). If, after such reconsideration and vote, a majority of all the members elected to that House shall approve the bill, it shall be sent, with the Governor's objections, to the other House, by which it shall likewise be reconsidered and voted upon, and, if approved by a majority of all the members elected to that House, it shall be a law.

(C) If the Governor returns the bill under clause (A), the General Assembly shall reconsider and vote upon the approval of the bill before the final adjournment of the next regular session of the General Assembly that follows the regular or special session in which the bill was originally passed. If the House in which the bill originated does not approve the bill under clause (B), the other House is not required to reconsider and vote upon the approval of the bill. If, after voting, either House fails to approve the bill within this time, the veto is sustained.

(D) In the event of a veto after final adjournment of a session of the General Assembly, such bill shall be returned by the Governor to the House in which it originated on the first day that the General Assembly is in session after such adjournment, which House shall proceed in the same manner as with a bill vetoed before adjournment. The bill must be

reconsidered and voted upon within the time set out in clause (C). If such bill is not so returned, it shall be a law notwithstanding such veto.

(3) He may refuse to sign or veto such bill in which event it shall become a law without his signature on the eighth day after presentment to the Governor.

(b) Every bill presented to the Governor which is signed by him or on which he fails to act within said seven days after presentment shall be filed with the Secretary of State within ten days of presentment. The failure to so file shall not prevent such a bill from becoming a law.

(c) In the event a bill is passed over the Governor's veto, such bill shall be filed with the Secretary of State without further presentment to the Governor, provided that, in the event of such passage over the Governor's veto in the next succeeding General Assembly, the passage shall be deemed to have been the action of the General Assembly which initially passed such bill.

Information from officers and inspection

Section 15 Administrative officers and departments

The Governor shall transact all necessary business with the officers of government, and may require information in writing from the officers of the administrative department, upon any subject relating to the duties of their respective offices.

General duties of governor

Section 16 Laws faithfully executed

LAST AMENDED 1984

The Governor shall take care that the laws are faithfully executed.

Reprieves and pardons

Section 17 Pardons and reprieves; exception

LAST AMENDED 1984

The Governor may grant reprieves, commutations, and pardons, after conviction, for all offenses except treason and cases of impeachment, subject to such regulations as may be provided by law. Upon conviction for treason, the Governor may suspend the execution of the sentence, until the case has been reported to the General Assembly, at its next meeting, when the General Assembly shall either grant a pardon, commute the sentence, direct the execution of the sentence, or grant a further reprieve. The Governor may remit fines and forfeitures, under such regulations as may be provided by law; and shall report to the General Assembly, at its next meeting, each case of reprieve, commutation, or pardon granted, and also the names of all persons in whose favor remission of fines and forfeitures were made, and the several amounts remitted; provided, however, the General Assembly may, by law, constitute a council composed of officers of State, without whose advice and consent the Governor may not grant pardons, in any case, except those left to his sole power by law.

Vacancy of other executive state officers

Section 18 Vacancies; filling during recess

When, during a recess of the General Assembly, a vacancy shall happen in any office, the appointment to which is vested in the General Assembly; or when, at any time, a vacancy shall have occurred in any other State office, or in the office of Judge of any Court; the Governor shall fill such vacancy, by appointment, which shall expire, when a successor shall have been elected and qualified.

Section 19 Repealed

REPEALED 1984

Continuity of the legislature in emergencies

Legislative sessions

Section 20 Meeting place of general assembly

LAST AMENDED 1984

Should the seat of government become dangerous from disease or a common enemy, the Governor may convene the General Assembly at any other place.

Lieutenant governor powers and duties

Lieutenant governor as president of the Senate

Section 21 Functions and duties of lieutenant governor

The Lieutenant Governor shall, by virtue of his office, be President of the Senate; have a right, when in committee of the whole, to join in debate, and to vote on all subjects; and, whenever the Senate shall be equally divided, he shall give the casting vote.

Compensation of executive state officers

Section 22 Compensation of governor

The Governor shall, at stated times, receive for his services a compensation, which shall neither be increased nor diminished, during the term for which he shall have been elected.

Compensation of executive state officers

Section 23 Compensation of lieutenant governor

The Lieutenant Governor, while he shall act as President of the Senate, shall receive, for his services, the same compensation as the Speaker of the House of Representatives; and any person, acting as Governor, shall receive the compensation attached to the office of Governor.

Governorship ineligibility; incompatibility

Section 24 Dual holding of office

Neither the Governor nor Lieutenant Governor shall be eligible to any other office, during the term for which he shall have been elected.

Article 6 Administrative

Election of principal executive state officers
Executive state officer term limit
Executive state officer term

Section 1 State officers; secretary, auditor and treasurer; election

LAST AMENDED 1970

There shall be elected, by the voters of the state, a Secretary, an Auditor and a Treasurer of State, who shall, severally, hold their offices for four years. They shall perform such duties as may be enjoined by law; and no person shall be eligible to either of said offices, more than eight years in any period of twelve years.

Sheriff
Clerk
Recorder; register of deeds
Surveyor
Treasurer
Auditor
Coroner
Appointment of multiple officers
Local officer term
Superior trial court clerk and other personnel
Local officer term limit

Section 2

County officers; clerk of circuit court, auditor, recorder, treasurer, sheriff, coroner and surveyor; election

LAST AMENDED 2004

(a) There shall be elected, in each county by the voters thereof, at the time of holding general elections, a Clerk of the Circuit Court, Auditor, Recorder, Treasurer, Sheriff, Coroner, and Surveyor, who shall, severally, hold their offices for four years.

(b) The General Assembly may provide by law for uniform dates for beginning the terms of the county officials listed in subsection (a). If the General Assembly enacts a law to provide a uniform date for beginning the terms of a county official listed in subsection (a), the General Assembly may provide that the term of each county official initially elected after enactment of the law to provide the uniform date for beginning the terms of the county official is for less than four years in order to establish a uniform schedule of dates for the beginning of terms for the office. However, after the initial election for each office, the term for that office shall be for four years.

(c) No person shall be eligible to the office of Clerk, Auditor, Recorder, Treasurer, Sheriff, or Coroner more than eight years in any period of twelve years.

Other officers

Section 3 Election or appointment of other county and township officers

Such other county and township officers as may be necessary, shall be elected, or appointed, in such manner as may be prescribed by law.

Local officer qualifications; bonds

Section 4 County officers; qualifications

LAST AMENDED 1984

No person shall be elected, or appointed, as a county officer, who is not an elector of the county and who has not been an inhabitant of the county one year next preceding his election or appointment.

Executive residence

Section 5 State officers; residence

LAST AMENDED 1998

(a) The Governor, and the Secretary, Auditor, and Treasurer of State, shall severally keep the public records, books, and papers, in any manner relating to their respective offices, at the seat of government.

(b) The Governor shall reside at the seat of government.

Local officer residency requirement

Section 6 Local officers; residence

All county, township, and town officers, shall reside within their respective counties, townships, and towns; and shall keep their respective offices at such places therein, and perform such duties, as may be directed by law.

Impeachment
Trial process
Officers subject to impeachment; grounds; judgment
Removal of officers other than by impeachment
Removal of local officers

Section 7 State officers; removal methods; impeachment

All State officers shall, for crime, incapacity, or negligence, be liable to be removed from office, either by impeachment by the House of Representatives, to be tried by the Senate, or by a joint resolution of the General Assembly; two-thirds of the members elected to each branch voting, in either case, therefor.

Section 8

State, county, township and town officers, impeachment and removal

All State, county, township, and town officers, may be impeached, or removed from office, in such manner as may be prescribed by law.

Vacancies in local offices

Section 9 County, township and town offices; vacancies

Vacancies in county, township, and town offices, shall be filled in such manner as may be prescribed by law.

Transfer of one local government's functions to another

Section 10 Powers of county boards

The General Assembly may confer upon the boards doing county business in the several counties, powers of a local, administrative character.

Section 11 Repealed

REPEALED 1984

Article 7 Judicial

Vestment of judicial power; establishment of courts

Section 1 Judicial power

LAST AMENDED 1970

The judicial power of the State shall be vested in one Supreme Court, one Court of Appeals, Circuit Courts, and such other courts as the General Assembly may establish.

Supreme Court composition

Section 2 Supreme Court

LAST AMENDED 1970

The Supreme Court shall consist of the Chief Justice of the State and not less than four nor more than eight associate justices; a majority of whom shall form a quorum. The court may appoint such personnel as may be necessary.

Chief justice of the Supreme Court

Supreme Court clerk, marshal and other personnel

Section 3 Chief Justice

LAST AMENDED 1970

The Chief Justice of the State shall be selected by the judicial nominating commission from the members of the Supreme Court and he shall retain that office for a period of five years, subject to reappointment in the same manner, except that a member of the Court may resign the office of Chief Justice without resigning from the Court. During a vacancy in the office of Chief Justice caused by absence, illness, incapacity or resignation all powers and duties of that office shall devolve upon the member of the Supreme Court who is senior in length of service and if equal in length of service the determination shall be by lot until such time as the cause of the vacancy is terminated or the vacancy is filled.

The Chief Justice of the State shall appoint such persons as the General Assembly by law may provide for the administration of his office. The Chief Justice shall have prepared and submit to the General Assembly regular reports on the condition of the courts and such other reports as may be requested.

Jurisdiction of Supreme Court

Original jurisdiction; writs

Section 4 Jurisdiction of Supreme Court

LAST AMENDED 2000

The Supreme Court shall have no original jurisdiction except in admission to the practice of law; discipline or disbarment of those admitted; the unauthorized practice of law; discipline, removal and retirement of justices and judges; supervision of the exercise of jurisdiction by the other courts of the State; and issuance of writs necessary or appropriate in aid of its jurisdiction. The Supreme Court shall exercise appellate jurisdiction under such terms and conditions as specified by rules except that appeals from a judgment imposing a sentence of death shall be taken directly to the Supreme Court. The Supreme Court shall have, in all appeals of criminal cases, the power to review all questions of law and to review and revise the sentence imposed.

Court of Appeals districts and composition

Section 5 Court of Appeals

LAST AMENDED 1970

The Court of Appeals shall consist of as many geographic districts and sit at such locations as the General Assembly shall determine to be necessary. Each geographic district of the Court shall consist of three judges. The judges of each geographic district shall appoint such personnel as the General Assembly may provide by law.

Jurisdiction of Court of Appeals

Section 6 Jurisdiction of Court of Appeals

LAST AMENDED 1970

The Court shall have no original jurisdiction, except that it may be authorized by rules of the Supreme Court to review directly decisions of administrative agencies. In all other cases, it shall exercise appellate jurisdiction under such terms and conditions as the Supreme Court shall specify by rules which shall, however, provide in all cases an absolute right to one appeal and to the extent provided by rule, review and revision of sentences for defendants in all criminal cases.

Superior trial court districts and composition

Terms of judges

Selection of judges by popular election

Section 7 Judicial circuits

LAST AMENDED 1970

The State shall, from time to time, be divided into judicial circuits; and a Judge for each circuit shall be elected by the voters thereof. He shall reside within the circuit and shall have been duly admitted to practice law by the Supreme Court of Indiana; he shall hold his office for the term of six years, if he so long behaves well.

Superior trial court jurisdiction

Section 8 Circuit courts

The Circuit Courts shall have such civil and criminal jurisdiction as may be prescribed by law.

Judicial Nominating Commission

Judicial Conduct and Disability Commission

Section 9 Judicial nominating commission

LAST AMENDED 1970

There shall be one judicial nominating commission for the Supreme Court and Court of Appeals. This commission shall, in addition, be the commission on judicial qualifications for the Supreme Court and Court of Appeals.

The judicial nominating commission shall consist of seven members, a majority of whom shall form a quorum, one of whom shall be the Chief Justice of the State or a Justice of the Supreme Court whom he may designate, who shall act as chairman. Those admitted to the practice of law shall elect three of their number to serve as members of said commission. All elections shall be in such manner as the General Assembly may provide. The Governor shall appoint to the commission three citizens, not admitted to the practice of law. The terms of office and compensation for members of a judicial nominating commission shall be fixed by the General Assembly. No member of a judicial nominating commission other than the Chief Justice or his designee shall hold any other salaried public

office. No member shall hold an office in a political party or organization. No member of the judicial nominating commission shall be eligible for appointment to a judicial office so long as he is a member of the commission and for a period of three years thereafter.

Appointment of judges from nominating commission nominees

Section 10

Selection of justices of the Supreme Court and Judges of the Court of Appeals

LAST AMENDED 1970

A vacancy in a judicial office in the Supreme Court or Court of Appeals shall be filled by the Governor, without regard to political affiliation, from a list of three nominees presented to him by the judicial nominating commission. If the Governor shall fail to make an appointment from the list within sixty days from the day it is presented to him, the appointment shall be made by the Chief Justice or the acting Chief Justice from the same list.

To be eligible for nomination as a justice of the Supreme Court or Judge of the Court of Appeals, a person must be domiciled within the geographic district, a citizen of the United States, admitted to the practice of law in the courts of the State for a period of not less than ten (10) years or must have served as a judge of a circuit, superior or criminal court of the State of Indiana for a period of not less than five (5) years.

Retirement, removal and discipline

Terms of judges

Retention election for judges

Retirement; age limit

Disqualification of judge while indicted

Incompatible activities

Section 11

Tenure of Justices of Supreme Court and Judges of the Court of Appeals

LAST AMENDED 1970

A justice of the Supreme Court or Judge of the Court of Appeals shall serve until the next general election following the expiration of two years from the date of appointment, and subject to approval or rejection by the electorate, shall continue to serve for terms of ten years, so long as he retains his office. In the case of a justice of the Supreme Court, the electorate of the entire state shall vote on the question of approval or rejection. In the case of judges of the Court of Appeals the electorate of the geographic district in which he serves shall vote on the question of approval or rejection.

Every such justice and judge shall retire at the age specified by statute in effect at the commencement of his current term.

Every such justice or judge is disqualified from acting as a judicial officer, without loss of salary, while there is pending (1) an indictment or information charging him in any court in the United States with a crime punishable as a felony under the laws of Indiana or the United States, or (2) a recommendation to the

Supreme Court by the commission on judicial qualifications for his removal or retirement.

On recommendation of the commission on judicial qualifications or on its own motion, the Supreme Court may suspend such justice or judge from office without salary when in any court in the United States he pleads guilty or no contest or is found guilty of a crime punishable as a felony under the laws of Indiana or the United States, or of any other crime that involves moral turpitude under that law. If his conviction is reversed, suspension terminates and he shall be paid his salary for the period of suspension. If he is suspended and his conviction becomes final the Supreme Court shall remove him from office.

On recommendation of the commission on judicial qualifications the Supreme Court may (1) retire such justice or judge for disability that seriously interferes with the performance of his duties and is or is likely to become permanent, and (2) censure or remove such justice or judge, for action occurring not more than six years prior to the commencement of his current term, when such action constitutes willful misconduct in office, willful and persistent failure to perform his duties, habitual intemperance, or conduct prejudicial to the administration of justice that brings the judicial office into disrepute.

A justice or judge so retired by the Supreme Court shall be considered to have retired voluntarily. A justice or judge so removed by the Supreme Court is ineligible for judicial office and pending further order of the Court he is suspended from practicing law in this State.

Upon receipt by the Supreme Court of any such recommendation, the Court shall hold a hearing, at which such justice or judge is entitled to be present, and make such determinations as shall be required. No justice shall participate in the determination of such hearing when it concerns himself.

The Supreme Court shall make rules implementing this section and provide for convening of hearings. Hearings and proceedings shall be public upon request of the justice or judge whom it concerns.

No such justice or judge shall, during his term of office, engage in the practice of law, run for elective office other than a judicial office, directly or indirectly make any contribution to, or hold any office in, a political party or organization or take part in any political campaign.

Reassignment of judges

Section 12 Substitution of Judges

LAST AMENDED 1970

The General Assembly may provide, by law, that the Judge of one circuit may hold the Courts of another circuit, in cases of necessity or convenience; and in case of temporary inability of any Judge, from sickness or other cause, to hold the Courts in his circuit, provision may be made, by law, for holding such courts.

Retirement, removal and discipline

Section 13 Removal of Circuit Court Judges and Prosecuting Attorneys

LAST AMENDED 1970

Any Judge of the Circuit Court or Prosecuting Attorney, who shall have been convicted of corruption or other high crime, may, on information in the name of the State, be removed from office by the Supreme Court, or in such other manner as may be prescribed by law.

Section 14 Repealed

REPEALED 1984

Terms of judges

Period or duration of term of office

Section 15 No limitation on term of office

LAST AMENDED 1970

The provisions of Article 15, Section 2, prohibiting terms of office longer than four years, shall not apply to justices and judges.

Local prosecuting attorneys; appointment, qualification, term, compensation

Section 16 Prosecuting Attorneys

LAST AMENDED 1970

There shall be elected in each judicial circuit by the voters thereof a prosecuting attorney, who shall have been admitted to the practice of law in this State before his election, who shall hold his office for four years, and whose term of office shall begin on the first day of January next succeeding his election. The election of prosecuting attorneys under this section shall be held at the time of holding the general election in the year 1974 and each four years thereafter.

Grand juries; number

Section 17 Grand jury

LAST AMENDED 1970

The General Assembly may modify, or abolish, the grand jury system.

Style of process

Section 18 Criminal prosecutions

All criminal prosecutions shall be carried on in the name, and by the authority of the state; and the style of all process shall be: “The State of Indiana.”

Compensation of judges

Section 19 Pay

LAST AMENDED 1970

The Justices of Supreme Court and Judges of the Court of Appeals and of the Circuit Courts shall at stated times receive a compensation which shall not be diminished during their continuance in office.

Section 20 Repealed

REPEALED 1984

Section 21 Repealed

REPEALED 1932

Article 8 Education

Public education system

Section 1 Common schools system

Knowledge and learning, generally diffused throughout a community, being essential to the preservation of a free government; it shall be the duty of the General Assembly to encourage, by all suitable means, moral, intellectual, scientific, and agricultural improvement; and to provide, by law, for a general and uniform system of Common Schools, wherein tuition shall be without charge, and equally open to all.

Permanent state school fund

Section 2 Common school fund

The Common School fund shall consist of the Congressional Township fund, and the lands belonging thereto;

The Surplus Revenue fund;

The Saline fund and the lands belonging thereto;

The Bank Tax fund, and the fund arising from the one hundred and fourteenth section of the charter of the State Bank of Indiana;

The fund to be derived from the sale of County Seminaries, and the moneys and property heretofore held for such Seminaries; from the fines assessed for breaches of the penal laws of the State; and from all forfeitures which may accrue;

All lands and other estate which shall escheat to the State, for want of heirs or kindred entitled to the inheritance;

All lands that have been, or may hereafter be, granted to the State, where no special purpose is expressed in the grant, and the proceeds of the sales thereof; including the proceeds of the sales of the Swamp Lands, granted to the State of Indiana by the act of Congress of the twenty eighth of September, eighteen hundred and fifty, after deducting the expense of selecting and draining the same;

Taxes on the property of corporations, that may be assessed by the General Assembly for common school purposes.

Permanent state school fund

Section 3 Principal and income of fund

The principal of the Common School fund shall remain a perpetual fund, which may be increased, but shall never be diminished; and the income thereof shall be inviolably appropriated to the support of Common Schools, and to no other purpose whatever.

Permanent state school fund

Section 4 Investment and distribution of fund interest

The General Assembly shall invest, in some safe and profitable manner, all such portions of the Common School fund, as have not heretofore been entrusted to the several counties; and shall make provision, by law, for the distribution, among the several counties, of the interest thereof.

Permanent state school fund

Section 5 Reinvestment of unused interest

If any county shall fail to demand its proportion of such interest, for Common School purposes, the same shall be reinvested, for the benefit of such county.

Permanent state school fund

Section 6 Preservation of fund by counties; liability

The several counties shall be held liable for the preservation of so much of the said fund as may be entrusted to them, and for the payment of the annual interest thereon.

Permanent state school fund

Section 7 State trust funds inviolate

All trust funds, held by the State, shall remain inviolate, and be faithfully and exclusively applied to the purposes for which the trust was created.

Chief state school officer

Section 8 State superintendent of public instruction

LAST AMENDED 1984

There shall be a State Superintendent of Public Instruction, whose method of selection, tenure, duties and compensation shall be prescribed by law.

Article 9 State Institutions

Health, safety and welfare provisions

Section 1 Institutions for the deaf, mute, blind and the insane

LAST AMENDED 1984

It shall be the duty of the General Assembly to provide, by law, for the support of institutions for the education of the deaf, the mute, and the blind; and for the treatment of the insane.

Charitable or correctional institutions and functions

Section 2 Institutions for juvenile offenders

LAST AMENDED 1984

The General Assembly shall provide institutions for the correction and reformation of juvenile offenders.

Health, safety and welfare provisions

Section 3 County asylum farms

LAST AMENDED 1984

The counties may provide farms, as an asylum for those persons who, by reason of age, infirmity, or other misfortune, have claims upon the sympathies and aid of society.

Article 10 Finance

- Uniform tax
- Tax exemption; abatement
- Homestead tax exemption
- General maximum ad valorem tax

Section 1 Property assessment and taxation

LAST AMENDED 2010

(a) Subject to this section, the General Assembly shall provide, by law, for a uniform and equal rate of property assessment and taxation and shall prescribe regulations to secure a just valuation for taxation of all property, both real and personal.

(b) A provision of this section permitting the General Assembly to exempt property from taxation also permits the General Assembly to exercise its legislative power to enact property tax deductions and credits for the property. The General Assembly may impose reasonable filing requirements for an exemption, deduction, or credit.

(c) The General Assembly may exempt from property taxation any property in any of the following classes:

(1) Property being used for municipal, educational, literary, scientific, religious, or charitable purposes.

(2) Tangible personal property other than property being held as an investment.

(3) Intangible personal property.

(4) Tangible property, including curtilage, used as a principal place of residence by an:

(A) owner of the property;

(B) individual who is buying the tangible property under a contract; or

(C) individual who has a beneficial interest in the owner of the tangible property.

(d) The General Assembly may exempt any motor vehicles, mobile homes (not otherwise exempt under this section), airplanes, boats, trailers, or similar property, provided that an excise tax in lieu of the property tax is substituted therefor.

(e) This subsection applies to property taxes first due and payable in 2012 and thereafter. The following definitions apply to subsection (f):

(1) “Other residential property” means tangible property (other than tangible property described in subsection (c)(4)) that is used for residential purposes.

(2) “Agricultural land” means land devoted to agricultural use.

(3) “Other real property” means real property that is not tangible property described in subsection (c)(4), is not other residential property, and is not agricultural land.

(f) This subsection applies to property taxes first due and payable in 2012 and thereafter. The General Assembly shall, by law, limit a taxpayer's property tax liability as follows:

(1) A taxpayer's property tax liability on tangible property described in subsection (c)(4) may not exceed one percent (1%) of the gross assessed value of the property that is the basis for the determination of property taxes.

(2) A taxpayer's property tax liability on other residential property may not exceed two percent (2%) of the gross assessed value of the property that is the basis for the determination of property taxes.

(3) A taxpayer's property tax liability on agricultural land may not exceed two percent (2%) of the gross assessed value of the land that is the basis for the determination of property taxes.

(4) A taxpayer's property tax liability on other real property may not exceed three percent (3%) of the gross assessed value of the property that is the basis for the determination of property taxes.

(5) A taxpayer's property tax liability on personal property (other than personal property that is tangible property described in subsection (c)(4) or personal property that is other residential property) within a particular taxing district may not exceed three percent (3%) of the gross assessed value of the taxpayer's personal property that is the basis for the determination of property taxes within the taxing district.

(g) This subsection applies to property taxes first due and payable in 2012 and thereafter. Property taxes imposed after being approved by the voters in a referendum shall not be considered for purposes of calculating the limits to property tax liability under subsection (f).

(h) As used in this subsection, “eligible county” means only a county for which the General Assembly determines in 2008 that limits to property tax liability as described in subsection (f) are expected to reduce in 2010 the aggregate property tax revenue that would otherwise be collected by all units of local government and school corporations in the county by at least twenty percent (20%). The General Assembly may, by law, provide that property taxes imposed in an eligible county to pay debt service or make lease payments for bonds or leases issued or entered into before July 1, 2008, shall not be considered for purposes of calculating the limits to property tax liability under subsection (f). Such a law may not apply after December 31, 2019.

Payment of state debts without appropriation

Section 2 Public debt; payment

All the revenues derived from the sale of any of the public works belonging to the State, and from the net annual income thereof, and any surplus that may, at any time, remain in the Treasury, derived from taxation for general State purposes, after the payment of the ordinary expenses of the government, and of the interest on bonds of the State, other than Bank bonds; shall be annually applied, under the direction of the General Assembly, to the payment of the principal of the Public Debt.

Drawing money from state treasury

Section 3 Appropriations made by law

No money shall be drawn from the Treasury, but in pursuance of appropriations made by law.

Rendering and publication of accounts

Section 4 Receipts and expenditures; publication

An accurate statement of the receipts and expenditures of the public money, shall be published with the laws of each regular session of the General Assembly.

General obligation debt

State balanced budget

Public pension funds

Section 5 State debt; requirements; balanced budget

LAST AMENDED 2018

(a) No law shall authorize any debt to be contracted, on behalf of the State, except in the following cases: to meet casual deficits in the revenue; to pay the interest on the State Debt; to repel invasion, suppress insurrection, or, if hostilities be threatened, provide for the public defense.

(b) The following definitions apply to this section only for purposes of the limits on the State budget under this section:

(1) “Revenue” means all income received by the state general fund and all other state funds, excluding the proceeds of bonds or other loans.

(2) “Expense” means the ordinary operating costs of State government, including any debt service payments made during the biennial budget period.

(c) The total amount of expense appropriations enacted by the General Assembly for a biennial budget may not exceed the estimated revenue of the State in the biennial budget period.

(d) A State budget enacted by the General Assembly must appropriate money for the State's prefunded pension funds in the amount necessary to actuarially fund the accrued liability of all such pension funds during the budget period.

(e) If expenses exceed actual revenue received by the State when reconciled at the close of a biennial budget period, the subsequent biennial budget must subtract any shortfall from the projected revenue available for that subsequent biennial budget.

(f) The requirements under subsections (c) and (d) may be suspended if at least two-thirds of the members of the House of Representatives and at least two-thirds of the members of the Senate vote to suspend the requirement.

(g) A court that orders a remedy pursuant to any case or controversy arising under this section may not order any remedies other than a declaratory judgment or such other remedies that are specifically authorized by the General Assembly in a law implementing this section.

Loan of credit, stock subscriptions, aid, internal improvements

Assumption of local government debts

Section 6

Corporation stock and subscription by counties; state assumption of county debts

No county shall subscribe for stock in any incorporated company, unless the same be paid for at the time of such subscription; nor shall any county loan its credit to any incorporated company, nor borrow money for the purpose of taking stock in any such company; nor shall the General Assembly ever, on behalf of the State, assume the debts of any county, city, town, or township; nor of any corporation whatever.

Guaranteed revenue debt

Section 7 Wabash and Erie Canal

LAST AMENDED 1873

No law or resolution shall ever be passed by the General Assembly of the State of Indiana, that shall recognize any liability of this State to pay or redeem any certificate of stock issued in pursuance of an act entitled “An Act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville,” passed January 19th, 1846; and an act supplemental to said act, passed January 29th, 1847, which, by the provisions of the said acts, or either of them, shall be payable exclusively from the proceeds of the canal lands, and the tolls and revenues of the canal, in said acts mentioned, and no such certificates or stocks shall ever be paid by this State.

Income tax

Section 8 Income tax; levy and collection authorized

LAST AMENDED 1932

The general assembly may levy and collect a tax upon income, from whatever source derived, at such rates, in such manner, and with such exemptions as may be prescribed by law.

Article 11 Corporations

Bank incorporation, charters

Section 1

Banks, banking companies and moneyed institutions; incorporation

The General Assembly shall not have power to establish, or incorporate, any bank or banking company, or moneyed institution, for the purpose of issuing bills of credit, or bills payable to order or bearer, except under the conditions prescribed in this Constitution.

Banking laws and miscellaneous banking provisions

Section 2 General banking laws; exception

No banks shall be established otherwise than under a general banking law, except as provided in the fourth section of this article.

Banking laws and miscellaneous banking provisions

Section 3 Registry by state of votes

If the General Assembly shall enact a general banking law, such law shall provide for the registry and countersigning, by an officer of State, of all paper credit designed to be circulated as money; and ample collateral security, readily convertible into specie, for the redemption of the same in gold or silver, shall be required; which collateral security shall be under the control of the proper officer or officers of State.

Bank incorporation, charters

Section 4 Banks and branches of banks; charter

The General Assembly may also charter a bank with branches, without collateral security as required in the preceding section.

Banking laws and miscellaneous banking provisions

Section 5 Bank branches mutually liable

If the General Assembly shall establish a bank with branches, the branches shall be mutually responsible for each other's liabilities upon all paper credit issued as money.

Section 6 Repealed

REPEALED 1940

Banking laws and miscellaneous banking provisions

Section 7 Redemption of bills and notes

All bills or notes issued as money shall be, at all times, redeemable in gold or silver; and no law shall be passed, sanctioning, directly or indirectly, the suspension, by any bank or banking company, of specie payments.

Banking laws and miscellaneous banking provisions

Section 8 Holders of bank notes; preference

Holders of bank notes shall be entitled, in case of insolvency, to preference of payment over all other creditors.

Usury; interest rate

Section 9 Interest rate

No bank shall receive, directly or indirectly, a greater rate of interest than shall be allowed, by law, to individuals loaning money.

Section 10 Repealed

REPEALED 1940

Investment of trust funds

Section 11 Trust funds; investment in banks with branches

The General Assembly is not prohibited from investing the Trust Funds in a bank with branches; but in case of such investment, the safety of the same shall be guarantied by unquestionable security.

Loan of credit, stock subscriptions, aid, internal improvements

State involvement in banking

Section 12 State as stockholder in banks; prohibition

LAST AMENDED 1996

The State shall not be a stockholder in any bank; nor shall the credit of the State ever be given, or loaned, in aid of any person, association or corporation; nor shall the State become a stockholder in any corporation or association. However, the General Assembly may by law, with limitations and regulations, provide that prohibitions in this section do not apply to a public employee retirement fund.

Laws concerning the chartering and control of corporations

Section 13 Corporations other than banking; creation

Corporations, other than banking, shall not be created by special act, but may be formed under general laws.

Liability of stockholders

Section 14 Liability of stockholders

LAST AMENDED 1940

Dues from corporations shall be secured by such individual liability of the stockholders, or other means, as may be prescribed by law.

Article 12 Militia

Military service; militia composition

Section 1 Membership

LAST AMENDED 1974

A militia shall be provided and shall consist of all persons over the age of seventeen (17) years, except those persons who may be exempted by the laws of the United States or of this state. The militia may be divided into active and inactive classes and consist of such military organizations as may be provided by law.

Governor to be commander in chief

Section 2 Commander-in-chief

LAST AMENDED 1974

The Governor is Commander-in-Chief of the militia and other military forces of this state.

Adjutant general

Section 3 Adjutant general

LAST AMENDED 1974

There shall be an Adjutant General, who shall be appointed by the Governor.

Conscientious objectors

Section 4 Conscientious objectors

LAST AMENDED 1974

No person, conscientiously opposed to bearing arms, shall be compelled to do so in the militia.

Section 5 Classes

REPEALED 1974

Section 6 Exemptions

REPEALED 1974

Article 13 Indebtedness

Local government indebtedness limit

Section 1 Limitation on debt; excess; exceptions

LAST AMENDED 1881

No political or municipal corporation in this State shall ever become indebted, in any manner or for any purpose to an amount, in the aggregate, exceeding two per centum on the value of the taxable property within such corporation, to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness; and all bonds or obligations, in excess of such amount, given by such corporations, shall be void: Provided, That in time of war, foreign invasion, or other great public calamity, on petition of a majority of the property owners in number and value, within the limits of such corporation, the public authorities, in their discretion, may incur obligations necessary for the public protection and defense to such amount as may be requested in such petition.

Section 2 Repealed

REPEALED 1881

Section 3 Repealed

REPEALED 1881

Section 4 Repealed

REPEALED 1881

Article 14 Boundaries

State boundaries and state capital

Section 1 Boundaries of state established

In order that the boundaries of the State may be known and established, it is hereby ordained and declared, that the State of Indiana is bounded, on the East, by the meridian line, which forms the western boundary of the State of Ohio; on the South, by the Ohio river, from the mouth of the Great Miami river to the mouth of the Wabash river; on the West, by a line drawn along the middle of the Wabash river, from its mouth to a point where a due north line, drawn from the town of Vincennes, would last touch the north-western shore of said Wabash river; and, thence, by a due north line, until the same shall intersect an east and west line, drawn through a point ten miles north of the southern extreme of Lake Michigan; on the North, by said east and west line, until the same shall intersect the first mentioned meridian line, which forms the western boundary of the State of Ohio.

State boundaries and state capital

Section 2 Jurisdiction and sovereignty

The State of Indiana shall possess jurisdiction and sovereignty co-extensive with the boundaries declared in the preceding section; and shall have concurrent jurisdiction, in civil and criminal cases, with the State of Kentucky on the Ohio river, and with the State of Illinois on the Wabash river, so far as said rivers form the common boundary between this State and said States respectively.

Article 15 Miscellaneous

Selection and tenure of officers not otherwise provided

Section 1 Nonconstitutional officers; appointment

All officers, whose appointment is not otherwise provided for in this Constitution, shall be chosen in such manner as now is, or hereafter may be, prescribed by law.

Period or duration of term of office

Section 2 Term of office

When the duration of any office is not provided for by this Constitution, it may be declared by law; and, if not so declared, such office shall be held during the pleasure of the authority making the appointment. But the General Assembly shall not create any office, the tenure of which shall be longer than four years.

Continuation in office until successors qualify

Section 3 Holding over of office pending successor

Whenever it is provided in this Constitution, or in any law which may be hereafter passed, that any officer, other than a member of the General Assembly, shall hold his office for any given term, the same shall be construed to mean, that such officer shall hold his office for such term, and until his successor shall have been elected and qualified.

Broad all-branch oath of public officers

Section 4 Oath or affirmation of office

Every person elected or appointed to any office under this Constitution, shall, before entering on the duties thereof, take an oath or affirmation, to support the Constitution of this State, and of the United States, and also an oath of office.

Seal of State

Section 5 Seal of state

There shall be a Seal of State, kept by the Governor for official purposes, which shall be called the Seal of the State of Indiana.

Grants and commissions

Section 6 Commission issued by state

All commissions shall issue in the name of the State, shall be signed by the Governor, sealed with the State Seal, and attested by the Secretary of State.

County formation and boundaries

Section 7 Areas of counties

No county shall be reduced to an area less than four hundred square miles; nor shall any county, under that area, be further reduced.

Section 8 Repealed

REPEALED 1988

State, school, and public trust lands

Section 9 State grounds in Indianapolis

The following grounds owned by the State in Indianapolis, namely: the State House Square, the Governor's Circle, and so much of out-lot numbered one

hundred and forty-seven, as lies north of the arm of the Central Canal, shall not be sold or leased.

State parks; monuments

Section 10 Tippecanoe Battle Ground

It shall be the duty of the General Assembly, to provide for the permanent enclosure and preservation of the Tippecanoe Battle Ground.

Article 16 Amendments

Two-legislature amendment procedure

Section 1 Constitutional amendments; procedure

LAST AMENDED 1998

(a) An amendment to this Constitution may be proposed in either branch of the General Assembly. If the amendment is agreed to by a majority of the members elected to each of the two houses, the proposed amendment shall, with the yeas and nays thereon, be entered on their journals, and referred to the General Assembly to be chosen at the next general election.

(b) If, in the General Assembly so next chosen, the proposed amendment is agreed to by a majority of all the members elected to each House, then the General Assembly shall submit the amendment to the electors of the State at the next general election.

(c) If a majority of the electors voting on the amendment ratify the amendment, the amendment becomes a part of this Constitution.

Each amendment voted separately

Section 2 Multiple amendments; separate vote

LAST AMENDED 1996

If two or more amendments shall be submitted at the same time, they shall be submitted in such manner that the electors shall vote for or against each of such amendments separately.

Schedule Schedule

Local government special provisions

Whenever a portion of the citizens of the counties of Perry and Spencer, shall deem it expedient to form, of the contiguous territory of said counties, a new County, it shall be the duty of those interested in the organization of such new county, to lay off the same, by proper metes and bounds, of equal portions as nearly as practicable, not to exceed one-third of the territory of each of said counties. The proposal to create such new county shall be submitted to the voters of said counties, at a general election, in such manner as shall be prescribed by law. And if a majority of all the votes given at said election, shall be in favor of the organization of said new county, it shall be the duty of the General Assembly to organize the same, out of the territory thus designated.

The General Assembly may alter or amend the charter of Clarksville, and make such regulations as may be necessary for carrying into effect the objects contemplated in granting the same; and the funds belonging to said town shall be applied, according to the intention of the grantor.

Index

↑ Table of Contents

Administration of justice

Access to courts; remedy for injury
Excessive bail, fines, and punishment; criminal justice 1
Excessive bail, fines, and punishment; criminal justice 2
Excessive bail, fines, and punishment; criminal justice 3
Habeas corpus
Limits on punitive and retrospective legislation 1
Limits on punitive and retrospective legislation 2
Limits on punitive and retrospective legislation 3
No imprisonment for debt
Right to bail
Suspension of laws

Amendment procedures

Each amendment voted separately
Two-legislature amendment procedure

Appellate court of last resort

Chief justice of the Supreme Court
Jurisdiction of Supreme Court
Original jurisdiction; writs
Reassignment of judges
Supreme Court clerk, marshal and other personnel
Supreme Court composition

Commerce

Usury; interest rate

Corporations

Laws concerning the chartering and control of corporations
Liability of stockholders

Court provisions

Compensation of judges
Incompatible activities
Retirement; age limit
Terms of judges 1
Terms of judges 2
Terms of judges 3

Department of Health, Safety and Welfare

Charitable or correctional institutions and functions
Health, safety and welfare provisions 1
Health, safety and welfare provisions 2

District formation

County formation and boundaries

Due process rights

Double jeopardy
Due process of law; rights of accused
Right of trial by jury 1
Right of trial by jury 2
Self-incrimination; no privilege to witness

Elections

Contested elections
Date of holding election
Elections by legislative bodies
Joint ticket
Method of voting
Plurality voting; tie vote

Executive offices

- Compensation of executive state officers 1
- Compensation of executive state officers 2
- Election of governor and lieutenant governor 1
- Election of governor and lieutenant governor 2
- Election of governor and lieutenant governor 3
- Election of governor and lieutenant governor 4
- Election of governor and lieutenant governor 5
- Election of principal executive state officers
- Executive residence
- Executive state officer term 1
- Executive state officer term 2
- Executive state officer term 3
- Executive state officer term limit 1
- Executive state officer term limit 2
- Governorship ineligibility; incompatibility 1
- Governorship ineligibility; incompatibility 2
- Qualifications of governor and lieutenant governor
- Seal of State
- Supreme executive power vested in governor

Fiscal measures

- Income tax

Impeachment

- Impeachment
- Officers subject to impeachment; grounds; judgment
- Removal of officers other than by impeachment
- Trial process

Implementation

- Inalienable rights
- Preamble

Intermediate appellate court

- Court of Appeals districts and composition
- Jurisdiction of Court of Appeals

Judicial power vested

- Vestment of judicial power; establishment of courts

Judicial proceedings

- Style of process

Judicial selection commissions

- Judicial Nominating Commission

Juries

- Grand juries; number

Land

- State parks; monuments
- State, school, and public trust lands

Legislative Department

- Compensation of legislators 1
- Compensation of legislators 2
- Continuity of the legislature in emergencies
- Ineligibility of legislators to other offices
- Journal of proceedings
- Legislative sessions 1
- Legislative sessions 2
- Legislative vacancies
- Lieutenant governor as president of the Senate
- Member immunity and freedom of debate
- Number of senators and representatives
- Public sessions
- Qualifications of senators and representatives
- Quorum
- Restrictions on unilateral adjournment
- Rights of members to protest
- Rules of proceedings; judge of qualifications; expulsion 1
- Rules of proceedings; judge of qualifications; expulsion 2
- Rules of proceedings; judge of qualifications; expulsion 3
- Selection of legislative officers
- Terms of members

Legislative power vested

- Legislative power vested

Legislative powers and limitations

- General, local and special laws 1
- General, local and special laws 2
- General, local and special laws 3
- Selection and tenure of officers not otherwise provided

Legislative proceedings

- Acts to be plainly worded
- Bill readings and enactment procedures
- Bills presented to governor for approval or veto
- Enacting clause of bills
- Public law
- Revenue bills
- Signing of bills
- Subject and title of bills
- Time laws take effect; publication of laws 1
- Time laws take effect; publication of laws 2

Local government debt

- Local government indebtedness limit

Local government employees

- Appointment of multiple officers
- Auditor
- Clerk
- Coroner
- Local officer qualifications; bonds
- Local officer residency requirement
- Local officer term
- Local officer term limit
- Other officers
- Recorder; register of deeds
- Removal of local officers
- Sheriff
- Surveyor
- Treasurer
- Vacancies in local offices

Local government organization

- Local government special provisions

Local prosecuting attorneys, public defenders and notary public

- Local prosecuting attorneys; appointment, qualification, term, compensation

Local works

- Transfer of one local government’s functions to another

Maximum property tax

- General maximum ad valorem tax

Military and arms

- Civil control, standing armies, and quartering 1
- Civil control, standing armies, and quartering 2
- Right to bear arms

Militia

- Adjutant general
- Conscientious objectors
- Military service; militia composition

Natural rights

- Freedom of movement
- Freedom of speech, expression and press 1
- Freedom of speech, expression and press 2
- Religious freedom 1
- Religious freedom 2
- Religious freedom 3
- Religious freedom 4
- Religious freedom 5
- Religious freedom 6

Oath of office

- Broad all-branch oath of public officers
- Manner of administering oath

Payment of debt

- Payment of state debts without appropriation

Pension and compensation systems

- Public pension funds

Political rights

- Free and equal elections
- Right to assemble and petition
- Searches and seizures; right to privacy
- Treason 1
- Treason 2

Power of taxation

- Uniform tax

Powers and duties of executive state officers

- Lieutenant governor powers and duties

Powers and duties of the governor

General duties of governor
Governor to be commander in chief 1
Governor to be commander in chief 2
Grants and commissions
Information from officers and inspection
Messages to the legislature
Reprieves and pardons
Veto power

Property rights

Eminent domain; taking property for public use
Perpetuities and hereditary emoluments
Slavery, involuntary servitude, and prison labor

Public education

Public education system

Public school system

Chief state school officer
Permanent state school fund 1
Permanent state school fund 2
Permanent state school fund 3
Permanent state school fund 4
Permanent state school fund 5
Permanent state school fund 6

Qualifications and disqualifications

Defaulting custodian of public money ineligible to hold office
Disqualification from public office for misconduct
Dual office holding

Redistricting

Apportionment by law; procedures; standards

Retirement, removal and discipline

Disqualification of judge while indicted
Judicial Conduct and Disability Commission
Retirement, removal and discipline 1
Retirement, removal and discipline 2

Selection of judges

Appointment of judges from nominating commission nominees
Retention election for judges
Selection of judges by popular election

State aid

Assumption of local government debts
Loan of credit, stock subscriptions, aid, internal improvements 1
Loan of credit, stock subscriptions, aid, internal improvements 2

State debt

General obligation debt
Guaranteed revenue debt

State identity

State boundaries and state capital 1
State boundaries and state capital 2

State powers

Distribution of powers
Sovereign immunity

State revenues and withdrawals

Drawing money from state treasury
Rendering and publication of accounts
State balanced budget

Suffrage

Disfranchisement
Privilege of electors from arrest
Qualifications of electors
Retention of voting residence

Superior trial court

Superior trial court clerk and other personnel
Superior trial court districts and composition
Superior trial court jurisdiction

Tax exemption

Homestead tax exemption
Tax exemption; abatement

Term, removal and vacancy

Continuation in office until successors qualify
Period or duration of term of office 1
Period or duration of term of office 2
Temporary appointments not a part of that term

Trusts

Bank incorporation, charters 1
Bank incorporation, charters 2
Banking laws and miscellaneous banking provisions 1
Banking laws and miscellaneous banking provisions 2
Banking laws and miscellaneous banking provisions 3
Banking laws and miscellaneous banking provisions 4
Banking laws and miscellaneous banking provisions 5
Investment of trust funds
State involvement in banking

Vacancy

Governor of unsound mind
Succession of governor and lieutenant governor 1
Succession of governor and lieutenant governor 2
Vacancy of other executive state officers

Wildlife and environment

Right to fish and hunt