

RE: Applicable Indiana Code for Library Boards

Rev. 3/25/2022

Applicable Indiana Code & General information about the role of the Library Board:

Information taken from [In.gov](http://in.gov) and the Indiana State Library website

IC 36-12-2-7 Library board appointee; residency

Sec. 7. (a) Except as provided in subsection (b), an appointee to a library board must:

- (1) reside in the library district during the time the appointee is on the library board; and
- (2) have resided in the library district served by the public library for at least the two (2) years immediately preceding the appointee's appointment to the library board.

(b) This subsection does not apply to a public library established by a county. If part or all of one (1) or more townships are contracting for service from a public library under [IC 36-12-3-7](#), the appointing authority, in making an appointment under section 9(4) of this chapter, may name a resident of one (1) township to serve on the library board as the appointment of the appointing authority. However, the township appointee ceases to be a member of the library board if the township in which the appointee resides fails to renew the township's contract for library service.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-14-2.5-2.]

As added by P.L.1-2005, SEC.49.

IC 36-12-2-8 Limitation on terms of service; consecutive terms; computation; exception for certain library districts

Sec. 8. (a) Except as provided in subsection (b), an appointee to a library board may not serve more than four (4) consecutive terms on the library board. An unexpired term of two (2) years or less that an individual serves in filling a vacancy on the library board may not be counted in computing consecutive terms for purposes of this subsection. The consecutive terms are computed without regard to a change in the appointing authority that appointed the member. If:

- (1) a member's term is interrupted due to the merger of at least two (2) public libraries under [IC 36-12-4](#); and
- (2) the member is reappointed to the merged public library board;

the term that was interrupted may not be considered in determining the number of consecutive terms a member may serve on a library board. An appointee who has served four (4) consecutive terms may be reappointed to the board at least four (4) years after the date the appointee's most recent term ended.

(b) This subsection applies to a library board for a library district having a population of less than three thousand (3,000). If an appointing authority conducts a diligent but unsuccessful search for a qualified individual who wishes to be appointed to serve on the library board:

- (1) the appointing authority may reappoint a board member who has served four (4) or more consecutive terms; and
- (2) state funds may not be withheld from distribution to the library.

The appointing authority shall file with the library board a written description of the search that was conducted under this subsection. The record becomes a part of the official records of the library board.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-14-2.5-3.]

As added by P.L.1-2005, SEC.49. Amended by P.L.113-2010, SEC.158.

IC 36-12-2-18 Term of library board member

Sec. 18. (a) Subject to subsection (b), the term of a library board member is four (4) years. A member may continue to serve on a library board after the member's term expires until the member's successor is qualified under section 19 of this chapter. The term of the member's successor is not extended by the time that has elapsed before the successor's appointment and qualification. If a member is appointed to fill a vacancy on a library board, the member's term is the unexpired term of the member being replaced.

(b) Except for a library board whose membership is established under section 15 of this chapter, for purposes of establishing staggered terms for the members of a library board, the initial members shall serve the following terms:

(1) One (1) year for one (1) member appointed under section 9(1), 9(5), 16(b)(1), 16(b)(2), or 17(1) of this chapter.

(2) Two (2) years for one (1) member appointed under section 9(3)(A), 9(4), 16(b)(3), 16(b)(4), or 17(2) of this chapter.

(3) Three (3) years for one (1) member appointed under section 9(2), 9(3)(A), 16(b)(4), 16(b)(5), or 17(1) of this chapter.

(4) Four (4) years for one (1) member appointed under section 9(3)(B), 16(b)(6), or 17(2) of this chapter.

(c) When an appointing authority appoints members to terms of different length under subsection (b), the appointing authority shall designate which member serves each term.

(d) A member may not serve more than four (4) consecutive terms as provided in section 8 of this chapter.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-14-2.5-12.]

As added by P.L.1-2005, SEC.49. Amended by P.L.113-2010, SEC.159.

IC 36-12-2-20 Removal of member; vacancy

Sec. 20. (a) A library board member may be removed at any time by the appointing authority, after public hearing, for any cause:

(1) that interferes with the proper discharge of the member's duties as a member of the board; or

(2) that jeopardizes public confidence in the member.

(b) A vacancy occurs whenever a member is absent from six (6) consecutive regular board meetings for any cause other than illness. The appointing authority shall be notified by the secretary of the board of a vacancy.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-14-2.5-14.]

As added by P.L.1-2005, SEC.49.

IC 36-12-2-21 Compensation

Sec. 21. A member of a library board shall serve without compensation. A board member may not serve as a paid employee of the public library, except the treasurer as provided in section 22 of this chapter.

[Pre-2005 Elementary and Secondary Education Recodification Citation: 20-14-2.5-15.]

As added by P.L.1-2005, SEC.49.