



# State of Indiana Indiana Horse Racing Commission

Michael R. Pence, Governor

[www.in.gov/hrc](http://www.in.gov/hrc)

---

Policy Memorandum: IHRC Electronic Meetings Policy  
Date: 11/04/15  
By: Lea Ellingwood, General Counsel

---

## **Purpose:**

In 2012, the Indiana General Assembly authorized the members of the governing body of a public agency to participate in meetings of the governing body by means of electronic communication. The new law authorizes such electronic participation if, (1) the meeting complies with all other requirements of the Indiana Open Door Law and (2) a majority of the governing body adopts a policy regarding the use of electronic communication to participate in a meeting. The Indiana Horse Racing Commission Electronic Meetings Policy (the “Policy”) is intended to comply with the second requirement stated above, and will provide the framework for participation in and the conduct of meetings where means of electronic communication are used by members of the Commission not physically in attendance.

## **Policy:**

Physical attendance of Commissioners is always preferable to participation by electronic means of communication; however, the Commission acknowledges there are circumstances under which physical attendance is not possible or is impractical. This policy will address those times in which physical attendance is overly burdensome or not possible.

- I. **Minimum Physical Participation.** At any meeting of the Indiana Horse Racing Commission, at least two (2) commissioners must be physically present at the place where the meeting is conducted.
- II. **Treatment of Members Participating by Electronic means.** A commissioner who participates in a meeting by a permitted electronic means of communication:
  - A. Shall be counted as present at the meeting; and
  - B. May vote at the meeting.
- III. **Quorum.** The commission must still have a quorum, which equates to at least three (3) commissioners in order to transact business of the commission. A commissioner who participates in a meeting by a permitted electronic means of communication shall be counted for purposes of establishing a quorum.
- IV. **Permitted Means of Communication.** A commissioner not physically present at a meeting may participate in the meeting by any electronic means of communication, so long as that electronic communication permits:
  - A. The member;



## State of Indiana Indiana Horse Racing Commission

Michael R. Pence, Governor

[www.in.gov/hrc](http://www.in.gov/hrc)

- 
- B. All other members participating in the meetings; and
  - C. All members of the public physically present at the place where the meeting is conducted to simultaneously communicate with each other.

V. **Roll Call Voting.** All votes of the Commission during a meeting where any member participates by means of electronic communication shall be taken by roll call vote, in which the name of each member of the Commission will be called individually and requested to cast their vote aloud.

### VI. **Limitations**

- A. **Annual Minimum Physical Participation.** Each commissioner must be physically present for at least one (1) meeting of the Commission each year.
- B. **Notice of Intent to Participate by Electronic Means.** A commissioner intending to participate by electronic means in a meeting of the Commission shall provide notice of such intent in writing, to the Executive Director and the Chairman of the Commission at least forty-eight (48) hours prior to the time of the Commission meeting, exclusive of weekends and holidays, to allow adequate arrangements to be made.