



March 30, 1999

**ENGROSSED
HOUSE BILL No. 1138**

DIGEST OF HB 1138 (Updated March 29, 1999 2:16 pm - DI 101)

Citations Affected: IC 3-11.

Synopsis: School board ballots. Moves the ballot location of candidates for school board elections held at a general election to immediately follow the location of candidates for partisan offices.

Effective: January 1, 2000.

Cheney, Becker

(SENATE SPONSORS — LAWSON, ALEXA, ANTICH, LANDSKE,
ROGERS)

January 6, 1999, read first time and referred to Committee on Elections and Apportionment.

January 26, 1999, amended, reported — Do Pass.

February 1, 1999, read second time, ordered engrossed. Engrossed.

February 2, 1999, read third time, passed. Yeas 94, nays 0.

SENATE ACTION

February 22, 1999, read first time and referred to Committee on Elections.

March 29, 1999, amended, reported favorably — Do Pass.

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March 30, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

ENGROSSED HOUSE BILL No. 1138

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 3-11-2-12.9 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2000]: **Sec. 12.9. (a) School board offices to be elected**
4 **at the general election shall be placed on the general election ballot**
5 **after the offices described in section 12 of this chapter.**

6 (b) School board offices shall be placed in a separate column on
7 the ballot or ballot label if voting is by paper ballot, ballot card
8 voting system, or electronic voting system or in a separate column
9 of ballot labels if voting is by voting machine.

10 (c) This subsection applies to voting done by paper ballot or a
11 ballot card voting system. If the ballot contains a candidate for a
12 school board office, the ballot must also contain a statement that
13 reads substantially as follows: "To vote for a candidate for this
14 office, make a voting mark on or in the square to the left of the
15 candidate's name."

16 SECTION 2. IC 3-11-2-13 IS AMENDED TO READ AS

EH 1138—LS 6753/DI 75+



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1 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 13. (a) The
 2 following offices and public questions shall be placed on the general
 3 election ballot in the following order after the offices described in
 4 ~~section 12~~ **section 12.9** of this chapter:

- 5 (1) Retention of a justice of the supreme court.
- 6 (2) Retention of a judge of the court of appeals.
- 7 (3) Retention of the judge of the tax court.
- 8 (4) Ratification of a state constitutional amendment.

9 (b) Whenever more than one (1) justice of the supreme court is
 10 subject to retention, the name of each justice must appear on the ballot
 11 in alphabetical order. However, if the justice serving as chief justice is
 12 subject to retention, the chief justice's name must appear first.

13 (c) Whenever more than one (1) judge of the court of appeals is
 14 subject to retention, the name of each judge must appear on the ballot
 15 in alphabetical order. However, if the judge serving as chief judge is
 16 subject to retention, the chief judge's name must appear first.

17 (d) These offices and public questions shall be placed in a separate
 18 column on the ballot or ballot label if voting is by paper ballot, ballot
 19 card voting system, or electronic voting system or in a separate column
 20 of ballot labels if voting is by voting machine.

21 SECTION 3. IC 3-11-2-14 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 14. (a) The
 23 following offices and public questions shall be placed on the general
 24 election ballot in the following order after the offices and public
 25 questions described in section 13 of this chapter:

- 26 (1) Retention of a local judge.
- 27 (2) Local nonpartisan judicial offices.
- 28 ~~(3) School board offices to be elected at the general election.~~
- 29 ~~(4)~~ **(3)** Local public questions.

30 (b) These offices and public questions shall be placed in a separate
 31 column on the ballot or ballot label if voting is by paper ballot, ballot
 32 card voting system, or electronic voting system or in a separate column
 33 of ballot labels if voting is by voting machine.

34 (c) If the ballot contains a candidate for a local nonpartisan judicial
 35 office, ~~or for a school board office~~, the ballot must also contain a
 36 statement that reads substantially as follows: "To vote for a candidate
 37 for this office, make a voting mark on or in the square to the left of the
 38 candidate's name."

39 (d) If more than one (1) local public question concerning the
 40 retention of a local judge is to be placed on a ballot, the public
 41 questions shall be placed on the ballot:

- 42 (1) in alphabetical order according to the surname of the local



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- 1 judge; and
- 2 (2) identifying the court (including division or room) in which the
- 3 judge serves.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1138, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 29.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1138 as introduced.)

KROMKOWSKI, Chair

Committee Vote: yeas 13, nays 0.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Elections, to which was referred House Bill No. 1138, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 10, before "If" insert "**This subsection applies to voting done by paper ballot or a ballot card voting system.**".

and when so amended that said bill do pass.

(Reference is to HB 1138 as printed January 27, 1999.)

LANDSKE, Chairperson

Committee Vote: Yeas 7, Nays 0.

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