

HOUSE BILL No. 1399

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-10-2-16; IC 3-10-3-11.

Synopsis: Public question and retention election information. Requires preparation and mailing of a pamphlet to registered voters concerning: (1) the retention election of judicial offices; and (2) a public question. Specifies: (1) information to be provided; (2) mailing dates; and (3) provisions governing public review and comments.

Effective: July 1, 1999.

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January 12, 1999, read first time and referred to Committee on Elections and Apportionment.

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Introduced

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.

HOUSE BILL No. 1399

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 3-10-2-16 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 1999]: **Sec. 16. (a) This section applies to a general election that
4 contains a ballot for the following:**
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 a judge of the tax court.**
8 (4) **Retention of a local judge.**
9 (b) **The election division shall mail a pamphlet concerning the
10 electoral procedure for the retention of a judge to the address of
11 each voter who is:**
12 (1) **registered to vote at least sixty (60) days before the date of
13 the election; and**
14 (2) **eligible to vote on the question of the retention of the
15 judge.**
16 (c) **The pamphlet required under subsection (b) must be mailed
17 not more than twenty-one (21) days but not less than fourteen (14)**



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1 days before the general election and include the following:

2 (1) Background information on the judicial office that is
3 subject to a retention vote, including information on the
4 judicial office's duties and jurisdiction.

5 (2) When the judicial office will be subject to subsequent
6 retention vote.

7 (3) A concise summary of the general meaning and effect of
8 "yes" and "no" votes on the retention question.

9 (d) Not less than fourteen (14) days before a pamphlet is mailed
10 under subsection (b), the election division shall make the proposed
11 pamphlet available to the public and invite comments and
12 recommendations concerning the pamphlet.

13 SECTION 2. IC 3-10-3-11 IS ADDED TO THE INDIANA CODE
14 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
15 1, 1999]: Sec. 11. (a) The election division shall mail a pamphlet
16 concerning a public question certified under section 1 of this
17 chapter to the address of each voter who is registered to vote at
18 least sixty (60) days before the date of the election.

19 (b) The pamphlet required under subsection (a) must be mailed
20 not more than twenty-one (21) days but not less than fourteen (14)
21 days before the vote is to occur on the public question and include
22 the following:

23 (1) The complete text of the public question set in not less than
24 8 point type.

25 (2) The brief statement of the public question that will appear
26 on the state ballot.

27 (3) A concise summary of the general meaning and effect of
28 "yes" and "no" votes on the public question.

29 (4) An impartial analysis of the measure approved by the
30 commission that meets the requirements under subsection (c).

31 (5) Tables of contents, indexes, graphics, or other materials
32 the commission determines will make the pamphlet easier to
33 understand or more useful for the average voter.

34 (c) The impartial analysis required under subsection (b) must
35 include the following in easily understood English:

36 (1) A description of the public question.

37 (2) Background information that the commission determines
38 is relevant.

39 (3) A fiscal analysis that shows the amount of any increase or
40 decrease in cost to the state or any political subdivision. Any
41 estimated increase in cost must be set in boldface type.

42 (4) The effect the public question may have on existing law.



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1 **(d) Not less than fourteen (14) days before a pamphlet is mailed**
2 **under subsection (a), the commission shall make the proposed**
3 **pamphlet available to the public and invite comments and**
4 **recommendations concerning the pamphlet.**

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