



February 16, 2007

SENATE BILL No. 289

DIGEST OF SB 289 (Updated February 14, 2007 6:49 pm - DI 102)

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

Synopsis: Explanation of proposed constitutional amendments. Requires the legislative council to prepare a concise and neutral summary of any proposed state constitutional amendment. Requires the legislative council to distribute a copy of the summary to various entities and post the summary on the general assembly's Internet web site not later than 60 days before the election at which the proposed amendment is submitted to the voters. Requires a copy of the summary to be posted at each polling place. Provides that the legislative council has absolute discretion to determine the contents of the summary, and prohibits the bringing of an action based on the exercise of this discretion.

Effective: July 1, 2007.

Dillon

January 11, 2007, read first time and referred to Committee on Local Government and Elections.
February 15, 2007, reported favorably — Do Pass.

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February 16, 2007

First Regular Session 115th General Assembly (2007)

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 2006 Regular Session of the General Assembly.

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SENATE BILL No. 289

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 3-10-3-11 IS ADDED TO THE INDIANA CODE
2 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2007]: **Sec. 11. (a) The legislative council shall prepare a concise
4 and neutral summary of a proposed constitutional amendment
5 submitted to the electorate of the state under this chapter.**
6 **(b) Not later than sixty (60) days before the election at which the
7 public question concerning the proposed state constitutional
8 amendment is submitted to the electorate of the state under this
9 chapter, the legislative council shall do the following:**
10 **(1) Distribute a summary prepared under subsection (a) to
11 each of the following:**
12 **(A) The election division.**
13 **(B) Indiana news media.**
14 **(C) Indiana public libraries.**
15 **(2) Post a copy of the summary on the general assembly's
16 Internet web site.**
17 **The legislative council may provide for more extensive publication**

SB 289—LS 6709/DI 44+



1 of the summary than is required by this subsection.

2 (c) A copy of a summary prepared under this section shall be
3 posted at each polling place during the election at which the public
4 question concerning the proposed state constitutional amendment
5 is submitted to the electorate of the state.

6 (d) The legislative council has absolute discretion to determine
7 the contents of a summary prepared under this section. A person
8 may not bring an action in any court based on the exercise of this
9 discretion.

10 SECTION 2. IC 3-11-3-4 IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2007]: Sec. 4. (a) The election division shall
12 provide a seal for the ballots. The seal may be of a design considered
13 proper by the election division, but the same design may not be used
14 for two (2) consecutive elections.

15 (b) The election division shall provide each county election
16 board with a copy of the summary of each proposed state
17 constitutional amendment to be submitted to the electorate of the
18 state prepared under IC 3-10-3-11.

19 SECTION 3. IC 3-11-3-11, AS AMENDED BY P.L.230-2005,
20 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2007]: Sec. 11. The county election board shall deliver the
22 following to each inspector or the inspector's representative:

23 (1) The supplies provided for the inspector's precinct by the
24 election division.

25 (2) The local sample ballots, the ballot labels, if any, and all poll
26 lists, registration lists, and other supplies considered necessary to
27 conduct the election in the inspector's precinct.

28 (3) The local ballots printed under the direction of the county
29 election board as follows:

30 (A) In those precincts where ballot card voting systems are to
31 be used, the number of ballots at least equal to one hundred
32 percent (100%) of the number of voters in the inspector's
33 precinct, according to the poll list.

34 (B) In those precincts where electronic voting systems are to
35 be used, the number of ballots that will be required to be
36 printed and furnished to the precincts for emergency purposes
37 only.

38 (C) Provisional ballots in the number considered necessary by
39 the county election board.

40 (4) Twenty (20) ink pens suitable for printing the names of
41 write-in candidates on the ballot or ballot envelope.

42 (5) Copies of the voter's bill of rights for posting as required by 42

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1 U.S.C. 15482.
2 (6) Copies of the instructions for a provisional voter required by
3 42 U.S.C. 15482. The county election board shall provide at least
4 the number of copies of the instructions as the number of
5 provisional ballots provided under subdivision (3).
6 **(7) Copies of the summary of each proposed state**
7 **constitutional amendment to be submitted to the electorate of**
8 **the state for posting as required by IC 3-10-3-11.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Local Government and Elections, to which was referred Senate Bill No. 289, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 289 as introduced.)

LAWSON C, Chairperson

Committee Vote: Yeas 9, Nays 0.

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