

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Local Government and Elections, to which was referred Senate Bill No. 353, 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:

- 1 Page 1, line 13, delete "any" and insert "either".
- 2 Page 2, delete lines 7 through 8.
- 3 Page 6, between lines 25 and 26, begin a new paragraph and insert:
- 4 "SECTION 4. IC 3-8-5-10.5 IS AMENDED TO READ AS
- 5 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 10.5. (a) A person who
- 6 desires to be nominated for a town office by a major political party
- 7 must file a declaration of candidacy with the circuit court clerk of the
- 8 county containing the greatest percentage of population of the town.
- 9 (b) A declaration of candidacy must be filed:
- 10 (1) not earlier than January 1; and
- 11 (2) not later than:
- 12 (A) noon August 1 before a municipal election if the town
- 13 nominates its candidates by convention; and
- 14 (B) the date that a declaration of candidacy must be filed under
- 15 IC 3-8-2-4 if the town nominates its candidates by a primary
- 16 election.
- 17 (c) The declaration must be subscribed and sworn to (or affirmed)
- 18 before a notary public or other person authorized to administer oaths.
- 19 (d) The declaration of each candidate required by this section must

1 certify the following information:

2 (1) The candidate's name, printed or typewritten as:

3 (A) the candidate wants the candidate's name to appear on the
4 ballot; and

5 (B) the candidate's name is permitted to appear on the ballot
6 under IC 3-5-7.

7 (2) That the candidate is a registered voter and the location of the
8 candidate's precinct and township (or the ward and town), county,
9 and state.

10 (3) The candidate's complete residence address and the
11 candidate's mailing address if the mailing address is different
12 from the residence address.

13 (4) The candidate's party affiliation and the office to which the
14 candidate seeks nomination, including the district designation if
15 the candidate is seeking a town legislative body seat.

16 (5) That the candidate complies with all requirements under the
17 laws of Indiana to be a candidate for the above named office,
18 including any applicable residency requirements, and is not
19 ineligible to be a candidate due to a criminal conviction that
20 would prohibit the candidate from serving in the office.

21 **(6) A statement that the candidate is aware of the provisions**
22 **of IC 3-6-6-7 prohibiting certain relatives of the candidate**
23 **from being a precinct election officer. The candidate must**
24 **separately sign the statement required by this subdivision.**

25 ~~(6)~~ (7) The candidate's signature.

26 (e) This subsection does not apply to a town whose municipal
27 election is to be conducted by a county. Immediately after the deadline
28 for filing, the circuit court clerk shall do all of the following:

29 (1) Certify to the town clerk-treasurer and release to the public a
30 list of the candidates of each political party for each office. The
31 list shall indicate any candidates of a political party nominated for
32 an office under this chapter because of the failure of any other
33 candidates of that political party to file a declaration of candidacy
34 for that office.

35 (2) Post a copy of the list in a prominent place in the circuit court
36 clerk's office.

37 (3) File a copy of each declaration of candidacy with the town
38 clerk-treasurer.

1 (f) A person who files a declaration of candidacy for an elected
2 office for which a per diem or salary is provided for by law is
3 disqualified from filing a declaration of candidacy for another office for
4 which a per diem or salary is provided for by law until the original
5 declaration is withdrawn.

6 (g) A person who files a declaration of candidacy for an elected
7 office may not file a declaration of candidacy for that office in the same
8 year as a member of a different political party until the original
9 declaration is withdrawn.

10 (h) A person who files a declaration of candidacy under this section
11 may file a written notice withdrawing the person's declaration of
12 candidacy in the same manner as the original declaration was filed, if
13 the notice of withdrawal is filed not later than:

14 (1) noon August 1 before the municipal election if the town
15 nominates its candidates by convention; and

16 (2) the date that a declaration of candidacy may be withdrawn
17 under IC 3-8-2-20 if the town nominates its candidates in a
18 primary election.

19 (i) A declaration of candidacy must include a statement that the
20 candidate requests the name on the candidate's voter registration record
21 be the same as the name the candidate uses on the declaration of
22 candidacy. If there is a difference between the name on the candidate's
23 declaration of candidacy and the name on the candidate's voter
24 registration record, the officer with whom the declaration of candidacy
25 is filed shall forward the information to the voter registration officer of
26 the appropriate county as required by IC 3-5-7-6(e). The voter
27 registration officer of the appropriate county shall change the name on
28 the candidate's voter registration record to be the same as the name on
29 the candidate's declaration of candidacy."

30 Page 11, between lines 41 and 42, begin a new paragraph and insert:

31 "SECTION 8. [EFFECTIVE JULY 1, 2007] (a) **A form prescribed**
32 **by the Indiana election commission and acceptable for use by a**
33 **candidate before July 1, 2007, under IC 3-8-2-2.5, IC 3-8-5-10.5, or**
34 **IC 3-8-6-12, before their amendment by this act, is acceptable for**

- 1 **use by a candidate after June 30, 2007.**
- 2 **(b) This SECTION expires January 1, 2008."**
- 3 Renumber all SECTIONS consecutively.
(Reference is to SB 353 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

Lawson C

Chairperson