

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1004 be amended to read as follows:

1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
2 "SECTION 1. IC 3-10-6-7.5, AS AMENDED BY P.L.225-2011,
3 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 UPON PASSAGE]: Sec. 7.5. (a) This section applies to a municipal
5 office elected during a municipal or general election.
6 (b) **Except as provided in subsection (c) or (d), if there is an**
7 **election for any office of the municipality, all nominees for each**
8 **office must be on the ballot.**
9 (c) **If:**
10 **(1) there is an election for at least one (1) of a municipality's**
11 **legislative body members;**
12 **(2) only the voters who reside in a legislative body district are**
13 **eligible to vote in the election for a legislative body member;**
14 **and**
15 **(3) there is no election for an office to be voted on by all voters**
16 **of the municipality;**
17 **the county election board may, by unanimous vote of the entire**
18 **membership of the board, adopt a resolution providing that an**
19 **election will be held only in the legislative body districts within the**
20 **municipality in which voters will elect legislative body members**
21 **under subdivision (2). The names of unopposed candidates for an**
22 **office to be voted on by all voters of the municipality shall not be**
23 **placed on the ballot used for the election of municipal legislative**
24 **body members under this subsection.**

1 **(d) This subsection applies only if the county election board**
 2 **adopts a resolution by a unanimous vote of the entire membership**
 3 **of the board making this subsection applicable in the county.** An
 4 election may not be held for a municipal office if:

5 (1) there is only one (1) nominee for the office or only one (1)
 6 person has filed a declaration of intent to be a write-in candidate
 7 for the office under IC 3-8-2-2.5; and

8 (2) no person has filed a declaration of intent to be a write-in
 9 candidate for the office under IC 3-8-2-2.5 that results in a contest
 10 for election to the same municipal office.

11 **A resolution adopted under this subsection expires on January 1 of**
 12 **the year following the year the resolution was adopted.**

13 SECTION 2. IC 3-10-7-6, AS AMENDED BY P.L.225-2011,
 14 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 UPON PASSAGE]: Sec. 6. (a) **This section applies to a municipal**
 16 **office elected during a municipal or general election.**

17 **(b)** A municipal election conducted under this chapter shall be held
 18 at the time prescribed by IC 3-10-6.

19 ~~(b)~~ **(c) Except as provided in subsection (d) or (e), if there is an**
 20 **election for any office of the municipality, all nominees for each**
 21 **office must be on the ballot.**

22 **(d) If:**

23 (1) there is an election for at least one (1) of the town's
 24 legislative body members;

25 (2) only the voters who reside in a legislative body district are
 26 eligible to vote in the election for a legislative body member;
 27 and

28 (3) there is no election for an office to be voted on by all voters
 29 of the town;

30 **the county election board (or town election board if that board is**
 31 **conducting the election under this chapter) may, by unanimous**
 32 **vote of the entire membership of the board, adopt a resolution**
 33 **providing that an election will be held only in the legislative body**
 34 **districts within the town in which voters will elect legislative body**
 35 **members under subdivision (2). The names of unopposed**
 36 **candidates for an office to be voted on by all voters of the town**
 37 **shall not be placed on the ballot used for the election of town**
 38 **legislative body members under this subsection.**

39 **(e) This subsection applies only if the county election board**
 40 **adopts a resolution by a unanimous vote of the entire membership**
 41 **of the board making this subsection applicable in the county.** This
 42 subsection applies to a municipal office elected during a municipal or
 43 general election. An election may not be held for a municipal office if:

44 (1) there is only one (1) nominee for the office or only one (1)
 45 person has filed a declaration of intent to be a write-in candidate
 46 for the office under IC 3-8-2-2.5; and

1 (2) no person has filed a declaration of intent to be a write-in
2 candidate for the office under IC 3-8-2-2.5 that results in a contest
3 for election to the same municipal office.

4 **A resolution adopted under this subsection expires on January 1 of**
5 **the year following the year the resolution was adopted."**

6 Page 2, delete lines 1 through 21.

7 Renumber all SECTIONS consecutively.

(Reference is to HB 1004 as printed January 13, 2012.)

Representative Richardson