

Adopted	Rejected
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# COMMITTEE REPORT

<b>YES:</b>	<b>8</b>
<b>NO:</b>	<b>0</b>

## MR. SPEAKER:

*Your Committee on Elections and Apportionment, to which was referred Senate Bill 193, 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:*

- 1           Page 4, after line 8, begin a new paragraph and insert:
- 2           "SECTION 4. IC 36-2-2-5, AS AMENDED BY P.L.225-2011,
- 3           SECTION 90, IS AMENDED TO READ AS FOLLOWS
- 4           [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) To be eligible for election
- 5           to the executive, a person must meet the qualifications prescribed by
- 6           IC 3-8-1-21.
- 7           (b) A member of the executive must reside within:
- 8           (1) the county as provided in Article 6, Section 6 of the
- 9           Constitution of the State of Indiana; and
- 10          (2) the district from which the member was elected.
- 11          (c) ~~Except as provided in subsection (c);~~ If the person does not
- 12          remain a resident of the county and district after taking office, the
- 13          person forfeits the office. The county fiscal body shall declare the office
- 14          vacant whenever a member of the executive forfeits office under this
- 15          subsection.

- 1 (d) In a county having a population of:  
 2 (1) more than four hundred thousand (400,000) but less than seven  
 3 hundred thousand (700,000); or  
 4 (2) more than two hundred thousand (200,000) but less than three  
 5 hundred thousand (300,000);

6 one (1) member of the executive shall be elected by the voters of each  
 7 of the three (3) single-member districts established under section 4(b)  
 8 or 4(c) of this chapter. In other counties, all three (3) members of the  
 9 executive shall be elected by the voters of the whole county.

10 (e) This subsection applies to a member of the executive who must  
 11 reside within the district from which the member was elected. A person  
 12 who:

- 13 (1) has begun a term of office as a member of the executive; and  
 14 (2) is relocated outside the member's district as the result of the  
 15 state's acquisition of the member's residence for a public use;  
 16 may complete the member's term of office as long as the member  
 17 remains a resident of the county that contains the member's district.

18 SECTION 5. IC 36-2-3-5, AS AMENDED BY P.L.225-2011,  
 19 SECTION 91, IS AMENDED TO READ AS FOLLOWS  
 20 [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) To be eligible to serve as  
 21 a member of the fiscal body, a person must meet the qualifications  
 22 prescribed by IC 3-8-1-22.

- 23 (b) A member of the fiscal body must reside within:  
 24 (1) the county as provided in Article 6, Section 6 of the  
 25 Constitution of the State of Indiana; and  
 26 (2) the district from which the member was elected, if applicable.

27 (c) Except as provided in subsection (d); A member who fails to  
 28 comply with subsection (b) forfeits the office.

29 (d) This subsection applies to a member of the fiscal body who must  
 30 reside within the district from which the member was elected. A person  
 31 who:

- 32 (1) has begun a term of office as a member of the fiscal body; and  
 33 (2) is relocated outside the member's district as the result of the  
 34 state's acquisition of the member's residence for a public use;

1       may complete the member's term of office as long as the member  
2       remains a resident of the county that contains the member's district.

3       SECTION 6. **An emergency is declared for this act.**"

(Reference is to SB 193 as reprinted January 18, 2012.)

**and when so amended that said bill do pass.**

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Representative Koch