

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 269 be amended to read as follows:

- 1 Page 1, line 5, after "Sec. 1." insert "**(a) This chapter applies in an**
2 **Indiana county only if both of the following apply:**
3 **(1) The voters of the county adopt this chapter in a public**
4 **question under section 13 of this chapter.**
5 **(2) The voters of the county have not rescinded adoption of**
6 **this chapter under section 13 of this chapter.**
7 **(b)".**
8 Page 4, between lines 4 and 5, begin a new paragraph and insert:
9 "**Sec. 13. (a) The county election board shall place the public**
10 **question stated in subsection (b) on the ballot if either of the**
11 **following occurs:**
12 **(1) The county executive adopts an ordinance to provide for**
13 **a public question to be submitted to the voters under this**
14 **section.**
15 **(2) At least the number of the registered voters of the county**
16 **required under IC 3-8-6-3 for a petition to place a candidate**
17 **on the ballot sign a petition submitted to the circuit court**
18 **clerk requesting that a local public question concerning the**
19 **application of this chapter in the county be placed on the**
20 **ballot.**
21 **(b) If a public question is required to be placed on the ballot**
22 **under subsection (a), the following public question shall be placed**
23 **on the ballot at the next general election held in the county:**
24 **"Should it be unlawful in (insert the name of the county)**
25 **County to require an individual to:**
26 **(1) become or remain a member of a labor organization;**
27 **(2) pay dues, fees, assessments, or other charges of any**
28 **kind or amount to a labor organization; or**
29 **(3) pay to a charity or third party an amount that is**
30 **equivalent to or a pro rata part of dues, fees, assessments,**

1 or other charges required of members of a labor
2 organization;
3 as a condition of employment or continuation of
4 employment?".

5 (c) A public question under this section shall be placed on the
6 ballot in accordance with IC 3-10-9 and must be certified in
7 accordance with IC 3-10-9-3.

8 (d) The circuit court clerk of a county holding an election under
9 this section shall certify the results determined under IC 3-12-4-9
10 to the following:

11 (1) The county executive.

12 (2) The department of labor.

13 (e) If a public question is placed on the ballot in a county under
14 this section and the voters of the county vote in favor of the public
15 question, this chapter applies in the county beginning the next
16 January 1 after the date of the election.

17 (f) If a public question under this section is placed on the ballot
18 in a county and the voters of the county do not vote in favor of the
19 public question, a second public question under this section may
20 not be held in that county for at least four (4) years. If the voters of
21 the county vote to reject a public question under this section a
22 second time, a third or subsequent public question under this
23 section may not be held in that county until the general election
24 held during the tenth year following the year that the previous
25 public question was placed on the ballot.

26 (g) A county may rescind its adoption of this chapter by the
27 same procedure as this section provides for adoption of this
28 chapter by the county under this section. If the voters vote in favor
29 of the public question provided under subsection (b), adoption of
30 this chapter is not rescinded. If the voters do not vote in favor of
31 the public question, adoption of this chapter is rescinded, effective
32 the next January 1 after the date of the election. Rescission of
33 adoption of this chapter after either:

- 1 **(1) adoption of this chapter; or**
- 2 **(2) a failed rescission of this chapter under this subsection;**
- 3 **is subject to limitations stated in subsection (f)."**
 (Reference is to SB 269 as printed January 10, 2012.)

Senator TALLIAN