



Reprinted  
January 23, 2013

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## SENATE BILL No. 250

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DIGEST OF SB 250 (Updated January 22, 2013 2:10 pm - DI 102)

**Citations Affected:** IC 3-6.

**Synopsis:** Petition carriers. Requires an individual who circulates a petition that is required to place a candidate or a public question on the ballot to provide on each signature page of the petition: (1) the individual's identification information; and (2) a signed affirmation, under penalties of perjury, that the individual has no reason to believe that any signer on the page is ineligible to sign the petition or did not properly complete and sign the page. Provides that a signature page that does not comply with these requirements must be received for filing and retained as other election materials are retained. Provides that a county voter registration office (office) does not determine the validity of the signatures on a signature page. Requires the office to notify the petition carrier, if the office determines that a signature page submitted by the petition carrier does not comply with this chapter, and to allow additions and corrections to the signature page until the final date and hour for filing the petition. Permits a challenge to the placement on the ballot of a candidate or public question that files signature pages that do not meet these requirements.

**Effective:** July 1, 2013.

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### Walker, Lanane

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January 7, 2013, read first time and referred to Committee on Elections.  
January 17, 2013, reported favorably — Do Pass.  
January 22, 2013, read second time, amended, ordered engrossed.

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SB 250—LS 6395/DI 102+



First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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## SENATE BILL No. 250

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 3-6-12 IS ADDED TO THE INDIANA CODE AS  
2 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2013]:  
4 **Chapter 12. Carriers of Petitions for Candidates and Public**  
5 **Questions**  
6 **Sec. 1. This chapter applies to a petition that is required to place**  
7 **a candidate or a public question on the ballot.**  
8 **Sec. 2. As used in this chapter, "petition carrier" refers to an**  
9 **individual who circulates a petition that is required to place a**  
10 **candidate or a public question on the ballot.**  
11 **Sec. 3. As used in this chapter, "petition statute" refers to the**  
12 **statute that requires the signatures of petitioners to place a**  
13 **candidate or a public question on the ballot.**  
14 **Sec. 4. As used in this chapter, "signature page" refers to a page**  
15 **of a petition on which petitioners sign their names and provide**  
16 **other information required by the petition statute.**  
17 **Sec. 5. If there is a conflict between this chapter and a specific**

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1 applicable provision of the petition statute, the provision of the  
2 petition statute governs.

3 Sec. 6. A petition carrier must satisfy all other qualifications or  
4 requirements required by the petition statute in addition to the  
5 qualifications and requirements of this chapter.

6 Sec. 7. (a) The petition carrier must sign and date the following  
7 statement at the bottom of each signature page: "I affirm under  
8 the penalties for perjury that I have no reason to believe that any  
9 individual whose signature appears on this page is ineligible to sign  
10 this petition or did not properly complete and sign this page."

11 (b) The petition carrier must also print the following  
12 information below the affirmation stated in subsection (a):

- 13 (1) The petition carrier's name.
- 14 (2) The petition carrier's full address, including the ZIP code.
- 15 (3) The petition carrier's date of birth.

16 Sec. 8. A signature page:

- 17 (1) that does not satisfy section 7 of this chapter; or
- 18 (2) that is signed by a petition carrier who does not comply  
19 with this chapter or the petition statute;

20 must be received for filing, if the signature page otherwise complies  
21 with IC 3-5-4, and must be retained as required under  
22 IC 3-10-1-31.1. However, subject to section 9 of this chapter, a  
23 county voter registration office shall not make a determination  
24 regarding the validity of the signatures on the signature page.

25 Sec. 9. (a) If a county voter registration office determines that  
26 a signature page does not comply with this chapter, the county  
27 voter registration office shall give the best possible notice of its  
28 determination to the petition carrier who submitted the signature  
29 page to allow for the correction of the signature page as provided  
30 by subsection (b).

31 (b) If the final date and hour for filing a petition with the county  
32 voter registration office has not passed, a petition carrier may add  
33 or correct information set forth on a signature page:

- 34 (1) circulated by the petition carrier; and
- 35 (2) previously filed with the county voter registration office.

36 A petition carrier may not make any additions or corrections to a  
37 signature page after the final date and hour for filing a petition has  
38 passed.

39 Sec. 10. If one (1) or more signature pages do not comply with  
40 this chapter after the final date and hour for filing the petition has  
41 passed, a challenge to the placement of the candidate or public  
42 question on the ballot may be filed with the county election board

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1 or the election division as provided by law.

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## COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Senate Bill No. 250, 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 250 as introduced.)

LANDSKE, Chairperson

Committee Vote: Yeas 9, Nays 0.

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 SENATE MOTION

Madam President: I move that Senate Bill 250 be amended to read as follows:

Page 2, line 20, delete "is void." and insert "**must be received for filing, if the signature page otherwise complies with IC 3-5-4, and must be retained as required under IC 3-10-1-31.1. However, subject to section 9 of this chapter, a county voter registration office shall not make a determination regarding the validity of the signatures on the signature page.**

**Sec. 9. (a) If a county voter registration office determines that a signature page does not comply with this chapter, the county voter registration office shall give the best possible notice of its determination to the petition carrier who submitted the signature page to allow for the correction of the signature page as provided by subsection (b).**

**(b) If the final date and hour for filing a petition with the county voter registration office has not passed, a petition carrier may add or correct information set forth on a signature page:**

**(1) circulated by the petition carrier; and**

**(2) previously filed with the county voter registration office.**

**A petition carrier may not make any additions or corrections to a signature page after the final date and hour for filing a petition has passed.**

**Sec. 10. If one (1) or more signature pages do not comply with this chapter after the final date and hour for filing the petition has**



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**passed, a challenge to the placement of the candidate or public question on the ballot may be filed with the county election board or the election division as provided by law."**

(Reference is to SB 250 as printed January 18, 2013.)

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