



March 21, 2023

ENGROSSED HOUSE BILL No. 1335

DIGEST OF HB 1335 (Updated March 20, 2023 12:27 pm - DI 144)

Citations Affected: IC 3-5; IC 3-6; IC 3-9; IC 3-10; IC 3-11; IC 20-23; IC 33-35.

Synopsis: Various election law matters. Modifies the date associated with references in the election code to a federal statute or regulation. Removes and updates obsolete date references from Indiana election law. Specifies additional requirements for a certificate of ascertainment of presidential electors. Modifies the day of the week that presidential electors must assemble to elect the President and Vice President of the United States.

Effective: July 1, 2023.

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(SENATE SPONSOR — FORD JON)

January 17, 2023, read first time and referred to Committee on Elections and Apportionment.

January 26, 2023, amended, reported — Do Pass.

January 30, 2023, read second time, ordered engrossed.

January 31, 2023, engrossed. Read third time, passed. Yeas 97, nays 0.

SENATE ACTION

February 27, 2023, read first time and referred to Committee on Elections.

March 20, 2023, amended, reported favorably — Do Pass.

EH 1335—LS 7380/DI 75



March 21, 2023

First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1335

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 3-5-4-7, AS AMENDED BY P.L.128-2015,
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2023]: Sec. 7. Except as otherwise provided in this title, a
4 reference to a federal statute or regulation in this title is a reference to
5 the statute or regulation as in effect ~~September 1, 2014~~. **January 1,**
6 **2023.**

7 SECTION 2. IC 3-6-4.2-14, AS AMENDED BY THE TECHNICAL
8 CORRECTIONS BILL OF THE 2023 GENERAL ASSEMBLY, IS
9 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:
10 Sec. 14. (a) Each year in which a general or municipal election is held,
11 the election division shall call a meeting of all the members of the
12 county election boards, the boards of registration (subject to IC 3-7-12),
13 and the boards of elections and registration (as defined in IC 3-5-2-5.3)
14 to instruct them regarding all of the following:

- 15 (1) Their duties under this title and federal law (including HAVA
16 and NVRA).
17 (2) Requirements and best practices concerning cybersecurity for

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- 1 the computerized list, voting systems, and electronic poll books.
 2 (3) Physical security for all aspects of the election process,
 3 including voting systems, electronic poll books, absentee voting,
 4 and polling places.
 5 (4) Requirements and best practices to ensure that voting systems,
 6 precinct polling places, and vote centers are accessible to voters
 7 with disabilities.
 8 (5) Best practices in answering voters' questions on how to vote,
 9 including providing instructions to voters on straight ticket voting.
 10 (b) The election division may call a meeting under this section:
 11 (1) during a year in which a general or a municipal election is not
 12 held; and
 13 (2) at other times when the election division determines that doing
 14 so is necessary or desirable.
 15 (c) Each circuit court clerk, each member of a board of registration
 16 established under IC 3-7-12, and each director, assistant director, or
 17 co-director of a board of elections and registration shall attend a
 18 meeting called by the election division under this section. A member
 19 of a county election board may attend a meeting called by the election
 20 division under this section. A circuit court clerk, member of a board of
 21 registration, or member of a board of elections and registration may
 22 require the attendance of the following:
 23 (1) Each of the circuit court clerk's, board of registration
 24 member's, or board of elections and registration member's
 25 appointed and acting chief deputies or chief assistants with
 26 election related responsibilities.
 27 (2) If the number of deputies or assistants:
 28 (A) is not more than three (3), one (1) of the clerk's or
 29 member's appointed and acting deputies or assistants; or
 30 (B) is greater than three (3), two (2) of the clerk's or member's
 31 appointed and acting deputies or assistants.
 32 (d) The election division shall set the time and place of the
 33 instructional meeting. In years in which a primary election is held, the
 34 election division:
 35 (1) may conduct the meeting before the first day of the year; and
 36 (2) shall conduct the meeting before primary election day.
 37 The instructional meeting may not last for more than three (3) days.
 38 (e) This subsection applies to a meeting under subsection (c)
 39 conducted before January 1, 2022. Each individual required to attend
 40 the meeting under subsection (c) and an individual who has been
 41 elected or selected to serve as circuit court clerk but has not yet begun
 42 serving in that office is entitled to receive all of the following from the



1 county general fund without appropriation:

2 (1) A per diem of twenty-four dollars (\$24) for attending the
3 instructional meeting called by the election division under this
4 section:

5 (2) A mileage allowance at the state rate for the distance
6 necessarily traveled in going and returning from the place of the
7 instructional meeting called by the election division under this
8 section:

9 (3) Reimbursement for the payment of the instructional meeting
10 registration fee:

11 (4) An allowance for lodging for each night preceding conference
12 attendance equal to the lodging allowance provided to state
13 employees in travel status:

14 Payment of a per diem, mileage allowance, reimbursement, or lodging
15 allowance under this section for a meeting conducted before January
16 1, 2022, is legalized and validated.

17 (f) This subsection applies to a meeting under subsection (c)
18 conducted on or after January 1, 2022. (e) Each individual who attends
19 the meeting under subsection (c) and an individual who has been
20 elected or selected to serve a as circuit court clerk but has not yet
21 begun serving in that office is entitled to receive all of the following
22 from the county general fund without appropriation:

23 (1) A sum for mileage at a rate determined by the fiscal body of
24 the unit the official represents for each mile necessarily traveled
25 in going to and returning from the meeting by the most
26 expeditious route. Regardless of the duration of the conference,
27 only one (1) mileage reimbursement shall be allowed to the
28 official furnishing the conveyance even if the official transports
29 more than one (1) person.

30 (2) An allowance for lodging for each night preceding conference
31 attendance in an amount equal to the single room rate. However,
32 lodging expense, in the case of a one (1) day conference, shall
33 only be allowed for persons who reside fifty (50) miles or farther
34 from the conference location.

35 (3) Reimbursement of an official, a deputy, or an assistant in an
36 amount determined by the fiscal body of the unit the official,
37 deputy, or assistant represents, for meals purchased while
38 attending a conference called under this section.

39 (g) This subsection applies to a meeting conducted on or after
40 January 1, 2022. (f) The election division shall certify the number of
41 days of attendance and the mileage for each conference to each official,
42 deputy, or assistant attending any conference under this section.



1 ~~(f)~~ This subsection applies to a meeting conducted on or after
 2 January 1, 2022. (g) All payments of mileage and lodging shall be
 3 made by the proper disbursing officer in the manner provided by law
 4 on a duly verified claim or voucher to which shall be attached the
 5 certificate of the election division showing the number of days attended
 6 and the number of miles traveled. All payments shall be made from the
 7 county general fund from any money not otherwise appropriated and
 8 without any previous appropriation being made therefore.

9 ~~(i)~~ This subsection applies to a meeting conducted on or after
 10 January 1, 2022. (h) A claim for reimbursement under this section may
 11 not be denied by the body responsible for the approval of claims if the
 12 claim complies with IC 5-11-10-1.6 and this section.

13 SECTION 3. IC 3-9-2-12, AS AMENDED BY P.L.133-2021,
 14 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2023]: Sec. 12. (a) This section does not apply to:

16 (1) a member of the general assembly; or
 17 (2) a candidate's committee of a member of the general assembly;
 18 with respect to an office other than a legislative office or a state office
 19 to which the member seeks election.

20 (b) As used in this section, "affected person" refers to any of the
 21 following:

- 22 (1) An individual who holds a legislative office.
- 23 (2) A candidate for a legislative office.
- 24 (3) An individual who holds a state office.
- 25 (4) A candidate for a state office.

26 (c) As used in this section, "prohibited period" means the period:

- 27 (1) beginning on the day in January in each odd-numbered year
 28 the general assembly reconvenes under IC 2-2.1-1-2; and
- 29 (2) through either of the following:
 30 ~~(A) April 29 in calendar year 2021.~~
 31 ~~(B) the day the general assembly adjourns sine die under~~
 32 ~~IC 2-2.1-1-2 in an odd-numbered year. beginning after~~
 33 ~~December 31, 2022.~~

34 (d) During the prohibited period, an affected person, an affected
 35 person's candidate's committee, and a legislative caucus committee may
 36 not do any of the following:

- 37 (1) Solicit campaign contributions.
- 38 (2) Accept campaign contributions.
- 39 (3) Conduct other fundraising activities. This subdivision does not
 40 prohibit an affected person from participating in party activities
 41 conducted by a regular party committee.

42 SECTION 4. IC 3-10-1-4.5, AS AMENDED BY P.L.278-2019,



1 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2023]: Sec. 4.5. (a) Except as provided in section 4.6 of this
3 chapter, precinct committeemen shall be elected on the first Tuesday
4 after the first Monday in May ~~2022~~ **2026, 2030, 2034, 2038, 2042**, and
5 every four (4) years thereafter.

6 (b) The rules of a political party may specify whether a precinct
7 committeeman elected under subsection (a) continues to serve as a
8 precinct committeeman after the boundaries of the precinct are
9 changed by a precinct establishment order issued under IC 3-11-1.5.

10 SECTION 5. IC 3-10-1-4.6, AS AMENDED BY P.L.193-2021,
11 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2023]: Sec. 4.6. (a) This section applies to precinct
13 committeemen elected by the Indiana Republican Party.

14 (b) Precinct committeemen shall be elected on the first Tuesday
15 after the first Monday in May 2024, **2028, 2032, 2036, 2040, 2044**, and
16 every four (4) years thereafter.

17 (c) The rules of the Indiana Republican Party may specify whether
18 a precinct committeeman elected under subsection (b) continues to
19 serve as a precinct committeeman after the boundaries of the precinct
20 are changed by a precinct establishment order issued under
21 IC 3-11-1.5.

22 SECTION 6. IC 3-10-2-3, AS AMENDED BY P.L.193-2021,
23 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2023]: Sec. 3. Presidential electors and alternate presidential
25 electors shall be elected in 2024, **2028, 2032, 2036, 2040, 2044**, and
26 every four (4) years thereafter at a general election held in accordance
27 with 3 U.S.C. 1.

28 SECTION 7. IC 3-10-2-4, AS AMENDED BY P.L.278-2019,
29 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2023]: Sec. 4. United States Senators shall be elected at a
31 general election held in accordance with 2 U.S.C. 1 and as follows:

32 (1) One (1) in ~~2022~~ **2028, 2034, 2040, 2046, 2052**, and every six
33 (6) years thereafter.

34 (2) One (1) in 2024, **2030, 2036, 2042, 2048, 2054**, and every six
35 (6) years thereafter.

36 SECTION 8. IC 3-10-2-6, AS AMENDED BY P.L.193-2021,
37 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2023]: Sec. 6. The following public officials shall be elected
39 in 2024, **2028, 2032, 2036, 2040, 2044**, and every four (4) years
40 thereafter:

41 (1) Governor.

42 (2) Lieutenant governor.



1 (3) Attorney general.

2 SECTION 9. IC 3-10-2-7, AS AMENDED BY P.L.278-2019,
3 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2023]: Sec. 7. The following public officials shall be elected
5 in ~~2022~~ **2026, 2030, 2034, 2038, 2042**, and every four (4) years
6 thereafter:

7 (1) Secretary of state.

8 (2) Auditor of state.

9 (3) Treasurer of state.

10 SECTION 10. IC 3-10-2-12, AS AMENDED BY P.L.278-2019,
11 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2023]: Sec. 12. A prosecuting attorney shall be elected in each
13 judicial circuit in ~~2022~~ **2026, 2030, 2034, 2038, 2042**, and every four
14 (4) years thereafter in accordance with Article 7, Section 16 of the
15 Constitution of the State of Indiana.

16 SECTION 11. IC 3-10-4-6.5, AS ADDED BY P.L.201-2017,
17 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2023]: Sec. 6.5. **(a)** In submitting Indiana's certificate of
19 ascertainment as required by 3 U.S.C. 6, the governor shall certify
20 Indiana's presidential electors and state in the certificate the following:

21 (1) That the presidential electors will serve as presidential
22 electors unless a vacancy occurs in the office of presidential
23 elector before the end of the meeting at which votes are cast, in
24 which case an alternate presidential elector will fill the vacancy
25 as a presidential elector.

26 (2) If an alternate presidential elector is appointed to fill a
27 vacancy, the governor will submit an amended certificate of
28 ascertainment stating the names on the final list of Indiana's
29 presidential electors.

30 **(b) The certificate must:**

31 **(1) bear the seal of the state of Indiana; and**

32 **(2) contain at least one (1) security feature, as determined by**
33 **the secretary of state, for purposes of verifying the**
34 **authenticity of the certificate.**

35 **(c) A security feature determined under subsection (b) is**
36 **confidential.**

37 SECTION 12. IC 3-10-4-7, AS AMENDED BY P.L.201-2017,
38 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2023]: Sec. 7. (a) The presidential electors and alternate
40 presidential electors who are elected at a general election shall
41 assemble in the chamber of the Indiana house of representatives on the
42 first ~~Monday~~ **Tuesday** after the second Wednesday in December as



1 provided by 3 U.S.C. 7, or on another day fixed by the Congress of the
 2 United States, at 10 a.m. to elect the President and Vice President of
 3 the United States.

4 (b) The secretary of state, or an individual designated by the
 5 secretary, shall preside at this meeting. The election division shall
 6 assist the secretary in conducting the election and in certifying and
 7 transmitting the results in accordance with federal law.

8 (c) As provided by 3 U.S.C. 6, the governor shall deliver to the
 9 presidential electors present six (6) duplicate originals of the certificate
 10 of ascertainment of appointment of the presidential electors mailed to
 11 the Archivist of the United States.

12 SECTION 13. IC 3-10-6-2, AS AMENDED BY P.L.193-2021,
 13 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2023]: Sec. 2. (a) Except as otherwise provided in this
 15 chapter, a municipal primary election shall be held on the first Tuesday
 16 after the first Monday in May 2023, **2027, 2031, 2035, 2039, 2043**, and
 17 every four (4) years thereafter.

18 (b) Each political party whose nominee received at least ten percent
 19 (10%) of the votes cast in the state for secretary of state at the last
 20 election shall nominate all candidates to be voted for at the municipal
 21 election to be held in November.

22 SECTION 14. IC 3-10-6-3, AS AMENDED BY P.L.193-2021,
 23 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2023]: Sec. 3. (a) Notwithstanding section 2 of this chapter,
 25 in a town that adopted an ordinance under IC 18-3-1-16(b) (before its
 26 repeal on September 1, 1981), P.L.13-1982, SECTION 3 (before its
 27 expiration on January 1, 1988), or section 2.5 of this chapter each
 28 political party shall, at the primary election in:

29 (1) May ~~2022~~ **2026, 2030, 2034, 2038, 2042**, and every four (4)
 30 years thereafter; and

31 (2) May 2023, **2027, 2031, 2035, 2039, 2043**, and every four (4)
 32 years thereafter;

33 nominate candidates for the election to be held under section 6(a) of
 34 this chapter, unless a primary election is not required under section 4
 35 of this chapter. The primary election shall be conducted under this
 36 chapter.

37 (b) Notwithstanding section 2 of this chapter, in a town that adopted
 38 an ordinance under section 2.6 of this chapter each political party shall,
 39 at the primary election in:

40 (1) May 2024, **2028, 2032, 2036, 2040, 2044**, and every four (4)
 41 years thereafter; and

42 (2) May ~~2022~~ **2026, 2030, 2034, 2038, 2042**, and every four (4)



1 years thereafter;
 2 nominate candidates for the election to be held under section 6(b) of
 3 this chapter, unless a primary election is not required under section 4
 4 of this chapter. The primary election shall be conducted under this
 5 chapter.

6 (c) Notwithstanding section 2 of this chapter, in a town that adopted
 7 an ordinance under section 2.6 of this chapter each political party shall,
 8 at the primary election in May 2024, **2028, 2032, 2036, 2040, 2044**,
 9 and every four (4) years thereafter, nominate candidates for the election
 10 to be held under section 6(c) of this chapter, unless a primary election
 11 is not required under section 4 of this chapter. The primary election
 12 shall be held under this chapter.

13 SECTION 15. IC 3-10-6-5, AS AMENDED BY P.L.193-2021,
 14 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2023]: Sec. 5. Except as otherwise provided in this chapter,
 16 a municipal election shall be held on the first Tuesday after the first
 17 Monday in November 2023, **2027, 2031, 2035, 2039, 2043**, and every
 18 four (4) years thereafter. At the election, public officials shall be
 19 elected to each municipal office.

20 SECTION 16. IC 3-10-6-6, AS AMENDED BY P.L.193-2021,
 21 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2023]: Sec. 6. (a) Notwithstanding section 5 of this chapter,
 23 a town that adopted an ordinance under IC 18-3-1-16(b) (before its
 24 repeal on September 1, 1981), P.L.13-1982, SECTION 3 (before its
 25 expiration on January 1, 1988), or section 2.5 of this chapter shall:

- 26 (1) at the general election in November 2022, **2026, 2030, 2034,**
 27 **2038, 2042**, and every four (4) years thereafter; and
 28 (2) at the municipal election in November 2023, **2027, 2031,**
 29 **2035, 2039, 2043**, and every four (4) years thereafter;

30 elect town council members for terms of four (4) years to those offices
 31 whose terms expire at noon January 1 following the election, as
 32 provided in IC 36-5-2-3. The election shall be conducted under this
 33 chapter.

34 (b) Notwithstanding section 5 of this chapter, a town that adopted
 35 an ordinance under section 2.6 of this chapter shall:

- 36 (1) at the general election in November 2024, **2028, 2032, 2036,**
 37 **2040, 2044**, and every four (4) years thereafter; and
 38 (2) at the general election in November 2022, **2026, 2030, 2034,**
 39 **2038, 2042**, and every four (4) years thereafter;

40 elect town council members for terms of four (4) years to those offices
 41 whose terms expire at noon January 1 of the following year. The
 42 election shall be conducted under this chapter.



1 (c) Notwithstanding section 5 of this chapter, a town that adopted
 2 an ordinance under section 2.6 of this chapter shall, at the general
 3 election in November 2024, **2028, 2032, 2036, 2040, 2044**, and every
 4 four (4) years thereafter, elect a town clerk-treasurer and town court
 5 judge (if a town court has been established under IC 33-35-1-1) to
 6 those offices whose terms expire at noon January 1 of the following
 7 year. The election shall be conducted under this chapter.

8 SECTION 17. IC 3-11-18.1-5, AS AMENDED BY P.L.193-2021,
 9 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2023]: Sec. 5. (a) Except as provided in subsections (b) and
 11 (c), a plan must provide a vote center for use by voters residing within
 12 the county for use in a primary election, general election, special
 13 election, municipal primary, or municipal election conducted on or
 14 after the effective date of the county election board's order.

15 (b) A plan may provide that a vote center will not be used in a
 16 municipal election conducted in 2023, **2027, 2031, 2035, 2039, 2043**,
 17 and every four (4) years thereafter for some or all of the towns:

- 18 (1) located within the county; and
- 19 (2) having a population of less than three thousand five hundred
 20 (3,500).

21 (c) This section does not apply in a town that has established a town
 22 election board under IC 3-10-7-5.7 while the resolution established
 23 under IC 3-10-7-5.7 is in effect.

24 SECTION 18. IC 20-23-12-9, AS AMENDED BY P.L.193-2021,
 25 SECTION 103, IS AMENDED TO READ AS FOLLOWS
 26 [EFFECTIVE JULY 1, 2023]: Sec. 9. The members are elected as
 27 follows:

- 28 (1) Three (3) of the members elected under section 3(b) of this
 29 chapter are elected at the general election to be held in ~~2020~~
 30 **2024, 2028, 2032, 2036, 2040, 2044**, and every four (4) years
 31 thereafter.
- 32 (2) Three (3) of the members elected under section 3(b) of this
 33 chapter are elected at the general election to be held in ~~2022~~
 34 **2026, 2030, 2034, 2038, 2042**, and every four (4) years thereafter.
- 35 (3) The at-large member elected under section 3(c) of this chapter
 36 is elected at the general election to be held in 2024, **2028, 2032**,
 37 **2036, 2040, 2044**, and every four (4) years thereafter.

38 SECTION 19. IC 20-23-17-3, AS AMENDED BY P.L.219-2013,
 39 SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2023]: Sec. 3. (a) The governing body of the school
 41 corporation consists of five (5) members chosen as follows:

- 42 (1) Three (3) members shall be elected by the voters of the school



1 corporation at a general election to be held in the county ~~and~~
 2 every four ~~(4)~~ years thereafter: as follows:

3 (A) **Two (2) members of the governing body shall:**

4 (i) **be elected at the general election in 2024, 2028, 2032,**
 5 **2036, 2040, 2044, and every four (4) years thereafter;**
 6 **and**

7 (ii) **take office as provided in section 4 of this chapter.**

8 (B) **One (1) member of the governing body shall:**

9 (i) **be elected at the general election in 2026, 2030, 2034,**
 10 **2038, 2042, and every four (4) years thereafter; and**

11 (ii) **take office as provided in section 4 of this chapter.**

12 (2) One (1) member shall:

13 (A) **be appointed by the city executive in 2026, 2030, 2034,**
 14 **2038, 2042, and every four (4) years thereafter; and**

15 (B) **take office as provided in section 4 of this chapter.**

16 (3) One (1) member shall:

17 (A) **be appointed by the city legislative body in 2025, 2029,**
 18 **2033, 2037, 2041, and every four (4) years thereafter; and**

19 (B) **take office as provided in section 4 of this chapter.**

20 (b) The members elected under subsection (a)(1) shall be elected as
 21 follows:

22 (1) On a nonpartisan basis.

23 (2) In a general election held in the county.

24 (3) By the registered voters of the entire school corporation.

25 (c) The following apply to an election of members of the governing
 26 body of the school corporation under subsection (a)(1):

27 (1) Each candidate must file a petition of nomination with the
 28 circuit court clerk not earlier than one hundred four (104) days
 29 and not later than seventy-four (74) days before the election at
 30 which members are to be elected. The petition of nomination must
 31 include the following information:

32 (A) The name of the candidate.

33 (B) A certification that the candidate meets the qualifications
 34 for candidacy imposed by this chapter.

35 (2) Only eligible voters residing in the school corporation may
 36 vote for a candidate seeking election.

37 SECTION 20. IC 20-23-17-8 IS REPEALED [EFFECTIVE JULY
 38 1, 2023]. Sec. 8: (a) This subsection applies to a member of the
 39 governing body elected at the 2016 general election. The successors of
 40 a member elected at the 2016 general election shall:

41 ~~(1) be elected at the 2024 general election and every four (4)~~
 42 ~~years thereafter as provided in section 3(a)(1) of this chapter; and~~



1 (2) take office as provided in section 4 of this chapter.
 2 (b) This subsection applies to the appointed member of the
 3 governing body whose term expires December 31, 2017. The
 4 successors of this member shall be appointed by the city legislative
 5 body as provided in section 3(a)(3) of this chapter and take office as
 6 provided in section 4 of this chapter.
 7 (c) This subsection applies to the member of the governing body
 8 elected at the 2014 general election. The successors of a member
 9 elected at the 2014 general election shall:
 10 (1) be elected at the 2022 general election and every four (4)
 11 years thereafter as provided in section 3(a)(1) of this chapter; and
 12 (2) take office as provided in section 4 of this chapter.
 13 (d) This subsection applies to the appointed member of the
 14 governing body whose term expires December 31, 2018. The
 15 successors of this member shall be appointed by the city executive as
 16 provided in section 3(a)(2) of this chapter and take office as provided
 17 in section 4 of this chapter.
 18 SECTION 21. IC 20-23-17.2-3.1, AS AMENDED BY
 19 P.L.193-2021, SECTION 106, IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 3.1. (a) The governing
 21 body of the school corporation consists of five (5) members, elected as
 22 provided in this chapter.
 23 (b) Three (3) members shall be elected as follows:
 24 (1) From districts established as provided in section 4.1 of this
 25 chapter.
 26 (2) On a nonpartisan basis.
 27 (3) At the general election held in the county in ~~2022~~ **2026, 2030,**
 28 **2034, 2038, 2042**, and every four (4) years thereafter.
 29 (c) Two (2) members shall be elected as follows:
 30 (1) At large by all the voters of the school corporation.
 31 (2) On a nonpartisan basis.
 32 (3) At the general election held in the county in 2024, **2028, 2032,**
 33 **2036, 2040, 2044**, and every four (4) years thereafter.
 34 (d) The term of office of a member of the governing body:
 35 (1) is four (4) years; and
 36 (2) begins January 1 after the election of members of the
 37 governing body.
 38 (e) Upon assuming office and in conducting the business of the
 39 governing body, a member shall represent the interests of the entire
 40 school corporation.
 41 SECTION 22. IC 33-35-1-1, AS AMENDED BY P.L.193-2021,
 42 SECTION 108, IS AMENDED TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2023]: Sec. 1. (a) During ~~2022~~ **2026, 2030,**
2 **2034, 2038, 2042,** and every fourth year after that, a second or third
3 class city or a town may by ordinance establish or abolish a city or
4 town court. An ordinance to establish a city or town court must be
5 adopted not less than one (1) year before the judge's term would begin
6 under section 3 of this chapter.

7 (b) The judge for a court established under subsection (a) shall be
8 elected under IC 3-10-6 or IC 3-10-7 at the municipal election in
9 November 2023, **2027, 2031, 2035, 2039, 2043,** and every four (4)
10 years thereafter.

11 (c) A court established under subsection (a) comes into existence on
12 January 1 of the year following the year in which a judge is elected to
13 serve in that court.

14 (d) A city or town court in existence on January 1, 1986, may
15 continue in operation until it is abolished by ordinance.

16 (e) A city or town that establishes or abolishes a court under this
17 section shall give notice of its action to the following:

18 (1) The office of judicial administration under IC 33-24-6.

19 (2) The secretary of state.

20 (3) The circuit court clerk of the county in which the greatest
21 population of the city or town resides.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1335, 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:

Page 6, line 40, delete "2022," and insert "2022".

Page 11, line 7, reset in roman "2023".

Page 11, line 7, after "2023" insert ",".

and when so amended that said bill do pass.

(Reference is to HB 1335 as introduced.)

WESCO

Committee Vote: yeas 10, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred House Bill No. 1335, 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:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 3-5-4-7, AS AMENDED BY P.L.128-2015, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. Except as otherwise provided in this title, a reference to a federal statute or regulation in this title is a reference to the statute or regulation as in effect ~~September 1, 2014~~ **January 1, 2023**."

Page 6, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 11. IC 3-10-4-6.5, AS ADDED BY P.L.201-2017, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 6.5. **(a)** In submitting Indiana's certificate of ascertainment as required by 3 U.S.C. 6, the governor shall certify Indiana's presidential electors and state in the certificate the following:

- (1) That the presidential electors will serve as presidential electors unless a vacancy occurs in the office of presidential elector before the end of the meeting at which votes are cast, in which case an alternate presidential elector will fill the vacancy

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as a presidential elector.

(2) If an alternate presidential elector is appointed to fill a vacancy, the governor will submit an amended certificate of ascertainment stating the names on the final list of Indiana's presidential electors.

(b) The certificate must:

(1) bear the seal of the state of Indiana; and

(2) contain at least one (1) security feature, as determined by the secretary of state, for purposes of verifying the authenticity of the certificate.

(c) A security feature determined under subsection (b) is confidential.

SECTION 12. IC 3-10-4-7, AS AMENDED BY P.L.201-2017, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 7. (a) The presidential electors and alternate presidential electors who are elected at a general election shall assemble in the chamber of the Indiana house of representatives on the first ~~Monday~~ **Tuesday** after the second Wednesday in December as provided by 3 U.S.C. 7, or on another day fixed by the Congress of the United States, at 10 a.m. to elect the President and Vice President of the United States.

(b) The secretary of state, or an individual designated by the secretary, shall preside at this meeting. The election division shall assist the secretary in conducting the election and in certifying and transmitting the results in accordance with federal law.

(c) As provided by 3 U.S.C. 6, the governor shall deliver to the presidential electors present six (6) duplicate originals of the certificate of ascertainment of appointment of the presidential electors mailed to the Archivist of the United States."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1335 as printed January 26, 2023.)

FORD JON, Chairperson

Committee Vote: Yeas 8, Nays 0.

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