



PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1002 be amended to read as follows:

1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 3-5-2.1-97, AS ADDED BY P.L.186-2025,
4 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2026]: Sec. 97. "State office" refers to: **the**
6 **(1)** governor;
7 **(2)** lieutenant governor;
8 **(3)** secretary of state;
9 **(4)** state comptroller (referred to as "auditor of state" in the
10 Constitution of the State of Indiana);
11 **(5)** treasurer of state;
12 **(6)** attorney general;
13 **(7)** justice of the supreme court;
14 **(8)** judge of the court of appeals; **and**
15 **(9)** judge of the tax court;
16 **(10) after November 6, 2028, utility consumer counselor; and**
17 **(11) after November 6, 2028, member of the advisory council**
18 **to the utility consumer counselor.**
19 SECTION 1. IC 3-8-1-1, AS AMENDED BY P.L.194-2013,
20 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

1 JULY 1, 2026]: Sec. 1. (a) This section does not apply to a candidate
2 for any of the following offices:

3 (1) Judge of a city court.
4 (2) Judge of a town court.

5 (b) A person is not qualified to run for:

6 (1) a state office;
7 (2) a legislative office;
8 (3) a local office; **or**
9 (4) a school board office; **or**

10 **(5) membership on the advisory council to the utility**
11 **consumer counselor;**

12 unless the person is registered to vote in the election district the person
13 seeks to represent not later than the deadline for filing the declaration
14 or petition of candidacy or certificate of nomination.

15 SECTION 2. IC 3-8-1-14.6 IS ADDED TO THE INDIANA CODE
16 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
17 1, 2026]: **Sec. 14.6. (a) The definitions in IC 3-9-2-14 apply**
18 **throughout this section.**

19 **(b) A candidate for election as utility consumer counselor must**
20 **have resided in Indiana for at least two (2) years before the**
21 **election.**

22 **(c) A candidate for election to the advisory council to the utility**
23 **consumer counselor must have resided:**

24 (1) in Indiana for at least two (2) years; and
25 (2) in the congressional district the candidate seeks to
26 represent for at least one (1) year;

27 before the election.

28 **(d) A candidate for election as utility consumer counselor or**
29 **election to the advisory council to the utility consumer counselor**
30 **may not have any official or professional relationship or**
31 **connection with, hold any stock or securities in, or have any**
32 **pecuniary interest in:**

33 (1) a utility; or
34 (2) a person with an interest in a utility.

35 SECTION 3. IC 3-8-1-33, AS AMENDED BY P.L.40-2025,
36 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2026]: Sec. 33. (a) A candidate for an office listed in
38 subsection (b) must file a statement of economic interests.

39 (b) Whenever a candidate for any of the following offices is also
40 required to file a declaration of candidacy or is nominated by petition,
41 the candidate shall file a statement of economic interests before filing
42 the declaration of candidacy or declaration of intent to be a write-in
43 candidate, before the petition of nomination is filed, before the
44 certificate of nomination is filed, or before being appointed to fill a
45 candidate vacancy under IC 3-13-1 or IC 3-13-2:

46 (1) Governor, lieutenant governor, secretary of state, state

1 JULY 1, 2026]: Sec. 7. (a) The declaration of each candidate required
2 by this chapter must be signed before a person authorized to administer
3 oaths and contain the following information:

4 (1) The candidate's name, printed or typewritten as:

5 (A) the candidate wants the candidate's name to appear on the
6 ballot; and

7 (B) the candidate's name is permitted to appear on the ballot
8 under IC 3-5-7.

9 A candidate must specify, by a designation described in
10 IC 3-5-7-5, each designation that the candidate wants to use that
11 is permitted by IC 3-5-7.

12 (2) A statement that the candidate is a registered voter and the
13 location of the candidate's precinct and township (or ward, if
14 applicable, and city or town), county, and state.

15 (3) The candidate's complete residence address, and if the
16 candidate's mailing address is different from the residence
17 address, the mailing address.

18 (4) **This subdivision does not apply to a candidate for election
19 as utility consumer counselor or election to the advisory
20 council to the utility consumer counselor.** A statement of the
21 candidate's party affiliation. For purposes of this subdivision, a
22 candidate is considered to be affiliated with a political party only
23 if any of the following applies:

24 (A) The two (2) most recent primary elections in Indiana in
25 which the candidate voted were primary elections held by the
26 party with which the candidate claims affiliation. If the
27 candidate cast a nonpartisan ballot at an election held at either
28 of the two (2) most recent primary elections in which the
29 candidate voted, a certification by the county chairman under
30 clause (B) is required.

31 (B) The county chairman of:

32 (i) the political party with which the candidate claims
33 affiliation; and

34 (ii) the county in which the candidate resides;

35 certifies that the candidate is a member of the political party.
36 The declaration of candidacy must inform candidates how party
37 affiliation is determined under this subdivision and permit the
38 candidate to indicate on the declaration of candidacy which of
39 clauses (A) or (B) applies to the candidate. If a candidate claims
40 party affiliation under clause (B), the candidate must attach to the
41 candidate's declaration of candidacy the written certification of
42 the county chairman required by clause (B).

43 (5) A statement that the candidate complies with all requirements
44 under the laws of Indiana to be a candidate for the above named
45 office, including any applicable residency requirements, and that
46 the candidate is not ineligible to be a candidate due to a criminal

1 conviction that would prohibit the candidate from serving in the
2 office.

3 **(6) If the candidate is a candidate for election to the advisory**
4 **council to the utility consumer counselor, the congressional**
5 **district the candidate seeks to represent.**

6 **(6) (7) This subdivision does not apply to a candidate for**
7 **election as utility consumer counselor or election to the**
8 **advisory council to the utility consumer counselor.** A request
9 that the candidate's name be placed on the official primary ballot
10 of that party to be voted on, the office for which the candidate is
11 declaring, and the date of the primary election.

12 **(7) (8) The following statements:**

13 (A) A statement that the candidate has attached either of the
14 following to the declaration:

15 (i) A copy of a statement of economic interests, file stamped
16 by the office required to receive the statement of economic
17 interests.

18 (ii) A receipt or photocopy of a receipt showing that a
19 statement of economic interests has been filed.

20 This requirement does not apply to a candidate for a federal
21 office.

22 (B) A statement that the candidate understands that if the
23 candidate is elected to the office, the candidate may be
24 required to obtain and file an individual surety bond before
25 serving in the office. This requirement does not apply to a
26 candidate for a federal office or legislative office.

27 (C) A statement that the candidate understands that if the
28 candidate is elected to the office, the candidate may be
29 required to successfully complete training or have attained
30 certification related to service in an elected office. This
31 requirement does not apply to a candidate for a federal office,
32 state office, or legislative office.

33 (D) A statement that the candidate:

34 (i) is aware of the provisions of IC 3-9 regarding campaign
35 finance and the reporting of campaign contributions and
36 expenditures; and

37 (ii) agrees to comply with the provisions of IC 3-9.

38 This requirement does not apply to a candidate for a federal
39 office.

40 The candidate must separately initial each of the statements
41 required by this subdivision.

42 **(8) (9) A statement as to whether the candidate has been a**
43 **candidate for state, legislative, or local office in a previous**
44 **primary, municipal, special, or general election and whether the**
45 **candidate has filed all reports required by IC 3-9-5-10 for all**
46 **previous candidacies.**

1 (9) (10) If the candidate is subject to IC 3-9-1-5, a statement that
2 the candidate has filed a campaign finance statement of
3 organization for the candidate's principal committee or is aware
4 that the candidate may be required to file a campaign finance
5 statement of organization not later than noon seven (7) days after
6 the final date to file the declaration of candidacy under section 4
7 of this chapter.

8 (10) (11) The candidate's signature.

9 (b) The election division shall provide that the form of a declaration
10 of candidacy includes the following information:

11 (1) The dates for filing campaign finance reports under IC 3-9.
12 (2) The penalties for late filing of campaign finance reports under
13 IC 3-9.

14 (c) A declaration of candidacy must include a statement that the
15 candidate requests the name on the candidate's voter registration record
16 be the same as the name the candidate uses on the declaration of
17 candidacy. If there is a difference between the name on the candidate's
18 declaration of candidacy and the name on the candidate's voter
19 registration record, the officer with whom the declaration of candidacy
20 is filed shall forward the information to the voter registration officer of
21 the appropriate county as required by IC 3-5-7-6(d). The voter
22 registration officer of the appropriate county shall change the name on
23 the candidate's voter registration record to be the same as the name on
24 the candidate's declaration of candidacy.

25 SECTION 8. IC 3-9-2-14 IS ADDED TO THE INDIANA CODE
26 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
27 1, 2026]: **Sec. 14.** (a) **As used in this section, "person with an**
28 **interest in a utility" means any of the following:**

29 (1) **A person related to (as defined in IC 26-1-9.1-102(a)(63))**
30 **a utility.**

31 (2) **An individual who, alone or in combination with one (1) or**
32 **more members of the individual's household or family listed**
33 **in IC 3-6-6-7(a)(4), has:**

34 (A) **the power to vote, directly or indirectly, at least**
35 **twenty-five percent (25%) of the outstanding voting shares**
36 **or voting interests of a utility;**

37 (B) **the power to elect or appoint a majority of key**
38 **individuals or executive officers, managers, directors,**
39 **trustees, or other persons exercising managerial authority**
40 **of a utility; or**

41 (C) **the power to exercise, directly or indirectly, a**
42 **controlling influence over the management or policies of a**
43 **utility.**

44 (b) **As used in this section, "utility" means:**

45 (1) **a public utility (as defined in IC 8-1-2-1(a));**

46 (2) **a corporation organized under IC 8-1-13;**

(3) a municipally owned utility (as defined in IC 8-1-2-1(h)); and

(4) a corporation that is organized under IC 23-17 that is an electric cooperative and that has at least one (1) member that is a corporation organized under IC 8-1-13;

regardless of whether the entity described in subdivisions (1) through (4) is subject to the jurisdiction of the Indiana utility regulatory commission for approval of rates and charges.

(c) A:

(1) candidate for election:

(A) as utility consumer counselor; or

(B) to the advisory council to the utility consumer counselor; or

(2) candidate's committee of a candidate described in subdivision (1);

may not solicit or accept a contribution from a utility, or from a person with an interest in a utility, for the duration of the candidate's candidacy for election as utility consumer counselor or election to the advisory council to the utility consumer counselor.

SECTION 9. IC 3-10-2-6, AS AMENDED BY P.L.141-2023, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. The following public officials shall be elected in 2024, 2028, 2032, 2036, 2040, 2044, and every four (4) years thereafter:

(1) Governor.

(2) Lieutenant governor.

(3) Attorney general.

(4) Utility consumer counselor.

(5) Member of the advisory council to the utility consumer counselor.

SECTION 10. IC 3-10-2-10.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 10.6. An individual shall be elected to the advisory council to the utility consumer counselor by voters residing in the congressional district that the individual declares as the congressional district the individual seeks to represent under IC 3-8-2-7(a)(6).**

SECTION 11. IC 3-11-2-12, AS AMENDED BY P.L.40-2025, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 12. (a) The following offices shall be placed on the general election ballot in the following order after the public questions described in section 10(a) of this chapter:

(1) Federal and state offices:

(A) President and Vice President of the United States.

(B) United States Senator.

(C) Governor and lieutenant governor.

- (D) Secretary of state.
- (E) State comptroller (auditor of state).
- (F) Treasurer of state.
- (G) Attorney general.
- (H) United States Representative. If an election to fill a vacancy in an office of United States Representative under IC 3-10-8 is held on the same day as the election for the next term of the same office, the ballot shall list the election to fill the vacancy in the office immediately after the election for the next term of the office.
- (2) Legislative offices:
 - (A) State senator.
 - (B) State representative.
- (3) **The following state offices:**
 - (A) Utility consumer counselor.**
 - (B) Member of the advisory council to the utility consumer counselor.**
- (3) (4) Circuit offices and county judicial offices:
 - (A) Judge of the circuit court, and unless otherwise specified under IC 33, with each division separate if there is more than one (1) judge of the circuit court.
 - (B) Judge of the superior court, and unless otherwise specified under IC 33, with each division separate if there is more than one (1) judge of the superior court.
 - (C) Judge of the probate court.
 - (D) Prosecuting attorney.
 - (E) Clerk of the circuit court.
- (4) (5) County offices:
 - (A) County auditor.
 - (B) County recorder.
 - (C) County treasurer.
 - (D) County sheriff.
 - (E) County coroner.
 - (F) County surveyor.
 - (G) County assessor.
 - (H) County commissioner.
 - (I) County council member.
- (5) (6) Township offices:
 - (A) Township assessor (only in a township referred to in IC 36-6-5-1(d)).
 - (B) Township trustee.
 - (C) Township board member.
 - (D) Judge of the small claims court.
 - (E) Constable of the small claims court.
- (6) (7) City offices:
 - (A) Mayor.

13 SECTION 12. IC 3-11-2-12.5, AS AMENDED BY P.L.227-2023,
14 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2026]: Sec. 12.5. Notwithstanding section 12 of this chapter,
16 the county election board may alter the prescribed ballot order to place
17 the names of the candidates for the following offices before the names
18 of the candidates for county judicial offices:

19 (1) Prosecuting attorney.
20 (2) Clerk of the circuit court.
21 (3) The county offices listed in section 12(a)(4) 12(a)(5) of this
22 chapter.

23 SECTION 13. IC 3-13-4-3, AS AMENDED BY P.L.225-2011,
24 SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2026]: Sec. 3. (a) This section applies to a vacancy that occurs
26 in a state office other than governor, lieutenant governor, ~~or~~ a judicial
27 office, **or the advisory council to the utility consumer counselor.**

30 (c) A vacancy that occurs in a state office because of the death of
31 the state officer may be certified to the governor under IC 5-8-6. The
32 governor may not fill a vacancy as provided by law until the governor
33 receives notice of the death under IC 5-8-6.

34 (d) A vacancy that occurs in a state office other than by resignation
35 or death shall be certified to the governor by the circuit court clerk of
36 the county in which the officer resided.

44 SECTION 14. IC 4-2-1-1.5, AS AMENDED BY P.L.120-2025,
45 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
46 JULY 1, 2026]: Sec. 1.5. (a) Beginning January 1, 2025, and on each

1 date thereafter on which a state elected official other than the governor
2 takes office, the annual salary of each state elected official other than
3 the governor is as follows:

4 (1) For the lieutenant governor, an amount equal to eighty-eight
5 percent (88%) of the annual salary of a supreme court justice
6 under IC 33-38-5-8, as adjusted under IC 33-38-5-8.1. However,
7 the lieutenant governor is not entitled to receive a per diem
8 allowance for performance of duties as president of the senate.
9 (2) For the attorney general, an amount equal to eighty-three
10 percent (83%) of the annual salary of a supreme court justice under
11 IC 33-38-5-8, as adjusted under IC 33-38-5-8.1.
12 (3) For the state comptroller, an amount equal to sixty-six percent
13 (66%) of the annual salary of a supreme court justice under
14 IC 33-38-5-8, as adjusted under IC 33-38-5-8.1.
15 (4) For the treasurer of state, an amount equal to sixty-six percent
16 (66%) of the annual salary of a supreme court justice under
17 IC 33-38-5-8, as adjusted under IC 33-38-5-8.1.
18 (5) For the secretary of state, an amount equal to sixty-six percent
19 (66%) of the annual salary of a supreme court justice under
20 IC 33-38-5-8, as adjusted under IC 33-38-5-8.1.

21 (6) **After November 6, 2028:**

22 (A) **for the utility consumer counselor, an amount equal to**
23 **eighty-three percent (83%) of the annual salary of a**
24 **supreme court justice under IC 33-38-5-8, as adjusted**
25 **under IC 33-38-5-8.1; and**

26 (B) **for a member of the advisory council to the utility**
27 **consumer counselor, an amount equal to sixty-six percent**
28 **(66%) of the annual salary of a supreme court justice**
29 **under IC 33-38-5-8, as adjusted under IC 33-38-5-8.1.**

30 (b) A state elected official is not entitled to receive a salary increase
31 under this section for a state fiscal year in which state employees in the
32 executive branch who are in the same or a similar salary bracket do not
33 receive a statewide average salary increase.

34 (c) If a salary increase is required under this section, an amount
35 sufficient to pay for the salary increase is appropriated from the state
36 general fund.

37 SECTION 15. IC 4-2-6-8, AS AMENDED BY P.L.9-2024,
38 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2026]: Sec. 8. (a) The following persons shall file a written
40 financial disclosure statement:

41 (1) The governor, **the** lieutenant governor, **the** secretary of state,
42 **the** state comptroller, **the** treasurer of state, **and** **the** attorney
43 general, **the** utility consumer counselor, **and** **a member of the**
44 **advisory council to the utility consumer counselor.**

45 (2) Any candidate for one (1) of the offices in subdivision (1) who
46 is not the holder of one (1) of those offices.

1 (3) Any person who is the appointing authority of an agency.
2 (4) The director of each division of the Indiana department of
3 administration.
4 (5) Any purchasing agent within the procurement division of the
5 Indiana department of administration.
6 (6) Any agency employee, special state appointee, former agency
7 employee, or former special state appointee with final purchasing
8 authority.
9 (7) The chief investment officer employed by the Indiana public
10 retirement system.
11 (8) Any employee of the Indiana public retirement system whose
12 duties include the recommendation, selection, and management
13 of:
14 (A) the investments of the funds administered by the Indiana
15 public retirement system;
16 (B) the investment options offered in the annuity savings
17 accounts in the public employees' retirement fund and the
18 Indiana state teachers' retirement fund;
19 (C) the investment options offered in the legislators' defined
20 contribution plan; or
21 (D) investment managers, investment advisors, and other
22 investment service providers of the Indiana public retirement
23 system.
24 (9) An employee required to do so by rule adopted by the
25 inspector general.
26 (b) The statement shall be filed with the inspector general as
27 follows:
28 (1) Not later than February 1 of every year, in the case of the state
29 officers and employees enumerated in subsection (a).
30 (2) If the individual has not previously filed under subdivision (1)
31 during the present calendar year and is filing as a candidate for a
32 state office listed in subsection (a)(1), before filing a declaration
33 of candidacy under IC 3-8-2 or IC 3-8-4-11, petition of
34 nomination under IC 3-8-6, or declaration of intent to be a
35 write-in candidate under IC 3-8-2-2.5, or before a certificate of
36 nomination is filed under IC 3-8-7-8, in the case of a candidate for
37 one (1) of the state offices (unless the statement has already been
38 filed when required under IC 3-8-4-11).
39 (3) Not later than sixty (60) days after employment or taking
40 office, unless the previous employment or office required the
41 filing of a statement under this section.
42 (4) Not later than thirty (30) days after leaving employment or
43 office, unless the subsequent employment or office requires the
44 filing of a statement under this section.
45 The statement must be made under affirmation.
46 (c) The statement shall set forth the following information for the

1 preceding calendar year or, in the case of a state officer or employee
2 who leaves office or employment, the period since a previous statement
3 was filed:

4 (1) The name and address of any person known:

5 (A) to have a business relationship with the agency of the state
6 officer or employee or the office sought by the candidate; and
7 (B) from whom the state officer, candidate, or the employee,
8 or that individual's spouse or unemancipated children received
9 a gift or gifts having a total fair market value in excess of one
10 hundred dollars (\$100).

11 (2) The location of all real property in which the state officer,
12 candidate, or the employee or that individual's spouse or
13 unemancipated children has an equitable or legal interest either
14 amounting to five thousand dollars (\$5,000) or more or
15 comprising ten percent (10%) of the state officer's, candidate's, or
16 the employee's net worth or the net worth of that individual's
17 spouse or unemancipated children. An individual's primary
18 personal residence need not be listed, unless it also serves as
19 income property.

20 (3) The names and the nature of the business of the employers of
21 the state officer, candidate, or the employee and that individual's
22 spouse.

23 (4) The following information about any sole proprietorship
24 owned or professional practice operated by the state officer,
25 candidate, or the employee or that individual's spouse:
26 (A) The name of the sole proprietorship or professional
27 practice.
28 (B) The nature of the business.
29 (C) Whether any clients are known to have had a business
30 relationship with the agency of the state officer or employee or
31 the office sought by the candidate.
32 (D) The name of any client or customer from whom the state
33 officer, candidate, employee, or that individual's spouse
34 received more than thirty-three percent (33%) of the state
35 officer's, candidate's, employee's, or that individual's spouse's
36 nonstate income in a year.

37 (5) The name of any partnership of which the state officer,
38 candidate, or the employee or that individual's spouse is a member
39 and the nature of the partnership's business.

40 (6) The name of any corporation (other than a church) of which
41 the state officer, candidate, or the employee or that individual's
42 spouse is an officer or a director and the nature of the
43 corporation's business.

44 (7) The name of any corporation in which the state officer,
45 candidate, or the employee or that individual's spouse or
46 unemancipated children own stock or stock options having a fair

1 market value in excess of ten thousand dollars (\$10,000).
2 However, if the stock is held in a blind trust, the name of the
3 administrator of the trust must be disclosed on the statement
4 instead of the name of the corporation. A time or demand deposit
5 in a financial institution or insurance policy need not be listed.

6 (8) The name and address of the most recent former employer.
7 (9) Additional information that the person making the disclosure
8 chooses to include.

9 Any such state officer, candidate, or employee may file an amended
10 statement upon discovery of additional information required to be
11 reported.

12 (d) A person who:

13 (1) fails to file a statement required by rule or this section in a
14 timely manner; or
15 (2) files a deficient statement;

16 upon a majority vote of the commission, is subject to a civil penalty at
17 a rate of not more than ten dollars (\$10) for each day the statement
18 remains delinquent or deficient. The maximum penalty under this
19 subsection is one thousand dollars (\$1,000).

20 (e) A person who intentionally or knowingly files a false statement
21 commits a Class A infraction.

22 SECTION 16. IC 8-1-1.1-2 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. There is created the
24 office of utility consumer counselor. The office shall be administered
25 by the consumer counselor. ~~appointed under section 3 of this chapter.~~

26 SECTION 17. IC 8-1-1.1-3, AS AMENDED BY P.L.27-2006,
27 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2026]: Sec. 3. (a) The governor shall appoint a consumer
29 counselor ~~for shall be elected under IC 3-10-2-6.~~

30 (b) The counselor serves a term of four (4) years. at a salary to be
31 fixed by the governor. The counselor shall serve at the will and
32 pleasure of the governor.

33 (c) The counselor shall ~~must~~ be a practicing ~~an~~ attorney and
34 qualified by knowledge and experience to practice in utility regulatory
35 agency proceedings. ~~licensed to practice law in Indiana.~~

36 (d) The counselor shall apply the counselor's full efforts to the
37 duties of the office and may not engage in any occupation, practice,
38 profession or business that would conflict with the duties of the office.

39 SECTION 18. IC 8-1-1.1-7, AS AMENDED BY P.L.53-2014,
40 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2026]: Sec. 7. (a) There is created the advisory council to the
42 office of the utility consumer counselor. ~~The council consists of nine~~
43 ~~(9)~~ members. Each Indiana congressional district ~~must shall~~ be
44 represented by at least one (1) individual appointed ~~elected to the~~
45 ~~advisory council~~ under this section who is a resident of that
46 congressional district. However, the reduction in membership of the

1 council from ten (10) members to nine (9) shall be accomplished as the
 2 terms of members end and new members are appointed. Until the
 3 expiration of the term of a member who is serving on the council on
 4 January 1, 2014, and resides in the same congressional district as
 5 another member, the council consists of ten (10) members.
 6 **IC 3-10-2-6.**

7 (b) **Except as provided in subsection (c),** members of the council
 8 including those filling vacancies occurring in the council membership,
 9 shall be appointed by the governor. All members shall be appointed to
 10 serve a term of four (4) years. ~~except those~~

11 (c) **After November 6, 2028, if a vacancy occurs in the** membership of the council, the consumer counselor shall appoint a successor member who:

14 (1) **resides in the congressional district left unrepresented by** the vacancy; and

16 (2) **is a representative of a sector of the Indiana economy,** including agriculture, business and industry, labor, and local government.

19 A member who ~~have been~~ is appointed to fill a vacancy in the membership of the council whose term will be serves for the unexpired portion of the term. All members shall serve until their successor has been duly appointed and qualified.

23 (e) The membership shall be representative of the various sectors of Indiana economy, including, but not limited to: agriculture, business and industry, labor, and local government.

26 (d) The members of the council shall annually elect of themselves a chairman.

28 (e) Members of the council are entitled to receive per diem and travel expense reimbursement at the standard rates provided for state employees for expenses they incur in the performance of their duties under this chapter subject to the approval of the consumer counselor.

32 SECTION 19. IC 8-1-1-9.1, AS AMENDED BY P.L.9-2024, SECTION 278, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 9.1. (a) The governor utility consumer counselor may appoint a deputy consumer counselor for Washington affairs. The utility consumer counselor may advise the governor in the appointment of a deputy consumer counselor for Washington affairs.

39 (b) The deputy consumer counselor shall serve for a term of four (4) years at a salary to be fixed by the governor. utility consumer counselor. The deputy shall serve at the pleasure of the governor. utility consumer counselor. The deputy consumer counselor shall must be a practicing an attorney licensed to practice law in Indiana, and qualified by knowledge and experience to practice in utility regulatory agency proceedings. The deputy consumer counselor shall apply full efforts to the duties of the office and may not be actively

1 engaged in any other occupation, practice, profession, or business.

2 (c) The deputy consumer counselor may appear on behalf of

3 ratepayers, consumers, and the public in:

4 (1) hearings before the federal energy regulatory commission;

5 (2) appeals from the orders of the federal energy regulatory

6 commission; and

7 (3) all other proceedings, including proceedings before federal

8 agencies, and suits and actions in which the subject matter of the

9 action affects the consumers of a utility, motor carrier, or railroad

10 doing business in Indiana.

11 (d) The deputy consumer counselor may establish and maintain an

12 office in Washington, D.C. The deputy consumer counselor may, with

13 the approval of the consumer counselor, the governor, and the budget

14 agency employ and fix the compensation of accountants, utility

15 economists, engineers, attorneys, stenographers, or other assistance

16 necessary to carry out the duties of the office of the deputy consumer

17 counselor. The compensation of the deputy consumer counselor and the

18 staff shall be paid from an appropriation made for that purpose by the

19 general assembly, or with the approval of the governor and the budget

20 agency, from the contingency fund established under IC 8-1-6-1.

21 (e) The deputy consumer counselor may employ, with the approval

22 of the consumer counselor, the governor, and the budget agency,

23 additional stenographers, examiners, experts, engineers, assistant

24 counselors, accountants, and consulting firms with expertise in utility,

25 motor carrier, or railroad economics or management or both, at salaries

26 and compensation and for a length of time as the consumer counselor,

27 the governor, and the budget agency may approve for a particular case

28 or investigation. The compensation for additional personnel together

29 with the cost of transportation, hotel, telegram, and telephone bills

30 while traveling on public business shall be paid from the expert witness

31 fee account, or, with the approval of the governor and the budget

32 agency, from the contingency fund established under IC 8-1-6-1 on

33 warrants drawn by the state comptroller, sworn to by the parties who

34 incurred the expenses.

35 (f) Any expenses incurred by the regular staff of the office of the

36 deputy consumer counselor and approved by the deputy consumer

37 counselor shall be charged and paid from the contingency fund

38 established under IC 8-1-6-1.

39 SECTION 20. IC 8-1-1.9.2 IS ADDED TO THE INDIANA

40 CODE AS A NEW SECTION TO READ AS FOLLOWS

41 [EFFECTIVE JULY 1, 2026]: Sec. 9.2. **(a) The following apply**

42 **before November 7, 2028:**

43 **(1) Subject to subsection (b), the utility consumer counselor**

44 **serving on July 1, 2026, serves until the expiration of the**

45 **counselor's term.**

46 **(2) The governor shall appoint a successor counselor if a**

1 **vacancy occurs in the office of the utility consumer counselor.**
2 **(b) A counselor serving or appointed under subsection (a) serves**
3 **at the will and pleasure of the governor.**

4 **(c) A counselor serving or appointed under subsection (a) serves**
5 **at a salary fixed by the governor.**

6 **(d) A counselor serving or appointed under subsection (a) must**
7 **be qualified by knowledge and experience to practice in utility**
8 **regulatory agency proceedings.**

9 **(e) The term of a counselor serving or appointed under**
10 **subsection (a) expires upon the election of a counselor under**
11 **IC 3-10-2-6.**

12 **(f) This section expires December 31, 2028.**

13 **SECTION 21. IC 8-1-1.1-9.3 IS ADDED TO THE INDIANA**
14 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
15 **[EFFECTIVE JULY 1, 2026]: Sec. 9.3. (a) The following apply**
16 **before November 7, 2028:**

17 **(1) A member of the council serving on July 1, 2026, serves**
18 **until the expiration of the member's term.**

19 **(2) If a vacancy occurs in the membership of the council, the**
20 **governor shall appoint a successor member who resides in the**
21 **congressional district left unrepresented by the vacancy.**

22 **(3) The membership of the council must be representative of**
23 **the various sectors of the Indiana economy, including**
24 **agriculture, business and industry, labor, and local**
25 **government.**

26 **(b) The term of a member of the council who is serving or**
27 **appointed under subsection (a) expires upon the election under**
28 **IC 3-10-2-6 of a member to represent the congressional district**
29 **that is represented by the member who is serving or appointed**
30 **under subsection (a).**

31 **(c) This section expires December 31, 2028.**

32 **SECTION 22. IC 8-1-1.1-9.4 IS ADDED TO THE INDIANA**
33 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
34 **[EFFECTIVE JULY 1, 2026]: Sec. 9.4. (a) The following apply**
35 **before November 7, 2028:**

36 **(1) Subject to subsection (b), the deputy consumer counselor**
37 **serving on July 1, 2026, serves until the expiration of the**
38 **deputy consumer counselor's term.**

39 **(2) The governor shall appoint a successor deputy consumer**
40 **counselor if a vacancy occurs in the office of the deputy**
41 **consumer counselor.**

42 **(b) A deputy consumer counselor serving or appointed under**
43 **subsection (a) serves at the will and pleasure of the governor.**

44 **(c) A deputy consumer counselor serving or appointed under**
45 **subsection (a) serves at a salary fixed by the governor.**

46 **(d) The term of a counselor serving or appointed under**
47 **subsection (a) expires upon the appointment of a deputy consumer**

1 **counselor by a consumer counselor elected under IC 3-10-2-6.**
2 **(e) This section expires December 31, 2028.**
3 SECTION 23. IC 8-1-1.5-2 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. ~~As used in The~~
5 **following definitions apply throughout** this chapter:
6 **(1) "Nominating committee" or "committee" means the**
7 **nominating committee established by section 3 of this chapter.**
8 **(2) "Vacancy" means an opening on the membership of the**
9 **commission or nominating committee which occurs by reason of**
10 **death, retirement, resignation, removal, expiration of term without**
11 **reappointment or appointment of a successor member (before**
12 **November 7, 2028), or election of a successor member (after**
13 **November 6, 2028).**".

14 Renumber all SECTIONS consecutively.
(Reference is to HB 1002 as printed January 22, 2026.)

Representative Andrade