



PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1055 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 IC 3-10-6-2.5 IS REPEALED [EFFECTIVE JULY 1,
4 2026]. Sec. 2.5. (a) This section does not apply to a town located
5 wholly or partially within a county having a consolidated city unless
6 the town has a population of more than one thousand (1,000) and less
7 than one thousand four hundred (1,400).
8 (b) This section applies to a town that has not adopted an ordinance:
9 (1) under IC 18-3-1-16(b) (before its repeal on September 1,
10 1981); or
11 (2) in 1982 under P.L. 13-1982, SECTION 3 (before its expiration
12 on January 1, 1988).
13 (c) Notwithstanding section 6 of this chapter, a town may adopt an
14 ordinance during the year preceding a municipal election conducted
15 under section 2 of this chapter prescribing the length of the term of
16 office for town legislative body members elected in the municipal
17 election.
18 (d) The ordinance must provide that:
19 (1) no more than fifty percent (50%) of the members will be
20 elected for terms of three (3) years beginning at noon January 1
21 following the municipal election under section 2 of this chapter;

and

(2) the remainder of the members will be elected for terms of four

(4) years beginning at noon January 1 following the election:

(c) An ordinance described in this section or an ordinance repealing an ordinance described in this section is effective upon filing the ordinance with the circuit court clerk of the county in which the largest percentage of the town is located:

SECTION 2. IC 3-10-6-2.6 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 2.6: (a) This section does not apply to a town located wholly or partially within a county having a consolidated city:

(b) This section applies to a town that has adopted an ordinance:

(1) under IC 18-3-1-16(b) (before its repeal on September 1, 1981); or

(2) in 1982 under P.L.13-1982, SECTION 3 (before its expiration on January 1, 1988):

(c) A town may adopt an ordinance during a year in which an election of town legislative body members, a town clerk-treasurer, or a town judge will not occur under section 3 of this chapter:

(d) The ordinance described in subsection (c) must provide that:

(1) the town legislative body members, clerk-treasurer, or judge elected at the next municipal election not conducted in a general election year serve terms of one (1) year; and

(2) the successors of the town legislative body members, clerk-treasurer, or judge described in subdivision (1) shall be chosen at the first general election following the municipal election and serve terms of four (4) years:

SECTION 3. IC 3-10-6-3, AS AMENDED BY P.L.141-2023, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) Notwithstanding section 2 of this chapter, in a town that adopted an ordinance under IC 18-3-1-16(b) (before its repeal on September 1, 1981), P.L.13-1982, SECTION 3 (before its expiration on January 1, 1988), or section 2.5 of this chapter (**before its repeal**) each political party shall, at the primary election in:

(1) May 2026, 2030, 2034, 2038, 2042, and every four (4) years thereafter; and

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

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

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

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

(2) May 2026, 2030, 2034, 2038, 2042, and every four (4) years thereafter;
 nominate candidates for the election to be held under section 6(b) of this chapter, unless a primary election is not required under section 4 of this chapter. The primary election shall be conducted under this chapter.

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

SECTION 4. IC 3-10-6-4.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4.5. (a) Notwithstanding section 2 of this chapter, this section applies to a town with a legislative body that adopts an ordinance under IC 36-5-2-4.5 **before July 1, 2026.**

(b) Unless a primary election is not required under section 4 of this chapter, a primary election shall be held in a town under this section at both of the following times:

(1) During a year that municipal elections are held under section 5 of this chapter.

(2) At the time of the primary election held in the year stated in an ordinance adopted under IC 36-5-2-4.5(c)(2).

(c) At a primary election held under subsection (b), a political party with a nominee who receives at least ten percent (10%) of the votes cast in the state for secretary of state at the most recent election for secretary of state shall nominate candidates for the following town offices:

(1) At the time of the primary held in the town under subsection (b)(1), the following candidates:

(A) Four (4) candidates for the town legislative body, three (3) of whom are elected from districts and one (1) who is elected at large. If the town legislative body adopts an ordinance under IC 36-5-2-4.5(e), all candidates are elected from districts.

(B) Candidates for all other town offices other than the town legislative body.

(2) At the time of the primary election held under subsection (b)(2), three (3) candidates for the town legislative body, two (2) of whom are elected from districts and one (1) who is elected at large. If the town legislative body adopts an ordinance under IC 36-5-2-4.5(e), all candidates are elected from districts.

The primary election is conducted under this chapter.

(d) Notwithstanding section 5 of this chapter, an election to fill town offices under this section is held as follows:

(1) During a year municipal elections are held under section 5 of this chapter, the following town offices are elected:

(A) Four (4) members of the town legislative body, three (3) of whom are elected from districts and one (1) who is elected at large. If the town legislative body adopts an ordinance under IC 36-5-2-4.5(e), all members are elected from districts.

(B) All other town offices other than the town legislative body.

(2) During a year in which candidates for the town legislative body are nominated under subsection (c)(2), three (3) members of the town legislative body, two (2) of whom are elected from districts and one (1) who is elected at large. If the town legislative body adopts an ordinance under IC 36-5-2-4.5(e), all members are elected from districts.

The election shall be conducted under this chapter.

SECTION 5. IC 3-10-6-6, AS AMENDED BY P.L.141-2023, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 6. (a) Notwithstanding section 5 of this chapter, a town that adopted an ordinance under IC 18-3-1-16(b) (before its repeal on September 1, 1981), P.L.13-1982, SECTION 3 (before its expiration on January 1, 1988), or section 2.5 of this chapter (**before its repeal**) shall:

(1) at the general election in November 2022, 2026, 2030, 2034, 2038, 2042, and every four (4) years thereafter; and

(2) at the municipal election in November 2023, 2027, 2031, 2035, 2039, 2043, and every four (4) years thereafter;

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

(b) Notwithstanding section 5 of this chapter, a town that adopted an ordinance under section 2.6 of this chapter (**before its repeal**) shall:

(1) at the general election in November 2024, 2028, 2032, 2036, 2040, 2044, and every four (4) years thereafter; and

(2) at the general election in November 2022, 2026, 2030, 2034, 2038, 2042, and every four (4) years thereafter;

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

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

Page 1, after line 9, begin a new paragraph and insert:

"SECTION 7. IC 3-10-6.5-8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: **Sec. 8. (a) Subject to subsections (b) and (c), the amendments made by HEA 1055-2026 do not invalidate or impair an ordinance adopted before July 1, 2026, under IC 3-10-6-2.5, IC 3-10-6-2.6, IC 3-10-7-2.5, IC 3-10-7-2.7, IC 3-10-7-2.9, or IC 36-5-2-4.5.**

(b) An ordinance described in subsection (a):

(1) may not be repealed earlier than twelve (12) years after the ordinance was adopted; and

(2) may be repealed only in a year preceding a municipal election held at the time described in IC 3-10-6-5.

(c) An ordinance under subsection (b) repealing an ordinance described in subsection (a) takes effect when the ordinance is filed with the circuit court clerk of the county in which the largest percentage of the population of the municipality is located.

SECTION 8. IC 3-10-7-2.5 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 2.5. (a) This section does not apply to a town located wholly or partially within a county having a consolidated city unless the town has a population of more than one thousand (1,000) and less than one thousand four hundred (1,400).~~

~~(b) A town may adopt an ordinance under IC 3-10-6-2.5, if the town has not adopted an ordinance under IC 18-3-1-16(b) (before its repeal on September 1, 1981) or P.L.13-1982; SECTION 3 (before its expiration on January 1, 1988).~~

SECTION 9. IC 3-10-7-2.7 IS REPEALED [EFFECTIVE JULY 1, 2026]. ~~Sec. 2.7. (a) This section does not apply to a town located wholly or partially within a county having a consolidated city.~~

~~(b) A town may adopt an ordinance during the year preceding a municipal election conducted under section 2 of this chapter prescribing the length of the term of office for municipal officers and changing the time municipal elections are held.~~

~~(c) The ordinance described in subsection (b) must provide all of the following:~~

~~(1) The town legislative body members, clerk-treasurer, or judge elected at the next municipal election not conducted in a general election year serve a term of three (3) years.~~

~~(2) The successors of the town legislative body members, clerk-treasurer, or judge described in subdivision (1) shall be chosen at the second general election following the municipal election and serve a term of four (4) years.~~

~~(3) The municipal elections for town offices shall be held during a general election.~~

~~(d) A town may repeal an ordinance adopted under subsection (b) subject to both of the following:~~

(1) The ordinance may not be repealed earlier than twelve (12) years after the ordinance was adopted:

(2) The ordinance may be repealed only in a year preceding a municipal election held at the time described in IC 3-10-6-5:

(c) An ordinance described in subsection (b) or an ordinance repealing an ordinance previously adopted under subsection (b) takes effect when the ordinance is filed with the circuit court clerk of the county in which the largest percentage of the population of the town is located:

SECTION 10. IC 3-10-7-2.9 IS REPEALED [EFFECTIVE JULY 1, 2026]. Sec. 2-9: (a) This section does not apply to a town located wholly or partially within a county having a consolidated city:

(b) During the year preceding a municipal election conducted under section 2 of this chapter, a town may adopt an ordinance changing the time municipal elections are held for the offices of the town legislative body members, clerk-treasurer, and judge:

(c) The ordinance described in subsection (b) must provide all the following:

(1) The years in which town elections shall be held: A town election may not be held in a year following a year in which an election for presidential electors is held:

(2) That the elections for town offices shall be held during general elections or municipal elections, or both:

(3) Which town officers are to be elected in each of the years of the town election cycle: The ordinance must provide that at least two (2) town officers shall be elected in each year of the town election cycle: The ordinance may provide for all town officers to be elected at the same election:

(4) The term of office of each town officer elected in the first election cycle after adoption of the ordinance: A term of office set under this subdivision may not exceed four (4) years:

(5) That the term of office of each town officer elected after the first election cycle after adoption of the ordinance is four (4) years:

(6) That the term of office of each town officer begins on January 1 after the election:

(d) A town may repeal an ordinance adopted under subsection (b) subject to both of the following:

(1) The ordinance may not be repealed earlier than twelve (12) years after the ordinance was adopted:

(2) The ordinance may be repealed only in a year preceding a municipal election held at the time described in IC 3-10-6-5:

(c) An ordinance described in subsection (b) or an ordinance repealing an ordinance previously adopted under subsection (b) takes effect when the ordinance is filed with the circuit court clerk of the county in which the largest percentage of the population of the town is

1 ~~located:~~

2 SECTION 11. IC 3-10-7-3 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. If a town has
4 established staggered terms for its town council, or has adopted an
5 ordinance under section 2.7 or 2.9 of this chapter **(before their**
6 **repeal)**, the county election board shall conduct a municipal election
7 in that town that coincides with a general election.

8 SECTION 12. IC 33-35-1-2 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 2. (a) This section
10 applies to a town that:

- 11 (1) adopts an ordinance under IC 3-10-6-2.6 **(before its repeal)**;
12 and
13 (2) subsequently adopts an ordinance to establish a town court
14 under section 1 of this chapter.

15 (b) Notwithstanding section 1 of this chapter, the judge of the town
16 court shall be elected at the next municipal election not conducted in
17 a general election year. The successors of the judge shall be elected at
18 the first general election following the municipal election and every
19 four (4) years thereafter.

20 SECTION 13. IC 33-35-1-3, AS AMENDED BY P.L.109-2015,
21 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2026]: Sec. 3. (a) The judge of a city or town court shall be
23 elected under IC 3-10-6 or IC 3-10-7 by the voters of the city or town.

24 (b) Except as provided in subsections (c), (d), and (e), the term of
25 office of a judge elected under this section is four (4) years, beginning
26 at noon January 1 after election and continuing until a successor is
27 elected and qualified.

28 (c) This subsection applies to a town that adopts an ordinance under
29 IC 3-10-6-2.6 **(before its repeal)**. The term of office of:

- 30 (1) a judge elected at the next municipal election not conducted
31 in a general election year is one (1) year; and
32 (2) the successors to the judge described in subdivision (1) is four
33 (4) years;

34 beginning at noon January 1 after election and continuing until a
35 successor is elected and qualified.

36 (d) This subsection applies to a town that adopts an ordinance under
37 IC 3-10-7-2.7 **(before its repeal)**. The term of office of:

- 38 (1) a judge elected at the next municipal election not conducted
39 in a general election year is three (3) years; and
40 (2) the successors to the judge described in subdivision (1) is four
41 (4) years;

42 beginning noon January 1 after election and continuing until a
43 successor is elected and qualified.

44 (e) This subsection applies to a town that adopts an ordinance under
45 IC 3-10-7-2.9 **(before its repeal)**. The term of office of:

- 46 (1) a judge elected in the first election cycle after adoption of the

ordinance is the term of office provided by the ordinance, not to exceed four (4) years; and

(2) the successors of the judge described in subdivision (1) is four (4) years.

(f) Before beginning the duties of office, the judge shall, in the manner prescribed by IC 5-4-1, execute a bond conditioned upon the faithful discharge of the duties of office.

SECTION 14. IC 36-5-2-3, AS AMENDED BY P.L.109-2015, SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) Except as provided in subsection (b), (c), (d), (e), (f), or (g), the term of office of a member of the legislative body is four (4) years, beginning at noon January 1 after the member's election and continuing until the member's successor is elected and qualified.

(b) The term of office of a member of the legislative body appointed to fill a vacancy resulting from an increase in the number of town legislative body members under section 4.2 of this chapter:

(1) begins when the ordinance increasing the number of legislative body members takes effect, or when the member is appointed under IC 3-13-9-4, if the appointment is made after the ordinance takes effect; and

(2) continues until noon January 1 following the next municipal election scheduled under IC 3-10-6-5 or IC 3-10-7-6 and until the member's successor is elected and qualified.

(c) The term of office of a member of the legislative body elected under IC 36-5-1-10.1 following the incorporation of the town:

(1) begins at noon November 30 following the election; and

(2) continues until noon January 1 following the next municipal election scheduled under IC 3-10-6-5 or IC 3-10-7-6 and until the member's successor is elected and qualified.

(d) The term of office of a member of the legislative body subject to IC 3-10-6-2.5(d)(1) **(before its repeal)** is three (3) years, beginning at noon January 1 after the member's election and continuing until the member's successor is elected and qualified.

(e) The term of office of a member of a legislative body subject to an ordinance described by IC 3-10-6-2.6 **(before its repeal)** is one (1) year, beginning at noon January 1 after the member's election and continuing until the member's successor is elected and qualified.

(f) The term of office of a member of a legislative body subject to an ordinance described by IC 3-10-7-2.7 **(before its repeal)** is:

(1) three (3) years if the member is elected at the next municipal election not conducted in a general election year; and

(2) four (4) years for the successors of a member of a legislative body described in subdivision (1);

beginning noon January 1 after election and continuing until a successor is elected and qualified.

(g) The term of office of a member of a legislative body subject to an ordinance described by IC 3-10-7-2.9 **(before its repeal)** is:

- (1) the term of office provided by the ordinance, not to exceed four (4) years, for a member of the legislative body elected in the first election cycle after adoption of the ordinance; and
- (2) four (4) years for the successors of the member of a legislative body described in subdivision (1).

SECTION 15. IC 36-5-2-4.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 4.5. (a) This section applies to a town if both of the following apply:

- (1) The town has a population of more than ten thousand (10,000).

- (2) The town legislative body adopts an ordinance **before July 1, 2026**, adopting the provisions of this section. A town may not adopt an ordinance under this section during a year in which municipal elections are held under IC 3-10-6-5.

(b) A town legislative body has the following members:

- (1) Five (5) members, each elected by the voters of a district. The districts are established by ordinance by the town legislative body as provided in this chapter.

- (2) Two (2) members elected at large by all the voters of the town.

(c) An ordinance adopted under this section must provide for the following:

- (1) Four (4) members of the legislative body are elected during a year that municipal elections are held under IC 3-10-6-5.

- (2) Three (3) members of the legislative body are elected either:

- (A) during the year before the year described in subdivision (1); or

- (B) during the year after the year described in subdivision (1).

The year for elections under this subdivision must be chosen so that during the elections held for the town legislative body under subdivision (4), a member of the town legislative body does not serve a term of more than four (4) years.

- (3) The members of the legislative body elected at large may not be elected at the same time.

- (4) At the first two (2) elections after the ordinance is adopted, members are elected to serve the following terms:

- (A) Two (2) members elected under subdivision (1) are elected to a four (4) year term and two (2) members elected under subdivision (1) are elected to a three (3) year term.

- (B) Two (2) members elected under subdivision (2) are elected to a four (4) year term and one (1) member elected under subdivision (2) is elected to a three (3) year term.

The ordinance must provide a random procedure to determine which members serve four (4) year terms and which members serve three (3) year terms.

(5) A member of the town council elected after the elections described in subdivision (4) serves a term of four (4) years.

(6) The term of office of a member begins at noon January 1 after the member's election.

(d) An ordinance adopted under this section may provide that before the first election after adoption of the ordinance, members of the town legislative body added to the legislative body by the ordinance may be appointed to the legislative body by a vote of the current members of the legislative body.

(e) After the first two (2) elections held as described in subsection (c)(4), the town legislative body may adopt an ordinance to do the following:

(1) Divide the town into seven (7) districts.

(2) Provide that the members elected at large are each elected from a district.

An ordinance adopted under this subsection must comply with this chapter in establishing the districts and provide details to provide a transition from electing two (2) members at large to electing all members from districts.

(f) Subject to this section, members of the town legislative body are elected as provided in IC 3-10-6-4.5.

SECTION 16. IC 36-5-6-3, AS AMENDED BY P.L.56-2022, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 3. (a) The clerk-treasurer must reside within the town as provided in Article 6, Section 6 of the Constitution of the State of Indiana. The clerk-treasurer forfeits office if the clerk-treasurer ceases to be a resident of the town. An individual who resides in territory that is annexed by the town before the election is considered a resident of the town for purposes of this subsection, even if the annexation took effect less than one (1) year before the election.

(b) Except as provided in subsection (c), (d), (e), or (f), the term of office of the clerk-treasurer is four (4) years, beginning at noon January 1 after election and continuing until a successor is elected and qualified.

(c) The term of office of a clerk-treasurer elected under IC 36-5-1-10.1 following the incorporation of the town:

(1) begins at noon November 30 following the election; and

(2) continues until noon January 1 following the next municipal election scheduled under IC 3-10-6-5 or IC 3-10-7-6 and until the clerk-treasurer's successor is elected and qualified.

(d) The term of office of a clerk-treasurer subject to an ordinance described by IC 3-10-6-2.6 (**before its repeal**) is:

(1) one (1) year if the clerk-treasurer is elected at the next municipal election not conducted in a general election year; and

(2) four (4) years for the successors of the clerk-treasurer described in subdivision (1);

1 beginning at noon January 1 after the clerk-treasurer's election and
2 continuing until the clerk-treasurer's successor is elected and qualified.
3 (e) The term of office of a clerk-treasurer subject to an ordinance
4 described by IC 3-10-7-2.7 **(before its repeal)** is:
5 (1) three (3) years if the clerk-treasurer is elected at the next
6 municipal election not conducted in a general election year; and
7 (2) four (4) years for the successors of the clerk-treasurer
8 described in subdivision (1);
9 beginning noon January 1 after the clerk-treasurer's election and
10 continuing until the clerk-treasurer's successor is elected and qualified.
11 (f) The term of office of a clerk-treasurer subject to an ordinance
12 described by IC 3-10-7-2.9 **(before its repeal)** is:
13 (1) the term of office provided by the ordinance, not to exceed
14 four (4) years, for the clerk-treasurer elected in the first election
15 cycle after adoption of the ordinance; and
16 (2) four (4) years for the successors of the clerk-treasurer
17 described in subdivision (1).".
18 Renumber all SECTIONS consecutively.
(Reference is to HB 1055 as printed January 14, 2026.)

Representative Pryor