

HOUSE BILL No. 1068

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-11; IC 8-1-1.

Synopsis: Retention of IURC commissioners. Provides that a commissioner of the Indiana utility regulatory commission (IURC) may serve an additional term as a commissioner only if the commissioner's retention for an additional term is approved by voters at a general election.

Effective: Upon passage.

Moseley

December 5, 2025, read first time and referred to Committee on Utilities, Energy and Telecommunications.



Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

HOUSE BILL No. 1068

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 3-11-2-14.1 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: **Sec. 14.1. (a) Candidates for retention as a**
4 **member of the Indiana utility regulatory commission under**
5 **IC 8-1-1-2.1 shall be placed on the ballot:**

6 (1) after the offices described in section 14 of this chapter;

7 (2) in a separate column on the ballot; and

8 (3) in alphabetical order according to surname.

9 (b) If the ballot includes one (1) or more candidates for
10 retention as a member of the Indiana utility regulatory
11 commission, the ballot must contain a statement that reads
12 substantially as follows: "To vote regarding whether to retain a
13 commissioner of the Indiana utility regulatory commission, you
14 must indicate a vote of either "yes" or "no" in response to the
15 question of the commissioner's retention. A straight party vote will
16 not count as a vote for or against retention of a commissioner.".

17 SECTION 2. IC 3-11-13-11, AS AMENDED BY P.L.195-2025,



SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) The ballot information, whether placed on the ballot card or on the marking device, must be in the order of arrangement provided for ballots under this section.

(b) Each county election board shall have the names of all candidates for all elected offices, political party offices, and public questions printed on a ballot card as provided in this chapter. The county may:

(1) print all offices and questions on a single ballot card; and

(2) include a ballot variation code to ensure that the proper version of a ballot is used within a precinct.

(c) Each type of ballot card must be of uniform size and of the same quality and color of paper (except as permitted under IC 3-10-1-17).

(d) The nominees of a political party or an independent candidate or independent ticket (described in IC 3-11-2-6) nominated by petitioners shall be listed on the ballot with the name and device set forth on the certification or petition. The circle containing the device may be of any size that permits a voter to readily identify the device. IC 3-11-2-5 applies if the certification or petition does not include a name or device, or if the same device is selected by two (2) or more parties or petitioners. In the case of a candidate described in IC 3-8-2.5-2.5(a)(5)(C), a blank space after the candidate's name signifying that the candidate elects not to disclose any affiliation with a political party or that the candidate:

(1) is not affiliated with a political party; and

(2) does not identify as an independent candidate.

(e) The offices and public questions on the general election ballot must be placed on the ballot in the order listed in IC 3-11-2-12, IC 3-11-2-12.4, IC 3-11-2-12.5, IC 3-11-2-12.7(b), IC 3-11-2-12.9(a), IC 3-11-2-12.9(c), IC 3-11-2-13(a) through IC 3-11-2-13(c), IC 3-11-2-14(a), IC 3-11-2-14(d), ~~and~~ IC 3-11-2-14(e), **and IC 3-11-2-14.1(a)**. The offices and public questions may be listed in a continuous column either vertically or horizontally and on a number of separate pages.

(f) The name of each office must be printed in a uniform size in bold type. A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate:

(1) "Vote for one (1) only.", if only one (1) candidate is to be elected to the office.

(2) "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office. To vote for any candidate for



1 this office, you must make a voting mark for each candidate you
 2 wish to vote for. A straight party vote will not count as a vote for
 3 any candidate for this office.", if more than one (1) candidate is to
 4 be elected to the office.

5 (3) "Vote for one (1) only. A straight party vote will not count as
 6 a vote for any candidate for this office.", if only one (1) candidate
 7 is to be elected to a school board office.

8 (g) Below the name of the office and the statement required by
 9 subsection (f), the names of the candidates for each office must be
 10 grouped together in the following order:

11 (1) The major political party whose candidate received the highest
 12 number of votes in the county for secretary of state at the last
 13 election is listed first.

14 (2) The major political party whose candidate received the second
 15 highest number of votes in the county for secretary of state is
 16 listed second.

17 (3) All other political parties listed in the order that the parties'
 18 candidates for secretary of state finished in the last election are
 19 listed after the party listed in subdivision (2).

20 (4) If a political party did not have a candidate for secretary of
 21 state in the last election or a nominee is an independent candidate
 22 or independent ticket (described in IC 3-11-2-6), the party or
 23 candidate is listed after the parties described in subdivisions (1),
 24 (2), and (3).

25 (5) If more than one (1) political party or independent candidate
 26 or ticket described in subdivision (4) qualifies to be on the ballot,
 27 the parties, candidates, or tickets are listed in the order in which
 28 the party filed its petition of nomination under IC 3-8-6-12.

29 (6) The name of a candidate described in IC 3-8-2.5-2.5(a)(5)(C)
 30 is placed after the candidates listed in subdivisions (1) through
 31 (5), if applicable.

32 (7) A space for write-in voting is placed after the candidates listed
 33 in subdivisions (1) through (6), if required by law.

34 (8) The name of a write-in candidate may not be listed on the
 35 ballot.

36 (h) The names of the candidates grouped in the order established by
 37 subsection (g) must be printed in type with uniform capital letters and
 38 have a uniform space between each name. The name of the candidate's
 39 political party, or the word "Independent" if the:

40 (1) candidate; or

41 (2) ticket of candidates for:

42 (A) President and Vice President of the United States; or



(B) governor and lieutenant governor; is independent, must be placed immediately below or beside the name of the candidate and must be printed in a uniform size and type. In the case of a candidate described in IC 3-8-2.5-2.5(a)(5)(C), the name of the candidate must be printed with a blank space after the candidate's name signifying that the candidate elects not to disclose any affiliation with a political party or that the candidate is not affiliated with a political party and does not identify as an independent candidate.

(i) All the candidates of the same political party for election to at-large seats on the fiscal or legislative body of a political subdivision must be grouped together:

- (1) under the name of the office that the candidates are seeking;
- (2) in the order established by subsection (g); and
- (3) within the political party, in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) of ANY party for this office."

(j) Candidates for election to at-large seats on the governing body of a school corporation must be grouped:

- (1) under the name of the office that the candidates are seeking; and
- (2) in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office. A straight party vote will not count as a vote for any candidate for this office."

(k) The following information must be placed at the top of the ballot before the first public question is listed:

- (1) The cautionary statement described in IC 3-11-2-7.
- (2) The instructions described in IC 3-11-2-8, IC 3-11-2-10(d), and IC 3-11-2-10(e).

(l) The ballot must include a single connectable arrow, circle, oval, or square, or a voting position for voting a straight party ticket by one (1) mark as required by section 14 of this chapter, and the single connectable arrow, circle, oval, or square, or the voting position for casting a straight party ticket ballot must be identified by:

- (1) the name of the political party; and
- (2) immediately below or beside the political party's name, the device of that party (described in IC 3-11-2-5).



The name and device of each political party must be of uniform size and type and arranged in the order established by subsection (g) for listing candidates under each office. The instructions described in IC 3-11-2-10(c) for voting a straight party ticket and the statement concerning presidential electors required under IC 3-10-4-3 must be placed on the ballot label. The instructions for voting a straight party ticket must include the statement: "If you do not wish to vote a straight party ticket, do not make a mark in this section and proceed to voting the ballot by office."

(m) A public question must be in the form described in IC 3-11-2-15(a) and IC 3-11-2-15(b), except that a single connectable arrow, a circle, or an oval may be used instead of a square. Except as expressly authorized or required by statute, a county election board may not print a ballot card that contains language concerning the public question other than the language authorized by a statute.

(n) The requirements in this section:

- (1) do not replace; and
- (2) are in addition to;

any other requirements in this title that apply to optical scan ballots.

(o) The procedure described in IC 3-11-2-16 must be used when a ballot does not comply with the requirements imposed by this title or contains another error or omission that might result in confusion or mistakes by voters.

(p) This subsection applies to an optical scan ballot that does not list:

- (1) the names of political parties or candidates; or
- (2) the text of public questions;

on the face of the ballot. The ballot must be prepared in accordance with this section, except that the ballot must include a numbered circle or oval to refer to each political party, candidate, or public question.

SECTION 3. IC 3-11-14-3.5, AS AMENDED BY P.L.195-2025, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3.5. (a) Each county election board shall have the names of all candidates for all elected offices, political party offices, and public questions printed on ballot labels for use in an electronic voting system as provided in this chapter.

(b) The county may:

- (1) print all offices and public questions on a single ballot label; and
- (2) include a ballot variation code to ensure that the proper version of a ballot label is used within a precinct.

(c) Each type of ballot label must be of uniform size and of the same



quality and color of paper (except as permitted under IC 3-10-1-17).

(d) The nominees of a political party or an independent candidate or independent ticket (described in IC 3-11-2-6) nominated by petitioners must be listed on the ballot label with the name and device set forth on the certification or petition. The circle containing the device may be of any size that permits a voter to readily identify the device. IC 3-11-2-5 applies if the certification or petition does not include a name or device, or if the same device is selected by two (2) or more parties or petitioners. In the case of a candidate described in IC 3-8-2.5-2.5(a)(5)(C), a blank space after the candidate's name signifying that the candidate elects not to disclose any affiliation with a political party or that the candidate:

(1) is not affiliated with a political party; and

(2) does not identify as an independent candidate.

(e) The ballot labels must list the offices and public questions on the general election ballot in the order listed in IC 3-11-2-12, IC 3-11-2-12.4, IC 3-11-2-12.5, IC 3-11-2-12.7(b), IC 3-11-2-12.9(a), IC 3-11-2-12.9(c), IC 3-11-2-13(a) through IC 3-11-2-13(c), IC 3-11-2-14(a), IC 3-11-2-14(d), ~~and~~ IC 3-11-2-14(e), **and IC 3-11-2-14.1(a)**. Each office and public question may have a separate screen, or the offices and public questions may be listed in a continuous column either vertically or horizontally.

(f) The name of each office must be printed in a uniform size in bold type. A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate:

(1) "Vote for one (1) only.", if only one (1) candidate is to be elected to the office.

(2) "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office. To vote for any candidate for this office, you must make a voting mark for each candidate you wish to vote for. A straight party vote will not count as a vote for any candidate for this office.", if more than one (1) candidate is to be elected to the office.

(3) "Vote for one (1) only. A straight party vote will not count as a vote for any candidate for this office.", if only one (1) candidate is to be elected to a school board office.

(g) Below the name of the office and the statement required by subsection (f), the names of the candidates for each office must be grouped together in the following order:

(1) The major political party whose candidate received the highest number of votes in the county for secretary of state at the last



election is listed first.

(2) The major political party whose candidate received the second highest number of votes in the county for secretary of state is listed second.

(3) All other political parties listed in the order that the parties' candidates for secretary of state finished in the last election are listed after the party listed in subdivision (2).

(4) If a political party did not have a candidate for secretary of state in the last election or a nominee is an independent candidate or independent ticket (described in IC 3-11-2-6), the party or candidate is listed after the parties described in subdivisions (1), (2), and (3).

(5) If more than one (1) political party or independent candidate or ticket described in subdivision (4) qualifies to be on the ballot, the parties, candidates, or tickets are listed in the order in which the party filed its petition of nomination under IC 3-8-6-12.

(6) The name of a candidate described in IC 3-8-2.5-2.5(a)(5)(C) is placed after the candidates listed in subdivisions (1) through (5), if applicable.

(7) A space for write-in voting is placed after the candidates listed in subdivisions (1) through (6), if required by law. A space for write-in voting for an office is not required if there are no declared write-in candidates for that office. However, procedures must be implemented to permit write-in voting for candidates for federal offices.

(8) The name of a write-in candidate may not be listed on the ballot.

(h) The names of the candidates grouped in the order established by subsection (g) must be printed in type with uniform capital letters and have a uniform space between each name. The name of the candidate's political party, or the word "Independent", if the:

(1) candidate; or

(2) ticket of candidates for:

(A) President and Vice President of the United States; or

(B) governor and lieutenant governor;

is independent, must be placed immediately below or beside the name of the candidate and must be printed in uniform size and type. In the case of a candidate described in IC 3-8-2.5-2.5(a)(5)(C), the name of the candidate must be printed with a blank space after the candidate's name signifying that the candidate elects not to disclose any affiliation with a political party or that the candidate is not affiliated with a political party and does not identify as an independent candidate.



(i) All the candidates of the same political party for election to at-large seats on the fiscal or legislative body of a political subdivision must be grouped together:

- (1) under the name of the office that the candidates are seeking;
- (2) in the party order established by subsection (g); and
- (3) within the political party, in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) of ANY party for this office."

(j) Candidates for election to at-large seats on the governing body of a school corporation must be grouped:

- (1) under the name of the office that the candidates are seeking;
- and
- (2) in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office. A straight party vote will not count as a vote for any candidate for this office."

(k) The cautionary statement described in IC 3-11-2-7 must be placed at the top or beginning of the ballot label before the first public question is listed.

(l) The instructions described in IC 3-11-2-8, IC 3-11-2-10(d), and IC 3-11-2-10(e) may be:

- (1) placed on the ballot label; or
- (2) posted in a location within the voting booth that permits the voter to easily read the instructions.

(m) Except as provided in section 14.5 of this chapter, the ballot label must include a touch sensitive point or button for voting a straight political party ticket by one (1) touch, and the touch sensitive point or button must be identified by:

- (1) the name of the political party; and
- (2) immediately below or beside the political party's name, the device of that party (described in IC 3-11-2-5).

The name and device of each party must be of uniform size and type, and arranged in the order established by subsection (g) for listing candidates under each office. The instructions described in IC 3-11-2-10(c) for voting a straight party ticket and the statement concerning presidential electors required under IC 3-10-4-3 must be placed on the ballot label. The instructions for voting a straight party



ticket must include the statement: "If you do not wish to vote a straight party ticket, press "NEXT" (or replace "NEXT" with the term used by that voting system to permit a voter to skip a ballot screen) to continue voting."

(n) A public question must be in the form described in IC 3-11-2-15(a) and IC 3-11-2-15(b), except that a touch sensitive point or button must be used instead of a square. Except as expressly authorized or required by statute, a county election board may not print a ballot label that contains language concerning the public question other than the language authorized by a statute.

(o) The requirements in this section:

(1) do not replace; and

(2) are in addition to;

any other requirements in this title that apply to ballots for electronic voting systems.

(p) The procedure described in IC 3-11-2-16 must be used when a ballot label does not comply with the requirements imposed by this title or contains another error or omission that might result in confusion or mistakes by voters.

SECTION 4. IC 8-1-1-2, AS AMENDED BY P.L.136-2018, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) There is created the Indiana utility regulatory commission, which shall consist of five (5) members, at least one (1) of whom shall be an attorney qualified to practice law before the supreme court of Indiana and not more than three (3) of whom belong to the same political party.

(b) The **governor shall appoint** members of the commission:

(1) for an initial term as a member; and all

(2) to fill any vacancies occurring on the commission;

~~shall be appointed by the governor~~ from among persons nominated by the nominating committee in accordance with IC 8-1-1.5.

(c) The members may be removed at any time by the governor for cause.

(d) The governor shall appoint one (1) member as chairman.

~~(e) The members of the commission shall be appointed for a term of four (4) years; except when a member is appointed to fill a vacancy, in which case such appointment shall be for such unexpired term only. All members of said commission shall serve as such until their successors are duly appointed and qualified; and While so serving on the commission, members of the commission shall devote full time to the duties of the commission and shall not be actively engaged in any other occupation, profession, or business that constitutes a conflict of interest~~



1 or otherwise interferes with carrying out their duties as commissioners.

2 (f) A member of the commission or any person appointed to any
3 position or employed in any capacity to serve the commission, may not
4 have any official or professional relationship or connection with, or
5 hold any stock or securities or have any pecuniary interest in any public
6 utility operating in Indiana.

7 (g) Each member appointed to the Indiana utility regulatory
8 commission shall take and subscribe to an oath in writing that the
9 member will faithfully perform the duties of the member's office, and
10 support and defend to the best of the member's ability the Constitution
11 and laws of the state of Indiana and of the United States of America,
12 and such oath shall be filed with the secretary of state.

13 (h) The chairman of the commission shall assign cases to the
14 various members of the commission or to administrative law judges for
15 hearings.

16 SECTION 5. IC 8-1-1-2.1 IS ADDED TO THE INDIANA CODE
17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
18 UPON PASSAGE]: **Sec. 2.1. (a) Except as provided in subsection**
19 **(b), the term of a member of the commission is four (4) years.**

20 **(b) The term of an individual who is appointed as a member of**
21 **the commission for the purpose of filling a vacant position in the**
22 **membership of the commission is the duration of the remainder of**
23 **the term of the member who vacated the position.**

24 **(c) An individual serving as a member of the commission may**
25 **serve a succeeding term as a member of the commission only if the**
26 **individual's retention for the succeeding term is approved by**
27 **voters at the general election that immediately precedes the**
28 **expiration of the term the individual is serving.**

29 **(d) An individual who is serving as a member of the commission**
30 **and wishes to serve a succeeding term as a member of the**
31 **commission must file a declaration with the secretary of state not**
32 **later than noon on the July 15 that immediately precedes the date**
33 **of the general election that immediately precedes the expiration of**
34 **the individual's term as a member of the commission. The**
35 **declaration must:**

36 **(1) state that the individual wishes to have the question of the**
37 **individual's retention as a member of the commission placed**
38 **on the ballot; and**

39 **(2) include a statement of the individual's name:**

40 **(A) as the individual wants the individual's name to appear**
41 **on the ballot; and**

42 **(B) as the individual's name is permitted to appear on the**



1 **ballot under IC 3-5-7.**

2 **(e) If an individual serving as a member of the commission does**
 3 **not file a declaration under subsection (d) stating that the**
 4 **individual wishes to have the question of the individual's retention**
 5 **as a member of the commission placed on the ballot, the**
 6 **individual's position on the commission is vacant upon the**
 7 **expiration of the individual's term.**

8 **(f) If an individual serving as a member of the commission files**
 9 **a declaration under subsection (d) stating that the individual**
 10 **wishes to have the question of the individual's retention as a**
 11 **member of the commission placed on the ballot, the question of the**
 12 **individual's retention shall be submitted to the electorate at the**
 13 **general election that immediately precedes the expiration of the**
 14 **individual's term as a member of the commission. The question**
 15 **shall be placed on the ballot in the form prescribed by IC 3-11-2**
 16 **and must state:**

17 **"Shall (insert name) be retained as a commissioner of the**
 18 **Indiana Utility Regulatory Commission for an additional four**
 19 **(4) year term?"**

20 **(g) If a majority of the ballots cast by the electors voting on the**
 21 **retention of an individual as a member of the commission under**
 22 **subsection (f) is "yes", the individual begins a new four (4) year**
 23 **term as a member of the commission upon the expiration of the**
 24 **term the individual is serving at the time of the election.**

25 **(h) If a majority of the ballots cast by the electors voting on the**
 26 **retention of an individual as a member of the commission under**
 27 **subsection (f) is "no":**

28 **(1) the individual's position on the commission is vacant upon**
 29 **the expiration of the individual's term; and**

30 **(2) the individual may not serve as a member of the**
 31 **commission following the expiration of the individual's term.**

32 **SECTION 6. An emergency is declared for this act.**

