

PROPOSED AMENDMENT

HB 1377 # 1

DIGEST

School board elections. Requires that a straight party ticket vote be counted for a school board office if only one candidate for the office has stated an affiliation with the political party for which a voter casts a straight party ticket.

- 1 Page 2, delete lines 2 through 42, begin a new paragraph and insert:
2 "SECTION 2. IC 3-11-2-10, AS AMENDED BY P.L.195-2025,
3 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2026]: Sec. 10. (a) Public questions shall be placed on the
5 general election ballot in the following order after the statement
6 described in section 7 of this chapter, and the instructions described in
7 subsections (d) and (e) and section 8 of this chapter, if instructions are
8 printed on the ballot:
9 (1) Ratification of a state constitutional amendment.
10 (2) Local public questions.
11 Subject to section 10.1 of this chapter, each public question shall be
12 placed in a separate column on the ballot.
13 (b) The name or title of the political party shall be placed on the
14 general election ballot after the public questions described in
15 subsection (a). The device of the political party shall be placed
16 immediately under the name of the political party. Notwithstanding
17 section 8(b) of this chapter, the instructions for voting a straight party
18 ticket shall be placed to the right of the device on the ballot.
19 (c) The instructions for voting a straight party ticket must conform
20 as nearly as possible to the following:
21 (1) You are not required to vote a straight party ticket. If you do
22 not wish to vote a straight party ticket, do not make a mark in this
23 section, and proceed to voting the ballot by office.
24 (2) To vote a straight (insert political party name) ticket for all
25 (insert political party name) candidates on this ballot, except for
26 candidates described in (3) below, make a voting mark on or in

1 this circle and do not make any other marks on this ballot.

2 **(3) A straight party vote for a school board office will count**
 3 **if only one (1) candidate for the school board office has stated**
 4 **an affiliation with the party for which you have cast a straight**
 5 **party vote. If you wish to vote individually for any candidate for**

6 (A) an at-large office (insert county council; city common
 7 council; town council; or township board if those offices
 8 appear on this ballot) to which more than one (1) person may
 9 be elected; or

10 (B) a school board office,

11 you must make another voting mark for each candidate you wish
 12 to vote for. ~~Your straight party vote will not count as a vote for~~
 13 ~~any candidate for that office.~~

14 (4) If you wish to vote for a candidate seeking a nonpartisan office
 15 or on a public question, you must make another voting mark on
 16 the appropriate place on this ballot."

17 (d) Except as permitted under section 8(b) of this chapter, if the
 18 ballot contains an independent ticket described in section 6 of this
 19 chapter and at least one (1) other independent candidate, the ballot
 20 must also contain a statement that reads substantially as follows: "A
 21 vote cast for an independent ticket will only be counted for the
 22 candidates for President and Vice President or governor and lieutenant
 23 governor comprising that independent ticket. This vote will NOT be
 24 counted for any OTHER independent candidate appearing on the
 25 ballot."

26 (e) Except as permitted under section 8(b) of this chapter, the ballot
 27 must also contain a statement that reads substantially as follows: "A
 28 write-in vote will NOT be counted unless the vote is for a DECLARED
 29 write-in candidate. To vote for a write-in candidate, you must make a
 30 voting mark on or in the square to the left of the name you have written
 31 in or your vote will not be counted."

32 (f) Subject to section 10.1 of this chapter, the list of candidates of
 33 the political party shall be placed immediately under the instructions
 34 for voting a straight party ticket. The names of the candidates shall be
 35 placed three-fourths (3/4) of an inch apart from center to center of the
 36 name. The name of each candidate must have, immediately on its left,
 37 a square three-eighths (3/8) of an inch on each side.

38 (g) The circuit court clerk may authorize the printing of ballots
 39 containing a ballot variation code to ensure that the proper version of
 40 a ballot is used within a precinct."

1 Page 3, delete lines 1 through 21.

2 Page 3, delete lines 40 through 42, begin a new paragraph and
3 insert:

4 "SECTION 4. IC 3-11-2-12.9, AS AMENDED BY P.L.195-2025,
5 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JULY 1, 2026]: Sec. 12.9. (a) School board offices to be elected at the
7 general election shall be placed on the general election ballot after the
8 offices described in section 12.4 of this chapter.

9 (b) If the ballot contains a candidate for a school board office, the
10 ballot must also contain a statement that reads substantially as follows:

11 (1) "To vote for a candidate for this office, make a voting mark on
12 or in the square to the left of the candidate's name. ~~A straight~~
13 ~~party vote will not count as a vote for any candidate for this~~
14 ~~office."~~ **A straight party vote for this office will count if only**
15 **one (1) candidate for the office has stated an affiliation with**
16 **the party for which you have cast a straight party vote."**, if
17 **only one (1) candidate is to be elected to a school board office.**

18 (2) "To vote for any candidate for this office, you must make
19 a voting mark for each candidate you wish to vote for. **A**
20 **straight party vote for this office will count if only one (1)**
21 **candidate for the office has stated an affiliation with the party**
22 **for which you have cast a straight party vote."**, if more than
23 **one (1) candidate is to be elected to a school board office.**

24 (c) Whenever candidates are to be elected to a school board office
25 that includes both an at-large member and a member representing a
26 district, the candidates seeking election as an at-large member shall be
27 placed on the ballot before candidates seeking to represent a district."

28 Page 4, delete lines 1 through 18.

29 Page 5, line 1, delete "vote." and insert "vote, **unless the candidate**
30 **will be credited with a straight party vote under IC 3-12-1-7.1."**

31 Page 5, line 1, delete "The" and insert "**Except as provided in**
32 **IC 3-12-1-7.1, the**".

33 Page 5, line 33, delete "vote." and insert "vote, **unless the candidate**
34 **will be credited with a straight party vote under IC 3-12-1-7.1."**

35 Page 5, line 33, delete "The" and insert "**Except as provided in**
36 **IC 3-12-1-7.1, the**".

37 Page 7, line 10, delete "A straight party vote will" and insert "**A**
38 **straight party vote for this office will count if only one (1)**
39 **candidate for the office has stated an affiliation with the party for**
40 **which you have cast a straight party vote."**, if more than one (1)

1 **candidate is to be elected to a school board office."**

2 Page 7, delete lines 11 through 12.

3 Page 7, line 13, strike "will not count".

4 Page 7, line 14, strike "as a vote for any candidate for this office.",
5 and insert **"for this office will count if only one (1) candidate for the**
6 **office has stated an affiliation with the party for which you have**
7 **cast a straight party vote."."**

8 Page 8, line 37, strike "will not count as a vote for any candidate for
9 this office." and insert **"for this office will count if only one (1)**
10 **candidate for the office has stated an affiliation with the party for**
11 **which you have cast a straight party vote."."**

12 Page 11, line 26, delete "A straight party vote will" and insert **"A**
13 **straight party vote for this office will count if only one (1)**
14 **candidate for the office has stated an affiliation with the party for**
15 **which you have cast a straight party vote."**, if more than one (1)
16 **candidate is to be elected to a school board office."**

17 Page 11, delete lines 27 through 28.

18 Page 11, line 29, strike "will not count".

19 Page 11, line 30, strike "as a vote for any candidate for this office.",
20 and insert **"for this office will count if only one (1) candidate for the**
21 **office has stated an affiliation with the party for which you have**
22 **cast a straight party vote."."**

23 Page 13, line 15, strike "will not count as a vote for any candidate
24 for this office." and insert **"for this office will count if only one (1)**
25 **candidate for the office has stated an affiliation with the party for**
26 **which you have cast a straight party vote."."**

27 Page 15, line 14, delete "vote." and insert "vote, **unless the**
28 **candidate will be credited with a straight party vote under**
29 **IC 3-12-1-7.1."**

30 Page 15, line 14, delete "A" and insert **"Except as provided in**
31 **IC 3-12-1-7.1, a"**.

32 Page 17, between lines 22 and 23, begin a new paragraph and insert:
33 "SECTION 13. IC 3-12-1-7.1, AS ADDED BY P.L.195-2025,
34 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2026]: Sec. 7.1. **(a) Except as provided in subsection (b),**
36 notwithstanding section 7 of this chapter, a straight party vote does not
37 count for any candidate for a school board office.

38 **(b) Except as provided in subsection (c), a vote for a straight**
39 **party ticket shall be counted for a school board office if only one**
40 **(1) candidate for the office has stated an affiliation with the**

- 1 political party for which a voter casts a straight party ticket.
- 2 (c) This subsection applies whenever a voter:
- 3 (1) votes a straight party ticket; and
- 4 (2) votes only for one (1) or more individual candidates for
- 5 school board office.
- 6 Unless the total number of the individual votes is greater than the
- 7 number of persons to be elected to the office, the individual
- 8 candidate votes for that office shall be counted, the straight ticket
- 9 vote for that office may not be counted, and the straight party
- 10 ticket votes for other offices on the ballot shall be counted."
- 11 Page 17, line 37, delete "vote." and insert "vote, **unless the**
- 12 **candidate will be credited with a straight party vote under**
- 13 **IC 3-12-1-7.1.**".
- 14 Page 17, line 37, delete "A" and insert "**Except as provided in**
- 15 **IC 3-12-1-7.1, a**".
- 16 Renumber all SECTIONS consecutively.
- (Reference is to HB 1377 as introduced.)