

PROPOSED AMENDMENT

HB 1423 # 8

DIGEST

Executive director. Requires the executive director of the Indianapolis public education corporation (corporation) to stand for retention at the general election in 2028 and every four years thereafter. Provides that if a majority of the eligible voters vote to oppose the retention of the executive director, the corporation board shall appoint another individual recommended by the mayor as the executive director of the corporation.

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

3 "SECTION 1. IC 3-10-2-17 IS ADDED TO THE INDIANA CODE
4 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
5 UPON PASSAGE]: **Sec. 17. (a) This section applies only to a school**
6 **city (as defined in IC 20-25-2-12).**

7 **(b) The executive director of the Indianapolis public education**
8 **corporation shall stand for retention:**

9 **(1) at the general election in 2028 and every four (4) years**
10 **thereafter; and**

11 **(2) by the eligible voters from all the districts established**
12 **under IC 20-25-3-4.**

13 SECTION 2. IC 3-11-2-12.9, AS AMENDED BY P.L.195-2025,
14 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 UPON PASSAGE]: **Sec. 12.9. (a) School board offices to be elected at**
16 **the general election shall be placed on the general election ballot after**
17 **the offices described in section 12.4 of this chapter.**

18 **(b) If the ballot contains a candidate for a school board office, the**
19 **ballot must also contain a statement that reads substantially as follows:**
20 **"To vote for a candidate for this office, make a voting mark on or in the**
21 **square to the left of the candidate's name. A straight party vote will not**
22 **count as a vote for any candidate for this office."**

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

(d) This subsection applies only to a school city (as defined in IC 20-25-2-12). The question of the retention of the executive director of the Indianapolis public education corporation shall be placed on the ballot after the offices described in subsection (a) and before the offices described in section 13 of this chapter. The question under this subsection must read as follows:

"Shall _____ (insert the name of the executive director of the Indianapolis public education corporation) be retained as Executive Director of the Indianapolis Public Education Corporation?"

SECTION 3. IC 3-11-13-11, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL ASSEMBLY, 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 **must be printed** 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,

1 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),
 2 IC 3-11-2-12.9(c), **IC 3-11-2-12.9(d)**, IC 3-11-2-13(a) through
 3 IC 3-11-2-13(c), IC 3-11-2-14(a), IC 3-11-2-14(d), and
 4 IC 3-11-2-14(e). The offices and public questions may be listed in a
 5 continuous column either vertically or horizontally and on a number of
 6 separate pages.

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

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

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

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

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

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

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

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

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

39 (5) If more than one (1) political party or independent candidate
 40 or ticket described in subdivision (4) qualifies to be on the ballot,

- 1 the parties, candidates, or tickets are listed in the order in which
 2 the party filed its petition of nomination under IC 3-8-6-12.
- 3 (6) The name of a candidate described in IC 3-8-2.5-2.5(a)(5)(C)
 4 is placed after the candidates listed in subdivisions (1) through
 5 (5), if applicable.
- 6 (7) A space for write-in voting is placed after the candidates listed
 7 in subdivisions (1) through (6), if required by law.
- 8 (8) The name of a write-in candidate may not be listed on the
 9 ballot.
- 10 (h) The names of the candidates grouped in the order established by
 11 subsection (g) must be printed in type with uniform capital letters and
 12 have a uniform space between each name. The name of the candidate's
 13 political party, or the word "Independent" if the:
- 14 (1) candidate; or
 15 (2) ticket of candidates for:
- 16 (A) President and Vice President of the United States; or
 17 (B) governor and lieutenant governor;
- 18 is independent, must be placed immediately below or beside the name
 19 of the candidate and must be printed in a uniform size and type. In the
 20 case of a candidate described in IC 3-8-2.5-2.5(a)(5)(C), the name of
 21 the candidate must be printed with a blank space after the candidate's
 22 name signifying that the candidate elects not to disclose any affiliation
 23 with a political party or that the candidate is not affiliated with a
 24 political party and does not identify as an independent candidate.
- 25 (i) All the candidates of the same political party for election to
 26 at-large seats on the fiscal or legislative body of a political subdivision
 27 must be grouped together:
- 28 (1) under the name of the office that the candidates are seeking;
 29 (2) in the order established by subsection (g); and
 30 (3) within the political party, in alphabetical order according to
 31 surname.
- 32 A statement reading substantially as follows must be placed
 33 immediately below the name of the office and above the name of the
 34 first candidate: "Vote for not more than (insert the number of
 35 candidates to be elected) candidate(s) of ANY party for this office."
- 36 (j) Candidates for election to at-large seats on the governing body
 37 of a school corporation must be grouped:
- 38 (1) under the name of the office that the candidates are seeking;
 39 and
 40 (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) This subsection applies only to a school city (as defined in IC 20-25-2-12). The question of the retention of the executive director of the Indianapolis public education corporation must read as follows:

"Shall _____ (insert the name of the executive director of the Indianapolis public education corporation) be retained as Executive Director of the Indianapolis Public Education

1 **Corporation?".**

2 ~~(m)~~ **(o)** The requirements in this section:

3 (1) do not replace; and

4 (2) are in addition to;

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

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

10 ~~(p)~~ **(q)** This subsection applies to an optical scan ballot that does not
11 list:

12 (1) the names of political parties or candidates; or

13 (2) the text of public questions;

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

17 SECTION 4. IC 3-11-14-3.5, AS AMENDED BY THE
18 TECHNICAL CORRECTIONS BILL OF THE 2026 GENERAL
19 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
20 UPON PASSAGE]: Sec. 3.5. (a) Each county election board shall have
21 the names of all candidates for all elected offices, political party
22 offices, and public questions printed on ballot labels for use in an
23 electronic voting system as provided in this chapter.

24 (b) The county may:

25 (1) print all offices and public questions on a single ballot label;
26 and

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

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

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

1 affiliation with a political party or that the candidate:

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

3 (2) does not identify as an independent candidate.

4 (e) The ballot labels must list the offices and public questions on the
5 general election ballot in the order listed in IC 3-11-2-12,
6 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),
7 IC 3-11-2-12.9(c), **IC 3-11-2-12.9(d)**, IC 3-11-2-13(a) through
8 IC 3-11-2-13(c), IC 3-11-2-14(a), IC 3-11-2-14(d), and
9 IC 3-11-2-14(e). Each office and public question may have a separate
10 screen, or the offices and public questions may be listed in a
11 continuous column either vertically or horizontally.

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

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

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

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

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

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

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

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

39 (4) If a political party did not have a candidate for secretary of
40 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.

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

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

7 (1) under the name of the office that the candidates are seeking;
 8 and

9 (2) in alphabetical order according to surname.

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

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

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

20 (1) placed on the ballot label; or

21 (2) posted in a location within the voting booth that permits the
 22 voter to easily read the instructions.

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

27 (1) the name of the political party; and

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

30 The name and device of each party must be of uniform size and type,
 31 and arranged in the order established by subsection (g) for listing
 32 candidates under each office. The instructions described in
 33 IC 3-11-2-10(c) for voting a straight party ticket and the statement
 34 concerning presidential electors required under IC 3-10-4-3 must be
 35 placed on the ballot label. The instructions for voting a straight party
 36 ticket must include the statement: "If you do not wish to vote a straight
 37 party ticket, press "NEXT" (or replace "NEXT" with the term used by
 38 that voting system to permit a voter to skip a ballot screen) to continue
 39 voting.".

40 (n) A public question must be in the form described in

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

6 **(o) This subsection applies only to a school city (as defined in**
 7 **IC 20-25-2-12). The question of the retention of the executive**
 8 **director of the Indianapolis public education corporation must**
 9 **read as follows:**

10 "Shall _____ (insert the name of the executive director of
 11 the Indianapolis public education corporation) be retained as
 12 Executive Director of the Indianapolis Public Education
 13 Corporation?".

14 ~~(o)~~ **(p)** The requirements in this section:

15 (1) do not replace; and

16 (2) are in addition to;

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

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

23 SECTION 5. IC 3-12-5-1, AS AMENDED BY P.L.278-2019,
 24 SECTION 143, IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) Whenever a candidate is
 26 elected to a local office that is commissioned by the governor under
 27 IC 4-3-1-5, the circuit court clerk shall prepare a statement specifying
 28 the number of votes received by each candidate for that office.

29 (b) The statement prepared under subsection (a) must also include
 30 the number of votes cast for and against the following:

31 (1) The ratification of a state constitutional amendment submitted
 32 to the electorate.

33 (2) The retention of a justice of the supreme court or a judge of
 34 the court of appeals or tax court.

35 (3) Each candidate who was declared elected by the county
 36 election board under IC 3-12-4-9.

37 **(4) The retention of the executive director of the Indianapolis**
 38 **public education corporation.**

39 (c) The clerk shall transmit under section 1.5 of this chapter the
 40 statement to the election division not later than noon on the second

- 1 Monday following election day.
- 2 (d) The election division shall tabulate the votes received under this
- 3 section. Not later than the third Friday after the election, the secretary
- 4 of state shall issue a certificate certifying the following:
- 5 (1) Each state constitutional amendment ratified or rejected.
- 6 (2) Each justice or judge retained or removed.
- 7 **(3) Whether the executive director of the Indianapolis public**
- 8 **education corporation was retained or removed.**
- 9 (e) The election division shall provide a copy of a certificate
- 10 described by:
- 11 (1) subsection (d)(1) to the chief justice of the Indiana supreme
- 12 court and the director of the office of code revision of the
- 13 legislative services agency; ~~and~~
- 14 (2) subsection (d)(2) to the chief justice of the state; ~~and~~
- 15 **(3) subsection (d)(3) to the mayor of a consolidated city.**
- 16 (f) The election division shall provide a copy of all statements
- 17 received under this section to the office."
- 18 Page 8, line 3, after "(2)" insert "**subject to subsection (c),**".
- 19 Page 8, between lines 15 and 16, begin a new paragraph and insert:
- 20 "**(c) The executive director shall stand for retention under**
- 21 **IC 3-10-2-17. If the majority of the voters vote to oppose the**
- 22 **retention of the executive director, the corporation board shall**
- 23 **appoint another individual recommended by the mayor as the**
- 24 **executive director of the corporation.**".
- 25 Page 8, line 16, delete "(c)" and insert "**(d)**".
- 26 Renumber all SECTIONS consecutively.
- (Reference is to HB 1423 as introduced.)