

HOUSE BILL No. 1433

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-5-2.1-97; IC 3-8; IC 3-9-2-14; IC 3-10-2-7; IC 3-11-2-12; IC 3-13-4; IC 4-2-6-8; IC 8-1-1-2; IC 8-1-1.5.

Synopsis: Election of IURC commissioners. Provides for nonpartisan election of the five members of the Indiana utility regulatory commission (IURC) beginning with the 2026 general election. Provides that a candidate for election to the IURC: (1) must have resided in Indiana for at least one year before the election; and (2) may not have any official or professional relationship or connection with, hold any stock or securities in, or have any pecuniary interest in a utility or a person with an interest in a utility. Provides that a: (1) candidate for election as a member of the IURC; or (2) candidate's committee of a candidate for election as a member of the IURC; 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 a member of the IURC.

Effective: Upon passage; November 3, 2026.

Moed

January 8, 2026, 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. 1433

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 3-5-2.1-97, AS ADDED BY P.L.186-2025,
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 97. "State office" refers to: ~~the~~

4 (1) governor;

5 (2) lieutenant governor;

6 (3) secretary of state;

7 (4) state comptroller (referred to as "auditor of state" in the
8 Constitution of the State of Indiana);

9 (5) treasurer of state;

10 (6) attorney general;

11 (7) justice of the supreme court;

12 (8) judge of the court of appeals; ~~and~~

13 (9) judge of the tax court; **and**

14 (10) **after November 2, 2026, member of the Indiana utility**
15 **regulatory commission.**

16 SECTION 2. IC 3-8-1-14.5 IS ADDED TO THE INDIANA CODE
17 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE



UPON PASSAGE]: **Sec. 14.5. (a) The definitions in IC 3-9-2-14 apply throughout this section.**

(b) A candidate for election to the Indiana utility regulatory commission:

(1) must have resided in Indiana for at least one (1) year before the election; and

(2) may not have any official or professional relationship or connection with, hold any stock or securities in, or have any pecuniary interest in:

(A) a utility; or

(B) a person with an interest in a utility.

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

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

(1) Governor, lieutenant governor, secretary of state, state comptroller (auditor of state), treasurer of state, and attorney general, in accordance with IC 4-2-6-8.

(2) Senator and representative in the general assembly, in accordance with IC 2-2.2-2.

(3) Justice of the supreme court, judge of the court of appeals, judge of the tax court, judge of a circuit court, judge of a superior court, judge of a probate court, judge of a city court, judge of a town court, and prosecuting attorney, in accordance with IC 33-23-11-14 and IC 33-23-11-15.

(4) A candidate for a local office or school board office, in accordance with IC 3-8-9, except a candidate for a local office described in subdivision (3).

(5) A candidate for election to the Indiana utility regulatory commission.

SECTION 4. IC 3-8-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1. This chapter applies to the following:**

(1) Each political party in the state whose nominee received at least ten percent (10%) of the total vote cast for secretary of state



at the last election.

(2) Write-in candidates.

(3) Candidates for election to the Indiana utility regulatory commission.

SECTION 5. IC 3-8-2-5, AS AMENDED BY P.L.216-2015, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. A declaration of candidacy for:

(1) a federal office;

(2) a state office;

(3) a legislative office; **or**

(4) the local office of:

(A) judge of a circuit, superior, probate, or small claims court;
or

(B) prosecuting attorney of a judicial circuit; **or**

(5) election to the Indiana utility regulatory commission;

shall be filed with the secretary of state.

SECTION 6. IC 3-8-2-7, AS AMENDED BY P.L.240-2025, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) The declaration of each candidate required by this chapter must be signed before a person authorized to administer oaths and contain the following information:

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

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

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

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

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

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

(4) This subdivision does not apply to a candidate for election to the Indiana utility regulatory commission. A statement of the candidate's party affiliation. For purposes of this subdivision, a candidate is considered to be affiliated with a political party only if any of the following applies:

(A) The two (2) most recent primary elections in Indiana in which the candidate voted were primary elections held by the



party with which the candidate claims affiliation. If the candidate cast a nonpartisan ballot at an election held at either of the two (2) most recent primary elections in which the candidate voted, a certification by the county chairman under clause (B) is required.

(B) The county chairman of:

- (i) the political party with which the candidate claims affiliation; and
- (ii) the county in which the candidate resides;

certifies that the candidate is a member of the political party.

The declaration of candidacy must inform candidates how party affiliation is determined under this subdivision and permit the candidate to indicate on the declaration of candidacy which of clauses (A) or (B) applies to the candidate. If a candidate claims party affiliation under clause (B), the candidate must attach to the candidate's declaration of candidacy the written certification of the county chairman required by clause (B).

(5) A statement that the candidate complies with all requirements under the laws of Indiana to be a candidate for the above named office, including any applicable residency requirements, and that the candidate is not ineligible to be a candidate due to a criminal conviction that would prohibit the candidate from serving in the office.

(6) This subdivision does not apply to a candidate for election to the Indiana utility regulatory commission. A request that the candidate's name be placed on the official primary ballot of that party to be voted on, the office for which the candidate is declaring, and the date of the primary election.

(7) The following statements:

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

- (i) A copy of a statement of economic interests, file stamped by the office required to receive the statement of economic interests.
- (ii) A receipt or photocopy of a receipt showing that a statement of economic interests has been filed.

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

(B) A statement that the candidate understands that if the candidate is elected to the office, the candidate may be required to obtain and file an individual surety bond before serving in the office. This requirement does not apply to a



candidate for a federal office or legislative office.

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

(D) A statement that the candidate:

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

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

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

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

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

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

(10) The candidate's signature.

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

(1) The dates for filing campaign finance reports under IC 3-9.

(2) The penalties for late filing of campaign finance reports under IC 3-9.

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



the candidate's voter registration record to be the same as the name on the candidate's declaration of candidacy.

SECTION 7. IC 3-9-2-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 14. (a) As used in this section, "person with an interest in a utility" means any of the following:**

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

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

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

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

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

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

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

(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 to the Indiana utility regulatory commission; or

(2) candidate's committee of a candidate for election to the Indiana utility regulatory commission;

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 to the Indiana utility regulatory commission.

SECTION 8. IC 3-10-2-7, AS AMENDED BY P.L.40-2025,



SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) The following public officials shall be elected in 2026, 2030, 2034, 2038, 2042, and every four (4) years thereafter:

- (1) Secretary of state.
- (2) State comptroller (referred to as "auditor of state" in the Constitution of the State of Indiana).
- (3) Treasurer of state.
- (4) Members of the Indiana utility regulatory commission.**

(b) Subject to IC 3-11-13-11 and IC 3-11-14-3.5, for purposes of the 2026 general election, the public official set forth in subsection (a)(2) must be listed as the following on the general election ballot: "State Comptroller (Auditor of State)".

SECTION 9. IC 3-11-2-12, AS AMENDED BY P.L.40-2025, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: 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.
 - (I) Member of the Indiana utility regulatory commission.**
- (2) Legislative offices:
 - (A) State senator.
 - (B) State representative.
- (3) 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



- 1 one (1) judge of the superior court.
 2 (C) Judge of the probate court.
 3 (D) Prosecuting attorney.
 4 (E) Clerk of the circuit court.
 5 (4) County offices:
 6 (A) County auditor.
 7 (B) County recorder.
 8 (C) County treasurer.
 9 (D) County sheriff.
 10 (E) County coroner.
 11 (F) County surveyor.
 12 (G) County assessor.
 13 (H) County commissioner.
 14 (I) County council member.
 15 (5) Township offices:
 16 (A) Township assessor (only in a township referred to in
 17 IC 36-6-5-1(d)).
 18 (B) Township trustee.
 19 (C) Township board member.
 20 (D) Judge of the small claims court.
 21 (E) Constable of the small claims court.
 22 (6) City offices:
 23 (A) Mayor.
 24 (B) Clerk or clerk-treasurer.
 25 (C) Judge of the city court.
 26 (D) City-county council member or common council member.
 27 (7) Town offices:
 28 (A) Clerk-treasurer.
 29 (B) Judge of the town court.
 30 (C) Town council member.
 31 (b) If a major political party does not nominate a candidate for an
 32 office on a general, municipal, or special election ballot then the county
 33 election board may print "NO CANDIDATE FILED" in the place on
 34 the ballot where the name of the major political party's nominee would
 35 be printed.
 36 SECTION 10. IC 3-13-4-3, AS AMENDED BY P.L.225-2011,
 37 SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 UPON PASSAGE]: Sec. 3. (a) This section applies to a vacancy that
 39 occurs in a state office other than governor, lieutenant governor, or a
 40 judicial office.
 41 (b) If a state officer wants to resign from office, the state officer
 42 must resign as provided in IC 5-8-3.5.



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

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

(e) **This subsection does not apply to a vacancy in the membership of the Indiana utility regulatory commission.** The governor shall fill a vacancy in a state office by appointment of a person of the same political party as the officer who held the vacated office.

(f) The person who is appointed by the governor holds office for the remainder of the unexpired term and until a successor is elected and qualified.

SECTION 11. IC 3-13-4-4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 4. After November 2, 2026, a vacancy in the membership of the Indiana utility regulatory commission shall be filled by appointment by the remaining commissioners as soon as practicable after the vacancy occurs. A member appointed under this section holds office for the remainder of the unexpired term and until a successor is elected and qualified. The commission shall adopt rules under IC 4-22-2 to implement this section.**

SECTION 12. IC 4-2-6-8, AS AMENDED BY P.L.9-2024, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) The following persons shall file a written financial disclosure statement:

(1) The governor, **the** lieutenant governor, **the** secretary of state, **the** state comptroller, **the** treasurer of state, **and the** attorney general, **and a member of the Indiana utility regulatory commission.**

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

(3) Any person who is the appointing authority of an agency.

(4) The director of each division of the Indiana department of administration.

(5) Any purchasing agent within the procurement division of the Indiana department of administration.

(6) Any agency employee, special state appointee, former agency employee, or former special state appointee with final purchasing authority.



(7) The chief investment officer employed by the Indiana public retirement system.

(8) Any employee of the Indiana public retirement system whose duties include the recommendation, selection, and management of:

(A) the investments of the funds administered by the Indiana public retirement system;

(B) the investment options offered in the annuity savings accounts in the public employees' retirement fund and the Indiana state teachers' retirement fund;

(C) the investment options offered in the legislators' defined contribution plan; or

(D) investment managers, investment advisors, and other investment service providers of the Indiana public retirement system.

(9) An employee required to do so by rule adopted by the inspector general.

(b) The statement shall be filed with the inspector general as follows:

(1) Not later than February 1 of every year, in the case of the state officers and employees enumerated in subsection (a).

(2) If the individual has not previously filed under subdivision (1) during the present calendar year and is filing as a candidate for a state office listed in subsection (a)(1), before filing a declaration of candidacy under IC 3-8-2 or IC 3-8-4-11, petition of nomination under IC 3-8-6, or declaration of intent to be a write-in candidate under IC 3-8-2-2.5, or before a certificate of nomination is filed under IC 3-8-7-8, in the case of a candidate for one (1) of the state offices (unless the statement has already been filed when required under IC 3-8-4-11).

(3) Not later than sixty (60) days after employment or taking office, unless the previous employment or office required the filing of a statement under this section.

(4) Not later than thirty (30) days after leaving employment or office, unless the subsequent employment or office requires the filing of a statement under this section.

The statement must be made under affirmation.

(c) The statement shall set forth the following information for the preceding calendar year or, in the case of a state officer or employee who leaves office or employment, the period since a previous statement was filed:

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



- 1 (A) to have a business relationship with the agency of the state
- 2 officer or employee or the office sought by the candidate; and
- 3 (B) from whom the state officer, candidate, or the employee,
- 4 or that individual's spouse or unemancipated children received
- 5 a gift or gifts having a total fair market value in excess of one
- 6 hundred dollars (\$100).
- 7 (2) The location of all real property in which the state officer,
- 8 candidate, or the employee or that individual's spouse or
- 9 unemancipated children has an equitable or legal interest either
- 10 amounting to five thousand dollars (\$5,000) or more or
- 11 comprising ten percent (10%) of the state officer's, candidate's, or
- 12 the employee's net worth or the net worth of that individual's
- 13 spouse or unemancipated children. An individual's primary
- 14 personal residence need not be listed, unless it also serves as
- 15 income property.
- 16 (3) The names and the nature of the business of the employers of
- 17 the state officer, candidate, or the employee and that individual's
- 18 spouse.
- 19 (4) The following information about any sole proprietorship
- 20 owned or professional practice operated by the state officer,
- 21 candidate, or the employee or that individual's spouse:
- 22 (A) The name of the sole proprietorship or professional
- 23 practice.
- 24 (B) The nature of the business.
- 25 (C) Whether any clients are known to have had a business
- 26 relationship with the agency of the state officer or employee or
- 27 the office sought by the candidate.
- 28 (D) The name of any client or customer from whom the state
- 29 officer, candidate, employee, or that individual's spouse
- 30 received more than thirty-three percent (33%) of the state
- 31 officer's, candidate's, employee's, or that individual's spouse's
- 32 nonstate income in a year.
- 33 (5) The name of any partnership of which the state officer,
- 34 candidate, or the employee or that individual's spouse is a member
- 35 and the nature of the partnership's business.
- 36 (6) The name of any corporation (other than a church) of which
- 37 the state officer, candidate, or the employee or that individual's
- 38 spouse is an officer or a director and the nature of the
- 39 corporation's business.
- 40 (7) The name of any corporation in which the state officer,
- 41 candidate, or the employee or that individual's spouse or
- 42 unemancipated children own stock or stock options having a fair



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

(8) The name and address of the most recent former employer.

(9) Additional information that the person making the disclosure
 chooses to include.

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

(d) A person who:

(1) fails to file a statement required by rule or this section in a
 timely manner; or

(2) files a deficient statement;

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

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

SECTION 13. 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~~ **consisting** 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) **Before November 3, 2026**, the members of the commission and
 all 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 **(before its repeal on November 3,**
2026). The term of a member appointed to the commission under
this subsection expires November 3, 2026. ~~(c) The Members~~
~~appointed to the commission under this subsection may be removed~~
 at any time by the governor for cause.

~~(d) (c)~~ **(c)** The governor shall appoint one (1) member **of the**
commission as chairman.

~~(e) (d)~~ **(d)** **Except as provided in IC 3-13-4-4 and subsection (b),** the
 members of the commission ~~shall be appointed for~~ **serve** 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.~~



1 (e) All members of ~~said the commission shall serve as such until~~
 2 ~~their successors are duly appointed and qualified; and while so serving~~
 3 shall devote full time to the duties of the commission and shall not be
 4 actively engaged in any other occupation, profession, or business that
 5 constitutes a conflict of interest or otherwise interferes with carrying
 6 out their duties as commissioners.

7 (f) A member of the commission or any person appointed to any
 8 position or employed in any capacity to serve the commission, may not
 9 have any official or professional relationship or connection with, or
 10 hold any stock or securities or have any pecuniary interest in any public
 11 utility operating in Indiana.

12 (g) Each member ~~appointed to the Indiana utility regulatory of the~~
 13 commission shall take and subscribe to an oath in writing that the
 14 member will faithfully perform the duties of the member's office, and
 15 support and defend to the best of the member's ability the Constitution
 16 and laws of the state of Indiana and of the United States of America,
 17 and ~~such each member's~~ oath shall be filed with the secretary of state.

18 (h) The chairman of the commission shall assign cases to the
 19 various members of the commission or to administrative law judges for
 20 hearings.

21 SECTION 14. IC 8-1-1.5 IS REPEALED [EFFECTIVE
 22 NOVEMBER 3, 2026]. (Utility Regulatory Commission Nominating
 23 Committee).

24 SECTION 15. **An emergency is declared for this act.**

