

## HOUSE BILL No. 1433

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### 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.

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January 8, 2026, read first time and referred to Committee on Utilities, Energy and Telecommunications.

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Introduced

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

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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**



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

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

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

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

10        (A) a utility; or

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

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

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

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

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

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

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

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

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

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



1 at the last election.

2 (2) Write-in candidates.

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

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

8 (1) a federal office;

9 (2) a state office;

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

11 (4) the local office of:

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

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

15 **(5) election to the Indiana utility regulatory commission;**

16 shall be filed with the secretary of state.

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

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

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

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

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

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

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

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

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



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

6 (B) The county chairman of:

7 (i) the political party with which the candidate claims  
8 affiliation; and

9 (ii) the county in which the candidate resides;

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

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

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

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

29 (7) The following statements:

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

32 (i) A copy of a statement of economic interests, file stamped  
33 by the office required to receive the statement of economic  
34 interests.

35 (ii) A receipt or photocopy of a receipt showing that a  
36 statement of economic interests has been filed.

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

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



1 candidate for a federal office or legislative office.  
2

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

9 (D) A statement that the candidate:

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

24 (2) a corporation organized under IC 8-1-13;

25 (3) a municipally owned utility (as defined in IC 8-1-2-1(h));  
 26 and

27 (4) a corporation that is organized under IC 23-17 that is an  
 28 electric cooperative and that has at least one (1) member that  
 29 is a corporation organized under IC 8-1-13;

30 regardless of whether the entity described in subdivisions (1)  
 31 through (4) is subject to the jurisdiction of the Indiana utility  
 32 regulatory commission for approval of rates and charges.

33 (c) A:

34 (1) candidate for election to the Indiana utility regulatory  
 35 commission; or

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

38 may not solicit or accept a contribution from a utility, or from a  
 39 person with an interest in a utility, for the duration of the  
 40 candidate's candidacy for election to the Indiana utility regulatory  
 41 commission.

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



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

5 (1) Secretary of state.  
 6 (2) State comptroller (referred to as "auditor of state" in the  
 7 Constitution of the State of Indiana).  
 8 (3) Treasurer of state.

9 **(4) Members of the Indiana utility regulatory commission.**

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

14 SECTION 9. IC 3-11-2-12, AS AMENDED BY P.L.40-2025,  
 15 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 UPON PASSAGE]: Sec. 12. (a) The following offices shall be placed  
 17 on the general election ballot in the following order after the public  
 18 questions described in section 10(a) of this chapter:

19 (1) Federal and state offices:  
 20 (A) President and Vice President of the United States.  
 21 (B) United States Senator.  
 22 (C) Governor and lieutenant governor.  
 23 (D) Secretary of state.  
 24 (E) State comptroller (auditor of state).  
 25 (F) Treasurer of state.  
 26 (G) Attorney general.  
 27 (H) United States Representative. If an election to fill a  
 28 vacancy in an office of United States Representative under  
 29 IC 3-10-8 is held on the same day as the election for the next  
 30 term of the same office, the ballot shall list the election to fill  
 31 the vacancy in the office immediately after the election for the  
 32 next term of the office.

33 **(I) Member of the Indiana utility regulatory commission.**

34 (2) Legislative offices:  
 35 (A) State senator.  
 36 (B) State representative.  
 37 (3) Circuit offices and county judicial offices:  
 38 (A) Judge of the circuit court, and unless otherwise specified  
 39 under IC 33, with each division separate if there is more than  
 40 one (1) judge of the circuit court.  
 41 (B) Judge of the superior court, and unless otherwise specified  
 42 under IC 33, with each division separate if there is more than





(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

(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 fiscal purchasing authority.

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:



- (A) to have a business relationship with the agency of the state officer or employee or the office sought by the candidate; and
- (B) from whom the state officer, candidate, or the employee, or that individual's spouse or unemancipated children received a gift or gifts having a total fair market value in excess of one 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.

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



1 market value in excess of ten thousand dollars (\$10,000).  
2 However, if the stock is held in a blind trust, the name of the  
3 administrator of the trust must be disclosed on the statement  
4 instead of the name of the corporation. A time or demand deposit  
5 in a financial institution or insurance policy need not be listed.  
6 (8) The name and address of the most recent former employer.  
7 (9) Additional information that the person making the disclosure  
8 chooses to include.

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

12 (d) A person who:

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

15 (2) files a deficient statement;

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

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

22 SECTION 13. IC 8-1-1-2, AS AMENDED BY P.L.136-2018,  
23 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 UPON PASSAGE]: Sec. 2. (a) There is created the Indiana utility  
25 regulatory commission which shall consist consisting of five (5)  
26 members. at least one (1) of whom shall be an attorney qualified to  
27 practice law before the supreme court of Indiana and not more than  
28 three (3) of whom belong to the same political party.

37            (d) (e) The governor shall appoint one (1) member **of the**  
38 **commission** as chairman.

39                   (e) (d) Except as provided in IC 3-13-4-4 and subsection (b), the  
40 members of the commission shall be appointed for serve a term of four  
41 (4) years. except when a member is appointed to fill a vacancy, in  
42 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.**

