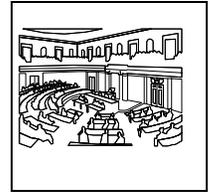


# 1994 Indiana Election Legislation Summary

*Prepared by J. Bradley King, General Counsel  
Indiana State Election Board*



The following is a summary of election-related legislation that passed the Indiana General Assembly and became law in 1994.

Eight bills amended some aspect of election law: HEA 1038 (Public Law 1-1994); HEA 1098 (Public Law 4-1994); HEA 1272 (Public Law 5-1994); SEA 171 (Public Law 6-1994); HEA 1339 (Public Law 7-1994); HEA 1162 (Public Law 106-1994); SEA 185 (Public Law 109-1994); and SEA 25 (Public Law 173-1994).

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## **BALLOTS, SUPPLIES, AND RETENTION**

1. In Lake County only, school board, precinct committeemen, and state convention delegate candidates are not required to be placed on the ballot in random order based on the "ballot position lottery" used for other offices. Changes the deadline for conducting the ballot position lottery to 15 (instead of 10) days after the deadline for filing a declaration of candidacy. (IC 3-10-1-18, as amended by HEA 1272, SECTION 1. Effective retroactive to January 1, 1994)

## **CANDIDATES AND OFFICEHOLDERS**

1. In Marion County only, each township board has seven (instead of four) members, effective January 1, 1997. Requires each township board to divide the township into seven township board election districts that meet statutory standards concerning contiguous territory, compactness, not crossing precinct boundaries (except to provide for equal population), and not crossing census block lines. Provides that the township board may not change district boundaries during the twelve months before an election of township board members and requires the township board to notify the circuit court clerk of Marion County before adopting a resolution to establish township board districts. Requires that the initial districts be drawn in 1995, again in 2001 and each ten years after 2002. Specifies that all voters of the township vote for all members of the township board. Requires that a candidate for township board must reside within the township board district that the candidate seeks to represent. Provides that a township board member elected in 1994 serves a two (instead of four) year term, from January 1995 to January 1997. Specifies that a township board member elected in 1996 serves a four year term, from January 1997 to January 2001. Provides that a member of a township board serving before a township is divided into districts continues to serve for the remainder of the member's term. (IC 3-11-1.5-32.5, IC 36-6-6-2, IC 36-6-6-3, and IC 36-6-6-4, as amended by SEA 171, SECTIONS 1-2 and 4-6. IC 36-6-6-2.2 and IC 36-6-2.5, as added by SEA 171, SECTIONS 3-4, and 7-8. Effective July 1, 1994.)

2. The chief deputy prosecuting attorney is the acting prosecuting attorney and fills the vacancy in that office until the governor appoints a successor to the former prosecuting attorney. (IC 3-13-6-2, as amended by HEA 1339, SECTION 1. Effective July 1, 1994.)

3. A primary election will be conducted in May 1994 to nominate candidates for Hendricks County Superior Court No. 3. A candidate must file a declaration of candidacy no later than noon March 4, 1994. (P.L. 133-1992, SECTION 80, as amended by SEA 25, SECTION 1. Effective March 2, 1994.)

## REGISTRATION



1. The circuit court clerk or board of registration in each county is required to contact each public school corporation in the county to arrange for the registration of eligible students in either December, January or February of each year (instead of during each of the three months). (IC 3-7-3-26, as amended by HEA 1098, SECTION 1. Effective July 1, 1994.)

## SPECIAL ELECTIONS, SCHOOL BOARD ELECTIONS, AND REFERENDA

1. A special election may be held on a local public question concerning riverboat gambling to be held in a county contiguous to the Ohio River, contiguous to Lake Michigan (except in Lake County), or contiguous to Patoka Lake in November 1994 if an applicant for a riverboat license pays in advance the amount of the cost to hold the special election and the cost to hold the general election, as determined by the county election board. (P.L. 277-1993, SECTION 133, as amended by HEA 1272, SECTION 2. Effective March 18, 1994.)



2. A special election concerning the establishment of a metropolitan school corporation may be conducted if 20% (instead of 5%) of the registered voters in the school corporation sign a petition protesting the creation of the proposed school corporation. The special election may also be conducted if 20% (instead of 5%) of the voters of the school district petition for creation of the metropolitan school corporation. If a special election is held, the metropolitan school corporation is created only if a majority of voters in each of the proposed consolidating school corporations approve the public question. (IC 20-4-8-12, as amended by HEA 1162, SECTION 1. Effective July 1, 1994.)

3. In Marion County only, the school board of a school corporation that receives students from another school corporation under a court-ordered desegregation plan may add two additional members to the board. At least one of the additional members must be a resident of the area within the school corporation from which students are being transferred. The members representing the school corporation from which students are transferred by the voters of that school corporation are to be elected at large by the voters of that school corporation. The initial individuals representing the school corporation from which students are transferred are to be appointed by majority vote of the school board of the corporation that is receiving the students. (IC 20-8.1-6.5-2.5, as added by SEA 185, SECTION 1. Effective March 18, 1994.)

## WHAT DID NOT PASS IN 1994:

1. Indiana legislation to implement NVRA ("motor voter") by providing for mail-in and agency registration and amending numerous state statutes concerning the processing of registration forms, voter list maintenance procedures, and other related election laws.
2. Numerous campaign finance administration and technical "clean-up" proposals.
3. Numerous proposals to create new courts and provide for the initial election of judges.

