

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 2000 General Assembly.

HOUSE ENROLLED ACT No. 2009

AN ACT to amend the Indiana Code concerning elections.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 3-5-2-16.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 16.2. "County voter registration office" means **the following**:

- (1) A board of registration established under IC 3-7-12 or by a county executive acting under IC 3-7-12;
- (2) A ~~combined county election board and~~ **board of elections and** registration established under IC 3-6-5.2 or **IC 3-6-5.4**.
- (3) The office of the circuit court clerk, in a county in which a board has not been established under subdivision (1) or (2).

SECTION 2. IC 3-6-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) Except as provided in subsection (b), a board is established in each county of the state known as the (name of county) county election board.

(b) ~~In~~ **A county election board is not established in the following counties:**

- (1) A county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000). ~~a combined county election board and board of registration is established by IC 3-6-5.2.~~
- (2) **A county having a population of more than one hundred twenty-nine thousand (129,000) but less than one hundred thirty thousand six hundred (130,600).**



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SECTION 3. IC 3-6-5.4 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]:

Chapter 5.4. Tippecanoe County Board of Elections and Registration

Sec. 1. This chapter applies to a county having a population of more than one hundred twenty-nine thousand (129,000) but less than one hundred thirty thousand six hundred (130,600).

Sec. 2. As used in this chapter, "board" refers to the board of elections and registration established by section 3 of this chapter.

Sec. 3. (a) The board of elections and registration is established for the county.

(b) The board shall be known as the (name of the county) board of elections and registration.

Sec. 4. (a) The board consists of the following:

(1) One (1) member appointed by the county chairman of each of the major political parties of the county. A member appointed under this subdivision must be a voter of the county.

(2) The circuit court clerk, who serves as an ex officio member of the board.

(b) The board members serving under subsection (a)(1) serve at the pleasure of their respective county chairman.

Sec. 5. (a) The board has all the powers and duties given in this title to the following:

(1) The county election board.

(2) The board of registration.

(3) The county executive.

(b) The circuit court clerk shall perform all the duties of the circuit court clerk under this title.

Sec. 6. Each board member described in section 4(a)(1) of this chapter may, subject to the approval of the county chairman that appointed the board member, appoint a deputy to assist the board member.

Sec. 7. (a) The board shall appoint employees to perform the board's election and registration duties under this title.

(b) The board may appoint an individual as an employee only upon the nomination by the county chairman of one (1) of the major political parties of the county.

(c) The staff of the board must be equally divided between the major political parties of the county.

(d) The board may designate and assign an employee to election

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or registration duties subject to the consent of the county chairman that nominated the employee to be a member of the staff.

(e) An employee of the board may be cross-trained and assist other employees of the board with other duties subject to the direction of the board.

(f) The board shall make final determinations with respect to the duties and assignments of employees of the board.

Sec. 8. The county shall establish a unified budget for the board that includes all expenses of conducting elections, registering voters, paying board employees, and compensating board member expenses.

Sec. 9. Subject to this chapter, this title applies to the operation of the board relating to conducting elections and registering voters.

SECTION 4. IC 3-7-12-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 1. (a) This section does not apply to the following counties:

(1) A county in which a ~~combined county election board and board of elections and~~ registration is established under IC 3-6-5.2 **or IC 3-6-5.4.**

(2) A county in which a board of registration is established:

(A) by this chapter; or

(B) by a county acting under this chapter.

(b) The circuit court clerk:

(1) is the voter registration officer of each county; and

(2) shall supervise the registration of voters of the county.

SECTION 5. IC 3-7-12-2, AS AMENDED BY P.L.14-2000, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. (a) ~~A board of elections and registration is established in each county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).~~

~~(b) As used in this chapter, "board of registration" includes a board of elections and registration established under this section IC 3-6-5.2 or IC 3-6-5.4.~~

SECTION 6. IC 3-7-12-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. (a) **Except as provided in subsection (b),** a board of registration is established in each county having a population of more than one hundred twenty-five thousand (125,000).

(b) A board of registration is not established in a county that has a board of elections and registration established under IC 3-6-5.2 or IC 3-6-5.4.



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SECTION 7. [EFFECTIVE UPON PASSAGE] (a) This SECTION applies to a county having a population of more than one hundred twenty-nine thousand (129,000) but less than one hundred thirty thousand six hundred (130,600).

(b) On July 1, 2001, the:

- (1) county election board; and**
- (2) county board of registration;**

are abolished and all their functions, powers, and duties are transferred to the board of elections and registration established by IC 3-6-5.4-3, as added by this act.

(c) On July 1, 2001, the records, property, and appropriations of the:

- (1) county election board; and**
- (2) county board of registration;**

are transferred to the board of elections and registration established by IC 3-6-5.4-3, as added by this act.

(d) This SECTION expires January 1, 2002.

SECTION 8. An emergency is declared for this act.

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Speaker of the House of Representatives

President of the Senate

President Pro Tempore

Approved: _____

Governor of the State of Indiana

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