

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Senate Bill 110 be amended to read as follows:

- 1           Page 9, delete lines 40 through 42, begin a new paragraph and  
2           insert:  
3           "SECTION 12. IC 36-2-2-5, AS AMENDED BY P.L.225-2011,  
4           SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5           UPON PASSAGE]: Sec. 5. (a) To be eligible for election to the  
6           executive, a person must meet the qualifications prescribed by  
7           IC 3-8-1-21.  
8           (b) A member of the executive must reside within:  
9           (1) the county as provided in Article 6, Section 6 of the  
10           Constitution of the State of Indiana; and  
11           (2) the district from which the member was elected.  
12           (c) Except as provided in subsection (e), if the person does not  
13           remain a resident of the county and district after taking office, the  
14           person forfeits the office. The county fiscal body shall declare the  
15           office vacant whenever a member of the executive forfeits office under  
16           this subsection.  
17           (d) In a county having a population of:  
18           (1) more than four hundred thousand (400,000) but less than  
19           seven hundred thousand (700,000); or  
20           (2) more than two hundred thousand (200,000) but less than three  
21           hundred thousand (300,000);  
22           one (1) member of the executive shall be elected by the voters of each  
23           of the three (3) single-member districts established under section 4(b)  
24           or 4(c) of this chapter. In other counties, All three (3) members of the  
25           executive shall be elected by the voters of the whole county.  
26           (e) This subsection applies to a member of the executive who must  
27           reside within the district from which the member was elected. A person  
28           who:  
29           (1) has begun a term of office as a member of the executive; and  
30           (2) is relocated outside the member's district as the result of the

1 state's acquisition of the member's residence for a public use;  
 2 may complete the member's term of office as long as the member  
 3 remains a resident of the county that contains the member's district."

4 Delete page 10.

5 Page 11, delete lines 1 through 12.

6 Page 11, delete lines 17 through 18, begin a new paragraph and  
 7 insert:

8 **"Sec. 1. This chapter does not apply to the following counties:**

9 **(1) A county having a consolidated city.**

10 **(2) A county having a population of more than four hundred**  
 11 **thousand (400,000) but less than seven hundred thousand**  
 12 **(700,000).**

13 **(3) A county having a population of more than two hundred**  
 14 **fifty thousand (250,000) but less than two hundred seventy**  
 15 **thousand (270,000)."**

16 Page 12, line 18, after "Sec. 1." insert "(a)".

17 Page 12, between lines 28 and 29, begin a new paragraph and insert:

18 **"(b) This chapter does not apply to the following counties:**

19 **(1) A county having a population of more than four hundred**  
 20 **thousand (400,000) but less than seven hundred thousand**  
 21 **(700,000).**

22 **(2) A county having a population of more than two hundred**  
 23 **fifty thousand (250,000) but less than two hundred seventy**  
 24 **thousand (270,000)."**

25 Page 19, delete lines 37 through 38, begin a new paragraph and  
 26 insert:

27 **"Sec. 1. This chapter does not apply to the following counties:**

28 **(1) A county having a consolidated city.**

29 **(2) A county having a population of more than four hundred**  
 30 **thousand (400,000) but less than seven hundred thousand**  
 31 **(700,000).**

32 **(3) A county having a population of more than two hundred**  
 33 **fifty thousand (250,000) but less than two hundred seventy**  
 34 **thousand (270,000)."**

35 Page 20, delete lines 35 through 36, begin a new paragraph and  
 36 insert:

37 **"Sec. 1. This chapter does not apply to the following counties:**

38 **(1) A county having a consolidated city.**

39 **(2) A county having a population of more than four hundred**  
 40 **thousand (400,000) but less than seven hundred thousand**  
 41 **(700,000).**

42 **(3) A county having a population of more than two hundred**  
 43 **fifty thousand (250,000) but less than two hundred seventy**  
 44 **thousand (270,000)."**

45 Page 28, line 19, after "Sec. 1." insert "(a)".

46 Page 28, between lines 29 and 30, begin a new paragraph and insert:

1       **"(b) This chapter does not apply to the following counties:**  
2       **(1) A county having a population of more than four hundred**  
3       **thousand (400,000) but less than seven hundred thousand**  
4       **(700,000).**  
5       **(2) A county having a population of more than two hundred**  
6       **fifty thousand (250,000) but less than two hundred seventy**  
7       **thousand (270,000)."**  
8       Renumber all SECTIONS consecutively.  
      (Reference is to SB 110 as reprinted January 20, 2012.)

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Senator BREAUX