

# HOUSE BILL No. 1230

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 3-8-2.5.

**Synopsis:** School board elections. Provides that for school board offices, each candidate's affiliation with a political party or status as an independent candidate must be stated on the ballot.

**Effective:** Upon passage.

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**Prescott, Miller D, Heaton, Davis**

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January 9, 2025, read first time and referred to Committee on Elections and Apportionment.

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First Regular Session of the 124th General Assembly (2025)

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 2024 Regular Session of the General Assembly.

# HOUSE BILL No. 1230

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

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

1           SECTION 1. IC 3-8-2.5-2.5, AS AMENDED BY P.L.227-2023,  
2           SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3           UPON PASSAGE]: Sec. 2.5. (a) A petition of nomination for a school  
4           board office must state all of the following:  
5                 (1) The name of each candidate as:  
6                         (A) the candidate wants the candidate's name to appear on the  
7                         ballot; and  
8                         (B) the candidate's name is permitted to appear on the ballot  
9                         under IC 3-5-7.  
10           The petition must specify, by a designation described in  
11           IC 3-5-7-5, each designation that the candidate wants to use that  
12           is permitted by IC 3-5-7.  
13                 (2) The address of each candidate, including the mailing address,  
14                 if different from the residence address of the candidate.  
15                 (3) The school board office that each candidate seeks.  
16                 (4) That each petitioner is a qualified registered voter and desires  
17                 to be able to vote for the candidates listed on the petition.



1           **(5) The candidate's political party affiliation or, if the**  
 2           **candidate does not identify with a political party, that the**  
 3           **candidate is an independent candidate. Unless the candidate's**  
 4           **political party affiliation is challenged under section 7 of this**  
 5           **chapter, the candidate's political party affiliation stated on**  
 6           **the petition shall be indicated on the ballot in the manner**  
 7           **determined by the county election board.**

8           (b) The petition of nomination must be accompanied by the  
 9           following:

10           (1) The candidate's written consent to become a candidate.

11           (2) A statement that the candidate:

12               (A) is aware of the provisions of IC 3-9 regarding campaign  
 13               finance and the reporting of campaign contributions and  
 14               expenditures; and

15               (B) agrees to comply with the provisions of IC 3-9 referred to  
 16               in clause (A).

17           (3) A statement by the candidate that the candidate is aware of the  
 18           requirement to file a campaign finance statement of organization  
 19           under IC 3-9 after the first of either of the following occurs:

20               (A) The candidate receives more than five hundred dollars  
 21               (\$500) in contributions.

22               (B) The candidate makes more than five hundred dollars  
 23               (\$500) in expenditures.

24           (4) A statement indicating whether or not each candidate:

25               (A) has been a candidate for state, legislative, local, or school  
 26               board office in a previous primary, municipal, special, or  
 27               general election; and

28               (B) has filed all reports required by IC 3-9-5-10 for all  
 29               previous candidacies.

30           (5) A statement that each candidate is legally qualified to hold the  
 31           office that the candidate seeks, including any applicable residency  
 32           requirements and restrictions on service due to a criminal  
 33           conviction.

34           (6) Any statement of economic interests required under IC 3-8-9.

35           **(7) The certification of the county chairman, if required under**  
 36           **subsection (c).**

37           **(c) If a candidate claims affiliation with a major political party**  
 38           **under subsection (a)(5), the candidate must have voted in the two**  
 39           **(2) most recent primary elections in Indiana held by the party with**  
 40           **which the candidate claims affiliation. The petition must provide**  
 41           **a place for the candidate to affirm the candidate's primary election**  
 42           **participation, if the candidate chooses affiliation with a major**



1 **political party. If the candidate did not vote in the two (2) most**  
 2 **recent primary elections in Indiana held by the party with which**  
 3 **the candidate claims affiliation, the county chairman of:**

4 **(1) the political party with which the candidate claims**  
 5 **affiliation; and**

6 **(2) the county in which the candidate resides;**

7 **must certify in writing that the candidate is a member of the**  
 8 **political party for the candidate's claimed affiliation to be valid.**  
 9 **The petition of nomination must inform candidates how political**  
 10 **party affiliation is determined under this subsection.**

11 SECTION 2. IC 3-8-2.5-7, AS AMENDED BY P.L.34-2023,  
 12 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 UPON PASSAGE]: Sec. 7. (a) A person may not be selected as a  
 14 candidate by petition of nomination without giving written consent and  
 15 having it filed with the public official with whom certificates and  
 16 petitions of nomination are required to be filed.

17 (b) Each candidate nominated by petition of nomination for a school  
 18 board office must satisfy all statutory eligibility requirements for the  
 19 office for which the candidate is nominated, including the filing of  
 20 statements of economic interest.

21 (c) A statement questioning the validity of a petition of nomination  
 22 or contesting the denial of certification under section 6 of this chapter  
 23 must be filed with the county election board in accordance with  
 24 IC 3-8-1-2 not later than noon seventy-four (74) days before the date  
 25 of the general election. A question regarding the validity of a petition  
 26 of nomination or the denial of certification shall be referred to and  
 27 determined by the county election board not later than noon sixty (60)  
 28 days before the date of the general election.

29 (d) A statement concerning the validity of a declaration of intent to  
 30 be a write-in candidate for a school board office under section 4 of this  
 31 chapter must be filed with the county election board in accordance with  
 32 IC 3-8-1-2 not later than noon sixty-seven (67) days before the date of  
 33 the general election. A question regarding the validity of a declaration  
 34 of intent to be a write-in candidate for a school board office shall be  
 35 referred to and determined by the county election board not later than  
 36 noon fifty-four (54) days before the date of the general election.

37 **(e) If a candidate's petition states that the candidate is affiliated**  
 38 **with a major political party, that statement may be challenged**  
 39 **under this section. A challenge under this subsection succeeds only**  
 40 **if the challenger shows both of the following:**

41 **(1) The candidate did not vote in the two (2) most recent**  
 42 **primary elections in Indiana held by the party with which the**



1 candidate claims affiliation.  
 2 (2) The county chairman of:  
 3 (A) the political party with which the candidate claims  
 4 affiliation; and  
 5 (B) the county in which the candidate resides;  
 6 did not certify that the candidate is a member of the political  
 7 party with which the candidate claims affiliation. If the  
 8 candidate produces a copy of the certification of the county  
 9 chairman of the political party with which the candidate  
 10 claims affiliation at the time the candidate filed the petition,  
 11 the claim of a challenger under this subdivision is conclusively  
 12 rebutted.  
 13 (f) Unless a challenger shows under subsection (e) that a  
 14 candidate is not affiliated with the major political party with which  
 15 the candidate claims affiliation, the candidate's claimed political  
 16 party affiliation shall be indicated on the ballot as required by  
 17 section 2.5(a)(5) of this chapter.  
 18 (g) A candidate's claimed political party affiliation with a party  
 19 other than a major political party is not subject to challenge under  
 20 this section.  
 21 SECTION 3. An emergency is declared for this act.

