



January 15, 2025

SENATE BILL No. 221

DIGEST OF SB 221 (Updated January 13, 2025 3:27 pm - DI 140)

Citations Affected: IC 3-5; IC 3-8; IC 3-10; IC 3-11; IC 4-7; IC 5-10.2.

Synopsis: State comptroller. Changes certain references from "auditor of state" to: (1) "state comptroller (referred to as "auditor of state" in the Constitution of the State of Indiana)"; or (2) "state comptroller (auditor of state)". Requires "state comptroller (auditor of state)" to be listed on the 2026 general election ballot.

Effective: July 1, 2025.

Carrasco

January 8, 2025, read first time and referred to Committee on Elections.
January 14, 2025, reported favorably — Do Pass.

SB 221—LS 6608/DI 144



January 15, 2025

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.

SENATE BILL No. 221

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

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

1 SECTION 1. IC 3-5-2-48, AS AMENDED BY P.L.43-2021,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2025]: Sec. 48. "State office" refers to the governor, lieutenant
4 governor, secretary of state, ~~auditor of state~~ **comptroller (referred to**
5 **as "auditor of state" in the Constitution of the State of Indiana)**,
6 treasurer of state, attorney general, justice of the supreme court, judge
7 of the court of appeals, and judge of the tax court.

8 SECTION 2. IC 3-8-1-33, AS AMENDED BY P.L.227-2023,
9 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JULY 1, 2025]: Sec. 33. (a) A candidate for an office listed in
11 subsection (b) must file a statement of economic interests.

12 (b) Whenever a candidate for any of the following offices is also
13 required to file a declaration of candidacy or is nominated by petition,
14 the candidate shall file a statement of economic interests before filing
15 the declaration of candidacy or declaration of intent to be a write-in
16 candidate, before the petition of nomination is filed, before the
17 certificate of nomination is filed, or before being appointed to fill a

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1 candidate vacancy under IC 3-13-1 or IC 3-13-2:

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

5 (2) Senator and representative in the general assembly, in
6 accordance with IC 2-2-2-2.

7 (3) Justice of the supreme court, judge of the court of appeals,
8 judge of the tax court, judge of a circuit court, judge of a superior
9 court, judge of a probate court, judge of a city court, judge of a
10 town court, and prosecuting attorney, in accordance with
11 IC 33-23-11-14 and IC 33-23-11-15.

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

15 SECTION 3. IC 3-8-4-2, AS AMENDED BY P.L.8-2019,
16 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2025]: Sec. 2. (a) A political party shall conduct a state
18 convention to nominate the candidates of the political party for the
19 following offices to be voted on at the next general election:

20 (1) Lieutenant governor.

21 (2) Secretary of state.

22 (3) ~~Auditor of State~~ **comptroller (auditor of state)**.

23 (4) Treasurer of state.

24 (5) Attorney general.

25 (b) The convention may also:

26 (1) nominate candidates for presidential electors and alternate
27 presidential electors; and

28 (2) elect the delegates and alternate delegates to the national
29 convention of the political party.

30 (c) If a political party's state convention does not:

31 (1) nominate candidates for presidential electors and alternate
32 presidential electors; or

33 (2) elect the delegates and alternate delegates to the national
34 convention of the political party;

35 the candidates shall be nominated or the delegates elected as provided
36 in the state party's rules.

37 SECTION 4. IC 3-10-2-7, AS AMENDED BY P.L.141-2023,
38 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2025]: Sec. 7. (a) The following public officials shall be
40 elected in 2026, 2030, 2034, 2038, 2042, and every four (4) years
41 thereafter:

42 (1) Secretary of state.

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1 (2) ~~Auditor of State~~ **comptroller (referred to as "auditor of**
 2 **state" in the Constitution of the State of Indiana).**

3 (3) Treasurer of state.

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

8 SECTION 5. IC 3-11-2-12, AS AMENDED BY P.L.227-2023,
 9 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2025]: Sec. 12. (a) The following offices shall be placed on
 11 the general election ballot in the following order after the public
 12 questions described in section 10(a) of this chapter:

13 (1) Federal and state offices:

14 (A) President and Vice President of the United States.

15 (B) United States Senator.

16 (C) Governor and lieutenant governor.

17 (D) Secretary of state.

18 (E) ~~Auditor of State~~ **comptroller (auditor of state).**

19 (F) Treasurer of state.

20 (G) Attorney general.

21 (H) United States Representative. If an election to fill a
 22 vacancy in an office of United States Representative under
 23 IC 3-10-8 is held on the same day as the election for the next
 24 term of the same office, the ballot shall list the election to fill
 25 the vacancy in the office immediately after the election for the
 26 next term of the office.

27 (2) Legislative offices:

28 (A) State senator.

29 (B) State representative.

30 (3) Circuit offices and county judicial offices:

31 (A) Judge of the circuit court, and unless otherwise specified
 32 under IC 33, with each division separate if there is more than
 33 one (1) judge of the circuit court.

34 (B) Judge of the superior court, and unless otherwise specified
 35 under IC 33, with each division separate if there is more than
 36 one (1) judge of the superior court.

37 (C) Judge of the probate court.

38 (D) Prosecuting attorney.

39 (E) Clerk of the circuit court.

40 (4) County offices:

41 (A) County auditor.

42 (B) County recorder.



- 1 (C) County treasurer.
 2 (D) County sheriff.
 3 (E) County coroner.
 4 (F) County surveyor.
 5 (G) County assessor.
 6 (H) County commissioner.
 7 (I) County council member.
 8 (5) Township offices:
 9 (A) Township assessor (only in a township referred to in
 10 IC 36-6-5-1(d)).
 11 (B) Township trustee.
 12 (C) Township board member.
 13 (D) Judge of the small claims court.
 14 (E) Constable of the small claims court.
 15 (6) City offices:
 16 (A) Mayor.
 17 (B) Clerk or clerk-treasurer.
 18 (C) Judge of the city court.
 19 (D) City-county council member or common council member.
 20 (7) Town offices:
 21 (A) Clerk-treasurer.
 22 (B) Judge of the town court.
 23 (C) Town council member.

24 (b) If a major political party does not nominate a candidate for an
 25 office on a general, municipal, or special election ballot then the county
 26 election board may print "NO CANDIDATE FILED" in the place on
 27 the ballot where the name of the major political party's nominee would
 28 be printed.

29 SECTION 6. IC 4-7-1-1, AS AMENDED BY P.L.9-2024,
 30 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2025]: Sec. 1. (a) The individual elected as ~~auditor~~ of state
 32 **comptroller (referred to as "auditor of state" in the Constitution**
 33 **of the State of Indiana)** shall take office on January 1 following the
 34 individual's election.

35 (b) The ~~auditor~~ of state **comptroller (referred to as "auditor of**
 36 **state" in the Constitution of the State of Indiana)**, before entering
 37 upon the duties of office shall execute an official bond, for the sum of
 38 ten thousand dollars (\$10,000), to be approved by the governor.

39 (c) The auditor of state shall also be known as the state comptroller.
 40 After June 30, 2023, the auditor of state's office shall use the title "state
 41 comptroller" in conducting state business, in all contracts, on business
 42 cards, on stationery, and with other means of communication as



1 necessary. The change in title under this subsection does not:

- 2 (1) invalidate any documents or transactions conducted in the
 3 name of the auditor of state; or
 4 (2) affect the validity of a reference to the auditor of state in the
 5 Indiana Code, the acts of Indiana, or the Indiana Administrative
 6 Code.

7 SECTION 7. IC 5-10.2-1-8, AS AMENDED BY P.L.115-2008,
 8 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2025]: Sec. 8. (a) Except as provided in subsection (b),
 10 "vested status" as used in this article means the status of having ten
 11 (10) years of creditable service.

12 (b) In the case of a person who is an elected county official whose
 13 governing body has provided for the county official's participation in
 14 the public employees' retirement fund under IC 5-10.3-7-2(1), "vested
 15 status" means the status of having:

- 16 (1) at least eight (8) years of creditable service as an elected
 17 county official in an office described in IC 5-10.2-4-1.7;
 18 (2) been elected at least two (2) times if the person would have
 19 had at least eight (8) years of creditable service as an elected
 20 county official in an office described in IC 5-10.2-4-1.7 had the
 21 person's term of office not been shortened under a statute enacted
 22 under Article 6, Section 2(b) of the Constitution of the State of
 23 Indiana; or
 24 (3) at least ten (10) years of creditable service as a member of the
 25 fund based on a combination of service as an elected county
 26 official and as a full-time employee in a covered position.

27 (c) In the case of a person whose term of office commences after the
 28 election on November 5, 2002, as ~~auditor of state~~ **comptroller**
 29 **(referred to as "auditor of state" in the Constitution of the State of**
 30 **Indiana)**, secretary of state, or treasurer of state, and who is prohibited
 31 by Article 6, Section 1 of the Constitution of the State of Indiana from
 32 serving in that office for more than eight (8) years during any period of
 33 twelve (12) years, that person shall be vested with at least eight (8)
 34 years of creditable service as a member of the fund.

35 (d) This subsection applies to an individual elected to the office of
 36 treasurer of state at the election on November 7, 2006. The individual
 37 is vested for purposes of this article if the individual is reelected as
 38 treasurer of state at the 2010 general election and serves in the office
 39 until January 1, 2015.

40 SECTION 8. IC 5-10.2-4-1.9, AS ADDED BY P.L.115-2008,
 41 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2025]: Sec. 1.9. (a) **For purposes of this section, "state**



1 **officer" means the secretary of state, state comptroller (referred**
 2 **to as "auditor of state" in the Constitution of the State of Indiana),**
 3 **and treasurer of state.**

4 ~~(a)~~ **(b)** This section applies only to a member of the public
 5 employees' retirement fund:

6 (1) who has served as a state officer; ~~listed in Article 6, Section~~
 7 ~~1 of the Constitution of the State of Indiana;~~ and

8 (2) whose term of office as a state officer commenced after the
 9 election held on November 5, 2002.

10 ~~(b)~~ **(c)** A member is eligible for normal retirement after becoming
 11 sixty-five (65) years of age if the member:

12 (1) has:

13 (A) served as a state officer ~~listed in Article 6, Section 1 of the~~
 14 ~~Constitution of the State of Indiana~~ for at least eight (8) years;
 15 or

16 (B) been elected at least two (2) times and would have served
 17 at least eight (8) years as a state officer ~~listed in Article 6,~~
 18 ~~Section 1 of the Constitution of the State of Indiana~~ had the
 19 member's term of office not been shortened under a statute
 20 enacted to establish uniform dates for beginning the terms of
 21 state officers; ~~listed in Article 6, Section 1 of the Constitution~~
 22 ~~of the State of Indiana;~~ and

23 (2) is prohibited by Article 6, Section 1 of the Constitution of the
 24 State of Indiana from serving in that office for more than eight (8)
 25 years in any period of twelve (12) years.

26 ~~(c)~~ **(d)** A member who:

27 (1) has served as a state officer; ~~listed in Article 6, Section 1 of~~
 28 ~~the Constitution of the State of Indiana;~~ and

29 (2) does not meet the requirements of subsection ~~(b);~~ **(c);**

30 is eligible for normal retirement if the member has attained vested
 31 status (as defined in IC 5-10.2-1-8(a)) and meets the requirements of
 32 section 1 of this chapter.



COMMITTEE REPORT

Mr. President: The Senate Committee on Elections, to which was referred Senate Bill No. 221, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is to SB 221 as introduced.)

GASKILL, Chairperson

Committee Vote: Yeas 9, Nays 0

