



January 15, 2025

SENATE JOINT RESOLUTION No. 17

DIGEST OF SJ 17 (Updated January 13, 2025 3:37 pm - DI 140)

Citations Affected: Articles 5 and 6 of the Constitution of the State of Indiana.

Synopsis: State comptroller. Proposes an amendment to the Indiana Constitution to do the following: (1) Require the election of a state comptroller instead of an auditor of state. (2) Provide, effective June 30, 2023, that an individual serving as auditor of state after June 30, 2023, is considered to be serving as state comptroller for all purposes under the Indiana Constitution and Indiana law. This proposed amendment has not been previously agreed to by a general assembly.

Effective: This proposed amendment must be agreed to by two consecutive general assemblies and ratified by a majority of the state's voters voting on the question to be effective.

Carrasco

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

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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 JOINT RESOLUTION No. 17

A JOINT RESOLUTION proposing an amendment to Articles 5 and 6 of the Constitution of the State of Indiana concerning elections.

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

- 1 SECTION 1. The following amendment to the Constitution of the
2 State of Indiana is proposed and agreed to by this, the One Hundred
3 Twenty-fourth General Assembly of the State of Indiana, and is
4 referred to the next General Assembly for reconsideration and
5 agreement.
6 SECTION 2. ARTICLE 5, SECTION 10 OF THE CONSTITUTION
7 OF THE STATE OF INDIANA IS AMENDED TO READ AS
8 FOLLOWS: Section 10. (a) In case the Governor-elect fails to assume
9 office, or in case of the death or resignation of the Governor or the
10 Governor's removal from office, the Lieutenant Governor shall become
11 Governor and hold office for the unexpired term of the person whom
12 the Lieutenant Governor succeeds. In case the Governor is unable to
13 discharge the powers and duties of the office, the Lieutenant Governor

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1 shall discharge the powers and duties of the office as Acting Governor.

2 (b) Whenever there is a vacancy in the office of Lieutenant
3 Governor, the Governor shall nominate a Lieutenant Governor who
4 shall take office upon confirmation by a majority vote in each house of
5 the General Assembly and hold office for the unexpired term of the
6 previous Lieutenant Governor. If the General Assembly is not in
7 session, the Governor shall call it into special session to receive and act
8 upon the Governor's nomination. In the event of the inability of the
9 Lieutenant Governor to discharge the powers and duties of the office,
10 the General Assembly may provide by law for the manner in which a
11 person shall be selected to act in the Lieutenant Governor's place and
12 declare which powers and duties of the office such person shall
13 discharge.

14 (c) Whenever the Governor transmits to the President pro tempore
15 of the Senate and the Speaker of the House of Representatives the
16 Governor's written declaration that the Governor is unable to discharge
17 the powers and duties of the office, and until the Governor transmits to
18 them a written declaration to the contrary, such powers and duties shall
19 be discharged by the Lieutenant Governor as Acting Governor.
20 Thereafter, when the Governor transmits to the President pro tempore
21 of the Senate and the Speaker of the House of Representatives the
22 Governor's written declaration that no inability exists, the Governor
23 shall resume the powers and duties of the office.

24 (d) Whenever the President pro tempore of the Senate and the
25 Speaker of the House of Representatives file with the Supreme Court
26 a written statement suggesting that the Governor is unable to discharge
27 the powers and duties of the office, the Supreme Court shall meet
28 within forty-eight hours to decide the question and such decision shall
29 be final. Thereafter, whenever the Governor files with the Supreme
30 Court the Governor's written declaration that no inability exists, the
31 Supreme Court shall meet within forty-eight hours to decide whether
32 such be the case and such decision shall be final. Upon a decision that
33 no inability exists, the Governor shall resume the powers and duties of
34 the office.

35 (e) Whenever there is a vacancy in both the office of Governor and
36 Lieutenant Governor, the General Assembly shall convene in joint
37 session forty-eight hours after such occurrence and elect a Governor
38 from and of the same political party as the immediately past Governor
39 by a majority vote of each house. If either house of the General
40 Assembly is unable to assemble a quorum of its members because of
41 vacancies in the membership of that house, the General Assembly shall
42 convene not later than forty-eight hours after a sufficient number of the



1 vacancies are filled to provide a quorum of members for that house.

2 (f) An individual holding one (1) of the following offices shall
3 discharge the powers and duties of the governor if the office of
4 governor and the office of lieutenant governor are both vacant, in the
5 order listed:

6 (1) The speaker of the house of representatives.

7 (2) The president pro tempore of the senate, if the office described
8 in subdivision (1) is vacant.

9 (3) The treasurer of state, if the offices described in subdivisions
10 (1) and (2) are vacant.

11 (4) The ~~auditor of state~~ **comptroller**, if the offices described in
12 subdivisions (1) through (3) are vacant.

13 (5) The secretary of state, if the offices described in subdivisions
14 (1) through (4) are vacant.

15 (g) An individual's authority to discharge the governor's powers and
16 duties under subsection (f) ends when the general assembly fills the
17 office of governor under this section.

18 SECTION 3. ARTICLE 6, SECTION 1 OF THE CONSTITUTION
19 OF THE STATE OF INDIANA IS AMENDED TO READ AS
20 FOLLOWS: Section 1. There shall be elected, by the voters of the state,
21 a Secretary ~~an Auditor of State~~, **a State Comptroller**, and a Treasurer
22 of State, who shall, severally, hold their offices for four years. They
23 shall perform such duties as may be enjoined by law; and no person
24 shall be eligible to either of said offices, more than eight years in any
25 period of twelve years.

26 SECTION 4. ARTICLE 6, SECTION 1 OF THE CONSTITUTION
27 OF THE STATE OF INDIANA IS AMENDED TO ADD A
28 SCHEDULE TO READ AS FOLLOWS:

29 **SCHEDULE**

30 **(a) An individual serving as Auditor of State after June 30,**
31 **2023, is considered to be serving as State Comptroller for all**
32 **purposes under this Constitution and Indiana law.**

33 **(b) This SCHEDULE is effective June 30, 2023 (retroactive) and**
34 **is stricken effective January 1, 2031.**

35 SECTION 5. ARTICLE 6, SECTION 5 OF THE CONSTITUTION
36 OF THE STATE OF INDIANA IS AMENDED TO READ AS
37 FOLLOWS: Section 5. (a) The Governor, and the Secretary ~~Auditor~~,
38 **of State, State Comptroller**, and Treasurer of State, shall severally
39 keep the public records, books, and papers, in any manner relating to
40 their respective offices, at the seat of government.

41 (b) The Governor shall reside at the seat of government.



COMMITTEE REPORT

Mr. President: The Senate Committee on Elections, to which was referred Senate Joint Resolution No. 17, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution DO PASS.

(Reference is to SJ 17 as introduced.)

GASKILL, Chairperson

Committee Vote: Yeas 9, Nays 0

