

PROPOSED AMENDMENT

HB 1265 # 4

DIGEST

Straight ticket voting. Provides that a voter may not vote using a straight party ticket vote unless both major political parties are eligible for a straight party ticket vote.

- 1 Page 6, between lines 2 and 3, begin a new paragraph and insert:
2 "SECTION 6. IC 3-11-2-9, AS AMENDED BY P.L.227-2023,
3 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JANUARY 1, 2025]: Sec. 9. (a) The device of each political party
5 described in section 6 of this chapter shall be:
6 (1) enclosed in a circle not less than three-fourths (3/4) of an inch
7 in diameter; and
8 (2) placed under the name of the party or independent ticket, as
9 required by section 10 of this chapter.
10 (b) A device of a political party must not be printed on a ballot if:
11 (1) there are no candidates of that political party; ~~or~~
12 (2) the only candidates of the political party are for election to
13 offices to which more than one (1) individual is to be elected and
14 which will not be credited with a vote under IC 3-12-1-7 if a voter
15 casts a straight party ticket; **or**
16 **(3) one (1) or both major political parties are not eligible for**
17 **a straight party ticket vote."**
18 Page 11, between lines 36 and 37, begin a new paragraph and insert:
19 "SECTION 10. IC 3-11-7-4, AS AMENDED BY P.L.278-2019,
20 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JANUARY 1, 2025]: Sec. 4. (a) Except as provided in ~~subsection~~
22 **subsections (b) and (d)**, a ballot card voting system must permit a
23 voter to vote:
24 (1) except at a primary election, a straight party ticket for all of
25 the candidates of one (1) political party by a single voting mark
26 on each ballot card;
27 (2) for one (1) or more candidates of each political party or

- 1 independent candidates, or for one (1) or more school board
 2 candidates nominated by petition;
 3 (3) a split ticket for the candidates of different political parties
 4 and for independent candidates; or
 5 (4) a straight party ticket and then split that ticket by casting
 6 individual votes for candidates of another political party or
 7 independent candidate.

8 (b) A ballot card voting system must require that a voter who wishes
 9 to cast a ballot for a candidate for election to an at-large district to
 10 which more than one person may be elected, on a:

- 11 (1) county council;
 12 (2) city common council;
 13 (3) town council; or
 14 (4) township board;

15 make a voting mark for each individual candidate for whom the voter
 16 wishes to cast a vote. The ballot card voting system may not count any
 17 straight party ticket voting mark as a vote for any candidate for an
 18 office described by this subsection.

19 (c) A ballot card voting system must permit a voter to vote:

- 20 (1) for all candidates for presidential electors and alternate
 21 presidential electors of a political party or an independent ticket
 22 by making a single voting mark; and
 23 (2) for or against a public question on which the voter may vote.

24 **(d) A ballot card voting system may not permit a voter to vote**
 25 **a straight party ticket under subsection (a)(1) unless both major**
 26 **political parties are eligible for a straight party ticket vote.**

27 SECTION 11. IC 3-11-7.5-10, AS AMENDED BY P.L.278-2019,
 28 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JANUARY 1, 2025]: Sec. 10. (a) Except as provided in ~~subsection~~
 30 **subsections (b) and (d)**, an electronic voting system must permit a
 31 voter to vote:

- 32 (1) except at a primary election, a straight party ticket for all the
 33 candidates of one (1) political party by touching the device of that
 34 party;
 35 (2) for one (1) or more candidates of each political party or
 36 independent candidates, or for one (1) or more school board
 37 candidates nominated by petition;
 38 (3) a split ticket for the candidates of different political parties
 39 and for independent candidates; or
 40 (4) a straight party ticket and then split that ticket by casting

1 individual votes for candidates of another political party or
2 independent candidates.

3 (b) An electronic voting system must require that a voter who
4 wishes to cast a ballot for a candidate for election to an at-large district
5 to which more than one person may be elected, on a:

- 6 (1) county council;
- 7 (2) city common council;
- 8 (3) town council; or
- 9 (4) township board;

10 make a voting mark for each individual candidate for whom the voter
11 wishes to cast a vote. The electronic voting system may not count any
12 straight party ticket voting mark as a vote for any candidate for an
13 office described by this subsection.

14 (c) An electronic voting system must permit a voter to vote:

- 15 (1) for as many candidates for an office as the voter may vote for,
16 but no more;
- 17 (2) for or against a public question on which the voter may vote,
18 but no other; and
- 19 (3) for all the candidates for presidential electors and alternate
20 presidential electors of a political party or an independent ticket
21 by making a single voting mark.

22 **(d) A ballot card voting system may not permit a voter to vote**
23 **a straight party ticket under subsection (a)(1) unless both major**
24 **political parties are eligible for a straight party ticket vote."**

25 Page 13, between lines 13 and 14, begin a new paragraph and insert:

26 "SECTION 14. IC 3-11-13-14, AS AMENDED BY P.L.227-2023,
27 SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JANUARY 1, 2025]: Sec. 14. (a) **Except as provided in subsection**
29 **(c)**, in partisan elections, the ballot labels must include a voting square
30 or position where a voter may by one (1) voting mark on each card
31 record a straight party ticket vote for all the candidates of one (1)
32 political party, except for offices for which the voter:

- 33 (1) is required to cast an individual vote for a candidate under
34 IC 3-11-7-4(b); or
- 35 (2) has voted individually for a candidate for any other office.

36 (b) A ballot label must not include a voting square or position to
37 permit a voter to cast a straight party ticket for a political party if:

- 38 (1) there are no candidates of that political party; or
- 39 (2) the only candidates of the political party are for election to
40 offices to which more than one (1) individual is to be elected and

1 which will not be credited with a vote under IC 3-12-1-7 if a voter
2 casts a straight party ticket.

3 **(c) A ballot label may not include a voting square or position for**
4 **a voter to record a straight party ticket unless both major political**
5 **parties are eligible for a straight party ticket vote.**

6 SECTION 15. IC 3-11-14-14.5, AS AMENDED BY P.L.227-2023,
7 SECTION 102, IS AMENDED TO READ AS FOLLOWS
8 [EFFECTIVE JANUARY 1, 2025]: Sec. 14.5. A ballot label must not
9 include a touch sensitive point or button to permit a voter to cast a
10 straight party ticket for a political party if:

- 11 (1) there are no candidates of that political party; ~~or~~
12 (2) the only candidates of the political party are for election to
13 offices to which more than one (1) individual is to be elected and
14 which will not be credited with a vote under IC 3-12-1-7 if a voter
15 casts a straight party ticket; **or**
16 **(3) one (1) or both major political parties are not eligible for**
17 **a straight party ticket vote."**

18 Renumber all SECTIONS consecutively.
(Reference is to HB 1265 as introduced.)