

HOUSE BILL No. 1019

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-6-4.9-11; IC 3-8-10.

Synopsis: Unlawful slating. Provides that a political party or other person may not: (1) solicit or receive money or other property as a condition that the person, another person, or a political party support or slate a candidate; (2) pay money or give other property in exchange for the support or slating of a candidate by a person or a political party; or (3) require an individual to refrain from seeking the nomination of a political party for an elected office in a primary election if the political party does not slate the individual as the political party's choice for election to the office. Provides that a civil penalty may be assessed against a political party or other person of not more than three times the value of the money or property solicited, received, paid, or given in violation of the prohibition. Provides that any agreement entered into in violation of the prohibition is void.

Effective: July 1, 2021.

Bartlett

January 4, 2021, read first time and referred to Committee on Elections and Apportionment.



First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

HOUSE BILL No. 1019

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 3-6-4.9-11 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2021]: **Sec. 11. (a) A political party or other person who violates**
4 **IC 3-8-10-3 is subject to a civil penalty as provided in this chapter.**
5 **(b) If the enforcement authority determines that a political**
6 **party or other person has violated IC 3-8-10-3, the following apply:**
7 **(1) The enforcement authority may assess a civil penalty**
8 **against the political party or other person of not more than**
9 **three (3) times the value of the money or property solicited,**
10 **received, paid, or given.**
11 **(2) Any agreement entered into in violation of IC 3-8-10-3 is**
12 **void.**
13 **(c) Civil penalties and investigative costs shall be deposited as**
14 **follows:**
15 **(1) If the enforcement authority is the commission, penalties**
16 **and costs shall be deposited in the campaign finance**
17 **enforcement account established by IC 3-6-4.1-24.**



1 **(2) If the enforcement authority is a county election board,**
 2 **penalties and costs shall be deposited in the county election**
 3 **and registration fund. If the county does not have a county**
 4 **election and registration fund, penalties and costs shall be**
 5 **deposited in the county general fund.**

6 SECTION 2. IC 3-8-10 IS ADDED TO THE INDIANA CODE AS
 7 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
 8 1, 2021]:

9 **Chapter 10. Unlawful Slating**

10 **Sec. 1. This chapter applies only to the solicitation, payment,**
 11 **receipt, or acceptance of money or other property to be paid or**
 12 **given by a candidate seeking the nomination of a political party at**
 13 **a primary election.**

14 **Sec. 2. This chapter does not prohibit a political party from**
 15 **requiring a candidate to pay reasonable expenses for any of the**
 16 **following as a condition of the political party's support of the**
 17 **candidate:**

18 **(1) Office space.**

19 **(2) Administrative expenses.**

20 **(3) Use of poll lists.**

21 **(4) Other reasonable expenses incurred by the political party**
 22 **in support of the candidate's candidacy.**

23 **Sec. 3. A political party or other person may not do any of the**
 24 **following:**

25 **(1) Solicit or receive money or other property as a condition**
 26 **that the person, another person, or a political party support**
 27 **or slate a candidate.**

28 **(2) Pay money or give other property in exchange for the**
 29 **support or slating of a candidate by a person or a political**
 30 **party.**

31 **(3) Require an individual to refrain from seeking the**
 32 **nomination of a political party for an elected office in a**
 33 **primary election if the political party does not slate the**
 34 **individual as the political party's choice for election to the**
 35 **office.**

