



January 26, 2021

HOUSE BILL No. 1134

DIGEST OF HB 1134 (Updated January 25, 2021 6:14 pm - DI 131)

Citations Affected: IC 3-8.

Synopsis: Nomination of candidates. Provides that candidates for United States Senate and governor nominated by a political party other than a major political party at a convention must obtain and file their petitions at the same time as candidates nominated for these offices at a primary election.

Effective: July 1, 2021.

Manning

January 7, 2021, read first time and referred to Committee on Elections and Apportionment.
January 26, 2021, amended, reported — Do Pass.

HB 1134—LS 6826/DI 75



January 26, 2021

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. 1134

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 3-8-4-10.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2021]: **Sec. 10.5. (a) This section applies only to a political party**
4 **whose nominee for secretary of state at the most recent election for**
5 **that office received at least two percent (2%) but less than ten**
6 **percent (10%) of the votes cast for secretary of state at that**
7 **election.**
8 **(b) This section applies only to the nomination by a political**
9 **party of a candidate for either of the following offices:**
10 **(1) United States Senator.**
11 **(2) Governor.**
12 **(c) To be eligible to be nominated by a political party under this**
13 **chapter, a candidate must have a petition, requesting that the**
14 **individual be nominated by the political party for the office stated**
15 **in the petition, signed by at least four thousand five hundred**
16 **(4,500) voters of Indiana, including at least five hundred (500)**
17 **voters from each congressional district. A petition under this**

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1 section must contain the following:

2 (1) The signature of each petitioner.

3 (2) The name of each petitioner legibly printed.

4 (3) The residence address of each petitioner as set forth on the
5 petitioner's voter registration record.

6 (d) Except as provided in this subsection, the signature, printed
7 name, and residence address of the petitioner must be made in
8 writing by the petitioner. If a petitioner with a disability is unable
9 to write this information on the petition, the petitioner may
10 authorize an individual to do so on the petitioner's behalf. The
11 individual acting under this subsection shall execute an affidavit of
12 assistance for each such petitioner, in a form prescribed by the
13 election division. The form must set forth the name and address of
14 the individual providing assistance and the date the individual
15 provided the assistance. The form must be submitted with the
16 petition.

17 (e) This subsection applies to a petition filed during the period:

18 (1) beginning on the date that a congressional district plan has
19 been adopted under IC 3-3; and

20 (2) ending on the date that the part of the act or order issued
21 under IC 3-3-2 establishing the previous congressional district
22 plan is repealed or superseded.

23 The petition must be signed by at least four thousand five hundred
24 (4,500) voters of Indiana, including at least five hundred (500)
25 voters from each congressional district created by the most recent
26 congressional district plan adopted under IC 3-3.

27 (f) A candidate's petition under this section must be submitted
28 to the county voter registration office during the period beginning
29 on the first date that a declaration of candidacy may be filed under
30 IC 3-8-2-4 in the year in which a primary election will be held for
31 the office and ending at noon ninety-one (91) days before the
32 primary election.

33 (g) A candidate's petition required by this section must be
34 certified by the county voter registration offices in the same
35 manner as a declaration of candidacy must be certified under
36 IC 3-8-2-9. After the certification of a petition under this
37 subsection, the county voter registration office shall, upon the
38 request of the candidate named in the petition, return the original
39 petition to the candidate for filing with the secretary of state under
40 subsection (h).

41 (h) A petition certified under subsection (g) shall be filed with
42 the secretary of state, with the candidate's certificate of nomination



1 under IC 3-8-7-8.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1134, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 3-8-4-10.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 10.5. (a) This section applies only to a political party whose nominee for secretary of state at the most recent election for that office received at least two percent (2%) but less than ten percent (10%) of the votes cast for secretary of state at that election.**

(b) This section applies only to the nomination by a political party of a candidate for either of the following offices:

- (1) United States Senator.**
- (2) Governor.**

(c) To be eligible to be nominated by a political party under this chapter, a candidate must have a petition, requesting that the individual be nominated by the political party for the office stated in the petition, signed by at least four thousand five hundred (4,500) voters of Indiana, including at least five hundred (500) voters from each congressional district. A petition under this section must contain the following:

- (1) The signature of each petitioner.**
- (2) The name of each petitioner legibly printed.**
- (3) The residence address of each petitioner as set forth on the petitioner's voter registration record.**

(d) Except as provided in this subsection, the signature, printed name, and residence address of the petitioner must be made in writing by the petitioner. If a petitioner with a disability is unable to write this information on the petition, the petitioner may authorize an individual to do so on the petitioner's behalf. The individual acting under this subsection shall execute an affidavit of assistance for each such petitioner, in a form prescribed by the election division. The form must set forth the name and address of the individual providing assistance and the date the individual provided the assistance. The form must be submitted with the petition.

(e) This subsection applies to a petition filed during the period:
(1) beginning on the date that a congressional district plan has been adopted under IC 3-3; and



(2) ending on the date that the part of the act or order issued under IC 3-3-2 establishing the previous congressional district plan is repealed or superseded.

The petition must be signed by at least four thousand five hundred (4,500) voters of Indiana, including at least five hundred (500) voters from each congressional district created by the most recent congressional district plan adopted under IC 3-3.

(f) A candidate's petition under this section must be submitted to the county voter registration office during the period beginning on the first date that a declaration of candidacy may be filed under IC 3-8-2-4 in the year in which a primary election will be held for the office and ending at noon ninety-one (91) days before the primary election.

(g) A candidate's petition required by this section must be certified by the county voter registration offices in the same manner as a declaration of candidacy must be certified under IC 3-8-2-9. After the certification of a petition under this subsection, the county voter registration office shall, upon the request of the candidate named in the petition, return the original petition to the candidate for filing with the secretary of state under subsection (h).

(h) A petition certified under subsection (g) shall be filed with the secretary of state, with the candidate's certificate of nomination under IC 3-8-7-8."

Delete pages 2 through 3.

and when so amended that said bill do pass.

(Reference is to HB 1134 as introduced.)

WESCO

Committee Vote: yeas 9, nays 4.

