



February 18, 2020

ENGROSSED HOUSE BILL No. 1267

DIGEST OF HB 1267 (Updated February 17, 2020 11:19 am - DI 135)

Citations Affected: IC 3-8.

Synopsis: Withdrawal of candidates. Provides that a candidate may withdraw from being a candidate not later than noon 81 days before the date of a primary election. (Under current law, a candidate wanting to withdraw must do so not later than noon 85 days before the primary election.)

Effective: July 1, 2020.

Hostettler, Wesco, Borders, Moseley

(SENATE SPONSOR — MESSMER)

January 14, 2020, read first time and referred to Committee on Elections and Apportionment.

January 23, 2020, amended, reported — Do Pass.

January 27, 2020, read second time, ordered engrossed. Engrossed.

January 28, 2020, read third time, passed. Yeas 97, nays 0.

SENATE ACTION

February 13, 2020, read first time and referred to Committee on Elections.

February 17, 2020, reported favorably — Do Pass.

EH 1267—LS 7152/DI 75



February 18, 2020

Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1267

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 3-8-2-20, AS AMENDED BY P.L.225-2011,
2 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 20. (a) A person who files a declaration of
4 candidacy under this chapter may, at any time not later than noon
5 ~~eighty-five (85)~~ **eighty-one (81)** days before the date set for holding the
6 primary election, file a statement with the same office where the person
7 filed the declaration of candidacy, stating that the person is no longer
8 a candidate and does not wish the person's name to appear on the
9 primary election ballot as a candidate.
10 (b) A candidate who is disqualified from being a candidate under
11 IC 3-8-1-5 must file a notice of withdrawal immediately upon
12 becoming disqualified. The filing requirements of subsection (a) do not
13 apply to a notice of withdrawal filed under this subsection.
14 (c) A candidate who has moved from the election district the
15 candidate sought to represent must file a notice of withdrawal
16 immediately after changing the candidate's residence. The filing
17 requirements of subsection (a) do not apply to a notice of withdrawal

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1 filed under this subsection.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1267, 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 3-8-2-20, AS AMENDED BY P.L.225-2011, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 20. (a) A person who files a declaration of candidacy under this chapter may, at any time not later than noon ~~eighty-five (85)~~ **eighty-one (81)** days before the date set for holding the primary election, file a statement with the same office where the person filed the declaration of candidacy, stating that the person is no longer a candidate and does not wish the person's name to appear on the primary election ballot as a candidate.

(b) A candidate who is disqualified from being a candidate under IC 3-8-1-5 must file a notice of withdrawal immediately upon becoming disqualified. The filing requirements of subsection (a) do not apply to a notice of withdrawal filed under this subsection.

(c) A candidate who has moved from the election district the candidate sought to represent must file a notice of withdrawal immediately after changing the candidate's residence. The filing requirements of subsection (a) do not apply to a notice of withdrawal filed under this subsection."

Delete page 2.

and when so amended that said bill do pass.

(Reference is to HB 1267 as introduced.)

WESCO

Committee Vote: yeas 10, nays 0.

COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred House Bill No. 1267, 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 HB 1267 as printed January 24, 2020.)

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WALKER, Chairperson

Committee Vote: Yeas 7, Nays 2

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