

SENATE BILL No. 75

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-8-4-2; IC 3-10-1.

Synopsis: Nomination of candidates. Requires political parties to nominate their candidates for the United States Senate in a state convention rather than at a primary election.

Effective: July 1, 2020.

Buck

January 6, 2020, read first time and referred to Committee on Elections.



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.

SENATE BILL No. 75



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 3-8-4-2, AS AMENDED BY P.L.8-2019,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2020]: Sec. 2. (a) A political party shall conduct a state
4 convention to nominate the candidates of the political party for the
5 following offices to be voted on at the next general election:
6 **(1) United States Senator.**
7 ~~(1)~~ **(2) Lieutenant governor.**
8 ~~(2)~~ **(3) Secretary of state.**
9 ~~(3)~~ **(4) Auditor of state.**
10 ~~(4)~~ **(5) Treasurer of state.**
11 ~~(5)~~ **(6) Attorney general.**
12 (b) The convention may also:
13 (1) nominate candidates for presidential electors and alternate
14 presidential electors; and
15 (2) elect the delegates and alternate delegates to the national
16 convention of the political party.
17 (c) If a political party's state convention does not:



1 (1) nominate candidates for presidential electors and alternate
2 presidential electors; or

3 (2) elect the delegates and alternate delegates to the national
4 convention of the political party;

5 the candidates shall be nominated or the delegates elected as provided
6 in the state party's rules.

7 SECTION 2. IC 3-10-1-4 IS AMENDED TO READ AS FOLLOWS
8 [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) At a primary election each
9 political party subject to section 2 of this chapter shall nominate its
10 candidates for the following offices to be voted for at the general
11 election:

12 ~~(1) United States Senator.~~

13 ~~(2) (1) Governor.~~

14 ~~(3) (2) United States Representative.~~

15 ~~(4) (3) Legislative offices.~~

16 ~~(5) (4) Local offices.~~

17 (b) In addition, each political party subject to section 2 of this
18 chapter shall:

19 (1) vote on candidates for nomination as President of the United
20 States;

21 (2) elect delegates from each county to the party's state
22 convention; and

23 (3) elect a precinct committeeman for each precinct in the county
24 if precinct committeemen are to be elected under section 4.5 of
25 this chapter.

26 SECTION 3. IC 3-10-1-19, AS AMENDED BY P.L.278-2019,
27 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2020]: Sec. 19. (a) The ballot for a primary election shall be
29 printed in substantially the form described in this section for all the
30 offices for which candidates have qualified under IC 3-8.

31 (b) The following shall be printed as the heading for the ballot for
32 a political party:

33 "OFFICIAL PRIMARY BALLOT

34 _____ Party (insert the name of the political party)".

35 (c) The following shall be printed immediately below the heading
36 required by subsection (b) or be posted in each voting booth as
37 provided in IC 3-11-2-8(b):

38 (1) For paper ballots, print: To vote for a person, make a voting
39 mark (X or ✓) on or in the box before the person's name in the
40 proper column.

41 (2) For optical scan ballots, print: To vote for a person, darken or
42 shade in the circle, oval, or square (or draw a line to connect the



- 1 arrow) that precedes the person's name in the proper column.
 2 (3) For optical scan ballots that do not contain a candidate's name,
 3 print: To vote for a person, darken or shade in the oval that
 4 precedes the number assigned to the person's name in the proper
 5 column.
 6 (4) For electronic voting systems, print: To vote for a person,
 7 touch the screen (or press the button) in the location indicated.
 8 (d) Local public questions shall be placed on the primary election
 9 ballot after the heading and the voting instructions described in
 10 subsection (c) (if the instructions are printed on the ballot) and before
 11 the offices described in subsection (g).
 12 (e) The local public questions described in subsection (d) shall be
 13 placed as follows:
 14 (1) In a separate column on the ballot if voting is by paper ballot.
 15 (2) After the heading and the voting instructions described in
 16 subsection (c) (if the instructions are printed on the ballot) and
 17 before the offices described in subsection (g), in the form
 18 specified in IC 3-11-13-11 if voting is by ballot card.
 19 (3) As provided by either of the following if voting is by an
 20 electronic voting system:
 21 (A) On a separate screen for a public question.
 22 (B) After the heading and the voting instructions described in
 23 subsection (c) (if the instructions are printed on the ballot) and
 24 before the offices described in subsection (g), in the form
 25 specified in IC 3-11-14-3.5.
 26 (f) A public question shall be placed on the primary election ballot
 27 in the following form:
 28 (The explanatory text for the public question,
 29 if required by law.)
 30 "Shall (insert public question)?"
 31 YES
 32 NO
 33 (g) The offices with candidates for nomination shall be placed on
 34 the primary election ballot in the following order:
 35 (1) Federal and state offices:
 36 (A) President of the United States.
 37 ~~(B) United States Senator.~~
 38 ~~(C) (B) Governor.~~
 39 ~~(D) (C) United States Representative.~~
 40 (2) Legislative offices:
 41 (A) State senator.
 42 (B) State representative.



- 1 (3) Circuit offices and county judicial offices:
 2 (A) Judge of the circuit court, and unless otherwise specified
 3 under IC 33, with each division separate if there is more than
 4 one (1) judge of the circuit court.
 5 (B) Judge of the superior court, and unless otherwise specified
 6 under IC 33, with each division separate if there is more than
 7 one (1) judge of the superior court.
 8 (C) Judge of the probate court.
 9 (D) Prosecuting attorney.
 10 (E) Circuit court clerk.
- 11 (4) County offices:
 12 (A) County auditor.
 13 (B) County recorder.
 14 (C) County treasurer.
 15 (D) County sheriff.
 16 (E) County coroner.
 17 (F) County surveyor.
 18 (G) County assessor.
 19 (H) County commissioner.
 20 (I) County council member.
- 21 (5) Township offices:
 22 (A) Township assessor (only in a township referred to in
 23 IC 36-6-5-1(d)).
 24 (B) Township trustee.
 25 (C) Township board member.
 26 (D) Judge of the small claims court.
 27 (E) Constable of the small claims court.
- 28 (6) City offices:
 29 (A) Mayor.
 30 (B) Clerk or clerk-treasurer.
 31 (C) Judge of the city court.
 32 (D) City-county council member or common council member.
- 33 (7) Town offices:
 34 (A) Clerk-treasurer.
 35 (B) Judge of the town court.
 36 (C) Town council member.
- 37 (h) The political party offices with candidates for election shall be
 38 placed on the primary election ballot in the following order after the
 39 offices described in subsection (g):
 40 (1) Precinct committeeman.
 41 (2) State convention delegate.
 42 (i) The local offices to be elected at the primary election shall be



- 1 placed on the primary election ballot after the offices described in
2 subsection (h).
- 3 (j) The offices described in subsection (i) shall be placed as follows:
- 4 (1) In a separate column on the ballot if voting is by paper ballot.
- 5 (2) After the offices described in subsection (h) in the form
6 specified in IC 3-11-13-11 if voting is by ballot card.
- 7 (3) Either:
- 8 (A) on a separate screen for each office or public question; or
- 9 (B) after the offices described in subsection (h) in the form
10 specified in IC 3-11-14-3.5;
11 if voting is by an electronic voting system.

