

# SENATE BILL No. 480

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 3-10-1.

**Synopsis:** Nomination of candidates for U.S. Senate. Provides that a political party with a certain threshold number of members of the general assembly is required to nominate its candidate for United States Senate by a caucus consisting of all the members of that political party who are also members of the general assembly.

**Effective:** July 1, 2015.

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January 14, 2015, read first time and referred to Committee on Elections.

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First Regular Session 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

## SENATE BILL No. 480

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 3-10-1-4 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) At a primary election each  
3 political party subject to section 2 of this chapter shall nominate its  
4 candidates for the following offices to be voted for at the general  
5 election:  
6 ~~(1)~~ **(1)** United States Senator.  
7 ~~(2)~~ **(1)** Governor.  
8 ~~(3)~~ **(2)** United States Representative.  
9 ~~(4)~~ **(3)** Legislative offices.  
10 ~~(5)~~ **(4)** Local offices.  
11 (b) In addition, each political party subject to section 2 of this  
12 chapter shall:  
13 (1) vote on candidates for nomination as President of the United  
14 States;  
15 (2) elect delegates from each county to the party's state  
16 convention; and



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

4 SECTION 2. IC 3-10-1-4.3 IS ADDED TO THE INDIANA CODE  
 5 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 6 1, 2015]: **Sec. 4.3. (a) This section applies only to the nomination of  
 7 a candidate for United States Senator by a political party that  
 8 satisfies both of the following:**

9 (1) Five (5) or more members of the Indiana house of  
 10 representatives are members of that political party.

11 (2) Three (3) or more members of the Indiana senate are  
 12 members of that political party.

13 (b) A political party that does not satisfy subsection (a) may  
 14 nominate a candidate for the United States Senate in the manner  
 15 authorized under IC 3-10-1-2. This section does not prohibit  
 16 write-in candidates for the United States Senate in the general  
 17 election.

18 (c) A political party shall nominate its candidate for United  
 19 States Senate by a joint caucus of the members of the political  
 20 party who are either a member of:

21 (1) the Indiana house of representatives; or

22 (2) the Indiana senate.

23 The caucus shall be held on the first Tuesday after the first  
 24 Monday in May of each year in which an election for United States  
 25 Senator will be held in Indiana.

26 (d) The nominee of a political party under this section must have  
 27 the qualifications described in IC 3-8-1-7.

28 (e) Each member of the joint caucus who is:

29 (1) a member of the house of representatives of the general  
 30 assembly has one (1) vote; and

31 (2) a member of the senate of the general assembly has two (2)  
 32 votes.

33 (f) An individual who receives a majority of the votes cast in the  
 34 joint caucus is nominated as the nominee for United States Senate  
 35 for the political party of that joint caucus.

36 (g) This subsection applies if two (2) individuals each receive  
 37 fifty percent (50%) of the votes in a joint caucus. The following  
 38 individual shall cast the deciding vote, in the following order:

39 (1) The lieutenant governor. The lieutenant governor may not  
 40 cast the deciding vote if either of the following apply:

41 (A) The lieutenant governor is not a member of the  
 42 political party of the joint caucus.



- 1           **(B) The governor or the lieutenant governor is a candidate**  
2           **for nomination by the caucus.**
- 3           **(2) The treasurer of state, if the lieutenant governor is not**  
4           **permitted to cast the deciding vote under subdivision (1). The**  
5           **treasurer of state may not cast the deciding vote if either of**  
6           **the following apply:**
- 7               **(A) The treasurer of state is not a member of the political**  
8               **party of the joint caucus.**
- 9               **(B) The treasurer of state is a candidate for nomination by**  
10              **the joint caucus.**
- 11           **(3) The auditor of state, if both the individuals who hold the**  
12           **offices named in subdivisions (1) and (2) are not permitted to**  
13           **cast the deciding vote in the joint caucus under this**  
14           **subsection. The auditor of state may not cast the deciding vote**  
15           **if either of the following applies:**
- 16               **(A) The auditor of state is not a member of the political**  
17               **party of the joint caucus.**
- 18               **(B) The auditor of state is a candidate for nomination by**  
19               **the joint caucus.**
- 20           **(4) The secretary of state, if all the individuals who hold the**  
21           **offices named in subdivisions (1) through (3) are not**  
22           **permitted to cast the deciding vote in the joint caucus under**  
23           **this subsection. The secretary of state may not cast the**  
24           **deciding vote if either of the following applies:**
- 25               **(A) The secretary of state is not a member of the political**  
26               **party of the joint caucus.**
- 27               **(B) The secretary of state is a candidate for nomination by**  
28               **the joint caucus.**
- 29           **(5) The state superintendent of public instruction, if all the**  
30           **individuals who hold the offices named in subdivisions (1)**  
31           **through (4) are not permitted to cast the deciding vote in the**  
32           **joint caucus under this subsection. The state superintendent**  
33           **of public instruction may not cast the deciding vote if either**  
34           **of the following applies:**
- 35               **(A) The state superintendent of public instruction is not a**  
36               **member of the political party of the joint caucus.**
- 37               **(B) The state superintendent of public instruction is a**  
38               **candidate for nomination by the joint caucus.**
- 39           **(6) If all the individuals who hold the offices named in**  
40           **subdivisions (1) through (5) are not permitted to cast the**  
41           **deciding vote in the joint caucus under this subsection, the**  
42           **leader of:**



- 1                   **(A) the political party of the joint caucus; and**
- 2                   **(B) the house of the general assembly with the fewer**
- 3                   **number of votes in the joint caucus.**
- 4                   **(h) The speaker of the house of representatives and the leader**
- 5                   **of each minority party shall announce the name of their party's**
- 6                   **nominee on the day of the joint caucus, at 6:00 p.m., Eastern**
- 7                   **Daylight Time, before a joint session of the general assembly in the**
- 8                   **chamber of the house of representatives of the general assembly.**

