

SENATE RESOLUTION No. 64

DIGEST OF INTRODUCED RESOLUTION

A SENATE RESOLUTION declaring that the policy of the State of Indiana is to support the state's sovereign authority to manage, control, and administer its own election laws.

**Houchin, Koch, Sandlin, Freeman,
Buck, Boots, Baldwin, Charbonneau,
Ford Jon, Zay, Gaskill, Buchanan,
Garten, Crane, Walker K, Rogers,
Doriot, Leising, Grooms, Crider,
Holdman, Tomes, Mishler, Alting,
Kruse, Donato**

April 20, 2021, read first time and referred to Committee on Elections.



Introduced

First Regular Session 122nd General Assembly (2021)

SENATE RESOLUTION No. 64

MADAM PRESIDENT:

I offer the following resolution and move its adoption:

1 A SENATE RESOLUTION declaring that the policy of the
2 State of Indiana is to support the state's sovereign authority to
3 manage, control, and administer its own election laws.

4 *Whereas, The Constitution of the United States vests power*
5 *in the states to manage, control, and administer each state's*
6 *own election laws;*

7 *Whereas, The power over elections was preserved explicitly*
8 *for the states by the Constitution and was not delegated to the*
9 *states by the federal government;*

10 *Whereas, Rare exceptions in the Constitution, including the*
11 *Elections Clause, Fifteenth Amendment, Nineteenth*
12 *Amendment, Twenty-fourth Amendment, and Twenty-sixth*
13 *Amendment, do not extinguish the constitutional presumption*
14 *that states have the constitutional power to set the terms of*
15 *administering an election, designating electors, and*
16 *establishing other laws and protocols relating to an election;*

17 *Whereas, The Elections Clause was to be sparingly used to*
18 *intrude on state powers to manage, control, and administer*
19 *state elections;*

2021

SR 64—RR 3544/DI SM



1 *Whereas, House Resolution 1 (H.R. 1) and Senate*
 2 *Resolution 1 (S. 1), complementary bills introduced in the*
 3 *United States Congress and known as the “For the People Act*
 4 *of 2021”, would obliterate the constitutional arrangement*
 5 *between the states and the government of the United States by*
 6 *usurping the constitutional power of states to manage, control,*
 7 *and administer state elections by prohibiting various practices*
 8 *and mandating others;*

9 *Whereas, H.R. 1 and S. 1 would force states to conduct an*
 10 *election over an extended period of time, prohibit states from*
 11 *maintaining voter rolls free from error and obsolete*
 12 *information, force states to accept an elector who does not*
 13 *register to vote in advance, create mandates related to voting*
 14 *by mail, and prohibit regulating of ballot harvesting; and*

15 *Whereas, H.R. 1 and S. 1 strike at the very heart of the*
 16 *arrangement that gave rise to this nation, namely that states*
 17 *are sovereign and free from interference and the intrusion of*
 18 *power from the United States government absent clear*
 19 *constitutional authorization: Therefore,*

20 *Be it resolved by the Senate of the*
 21 *General Assembly of the State of Indiana:*

22 SECTION 1. That the Indiana State Senate declares that the
 23 policy of the State of Indiana is to support the state’s sovereign
 24 authority to manage, control, and administer its own election
 25 laws.

26 SECTION 2. That the Indiana State Senate opposes any
 27 attempt by the federal government to usurp, or otherwise
 28 interfere with, the state’s legislative sovereign authority over
 29 the management, control, and administration of elections.

30 SECTION 3. That the Indiana State Senate opposes H.R. 1
 31 and S. 1 and any subsequent enactment of the terms of this



1 proposal and implores the members of Congress to oppose the
2 same.

3 SECTION 4. The Secretary of the Senate is hereby directed
4 to transmit copies of this Resolution to the President of the
5 United States Senate, the Speaker of the United States House of
6 Representatives, each member of the Indiana congressional
7 delegation, the Governor of the State of Indiana, the Secretary
8 of State of the State of Indiana, the Attorney General of the
9 State of Indiana, the Legislative Council, and each Speaker of
10 the House of Representatives and each President of the Senate
11 of other state legislatures.

