
HOUSE BILL No. 1364

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-12.

Synopsis: Election recount and contest attorney expenses. Requires a petitioner in an election recount or contest to pay the reasonable attorney's fees of other candidates who are parties in the action. Provides that the fees that a petitioner is required to pay may not exceed more than two hundred dollars (\$200) an hour.

Effective: July 1, 2011.

Niezgodski

January 18, 2011, read first time and referred to Committee on Elections and Apportionment.

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First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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HOUSE BILL No. 1364



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 3-12-6-34 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2011]: **Sec. 34. (a) Subject to subsection (b), a petitioner or a**
- 4 **cross-petitioner in a recount action filed under this chapter shall**
- 5 **pay the reasonable attorney's fees of each candidate named in the**
- 6 **petitioner's recount petition or the cross-petitioner's cross-petition.**
- 7 **(b) A petitioner or a cross-petitioner is not liable to pay**
- 8 **attorney's fees under this section that exceed two hundred dollars**
- 9 **(\$200) an hour.**
- 10 SECTION 2. IC 3-12-11-26 IS ADDED TO THE INDIANA CODE
- 11 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 12 1, 2011]: **Sec. 26. (a) Subject to subsection (c), a petitioner or a**
- 13 **cross-petitioner in a recount action filed under this chapter shall**
- 14 **pay the reasonable attorney's fees of each candidate named in the**
- 15 **petitioner's recount petition or the cross-petitioner's cross-petition.**
- 16 **(b) Subject to subsection (c), a petitioner in a contest action filed**
- 17 **under this chapter shall pay the reasonable attorney's fees of each**



1 candidate named in the petitioner's contest petition.
2 (c) A petitioner or a cross-petitioner is not liable to pay
3 attorney's fees under this section that exceed two hundred dollars
4 (\$200) an hour.

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