SENATE BILL No. 108

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-10-4-9.

Synopsis: Presidential electors. Requires an elector for President and Vice President of the United States to vote for the candidates of the political party, group of petitioners, or write-in candidate that nominated the elector. Provides that an elector's failure or refusal to vote for such a candidate constitutes the elector's resignation, and the elector's vote may not be counted. Requires the remaining electors to fill the resulting vacancy. Requires the electors to proceed with the voting when a full slate of electors is again assembled.

Effective: July 1, 2012.

Zakas

January 4, 2012, read first time and referred to Committee on Elections.

C o p y

Introduced

Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

C o p y

SENATE BILL No. 108

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 3-10-4-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. **(a)** The presidential electors, when assembled and after vacancies are filled **under this section and section 8 of this chapter,** shall then vote by paper ballot for President and Vice President of the United States and perform the duties imposed upon them by the Constitution and statutes of the United States and of this state.

(b) Each elector shall vote for the candidates for President and Vice President of the United States of the:

(1) political party;

(2) group of petitioners; or

(3) write-in candidate;

that nominated the elector.

(c) An elector's failure or refusal to vote as required under subsection (b) constitutes the elector's resignation from the office of elector, and the elector's vote may not be recorded. The remaining electors shall, by paper ballot and a majority vote of all

those present, immediately fill the resulting vacancy.

(d) The election of a new elector under subsection (c) shall immediately be certified by a majority of the electors to the governor, who shall immediately notify the person of the person's election by presenting the person with a commission issued under IC 4-3-1-5. When a full slate of electors is again assembled, the electors shall proceed to vote as required under subsection (a).

C o p y