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# SENATE BILL No. 424

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 3-8-1-5.5.

**Synopsis:** Candidate eligibility. Provides that a person who: (1) filed a declaration of candidacy as a member of a political party for an office on the ballot for a primary election; or (2) voted the ballot of a political party at a primary election; is not eligible to become a candidate of a different political party or an independent candidate for any office on the ballot in the next general or municipal election. Provides that a person is not prohibited from filing a declaration of candidacy as a member of a political party for an office on the ballot for a primary election based on any declaration of candidacy filed by the person for any prior election or the person's voting record.

**Effective:** July 1, 2013.

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January 10, 2013, read first time and referred to Committee on Elections.

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First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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## SENATE BILL No. 424



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 3-8-1-5.5 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5.5. (a) Except as
- 3 provided in IC 3-13-1-19 and IC 3-13-2-10 for filling a vacancy on a
- 4 ticket, a person who:
- 5 (1) is defeated in a primary election;
- 6 (2) appears as a candidate for nomination at a convention and is
- 7 defeated;
- 8 (3) files a declaration of candidacy for nomination by a county,
- 9 city, or town convention and is defeated; or
- 10 (4) files a declaration of candidacy for nomination by a caucus
- 11 conducted under IC 3-13-1 or IC 3-13-2 and is defeated;
- 12 is not eligible to become a candidate for the same office in the next
- 13 general or municipal election.
- 14 (b) For the purposes of subsection (a):
- 15 (1) a candidate for an at-large seat on a fiscal body is considered
- 16 a candidate for the same office as a candidate for a district seat on
- 17 a fiscal body; and



1 (2) a candidate for United States representative from a district in  
2 Indiana is considered a candidate for the same office as a  
3 candidate for any other congressional district in Indiana.  
4 **(c) A person who:**  
5 **(1) filed a declaration of candidacy as a member of a political**  
6 **party for an office on the ballot for a primary election; or**  
7 **(2) voted the ballot of a political party at a primary election;**  
8 **is not eligible to become a candidate of a different political party**  
9 **or an independent candidate for any office on the ballot in the next**  
10 **general or municipal election. This subsection does not prohibit a**  
11 **person from filing a declaration of candidacy as a member of a**  
12 **political party for an office on the ballot for a primary election**  
13 **based on any declaration of candidacy filed by the person for any**  
14 **prior election or the person's voting record.**  
15 ~~(c)~~ **(d)** This section does not apply to a candidate who files a written  
16 request for placement on the presidential primary ballot under IC 3-8-3.

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