

IC 2-8.2-4

Chapter 4. Duties of Delegates and Alternate Delegates

IC 2-8.2-4-1

Instructions to delegates

Sec. 1. (a) At the time delegates and alternate delegates are appointed, the general assembly shall adopt a joint resolution to provide instructions to the delegates and alternate delegates regarding the following:

- (1) The rules of procedure.
- (2) Any other matter relating to the Article V convention that the general assembly considers necessary.

(b) The general assembly may amend the instructions at any time by joint resolution.

As added by P.L.205-2013, SEC.51.

IC 2-8.2-4-2

Duties of alternate delegates

Sec. 2. An alternate delegate:

- (1) shall act in the place of the alternate delegate's paired delegate when the alternate delegate's paired delegate is absent from the Article V convention; and
- (2) replaces the alternate delegate's paired delegate if the alternate delegate's paired delegate vacates the office.

As added by P.L.205-2013, SEC.51.

IC 2-8.2-4-3

Vote cast outside the scope of instructions; status of vote

Sec. 3. A vote cast by a delegate or an alternate delegate at an Article V convention that is outside the scope of:

- (1) the instructions established by a joint resolution adopted under section 1 of this chapter; or
- (2) the limits placed by the general assembly in a joint resolution that calls for an Article V convention for the purpose of proposing amendments to the Constitution of the United States on the subjects and amendments that may be considered by the Article V convention;

is void.

As added by P.L.205-2013, SEC.51.

IC 2-8.2-4-4

Vote cast outside the scope of instructions; appointment forfeited

Sec. 4. (a) A delegate or alternate delegate who votes or attempts to vote outside the scope of:

- (1) the instructions established by a joint resolution adopted under section 1 of this chapter; or
- (2) the limits placed by the general assembly in a joint resolution that calls for an Article V convention for the purpose

of proposing amendments to the Constitution of the United States on the subjects and amendments that may be considered by the Article V convention;
forfeits the delegate's or alternate delegate's appointment by virtue of that vote or attempt to vote.

(b) If a delegate forfeits appointment under subsection (a), the paired alternate delegate of the delegate becomes the delegate at the time the forfeiture of the appointment occurs.

As added by P.L.205-2013, SEC.51.

IC 2-8.2-4-5

Vote cast outside the scope of instructions; status of application

Sec. 5. The application of the general assembly to call an Article V convention for proposing amendments to the Constitution of the United States ceases to be a continuing application and shall be treated as having no effect if all of the delegates and alternate delegates vote or attempt to vote outside the scope of:

- (1) the instructions established by a joint resolution adopted under section 1 of this chapter; or
- (2) the limits placed by the general assembly in a joint resolution that calls for an Article V convention for the purpose of proposing amendments to the Constitution of the United States on the subjects and amendments that may be considered by the Article V convention.

As added by P.L.205-2013, SEC.51.

IC 2-8.2-4-6

Vote cast outside the scope of instructions; criminal liability

Sec. 6. A delegate or alternate delegate who knowingly or intentionally votes or attempts to vote outside the scope of:

- (1) the instructions established by a joint resolution adopted under section 1 of this chapter; or
- (2) the limits placed by the general assembly in a joint resolution that calls for an Article V convention for the purpose of proposing amendments to the Constitution of the United States on the subjects and amendments that may be considered by the Article V convention;

commits a Level 6 felony.

As added by P.L.205-2013, SEC.51. Amended by P.L.168-2014, SEC.1.