



February 17, 2015

SENATE BILL No. 466

DIGEST OF SB 466 (Updated February 16, 2015 12:31 pm - DI 102)

Citations Affected: IC 3-5; IC 3-6; IC 3-7; IC 3-8; IC 3-9; IC 3-10; IC 3-11; IC 3-11.5; IC 3-11.7; IC 3-12; IC 3-13; IC 3-14; IC 6-1.1; IC 9-24; IC 33-33; IC 36-1.

Synopsis: Various election matters. Provides that when the secretary of state's office or the election division (division) are closed on the final day for making a filing, the filing is due at noon on the next day the office is open for public business. Provides that the division, rather than the Indiana election commission, approves a uniform set of election and registration forms for use throughout Indiana. Provides that a person who is physically present in a precinct for a temporary purpose does not gain residency in the precinct. Adds language concerning the determination of the legal residence of a student attending a postsecondary educational institution. Provides that a precinct election officer is not entitled to receive credentials as a challenger, pollbook holder, or watcher. Authorizes a political party to appoint watchers at satellite offices and at central locations for counting absentee ballots and specifies the rights and duties of the watchers. Permits the National Voter Registration Act (NVRA) official to provide notice of NVRA and election law violations by electronic mail, if a useable electronic mail address is available. Requires that a voter registration application received during a period that registration is closed be designated as incomplete (rather than pending). Permits the division to provide an individual's voting history to state and local jurisdictions implementing a voter list maintenance program or to law enforcement officials conducting an investigation. Allows a county election board to adopt an order to provide electronic poll books at vote centers. Provides that the 10 day period for filing a completed voter registration application begins when the first person receives the
(Continued next page)

Effective: Upon passage; July 1, 2015; January 1, 2016.

Miller Pete

January 14, 2015, read first time and referred to Committee on Elections.
February 16, 2015, amended, reported favorably — Do Pass.

SB 466—LS 7409/DI 102



application from the applicant. Requires that voter list maintenance program mailings be sent to a voter's mailing address. Allows a voter's registration to be canceled based on information from motor vehicle license branches or federal district courts. Requires poll clerks to reduce to writing oral affirmations concerning residency changes made by voters on election day, and allows the update of voter registration records as soon as the writing is delivered to the county voter registration office. Provides that a change in census block data issued by the Bureau of the Census after a precinct establishment order is adopted does not alter the precincts established by the order. Eliminates the requirement that any vote cast for a deceased candidate in a primary election is void, and provides that if a deceased candidate receives the most votes in a primary election, a candidate vacancy occurs that the candidate's party may fill. Provides that, if a voter with disabilities is unable to sign the absentee ballot application and has not designated an attorney in fact, a county election board may designate both members of an absentee board to sign the absentee ballot application on behalf of the voter and add their names to the application. Requires a county election board, rather than a voter, to put the name of the precinct on an absentee ballot envelope. Provides that a precinct election officer who administers more than one precinct is not entitled to additional compensation. Provides that, whenever a special election is conducted during a year in which a general or municipal election is not scheduled, the circuit court clerk may not receive an application for an absentee ballot for a primary being conducted in the following year earlier than December 1. Specifies methods for determining the end of the line of voters who are waiting to vote at the time the polls close. Permits voter conversations and communications, including the use of cellular telephones and other electronic devices, in the polls as long as loud and disruptive conversations and electioneering do not occur. Prohibits a voter from taking a digital image or photograph of the voter's ballot except to document and report to a precinct election officer, county election board, or the division a problem with the functioning of the voting system. Prohibits distributing or sharing a digital image or photograph of a voter's ballot using social media or other means. Permits a voter to bring a list of candidates and public questions into the polling place (including a list stored on a cellular telephone or electronic device) for the voter's use in voting as long as electioneering does not occur. Requires that an absentee ballot application be scanned or copied for public inspection before the application is attached to the returned ballot, except for an application from a voter participating in an address confidentiality program administered by the attorney general's office. Permits the precinct designation on ballots used in a vote center county to be preprinted on the ballot before the election or to be added in the same manner as election officials' initials are added immediately before the ballot is delivered to a voter. Provides that a voter requesting but not receiving an absentee ballot may vote at the polls, if the voter executes an affidavit affirming that the voter did not receive an absentee ballot. Requires a county election board to conduct an additional public test of ballot card or electronic voting systems whenever a ballot is reprinted or corrected because the ballot omitted a candidate, political party, or public question, or includes a successor candidate, after the initial testing occurs. Establishes public testing procedures for a voting system that includes features of a ballot card voting system and a direct record electronic voting system. Requires a person that receives a certification of an electronic poll book to file within 48 hours with the secretary of state a written report concerning an anomaly or problem discovered after the first date absentee ballots are sent to voters. Provides that rejected absentee ballots in a central count county may not be opened except on the order of a court or the state recount commission. Requires that provisional ballots be delivered by the printer not later than 50 days before a general,

(Continued next page)



Digest Continued

primary, special, or municipal election. (Currently, provisional ballots must be delivered 45 days before a general, primary, or municipal election and 32 days before a special election.) Requires the state recount commission to conduct a recount resulting from a statewide public question. Provides that a person filing to fill a candidate vacancy for a local or school board office is not required to file a statement of economic interests until after the person is selected to fill the vacancy. Prohibits a government employee from knowingly or intentionally wearing or displaying an article of clothing or button that states the name of any political party or includes the name, picture, photograph, or other likeness of a candidate or currently elected federal, state, county, or local official on a government employer's real property during regular working hours. Provides that, whenever a public question concerning a controlled project is defeated or withdrawn, another public question on the same or similar project may not be submitted to voters earlier than 350 days after the date of the defeat or withdrawal. (Currently, the period is one year.) Requires the Allen County circuit court clerk to file with the division, at the end of a year before a year in which the office of judge of the Allen County superior court will be on the ballot, a list of the names, division assignments, and court numbers of the superior court judges. Requires the Monroe County circuit court clerk to file with the division, at the end of a year before a year in which the office of judge of the Monroe County circuit court will be on the ballot, a list of the names and seat designations of the circuit court judges. Requires the clerk of the Vanderburgh County circuit court to file with the division, not later than December 31 of the year immediately preceding a year in which the office of judge of the Vanderburgh superior court is on the ballot, a list containing the name and court numbers for each judge of the superior court. Provides that if a political subdivision permits or authorizes the display of materials: (1) advocating the election or defeat of a candidate or public question; or (2) supporting or opposing a political party; on the real or personal property of the political subdivision, the political subdivision must permit the display of these materials from any person to be placed on the political subdivision's property subject to the same time, place, and manner restrictions.



February 17, 2015

First Regular Session 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 466

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 3-5-2-3, AS AMENDED BY P.L.221-2005,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 3. "Ballot" means:
4 (1) the paper ballot prepared, printed, and supplied for use at an
5 election;
6 (2) the ballot label **or electronic display** prepared, printed, and
7 supplied for use on the front of an electronic voting system; or
8 (3) the ballot card prepared, printed, and supplied for use in a
9 ballot card voting system.
10 SECTION 2. IC 3-5-2-39 IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE UPON PASSAGE]: Sec. 39. "Polls" means the room in
12 a structure where the voters of a precinct vote by casting ballots **on**
13 **election day**.
14 SECTION 3. IC 3-5-4-1.5 IS AMENDED TO READ AS

SB 466—LS 7409/DI 102



1 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1.5. (a) This section
2 applies if this title requires that a legal action be taken at the office of:

3 **(1) the secretary of state or the election division; or**

4 **(2) a circuit court clerk or a political subdivision.**

5 **(b) Notwithstanding IC 4-1-2-2**, if the final day for performing the
6 action falls on a day when the office is not open to conduct public
7 business or on a day observed as a holiday under IC 1-1-9, the legal
8 action may be performed:

9 (1) on the next day that the office is open for public business; or

10 (2) through noon of the next day that the office is open for public
11 business if the action to be performed is the receipt of a filing.

12 SECTION 4. IC 3-5-4-8, AS AMENDED BY P.L.194-2013,
13 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2015]: Sec. 8. (a) Except as provided in subsection (e), but
15 notwithstanding any other statute, whenever the ~~commission~~ **election**
16 **division** acts under ~~IC 3-6-4.1-14~~ **IC 3-6-4.2-12** to approve a uniform
17 election or registration form for use throughout Indiana or to approve
18 a revision to an existing form, a person must use the most recent
19 version of the form approved by the ~~commission~~ **election division** to
20 comply with this title after the effective date of the ~~commission's~~
21 **election division's** order approving the form.

22 (b) Except as provided in subsection (d) or (f), before an order
23 approving a form takes effect under this section, the election division
24 shall transmit a copy of each form or revised form approved by the
25 order to the following:

26 (1) Each circuit court clerk, if the ~~commission~~ **election division**
27 determines that the form is primarily used by a candidate, a
28 county election board member, a county or town political party,
29 or for absentee or provisional ballot purposes.

30 (2) Each county voter registration office, if the ~~commission~~
31 **election division** determines that the form is primarily used in
32 voter registration.

33 (3) The state chairman of each major political party.

34 (4) The state chairman of any other political party who has filed
35 a written request with the election division during the preceding
36 twelve (12) months to be furnished with copies of forms.

37 (c) The election division, an election board, a circuit court clerk, a
38 county voter registration office, or any other official responsible for
39 receiving a filing under this title shall reject a filing that does not
40 comply with this section.

41 (d) The ~~commission~~ **election division** shall specify the effective
42 date of the form or revised form and may do any of the following:



- 1 (1) Delay the effective date of the approval of a form or revised
2 form.
- 3 (2) Permit an earlier approved version of the form or an
4 alternative form to be used before the effective date of the form.
- 5 (3) Provide for a retroactive effective date for the approval of the
6 form.
- 7 (e) ~~This subsection applies to a form permitting an individual to~~
8 ~~apply for voter registration or to amend the individual's existing voter~~
9 ~~registration record.~~ The **commission election division** may allow an
10 earlier approved version of the form to be used if the:
- 11 (1) earlier version of the form complies with all other
12 requirements imposed under ~~NVRA~~ **federal law** or this title; and
- 13 (2) **commission election division** determines that the existing
14 stock of the form should be exhausted to prevent waste and
15 unnecessary expense.
- 16 (f) This subsection applies to a form that the **commission election**
17 **division** determines is used primarily by the election division. The
18 **commission election division** may provide that an order concerning a
19 form described by this subsection is effective immediately upon
20 adoption, without any requirement to distribute the form to other
21 persons.
- 22 (g) **A form approved by the commission under this section**
23 **before July 1, 2015, is considered to be approved by the election**
24 **division without any further action by the election division being**
25 **required.**
- 26 SECTION 5. IC 3-5-5-0.3 IS ADDED TO THE INDIANA CODE
27 AS A **NEW SECTION TO READ AS FOLLOWS [EFFECTIVE**
28 **UPON PASSAGE]: Sec. 0.3. Notwithstanding any other law, the**
29 **additions and amendments to IC 3-5-2 or this chapter made by**
30 **legislation enacted in the 2015 regular session of the general**
31 **assembly do not affect any:**
- 32 (1) **rights or liabilities accrued;**
33 (2) **penalties incurred;**
34 (3) **violations committed; or**
35 (4) **proceedings begun;**
- 36 **before July 1, 2015. Those rights, liabilities, penalties, offenses, and**
37 **proceedings continue and shall be imposed and enforced under**
38 **prior law as if the legislation had not been enacted.**
- 39 SECTION 6. IC 3-5-5-7, AS AMENDED BY P.L.258-2013,
40 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2015]: Sec. 7. (a) Subject to section 6 of this chapter, a person
42 does not gain residency in a precinct into which the person ~~moves~~ **is**



1 **physically present** for:

- 2 (1) temporary employment;
 3 (2) educational purposes;
 4 (3) preparing to purchase or occupy a residence; or
 5 (4) other purposes;

6 without the intent of making a permanent home in the precinct.

7 **(b) The following apply to a student attending a postsecondary**
 8 **educational institution in Indiana:**

9 **(1) A student who applies to register to vote shall state the**
 10 **address of the student's residence.**

11 **(2) A student may have only one (1) residence under Indiana**
 12 **law.**

13 **(3) A student's residence may be either of the following,**
 14 **depending on the facts of the student's situation and the**
 15 **student's intentions:**

16 **(A) The address that the student traveled from to attend a**
 17 **postsecondary educational institution.**

18 **(B) The address in the community in which the student is**
 19 **attending a postsecondary educational institution, if the**
 20 **student has no intention of returning to the address**
 21 **described in clause (A).**

22 **(4) There is no rule on legal residence that applies to all**
 23 **students attending postsecondary educational institutions.**
 24 **Each case and each student is different.**

25 SECTION 7. IC 3-5-8-2.5, AS ADDED BY P.L.103-2005,
 26 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2015]: Sec. 2.5. (a) The ~~commission~~ **election division** shall
 28 prescribe a statement known as the "Absentee Voter's Bill of Rights".

29 (b) The Absentee Voter's Bill of Rights must be in a form prescribed
 30 by the ~~commission~~ **election division** and include the following:

31 (1) A statement summarizing the rights and responsibilities of the
 32 voter when casting and returning the absentee ballot.

33 (2) A summary of Indiana and federal laws concerning providing
 34 assistance to the voter, completion of the ballot in secret,
 35 intimidation of voters, and the return of the absentee ballot to the
 36 county election board.

37 (3) Information concerning how to report violations of the
 38 absentee ballot and election laws.

39 SECTION 8. IC 3-6-4.1-14 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 14. (a) In addition to
 41 other duties prescribed by law, the commission shall do the following:

42 (1) Administer Indiana election laws.



- 1 (2) Adopt rules under IC 4-22-2 to do the following:
 2 (A) Govern the fair, legal, and orderly conduct of elections,
 3 including the following:
 4 (i) Emergency rules described in section 16 of this chapter
 5 to implement a court order requiring the commission, the
 6 election division, or an election board or official to
 7 administer an election in a manner not authorized by this
 8 title.
 9 (ii) Rules (including joint rules with other agencies when
 10 necessary) to implement and administer NVRA.
 11 (B) Carry out IC 3-9 (campaign finance).
 12 (C) Govern the establishment of precincts under IC 3-11-1.5.
 13 (D) Specify procedures and fees for the processing of an
 14 application from a vendor for voting systems approval and
 15 testing.
 16 ~~(E) Prescribe formats for the storage and submission of~~
 17 ~~computerized voter registration records by county and state~~
 18 ~~agencies or offices.~~
 19 ~~(3) Prescribe a uniform set of election and registration forms for~~
 20 ~~use throughout Indiana, except when prescribed by this title.~~
 21 ~~(4) (3) Advise and exercise supervision over local election and~~
 22 ~~registration officers.~~
 23 (b) This section does not divest a county election board of any
 24 powers and duties imposed on the board in IC 3-6-5, except that if
 25 there is a deadlock on a county election board, the county election
 26 board shall submit the question to the commission for final
 27 determination.
 28 SECTION 9. IC 3-6-4.2-12, AS AMENDED BY P.L.64-2014,
 29 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2015]: Sec. 12. The election division shall do the following:
 31 (1) Maintain complete and uniform descriptions and maps of all
 32 precincts in Indiana.
 33 (2) Promptly update the information required by subdivision (1)
 34 after each precinct establishment order is filed with the
 35 commission under IC 3-11-1.5.
 36 (3) Issue media watcher cards under IC 3-6-10-6.
 37 (4) Serve in accordance with ~~42 U.S.C. 1973ff-1(b)~~ **52 U.S.C.**
 38 **20302(b)** as the office in Indiana responsible for providing
 39 information regarding voter registration procedures and absentee
 40 ballot procedures to absent uniformed services voters and
 41 overseas voters.
 42 (5) As required by ~~42 U.S.C. 1973ff-1(c)~~, **52 U.S.C. 20302(c)**,



1 submit a report to the federal Election Assistance Commission not
 2 later than ninety (90) days after each general election setting forth
 3 the combined number of absentee ballots:

4 (A) transmitted to absent uniformed services voters and
 5 overseas voters for the election; and

6 (B) returned by absent uniformed services voters and overseas
 7 voters and cast in the election.

8 (6) Implement the state plan in accordance with the requirements
 9 of HAVA (~~42 U.S.C. 15401 through 15406~~) (**52 U.S.C. 21001**
 10 **through 52 U.S.C. 21006**) and this title, and appoint members of
 11 the committee established under ~~42 U.S.C. 15405~~. **52 U.S.C.**
 12 **21005.**

13 (7) Submit reports required under ~~42 U.S.C. 15408~~ **52 U.S.C.**
 14 **21008** to the federal Election Assistance Commission concerning
 15 the use of federal funds under Title II, Subtitle D, Part I of
 16 HAVA.

17 **(8) Prescribe a uniform set of election and registration forms**
 18 **for use throughout Indiana, except when prescribed by this**
 19 **title.**

20 SECTION 10. IC 3-6-6-37, AS AMENDED BY P.L.230-2005,
 21 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2015]: Sec. 37. (a) When the county election board (or a
 23 precinct election board acting on behalf of the county election board)
 24 appoints a precinct election officer and the individual accepts the
 25 appointment by swearing the oath of office required under this chapter,
 26 a contract is created between the county election board and the
 27 individual in which the county election board retains the services of the
 28 precinct election officer as an independent contractor.

29 (b) The appointment of a precinct election officer expires when the
 30 county election board completes the canvass of the precinct under
 31 IC 3-12-4.

32 **(c) A precinct election officer is not entitled to receive**
 33 **credentials as a challenger, pollbook holder, or watcher. Except as**
 34 **provided in IC 3-11-8, a precinct election officer while serving as**
 35 **a precinct election officer may not perform the functions of a**
 36 **challenger, pollbook holder, or watcher.**

37 ~~(c)~~ **(d)** For purposes of Article 2, Section 9 of the Constitution of the
 38 State of Indiana, the position of precinct election officer is not a
 39 lucrative office.

40 SECTION 11. IC 3-6-8-7 IS ADDED TO THE INDIANA CODE
 41 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 42 1, 2015]: **Sec. 7. A political party may appoint up to two (2)**



1 **watchers under this chapter for each satellite office established**
 2 **under IC 3-11-10-26.3. A watcher appointed under this section is**
 3 **entitled to:**

4 **(1) enter, leave, and reenter the satellite office at any time the**
 5 **office is open;**

6 **(2) inspect the voting systems before absentee ballots are**
 7 **received at the satellite office each day;**

8 **(3) inspect the work being done by any elected official,**
 9 **absentee board member, or county employee at the satellite**
 10 **office; and**

11 **(4) witness any proceeding of the county election board or an**
 12 **absentee voting board at the satellite office.**

13 SECTION 12. IC 3-7-11-3 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) This section
 15 applies when a person aggrieved by a violation of:

16 (1) NVRA; or

17 (2) this article;

18 files a written notice of the violation with the NVRA official under ~~42~~
 19 ~~U.S.C. 1973gg-9(b)~~ **52 U.S.C. 20510(b)** or this chapter. A person who
 20 files a written notice of violation under this section must state in the
 21 notice whether the person has filed a written notice concerning the
 22 violation with the circuit court clerk under IC 3-7-12.

23 (b) The NVRA official shall promptly provide a copy of the notice
 24 by **electronic mail, if a usable electronic mail address is available,**
 25 **or by** first class mail to:

26 (1) the person alleged to have committed the violation; and

27 (2) the members of the commission.

28 (c) Notwithstanding this chapter, a person aggrieved by a violation
 29 of NVRA or this article may file a written notice of violation with the
 30 circuit court clerk of the county where the violation allegedly occurred.
 31 If a person files a written notice with the circuit court clerk, the NVRA
 32 official shall not begin enforcement procedures under this chapter
 33 regarding the complaint unless the person files a complaint with the
 34 NVRA official under this chapter.

35 (d) This subsection applies if the written notice of violation alleges
 36 that either co-director has committed a violation. The aggrieved person
 37 shall file the written notice with the chair of the commission. The chair
 38 of the commission shall perform the duties otherwise performed by the
 39 NVRA official concerning a written notice of violation.

40 SECTION 13. IC 3-7-12-27, AS AMENDED BY P.L.258-2013,
 41 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2015]: Sec. 27. (a) The circuit court clerk (or in a county with



1 a board of registration, the members of the board of registration) shall,
 2 not later than noon seventy-seven (77) days before each general,
 3 primary, or municipal election, file an affidavit under affirmation with
 4 the election division.

5 (b) The affidavit must be on a form prescribed by the ~~commission~~
 6 **election division** and must state that the county voter registration office
 7 has:

8 (1) conducted the voter list maintenance program under this
 9 article; and

10 (2) canceled the registrations required under the voter list
 11 maintenance program.

12 SECTION 14. IC 3-7-13-12, AS AMENDED BY P.L.1-2006,
 13 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2015]: Sec. 12. Except as otherwise provided in this article,
 15 if a county voter registration office receives a properly completed
 16 registration application during a time other than the registration period
 17 described in section 10 of this chapter, the county voter registration
 18 office ~~shall~~ **may** enter the data from the application into the
 19 computerized list and designate the application as ~~pending in the same~~
 20 ~~manner as other applications received while the registration period was~~
 21 ~~open are designated as pending under IC 3-7-33-5. However,~~
 22 **incomplete**. The county voter registration office shall ensure that:

23 (1) the notice required under IC 3-7-33-5 is not mailed to the
 24 applicant before the first day that the registration period reopens;
 25 and

26 (2) the registration information provided by the applicant does not
 27 appear on any certified list of voters or certificate of error issued
 28 under this article.

29 SECTION 15. IC 3-7-14-6 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. The ~~commission~~
 31 **election division** shall prescribe the design of the registration form
 32 required under section 5 of this chapter.

33 SECTION 16. IC 3-7-15-4 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. The ~~commission~~
 35 **election division** shall prescribe the design of the registration form for
 36 each office listed in section 2 of this chapter.

37 SECTION 17. IC 3-7-15-5 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. The registration form
 39 prescribed under section 4 of this chapter must meet the following
 40 requirements:

41 (1) The form must be equivalent to the mail registration form
 42 prescribed by the ~~commission~~ **election division** under IC 3-7-31



1 and in compliance with ~~42 U.S.C. 1973gg-5(a)(6)(A)(ii)~~. **52**
 2 **U.S.C. 20506(a)(6)(A)(ii)**.

3 (2) The form must include a statement that does the following:

4 (A) Sets forth each eligibility requirement for registration
 5 (including citizenship).

6 (B) Contains an attestation that the applicant meets each of the
 7 eligibility requirements.

8 (C) Requires the signature of the applicant, under penalty of
 9 perjury, and the date the form was signed.

10 (3) The form must include the following as provided in ~~42 U.S.C.~~
 11 ~~1973gg-5(a)(6)(B)~~: **52 U.S.C. 20506(a)(6)(B)**:

12 (A) A question reading "If you are not registered to vote where
 13 you live now, would you like to apply to register to vote here
 14 today?".

15 (B) A statement reading "Applying to register or declining to
 16 register to vote will not affect the amount of assistance that
 17 you will be provided by this agency.".

18 (C) Boxes for the applicant to check to indicate whether the
 19 applicant would like to register or declines to register to vote.

20 (D) A statement in close proximity to the boxes and in
 21 prominent type: "IF YOU DO NOT CHECK EITHER BOX,
 22 YOU WILL BE CONSIDERED TO HAVE DECIDED NOT
 23 TO REGISTER TO VOTE AT THIS TIME.".

24 (E) A statement reading "If you would like help in filling out
 25 the voter registration application form, we will help you. The
 26 decision whether to seek or accept help is yours. You may fill
 27 out the application form in private.".

28 (F) A statement reading "If you believe that someone has
 29 interfered with your right to register or to decline to register to
 30 vote, or your right to choose your political party or other
 31 political preference, you may file a complaint with (insert the
 32 title, address, and telephone number of the NVRA official). If
 33 you want you may first try to solve the problem by filing a
 34 complaint with the county voter registration office of the
 35 county where the violation occurred.".

36 SECTION 18. IC 3-7-16-11 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 11. The ~~commission~~
 38 **election division** shall prescribe the design of the registration form to
 39 be used under this chapter.

40 SECTION 19. IC 3-7-16-12 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 12. The registration
 42 form prescribed under section 11 of this chapter must meet the



- 1 following requirements:
- 2 (1) The form must be equivalent to the mail registration form
- 3 prescribed by the ~~commission~~ **election division** under IC 3-7-31
- 4 and in compliance with ~~42 U.S.C. 1973gg-5(a)(6)(A)(ii)~~: **52**
- 5 **U.S.C. 20506(a)(6)(A)(ii)**.
- 6 (2) The form must include a statement that does the following:
- 7 (A) Sets forth each eligibility requirement for registration
- 8 (including citizenship).
- 9 (B) Contains an attestation that the applicant meets each of the
- 10 eligibility requirements.
- 11 (C) Requires the signature of the applicant, under penalty of
- 12 perjury, and the date the form was signed.
- 13 (3) The form must include the following as provided in ~~42 U.S.C.~~
- 14 ~~1973gg-5(a)(6)(B)~~: **52 U.S.C. 20506(a)(6)(B)**:
- 15 (A) A question reading "If you are not registered to vote where
- 16 you live now, would you like to apply to register to vote here
- 17 today?".
- 18 (B) A statement reading "Applying to register or declining to
- 19 register to vote will not affect the amount of assistance that
- 20 you will be provided by this agency."
- 21 (C) Boxes for the applicant to check to indicate whether the
- 22 applicant would like to register or declines to register to vote.
- 23 (D) A statement in close proximity to the boxes and in
- 24 prominent type: "IF YOU DO NOT CHECK EITHER BOX,
- 25 YOU WILL BE CONSIDERED TO HAVE DECIDED NOT
- 26 TO REGISTER TO VOTE AT THIS TIME."
- 27 (E) A statement reading "If you would like help in filling out
- 28 the voter registration application form, we will help you. The
- 29 decision whether to seek or accept help is yours. You may fill
- 30 out the application form in private."
- 31 (F) A statement reading "If you believe that someone has
- 32 interfered with your right to register or to decline to register to
- 33 vote, or your right to choose your political party or other
- 34 political preference, you may file a complaint with (insert the
- 35 title, address, and telephone number of the NVRA official). If
- 36 you want you may first try to solve the problem by filing a
- 37 complaint with the county voter registration office of the
- 38 county where the violation occurred."
- 39 (4) The form must be designed to make voter registration as
- 40 accessible as possible for persons with disabilities.
- 41 SECTION 20. IC 3-7-17-5 IS AMENDED TO READ AS
- 42 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) The NVRA



1 official may act under section 3 of this chapter to prescribe forms and
2 procedures to implement this chapter.

3 (b) The ~~commission~~ **election division** may prescribe forms to
4 implement this chapter.

5 SECTION 21. IC 3-7-18-3 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. The ~~commission~~
7 **election division** shall prescribe the design of the registration form to
8 be used under this chapter.

9 SECTION 22. IC 3-7-18-4 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. The registration form
11 prescribed under section 3 of this chapter must meet the following
12 requirements:

13 (1) The form must be equivalent to the mail registration form
14 prescribed by the ~~commission~~ **election division** under IC 3-7-31
15 and in compliance with ~~42 U.S.C. 1973gg-5(a)(6)(A)(ii)~~. **52**
16 **U.S.C. 20506(a)(6)(A)(ii)**.

17 (2) The form must include a statement that does the following:

18 (A) Sets forth each eligibility requirement for registration
19 (including citizenship).

20 (B) Contains an attestation that the applicant meets each of the
21 eligibility requirements.

22 (C) Requires the signature of the applicant, under penalty of
23 perjury, and the date the form was signed.

24 (3) The form must include the following as provided in ~~42 U.S.C.~~
25 ~~1973gg-5(a)(6)(B)~~: **52 U.S.C. 20506(a)(6)(B)**:

26 (A) A question reading "If you are not registered to vote where
27 you live now, would you like to apply to register to vote here
28 today?".

29 (B) A statement reading "Applying to register or declining to
30 register to vote will not affect the amount of assistance that
31 you will be provided by this agency."

32 (C) Boxes for the applicant to check to indicate whether the
33 applicant would like to register or declines to register to vote.

34 (D) A statement in close proximity to the boxes and in
35 prominent type: "IF YOU DO NOT CHECK EITHER BOX,
36 YOU WILL BE CONSIDERED TO HAVE DECIDED NOT
37 TO REGISTER TO VOTE AT THIS TIME."

38 (E) A statement reading "If you would like help in filling out
39 the voter registration application form, we will help you. The
40 decision whether to seek or accept help is yours. You may fill
41 out the application form in private."

42 (F) A statement reading "If you believe that someone has



1 interfered with your right to register or to decline to register to
 2 vote, or your right to choose your political party or other
 3 political preference, you may file a complaint with (insert the
 4 title, address, and telephone number of the NVRA official). If
 5 you want you may first try to solve the problem by filing a
 6 complaint with the county voter registration office of the
 7 county where the violation occurred."

8 SECTION 23. IC 3-7-22-3, AS AMENDED BY P.L.81-2005,
 9 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2015]: Sec. 3. As provided in ~~42 U.S.C. 1973gg-4(a)(2) and~~
 11 ~~42 U.S.C. 15483~~, **52 U.S.C. 20505(a)(2) and 52 U.S.C. 21083**, a
 12 county voter registration office shall accept and use a mail voter
 13 registration form prescribed by the ~~commission~~ **election division** that
 14 complies with ~~42 U.S.C. 1973gg-7(b)(2)~~, ~~42 U.S.C. 15483~~, **52 U.S.C.**
 15 **20508(b)(2), 52 U.S.C. 21083**, and this article.

16 SECTION 24. IC 3-7-26.4-4, AS AMENDED BY P.L.225-2011,
 17 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 UPON PASSAGE]: Sec. 4. (a) The election division may provide parts
 19 and reports from the voter registration information from the
 20 computerized list for the purposes specified under IC 3-7-26.3-29.

21 (b) Except as otherwise provided in this section, the parts and
 22 reports provided under this section may not include information
 23 described under section 8 of this chapter.

24 (c) The parts and reports may contain the information described in
 25 section 8 of this chapter if:

- 26 (1) the part or report is to be provided to an entity that:
 27 (A) is described in section 6 of this chapter; and
 28 (B) has previously submitted an application to the election
 29 division and paid any required fee to obtain the complete
 30 compilation; or
 31 (2) the part or report is a purely statistical compilation that:
 32 (A) includes the information described in section 8 of this
 33 chapter; and
 34 (B) does not include any information:
 35 (i) concerning an individual voter; or
 36 (ii) that would permit the identification of an individual
 37 voter as a result of providing the compilation.

38 (d) The parts and reports provided under this section may not
 39 include the complete Social Security number of any individual.

40 (e) **The election division may provide the registration**
 41 **information described in section 8 of this chapter, including an**
 42 **individual's voting history, as follows:**



1 **(1) To states and local governments in states that are**
 2 **implementing the voter list maintenance program described**
 3 **in IC 3-7-38.2-5.**

4 **(2) Upon written request, to law enforcement officials**
 5 **conducting an investigation.**

6 SECTION 25. IC 3-7-29-6, AS AMENDED BY P.L.64-2014,
 7 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 UPON PASSAGE]: Sec. 6. (a) If a county election board adopts an
 9 order to provide an electronic poll book to the inspector for use at a
 10 polling place, an office of the circuit court clerk (under IC 3-11-10-26),
 11 or at a satellite office established under IC 3-11-10-26.3, **or a vote**
 12 **center under IC 3-11-18.1-4**, electronic poll books shall be used at an
 13 election (rather than certified poll lists prepared under this chapter) in
 14 all **precincts locations** in which the election is to be conducted.

15 (b) An order adopted under subsection (a) must require the use of
 16 an electronic signature (as defined in IC 26-2-8-102) to sign an
 17 electronic poll book at an election (rather than requiring voters to sign
 18 certified poll lists prepared under this chapter).

19 (c) The county voter registration office shall download the
 20 information required to be available on an electronic poll book before
 21 the electronic poll list is delivered and installed as required by
 22 IC 3-11-3-11(b).

23 (d) An electronic poll book used in a polling place, the office of a
 24 circuit court clerk under IC 3-11-10-26, or a satellite office established
 25 under IC 3-11-10-26.3, **or a vote center under IC 3-11-18.1-4**, under
 26 an order adopted under subsection (a) must:

27 (1) comply with IC 3-11-8-10.3; and

28 (2) be approved by the secretary of state in accordance with the
 29 procedures set forth in IC 3-11-18.1-12.

30 SECTION 26. IC 3-7-31-1 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) The ~~commission~~
 32 **election division** shall prescribe the forms required or permitted under
 33 NVRA or this article.

34 (b) The election division shall make the forms available on the
 35 website maintained by the election division. A form must be made
 36 available so that an individual can download the form for completion.

37 SECTION 27. IC 3-7-31-2, AS AMENDED BY P.L.258-2013,
 38 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2015]: Sec. 2. Except as provided under section 3 of this
 40 chapter, the county voter registration office shall use the forms
 41 prescribed by the ~~commission~~ **election division** under section 1 of this
 42 chapter.



1 SECTION 28. IC 3-7-31-5, AS AMENDED BY P.L.258-2013,
 2 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2015]: Sec. 5. (a) The registration forms prescribed under
 4 section 1 of this chapter must:

5 (1) provide for the residence address and the mailing address of
 6 the individual completing the forms;

7 (2) contain a statement that a notice of disposition of the person's
 8 registration application will be mailed to the mailing address of
 9 the individual;

10 (3) require the applicant to provide the applicant's voter
 11 identification number;

12 (4) ~~after December 31, 2013~~; require an individual subject to
 13 IC 3-7-32-8 who receives a completed application from the
 14 applicant to state on the application the name and residence
 15 address of the individual and the date on which the individual
 16 received the application from the applicant, with this statement
 17 being certified to by the individual under the penalties for perjury;
 18 ~~and~~

19 (5) ~~after December 31, 2013~~; contain a receipt to be given by an
 20 individual subject to IC 3-7-32-8 to the applicant when the
 21 individual receives the completed application; ~~and~~

22 **(6) if the form is a mail registration form:**

23 **(A) include the age and citizenship questions listed in**
 24 **IC 3-7-22-5; and**

25 **(B) contain a receipt to be given by an individual to an**
 26 **applicant who transmits the application to the individual.**

27 The receipt provided under ~~subdivision~~ **subdivisions (5) and (6)** must
 28 state the name and residence address of the individual and the date on
 29 which the individual took custody of the application.

30 (b) ~~Not later than August 1, 2013, the commission shall act under~~
 31 ~~IC 3-5-4-8 to approve a voter registration form that complies with this~~
 32 ~~section and IC 3-7-32.~~ Any version of a form approved by the
 33 commission under section 1 of this chapter before August 1, 2013, may
 34 not be used after December 31, 2013, or accepted by a county voter
 35 registration office under IC 3-5-4-8.

36 SECTION 29. IC 3-7-32-8, AS AMENDED BY P.L.64-2014,
 37 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2015]: Sec. 8. (a) This section does not apply to a voter
 39 registration application received by any of the following:

40 (1) An employee of a license branch:

41 (A) acting in accordance with IC 3-7-14; or

42 (B) who voluntarily:



- 1 (i) receives an application for voter registration by mail; and
 2 (ii) forwards the application to a county voter registration
 3 office as part of the license branch's transmittal of other
 4 applications under IC 3-7-14.
- 5 (2) An employee of a public assistance agency:
 6 (A) acting in accordance with IC 3-7-15; or
 7 (B) who voluntarily:
 8 (i) receives an application for voter registration by mail; and
 9 (ii) forwards the application to a county voter registration
 10 office as part of the agency's transmittal of other applications
 11 under IC 3-7-15.
- 12 (3) An employee of an agency serving persons with disabilities:
 13 (A) acting in accordance with IC 3-7-16; or
 14 (B) who voluntarily:
 15 (i) receives an application for voter registration by mail; and
 16 (ii) forwards the application to a county voter registration
 17 office as part of the agency's transmittal of other applications
 18 under IC 3-7-16.
- 19 (4) An employee of an office designated under IC 3-7-18:
 20 (A) acting in accordance with that chapter; or
 21 (B) who voluntarily:
 22 (i) receives an application for voter registration by mail; and
 23 (ii) forwards the application to a county voter registration
 24 office as part of the office's transmittal of other applications
 25 under IC 3-7-18.
- 26 (5) An employee of an office designated under IC 3-7-19:
 27 (A) acting in accordance with that chapter; or
 28 (B) who voluntarily:
 29 (i) receives an application for voter registration by mail; and
 30 (ii) forwards the application to a county voter registration
 31 office as part of the office's transmittal of other applications
 32 under IC 3-7-19.
- 33 (6) An employee of the office of the department of employment
 34 and training services:
 35 (A) acting in accordance with IC 3-7-20.5; or
 36 (B) who voluntarily:
 37 (i) receives an application for voter registration by mail; and
 38 (ii) forwards the application to a county voter registration
 39 office as part of the office's transmittal of other applications
 40 under IC 3-7-20.5.
- 41 (7) An employee of the United States Postal Service or a bonded
 42 courier company, acting in the individual's capacity as an



- 1 employee of the United States Postal Service or a bonded courier
- 2 company.
- 3 (8) A member of the applicant's household.
- 4 (9) An applicant's attorney in fact under IC 30-5-5-14.
- 5 (10) The election division acting in accordance with
- 6 IC 3-7-33-3.7.
- 7 (11) A state agency or county voter registration office receiving
- 8 an application through the online voter registration system under
- 9 IC 3-7-26.7.
- 10 (12) A precinct election officer acting in the officer's official
- 11 capacity under IC 3-6-6.
- 12 (13) A county voter registration officer acting in accordance with
- 13 IC 3-7.
- 14 (b) A person who receives a completed application form shall file
- 15 the application with the appropriate county voter registration office or
- 16 the election division not later than:
- 17 (1) noon ten (10) days after the person **receives who initially**
- 18 **received the completed application from the voter registration**
- 19 **applicant received the application;** or
- 20 (2) the deadline set by state law for filing the application with the
- 21 county voter registration office;
- 22 whichever occurs first. **The ten (10) day filing requirement applies**
- 23 **to the delivery of a mail registration form whether prescribed by**
- 24 **the United States Election Assistance Commission or the election**
- 25 **division.**
- 26 (c) If a person receives a completed voter registration application
- 27 that the person has reason to believe is materially false, fictitious, or
- 28 fraudulent, the person shall deliver the application to the appropriate
- 29 county election board not later than the deadline set forth in subsection
- 30 (b), with a statement sworn or affirmed to under the penalties for
- 31 perjury, setting forth the reasons why the person believes the
- 32 application may be materially false, fictitious, or fraudulent. The
- 33 county election board shall act under IC 3-6-5-31 to determine if a
- 34 violation of election law has occurred.
- 35 SECTION 30. IC 3-7-33-5, AS AMENDED BY P.L.64-2014,
- 36 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 37 JULY 1, 2015]: Sec. 5. (a) ~~This subsection does not apply to a voter~~
- 38 ~~who indicates:~~
- 39 ~~(1) under IC 3-7-39-7 or on an absentee application submitted~~
- 40 ~~under IC 3-11-4 that the voter has changed the voter's residence~~
- 41 ~~to an address within the same precinct where the voter's former~~
- 42 ~~address was located; or~~



1 (2) under IC 3-7-41 or an absentee application submitted under
2 IC 3-11-4 that the voter has changed the voter's name.

3 When the county voter registration office receives an application for a
4 new registration or an application with information that revises or adds
5 information to the applicant's current voter registration record, the
6 county voter registration office shall determine if the applicant appears
7 to be eligible to register to vote based on the information in the
8 application.

9 (b) **This subsection does not apply to a voter who indicates:**

10 (1) **under IC 3-7-39-7 or on an absentee application submitted**
11 **under IC 3-11-4 that the voter has changed the voter's**
12 **residence to an address within the same precinct where the**
13 **voter's former address was located; or**

14 (2) **under IC 3-7-41 or an absentee application submitted**
15 **under IC 3-11-4 that the voter has changed the voter's name.**

16 As required under ~~42 U.S.C. 1973gg-6(a)(2)~~, **52 U.S.C. 20507(a)(2)**,
17 the county voter registration office shall send a notice to each person
18 from whom the county voter registration office receives a voter
19 registration application. The county voter registration office shall send
20 a notice to the applicant at the mailing address provided in the
21 application.

22 (c) The notice required by subsection (b) must set forth the
23 following:

24 (1) A statement that the application has been received.

25 (2) The disposition of the application by the county voter
26 registration office.

27 (3) If the county voter registration office determines that the
28 applicant appears to be eligible, the notice must state the
29 following:

30 (A) Except as provided under subsection (g), the applicant is
31 registered to vote under the residence address when the
32 applicant receives the notice. An applicant is presumed to
33 have received the notice unless the notice is returned by the
34 United States Postal Service due to an unknown or insufficient
35 address and received by the county voter registration office not
36 later than seven (7) days after the notice is mailed to the
37 applicant.

38 (B) The name of the precinct in which the voter is registered.

39 (C) The address of the polling place for the precinct in which
40 the voter is registered.

41 (4) In accordance with ~~42 U.S.C. 1973ff-1(d)~~, **52 U.S.C.**
42 **20302(d)**, if the county voter registration office has denied the



- 1 application, the notice must include the reasons for the denial.
- 2 (d) The notice required by subsection (b) may not include a voter
3 identification number.
- 4 (e) The notice required by subsection (b) may include a voter
5 registration card.
- 6 (f) If the notice is returned by the United States Postal Service due
7 to an unknown or insufficient address, the county voter registration
8 office shall determine that the applicant is ineligible and deny the
9 application.
- 10 (g) During the seven (7) days following the mailing of the notice to
11 the voter under this section, the county voter registration office shall
12 indicate in the computerized list maintained under IC 3-7-26.3 that the
13 application is pending. If the notice:
- 14 (1) is not returned by the United States Postal Service and
15 received by the county voter registration office at; or
16 (2) is received by the applicant by United States Postal Service
17 delivery and presented in person by the applicant to the county
18 voter registration office before;
- 19 the expiration of the seven (7) day period under subsection (c), the
20 county voter registration office shall indicate in the computerized list
21 that the applicant is a registered voter.
- 22 (h) This subsection applies if the notice is mailed by the county
23 voter registration office after the certified list is prepared under
24 IC 3-7-29. If:
- 25 (1) the seven (7) day period under subsection (c) expires before
26 election day;
- 27 (2) the applicant has not presented the notice mailed under
28 subsection (b) to the county voter registration office as provided
29 under subsection (g); and
- 30 (3) the applicant would otherwise have been included on the
31 certified list;
- 32 the county voter registration office shall prepare a certificate of error
33 under IC 3-7-48 to note the addition of the voter to the certified list.
- 34 (i) This subsection applies if the notice is mailed by the county voter
35 registration office after the certified list is prepared under IC 3-7-29. If:
- 36 (1) the seven (7) day period has not expired before election day;
37 and
- 38 (2) the applicant has not presented the notice mailed under
39 subsection (b) to the county voter registration office as provided
40 under subsection (g);
- 41 the county voter registration office shall notify the county election
42 board. The county election board shall certify to the inspector of the



1 precinct where the applicant resides that the applicant's voter
 2 registration application is pending, and that the voter, subject to
 3 fulfilling the requirements of IC 3-11.7, is entitled to cast a provisional
 4 ballot.

5 SECTION 31. IC 3-7-38.2-2, AS AMENDED BY P.L.64-2014,
 6 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 UPON PASSAGE]: Sec. 2. (a) A voter list maintenance program
 8 conducted under this chapter must:

- 9 (1) be uniform, nondiscriminatory, and in compliance with the
 10 Voting Rights Act of 1965 (~~42 U.S.C. 1973~~); **(52 U.S.C. 10101)**;
 11 (2) not result in the removal of the name of a person from the
 12 official list of voters solely due to the person's failure to vote; and
 13 (3) be completed not later than ninety (90) days before a primary,
 14 general, or municipal election.

15 (b) A county voter registration office may conduct a voter list
 16 maintenance program that complies with subsection (a). In conducting
 17 a voter list maintenance program, the county voter registration office
 18 shall mail a notice described in subsection (d) to each voter whose
 19 registration has not previously been canceled or designated as inactive
 20 under this chapter at the ~~residence~~ **mailing** address:

- 21 (1) listed in the voter's registration record; and
 22 (2) determined by the county voter registration office not to be the
 23 voter's current residence address.

24 (c) A county voter registration office may use information only from
 25 the following sources to make the determination under subsection
 26 (b)(2):

- 27 (1) The United States Postal Service National Change of Address
 28 Service.
 29 (2) A court regarding jury duty notices returned because of an
 30 unknown or insufficient address.
 31 (3) The return of a mailing sent by the county voter registration
 32 office to all active voters (as defined in IC 3-11-18.1-2) in the
 33 county because of an unknown or insufficient address.
 34 (4) The bureau of motor vehicles concerning the surrender of a
 35 voter's Indiana license for the operation of a motor vehicle to
 36 another jurisdiction.
 37 (5) The return by the United States Postal Service after the
 38 expiration of the seven (7) day pending period of a notice
 39 regarding the disposition of a voter registration application under
 40 IC 3-7-33-5 because of an unknown or insufficient address.
 41 (6) The return of a mailing sent to voters of a precinct advising
 42 voters of a change of precinct boundary or the precinct polling



1 place because of an unknown or insufficient address, if the county
 2 sends a similar mailing to the voters of each precinct when a
 3 boundary or polling place is changed.

4 **(7) Information received from the election division under**
 5 **section 16(b) of this chapter.**

6 (d) The notice described in subsection (b) must:

7 (1) be sent by first class United States mail, postage prepaid, by
 8 a method that requires the notice to be forwarded to the voter; and

9 (2) include a postage prepaid return card that:

10 (A) is addressed to the county voter registration office;

11 (B) states a date (which must be at least thirty (30) days after
 12 the date the notice is mailed) by which the card must be
 13 returned or the voter's registration will become inactive until
 14 the information is provided to the county voter registration
 15 office; and

16 (C) permits the voter to provide the voter's current residence
 17 address.

18 (e) If a voter returns the card described in subsection (d)(2) and
 19 provides a current residence address that establishes that the voter
 20 resides:

21 (1) in the county, the county voter registration office shall update
 22 the voter's registration record; or

23 (2) outside the county, the county voter registration office shall
 24 cancel the voter's registration.

25 ~~(f) If a voter returns the card described in subsection (d)(2) after the~~
 26 ~~final day for completing voter list maintenance activities under section~~
 27 ~~3 of this chapter, the county voter registration office shall, when~~
 28 ~~registration reopens after the next primary, general, or municipal~~
 29 ~~election following the date specified in the notice, process any update~~
 30 ~~or cancellation of the voter registration record indicated on the card by~~
 31 ~~the voter under subsection (e). If a card is returned as undeliverable~~
 32 ~~due to an unknown or insufficient address by the United States Postal~~
 33 ~~Service after the date specified in subsection (d)(2)(B), the county~~
 34 ~~voter registration office shall, when registration reopens after the next~~
 35 ~~primary, general, or municipal election, determine whether the voter~~
 36 ~~voted or appeared to vote from the address set forth in the registration~~
 37 ~~record at any election occurring after the final day for completing voter~~
 38 ~~list maintenance activities, and if not, then designate the voter as~~
 39 ~~inactive.~~

40 (g) If a voter does not return the card described in subsection (d)(2)
 41 by the date specified in subsection (d)(2)(B), the county voter
 42 registration office shall indicate in the voter's registration record that



- 1 the voter's registration is inactive.
- 2 (h) A voter's registration that becomes inactive under subsection (f)
- 3 or (g) remains in inactive status from the date described in subsection
- 4 (d)(2)(B) until the earlier of the following:
- 5 (1) The date the county voter registration office updates or
- 6 cancels the voter's registration under subsection (e) after the voter
- 7 provides a current residence address.
- 8 (2) The day after the second general election in which the voter
- 9 has not voted or appeared to vote.
- 10 (i) After the date described in subsection (h)(2), the county voter
- 11 registration office shall remove the voter's registration from the voter
- 12 registration records.
- 13 SECTION 32. IC 3-7-38.2-5, AS AMENDED BY P.L.2-2014,
- 14 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 15 UPON PASSAGE]: Sec. 5. (a) To assist in performing voter list
- 16 maintenance under this chapter, the NVRA official shall submit the
- 17 names of all registered voters in Indiana to the United States Postal
- 18 Service National Change of Address Service. The submission under
- 19 this chapter shall be compiled from the county voter registration
- 20 information submitted to the election division under IC 3-7-26.3.
- 21 (b) This subsection does not require the NVRA official to request
- 22 voter registration data from a state listed in this subsection if the
- 23 NVRA official will be receiving voter registration data from that state
- 24 under the memorandum of understanding described in subsection (d).
- 25 To assist in performing voter list maintenance under this chapter, not
- 26 later than December 31 of each calendar year the NVRA official shall
- 27 request that the chief state election official who is responsible for the
- 28 coordination of state responsibilities under NVRA in each of the
- 29 following states provide a list of the registered voters in that state:
- 30 (1) Florida.
- 31 (2) Illinois.
- 32 (3) Kentucky.
- 33 (4) Michigan.
- 34 (5) Ohio.
- 35 (c) The NVRA official shall request a list of registered voters from
- 36 any other state in which the NVRA official determines there is a
- 37 reasonable possibility that a significant number of individuals who
- 38 have registered to vote in Indiana may also be registered to vote in that
- 39 state.
- 40 (d) ~~Not later than August 1, 2013;~~ The NVRA official shall execute
- 41 a memorandum of understanding with the Kansas Secretary of State.
- 42 Notwithstanding any limitation under IC 3-7-26.4 regarding the



1 availability of certain information from the computerized list, on
 2 January 15 of each year, the NVRA official shall provide data from the
 3 statewide voter registration list without cost to the Kansas Secretary of
 4 State to permit the comparison of voter registration data in the
 5 statewide voter registration list with registration data from all other
 6 states participating in this memorandum of understanding and to
 7 identify any cases in which a voter cast a ballot in more than one (1)
 8 state during the same election. Not later than thirty (30) days following
 9 the receipt of information under this subsection indicating that a voter
 10 of Indiana may also be registered to vote in another state, the NVRA
 11 official shall provide the appropriate county voter registration office
 12 with the name of and any other information obtained under this
 13 subsection concerning that voter, **if the first name, last name, and**
 14 **date of birth of the Indiana voter is identical to the first name, last**
 15 **name, and date of birth of the voter registered in the other state.**
 16 The county voter registration office shall determine whether the
 17 individual:

- 18 (1) identified in the report provided by the NVRA official under
- 19 this subsection is the same individual who is a registered voter of
- 20 the county;
- 21 (2) registered to vote in another state on a date following the date
- 22 that voter registered in Indiana; and
- 23 (3) authorized the cancellation of any previous registration by the
- 24 voter when the voter registered in another state.

25 (e) If the county voter registration office determines that the voter
 26 is described by subsection (d)(1) through (d)(3), the county voter
 27 registration office shall cancel the voter registration of that voter. If the
 28 county voter registration office determines that the voter is described
 29 by subsection (d)(1) and (d)(2), but has not authorized the cancellation
 30 of any previous registration, the county voter registration office shall
 31 send an address confirmation notice to the Indiana address of the voter.

32 SECTION 33. IC 3-7-38.2-16, AS AMENDED BY P.L.64-2014,
 33 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 UPON PASSAGE]: Sec. 16. (a) During each even-numbered year, the
 35 NVRA official shall conduct a residency confirmation and outreach
 36 procedure under this chapter. The NVRA official (or a contractor
 37 acting on behalf of the NVRA official) shall send a nonforwardable
 38 mailing by U.S. mail, postage prepaid, to each active voter (as defined
 39 in IC 3-11-18.1-2) in Indiana **at the voter's mailing address.**

40 (b) The NVRA official shall, not later than January 31 of each even
 41 numbered year, request information from the:

- 42 (1) United States District Court for the Northern District of



1 Indiana; and

2 (2) United States District Court for the Southern District of
3 Indiana;

4 concerning the return of U.S. mail sent by the court for jury selection
5 purposes. **Not later than twenty-eight (28) days following the**
6 **primary election conducted in that year**, the state shall provide each
7 county voter registration office with information concerning any
8 registered voter who appears to no longer reside at the address set forth
9 in the voter's registration record due to a mailing returned to the courts.
10 **as undeliverable due to an unknown or insufficient address. Not later**
11 **than forty-two (42) days following the primary election conducted**
12 **in that year**, the county voter registration office shall send an address
13 confirmation notice to the voter described by this subsection **at the**
14 **voter's mailing address.**

15 SECTION 34. IC 3-7-39-6 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) A voter who has
17 changed residence from the county in which the voter is registered to
18 another county must give the voter's most recent previous address,
19 listed on a form prescribed under this article.

20 (b) Completion of the form constitutes an authorization of
21 cancellation of registration in each county of previous residence listed
22 on the form. At the time of registering, the voter must sign the
23 authorization to cancel the previous registration.

24 **(c) This subsection applies to a county that has adopted an order**
25 **under IC 3-7-29-6 or is a vote center county under IC 3-11-18.1-1.**
26 **A voter described in subsection (a) may make a written affirmation**
27 **of the voter's change of residence on election day using the**
28 **affidavit described by IC 3-10-11-4. If the voter makes an oral**
29 **affirmation under this subsection, the poll clerks shall reduce the**
30 **substance of the affirmation to writing using the affidavit**
31 **described by IC 3-10-11-4 and initial the affirmation.**

32 SECTION 35. IC 3-7-39-7, AS AMENDED BY P.L.64-2014,
33 SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2015]: Sec. 7. (a) This section applies to a voter who changes
35 residence to an address in the same precinct where the voter's former
36 residence was located.

37 (b) As required under ~~42 U.S.C. 1973gg-6(c)(1)~~, **52 U.S.C.**
38 **20507(e)(1)**, a voter described in subsection (a) may vote at the
39 precinct polling place after the voter makes an oral or a written
40 affirmation of the change of address before a member of the precinct
41 election board.

42 (c) A person entitled to make a written affirmation under subsection



1 (b) may make an oral affirmation. The person must make the oral
 2 affirmation before the poll clerks of the precinct. After the person
 3 makes an oral affirmation under this subsection, the poll clerks shall:

- 4 (1) reduce the substance of the affirmation to writing at an
 5 appropriate location on the poll list; and
 6 (2) initial the affirmation.

7 (d) This subsection applies to a county that has adopted an order
 8 under IC 3-7-29-6 or is a vote center county under IC 3-11-18.1. A
 9 voter described in subsection (a) may make a written affirmation of the
 10 voter's change of residence on election day using the affidavit
 11 prescribed by the ~~commission~~ **election division** under IC 3-10-11-6. If
 12 the voter makes an oral affirmation under this subsection, the poll
 13 clerks shall reduce the substance of the affirmation to writing using the
 14 affidavit prescribed by the commission under IC 3-10-11-6 and initial
 15 the affirmation.

16 SECTION 36. IC 3-7-39-10 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10. (a) Except as
 18 provided in section 9 of this chapter, and as required under ~~42 U.S.C.~~
 19 ~~1973gg-3(a)(2);~~ **52 U.S.C. 20504(a)(2)**, the ~~circuit court clerk or board~~
 20 **of county voter registration office** shall:

- 21 (1) amend a voter's registration record under this chapter to reflect
 22 information stated by the voter on a registration form submitted
 23 at a license branch; **and**
 24 (2) **if the information received from a license branch indicates**
 25 **that the voter has moved from Indiana to another state, send**
 26 **a notice to the voter as provided by IC 3-7-38.2-2.**

27 SECTION 37. IC 3-7-41-2, AS AMENDED BY P.L.64-2014,
 28 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2015]: Sec. 2. (a) The statement described in section 1 of this
 30 chapter may be filed with the county voter registration office at any
 31 time.

32 (b) A voter who wishes to indicate that the voter's name has changed
 33 may also write the necessary information concerning the name change
 34 on the poll list under IC 3-11-8-25.1 before the person receives a ballot.
 35 The change of name on the voter registration record is effective
 36 immediately, and the person may then vote if otherwise qualified.

37 (c) This subsection applies to a county that has adopted an order
 38 under IC 3-7-29-6 or is a vote center county under IC 3-11-18.1. A
 39 voter described in subsection (b) may indicate that the voter's name has
 40 changed by writing the necessary information concerning the name
 41 change on election day using the affidavit prescribed by the
 42 ~~commission~~ **election division** under IC 3-10-11-6. The poll clerks shall



1 initial the affirmation. The change of name on the voter registration
 2 record is effective immediately, and the person may then vote if
 3 otherwise qualified.

4 SECTION 38. IC 3-7-41-3 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) If a voter
 6 indicates a change of name on the poll list under section 2 of this
 7 chapter, the county voter registration office shall change the name of
 8 the voter on the registration record of the precinct.

9 (b) **This subsection applies to a county that has adopted an**
 10 **order under IC 3-7-29-6 or is a vote center county under**
 11 **IC 3-11-18.1-1. A voter described in subsection (a) may make a**
 12 **written affirmation of the voter's change of name on election day**
 13 **using the affidavit described by IC 3-10-11-4. If the voter makes an**
 14 **oral affirmation under this subsection, the poll clerks shall reduce**
 15 **the substance of the affirmation to writing using the affidavit**
 16 **described by IC 3-10-11-4 and initial the affirmation.**

17 SECTION 39. IC 3-7-43-2 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. A request from a
 19 voter under this chapter must be in writing and may be on a form
 20 prescribed by the ~~commission~~ **election division** or other forms
 21 provided by the circuit court clerk or board of registration (including
 22 jury notices) if the voter signs the request for removal.

23 SECTION 40. IC 3-7-46-9, AS AMENDED BY P.L.164-2006,
 24 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2015]: Sec. 9. After preparation of the notice under section 8
 26 of this chapter, the county voter registration office shall mail the notice
 27 to the alleged disfranchised person not later than the day following the
 28 day that the voter's registration has been canceled under this chapter.
 29 The notice must be mailed to each alleged disfranchised person at the
 30 person's last known address using a form prescribed by the ~~commission~~
 31 **election division** under this article.

32 SECTION 41. IC 3-7-48-5, AS AMENDED BY P.L.64-2014,
 33 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2015]: Sec. 5. (a) This section applies to a voter who:

- 35 (1) formerly resided in a precinct according to the voter
 36 registration record; and
- 37 (2) no longer resides in that precinct according to the voter
 38 registration record.

39 (b) As provided under ~~42 U.S.C. 1973gg-6(e)(3)~~, **52 U.S.C.**
 40 **20507(e)(3)**, a voter described by subsection (a) may vote in the
 41 precinct where the voter formerly resided (according to the voter
 42 registration record) if the voter makes an oral or a written affirmation



1 to a member of the precinct election board that the voter continues to
 2 reside at the address shown as the voter's former residence on the voter
 3 registration record.

4 (c) A person entitled to make a written affirmation under subsection
 5 (b) may make an oral affirmation. The person must make the oral
 6 affirmation before the poll clerks of the precinct. After the person
 7 makes an oral affirmation under this subsection, the poll clerks shall:

- 8 (1) reduce the substance of the affirmation to writing at an
 9 appropriate location on the poll list; and
 10 (2) initial the affirmation.

11 (d) This subsection applies to a county that has adopted an order
 12 under IC 3-7-29-6 or is a vote center county under IC 3-11-18.1. A
 13 voter described in subsection (a) may make a written affirmation
 14 described in this section on the affidavit prescribed by the ~~commission~~
 15 **election division** under IC 3-10-11-6. If the person makes an oral
 16 affirmation under this subsection, the poll clerks shall reduce the
 17 substance of the affirmation to writing by using the affidavit prescribed
 18 by the ~~commission~~ **election division** under IC 3-10-11-6 and initial the
 19 affirmation.

20 SECTION 42. IC 3-8-2-2.5, AS AMENDED BY P.L.76-2014,
 21 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2015]: Sec. 2.5. (a) A person who desires to be a write-in
 23 candidate for a federal, state, legislative, or local office or school board
 24 office in a general, municipal, or school board election must file a
 25 declaration of intent to be a write-in candidate with the officer with
 26 whom declaration of candidacy must be filed under sections 5 and 6 of
 27 this chapter.

28 (b) The declaration of intent to be a write-in candidate required
 29 under subsection (a) must be signed before a person authorized to
 30 administer oaths and must certify the following information:

- 31 (1) The candidate's name must be printed or typewritten as:
 32 (A) the candidate wants the candidate's name to be certified;
 33 and
 34 (B) the candidate's name is permitted to appear under IC 3-5-7.
 35 (2) A statement that the candidate is a registered voter and the
 36 location of the candidate's precinct and township (or ward and
 37 city or town), county, and state.
 38 (3) The candidate's complete residence address, and if the
 39 candidate's mailing address is different from the residence
 40 address, the mailing address.
 41 (4) The candidate's party affiliation or a statement that the
 42 candidate is an independent candidate (not affiliated with any



- 1 party). The candidate may not claim affiliation with any political
 2 party described by IC 3-8-4-1.
- 3 (5) A statement of the candidate's intention to be a write-in
 4 candidate, the name of the office, including the district, and the
 5 date and type of election.
- 6 (6) If the candidate is a candidate for the office of President or
 7 Vice President of the United States, a statement declaring the
 8 names of the individuals who have consented and are eligible to
 9 be the candidate's candidates for presidential electors.
- 10 (7) The following statements:
- 11 (A) A statement that the candidate has attached either of the
 12 following to the declaration:
- 13 (i) A copy of a statement of economic interests, file stamped
 14 by the office required to receive the statement of economic
 15 interests.
- 16 (ii) A receipt or photocopy of a receipt showing that a
 17 statement of economic interests has been filed.
- 18 This requirement does not apply to a candidate for a federal
 19 office.
- 20 (B) A statement that the candidate understands that if the
 21 candidate is elected to the office, the candidate may be
 22 required to obtain and file an individual surety bond before
 23 serving in the office. This requirement does not apply to a
 24 candidate for a federal office or legislative office.
- 25 (C) A statement that the candidate understands that if the
 26 candidate is elected to the office, the candidate may be
 27 required to successfully complete training or have attained
 28 certification related to service in an elected office. This
 29 requirement does not apply to a candidate for a federal office,
 30 state office, or legislative office.
- 31 (D) A statement that the candidate:
- 32 (i) is aware of the provisions of IC 3-9 regarding campaign
 33 finance and the reporting of campaign contributions and
 34 expenditures; and
- 35 (ii) agrees to comply with the provisions of IC 3-9.
- 36 This requirement does not apply to a candidate for a federal
 37 office.
- 38 The candidate must separately initial each of the statements
 39 required by this subdivision.
- 40 (8) A statement as to whether the candidate has:
- 41 (A) been a candidate for state or local office in a previous
 42 primary or general election; and



- 1 (B) filed all reports required by IC 3-9-5-10 for all previous
2 candidacies.
- 3 (9) If the candidate is subject to IC 3-9-1-5, a statement that the
4 candidate has filed a campaign finance statement of organization
5 for the candidate's principal committee or is aware that the
6 candidate may be required to file a campaign finance statement of
7 organization not later than noon seven (7) days after the final date
8 to file the declaration of intent to be a write-in candidate under
9 section 4 of this chapter.
- 10 (10) If the candidate is subject to IC 3-9-1-5.5, a statement that
11 the candidate is required to file a campaign finance statement of
12 organization under IC 3-9 after the first of either of the following
13 occurs:
- 14 (A) The candidate receives more than five hundred dollars
15 (\$500) in contributions.
- 16 (B) The candidate makes more than five hundred dollars
17 (\$500) in expenditures.
- 18 (11) A statement that the candidate complies with all
19 requirements under the laws of Indiana to be a candidate for the
20 above named office, including any applicable residency
21 requirements, and that the candidate is not ineligible to be a
22 candidate due to a criminal conviction that would prohibit the
23 candidate from serving in the office.
- 24 (12) The candidate's signature and telephone number.
- 25 (c) At the time of filing the declaration of intent to be a write-in
26 candidate, the write-in candidate is considered a candidate for all
27 purposes.
- 28 (d) A write-in candidate must comply with the requirements under
29 IC 3-8-1 that apply to the office to which the write-in candidate seeks
30 election.
- 31 (e) A person may not be a write-in candidate in a contest for
32 nomination or for election to a political party office.
- 33 (f) A write-in candidate for the office of President or Vice President
34 of the United States must list at least one (1) candidate for presidential
35 elector and may not list more than the total number of presidential
36 electors to be chosen in Indiana.
- 37 (g) The **commission election division** shall provide that the form of
38 a declaration of intent to be a write-in candidate includes the following
39 information:
- 40 (1) The dates for filing campaign finance reports under IC 3-9.
41 (2) The penalties for late filing of campaign finance reports under
42 IC 3-9.



1 (h) A declaration of intent to be a write-in candidate must include
 2 a statement that the candidate requests the name on the candidate's
 3 voter registration record be the same as the name the candidate uses on
 4 the declaration of intent to be a write-in candidate. If there is a
 5 difference between the name on the candidate's declaration of intent to
 6 be a write-in candidate and the name on the candidate's voter
 7 registration record, the officer with whom the declaration of intent to
 8 be a write-in candidate is filed shall forward the information to the
 9 voter registration officer of the appropriate county as required by
 10 IC 3-5-7-6(e). The voter registration officer of the appropriate county
 11 shall change the name on the candidate's voter registration record to be
 12 the same as the name on the candidate's declaration of intent to be a
 13 write-in candidate.

14 SECTION 43. IC 3-8-2-7, AS AMENDED BY P.L.76-2014,
 15 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2015]: Sec. 7. (a) The declaration of each candidate required
 17 by this chapter must be signed before a person authorized to administer
 18 oaths and contain the following information:

19 (1) The candidate's name, printed or typewritten as:

20 (A) the candidate wants the candidate's name to appear on the
 21 ballot; and

22 (B) the candidate's name is permitted to appear on the ballot
 23 under IC 3-5-7.

24 (2) A statement that the candidate is a registered voter and the
 25 location of the candidate's precinct and township (or ward and
 26 city or town), county, and state.

27 (3) The candidate's complete residence address, and if the
 28 candidate's mailing address is different from the residence
 29 address, the mailing address.

30 (4) A statement of the candidate's party affiliation. For purposes
 31 of this subdivision, a candidate is considered to be affiliated with
 32 a political party only if any of the following applies:

33 (A) The most recent primary election in Indiana in which the
 34 candidate voted was a primary election held by the party with
 35 which the candidate claims affiliation.

36 (B) The county chairman of:

37 (i) the political party with which the candidate claims
 38 affiliation; and

39 (ii) the county in which the candidate resides;

40 certifies that the candidate is a member of the political party.

41 The declaration of candidacy must inform candidates how party
 42 affiliation is determined under this subdivision and permit the



- 1 candidate to indicate on the declaration of candidacy which of
 2 clauses (A) or (B) applies to the candidate. If a candidate claims
 3 party affiliation under clause (B), the candidate must attach to the
 4 candidate's declaration of candidacy the written certification of
 5 the county chairman required by clause (B).
- 6 (5) A statement that the candidate complies with all requirements
 7 under the laws of Indiana to be a candidate for the above named
 8 office, including any applicable residency requirements, and that
 9 the candidate is not ineligible to be a candidate due to a criminal
 10 conviction that would prohibit the candidate from serving in the
 11 office.
- 12 (6) A request that the candidate's name be placed on the official
 13 primary ballot of that party to be voted on, the office for which the
 14 candidate is declaring, and the date of the primary election.
- 15 (7) The following statements:
- 16 (A) A statement that the candidate has attached either of the
 17 following to the declaration:
- 18 (i) A copy of a statement of economic interests, file stamped
 19 by the office required to receive the statement of economic
 20 interests.
- 21 (ii) A receipt or photocopy of a receipt showing that a
 22 statement of economic interests has been filed.
- 23 This requirement does not apply to a candidate for a federal
 24 office.
- 25 (B) A statement that the candidate understands that if the
 26 candidate is elected to the office, the candidate may be
 27 required to obtain and file an individual surety bond before
 28 serving in the office. This requirement does not apply to a
 29 candidate for a federal office or legislative office.
- 30 (C) A statement that the candidate understands that if the
 31 candidate is elected to the office, the candidate may be
 32 required to successfully complete training or have attained
 33 certification related to service in an elected office. This
 34 requirement does not apply to a candidate for a federal office,
 35 state office, or legislative office.
- 36 (D) A statement that the candidate:
- 37 (i) is aware of the provisions of IC 3-9 regarding campaign
 38 finance and the reporting of campaign contributions and
 39 expenditures; and
- 40 (ii) agrees to comply with the provisions of IC 3-9.
- 41 This requirement does not apply to a candidate for a federal
 42 office.



- 1 The candidate must separately initial each of the statements
 2 required by this subdivision.
- 3 (8) A statement as to whether the candidate has been a candidate
 4 for state, legislative, or local office in a previous primary,
 5 municipal, special, or general election and whether the candidate
 6 has filed all reports required by IC 3-9-5-10 for all previous
 7 candidacies.
- 8 (9) If the candidate is subject to IC 3-9-1-5, a statement that the
 9 candidate has filed a campaign finance statement of organization
 10 for the candidate's principal committee or is aware that the
 11 candidate may be required to file a campaign finance statement of
 12 organization not later than noon seven (7) days after the final date
 13 to file the declaration of candidacy under section 11 of this
 14 chapter.
- 15 (10) The candidate's signature.
- 16 (b) The ~~commission~~ **election division** shall provide that the form of
 17 a declaration of candidacy includes the following information:
- 18 (1) The dates for filing campaign finance reports under IC 3-9.
 19 (2) The penalties for late filing of campaign finance reports under
 20 IC 3-9.
- 21 (c) A declaration of candidacy must include a statement that the
 22 candidate requests the name on the candidate's voter registration record
 23 be the same as the name the candidate uses on the declaration of
 24 candidacy. If there is a difference between the name on the candidate's
 25 declaration of candidacy and the name on the candidate's voter
 26 registration record, the officer with whom the declaration of candidacy
 27 is filed shall forward the information to the voter registration officer of
 28 the appropriate county as required by IC 3-5-7-6(e). The voter
 29 registration officer of the appropriate county shall change the name on
 30 the candidate's voter registration record to be the same as the name on
 31 the candidate's declaration of candidacy.
- 32 SECTION 44. IC 3-8-2-8, AS AMENDED BY P.L.194-2013,
 33 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2015]: Sec. 8. (a) A declaration of candidacy for the office of
 35 United States Senator or for the office of governor must be
 36 accompanied by a petition signed by at least four thousand five
 37 hundred (4,500) voters of the state, including at least five hundred
 38 (500) voters from each congressional district.
- 39 (b) Each petition must contain the following:
- 40 (1) The signature of each petitioner.
 41 (2) The name of each petitioner legibly printed.
 42 (3) The residence address of each petitioner as set forth on the



- 1 petitioner's voter registration record.
- 2 (c) Except as provided in this subsection, the signature, printed
3 name, and residence address of the petitioner must be made in writing
4 by the petitioner. If a petitioner with a disability is unable to write this
5 information on the petition, the petitioner may authorize an individual
6 to do so on the petitioner's behalf. The individual acting under this
7 subsection shall execute an affidavit of assistance for each such
8 petitioner, in a form prescribed by the ~~commission~~ **election division**.
9 The form must set forth the name and address of the individual
10 providing assistance, and the date the individual provided the
11 assistance. The form must be submitted with the petition.
- 12 (d) This subsection applies to a petition filed during the period:
- 13 (1) beginning on the date that a congressional district plan has
14 been adopted under IC 3-3; and
- 15 (2) ending on the date that the part of the act or order issued under
16 IC 3-3-2 establishing the previous congressional district plan is
17 repealed or superseded.
- 18 The petition must be signed by at least four thousand five hundred
19 (4,500) voters of Indiana, including at least five hundred (500) voters
20 from each congressional district created by the most recent
21 congressional district plan adopted under IC 3-3.
- 22 SECTION 45. IC 3-8-2.5-2, AS AMENDED BY P.L.76-2014,
23 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2015]: Sec. 2. (a) A candidate for a school board office must
25 file a petition of nomination in accordance with this chapter and as
26 required under IC 20-23 or IC 20-25. The petition of nomination, once
27 filed, serves as the candidate's declaration of candidacy for a school
28 board office.
- 29 (b) A candidate may be nominated for a school board office by
30 petition of voters who are:
- 31 (1) registered to vote at the residence address set forth on the
32 petition on the date the petition is certified under this chapter; and
33 (2) qualified to vote for the candidate.
- 34 (c) The petition of nomination must be signed by the number of
35 voters required for the school board office under IC 20-23 or IC 20-25.
- 36 (d) Except as provided in this subsection, the signature, printed
37 name, and residence address of the petitioner must be made in writing
38 by the petitioner. If a petitioner with a disability is unable to write this
39 information on the petition, the petitioner may authorize an individual
40 to do so on the petitioner's behalf. The individual acting under this
41 subsection shall execute an affidavit of assistance for each such
42 petitioner, in a form prescribed by the ~~commission~~ **election division**.



1 The form must set forth the name and address of the individual
 2 providing assistance, and the date the individual provided the
 3 assistance. The form must be submitted with the petition.

4 SECTION 46. IC 3-8-2.5-2.5, AS AMENDED BY P.L.76-2014,
 5 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2015]: Sec. 2.5. (a) A petition of nomination for a school
 7 board office must state all of the following:

8 (1) The name of each candidate as:

9 (A) the candidate wants the candidate's name to appear on the
 10 ballot; and

11 (B) the candidate's name is permitted to appear on the ballot
 12 under IC 3-5-7.

13 (2) The address of each candidate, including the mailing address,
 14 if different from the residence address of the candidate.

15 (3) The school board office that each candidate seeks.

16 (4) That each petitioner is a qualified registered voter and desires
 17 to be able to vote for the candidates listed on the petition.

18 (b) The petition of nomination must be accompanied by the
 19 following:

20 (1) The candidate's written consent to become a candidate.

21 (2) A statement that the candidate:

22 (A) is aware of the provisions of IC 3-9 regarding campaign
 23 finance and the reporting of campaign contributions and
 24 expenditures; and

25 (B) agrees to comply with the provisions of IC 3-9 referred to
 26 in clause (A).

27 ~~The candidate must separately sign the statement required by this~~
 28 ~~subdivision.~~

29 (3) A statement by the candidate that the candidate is aware of the
 30 requirement to file a campaign finance statement of organization
 31 under IC 3-9 after the first of either of the following occurs:

32 (A) The candidate receives more than five hundred dollars
 33 (\$500) in contributions.

34 (B) The candidate makes more than five hundred dollars
 35 (\$500) in expenditures.

36 (4) A statement indicating whether or not each candidate:

37 (A) has been a candidate for state, legislative, local, or school
 38 board office in a previous primary, municipal, special, or
 39 general election; and

40 (B) has filed all reports required by IC 3-9-5-10 for all
 41 previous candidacies.

42 (5) A statement that each candidate is legally qualified to hold the



1 office that the candidate seeks, including any applicable residency
 2 requirements and restrictions on service due to a criminal
 3 conviction.

4 (6) Any statement of economic interests required under IC 3-8-9.

5 SECTION 47. IC 3-8-3-2, AS AMENDED BY P.L.194-2013,
 6 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2015]: Sec. 2. (a) A request filed under section 1 of this
 8 chapter must be accompanied by a petition signed by at least four
 9 thousand five hundred (4,500) voters of the state, including at least five
 10 hundred (500) voters from each congressional district.

11 (b) Each petition must contain the following:

12 (1) The signature of each petitioner.

13 (2) The name of each petitioner legibly printed.

14 (3) The residence address of each petitioner as set forth on the
 15 petitioner's voter registration record.

16 (c) Except as provided in this subsection, the signature, printed
 17 name, and residence address of the petitioner must be made in writing
 18 by the petitioner. If a petitioner with a disability is unable to write this
 19 information on the petition, the petitioner may authorize an individual
 20 to do so on the petitioner's behalf. The individual acting under this
 21 subsection shall execute an affidavit of assistance for each such
 22 petitioner, in a form prescribed by the ~~commission~~ **election division**.
 23 The form must set forth the name and address of the individual
 24 providing assistance, and the date the individual provided the
 25 assistance. The form must be submitted with the petition.

26 (d) This subsection applies to a petition filed during the period:

27 (1) beginning on the date that a congressional district plan has
 28 been adopted under IC 3-3; and

29 (2) ending on the date that the part of the act or order issued under
 30 IC 3-3-2 establishing the previous congressional district plan is
 31 repealed or superseded.

32 The petition must be signed by at least four thousand five hundred
 33 (4,500) voters of Indiana, including at least five hundred (500) voters
 34 from each congressional district created by the most recent
 35 congressional district plan adopted under IC 3-3.

36 SECTION 48. IC 3-8-5-10.5, AS AMENDED BY P.L.76-2014,
 37 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JANUARY 1, 2016]: Sec. 10.5. (a) A person who desires to be
 39 nominated for a town office by a major political party must file a
 40 declaration of candidacy with the circuit court clerk of the county
 41 containing the greatest percentage of population of the town.

42 (b) A declaration of candidacy must be filed:



- 1 (1) not earlier than the first date that a declaration of candidacy
 2 for a primary election may be filed under IC 3-8-2-4; and
 3 (2) not later than:
 4 (A) noon August 1 before a municipal election if the town
 5 nominates its candidates by convention; and
 6 (B) the date that a declaration of candidacy must be filed under
 7 IC 3-8-2-4 if the town nominates its candidates by a primary
 8 election.
 9 (c) The declaration must be subscribed and sworn to (or affirmed)
 10 before a notary public or other person authorized to administer oaths.
 11 (d) The declaration of each candidate required by this section must
 12 certify the following information:
 13 (1) The candidate's name, printed or typewritten as:
 14 (A) the candidate wants the candidate's name to appear on the
 15 ballot; and
 16 (B) the candidate's name is permitted to appear on the ballot
 17 under IC 3-5-7.
 18 (2) That the candidate is a registered voter and the location of the
 19 candidate's precinct and township (or the ward and town), county,
 20 and state.
 21 (3) The candidate's complete residence address and the
 22 candidate's mailing address if the mailing address is different
 23 from the residence address.
 24 (4) The candidate's party affiliation and the office to which the
 25 candidate seeks nomination, including the district designation if
 26 the candidate is seeking a town legislative body seat.
 27 (5) That the candidate complies with all requirements under the
 28 laws of Indiana to be a candidate for the above named office,
 29 including any applicable residency requirements, and is not
 30 ineligible to be a candidate due to a criminal conviction that
 31 would prohibit the candidate from serving in the office.
 32 (6) That the candidate has attached either of the following to the
 33 declaration:
 34 (A) A copy of a statement of economic interests, file stamped
 35 by the office required to receive the statement of economic
 36 interests.
 37 (B) A receipt or photocopy of a receipt showing that a
 38 statement of economic interests has been filed.
 39 (7) That the candidate understands that if the candidate is elected
 40 to the office, the candidate may be required to obtain and file an
 41 individual surety bond before serving in the office.
 42 (8) That the candidate understands that if the candidate is elected



1 to the office, the candidate may be required to successfully
 2 complete training or have attained certification related to service
 3 in an elected office.

4 (9) That the candidate:

5 (A) is aware of the provisions of IC 3-9 regarding campaign
 6 finance and the reporting of campaign contributions and
 7 expenditures; and

8 (B) agrees to comply with the provisions of IC 3-9.

9 **(10) A statement indicating whether or not the candidate:**

10 **(A) has been a candidate for state, legislative, local, or**
 11 **school board office in a previous primary, municipal,**
 12 **special, or general election; and**

13 **(B) has filed all reports required by IC 3-9-5-10 for all**
 14 **previous candidacies.**

15 ~~(10)~~ **(11)** The candidate's signature.

16 (e) This subsection does not apply to a town whose municipal
 17 election is to be conducted by a county. Immediately after the deadline
 18 for filing, the circuit court clerk shall do all of the following:

19 (1) Certify to the town clerk-treasurer and release to the public a
 20 list of the candidates of each political party for each office. The
 21 list shall indicate any candidates of a political party nominated for
 22 an office under this chapter because of the failure of any other
 23 candidates of that political party to file a declaration of candidacy
 24 for that office.

25 (2) Post a copy of the list in a prominent place in the circuit court
 26 clerk's office.

27 (3) File a copy of each declaration of candidacy with the town
 28 clerk-treasurer.

29 (f) A person who files a declaration of candidacy for an elected
 30 office for which a per diem or salary is provided for by law is
 31 disqualified from filing a declaration of candidacy for another office for
 32 which a per diem or salary is provided for by law until the original
 33 declaration is withdrawn.

34 (g) A person who files a declaration of candidacy for an elected
 35 office may not file a declaration of candidacy for that office in the same
 36 year as a member of a different political party until the original
 37 declaration is withdrawn.

38 (h) A person who files a declaration of candidacy under this section
 39 may file a written notice withdrawing the person's declaration of
 40 candidacy in the same manner as the original declaration was filed, if
 41 the notice of withdrawal is filed not later than:

42 (1) noon August 1 before the municipal election if the town



1 nominates its candidates by convention; and

2 (2) the date that a declaration of candidacy may be withdrawn
3 under IC 3-8-2-20 if the town nominates its candidates in a
4 primary election.

5 (i) A declaration of candidacy must include a statement that the
6 candidate requests the name on the candidate's voter registration record
7 be the same as the name the candidate uses on the declaration of
8 candidacy. If there is a difference between the name on the candidate's
9 declaration of candidacy and the name on the candidate's voter
10 registration record, the officer with whom the declaration of candidacy
11 is filed shall forward the information to the voter registration officer of
12 the appropriate county as required by IC 3-5-7-6(e). The voter
13 registration officer of the appropriate county shall change the name on
14 the candidate's voter registration record to be the same as the name on
15 the candidate's declaration of candidacy.

16 SECTION 49. IC 3-8-6-6, AS AMENDED BY P.L.64-2014,
17 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2015]: Sec. 6. (a) The signatures to a petition of nomination
19 need not be appended to one (1) paper, but a petitioner may not be
20 counted unless the petitioner is registered and qualified to vote in
21 conformity with section 8 of this chapter. Each petition must contain
22 the following:

23 (1) The signature of each petitioner.

24 (2) The name of each petitioner legibly printed.

25 (3) The residence address of each petitioner as set forth on the
26 petitioner's voter registration record.

27 (b) Except as provided in this subsection, the signature, printed
28 name, and residence address of the petitioner must be made in writing
29 by the petitioner. If a petitioner with a disability is unable to write this
30 information on the petition, the petitioner may authorize an individual
31 to do so on the petitioner's behalf. The individual acting under this
32 subsection shall execute an affidavit of assistance for each such
33 petitioner, in a form prescribed by the ~~commission~~ **election division**.
34 The form must set forth the name and address of the individual
35 providing assistance, and the date the individual provided the
36 assistance. The form must be submitted with the petition.

37 SECTION 50. IC 3-8-6-12, AS AMENDED BY P.L.76-2014,
38 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2015]: Sec. 12. (a) A petition of nomination for an office filed
40 under section 10 of this chapter must be filed with and, except as
41 provided in subsection (d), certified by the person with whom a
42 declaration of candidacy must be filed under IC 3-8-2.



1 (b) The petition of nomination must be accompanied by the
2 following:

3 (1) The candidate's written consent to become a candidate.

4 (2) The following statements:

5 (A) A statement that the candidate has attached either of the
6 following to the petition:

7 (i) A copy of a statement of economic interests, file stamped
8 by the office required to receive the statement of economic
9 interests.

10 (ii) A receipt or photocopy of a receipt showing that a
11 statement of economic interests has been filed.

12 This requirement does not apply to a candidate for a federal
13 office.

14 (B) A statement that the candidate understands that if the
15 candidate is elected to the office, the candidate may be
16 required to obtain and file an individual surety bond before
17 serving in the office. This requirement does not apply to a
18 candidate for a federal office or legislative office.

19 (C) A statement that the candidate understands that if the
20 candidate is elected to the office, the candidate may be
21 required to successfully complete training or have attained
22 certification related to service in an elected office. This
23 requirement does not apply to a candidate for a federal office,
24 state office, or legislative office.

25 (D) A statement that the candidate:

26 (i) is aware of the provisions of IC 3-9 regarding campaign
27 finance and the reporting of campaign contributions and
28 expenditures; and

29 (ii) agrees to comply with the provisions of IC 3-9.

30 This requirement does not apply to a candidate for a federal
31 office.

32 The candidate must separately initial each of the statements
33 required by this subdivision.

34 (3) If the candidate is subject to IC 3-9-1-5, a statement by the
35 candidate that the candidate has filed a campaign finance
36 statement of organization under IC 3-9-1-5 or is aware that the
37 candidate may be required to file a campaign finance statement of
38 organization not later than noon seven (7) days after the final date
39 for filing a petition for nomination under section 10 of this
40 chapter.

41 (4) If the candidate is subject to IC 3-9-1-5.5, a statement by the
42 candidate that the candidate is aware of the requirement to file a



- 1 campaign finance statement of organization under IC 3-9 after the
 2 first of either of the following occurs:
- 3 (A) The candidate receives more than five hundred dollars
 4 (\$500) in contributions.
- 5 (B) The candidate makes more than five hundred dollars
 6 (\$500) in expenditures.
- 7 (5) A statement indicating whether or not each candidate:
- 8 (A) has been a candidate for state or local office in a previous
 9 primary or general election; and
- 10 (B) has filed all reports required by IC 3-9-5-10 for all
 11 previous candidacies.
- 12 (6) A statement that each candidate is legally qualified to hold the
 13 office that the candidate seeks, including any applicable residency
 14 requirements and restrictions on service due to a criminal
 15 conviction.
- 16 (7) If the petition is filed with the secretary of state for an office
 17 not elected by the electorate of the whole state, a statement signed
 18 by the circuit court clerk of each county in the election district of
 19 the office sought by the individual.
- 20 (8) Any statement of economic interests required under
 21 IC 3-8-1-33.
- 22 (c) The statement required under subsection (b)(7) must:
- 23 (1) be certified by each circuit court clerk; and
- 24 (2) indicate the number of votes cast for secretary of state:
- 25 (A) at the last election for secretary of state; and
- 26 (B) in the part of the county included in the election district of
 27 the office sought by the individual filing the petition.
- 28 (d) The person with whom the petition of nomination must be filed
 29 under subsection (a) shall:
- 30 (1) determine whether a sufficient number of signatures as
 31 required by section 3 of this chapter have been obtained; and
- 32 (2) do one (1) of the following:
- 33 (A) If the petition includes a sufficient number of signatures,
 34 certify the petition.
- 35 (B) If the petition has an insufficient number of signatures,
 36 deny the certification.
- 37 (e) The secretary of state shall, by noon on the date specified under
 38 IC 3-8-7-16 for the certification of candidates and public questions by
 39 the election division:
- 40 (1) certify; or
- 41 (2) deny certification under subsection (d) to;
- 42 each petition of nomination filed in the secretary of state's office to the



1 appropriate county.

2 (f) The ~~commission~~ **election division** shall provide that the form of
3 a petition of nomination includes the following information:

4 (1) The dates for filing campaign finance reports under IC 3-9.

5 (2) The penalties for late filing of campaign finance reports under
6 IC 3-9.

7 (g) A candidate's consent to become a candidate must include a
8 statement that the candidate requests the name on the candidate's voter
9 registration record be the same as the name the candidate uses on the
10 consent to become a candidate. If there is a difference between the
11 name on the candidate's consent to become a candidate and the name
12 on the candidate's voter registration record, the officer with whom the
13 consent to become a candidate is filed shall forward the information to
14 the voter registration officer of the appropriate county as required by
15 IC 3-5-7-6(e). The voter registration officer of the appropriate county
16 shall change the name on the candidate's voter registration record to be
17 the same as the name on the candidate's consent to become a candidate.

18 (h) If the person with whom the petition was filed denies
19 certification under subsection (d), the person shall notify the candidate
20 immediately by certified mail.

21 (i) A candidate may contest the denial of certification under
22 subsection (d) based on:

23 (1) the circuit court clerk's or board of registration's failure to
24 certify, under section 8 of this chapter, qualified petitioners; or

25 (2) the determination described in subsection (d)(1);

26 using the procedure in IC 3-8-1-2 and section 14 of this chapter that
27 applies to questions concerning the validity of a petition of nomination.

28 SECTION 51. IC 3-8-6-17, AS AMENDED BY P.L.124-2012,
29 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2015]: Sec. 17. (a) If:

31 (1) a petition of nomination contains the name of at least one (1)
32 candidate who seeks to be placed on the ballot as the candidate of
33 a political party described by section 1 of this chapter; and

34 (2) a candidate listed on the petition ceases to be a candidate after
35 the petition is circulated for signature or filed;

36 the candidate may be replaced on the petition in accordance with this
37 section.

38 (b) This subsection applies to a candidate described in subsection
39 (a) who sought a federal, state, or legislative office or a local office
40 described by IC 3-8-2-5. The state chairman of the political party may
41 file a written statement with the election division stating the name of
42 the substitute candidate. The statement must:



- 1 (1) be on a form prescribed by the ~~commission~~; **election division**;
 2 (2) state the following:
 3 (A) the name of the individual who ceased to be a candidate;
 4 (B) the date and reason the individual ceased to be a
 5 candidate; and
 6 (C) the name of the individual who will replace the candidate
 7 as:
 8 (i) the individual wants the individual's name to appear on
 9 the ballot; and
 10 (ii) the individual's name is permitted to appear on the ballot
 11 under IC 3-5-7; and
 12 (3) be accompanied by the following:
 13 (A) The replacement candidate's consent to be nominated by
 14 the petition and, if other candidates were listed on the petition,
 15 the signed consent of those candidates to be the replacement.
 16 (B) The former candidate's statement of withdrawal in a form
 17 substantially similar to the form prescribed under IC 3-8-7-28
 18 if the individual withdrew as a candidate.

19 A replacement candidate's consent to the nomination must include a
 20 statement that the candidate requests the name on the candidate's voter
 21 registration record be the same as the name the candidate uses on the
 22 consent to the nomination. If there is a difference between the name on
 23 the candidate's consent to the nomination and the name on the
 24 candidate's voter registration record, the officer with whom the consent
 25 to the nomination is filed shall forward the information to the voter
 26 registration officer of the appropriate county as required by
 27 IC 3-5-7-6(e). The voter registration officer of the appropriate county
 28 shall change the name on the candidate's voter registration record to be
 29 the same as the name on the candidate's consent to the nomination.

30 (c) This subsection applies to a candidate described in subsection
 31 (a) who sought a local office other than a local office described by
 32 IC 3-8-2-5. The county, city, or town chairman of the political party
 33 may file a written statement that conforms with subsection (b) with the
 34 election board conducting the election for the local office.

35 (d) The statement required under subsection (b) or (c) must be filed
 36 not later than the final date and time for the filing of a certificate of
 37 candidate selection under IC 3-13-1-15(c).

38 (e) If a petition of nomination is circulated or filed by an
 39 independent candidate and that individual ceases to be a candidate,
 40 another candidate may not be substituted on the petition of nomination.

41 SECTION 52. IC 3-8-7-5, AS AMENDED BY P.L.221-2005,
 42 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2015]: Sec. 5. (a) Each circuit court clerk, not later than noon
 2 on the second Monday after a primary election conducted in a year in
 3 which a general election will be held, shall furnish the election division
 4 with a complete list of all:

- 5 (1) candidates nominated; and
- 6 (2) state convention delegates elected;

7 at the primary election.

8 (b) The list must include:

- 9 (1) the address of each candidate and delegate; and
- 10 (2) the United States congressional district in which each
 11 ~~candidate and~~ delegate resides.

12 SECTION 53. IC 3-8-7-8, AS AMENDED BY P.L.76-2014,
 13 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2015]: Sec. 8. (a) This section applies to a state convention
 15 conducted by a political party described by IC 3-8-4-1.

16 (b) The state chairman and state secretary of the political party
 17 holding the state convention shall certify each candidate nominated at
 18 the convention to the secretary of state not later than noon July 15
 19 before the general election.

20 (c) The certificate must be in writing and state the following:

- 21 (1) The name of each candidate nominated as:
 - 22 (A) the candidate wants the candidate's name to appear on the
 23 ballot; and
 - 24 (B) the candidate's name is permitted to appear on the ballot
 25 under IC 3-5-7.
- 26 (2) Each candidate's residence address.
- 27 (3) Whether each candidate nominated by the convention has
 28 complied with IC 3-9-1-5 by filing a campaign finance statement
 29 of organization.

30 (4) The following statements:

31 (A) A statement that the candidate has attached either of the
 32 following to the certificate:

- 33 (i) A copy of a statement of economic interests, file stamped
 34 by the office required to receive the statement of economic
 35 interests.
- 36 (ii) A receipt or photocopy of a receipt showing that a
 37 statement of economic interests has been filed.

38 This requirement does not apply to a candidate for a federal
 39 office.

40 (B) A statement that the candidate understands that if the
 41 candidate is elected to the office, the candidate may be
 42 required to obtain and file an individual surety bond before



- 1 serving in the office. This requirement does not apply to a
 2 candidate for a federal office or legislative office.
- 3 (C) A statement that the candidate understands that if the
 4 candidate is elected to the office, the candidate may be
 5 required to successfully complete training or have attained
 6 certification related to service in an elected office. This
 7 requirement does not apply to a candidate for a federal office,
 8 state office, or legislative office.
- 9 (D) A statement that the candidate:
- 10 (i) is aware of the provisions of IC 3-9 regarding campaign
 11 finance and the reporting of campaign contributions and
 12 expenditures; and
- 13 (ii) agrees to comply with the provisions of IC 3-9.
- 14 This requirement does not apply to a candidate for a federal
 15 office.
- 16 The candidate must separately initial each of the statements
 17 required by this subdivision.
- 18 (d) The ~~commission~~ **election division** shall prescribe the form of the
 19 certificate of nomination for the offices. The ~~commission~~ **election**
 20 **division** shall provide that the form of the certificate of nomination
 21 include the following information:
- 22 (1) The dates for filing campaign finance reports under IC 3-9.
 23 (2) The penalties for late filing of campaign finance reports under
 24 IC 3-9.
- 25 (e) A certificate of nomination must include a statement that the
 26 candidate requests the name on the candidate's voter registration record
 27 be the same as the name the candidate uses on the certificate of
 28 nomination. If there is a difference between the name on the candidate's
 29 certificate of nomination and the name on the candidate's voter
 30 registration record, the officer with whom the certificate of nomination
 31 is filed shall forward the information to the voter registration officer of
 32 the appropriate county as required by IC 3-5-7-6(e). The voter
 33 registration officer of the appropriate county shall change the name on
 34 the candidate's voter registration record to be the same as the name on
 35 the candidate's certificate of nomination.
- 36 (f) The certificate of nomination must be signed by the state
 37 chairman and state secretary of the political party holding the
 38 convention, and set forth the name and residence of the chairman and
 39 secretary. The chairman and secretary shall acknowledge the certificate
 40 before an individual authorized to administer oaths under IC 33-42-4-1.
 41 The signed acknowledgment must be included in the certificate of
 42 nomination executed under this section.



1 SECTION 54. IC 3-8-7-17 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 17. (a) The election
 3 division may not certify the name of a person whose certificate or
 4 petition of nomination has been filed with the election division if the
 5 person has filed a notice with the election division that the person will
 6 not accept the nomination contained in the certificate or petition of
 7 nomination.

8 (b) The notice must be signed and acknowledged before an officer
 9 authorized to take acknowledgments of deeds in a form prescribed by
 10 the ~~commission~~ **election division**.

11 (c) A county election board may not include on the ballot the name
 12 of a person whose certificate or petition of nomination has been filed
 13 in the circuit court clerk's office if the person has notified the clerk in
 14 the same manner that the person will not accept the nomination.

15 (d) The name of a candidate who has given notice under this section
 16 may not be included on the ballot.

17 SECTION 55. IC 3-8-7-25 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 25. ~~The election~~
 19 ~~division and~~ Each county election board shall have printed on the
 20 respective general, special, or municipal election ballots the names of
 21 the following candidates:

22 (1) Nominees chosen at a primary election under IC 3-10 and
 23 certified as required by this chapter.

24 (2) Nominees chosen by a convention of a political party in the
 25 state whose candidate received at least two percent (2%) of the
 26 total vote cast for secretary of state at the last election and
 27 certified under section 8 of this chapter.

28 (3) Nominees nominated by petition under IC 3-8-6.

29 (4) Nominees selected to fill a candidate vacancy under IC 3-13-1
 30 or IC 3-13-2.

31 SECTION 56. IC 3-8-7-25.5, AS AMENDED BY P.L.225-2011,
 32 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2015]: Sec. 25.5. (a) This section does not apply to the change
 34 of a candidate's name that occurs after absentee ballots have been
 35 printed bearing the candidate's name.

36 (b) A candidate who:

37 (1) is:

38 (A) nominated for election; or

39 (B) a candidate for nomination; and

40 (2) changed the candidate's legal name after:

41 (A) the candidate has been nominated; or

42 (B) the candidate has become a candidate for nomination;



1 shall file a statement setting forth the former and current legal name of
 2 the candidate with the office where a declaration of candidacy or
 3 certificate of nomination for the office is required to be filed. If the
 4 final date and hour has not passed for filing a declaration of candidacy,
 5 consent for nomination, or declaration of intent to be a write-in
 6 candidate, the candidate must file the request for a change of name on
 7 the form prescribed by the ~~commission~~ **election division** for the
 8 declaration or consent.

9 (c) The statement filed under subsection (b) must also indicate the
 10 following:

11 (1) That the candidate has previously filed a change of name
 12 request with a county voter registration office so that the name set
 13 forth in the statement is identical to the candidate's name on the
 14 county voter registration record.

15 (2) How the candidate's legal name was changed.

16 (d) Upon the filing of the statement, each county election board
 17 shall print the candidate's legal name on the ballot as set forth in the
 18 statement.

19 SECTION 57. IC 3-8-7-28, AS AMENDED BY P.L.194-2013,
 20 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2015]: Sec. 28. (a) Except as provided in subsections (b) and
 22 (c), if a nominee certified under this chapter, IC 3-8-5, IC 3-8-6, or
 23 IC 3-10-1 desires to withdraw as the nominee, the nominee must file a
 24 notice of withdrawal in writing with the public official with whom the
 25 certificate of nomination was filed by noon:

26 (1) July 15 before a general or municipal election;

27 (2) August 1 before a municipal election in a town subject to
 28 IC 3-8-5-10;

29 (3) on the date specified for town convention nominees under
 30 IC 3-8-5-14.5;

31 (4) on the date specified for declared write-in candidates under
 32 IC 3-8-2-2.7;

33 (5) on the date specified for a school board candidate under
 34 IC 3-8-2.5-4; or

35 (6) forty-five (45) days before a special election.

36 (b) A candidate who is disqualified from being a candidate under
 37 IC 3-8-1-5 must file a notice of withdrawal immediately upon
 38 becoming disqualified. **IC 3-8-8-7** and the filing requirements of
 39 subsection (a) do not apply to a notice of withdrawal filed under this
 40 subsection.

41 (c) A candidate who has moved from the election district the
 42 candidate sought to represent must file a notice of withdrawal



1 immediately after changing the candidate's residence. **IC 3-8-8-7** and
 2 the filing requirements of subsection (a) do not apply to a notice of
 3 withdrawal filed under this subsection.

4 SECTION 58. IC 3-8-7-30 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 30. (a) Not later than
 6 noon ~~August 1~~, **on the date specified under section 16 of this**
 7 **chapter**, the election division shall certify to each county election
 8 board:

9 (1) the name of each individual who filed a declaration of intent
 10 to be a write-in candidate with the election division; and

11 (2) any political party that the individual is affiliated with, or
 12 whether the individual is an independent candidate.

13 (b) This subsection applies to a county that does not use a central
 14 location to tally ballot card votes. The circuit court clerk shall provide
 15 a copy of the certification under this section to the inspector of each
 16 precinct, with instructions concerning the counting of write-in votes for
 17 declared write-in candidates.

18 SECTION 59. IC 3-8-9-9, AS ADDED BY P.L.90-2012, SECTION
 19 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 20 2015]: Sec. 9. The ~~commission~~ **election division** shall prescribe the
 21 form of the statement.

22 SECTION 60. IC 3-9-1-4 IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2015]: Sec. 4. A committee must include in its
 24 statement of organization the following:

25 (1) The name and address of the committee.

26 (2) The purpose for which the committee is formed, unless the
 27 committee is a candidate's committee that identifies a specific
 28 office sought by the candidate.

29 (3) The name and address of the chairman and treasurer.

30 (4) If applicable, the name, address, office sought, and political
 31 party affiliation or independent status of each candidate whom the
 32 committee is supporting.

33 (5) If the committee is a legislative caucus committee, political
 34 action committee, or regular party committee and is supporting
 35 the entire ticket of a political party, the name of the party.

36 (6) If the committee is a political action committee supporting or
 37 opposing a public question, a brief statement of the question
 38 supported or opposed.

39 (7) A listing of all banks, safety deposit boxes, and other
 40 depositories used.

41 (8) Other information prescribed by the ~~commission~~ **election**
 42 **division** under ~~IC 3-6-4.1-14(a)(3)~~: **IC 3-6-4.2-12(8)**.



1 SECTION 61. IC 3-9-4-2 IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2015]: Sec. 2. The election division shall
 3 **prescribe and** furnish forms ~~prescribed by the commission~~ for making
 4 the reports and statements required to be filed under this article.

5 SECTION 62. IC 3-9-4-4, AS AMENDED BY P.L.164-2006,
 6 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2015]: Sec. 4. (a) The election division shall develop a filing
 8 and coding system consistent with the purposes of this article. The
 9 election division and each county election board shall use the filing and
 10 coding system. The coding system must provide:

11 (1) not more than ten (10) codes to account for various campaign
 12 expenditure items; and

13 (2) a clear explanation of the kinds of expenditure items that must
 14 be accounted for under each code.

15 (b) The election division shall develop and use a computer system
 16 to store campaign finance reports required to be filed under IC 3-9-5-6,
 17 IC 3-9-5-10, and IC 3-9-5-20.1. The computer system must enable the
 18 election division to do the following:

19 (1) Identify all candidates or committees that received
 20 contributions from a contributor over the past three (3) years.

21 (2) Identify all contributors to a candidate or committee over the
 22 past three (3) years.

23 (3) Provide for electronic submission, retrieval, storage, and
 24 disclosure of campaign finance reports of candidates for the
 25 following:

26 (A) Legislative office.

27 (B) State office.

28 The election division shall provide training at no cost to
 29 candidates to enable candidates described in this subdivision to
 30 file campaign finance reports electronically.

31 (c) The election division shall notify each candidate's committee
 32 that the election division will provide at the committee's request at no
 33 cost a standardized software program to permit the committee to install
 34 the software on a computer and generate an electronic version of the
 35 reports and statements required to be filed with the election division
 36 under this article. However, the election division is not required to
 37 provide or alter the software program to make the program compatible
 38 for installation or operation on a specific computer.

39 (d) This subsection applies to the following committees:

40 (1) A committee for a candidate seeking election to a state office.

41 (2) A political action committee that has received more than fifty
 42 thousand dollars (\$50,000) in contributions since the close of the



1 previous reporting period.

2 The committee must file electronically the report or statement required
3 under this article with the election division using a standardized
4 software program supplied to the committee without charge under
5 subsection (c) or another format approved by the election division. An
6 electronic filing approved by the election division under this subsection
7 may not require manual reentry into a computer system of the data
8 contained in the report or statement in order to make the data available
9 to the general public under subsection (g).

10 (e) This subsection applies to an electronic submission under
11 subsection (b)(3). An electronic submission must be in a format
12 previously approved by the ~~commission~~ **election division** that permits
13 the election division to print out a hard copy of the report after the
14 receipt of the electronic submission from the candidate. Filing of a
15 report occurs under IC 3-5-2-24.5 on the date and at the time
16 electronically recorded by the election division's computer system. If
17 a discrepancy exists between the text of the electronic submission and
18 the printed report, the text of the printed report prevails until an
19 amendment is filed under this article to correct the discrepancy.

20 (f) The election division is not required to accept an electronic
21 submission unless the submission complies with subsection (b)(3).
22 Upon receiving approval from the commission, the election division
23 may accept an electronic submission from candidates, committees, or
24 persons described in subsection (b)(3).

25 (g) The election division shall make campaign finance reports stored
26 on the computer system under subsection (b) available to the general
27 public through an on-line service.

28 SECTION 63. IC 3-9-5-5 IS AMENDED TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2015]: Sec. 5. The treasurer of each committee
30 shall file reports of receipts and expenditures on forms prescribed or
31 approved by the ~~commission~~ **election division**.

32 SECTION 64. IC 3-9-5-20.1, AS AMENDED BY P.L.221-2005,
33 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
34 JULY 1, 2015]: Sec. 20.1. (a) This section:

35 (1) applies only to a large contribution that is received by a
36 candidate, the candidate's committee, or the treasurer of the
37 candidate's committee; and

38 (2) does not apply to a candidate for a state office, the candidate's
39 committee, or the treasurer of the candidate's committee.

40 (b) As used in this section, "election" refers to any of the following:

41 (1) A primary election.

42 (2) A general election.



- 1 (3) A municipal election.
 2 (4) A special election.
 3 (5) For candidates nominated at a state convention, the state
 4 convention.
 5 (c) As used in this section, "large contribution" means contributions:
 6 (1) that total at least one thousand dollars (\$1,000); and
 7 (2) that are received:
 8 (A) not more than twenty-five (25) days before an election;
 9 and
 10 (B) not less than forty-eight (48) hours before an election.
 11 (d) The treasurer of a candidate's committee shall file a
 12 supplemental large contribution report with the election division or a
 13 county election board not later than forty-eight (48) hours after the
 14 contribution is received. A candidate for a legislative office shall file
 15 a report required by this section with the election division and the
 16 county election board as required by section 3 of this chapter. A report
 17 filed under this section may be filed by facsimile (fax) transmission.
 18 (e) A report required by subsection (d) must contain the following
 19 information for each large contribution:
 20 (1) The name of the person making the contribution.
 21 (2) The address of the person making the contribution.
 22 (3) If the person making the contribution is an individual, the
 23 individual's occupation.
 24 (4) The total amount of the contribution.
 25 (5) The dates and times the contributions making up the large
 26 contribution were received by the treasurer, the candidate, or the
 27 candidate's committee.
 28 (f) The ~~commission~~ **election division** shall prescribe the form for
 29 the report required by this section.
 30 SECTION 65. IC 3-9-5-22, AS ADDED BY P.L.221-2005,
 31 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2015]: Sec. 22. (a) This section applies only to a large
 33 contribution that is received by a candidate for a state office, the
 34 candidate's committee, or the treasurer of the candidate's committee.
 35 (b) As used in this section, "election" refers to any of the following:
 36 (1) For a candidate nominated at a primary election, the primary
 37 election.
 38 (2) For a candidate nominated at a state convention, the state
 39 convention.
 40 (3) A general election.
 41 (c) As used in this section, "large contribution" means either of the
 42 following:



- 1 (1) Contributions:
 2 (A) that total at least one thousand dollars (\$1,000); and
 3 (B) that are received:
 4 (i) after the end of a reporting period and before the deadline
 5 for the candidate's committee to file a report under section
 6 6 of this chapter; and
 7 (ii) not less than forty-eight (48) hours before an election.
 8 (2) A single contribution that is at least ten thousand dollars
 9 (\$10,000) that is received at any time.
 10 (d) The treasurer of a candidate's committee shall file a
 11 supplemental large contribution report with the election division not
 12 later than:
 13 (1) forty-eight (48) hours after a contribution described by
 14 subsection (c)(1) is received; or
 15 (2) noon seven (7) days after a contribution described by
 16 subsection (c)(2) is received.
 17 (e) A report filed under this section may be filed by facsimile
 18 transmission or as an electronic report when the requirements of
 19 IC 3-9-4 or this chapter have been met. A report required by subsection
 20 (d) must contain the following information for each large contribution:
 21 (1) The name of the person making the contribution.
 22 (2) The address of the person making the contribution.
 23 (3) If the person making the contribution is an individual, the
 24 individual's occupation.
 25 (4) The total amount of the contribution.
 26 (5) The dates and times the contributions making up the large
 27 contribution described in subsection (c)(1) or a large contribution
 28 described in subsection (c)(2) were received by the treasurer, the
 29 candidate, or the candidate's committee.
 30 (f) The ~~commission~~ **election division** shall prescribe the form for
 31 the report required by this section.
 32 SECTION 66. IC 3-10-1-31.1, AS AMENDED BY P.L.64-2014,
 33 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2015]: Sec. 31.1. (a) This section applies only to election
 35 materials for elections held after December 31, 2003.
 36 (b) The inspector of each precinct shall deliver the bags required by
 37 section 30(a) and 30(c) of this chapter in good condition, together with
 38 poll lists, tally sheets, and other forms, to the circuit court clerk when
 39 making returns.
 40 (c) Except for unused ballots disposed of under IC 3-11-3-31 or
 41 affidavits received by the county election board under IC 3-14-5-2 for
 42 delivery to the foreman of a grand jury, the circuit court clerk shall seal



1 the ballots (including provisional ballots) and other material (including
 2 election material related to provisional ballots) during the time allowed
 3 to file a verified petition or cross-petition for a recount of votes or to
 4 contest the election. Except as provided in subsection (d) and
 5 notwithstanding any other provision of state law, after the recount or
 6 contest filing period, the election material, including election material
 7 related to provisional ballots (except for ballots and provisional ballots,
 8 which remain confidential) shall be made available for copying and
 9 inspection under IC 5-14-3. The circuit court clerk shall carefully
 10 preserve the sealed ballots and other material for twenty-two (22)
 11 months, as required by ~~42 U.S.C. 1974~~; **52 U.S.C. 20701**, after which
 12 the sealed ballots and other material are subject to IC 5-15-6 unless an
 13 order issued under:

14 (1) IC 3-12-6-19 or IC 3-12-11-16; or

15 (2) ~~42 U.S.C. 1973~~; **52 U.S.C. 10301**;

16 requires the continued preservation of the ballots or other material.

17 (d) If a petition for a recount or contest is filed, the material for that
 18 election remains confidential until completion of the recount or contest.

19 (e) Upon delivery of the poll lists, the county voter registration
 20 office shall unseal the envelopes containing the poll lists, inspect the
 21 poll lists, and update the registration records of the county. The county
 22 voter registration office shall use the poll lists to update the registration
 23 record to include the voter's voter identification number if the voter's
 24 voter identification number is not already included in the registration
 25 record. Upon completion of the inspection, the poll list shall be
 26 preserved with the ballots and other materials in the manner prescribed
 27 by subsection (c) for the period prescribed by subsections (c) and (d).

28 **(f) In addition to the poll lists described in subsection (e), the**
 29 **county voter registration office shall use the affidavits described by**
 30 **IC 3-10-11-4 to update the registration records of the county as**
 31 **soon as the affidavits are delivered to the county voter registration**
 32 **office.**

33 ~~(f)~~ (g) This subsection does not apply to ballots, including
 34 provisional ballots. Notwithstanding subsection (c), if a county voter
 35 registration office determines that the inspection and copying of
 36 precinct election material would reveal the political parties, candidates,
 37 and public questions for which an individual cast an absentee ballot,
 38 the county voter registration office shall keep confidential only that part
 39 of the election material necessary to protect the secrecy of the voter's
 40 ballot. In addition, the county voter registration office shall keep
 41 confidential information contained in material related to provisional
 42 ballots that identifies an individual, except for the individual's name,



1 address, and birth date.

2 ~~(g)~~ **(h)** After the expiration of the period described in subsection (c)
3 or (d), the ballots may be destroyed in the manner provided by
4 IC 3-11-3-31 or transferred to a state educational institution as
5 provided by IC 3-12-2-12.

6 ~~(h)~~ **(i)** This subsection applies to a detachable recording unit or
7 compartment used to record a ballot cast on a direct record electronic
8 voting system. After the time allowed to file a verified petition or
9 cross-petition for a recount of votes or to contest the election, the
10 circuit court clerk shall transfer the data contained in the unit or
11 compartment to a disc or other recording medium. After transferring
12 the data, the clerk may clear or erase the unit or compartment. The
13 circuit court clerk shall carefully preserve the disc or medium used to
14 record the data for twenty-two (22) months, as required by ~~42 U.S.C.~~
15 ~~1974~~, **52 U.S.C. 20701**, after which time the disc or medium may be
16 erased or destroyed, subject to IC 5-15-6, unless an order requiring the
17 continued preservation of the disc or medium is issued under the
18 following:

19 (1) IC 3-12-6-19.

20 (2) IC 3-12-11-16.

21 (3) ~~42 U.S.C. 1973~~, **52 U.S.C. 10301**.

22 SECTION 67. IC 3-10-5-17 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 17. The election
24 required by section 1 of this chapter shall be conducted by ballot. The
25 ballot must state first the substance of the proposed constitutional
26 amendment, followed by appropriate instructions to the voters. The
27 ballot then must be in the form prescribed by the ~~commission~~, **election**
28 **division**. The names of the nominees in favor of ratification shall be
29 placed in the column headed "For Ratification". The names of the
30 nominees against ratification shall be placed in the column headed
31 "Against Ratification".

32 SECTION 68. IC 3-10-7-7 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) ~~If a town election~~
34 ~~board consisting of three (3) members is established in each town~~
35 ~~except a town that:~~

36 ~~(1) has entered into an agreement with the county election board~~
37 ~~under section 4 of this chapter;~~

38 ~~(2) is located in a county having a consolidated city; or~~

39 ~~(3) has a population of less than five hundred (500) and has not~~
40 ~~adopted and filed a resolution under section 5.5 of this chapter.~~

41 **under section 5.5 of this chapter,**

42 ~~(b)~~ the town election board consists of the following three (3)



1 members:

2 (1) The town chairman of each of the major political parties
3 appointed under IC 3-8-5-3.

4 (2) The town clerk-treasurer.

5 SECTION 69. IC 3-10-10-7 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. The affidavits for
7 presidential voting under this chapter must contain the following
8 information:

9 (1) The person's last, first, and middle name, in that order.

10 (2) The person's assigned identification number.

11 (3) The person's ~~birthplace and~~ date of birth.

12 (4) Whether the person is a citizen of the United States.

13 (5) The person's present residence address.

14 (6) The address of the person's previous residence in Indiana,
15 including the county.

16 (7) The person's statement that the person satisfies the conditions
17 set forth in section 3 of this chapter.

18 SECTION 70. IC 3-10-10-8 IS AMENDED TO READ AS
19 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. The ~~commission~~
20 **election division** shall prescribe the form of the affidavit required by
21 this chapter.

22 SECTION 71. IC 3-10-11-4, AS AMENDED BY P.L.194-2013,
23 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2015]: Sec. 4. (a) Notwithstanding other provisions of this
25 title concerning residency requirements for voting, but subject to
26 subsection (b), a person described in section 2 of this chapter may vote
27 in the precinct of the person's former residence by executing an
28 affidavit described in this chapter.

29 (b) A person who changes residence from a location:

30 (1) outside a municipality to a location within a municipality; or

31 (2) within a municipality to a location outside a municipality;

32 less than thirty (30) days before a municipal primary election,
33 municipal election, or special election held only within the
34 municipality may not vote in the municipal primary election, municipal
35 election, or special election held only within the municipality in the
36 precinct of the person's former residence.

37 **(c) This subsection applies to a county that has adopted an order**
38 **under IC 3-7-29-6 or is a vote center county under IC 3-11-18.1-1.**
39 **A voter may make a written affirmation under this section on**
40 **election day using the affidavit described by this section. If the**
41 **voter makes an oral affirmation, the poll clerks shall reduce the**
42 **substance of the affirmation to writing using the affidavit**



1 **described by this section and initial the affirmation.**

2 SECTION 72. IC 3-10-11-5, AS AMENDED BY P.L.64-2014,
3 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2015]: Sec. 5. An affidavit executed under this chapter must
5 contain the following information:

- 6 (1) The person's last, first, and middle name, in that order.
7 (2) The person's date of birth.
8 (3) Whether the person is a United States citizen.
9 (4) The person's current address, including the county. If the
10 person resides in a municipality, the address must include the
11 street address, including apartment number or other designation,
12 or the name and room number of the hotel or lodging house. If the
13 person does not reside in a municipality, the address must include
14 the mailing address and the street or road.
15 (5) The address of the person's previous residence, including the
16 county.
17 (6) The person's statement that the person satisfies the conditions
18 set forth in section 2 of this chapter.
19 **(7) Responses to the questions listed in IC 3-7-22-5(3) and**
20 **IC 3-7-22-5(4).**

21 ~~(7)~~ **(8)** The person's voter identification number to permit transfer
22 of the registration under IC 3-7-13-13.

23 SECTION 73. IC 3-10-11-6 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. The ~~commission~~
25 **election division** shall prescribe the form of the affidavit required by
26 this chapter that must permit the person to execute a request for
27 transfer of the person's registration.

28 SECTION 74. IC 3-10-12-4, AS AMENDED BY P.L.194-2013,
29 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
30 JULY 1, 2015]: Sec. 4. (a) The written affirmation described in section
31 3.4 of this chapter may be executed as follows:

- 32 (1) At the county voter registration office for the county of the
33 precinct of the person's former residence, not later than 4 p.m. on
34 the day before the election.
35 (2) Before the inspector of the precinct of the person's former
36 residence, if the application and statement are executed on the day
37 of the election.
38 (3) When the application for an absentee ballot is filed with the
39 county election board of the county of the precinct of the person's
40 former residence.

41 (b) If the person executes the affidavit under this section at the
42 county voter registration office before the day of the election, the office



1 shall furnish a copy of the affirmation to the person. The person shall
 2 present the copy to the inspector of the precinct of the person's former
 3 residence when the person offers to vote in that precinct under
 4 IC 3-11-8.

5 (c) If the person executes the affirmation under this section when
 6 filing an application for an absentee ballot, the county election board
 7 shall attach the original or a copy of the affirmation to the person's
 8 application for an absentee ballot before the application and ballot are
 9 delivered to the inspector of the precinct of the person's former
 10 residence.

11 (d) If the person executes the affirmation under this section before
 12 the inspector of the precinct of the person's former residence on the day
 13 of the election, the inspector shall do both of the following:

14 (1) Provide the person with a voter registration application, if the
 15 person's current address is located within the same county as the
 16 precinct of the person's former residence, and request that the
 17 person complete and sign the application.

18 (2) Return the original affirmation to the county election board.

19 The county election board shall forward the affidavit and any
 20 completed voter registration application to the county voter registration
 21 office after the closing of the polls.

22 (e) **This subsection applies to a county that has adopted an order**
 23 **under IC 3-7-29-6 or is a vote center county under IC 3-11-18.1-1.**
 24 **A voter may make a written affirmation under section 3.4 of this**
 25 **chapter on election day using the affidavit described by**
 26 **IC 3-10-11-4. If the voter makes an oral affirmation under section**
 27 **3.4 of this chapter, the poll clerks shall reduce the substance of the**
 28 **affirmation to writing using the affidavit described by IC 3-10-11-4**
 29 **and initial the affirmation.**

30 SECTION 75. IC 3-11-1.5-10.9 IS ADDED TO THE INDIANA
 31 CODE AS A NEW SECTION TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2015]: **Sec. 10.9. A reference to a census**
 33 **block identified as required by section 15(2) of this chapter in an**
 34 **order described in section 14 of this chapter refers to the census**
 35 **block as it existed on the date of the adoption of the order. A**
 36 **change in a census block issued by the Bureau of the Census**
 37 **following the date of adoption of the order does not alter the**
 38 **precincts established by the order.**

39 SECTION 76. IC 3-11-3-29, AS AMENDED BY P.L.194-2013,
 40 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2015]: Sec. 29. (a) If a new candidate is appointed or selected
 42 under IC 3-13-1 or IC 3-13-2 after the printing of ballots and before the



1 election, the election board ~~may~~ **shall** print ballots containing the name
 2 of the new candidate, **except as provided in section 29.5 of this**
 3 **chapter.**

4 (b) If a candidate entitled to be placed on the ballot changes the
 5 candidate's legal name after the printing of ballots and before the
 6 election, the board is not required to reprint ballots to reflect the change
 7 of legal name.

8 SECTION 77. IC 3-11-3-29.3, AS ADDED BY P.L.194-2013,
 9 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 UPON PASSAGE]: Sec. 29.3. (a) This section applies to a candidate
 11 who has filed with the secretary of state or election division as a
 12 candidate for nomination in a primary election.

13 (b) If the election division determines that a candidate for
 14 nomination in a primary has died, the division shall:

15 (1) not include the name of the candidate in the certification
 16 transmitted to the county under IC 3-8-2-17; or

17 (2) if the certification to the county has already been transmitted,
 18 notify the county election board of each county to which the
 19 candidate's name has been previously certified.

20 (c) The county election board shall not print the name of a deceased
 21 candidate described in subsection (b) on a primary ballot. However, if
 22 the county election board has already printed ballots containing the
 23 name of the deceased candidate, the county may provide those ballots
 24 to voters and shall not reprint the ballot to remove the name of the
 25 deceased candidate.

26 (d) A voter who has cast a ballot containing the name of a deceased
 27 candidate is entitled to request a replacement absentee ballot under
 28 IC 3-11-10-1.5.

29 (e) ~~Any vote cast for a deceased candidate in the primary election~~
 30 ~~is void.~~

31 **(e) If a deceased candidate receives the most votes in a primary**
 32 **election, a candidate vacancy occurs that the candidate's party may**
 33 **fill under IC 3-13.**

34 SECTION 78. IC 3-11-3-29.4, AS AMENDED BY P.L.76-2014,
 35 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 UPON PASSAGE]: Sec. 29.4. (a) This section applies to a candidate
 37 who has filed with a circuit court clerk or board of elections and
 38 registration as a candidate for:

39 (1) nomination in a primary election or municipal primary
 40 election; or

41 (2) election to a political party office in a primary election.

42 (b) If the county election board determines by unanimous vote of the



1 entire membership that there is good cause to believe that a candidate
 2 has died, the board shall not print the name of the candidate on the
 3 primary ballot.

4 (c) However, if the county election board has already printed ballots
 5 containing the name of the deceased candidate, the county may provide
 6 those ballots to voters and shall not reprint the ballot to remove the
 7 name of the deceased candidate.

8 (d) A voter who has cast a ballot containing the name of a deceased
 9 candidate is entitled to request a replacement absentee ballot under
 10 IC 3-11-10-1.5.

11 ~~(e) Any vote cast for a deceased candidate in the primary election~~
 12 ~~is void.~~

13 **(e) If a deceased candidate receives the most votes in a primary**
 14 **election, a candidate vacancy occurs that the candidate's party may**
 15 **fill under IC 3-13.**

16 SECTION 79. IC 3-11-4-2, AS AMENDED BY P.L.64-2014,
 17 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2015]: Sec. 2. (a) A voter who wants to vote by absentee
 19 ballot must apply to the county election board for an official absentee
 20 ballot. Except as provided in subsection (b), the voter must sign the
 21 absentee ballot application.

22 (b) If a voter with disabilities is unable to sign the absentee ballot
 23 application and the voter has not designated an individual to serve as
 24 attorney in fact for the voter, the county election board may designate
 25 ~~an individual~~ **both members of an absentee board** to sign the
 26 application on behalf of the voter **and add their names to the**
 27 **application.** If an individual applies for an absentee ballot as the
 28 properly authorized attorney in fact for a voter, the attorney in fact must
 29 attach a copy of the power of attorney to the application and comply
 30 with subsection (d).

31 (c) A person may provide an individual with an application for an
 32 absentee ballot with the following information already printed or
 33 otherwise set forth on the application when provided to the individual:

- 34 (1) The name of the individual.
- 35 (2) The voter registration address of the individual.
- 36 (3) The mailing address of the individual.
- 37 (4) The date of birth of the individual.

38 (d) A person may not provide an individual with an application for
 39 an absentee ballot with the following information already printed or
 40 otherwise set forth on the application when provided to the individual:

- 41 (1) The address to which the absentee ballot would be mailed, if
 42 different from the voter registration address of the individual.



- 1 (2) In a primary election, the major political party ballot requested
 2 by the individual.
- 3 (3) In a primary or general election, the types of absentee ballots
 4 requested by the individual.
- 5 (4) The reason why the individual is entitled to vote an absentee
 6 ballot:
- 7 (A) by mail; or
 8 (B) before an absentee voter board (other than an absentee
 9 voter board located in the office of the circuit court clerk or a
 10 satellite office);
 11 in accordance with IC 3-11-4-18, IC 3-11-10-24, or
 12 IC 3-11-10-25.
- 13 (5) The voter identification number of the individual.
- 14 (e) If the county election board determines that an absentee ballot
 15 application does not comply with subsection (d), the board shall deny
 16 the application under section 17.5 of this chapter.
- 17 (f) A person who assists an individual in completing any
 18 information described in subsection (d) on an absentee ballot
 19 application shall state under the penalties for perjury the following
 20 information on the application:
- 21 (1) The full name, residence and mailing address, and daytime
 22 and evening telephone numbers (if any) of the person providing
 23 the assistance.
- 24 (2) The date this assistance was provided.
- 25 (3) That the person providing the assistance has complied with
 26 Indiana laws governing the submission of absentee ballot
 27 applications.
- 28 (4) That the person has no knowledge or reason to believe that the
 29 individual submitting the application:
- 30 (A) is ineligible to vote or to cast an absentee ballot; or
 31 (B) did not properly complete and sign the application.
- 32 When providing assistance to an individual, the person must, in the
 33 individual's presence and with the individual's consent, provide the
 34 information listed in subsection (d) if the individual is unable to do so.
- 35 (g) This subsection does not apply to an employee of the United
 36 States Postal Service or a bonded courier company acting in the
 37 individual's capacity as an employee of the United States Postal Service
 38 or a bonded courier company. A person who receives a completed
 39 absentee ballot application from the individual who has applied for the
 40 absentee ballot shall indicate on the application the date the person
 41 received the application, and file the application with the appropriate
 42 county election board not later than:



- 1 (1) noon ten (10) days after the person receives the application;
 2 or
 3 (2) the deadline set by Indiana law for filing the application with
 4 the board;

5 whichever occurs first. The election division, a county election board,
 6 or a board of elections and registration shall forward an absentee ballot
 7 application to the county election board or board of elections and
 8 registration of the county where the individual resides.

9 (h) This subsection does not apply to an employee of the United
 10 States Postal Service or a bonded courier company acting in the
 11 individual's capacity as an employee of the United States Postal Service
 12 or a bonded courier company, or to the election division, a county
 13 election board, or a board of elections and registration. A person filing
 14 an absentee ballot application, other than the person's own absentee
 15 ballot application, must sign an affidavit at the time of filing the
 16 application. The affidavit must be in a form prescribed by the
 17 ~~commission.~~ **election division.** The form must include the following:

- 18 (1) A statement of the full name, residence and mailing address,
 19 and daytime and evening telephone numbers (if any) of the person
 20 submitting the application.
 21 (2) A statement that the person filing the affidavit has complied
 22 with Indiana laws governing the submission of absentee ballot
 23 applications.
 24 (3) ~~Beginning January 1, 2015;~~ The date (or dates) that the
 25 absentee ballot applications attached to the affidavit were
 26 received.
 27 (4) A statement that the person has no knowledge or reason to
 28 believe that the individual whose application is to be filed:
 29 (A) is ineligible to vote or to cast an absentee ballot; or
 30 (B) did not properly complete and sign the application.
 31 (5) A statement that the person is executing the affidavit under the
 32 penalties of perjury.
 33 (6) A statement setting forth the penalties for perjury.
 34 (i) The county election board shall record the date and time of the
 35 filing of the affidavit.

36 SECTION 80. IC 3-11-4-3, AS AMENDED BY P.L.219-2013,
 37 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2015]: Sec. 3. (a) Except as provided in section 6 of this
 39 chapter, an application for an absentee ballot must be received by the
 40 circuit court clerk (or, in a county subject to IC 3-6-5.2, the director of
 41 the board of elections and registration) not earlier than the date the
 42 registration period resumes under IC 3-7-13-10 nor later than the



- 1 following:
- 2 (1) Noon on election day if the voter registers to vote under
- 3 IC 3-7-36-14.
- 4 (2) Noon on the day before election day if the voter:
- 5 (A) completes the application in the office of the circuit court
- 6 clerk under IC 3-11-10-26; or
- 7 (B) is an absent uniformed services voter or overseas voter
- 8 who requests that the ballot be transmitted by electronic mail
- 9 or fax under section 6(h) of this chapter.
- 10 (3) Noon on the day before election day if:
- 11 (A) the application is a mailed, transmitted by fax, or hand
- 12 delivered application from a confined voter or voter caring for
- 13 a confined person; and
- 14 (B) the applicant requests that the absentee ballots be
- 15 delivered to the applicant by an absentee voter board under
- 16 IC 3-11-10-25.
- 17 (4) 11:59 p.m. on the eighth day before election day if the
- 18 application:
- 19 (A) is a mailed application;
- 20 (B) was transmitted by fax; or
- 21 (C) was hand delivered;
- 22 from other voters who request to vote by mail under
- 23 IC 3-11-10-24.
- 24 (b) An application for an absentee ballot received by the election
- 25 division by the time and date specified by subsection (a)(2)(B), (a)(3),
- 26 or (a)(4) is considered to have been timely received for purposes of
- 27 processing by the county. The election division shall immediately
- 28 transmit the application to the circuit court clerk, or the director of the
- 29 board of elections and registration, of the county where the applicant
- 30 resides. The election division is not required to complete or file the
- 31 affidavit required under section 2(h) of this chapter whenever the
- 32 election division transmits an application under this subsection.
- 33 **(c) This subsection applies whenever a special election is**
- 34 **conducted during a year in which a general or municipal election**
- 35 **is not scheduled. An application for an absentee ballot for a**
- 36 **primary being conducted in the following year may not be received**
- 37 **by the circuit court clerk (or, in a county subject to IC 3-6-5.2, the**
- 38 **director of the board of elections and registration) earlier than the**
- 39 **date the registration period resumes under IC 3-7-13-10.**
- 40 SECTION 81. IC 3-11-4-4, AS AMENDED BY P.L.219-2013,
- 41 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 42 JULY 1, 2015]: Sec. 4. (a) Applications may be made on application



1 forms approved by the ~~commission~~ **election division** by any of the
2 following means:

3 (1) In person.

4 (2) By fax transmission.

5 (3) By mail (including United States mail or bonded courier).

6 (4) By electronic mail with a digital image of the application and
7 signature of the applicant, if transmitted by an absent uniformed
8 services voter or an overseas voter acting under section 6 of this
9 chapter.

10 (b) Application forms shall:

11 (1) be furnished to a central committee of the county at the
12 request of the central committee;

13 (2) be:

14 (A) mailed;

15 (B) transmitted by fax; or

16 (C) transmitted by electronic mail with a digital image of the
17 application;

18 upon request, to a voter applying by mail, by telephone, by
19 electronic mail, or by fax; and

20 (3) be delivered to a voter in person who applies at the circuit
21 court clerk's office.

22 (c) A county election board shall accept an application for an
23 absentee ballot transmitted by fax even though the application is
24 delivered to the county election board by a person other than the person
25 submitting the application.

26 (d) When an application is received under subsection (a)(4), the
27 circuit court clerk's office (or, in a county subject to IC 3-6-5.2 or
28 IC 3-6-5.4, the office of the board of elections and registration) shall
29 send an electronic mail receipt acknowledging receipt of the voter's
30 application.

31 SECTION 82. IC 3-11-4-5.1, AS AMENDED BY P.L.64-2014,
32 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 UPON PASSAGE]: Sec. 5.1. (a) The ~~commission~~ **election division**
34 shall prescribe the form of an application for an absentee ballot.

35 (b) This subsection does not apply to the form for an absentee ballot
36 application to be submitted by an absent uniformed services voter or
37 overseas voter that contains a standardized oath for those voters. The
38 form of the application for an absentee ballot must do all of the
39 following:

40 (1) Require the applicant to swear to or affirm under the penalties
41 of perjury that all of the information set forth on the application
42 is true to the best of the applicant's knowledge and belief.



1 (2) Require a person who assisted with the completion of the
 2 application to swear to or affirm under the penalties of perjury the
 3 statements set forth in section 2(f) of this chapter.

4 (3) Serve as a verified statement for a voter to indicate a change
 5 of name under IC 3-7-41. The form must require the applicant to
 6 indicate the applicant's previous name.

7 (4) Set forth the penalties for perjury.

8 (c) The form prescribed by the ~~commission~~ **election division** shall
 9 require that a voter who:

10 (1) requests an absentee ballot; and

11 (2) is eligible to vote in the precinct under IC 3-10-11 or
 12 IC 3-10-12;

13 must include the affidavit required by IC 3-10-11 or a written
 14 affirmation described in IC 3-10-12.

15 (d) The ~~commission~~ **election division** shall approve absentee ballot
 16 application forms that comply with this subsection and section 2(g) of
 17 this chapter and permit the applicant to indicate a change of name
 18 under subsection (b). The form prescribed by the ~~commission~~ **election**
 19 **division** must request that a voter who requests an absentee ballot:

20 (1) provide the last four (4) digits of the voter's Social Security
 21 number; or

22 (2) state that the voter does not have a Social Security number.

23 The form must indicate that the voter's compliance with this request is
 24 optional.

25 (e) An application form submitted by a voter must:

26 (1) comply with subsection (d); or

27 (2) be an earlier approved version of an application form
 28 authorized for use on June 30, 2013.

29 (f) The form prescribed by the ~~commission~~ **election division** must
 30 include a statement that permits an applicant to indicate whether:

31 (1) the applicant has been certified and is currently a participant
 32 in the address confidentiality program under IC 5-26.5-2; and

33 (2) the applicant's legal ~~residence~~ **address** is at the address set
 34 forth in the applicant's voter registration.

35 If the applicant confirms these statements, the applicant may indicate
 36 the address of the office of the attorney general as the address to which
 37 the absentee ballot is to be mailed.

38 SECTION 83. IC 3-11-4-7 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) An absentee
 40 ballot application under section 6 of this chapter must be made on a
 41 standard form approved under ~~42 U.S.C. 1973ff(b)~~ **52 U.S.C. 20301(b)**
 42 or on the form prescribed by the ~~commission~~ **election division** under



1 section 5.1 of this chapter.

2 (b) An absentee ballot application under section 6 of this chapter
3 from an:

4 (1) absent uniformed services voter; or

5 (2) address confidentiality program participant (as defined in
6 IC 5-26.5-1-6);

7 must show that the voter or program participant is a resident otherwise
8 qualified to vote in the precinct.

9 (c) An absentee ballot application under section 6 of this chapter
10 from an overseas voter must show that the overseas voter was a
11 resident and otherwise qualified to vote in the precinct where the voter
12 resided before leaving the United States.

13 SECTION 84. IC 3-11-4-18, AS AMENDED BY P.L.194-2013,
14 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2015]: Sec. 18. (a) If a voter satisfies any of the qualifications
16 described in IC 3-11-10-24 that entitle a voter to cast an absentee ballot
17 by mail, the county election board shall, at the request of the voter, mail
18 the official ballot, postage fully prepaid, to the voter at the address
19 stated in the application.

20 (b) If the county election board mails an absentee ballot to a voter
21 required to file additional documentation with the county voter
22 registration office before voting by absentee ballot under this chapter,
23 the board shall include a notice to the voter in the envelope mailed to
24 the voter under section 20 of this chapter. The notice must inform the
25 voter that the voter must file the additional documentation required
26 under IC 3-7-33-4.5 with the county voter registration office not later
27 than noon on election day for the absentee ballot to be counted as an
28 absentee ballot, and that, if the documentation required under
29 IC 3-7-33-4.5 is filed after noon and before 6 p.m. on election day, the
30 ballot will be processed as a provisional ballot. The ~~commission~~
31 **election division** shall prescribe the form of this notice under
32 IC 3-5-4-8.

33 (c) Except as provided in this subsection, section 18.5 of this
34 chapter, or IC 3-11-10-26.5, the ballot shall be mailed:

35 (1) on the day of the receipt of the voter's application; or

36 (2) not more than five (5) days after the date of delivery of the
37 ballots under section 15 of this chapter;

38 whichever is later. If the election board determines that the county
39 voter registration office has received an application from the applicant
40 for registration at an address within the precinct indicated on the
41 application, and the election board determines that this application is
42 pending under IC 3-7-33, the ballot shall be mailed on the date the



1 county voter registration office indicates under IC 3-7-33-5(f) that the
2 applicant is a registered voter.

3 (d) As required by ~~42 U.S.C. 15481~~, **52 U.S.C. 21081**, an election
4 board shall establish a voter education program (specific to a paper
5 ballot or optical scan ballot card provided as an absentee ballot under
6 this chapter) to notify a voter of the effect of casting multiple votes for
7 a single office.

8 (e) As provided by ~~42 U.S.C. 15481~~, **52 U.S.C. 21081**, when an
9 absentee ballot is mailed under this section, the mailing must include:

- 10 (1) information concerning the effect of casting multiple votes for
11 an office; and
12 (2) instructions on how to correct the ballot before the ballot is
13 cast and counted, including the issuance of replacement ballots.

14 SECTION 85. IC 3-11-4-18.5, AS ADDED BY P.L.103-2005,
15 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2015]: Sec. 18.5. (a) Upon receipt of an absentee ballot
17 application, a member of the county election board or a member of an
18 absentee voter board may file an affidavit with the county election
19 board alleging that the application:

- 20 (1) was not submitted by a voter of the precinct;
21 (2) contains a false statement; or
22 (3) has not been executed or filed in accordance with Indiana or
23 federal law.

24 (b) The affidavit must be in a form prescribed by the ~~commission~~
25 **election division** and state the following:

- 26 (1) The name and title of the individual filing the affidavit.
27 (2) A brief statement of the facts known or believed by the
28 individual regarding why:
29 (A) the applicant is not a voter of the precinct;
30 (B) the application contains a false statement; or
31 (C) the application has not been executed or filed in
32 accordance with Indiana or federal law.
33 (3) That the individual is executing the affidavit under the
34 penalties of perjury.
35 (4) The penalties for perjury.

36 (c) Upon the filing of the affidavit, the approval or denial of the
37 application shall be referred to the county election board, which shall
38 promptly conduct a hearing on the matter.

39 (d) The county election board may act under IC 3-6-5-31 to refer the
40 matter to the appropriate prosecuting attorney.

41 SECTION 86. IC 3-11-4-21, AS AMENDED BY P.L.103-2005,
42 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2015]; Sec. 21. (a) On the other side of the envelope required
 2 by section 20 of this chapter shall be printed an affidavit in conformity
 3 with ~~42 U.S.C. 1973ff-1(b)~~; **52 U.S.C. 20302(b)** and with the name
 4 of the precinct completed by the county election board, providing
 5 that the voter affirms under penalty of perjury that the following
 6 information is true:

7 ~~(1) The name of the precinct and township (or ward and city or~~
 8 ~~town):~~

9 ~~(2) (1)~~ That the voter is:

10 (A) a resident of; or

11 (B) entitled under IC 3-10-11 or IC 3-10-12 to vote in;
 12 the precinct.

13 ~~(3) (2)~~ The voter's complete residence address, including the
 14 name of the city or town and county.

15 ~~(4) (3)~~ That the voter is entitled to vote in the precinct, the type of
 16 election to be held, and the date of the election.

17 ~~(5) (4)~~ That:

18 (A) the voter has personally marked the enclosed ballot or
 19 ballots in secret and has enclosed them in this envelope and
 20 sealed them without exhibiting them to any other person;

21 (B) the voter personally marked the enclosed ballot or ballots,
 22 enclosed them in this envelope, and sealed them with the
 23 assistance of an individual whose name is listed on the
 24 envelope and who affirms under penalty of perjury that the
 25 voter was not coerced or improperly influenced by the
 26 individual assisting the voter or any other person, in a manner
 27 prohibited by state or federal law, to cast the ballot for or
 28 against any candidate, political party, or public question; or

29 (C) as the properly authorized attorney in fact for the
 30 undersigned under IC 30-5-5-14, the attorney in fact affirms
 31 the voter personally marked the enclosed ballot or ballots in
 32 secret and enclosed them in this envelope and sealed them
 33 without exhibiting them to the attorney in fact or to any other
 34 person.

35 ~~(6) (5)~~ The date and the voter's signature.

36 (b) If the affidavit is signed by an attorney in fact, the name of the
 37 attorney in fact must be indicated.

38 (c) A guardian or conservator of an individual may not sign an
 39 affidavit for the individual under this section unless the guardian or
 40 conservator also holds a power of attorney authorizing the guardian or
 41 conservator to sign the affidavit.

42 (d) The side of the envelope containing this affidavit must also set



1 forth the penalties for perjury.

2 SECTION 87. IC 3-11-7-15, AS AMENDED BY THE
3 TECHNICAL CORRECTIONS BILL OF THE 2015 GENERAL
4 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2015]: Sec. 15. (a) A vendor may apply for approval of a
6 proposed improvement or change to a ballot card voting system that is
7 currently certified by the commission. A proposed improvement or
8 change may not be marketed, sold, leased, installed, or implemented in
9 Indiana before the application for the improvement or change is
10 approved by the commission.

11 (b) An application for approval of an improvement or change must
12 be in the form prescribed by the ~~commission~~ **election division**.

13 (c) The vendor applying for approval of an improvement or a
14 change must have the improvement or change to the voting system
15 tested by an independent laboratory accredited under ~~42 U.S.C. 15371~~
16 **52 U.S.C. 20971**. The vendor shall pay any testing expenses incurred
17 under this subsection.

18 (d) The election division (or the person designated under
19 IC 3-11-16) shall review the proposed improvement or change to the
20 voting system and the results of the testing by the independent
21 laboratory under subsection (c) and report the results of the review to
22 the commission. The review must indicate: ~~whether the proposed~~
23 **improvement or change:**

24 (1) **whether the proposed improvement or change** has been
25 approved by an independent laboratory accredited under ~~42~~
26 ~~U.S.C. 15371~~; **52 U.S.C. 20971**;

27 (2) **whether the proposed improvement** is a de minimis change
28 or a modification;

29 (3) if the proposed improvement or change is a modification,
30 whether the modification may be installed and implemented
31 without any significant likelihood that the voting system would be
32 configured or perform its functions in violation of HAVA or this
33 title; and

34 (4) **whether the proposed improvement or change** would
35 comply with HAVA and the standards set forth in this chapter and
36 IC 3-11-15.

37 (e) After the commission has approved the application for an
38 improvement or change (including a de minimis change) to a ballot
39 card voting system, the improvement or change may be marketed, sold,
40 leased, installed, or implemented in Indiana.

41 (f) An approval of an application under this section expires on the
42 date specified under section 19(a) of this chapter.



1 SECTION 88. IC 3-11-7.5-2, AS AMENDED BY P.L.221-2005,
 2 SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2015]: Sec. 2. A person may submit an application for
 4 approval of an electronic voting system in the form prescribed by the
 5 ~~commission:~~ **election division.**

6 SECTION 89. IC 3-11-7.5-5, AS AMENDED BY THE
 7 TECHNICAL CORRECTIONS BILL OF THE 2015 GENERAL
 8 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2015]: Sec. 5. (a) A vendor may apply for approval of a
 10 proposed improvement or change to an electronic voting system that is
 11 currently certified by the commission. A proposed improvement or
 12 change may not be marketed, sold, leased, installed, or implemented in
 13 Indiana before the application for the improvement or change is
 14 approved by the commission.

15 (b) An application for approval of an improvement or a change must
 16 be in the form prescribed by the ~~commission:~~ **election division.**

17 (c) The vendor applying for approval of an improvement or a
 18 change must have the improvement or change to the voting system
 19 tested by an independent laboratory accredited under ~~42 U.S.C. 1537f:~~
 20 **52 U.S.C. 20971.** The vendor shall pay any testing expenses incurred
 21 under this subsection.

22 (d) The election division (or the person designated under
 23 IC 3-11-16) shall review the improvement or change to the voting
 24 system and the results of the testing by the independent laboratory
 25 under subsection (c) and report the results of the review to the
 26 commission. The review must indicate: ~~whether the proposed~~
 27 ~~improvement or change:~~

28 (1) **whether the proposed improvement or change** has been
 29 approved by an independent laboratory accredited under ~~42~~
 30 ~~U.S.C. 1537f;~~ **52 U.S.C. 20971;**

31 (2) **whether the proposed improvement** is a de minimis change
 32 or a modification;

33 (3) if the proposed improvement or change is a modification,
 34 whether the modification may be installed and implemented
 35 without any significant likelihood that the voting system would be
 36 configured or perform its functions in violation of HAVA or this
 37 title; and

38 (4) **whether the proposed improvement or change** would
 39 comply with HAVA and the standards set forth in this chapter and
 40 IC 3-11-15.

41 (e) After the commission has examined and approved the
 42 application for an improvement or change to an electronic voting



1 system (including a de minimis change), the improvement or change
2 may be marketed, sold, leased, installed, or implemented in Indiana.

3 (f) An approval of an application under this section expires on the
4 date specified by section 28(a) of this chapter.

5 SECTION 90. IC 3-11-8-3, AS AMENDED BY P.L.258-2013,
6 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2015]: Sec. 3. (a) This section does not apply to a county
8 using vote centers under IC 3-11-18.1.

9 (b) Before each election each county executive shall secure for each
10 precinct of the county an accessible facility in which to hold the
11 election.

12 (c) **Unless the county election board adopts an order under**
13 **IC 3-11-8-4.3**, if an accessible facility is not available within the
14 precinct, then the polls may be located in another precinct in the county
15 if the polls are:

16 (1) either:

17 (A) not more than five (5) miles from the closest boundary of
18 the precinct for which it is the polls; or

19 (B) located in the same township as the precinct that does not
20 have an accessible facility available; and

21 (2) located in an accessible facility.

22 (d) If the county election board, by a unanimous vote of its entire
23 membership, determines that an accessible facility is not available
24 under subsection (c), the board may locate the polls in the most
25 convenient available accessible facility in the county.

26 (e) If the county election board, by unanimous vote of its entire
27 membership, determines that:

28 (1) an accessible facility is not available under subsection (c) or
29 (d); and

30 (2) the most convenient accessible facility is located in an
31 adjoining county;

32 the board may locate the polls in the facility described in subdivision
33 (2) with the unanimous consent of the entire membership of the county
34 election board of the county in which the facility is located.

35 **(f) If a precinct election officer administers more than one (1)**
36 **precinct under this section, the precinct election officer is not**
37 **entitled to additional compensation for administering more than**
38 **one (1) precinct.**

39 SECTION 91. IC 3-11-8-10.3, AS AMENDED BY P.L.76-2014,
40 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 UPON PASSAGE]: Sec. 10.3. (a) A reference to an electronic poll list
42 in a vote center plan adopted under IC 3-11-18.1 before July 1, 2014,



1 is considered to be a reference to an electronic poll book (as defined by
 2 IC 3-5-2-20.5), unless otherwise expressly provided in the vote center
 3 plan.

4 (b) An electronic poll book must satisfy all of the following:

5 (1) An electronic poll book must be programmed so that the
 6 coordinated action of two (2) election officers who are not
 7 members of the same political party is necessary to access the
 8 electronic poll book.

9 (2) An electronic poll book may not be connected to a voting
 10 system. However, the electronic poll book may be used in
 11 conjunction with a voting system if both **of** the following apply:

12 (A) The electronic poll book contains a device that must be
 13 physically removed from the electronic poll book by a person
 14 and the device is inserted into the voting system, with no
 15 hardware or software connection existing between the
 16 electronic poll book and the voting system.

17 (B) All ~~ballot related~~ data on the device is erased when the
 18 device is removed from the voting system and before the
 19 device is reinserted into an electronic poll book.

20 (3) An electronic poll book may not permit access to voter
 21 information other than:

22 (A) information provided on the certified list of voters
 23 prepared under IC 3-7-29-1; or

24 (B) information concerning any of the following received or
 25 issued after the electronic poll list has been downloaded by the
 26 county election board under IC 3-7-29-6:

27 (i) The county's receipt of an absentee ballot from the voter.

28 (ii) The county's receipt of additional documentation
 29 provided by the voter to the county voter registration office.

30 (iii) The county's issuance of a certificate of error.

31 (4) The information contained on an electronic poll book must be
 32 secure and placed on a dedicated, private server to secure
 33 connectivity between a precinct polling place or satellite absentee
 34 office and the county election board. The electronic poll book
 35 must have the capability of:

36 (A) storing (in external or internal memory) **a the current**
 37 local version of the electronic poll list; and

38 (B) producing a list of audit records that reflect all of the
 39 idiosyncrasies of the system, including in-process audit
 40 records that set forth all transactions.

41 (5) The electronic poll book must permit a poll clerk to enter
 42 information regarding an individual who has appeared to vote to



- 1 verify whether the individual is eligible to vote, and if so, whether
 2 the voter has:
- 3 (A) already ~~cast~~ **received** a ballot at the election;
 4 (B) returned an absentee ballot; or
 5 (C) submitted any additional documentation required under
 6 IC 3-7-33-4.5.
- 7 (6) After the voter has been provided with a ballot, the electronic
 8 poll book must permit a poll clerk to enter information indicating
 9 that the voter has ~~voted at the election~~ **received a ballot**.
- 10 (7) The electronic poll book must transmit the information in
 11 subdivision (6) to the county ~~election board server~~ so that:
- 12 (A) the ~~board server~~ may transmit the information
 13 immediately to every other polling place or satellite absentee
 14 office in the county; **or**
 15 (B) **the server makes the information immediately**
 16 **available to every other polling place or satellite office in**
 17 **the county.**
- 18 (8) The electronic poll book must permit reports to be:
- 19 (A) generated by a county election board for a watcher
 20 appointed under IC 3-6-8 at any time during election day; and
 21 (B) electronically transmitted by the county election board to
 22 a political party or independent candidate who has appointed
 23 a watcher under IC 3-6-8.
- 24 (9) On each day after absentee ballots are cast before an absentee
 25 voter board in the circuit court clerk's office, a satellite office, or
 26 a vote center, and after election day, the electronic poll book must
 27 permit voter history to be quickly and accurately uploaded into
 28 the computerized list **(as defined in IC 3-7-26.3-2)**.
- 29 (10) The electronic poll book must be able to display an electronic
 30 image of the signature of a voter taken from the voter's
 31 registration application, if available.
- 32 (11) The electronic poll book must be used with a signature pad,
 33 tablet, or other signature capturing device that permits the voter
 34 to make an electronic signature for comparison with the signature
 35 displayed under subdivision (10). An image of the electronic
 36 signature made by the voter on the signature pad, tablet, or other
 37 signature capturing device must be retained and identified as the
 38 signature of the voter for the period required for retention under
 39 IC 3-10-1-31.1.
- 40 (12) The electronic poll book must include a bar code ~~reader or~~
 41 ~~tablet capturing device~~ that:
- 42 (A) permits a voter who presents an Indiana driver's license or



- 1 a state identification card issued under IC 9-24-16 to scan the
 2 license or card through the bar code reader or tablet; and
 3 (B) has the capability to display the voter's registration record
 4 upon processing the information contained within the bar code
 5 on the license or card.
- 6 (13) A printer separate from the electronic poll book used in a
 7 vote center county may be programmed to print on the back of a
 8 ballot card, immediately before the ballot card is delivered to the
 9 voter, the printed initials of the poll clerks captured through the
 10 electronic signature pad or tablet at the time the poll clerks log
 11 into the electronic poll book system.
- 12 (14) The electronic poll book must be compatible with:
 13 (A) any hardware attached to the electronic poll book, such as
 14 signature pads; capturing devices, bar code scanners;
 15 capturing devices, and network cards;
 16 (B) the statewide voter registration system; and
 17 (C) any software system used to prepare voter information to
 18 be included on the electronic poll book.
- 19 (15) The electronic poll book must have the ability to be used in
 20 conformity with this title for:
 21 (A) any type of election conducted in Indiana; or
 22 (B) any combination of elections held concurrently with a
 23 general election, municipal election, primary election, or
 24 special election.
- 25 (16) The procedures for setting up, using, and shutting down an
 26 electronic poll book must
 27 ~~(A) be reasonably easy for a precinct election officer to learn,~~
 28 ~~understand, and perform. and~~
 29 ~~(B) not require a significant amount of training in addition to~~
 30 ~~the training required by IC 3-6-6-40.~~
 31 **After December 31, 2015, a vendor shall provide sufficient**
 32 **training to election officials and poll workers to completely**
 33 **familiarize them with the operations essential for carrying out**
 34 **election activities. A vendor shall provide an assessment of**
 35 **learning goals achieved by the training in consultation with**
 36 **VSTOP (as described in IC 3-11-18.1-12).**
- 37 (17) The electronic poll book must enable a precinct election
 38 officer to verify that the electronic poll book:
 39 (A) has been set up correctly;
 40 (B) is working correctly so as to verify the eligibility of the
 41 voter;
 42 (C) is correctly recording that a voter ~~has voted;~~ **received a**



- 1 **ballot; and**
 2 (D) has been shut down correctly.
 3 (18) The electronic poll book must include the following
 4 documentation:
 5 (A) Plainly worded, complete, and detailed instructions
 6 sufficient for a precinct election officer to set up, use, and shut
 7 down the electronic poll book.
 8 (B) Training materials that:
 9 (i) may be in written or video form; and
 10 (ii) must be in a format suitable for use at a polling place,
 11 such as simple "how to" guides.
 12 (C) Failsafe data recovery procedures for information included
 13 in the electronic poll book.
 14 (D) Usability tests:
 15 (i) that are conducted by the manufacturer of the electronic
 16 poll list book **or an independent testing facility** using
 17 individuals who are representative of the general public;
 18 (ii) that include the setting up, using, and shutting down of
 19 the electronic poll book; and
 20 (iii) that report their results using ~~the ANSI/INCITS 354~~
 21 ~~Common Industry Format (CIF) for Usability Test Reports~~
 22 ~~approved by the American National Standards Institute~~
 23 ~~(ANSI) on December 12, 2001.~~ **industry standard**
 24 **reporting formats.**
 25 (E) A clear model of the electronic poll book system
 26 architecture and the following documentation:
 27 (i) End user documentation.
 28 (ii) System-level **and administrator level** documentation.
 29 (iii) Developer documentation.
 30 (F) Detailed information concerning:
 31 (i) electronic poll book consumables; and
 32 (ii) the vendor's supply chain for those consumables.
 33 (G) Vendor internal quality assurance procedures and any
 34 internal or external test data and reports available to the
 35 vendor concerning the electronic poll book.
 36 (H) Repair and maintenance policies for the electronic poll
 37 book.
 38 (I) As of the date of the vendor's application for approval of
 39 the electronic poll book by the secretary of state as required by
 40 IC 3-11-18.1-12, the following:
 41 (i) A list of customers who are using or have previously used
 42 the vendor's electronic poll book.



- 1 (ii) A description of any known anomalies involving the
 2 functioning of the electronic poll book, including how those
 3 anomalies were resolved.
- 4 (19) The electronic poll book and any hardware attached to the
 5 electronic poll book must be designed to prevent injury or damage
 6 to any individual or the hardware, including fire and electrical
 7 hazards.
- 8 (20) The electronic poll book must demonstrate that it correctly
 9 processes all activity regarding each voter registration record,
 10 including the use, alteration, storage, **receipt**, and transmittal of
 11 information that is part of the record. Compliance with this
 12 subdivision requires the mapping of the data life cycle of the voter
 13 registration record as processed by the electronic poll book.
- 14 (21) The electronic poll book must successfully perform in
 15 accordance with all representations concerning functionality,
 16 usability, security, accessibility, and sustainability made in the
 17 vendor's application for approval of the electronic poll book by
 18 the secretary of state as required by IC 3-11-18.1-12.
- 19 (22) The electronic poll book must have the capacity to transmit
 20 all information generated by the voter or poll clerk as part of the
 21 process of casting a ballot, including the time and date stamp
 22 indicating when the voter signed the electronic poll book, and the
 23 electronic signature of the voter, for retention on the dedicated
 24 private server maintained by the county election board for the
 25 period required by Indiana and federal law.
- 26 (23) The electronic poll book must:
- 27 (A) permit a voter to **check-in and** sign the electronic poll
 28 book even when there is a temporary interruption in
 29 connectivity to the Internet; and
- 30 (B) provide for the uploading of each signature **and its**
 31 **assignment so that the signature may be assigned** to the
 32 voter's registration record.
- 33 SECTION 92. IC 3-11-8-11, AS AMENDED BY P.L.221-2005,
 34 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2015]: Sec. 11. (a) When the hour for closing the polls occurs,
 36 the precinct election board shall permit all voters who:
- 37 (1) have passed the challengers and who are waiting to announce
 38 their names to the poll clerks for the purpose of signing the poll
 39 list;
- 40 (2) have signed the poll list but who have not voted; or
- 41 (3) are in the act of voting;
- 42 to vote. ~~In addition, the inspector shall require all voters who have not~~



1 yet passed the challengers to line up in single file within the chute. The
 2 poll clerks shall record the names of the voters in the chute, and these
 3 voters may vote unless otherwise prevented according to law.

4 **(b) At the time described in subsection (a), an individual**
 5 **designated by the circuit court clerk shall:**

6 **(1) determine the end of the line of voters who are waiting to**
 7 **vote, but have not yet passed the challengers; and**

8 **(2) use one (1) of the following methods to identify the voters**
 9 **in the line who may vote if otherwise qualified to vote**
 10 **according to law:**

11 **(A) Write down the name of each voter.**

12 **(B) Stamp each voter's hand.**

13 **(C) Stand, or designate another individual to stand,**
 14 **immediately behind the last voter who may vote.**

15 ~~(b)~~ **(c)** This subsection applies if a court order (or other order) has
 16 been issued to extend the hours that the polls are open under section 8
 17 of this chapter. As provided in ~~42 U.S.C. 15482~~, **52 U.S.C. 21082**, the
 18 inspector shall identify the voters who would not otherwise be eligible
 19 to vote after the closing of the polls under subsection (a) and shall
 20 provide a provisional ballot to the voters in accordance with IC 3-11.7.

21 SECTION 93. IC 3-11-8-17.5 IS ADDED TO THE INDIANA
 22 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2015]: **Sec. 17.5. (a) Voters may use cellular**
 24 **telephones or other electronic devices in the polls as long as**
 25 **electioneering or loud or disruptive conversations do not occur.**

26 **(b) A voter may not do the following:**

27 **(1) Take a digital image or photograph of the voter's ballot**
 28 **while the voter is in a polling place, an office of the circuit**
 29 **court clerk (under IC 3-11-10-26), a satellite office established**
 30 **under IC 3-11-10-26.3, or a vote center established under**
 31 **IC 3-11-18.1-4, except to document and report to a precinct**
 32 **election officer, the county election board, or the election**
 33 **division a problem with the functioning of the voting system.**

34 **(2) Distribute or share the image described in subdivision (1)**
 35 **using social media or by any other means.**

36 SECTION 94. IC 3-11-8-18 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 18. A voter or person
 38 offering to vote may not converse or communicate ~~with a person other~~
 39 ~~than a member of the precinct election board in a loud or disruptive~~
 40 **manner** while at the polls.

41 SECTION 95. IC 3-11-8-18.5 IS ADDED TO THE INDIANA
 42 CODE AS A **NEW** SECTION TO READ AS FOLLOWS



1 [EFFECTIVE JULY 1, 2015]: **Sec. 18.5. A voter may bring into the**
 2 **polling place a list of candidates and public questions for the**
 3 **voter's use in voting, including a list stored on a cellular telephone**
 4 **or similar electronic device, as long as electioneering does not**
 5 **occur.**

6 SECTION 96. IC 3-11-8-25.7, AS AMENDED BY P.L.271-2013,
 7 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2015]: Sec. 25.7. (a) This section applies only to a voter who
 9 is a member of the military or public safety officer.

10 (b) Notwithstanding section 25.5 of this chapter, if a voter signs the
 11 voter's name and either:

- 12 (1) writes the voter's address; or
 13 (2) checks the "Address Unchanged" box;

14 on the poll list or provides the information for entry by the poll clerk
 15 into the electronic poll list under section 25.1 of this chapter and then
 16 leaves the polls without casting a ballot or after casting a provisional
 17 ballot, the voter may reenter the polls to cast a ballot at the election as
 18 provided in this section.

19 (c) A voter who leaves the polls to respond to an emergency in the
 20 voter's capacity as a member of the military or public safety officer
 21 must notify a precinct election officer that the voter is leaving the polls
 22 to respond to an emergency in the voter's capacity as a member of the
 23 military or public safety officer.

24 (d) A poll clerk or assistant poll clerk shall make a notation on the
 25 poll list with the voter's name indicating that the voter has left the polls
 26 as permitted by this section and the time the voter left the polls.

27 (e) If the voter returns to the polls, the voter shall be permitted to
 28 vote if the voter executes an affidavit stating all of the following:

- 29 (1) The name of the voter.
 30 (2) That the voter is a member of the military or public safety
 31 officer.
 32 (3) The military or public safety position the voter holds.
 33 (4) That after the voter signed the poll list, but before the voter
 34 voted, the voter was called to respond to an emergency in the
 35 voter's capacity as a member of the military or public safety
 36 officer.
 37 (5) A brief description of the emergency to which the voter
 38 responded.
 39 (6) The time at which the voter returned to the polls.

40 (f) The ~~commission~~ **election division** shall prescribe the form of the
 41 affidavit required by this section.

42 SECTION 97. IC 3-11-9-2, AS AMENDED BY P.L.221-2005,



1 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2015]: Sec. 2. (a) A voter who:

- 3 (1) is a voter with disabilities; or
4 (2) is unable to read or write English;

5 may request assistance in voting before entering the voting booth and
6 designate a person (other than the voter's employer, an officer of the
7 voter's union, or an agent of the voter's employer or union) to assist the
8 voter in voting at an election, as required by ~~42 U.S.C. 1973aa-6~~. **52**
9 **U.S.C. 10508.**

10 (b) ~~This subsection does not apply to a person designated by a voter~~
11 ~~described by subsection (a) who is voting absentee before two (2)~~
12 ~~members of the absentee voter board.~~ The person designated must
13 execute a sworn affidavit on a form provided by **the absentee voter**
14 **board or** the precinct election board stating that, to the best of the
15 designated person's knowledge, the voter:

- 16 (1) is a voter with disabilities or is unable to read or write English;
17 and
18 (2) has requested the designated person to assist the voter in
19 voting under this section.

20 (c) The person designated may then accompany the voter into the
21 voting booth and assist the voter in marking the voter's paper ballot or
22 ballot card or in registering the voter's vote on the electronic voting
23 system.

24 SECTION 98. IC 3-11-10-8.5 IS ADDED TO THE INDIANA
25 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
26 [EFFECTIVE JULY 1, 2015]: **Sec. 8.5. (a) This section does not**
27 **apply to an application for an absentee ballot from a voter**
28 **participating in the address confidentiality program under**
29 **IC 5-26.5-2.**

30 (b) **Before a voter's application for an absentee ballot is**
31 **attached to the ballot envelope under section 5, 6, or 8 of this**
32 **chapter, the application must be scanned or otherwise copied for**
33 **public inspection.**

34 SECTION 99. IC 3-11-10-24, AS AMENDED BY P.L.225-2011,
35 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2015]: Sec. 24. (a) Except as provided in subsection (b), a
37 voter who satisfies any of the following is entitled to vote by mail:

- 38 (1) The voter has a specific, reasonable expectation of being
39 absent from the county on election day during the entire twelve
40 (12) hours that the polls are open.
41 (2) The voter will be absent from the precinct of the voter's
42 residence on election day because of service as:



- 1 (A) a precinct election officer under IC 3-6-6;
 2 (B) a watcher under IC 3-6-8, IC 3-6-9, or IC 3-6-10;
 3 (C) a challenger or pollbook holder under IC 3-6-7; or
 4 (D) a person employed by an election board to administer the
 5 election for which the absentee ballot is requested.
 6 (3) The voter will be confined on election day to the voter's
 7 residence, to a health care facility, or to a hospital because of an
 8 illness or injury during the entire twelve (12) hours that the polls
 9 are open.
 10 (4) The voter is a voter with disabilities.
 11 (5) The voter is an elderly voter.
 12 (6) The voter is prevented from voting due to the voter's care of
 13 an individual confined to a private residence because of illness or
 14 injury during the entire twelve (12) hours that the polls are open.
 15 (7) The voter is scheduled to work at the person's regular place of
 16 employment during the entire twelve (12) hours that the polls are
 17 open.
 18 (8) The voter is eligible to vote under IC 3-10-11 or IC 3-10-12.
 19 (9) The voter is prevented from voting due to observance of a
 20 religious discipline or religious holiday during the entire twelve
 21 (12) hours that the polls are open.
 22 (10) The voter is an address confidentiality program participant
 23 (as defined in IC 5-26.5-1-6).
 24 (11) The voter is a member of the military or public safety officer.
 25 (b) A voter with disabilities who:
 26 (1) is unable to make a voting mark on the ballot or sign the
 27 absentee ballot secrecy envelope; and
 28 (2) requests that the absentee ballot be delivered to an address
 29 within Indiana;
 30 must vote before an absentee voter board under section 25(b) of this
 31 chapter.
 32 (c) If a voter receives an absentee ballot by mail, the voter shall
 33 personally mark the ballot in secret and seal the marked ballot inside
 34 the envelope provided by the county election board for that purpose.
 35 The voter shall:
 36 (1) deposit the sealed envelope in the United States mail for
 37 delivery to the county election board; or
 38 (2) authorize a member of the voter's household or the individual
 39 designated as the voter's attorney in fact to:
 40 (A) deposit the sealed envelope in the United States mail; or
 41 (B) deliver the sealed envelope in person to the county
 42 election board.



1 (d) If a member of the voter's household or the voter's attorney in
 2 fact delivers the sealed envelope containing a voter's absentee ballot to
 3 the county election board, the individual delivering the ballot shall
 4 complete an affidavit in a form prescribed by the ~~commission~~ **election**
 5 **division**. The affidavit must contain the following information:

6 (1) The name and residence address of the voter whose absentee
 7 ballot is being delivered.

8 (2) A statement of the full name, residence and mailing address,
 9 and daytime and evening telephone numbers (if any) of the
 10 individual delivering the absentee ballot.

11 (3) A statement indicating whether the individual delivering the
 12 absentee ballot is a member of the voter's household or is the
 13 attorney in fact for the voter. If the individual is the attorney in
 14 fact for the voter, the individual must attach a copy of the power
 15 of attorney for the voter, unless a copy of this document has
 16 already been filed with the county election board.

17 (4) The date and location at which the absentee ballot was
 18 delivered by the voter to the individual delivering the ballot to the
 19 county election board.

20 (5) A statement that the individual delivering the absentee ballot
 21 has complied with Indiana laws governing absentee ballots.

22 (6) A statement that the individual delivering the absentee ballot
 23 is executing the affidavit under the penalties of perjury.

24 (7) A statement setting forth the penalties for perjury.

25 (e) The county election board shall record the date and time that the
 26 affidavit under subsection (d) was filed with the board.

27 (f) After a voter has mailed or delivered an absentee ballot to the
 28 office of the circuit court clerk, the voter may not recast a ballot, except
 29 as provided in section 1.5 of this chapter.

30 SECTION 100. IC 3-11-10-26, AS AMENDED BY P.L.258-2013,
 31 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2015]: Sec. 26. (a) This subsection applies to all counties,
 33 except for a county to which IC 3-6-5.2 applies. As an alternative to
 34 voting by mail, a voter is entitled to cast an absentee ballot before an
 35 absentee voter board at any of the following:

36 (1) One (1) location of the office of the circuit court clerk
 37 designated by the circuit court clerk.

38 (2) A satellite office established under section 26.3 of this
 39 chapter.

40 (b) This subsection applies to a county to which IC 3-6-5.2 applies.
 41 As an alternative to voting by mail, a voter is entitled to cast an
 42 absentee ballot before an absentee voter board at any of the following:



- 1 (1) The office of the board of elections and registration.
 2 (2) A satellite office established under section 26.3 of this
 3 chapter.
 4 (c) Except for a location designated under subsection (a)(1), a
 5 location of the office of the circuit court clerk must be established as
 6 a satellite office under section 26.3 of this chapter in order to be used
 7 as a location at which a voter is entitled to cast an absentee ballot
 8 before an absentee voter board under this section.
 9 (d) The voter must:
 10 (1) sign an application on the form prescribed by the ~~commission~~
 11 **election division** under IC 3-11-4-5.1; and
 12 (2) provide proof of identification;
 13 before being permitted to vote. The application must be received by the
 14 circuit court clerk not later than the time prescribed by IC 3-11-4-3.
 15 (e) The voter may vote before the board not more than twenty-eight
 16 (28) days nor later than noon on the day before election day. If the
 17 close of a voter registration period is transferred under IC 3-5-4-1.5
 18 from twenty-nine (29) days to a later date due to the Columbus Day
 19 holiday, the voter may vote before the board on the first day following
 20 the day on which the voter registration period closes.
 21 (f) An absent uniformed services voter who is eligible to vote by
 22 absentee ballot in the circuit court clerk's office under IC 3-7-36-14
 23 may vote before the board not earlier than twenty-eight (28) days
 24 before the election and not later than noon on election day. If the close
 25 of a voter registration period is transferred under IC 3-5-4-1.5 from
 26 twenty-nine (29) days to a later date due to the Columbus Day holiday,
 27 the voter may vote before the board on the first day following the day
 28 on which the voter registration period closes. If a voter described by
 29 this subsection wishes to cast an absentee ballot during the period
 30 beginning at noon on the day before election day and ending at noon on
 31 election day, the county election board or absentee voter board may
 32 receive and process the ballot at a location designated by resolution of
 33 the county election board.
 34 (g) The absentee voter board in the office of the circuit court clerk
 35 must permit voters to cast absentee ballots under this section for at
 36 least seven (7) hours on each of the two (2) Saturdays preceding
 37 election day.
 38 (h) Notwithstanding subsection (g), in a county with a population of
 39 less than twenty thousand (20,000), the absentee voter board in the
 40 office of the circuit court clerk, with the approval of the county election
 41 board, may reduce the number of hours available to cast absentee
 42 ballots under this section to a minimum of four (4) hours on each of the



1 two (2) Saturdays preceding election day.

2 (i) As provided by ~~42 U.S.C. 15481~~, **52 U.S.C. 21081**, a voter
3 casting an absentee ballot under this section must be:

4 (1) permitted to verify in a private and independent manner the
5 votes selected by the voter before the ballot is cast and counted;

6 (2) provided with the opportunity to change the ballot or correct
7 any error in a private and independent manner before the ballot is
8 cast and counted, including the opportunity to receive a
9 replacement ballot if the voter is otherwise unable to change or
10 correct the ballot; and

11 (3) notified before the ballot is cast regarding the effect of casting
12 multiple votes for the office and provided an opportunity to
13 correct the ballot before the ballot is cast and counted.

14 (j) As provided by ~~42 U.S.C. 15481~~, **52 U.S.C. 21081**, when an
15 absentee ballot is provided under this section, the board must also
16 provide the voter with:

17 (1) information concerning the effect of casting multiple votes for
18 an office; and

19 (2) instructions on how to correct the ballot before the ballot is
20 cast and counted, including the issuance of replacement ballots.

21 (k) If:

22 (1) the voter is unable or declines to present the proof of
23 identification; or

24 (2) a member of the board determines that the proof of
25 identification provided by the voter does not qualify as proof of
26 identification under IC 3-5-2-40.5;

27 the voter shall be permitted to cast an absentee ballot and the voter's
28 absentee ballot shall be treated as a provisional ballot.

29 (l) A voter casting an absentee ballot under this section is entitled
30 to cast the voter's ballot in accordance with IC 3-11-9.

31 SECTION 101. IC 3-11-10-27, AS AMENDED BY P.L.55-2014,
32 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2015]: Sec. 27. (a) This section does not apply to a ballot
34 mailed to a voter under this chapter.

35 (b) Subject to IC 3-5-4-9, before a ballot is voted under section 25
36 of this chapter before an absentee voter board, it must bear the circuit
37 court clerk's official seal and signature or facsimile signature and be
38 initialed by the absentee voter board visiting the voter under section
39 25(b) of this chapter (except in a county subject to subsection (d)).

40 (c) Subject to IC 3-5-4-9, before a ballot is:

41 (1) voted under section 26 of this chapter; or

42 (2) placed in a secrecy envelope if it has been marked using a



1 marking device for an optical scan ballot;
 2 the ballot must bear the circuit court clerk's official seal and signature
 3 or facsimile signature and be initialed by the county election board or
 4 the board's designated representatives under IC 3-11-4-19.

5 (d) A county election board may adopt a resolution providing that
 6 the absentee ballots to be voted before an absentee voter board visiting
 7 the voter under section 25(b) of this chapter must be initialed by the
 8 county election board or the board's representatives under IC 3-11-4-19
 9 and not by the absentee voter board visiting the voter. A resolution
 10 adopted under this subsection remains in effect until rescinded by the
 11 county election board. The election board may not rescind the
 12 resolution during the final sixty (60) days before an election.

13 (e) The initials must be:

14 (1) in ink on the back of the ballot, in the person's ordinary
 15 handwriting or printing, and without a distinguishing mark of any
 16 kind; or

17 (2) in a vote center county using an electronic poll list:

18 (A) printed on the back of the ballot by a printer separate from
 19 the electronic poll list, immediately before the ballot is
 20 delivered to the voter; and

21 (B) the initials of the county election board or the board's
 22 representatives captured through the electronic signature pad
 23 or tablet at the time the county election board or the board's
 24 representatives log into the electronic poll book system.

25 **(f) A resolution adopted under subsection (d) may also provide**
 26 **that a precinct designation is not required to be preprinted on**
 27 **absentee ballots printed immediately before the ballot is delivered**
 28 **to a voter, but may be added in the same manner as the initials of**
 29 **the county election board or the board's representatives under**
 30 **IC 3-11-4-19 are added under subsection (e).**

31 **(g)** No other initialing of the absentee ballot is necessary.

32 SECTION 102. IC 3-11-10-31, AS AMENDED BY P.L.194-2013,
 33 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2015]: Sec. 31. (a) If a voter has not returned an absentee
 35 ballot, then the voter may vote in person.

36 (b) However, if the voter has received an absentee ballot, before the
 37 voter may vote, the voter must return the ballot to the inspector. The
 38 absentee ballot shall be marked "cancelled" and preserved with other
 39 defective ballots.

40 (c) **If the voter has requested but not received an absentee**
 41 **ballot, the voter may vote if the voter executes an affidavit**
 42 **affirming that the voter has not received an absentee ballot.**



1 SECTION 103. IC 3-11-13-19, AS AMENDED BY P.L.55-2014,
 2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2015]: Sec. 19. (a) Except as provided in ~~subsection~~
 4 **subsections (b) and (c)**, each circuit court clerk shall print or stamp the
 5 precinct number or designation and a line for each poll clerk's initials
 6 on both a ballot card and the ballot card's secrecy envelope before the
 7 election.

8 (b) In a vote center county using an electronic poll list, the circuit
 9 court clerk shall not print or stamp the ~~information~~ **poll clerk's initials**
 10 required by subsection (a) if ~~the precinct number or designation and~~ the
 11 printed initials of the poll clerks captured through the electronic
 12 signature pad or tablet at the time the poll clerks log into the electronic
 13 poll book system are printed by a printer separate from the electronic
 14 poll list on the back of each ballot card immediately before the ballot
 15 card is delivered to the voter.

16 **(c) In a vote center county using an electronic poll list, the**
 17 **circuit court clerk may print or stamp the precinct number or**
 18 **designation:**

19 **(1) before the election as provided by subsection (a); or**

20 **(2) at the time the ballot card is printed immediately before**
 21 **the ballot card is delivered to a voter as provided by**
 22 **subsection (b).**

23 SECTION 104. IC 3-11-13-22 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 22. **(a) This**
 25 **section applies to:**

26 **(1) a ballot card voting system; and**

27 **(2) a voting system that includes features of a ballot card**
 28 **voting system and a direct record electronic voting system.**

29 ~~(a)~~ **(b)** At least fourteen (14) days before election day, the county
 30 election board of each county planning to use automatic tabulating
 31 machines at the next election shall have the automatic tabulating
 32 machines tested to ascertain that the machines will correctly count the
 33 votes cast for all candidates and on all public questions. Not later than
 34 seven (7) days after conducting the test under this subsection, the
 35 county election board shall certify to the election division that the test
 36 has been conducted in conformity with this subsection.

37 ~~(b)~~ **(c)** Public notice of the time and place shall be given at least
 38 forty-eight (48) hours before the test. The notice shall be published
 39 once in accordance with IC 5-3-1-4.

40 **(d) If a county election board determines that:**

41 **(1) a ballot:**

42 **(A) must be reprinted or corrected as provided by**



1 **IC 3-11-2-16 because of the omission of a candidate,**
 2 **political party, or public question from the ballot; or**
 3 **(B) is an absentee ballot that a voter is entitled to recast**
 4 **under IC 3-11-10-1.5 because the absentee ballot includes**
 5 **a candidate for election to office who:**
 6 **(i) ceased to be a candidate; and**
 7 **(ii) has been succeeded by a candidate selected under**
 8 **IC 3-13-1 or IC 3-13-2; and**
 9 **(2) ballots used in the test conducted under this section were**
 10 **not reprinted or corrected to remove the omission of a**
 11 **candidate, political party, or public question, or indicate the**
 12 **name of the successor candidate;**
 13 **the county election board shall conduct an additional public test**
 14 **described in subsection (b) using the reprinted or corrected ballots.**
 15 **Notice of the time and place of the additional test shall be given in**
 16 **accordance with IC 5-14-1.5, but publication of the notice in**
 17 **accordance with IC 5-3-1-4 is not required.**
 18 SECTION 105. IC 3-11-13-24, AS AMENDED BY P.L.221-2005,
 19 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 UPON PASSAGE]: Sec. 24. **(a) This subsection applies to a ballot**
 21 **card voting system.** The test required by section 22 of this chapter
 22 must:
 23 (1) be conducted by processing a preaudited group of ballot cards
 24 marked so as to record a predetermined number of valid votes for
 25 each candidate and on each public question; and
 26 (2) include for each office one (1) or more ballot cards that have
 27 votes in excess of the number allowed by law in order to test the
 28 ability of the automatic tabulating machines to reject the votes.
 29 **(b) This subsection applies to a voting system that includes**
 30 **features of a ballot card voting system and a direct record**
 31 **electronic voting system. The test required by section 22 of this**
 32 **chapter must:**
 33 **(1) be conducted by the entry of:**
 34 **(A) a preaudited group of ballots; and**
 35 **(B) at least ten (10) ballots cast by using the headphone or**
 36 **a sip/puff device;**
 37 **so as to record a predetermined number of valid votes for**
 38 **each candidate and on each public question; and**
 39 **(2) include at least one (1) ballot for each office and public**
 40 **question that has votes in excess of the number allowed by law**
 41 **in order to test the ability of the voting system to reject the**
 42 **overvotes.**



1 SECTION 106. IC 3-11-13-40 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 40. The county election
 3 board shall certify the results of an audit under section 37 of this
 4 chapter not later than noon twelve (12) days after the election. The
 5 certification must be on the form prescribed by the ~~commission~~
 6 **election division**. One (1) copy shall be filed with the election returns,
 7 and one (1) copy must be delivered to the election division.

8 SECTION 107. IC 3-11-14.5-1, AS ADDED BY P.L.221-2005,
 9 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 UPON PASSAGE]: Sec. 1. ~~At least fourteen (14) days before election~~
 11 ~~day~~; **(a)** The county election board of each county planning to use an
 12 electronic voting system at the next election shall randomly select at
 13 least three (3) precincts within the county and test the voting system
 14 units to be used at those precincts on election day. Each voting system
 15 shall be tested to ascertain that the system will correctly count the votes
 16 cast for all candidates and on all public questions in that precinct.

17 **(b) The testing under subsection (a) must begin before absentee**
 18 **voting starts.**

19 **(c) If a county election board determines that:**

20 **(1) a ballot provided by an electronic voting system:**

21 **(A) must be corrected as provided by IC 3-11-2-16 because**
 22 **of the omission of a candidate, political party, or public**
 23 **question from the ballot; or**

24 **(B) is an absentee ballot that a voter is entitled to recast**
 25 **under IC 3-11-10-1.5 because the absentee ballot includes**
 26 **a candidate for election to office who:**

27 **(i) ceased to be a candidate; and**

28 **(ii) has been succeeded by a candidate selected under**
 29 **IC 3-13-1 or IC 3-13-2; and**

30 **(2) voting system units used in the test conducted under this**
 31 **section did not contain a ballot that was reprinted or**
 32 **corrected to remove the omission of a candidate, political**
 33 **party, or public question, or indicate the name of the**
 34 **successor candidate;**

35 **the county election board shall conduct an additional public test**
 36 **described in subsection (a) using the voting system units previously**
 37 **tested and containing the reprinted or corrected ballots.**

38 SECTION 108. IC 3-11-14.5-2, AS ADDED BY P.L.221-2005,
 39 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 UPON PASSAGE]: Sec. 2. **(a) Except as provided by subsection (b),**
 41 **public notice of the time and place shall be given at least forty-eight**
 42 **(48) hours before the test. The notice shall be published once in**



1 accordance with IC 5-3-1-4.

2 **(b) This subsection applies to an additional public test**
 3 **conducted under section 1(c) of this chapter. Notice of the time and**
 4 **place of the additional test shall be given in accordance with**
 5 **IC 5-14-1.5, but publication of the notice in accordance with**
 6 **IC 5-3-1-4 is not required.**

7 SECTION 109. IC 3-11-15-7 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) Each application
 9 must be in writing, sworn to or affirmed by the applicant, under the
 10 penalties of perjury, on a form prescribed by the ~~commission~~, **election**
 11 **division**, and must satisfy the following requirements:

- 12 (1) Provide the name and address of the vendor submitting the
 13 application.
 14 (2) Provide the telephone number of the vendor.
 15 (3) Provide the name, address, and telephone number of the
 16 individual representing the vendor regarding the application.
 17 (4) Provide the model name and number of the submitted voting
 18 system, stating the hardware, firmware, and software version
 19 numbers of the system.
 20 (5) State whether the voting system is a direct record electronic
 21 voting system or an optical scan ballot card voting system.
 22 (6) Provide a description of the voting system and its capabilities,
 23 including the following:
 24 (A) Photographs.
 25 (B) Engineering drawings.
 26 (C) Technical documentation.
 27 (D) Fail-safe and emergency backup information.
 28 (E) Environmental requirements for storage, transportation,
 29 and operation.
 30 (7) Include an agreement to pay for the total costs of the
 31 examination.
 32 (8) Provide documentation of the escrow of the voting system's
 33 software, firmware, source codes, and executable images with an
 34 escrow agent approved by the election division.
 35 (9) Provide a functional description of any software components.
 36 (10) Provide schematics or flowcharts identifying software and
 37 data file relationships.
 38 (11) Describe the type of maintenance offered by the vendor.
 39 (12) Provide the names, addresses, and telephone numbers of the
 40 vendor's maintenance providers.
 41 (13) Provide a description of the training courses offered by the
 42 vendor for the voting system.



- 1 (14) Provide user manuals, operator and system manuals, and
 2 problem solving manuals.
 3 (15) Provide a statement of the current and future
 4 interchangeability of all subcomponents of the voting system.
 5 (16) Provide documentation from all independent testing
 6 authorities that have examined the system.
 7 (17) Provide documentation from all election jurisdictions that
 8 have previously approved the system.
 9 (18) Pay the application fee required under section 4 of this
 10 chapter.

11 (b) If an application does not include any of the applicable
 12 requirements listed in subsection (a), those requirements must be filed
 13 with the election division before the application may be considered by
 14 the commission.

15 SECTION 110. IC 3-11-15-12 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 12. Each application
 17 under this chapter must be in writing on a form prescribed by the
 18 **commission election division** and must comply with the requirements
 19 of this chapter.

20 SECTION 111. IC 3-11-18.1-14, AS ADDED BY P.L.1-2011,
 21 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 UPON PASSAGE]: Sec. 14. (a) The precinct election board
 23 administering an election at a vote center shall keep the ballots cast in
 24 each precinct separate from the ballots cast in any other precinct whose
 25 election is administered at the vote center, so that the votes cast for
 26 each candidate and on each public question in each of the precincts
 27 administered by the board may be determined and included on the
 28 statement required by IC 3-12-4-9.

29 (b) **This subsection applies to a county described under section**
 30 **12 of this chapter on and after the date absentee ballots are first**
 31 **transmitted to voters. A person that receives a certification for an**
 32 **electronic poll book shall file not later than forty-eight (48) hours**
 33 **after the discovery of an anomaly or problem with the poll book a**
 34 **written report describing the anomaly or problem with the**
 35 **secretary of state.**

36 SECTION 112. IC 3-11.5-3-1 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. The following apply
 38 for the purposes of IC 3-6-8, IC 3-6-9, and IC 3-6-10:

- 39 (1) A central location for counting absentee ballots shall be
 40 treated the same as a precinct poll.
 41 (2) An absentee ballot counter shall be treated the same as a
 42 precinct election official.



- 1 **(3) A major political party of a county is entitled to appoint**
 2 **the number of watchers equal to the number of teams of**
 3 **absentee ballot counters.**
- 4 SECTION 113. IC 3-11.5-4-18, AS AMENDED BY P.L.194-2013,
 5 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 UPON PASSAGE]: Sec. 18. **(a)** If a voter has not returned an absentee
 7 ballot, the voter may vote in person.
- 8 **(b)** However, if the voter has received an absentee ballot, before the
 9 voter may vote, the voter must return the ballot to the ~~county election~~
 10 ~~board: inspector.~~ The absentee ballot shall be marked "canceled" and
 11 preserved with the rejected ballots.
- 12 **(c) If the voter has requested but not received an absentee**
 13 **ballot, the voter may vote if the voter executes an affidavit**
 14 **affirming that the voter has not received an absentee ballot.**
- 15 SECTION 114. IC 3-11.5-4-21.5 IS ADDED TO THE INDIANA
 16 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2015]: **Sec. 21.5. Rejected absentee ballots**
 18 **may not be opened, except on order of a court or the state recount**
 19 **commission.**
- 20 SECTION 115. IC 3-11.7-1-6 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) All provisional
 22 ballots shall be prepared and printed under the direction of each county
 23 election board.
- 24 (b) After completing the estimate required by section 4 of this
 25 chapter, the county election board shall immediately prepare the ballots
 26 and have the ballots printed.
- 27 (c) Except as provided in subsection (e), ballots prepared by the
 28 county election board under this section must provide space for the
 29 voter to cast a write-in ballot.
- 30 (d) The provisional ballots that are prepared and printed under this
 31 section shall be delivered to the circuit court clerk not later than
 32 (+) ~~forty-five (45)~~ **fifty (50)** days before a general, primary,
 33 **special,** or municipal election. ~~or~~
 34 (2) ~~thirty-two (32)~~ **days before a special election.**
- 35 (e) Space for write-in voting for an office is not required if there are
 36 no declared write-in candidates for that office. However, procedures
 37 must be implemented to permit write-in voting for candidates for
 38 federal offices.
- 39 (f) This subsection applies to the printing of provisional ballots for
 40 a general election in which the names of the nominees for President
 41 and Vice President of the United States are to be printed on the ballot.
 42 The provisional ballots that are prepared and printed under this section



1 must be delivered to the circuit court clerk or the clerk's authorized
2 deputy not later than thirty-eight (38) days before the general election.

3 SECTION 116. IC 3-11.7-5-2.5, AS AMENDED BY P.L.225-2011,
4 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2015]: Sec. 2.5. (a) A voter who:

6 (1) was challenged under IC 3-10-1, IC 3-11-8, or IC 3-11-10-26
7 as a result of the voter's inability or declination to provide proof
8 of identification; and

9 (2) cast a provisional ballot;

10 may personally appear before the circuit court clerk or the county
11 election board not later than noon ten (10) days following the election.

12 (b) Except as provided in subsection (c) or (e), if the voter:

13 (1) provides proof of identification to the circuit court clerk or
14 county election board; and

15 (2) executes an affidavit before the clerk or board, in the form
16 prescribed by the ~~commission~~, **election division**, affirming under
17 the penalties of perjury that the voter is the same individual who:

18 (A) personally appeared before the precinct election board;
19 and

20 (B) cast the provisional ballot on election day;

21 the county election board shall find that the voter's provisional ballot
22 is valid and direct that the provisional ballot be opened under section
23 4 of this chapter and processed in accordance with this chapter.

24 (c) If the voter executes an affidavit before the circuit court clerk or
25 county election board, in the form prescribed by the ~~commission~~,
26 **election division**, affirming under the penalties of perjury that:

27 (1) the voter is the same individual who:

28 (A) personally appeared before the precinct election board;
29 and

30 (B) cast the provisional ballot on election day; and

31 (2) the voter:

32 (A) is:

33 (i) indigent; and

34 (ii) unable to obtain proof of identification without the
35 payment of a fee; or

36 (B) has a religious objection to being photographed;

37 the county election board shall determine whether the voter has been
38 challenged for any reason other than the voter's inability or declination
39 to present proof of identification to the precinct election board.

40 (d) If the county election board determines that the voter described
41 in subsection (c) has been challenged solely for the inability or
42 declination of the voter to provide proof of identification, the county



- 1 election board shall:
- 2 (1) find that the voter's provisional ballot is valid; and
- 3 (2) direct that the provisional ballot be:
- 4 (A) opened under section 4 of this chapter; and
- 5 (B) processed in accordance with this chapter.
- 6 (e) If the county election board determines that a voter described in
- 7 subsection (b) or (c) has been challenged for a cause other than the
- 8 voter's inability or declination to provide proof of identification, the
- 9 board shall:
- 10 (1) note on the envelope containing the provisional ballot that the
- 11 voter has complied with the proof of identification requirement;
- 12 and
- 13 (2) proceed to determine the validity of the remaining challenges
- 14 set forth in the challenge affidavit before ruling on the validity of
- 15 the voter's provisional ballot.
- 16 (f) If a voter described by subsection (a) fails by the deadline for
- 17 counting provisional ballots referenced in subsection (a) to:
- 18 (1) appear before the county election board; and
- 19 (2) execute an affidavit in the manner prescribed by subsection
- 20 (b) or (c);
- 21 the county election board shall find that the voter's provisional ballot
- 22 is invalid.
- 23 SECTION 117. IC 3-12-3.5-8, AS ADDED BY P.L.76-2014,
- 24 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 25 JULY 1, 2015]: Sec. 8. (a) After each electronic voting system has
- 26 been secured and the paper vote total printouts obtained, the inspector
- 27 shall announce the total number of votes cast on all electronic voting
- 28 systems located within the ~~polling place~~, **precinct**, including any
- 29 absentee ballots cast, to determine if the total number of votes cast on
- 30 the electronic voting systems differs from the number of voters shown
- 31 to have received a ballot at the polls or returned an absentee ballot,
- 32 according to the poll lists.
- 33 (b) If the number of ballots received at the polls and returned as
- 34 absentee ballots differs from the total number of voters shown on the
- 35 poll lists, the inspector and judge of the opposite party shall report this
- 36 fact in writing to the county election board together with the reasons for
- 37 the discrepancy, if known, at the time that the inspector and judge
- 38 return the precinct poll list to the board.
- 39 (c) If:
- 40 (1) the total number of votes cast, as determined under subsection
- 41 (a); and
- 42 (2) the number of voters who received a ballot at the polls or



1 returned an absentee ballot according to the poll lists;
 2 differs by five (5) or more, then the county election board shall order
 3 an audit of the votes cast in that precinct under this section. **Before**
 4 **ordering an audit, the county election board shall recheck the**
 5 **computations reported by the inspector and judge under**
 6 **subsection (b).**

7 (d) The county election board shall confirm that the votes cast in an
 8 election:

- 9 (1) for each candidate and each public question; and
 10 (2) on a direct record electronic voting system in the precinct;
 11 were correctly counted.

12 (e) The county election board shall conduct an audit by means of
 13 tests and procedures that are approved by the commission and
 14 independent of the provider of the direct record electronic voting
 15 system being audited.

16 (f) The county election board shall certify the results of the audit not
 17 later than noon ~~twelve (12)~~ **thirteen (13)** days after the election. The
 18 certification must be on the form prescribed by the ~~commission~~
 19 **election division**. One (1) copy shall be filed with the election returns,
 20 and one (1) copy must be delivered to the election division.

21 (g) Public notice of the time and place of an audit shall be given at
 22 least forty-eight (48) hours before the audit. The notice shall be
 23 published once in accordance with IC 5-3-1-4. However, if publication
 24 in accordance with IC 5-3-1-4 will not allow the county election board
 25 to certify the results of the audit within ~~twelve (12)~~ **thirteen (13)** days
 26 after the election, notice shall be given by posting at or near the office
 27 of the county election board.

28 SECTION 118. IC 3-12-10-4 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) The state recount
 30 commission shall conduct recount proceedings under IC 3-12-11
 31 resulting from:

- 32 (1) a presidential primary election;
 33 (2) the nomination of a candidate to a federal, state, or legislative
 34 office in a primary election; or
 35 (3) an election for a federal, state, or legislative office.

36 **(b) The state recount commission shall conduct recount**
 37 **proceedings under IC 3-12-12 resulting from a public question**
 38 **voted on by the electorate of the entire state.**

39 ~~(b)~~ (c) The state recount commission shall conduct contest
 40 proceedings under IC 3-12-11 resulting from:

- 41 (1) a presidential primary election;
 42 (2) the nomination of a candidate to a federal, state, or legislative



1 office in a primary election; or
 2 (3) an election for a federal, state, or legislative office.
 3 SECTION 119. IC 3-12-12-23 IS AMENDED TO READ AS
 4 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 23. (a) This section
 5 applies to a recount of:
 6 (1) a public question concerning the ratification of a state
 7 constitutional amendment or the retention of a justice of the
 8 Indiana supreme court or judge of the Indiana court of appeals; or
 9 (2) another public question voted on by the electorate of the entire
 10 state.
 11 (b) ~~A circuit court clerk~~ **The state recount commission shall**
 12 **conduct a recount proceeding under this section and** shall
 13 immediately transmit a certificate ~~prepared under section 22 of this~~
 14 ~~chapter~~ to the election division **showing for each precinct in which**
 15 **a recount was conducted the total vote for and against the public**
 16 **question.**
 17 (c) Upon tabulation of the returns under this section by the election
 18 division, the secretary of state shall issue a certificate declaring the
 19 public question approved or rejected.
 20 (d) The election division shall provide to the office the results of the
 21 recount in each precinct in which a recount was conducted.
 22 SECTION 120. IC 3-13-1-9, AS AMENDED BY P.L.225-2011,
 23 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2015]: Sec. 9. The call for a meeting under section 7 of this
 25 chapter must:
 26 (1) be in writing on a form prescribed by the ~~commission;~~
 27 **election division;**
 28 (2) state the name of the chairman of the meeting;
 29 (3) state the purpose of the meeting;
 30 (4) state the date, time, and place of the meeting;
 31 (5) be sent by first class mail, at least ten (10) days before the
 32 meeting, to all persons eligible to participate in the meeting; and
 33 (6) be filed not later than noon ten (10) days before the meeting
 34 with the official who is required to receive a certificate of
 35 candidate selection following the caucus under section 15 of this
 36 chapter.
 37 SECTION 121. IC 3-13-1-10.5, AS AMENDED BY P.L.76-2014,
 38 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2015]: Sec. 10.5. (a) A person who wishes to be a candidate
 40 for appointment to fill a candidate vacancy under this chapter must file
 41 a declaration of candidacy on a form prescribed by the ~~commission~~
 42 **election division** with:



1 (1) the chairman of the caucus or committee conducting a meeting
2 under this chapter; and

3 (2) the official who is required to receive a certificate of candidate
4 selection following the caucus under section 15 of this chapter;
5 at least seventy-two (72) hours before the time fixed for the caucus or
6 committee meeting.

7 (b) A candidate's declaration of candidacy must include a statement
8 that the candidate requests the name on the candidate's voter
9 registration record be the same as the name the candidate uses on the
10 declaration of candidacy. If there is a difference between the name on
11 the candidate's declaration of candidacy and the name on the
12 candidate's voter registration record, the officer with whom the
13 declaration of candidacy is filed shall forward the information to the
14 voter registration officer of the appropriate county as required by
15 IC 3-5-7-6(e). The voter registration officer of the appropriate county
16 shall change the name on the candidate's voter registration record to be
17 the same as the name on the candidate's declaration of candidacy.

18 (c) A candidate's declaration of candidacy must contain the
19 following statements:

20 (1) **This subdivision applies to a candidate filing a declaration**
21 **of candidacy for a state office, legislative office, local office of**
22 **judge of a circuit, superior, probate, county, or small claims**
23 **court, or local office of prosecuting attorney of a judicial**
24 **circuit.** A statement that the candidate has attached either of the
25 following to the declaration:

26 (A) A copy of a statement of economic interests, file stamped
27 by the office required to receive the statement of economic
28 interests.

29 (B) A receipt or photocopy of a receipt showing that a
30 statement of economic interests has been filed.

31 This requirement does not apply to a candidate for a federal
32 office.

33 (2) **This subdivision applies to a candidate filing a declaration**
34 **of candidacy for a local office not described in subdivision (1)**
35 **or school board office. A statement that the candidate**
36 **understands that if the candidate is selected to fill the**
37 **candidate vacancy, the candidate is required to file a**
38 **statement of economic interests under IC 3-8-9-5.**

39 (2) (3) A statement that the candidate understands that if the
40 candidate is elected to the office, the candidate may be required
41 to obtain and file an individual surety bond before serving in the
42 office. This requirement does not apply to a candidate for a



1 federal office or legislative office.
 2 ~~(3)~~ **(4)** A statement that the candidate understands that if the
 3 candidate is elected to the office, the candidate may be required
 4 to successfully complete training or have attained certification
 5 related to service in an elected office. This requirement does not
 6 apply to a candidate for a federal office, state office, or legislative
 7 office.
 8 ~~(4)~~ **(5)** A statement that the candidate:
 9 (A) is aware of the provisions of IC 3-9 regarding campaign
 10 finance and the reporting of campaign contributions and
 11 expenditures; and
 12 (B) agrees to comply with the provisions of IC 3-9.
 13 This requirement does not apply to a candidate for a federal
 14 office.
 15 The candidate must separately initial each of the statements required
 16 by this subsection.
 17 SECTION 122. IC 3-13-1-14 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 14. The selection of a
 19 person as a candidate under this chapter is not effective unless:
 20 (1) the person's written consent is obtained and filed:
 21 (A) in the office in which certificates and petitions of
 22 nomination must be filed; and
 23 (B) not later than when the certificate is filed; and
 24 (2) the candidate has complied with any requirement under
 25 IC 3-8-1-33 **or IC 3-8-9-5** to file a statement of economic
 26 interests.
 27 SECTION 123. IC 3-13-1-15, AS AMENDED BY P.L.225-2011,
 28 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2015]: Sec. 15. (a) A county chairman filling a candidate
 30 vacancy under section 6(a)(2) of this chapter or the chairman of a
 31 meeting filling a candidate vacancy under this chapter shall file a
 32 written certificate of candidate selection on a form prescribed by the
 33 **commission election division** stating the following information for
 34 each candidate selected:
 35 (1) The name of each candidate as:
 36 (A) the candidate wants the candidate's name to appear on the
 37 ballot; and
 38 (B) the candidate's name is permitted to appear on the ballot
 39 under IC 3-5-7.
 40 (2) The residence address of each candidate.
 41 (b) The certificate shall be filed with:
 42 (1) the election division for:



- 1 (A) a committee acting under section 3, 4, 5, or 6(b) of this
 2 chapter; or
 3 (B) a committee acting under section 6(a) of this chapter to fill
 4 a candidate vacancy in the office of judge of a circuit, superior,
 5 probate, county, or small claims court or prosecuting attorney;
 6 or
 7 (2) the circuit court clerk, for a committee acting under section
 8 6(a) of this chapter to fill a candidate vacancy for a local office
 9 not described in subdivision (1).
- 10 (c) This subsection applies to a candidate vacancy resulting from a
 11 vacancy on the primary election ballot as described in section 2 of this
 12 chapter. The certificate required by subsection (a) shall be filed not
 13 later than noon July 3 before election day.
- 14 (d) This subsection applies to all candidate vacancies not described
 15 by subsection (c). The certificate required by subsection (a) shall be
 16 filed not later than noon three (3) days (excluding Saturdays and
 17 Sundays) after selection of the candidates.
- 18 **(e) A certificate filed under this section is not effective unless the**
 19 **candidate selected to fill the candidate vacancy has filed a**
 20 **statement of economic interests under IC 3-8-9-5.**
- 21 SECTION 124. IC 3-13-2-8, AS AMENDED BY P.L.2-2005,
 22 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2015]: Sec. 8. (a) The chairman or chairmen filling a
 24 candidate vacancy under this chapter shall immediately file a written
 25 certificate of candidate selection on a form prescribed by the
 26 ~~commission~~ **election division** stating the following information for
 27 each candidate selected:
- 28 (1) The name of each candidate as:
 29 (A) the candidate wants the candidate's name to appear on the
 30 ballot; and
 31 (B) the candidate's name is permitted to appear on the ballot
 32 under IC 3-5-7.
- 33 (2) The residence address of each candidate.
- 34 (b) The certificate shall be filed with:
 35 (1) the election division for:
 36 (A) one (1) or more chairmen acting under section 2, 3, 4, or
 37 5(b) of this chapter; or
 38 (B) a committee acting under section 5(b) of this chapter to fill
 39 a candidate vacancy for the office of judge of a circuit,
 40 superior, probate, county, or small claims court or prosecuting
 41 attorney; or
 42 (2) the circuit court clerk of the county in which the greatest



1 percentage of the population of the election district is located, for
 2 a chairman acting under section 5(a) of this chapter to fill a
 3 candidate vacancy for a local office not described in subdivision
 4 (1).

5 (c) The certificate required by subsection (a) shall be filed not more
 6 than three (3) days (excluding Saturdays and Sundays) after selection
 7 of the candidate.

8 **(d) A certificate filed under this section is not effective unless the**
 9 **candidate selected to fill the candidate vacancy has filed a**
 10 **statement of economic interests under IC 3-8-9-5.**

11 SECTION 125. IC 3-14-1-17, AS AMENDED BY P.L.168-2014,
 12 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2015]: Sec. 17. (a) As used in this section, "government
 14 employee" refers to any of the following:

- 15 (1) An employee of the state.
- 16 (2) An employee of a political subdivision.
- 17 (3) A special state appointee (as defined in IC 4-2-6-1).
- 18 (4) An employee of a charter school (as defined in IC 20-24-1-4).

19 (b) As used in this section, "government employer" refers to the
 20 state or a political subdivision.

21 (c) As used in this section, "property" refers only to the following:

- 22 (1) Equipment, goods, and materials, including mail and
 23 messaging systems.
- 24 (2) Money.

25 (d) A government employee may not knowingly or intentionally use
 26 the property of the employee's government employer to do any of the
 27 following:

- 28 (1) Solicit a contribution.
- 29 (2) Advocate the election or defeat of a candidate.
- 30 (3) Advocate the approval or defeat of a public question.

31 (e) A government employee may not knowingly or intentionally
 32 distribute **or display** campaign materials advocating:

- 33 (1) the election or defeat of a candidate; or
- 34 (2) the approval or defeat of a public question;

35 on the government employer's real property during regular working
 36 hours.

37 **(f) A government employee may not knowingly or intentionally**
 38 **wear or display an article of clothing or button that states the name**
 39 **of any political party or includes the name, picture, photograph, or**
 40 **other likeness of a candidate or currently elected federal, state,**
 41 **county, or local official on the government employee's property**
 42 **during regular working hours.**



1 ~~(f)~~ **(g)** This section does not prohibit the following:

2 (1) Activities permitted under IC 6-1.1-20.

3 (2) A government employee from carrying out administrative

4 duties under the direction of an elected official who is the

5 government employee's supervisor.

6 ~~(g)~~ **(h)** A government employee who knowingly or intentionally

7 performs several actions described in subsection (d), ~~or~~ (e), **or** (f) in a

8 connected series that are closely related in time, place, and

9 circumstance may be charged with only one (1) violation of this section

10 for that connected series of actions.

11 ~~(h)~~ **(i)** A government employee who violates this section commits

12 a Class A misdemeanor. However, the offense is a Level 6 felony if the

13 person has a prior unrelated conviction under this section.

14 SECTION 126. IC 3-14-2-11, AS AMENDED BY P.L.168-2014,

15 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

16 JULY 1, 2015]: Sec. 11. (a) A person who knowingly votes or offers to

17 vote in a precinct except the one in which the person is registered and

18 resides commits a Level 6 felony, except when permitted under

19 IC 3-10-10, IC 3-10-11, or IC 3-10-12.

20 (b) A person who knowingly makes a false statement concerning the

21 name, address, or voter identification number of the person by:

22 (1) signing a person's signature on a poll list to affirm false

23 information concerning a voter printed on the poll list; or

24 (2) making a written or oral affirmation under IC 3-7-39-7,

25 IC 3-10-1-24, **IC 3-10-10-4, IC 3-10-11-4, IC 3-10-12-4,** or

26 IC 3-11-8-25.1 to provide false information concerning a voter in

27 addition to the information concerning the voter printed on the

28 poll list;

29 commits a Level 6 felony.

30 SECTION 127. IC 3-14-3-14, AS AMENDED BY P.L.158-2013,

31 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

32 JULY 1, 2015]: Sec. 14. A printer of the ballots for an election, or

33 person employed in printing the ballots, who knowingly:

34 (1) delivers a ballot to a person other than a county election board

35 for which the ballots are being printed;

36 (2) prints a ballot in any form other than the one prescribed by

37 law; or

38 (3) prints a ballot containing any names, spellings, or

39 arrangements other than as authorized by the ~~commission~~ **election**

40 **division** or a county election board;

41 commits a Level 6 felony.

42 SECTION 128. IC 6-1.1-20-3.6, AS AMENDED BY P.L.219-2013,



1 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2015]: Sec. 3.6. (a) Except as provided in sections 3.7 and 3.8
3 of this chapter, this section applies only to a controlled project
4 described in section 3.5(a) of this chapter.

5 (b) If a sufficient petition requesting the application of the local
6 public question process has been filed as set forth in section 3.5 of this
7 chapter, a political subdivision may not impose property taxes to pay
8 debt service on bonds or lease rentals on a lease for a controlled project
9 unless the political subdivision's proposed debt service or lease rental
10 is approved in an election on a local public question held under this
11 section.

12 (c) Except as provided in subsection (k), the following question
13 shall be submitted to the eligible voters at the election conducted under
14 this section:

15 "Shall _____ (insert the name of the political subdivision)
16 issue bonds or enter into a lease to finance _____ (insert
17 a brief description of the controlled project), which is estimated
18 to cost not more than _____ (insert the total cost of the project)
19 and is estimated to increase the property tax rate for debt service
20 by _____ (insert increase in tax rate as determined by the
21 department of local government finance)?".

22 The public question must appear on the ballot in the form approved by
23 the county election board. If the political subdivision proposing to issue
24 bonds or enter into a lease is located in more than one (1) county, the
25 county election board of each county shall jointly approve the form of
26 the public question that will appear on the ballot in each county. The
27 form approved by the county election board may differ from the
28 language certified to the county election board by the county auditor.
29 If the county election board approves the language of a public question
30 under this subsection, the county election board shall submit the
31 language to the department of local government finance for review.

32 (d) The department of local government finance shall review the
33 language of the public question to evaluate whether the description of
34 the controlled project is accurate and is not biased against either a vote
35 in favor of the controlled project or a vote against the controlled
36 project. The department of local government finance may either
37 approve the ballot language as submitted or recommend that the ballot
38 language be modified as necessary to ensure that the description of the
39 controlled project is accurate and is not biased. The department of local
40 government finance shall certify its approval or recommendations to
41 the county auditor and the county election board not more than ten (10)
42 days after the language of the public question is submitted to the



1 department for review. If the department of local government finance
 2 recommends a modification to the ballot language, the county election
 3 board shall, after reviewing the recommendations of the department of
 4 local government finance, submit modified ballot language to the
 5 department for the department's approval or recommendation of any
 6 additional modifications. The public question may not be certified by
 7 the county auditor under subsection (e) unless the department of local
 8 government finance has first certified the department's final approval
 9 of the ballot language for the public question.

10 (e) The county auditor shall certify the finally approved public
 11 question under IC 3-10-9-3 to the county election board of each county
 12 in which the political subdivision is located. The certification must
 13 occur not later than noon:

14 (1) seventy-four (74) days before a primary election if the public
 15 question is to be placed on the primary or municipal primary
 16 election ballot; or

17 (2) August 1 if the public question is to be placed on the general
 18 or municipal election ballot.

19 Subject to the certification requirements and deadlines under this
 20 subsection and except as provided in subsection (k), the public
 21 question shall be placed on the ballot at the next primary election,
 22 general election, or municipal election in which all voters of the
 23 political subdivision are entitled to vote. However, if a primary
 24 election, general election, or municipal election will not be held during
 25 the first year in which the public question is eligible to be placed on the
 26 ballot under this section and if the political subdivision requests the
 27 public question to be placed on the ballot at a special election, the
 28 public question shall be placed on the ballot at a special election to be
 29 held on the first Tuesday after the first Monday in May or November
 30 of the year. The certification must occur not later than noon
 31 seventy-four (74) days before a special election to be held in May (if
 32 the special election is to be held in May) or noon on August 1 (if the
 33 special election is to be held in November). The fiscal body of the
 34 political subdivision that requests the special election shall pay the
 35 costs of holding the special election. The county election board shall
 36 give notice under IC 5-3-1 of a special election conducted under this
 37 subsection. A special election conducted under this subsection is under
 38 the direction of the county election board. The county election board
 39 shall take all steps necessary to carry out the special election.

40 (f) The circuit court clerk shall certify the results of the public
 41 question to the following:

42 (1) The county auditor of each county in which the political



- 1 subdivision is located.
- 2 (2) The department of local government finance.
- 3 (g) Subject to the requirements of IC 6-1.1-18.5-8, the political
4 subdivision may issue the proposed bonds or enter into the proposed
5 lease rental if a majority of the eligible voters voting on the public
6 question vote in favor of the public question.
- 7 (h) If a majority of the eligible voters voting on the public question
8 vote in opposition to the public question, both of the following apply:
- 9 (1) The political subdivision may not issue the proposed bonds or
10 enter into the proposed lease rental.
- 11 (2) Another public question under this section on the same or a
12 substantially similar project may not be submitted to the voters
13 earlier than ~~one~~ **(+) year three hundred fifty (350) days** after the
14 date of the election.
- 15 (i) IC 3, to the extent not inconsistent with this section, applies to an
16 election held under this section.
- 17 (j) A political subdivision may not artificially divide a capital
18 project into multiple capital projects in order to avoid the requirements
19 of this section and section 3.5 of this chapter.
- 20 (k) This subsection applies to a political subdivision for which a
21 petition requesting a public question has been submitted under section
22 3.5 of this chapter. The legislative body (as defined in IC 36-1-2-9) of
23 the political subdivision may adopt a resolution to withdraw a
24 controlled project from consideration in a public question. If the
25 legislative body provides a certified copy of the resolution to the county
26 auditor and the county election board not later than sixty-three (63)
27 days before the election at which the public question would be on the
28 ballot, the public question on the controlled project shall not be placed
29 on the ballot and the public question on the controlled project shall not
30 be held, regardless of whether the county auditor has certified the
31 public question to the county election board. If the withdrawal of a
32 public question under this subsection requires the county election
33 board to reprint ballots, the political subdivision withdrawing the
34 public question shall pay the costs of reprinting the ballots. If a political
35 subdivision withdraws a public question under this subsection that
36 would have been held at a special election and the county election
37 board has printed the ballots before the legislative body of the political
38 subdivision provides a certified copy of the withdrawal resolution to
39 the county auditor and the county election board, the political
40 subdivision withdrawing the public question shall pay the costs
41 incurred by the county in printing the ballots. If a public question on a
42 controlled project is withdrawn under this subsection, a public question



1 under this section on the same controlled project or a substantially
 2 similar controlled project may not be submitted to the voters earlier
 3 than ~~one (1) year~~ **three hundred fifty (350) days** after the date the
 4 resolution withdrawing the public question is adopted.

5 (l) If a public question regarding a controlled project is placed on
 6 the ballot to be voted on at a public question under this section, the
 7 political subdivision shall submit to the department of local
 8 government finance, at least thirty (30) days before the election, the
 9 following information regarding the proposed controlled project for
 10 posting on the department's Internet web site:

- 11 (1) The cost per square foot of any buildings being constructed as
 12 part of the controlled project.
- 13 (2) The effect that approval of the controlled project would have
 14 on the political subdivision's property tax rate.
- 15 (3) The maximum term of the bonds or lease.
- 16 (4) The maximum principal amount of the bonds or the maximum
 17 lease rental for the lease.
- 18 (5) The estimated interest rates that will be paid and the total
 19 interest costs associated with the bonds or lease.
- 20 (6) The purpose of the bonds or lease.
- 21 (7) In the case of a controlled project proposed by a school
 22 corporation:

- 23 (A) the current and proposed square footage of school building
 24 space per student;
- 25 (B) enrollment patterns within the school corporation; and
- 26 (C) the age and condition of the current school facilities.

27 SECTION 129. IC 9-24-2.5-13 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) As required
 29 under ~~42 U.S.C. 15483~~, **52 U.S.C. 21083**, the commission shall enter
 30 into an agreement with the Commissioner of Social Security under 42
 31 U.S.C. 405(r)(8)(A) to verify information set forth on voter registration
 32 applications.

33 (b) The information subject to verification under this section is the
 34 following:

- 35 (1) Whether the name (including the first name and any family
 36 forename or surname), date of birth (including month, day, and
 37 year), and Social Security number of an individual provided to the
 38 Commissioner of Social Security match the information contained
 39 in the Commissioner's records.
- 40 (2) Whether the individual is shown in the records of the
 41 Commissioner of Social Security as deceased.
- 42 (c) The agreement under subsection (b) must comply with ~~42 U.S.C.~~



1 ~~15481~~ **52 U.S.C. 21081** and IC 3-7-26.3.

2 **(d) If an individual shown in the records of the Commissioner**
 3 **of Social Security is deceased, the county voter registration office**
 4 **shall cancel the individual's registration under IC 3-7-45-4, unless**
 5 **the county voter registration office determines that additional**
 6 **information is necessary to sufficiently document the individual's**
 7 **death.**

8 SECTION 130. IC 33-33-2-8 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) The Allen
 10 superior court consists of nine (9) judges as follows:

- 11 (1) Two (2) judges serve in the family relations division.
 12 (2) Three (3) judges serve in the criminal division.
 13 (3) Four (4) judges serve in the civil division.

14 A newly elected or appointed judge assumes the division assignment
 15 of the judge whom the judge replaces.

16 (b) If in the opinion of a majority of the judges there is an undue
 17 disparity in the number of cases in any division, the chief judge may
 18 assign specific cases normally assigned to that division to a judge in
 19 another division as directed by a majority of the judges.

20 **(c) Not later than December 31 of the year immediately**
 21 **preceding a year in which the office of judge of the Allen superior**
 22 **court will be on the ballot, the clerk of the circuit court shall file**
 23 **with the election division a list containing the name, the division**
 24 **assignment, and the court number assigned by the roster of judicial**
 25 **officers maintained by the Supreme Court of Indiana, Division of**
 26 **State Court Administration, for each judge of the Allen superior**
 27 **court.**

28 ~~(c)~~ **(d)** During the period under IC 3-8-2-4 in which a declaration of
 29 candidacy may be filed for a primary election, any person desiring to
 30 become a candidate for one (1) of the Allen superior court judgeships
 31 must file with the election division a declaration of candidacy adapted
 32 from the form prescribed under IC 3-8-2 that:

- 33 (1) is signed by the candidate; and
 34 (2) designates the division and the ~~name of the incumbent judge~~
 35 **court number** of the judgeship that the candidate seeks.

36 ~~(d)~~ **(e)** A petition without the designation required under subsection
 37 (c) shall be rejected by the election division (or by the Indiana election
 38 commission under IC 3-8-1-2).

39 ~~(e)~~ **(f)** If an individual who files a declaration under subsection (c)
 40 ceases to be a candidate after the final date for filing a declaration
 41 under subsection (c), the election division may accept the filing of
 42 additional declarations of candidacy for that seat not later than noon on



1 August 1.

2 SECTION 131. IC 33-33-53-2.5 IS ADDED TO THE INDIANA
3 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2015]: **Sec. 2.5. Not later than December 31**
5 **of the year immediately preceding a year in which the office of**
6 **judge of the Monroe circuit court will be on the ballot, the clerk of**
7 **the circuit court shall file with the election division a list containing**
8 **the name and seat designation for each judge of the Monroe circuit**
9 **court.**

10 SECTION 132. IC 33-33-82-31, AS AMENDED BY P.L.58-2005,
11 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2015]: Sec. 31. (a) The judge of the Vanderburgh circuit court
13 and each of the seven (7) judges of the Vanderburgh superior court
14 shall be elected in nonpartisan elections every six (6) years.

15 **(b) Not later than December 31 of the year immediately**
16 **preceding a year in which the office of judge of the Vanderburgh**
17 **superior court will be on the ballot, the clerk of the circuit court**
18 **shall file with the election division a list containing the name and**
19 **the court number assigned by the roster of judicial officers**
20 **maintained by the Supreme Court of Indiana, Division of State**
21 **Court Administration, for each judge of the Vanderburgh superior**
22 **court.**

23 ~~(b)~~ (c) During the period under IC 3-8-2-4 in which a declaration of
24 candidacy may be filed for a primary election, any person desiring to
25 become a candidate for any one (1) of the eight (8) judgeships affected
26 by this chapter shall file with the election division a declaration of
27 candidacy adapted from the form prescribed under IC 3-8-2, signed by
28 the candidate and ~~designated which~~ **designating by court number the**
29 **judgeship the candidate seeks.** Any petition without the designation
30 shall be rejected by the election division (or by the Indiana election
31 commission under IC 3-8-1-2). To be eligible for election, a candidate
32 must be:

- 33 (1) domiciled in the county of Vanderburgh;
34 (2) a citizen of the United States; and
35 (3) admitted to the practice of law in Indiana.

36 (c) If an individual who files a declaration under subsection ~~(b)~~ (c)
37 ceases to be a candidate after the final date for filing a declaration
38 under subsection ~~(b)~~; (c), the election division may accept the filing of
39 additional declarations of candidacy for that judgeship not later than
40 noon August 1.

41 (d) All candidates for each respective judgeship shall be listed on
42 the general election ballot in the form prescribed by IC 3-1-1, without



1 party designation. The candidate receiving the highest number of votes
2 for each judgeship shall be elected to that office.

3 (e) IC 3, where not inconsistent with this chapter, applies to
4 elections under this chapter.

5 SECTION 133. IC 36-1-3-9 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 9. (a) The area inside
7 the boundaries of a county comprises its territorial jurisdiction.
8 However, a municipality has exclusive jurisdiction over bridges
9 (subject to IC 8-16-3-1), streets, alleys, sidewalks, watercourses,
10 sewers, drains, and public grounds inside its corporate boundaries,
11 unless a statute provides otherwise.

12 (b) The area inside the corporate boundaries of a municipality
13 comprises its territorial jurisdiction, except to the extent that a statute
14 expressly authorizes the municipality to exercise a power in areas
15 outside its corporate boundaries.

16 (c) Whenever a statute authorizes a municipality to exercise a power
17 in areas outside its corporate boundaries, the power may be exercised:

18 (1) inside the corporate boundaries of another municipality, only
19 if both municipalities, by ordinance, enter into an agreement
20 under IC 36-1-7; or

21 (2) in a county other than the county in which the municipal hall
22 is located, but not inside the corporate boundaries of another
23 municipality, only if both the municipality and the other county,
24 by ordinance, enter into an agreement under IC 36-1-7.

25 (d) If the two (2) units involved under subsection (c) cannot reach
26 an agreement, either unit may petition the circuit or superior court of
27 the county to hear and determine the matters at issue. The clerk of the
28 court shall issue notice to the other unit as in other civil actions, and the
29 court shall hold the hearing without a jury. There may be a change of
30 venue from the judge but not from the county. The petitioning unit
31 shall pay the costs of the action.

32 **(e) If a political subdivision permits or authorizes the placement
33 or display of materials:**

34 **(1) advocating the election or defeat of a candidate or public
35 question; or**

36 **(2) supporting or opposing a political party;**

37 **on the real or personal property of the political subdivision, the
38 political subdivision must permit the placement or display of these
39 materials from any person on that real or personal property
40 subject to the same time, place, and manner restrictions.**

41 SECTION 134. IC 36-1-6-10 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10. (a) This section



- 1 applies to:
 2 **(1)** an ordinance adopted by a unit; **or**
 3 **(2) an order adopted by a county redistricting commission**
 4 **under IC 36-2-2 or IC 36-2-3;**
 5 to establish executive, fiscal, or legislative body election districts
 6 within the unit.
- 7 (b) Except as otherwise provided in the ordinance **or order**, the
 8 ordinance **or order** takes effect immediately upon passage. However,
 9 a previously adopted ordinance **or order** establishing election districts
 10 remains in effect for the purpose of filling a vacancy in the executive,
 11 fiscal, or legislative body until the expiration of the term of that office.
- 12 (c) A reference in the ordinance **or order** to the boundary of a
 13 political subdivision, a precinct boundary, or an election district
 14 boundary refers to the precinct or boundary as the precinct or boundary
 15 existed on the date of adoption of the ordinance **or order**. A change in
 16 the boundary of a political subdivision, precinct, or election district
 17 following the date of adoption of the ordinance **or order** does not alter
 18 the boundaries of the election districts established by the ordinance **or**
 19 **order**.
- 20 **(d) The adoption of an ordinance or order does not affect the**
 21 **right of an individual serving as a member of the executive, fiscal,**
 22 **or legislative body of the unit to continue to serve in office until the**
 23 **expiration of the member's current term specified under state law.**
 24 SECTION 135. An emergency is declared for this act.



COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Senate Bill No. 466, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Replace the effective date in SECTION 2 with "[EFFECTIVE UPON PASSAGE]".

Replace the effective date in SECTION 5 with "[EFFECTIVE UPON PASSAGE]".

Replace the effective date in SECTION 25 with "[EFFECTIVE UPON PASSAGE]".

Page 3, line 41, after "Sec. 7." insert "(a)".

Page 4, between lines 6 and 7, begin a new paragraph and insert:

"(b) The following apply to a student attending a postsecondary educational institution in Indiana:

(1) A student who applies to register to vote shall state the address of the student's residence.

(2) A student may have only one (1) residence under Indiana law.

(3) A student's residence may be either of the following, depending on the facts of the student's situation and the student's intentions:

(A) The address that the student traveled from to attend a postsecondary educational institution.

(B) The address in the community in which the student is attending a postsecondary educational institution, if the student has no intention of returning to the address described in clause (A).

(4) There is no rule on legal residence that applies to all students attending postsecondary educational institutions. Each case and each student is different."

Page 4, line 9, strike "commission" and insert "election division".

Page 6, line 14, delete "may not serve at the same time" and insert "is not entitled to receive credentials".

Page 6, line 26, delete "has" and insert "is entitled to:

(1) enter, leave, and reenter the satellite office at any time the office is open;

(2) inspect the voting systems before absentee ballots are received at the satellite office each day;

(3) inspect the work being done by any elected official, absentee board member, or county employee at the satellite office; and



(4) witness any proceeding of the county election board or an absentee voting board at the satellite office."

Page 6, delete line 27.

Page 19, between lines 18 and 19, begin a new line block indented and insert:

"(7) Information received from the election division under section 16(b) of this chapter."

Page 21, line 11, strike "Not later than August 1, 2013,".

Page 21, line 11, delete "the" and insert "The".

Page 64, line 16, after "52 U.S.C. 20302(b)" delete "," and insert **"and with the name of the precinct completed by the county election board,"**.

Page 64, line 19, strike "(1) The name of the precinct and township (or)".

Page 64, line 19, delete "council".

Page 64, line 20, delete "district".

Page 64, line 20, strike "and city or town).".

Page 64, line 21, strike "(2)" and insert **"(1)"**.

Page 64, line 25, strike "(3)" and insert **"(2)"**.

Page 64, line 27, strike "(4)" and insert **"(3)"**.

Page 64, line 29, strike "(5)" and insert **"(4)"**.

Page 65, line 5, strike "(6)" and insert **"(5)"**.

Page 74, line 1, after "IC 3-11-18.1-4" delete "." and insert **", except to document and report to a precinct election officer, the county election board, or the election division a problem with the functioning of the voting system."**

Page 74, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 94. IC 3-11-8-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 18. A voter or person offering to vote may not converse or communicate with a person other than a member of the precinct election board in a loud or disruptive manner while at the polls."

Page 74, line 8, after "voting" insert **", including a list stored on a cellular telephone or similar electronic device,"**.

Page 75, line 29, after "Sec. 8.5." insert **"(a) This section does not apply to an application for an absentee ballot from a voter participating in the address confidentiality program under IC 5-26.5-2.**

(b)".

Page 81, line 42, after "IC 3-11-2-16" delete ";" and insert **"because of the omission of a candidate, political party, or public question from the ballot;"**.



Page 82, line 8, delete "error or".

Page 82, line 8, after "omission" delete "," and insert "**of a candidate, political party, or public question,**".

Page 83, line 18, after "IC 3-11-2-16" delete ";" and insert "**because of the omission of a candidate, political party, or public question from the ballot;**".

Page 83, line 27, delete "error or".

Page 83, line 27, after "omission" delete "," and insert "**of a candidate, political party, or public question,**".

Page 85, line 37, delete "county" and insert "**major**".

Page 85, line 37, after "party" insert "**of a county**".

Page 94, line 7, delete "(a) As used in this section, "campaign".

Page 94, delete lines 8 through 9.

Page 94, line 10, reset in roman "(a)".

Page 94, line 10, delete "(b)".

Page 94, run in lines 7 through 10.

Page 94, line 16, reset in roman "(b)".

Page 94, line 16, delete "(c)".

Page 94, line 18, reset in roman "(c)".

Page 94, line 18, delete "(d)".

Page 94, line 23, reset in roman "(d)".

Page 94, line 23, delete "(e)".

Page 94, line 29, reset in roman "(e)".

Page 94, line 29, delete "(f)".

Page 94, between lines 34 and 35, begin a new paragraph and insert:
"(f) A government employee may not knowingly or intentionally wear or display an article of clothing or button that states the name of any political party or includes the name, picture, photograph, or other likeness of a candidate or currently elected federal, state, county, or local official on the government employee's property during regular working hours."

Page 94, line 41, reset in roman "(d)".

Page 94, line 41, after "(d)" delete "(e)" and insert ",".

Page 94, line 41, strike "or".

Page 94, line 41, reset in roman "(e)".

Page 94, line 41, after "or (e)" insert ", **or**".

Page 99, line 38, delete "may" and insert "**shall**".

Page 100, line 16, delete "seat designation" and insert "**court number assigned by the roster of judicial officers maintained by the Supreme Court of Indiana, Division of State Court Administration,**".

Page 100, line 24, strike "name of the incumbent judge" and insert



"court number".

Page 100, between lines 41 and 42, begin a new paragraph and insert:

"SECTION 132. IC 33-33-82-31, AS AMENDED BY P.L.58-2005, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 31. (a) The judge of the Vanderburgh circuit court and each of the seven (7) judges of the Vanderburgh superior court shall be elected in nonpartisan elections every six (6) years.

(b) Not later than December 31 of the year immediately preceding a year in which the office of judge of the Vanderburgh superior court will be on the ballot, the clerk of the circuit court shall file with the election division a list containing the name and the court number assigned by the roster of judicial officers maintained by the Supreme Court of Indiana, Division of State Court Administration, for each judge of the Vanderburgh superior court.

~~(b)~~ **(c)** During the period under IC 3-8-2-4 in which a declaration of candidacy may be filed for a primary election, any person desiring to become a candidate for any one (1) of the eight (8) judgeships affected by this chapter shall file with the election division a declaration of candidacy adapted from the form prescribed under IC 3-8-2, signed by the candidate and ~~designated which~~ **designating by court number the** judgeship the candidate seeks. Any petition without the designation shall be rejected by the election division (or by the Indiana election commission under IC 3-8-1-2). To be eligible for election, a candidate must be:

- (1) domiciled in the county of Vanderburgh;
- (2) a citizen of the United States; and
- (3) admitted to the practice of law in Indiana.

(c) If an individual who files a declaration under subsection ~~(b)~~ **(c)** ceases to be a candidate after the final date for filing a declaration under subsection ~~(b)~~; **(c)**, the election division may accept the filing of additional declarations of candidacy for that judgeship not later than noon August 1.

(d) All candidates for each respective judgeship shall be listed on the general election ballot in the form prescribed by IC 3-11, without party designation. The candidate receiving the highest number of votes for each judgeship shall be elected to that office.

(e) IC 3, where not inconsistent with this chapter, applies to elections under this chapter."

Page 101, line 27, after "placement" insert "**or display of materials:**

- (1) advocating the election or defeat of a candidate or public**



question; or

(2) supporting or opposing a political party;".

Page 101, line 28, delete "of election related communications".

Page 101, line 28, beginning with "on" begin a new line blocked left.

Page 101, line 30, delete "communications" and insert "**the placement or display of these materials**".

Page 101, line 30, delete "to be placed".

Page 101, line 30, after "on" delete "the".

Page 101, line 31, delete "political subdivision's" and insert "**that real or personal**".

Page 101, line 32, delete "that apply to election related communications." and insert ".".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 466 as introduced.)

WALKER, Chairperson

Committee Vote: Yeas 7, Nays 3.

