



Reprinted
April 15, 2015

ENGROSSED SENATE BILL No. 466

DIGEST OF SB 466 (Updated April 14, 2015 4:54 pm - DI 75)

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 5-4; IC 6-1.1; IC 9-24; IC 24-5; IC 33-33; IC 36-1.

Synopsis: Various election matters. Provides that the election 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 where a student attending a postsecondary educational institution may register to vote. 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
(Continued next page)

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

Miller Pete, Young R Michael

(HOUSE SPONSOR — RICHARDSON)

January 14, 2015, read first time and referred to Committee on Elections.
February 16, 2015, amended, reported favorably — Do Pass.
February 19, 2015, read second time, ordered engrossed. Engrossed.
February 23, 2015, read third time, passed. Yeas 38, nays 11.

HOUSE ACTION

March 3, 2015, read first time and referred to Committee on Elections and Apportionment.
April 9, 2015, amended, reported — Do Pass.
April 14, 2015, read second time, amended, ordered engrossed.

ES 466—LS 7409/DI 102



Digest Continued

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 provided electioneering does not occur. Eliminates the rule that a 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 a state party convention may nominate candidates for presidential electors and alternate electors and elect delegates and alternate delegates to the political party's national convention. (Under current law, a political party's state convention is required to perform these functions.) Provides that if a state party convention does not perform either or both of these functions, the functions shall be done as provided in the state party's rules. Requires the state recount commission to conduct a recount resulting from a statewide public question. Provides that the statute prohibiting the use of an automatic dialing-announcing device does not apply to messages to voters from a county election board, a county board of elections and registration, or a county voter registration office. Requires certain information to be filed with the election division concerning judicial elections in Allen County, Monroe County, and Vanderburgh County. Makes other changes regarding the following: (1) Election filings with the secretary of state's office and the election division. (2) Challengers, pollbook holders, and watchers. (3) Transmitting National Voter Registration Act notices by electronic mail. (4) Voter registration applications. (5) Cancelling voter registrations. (6) Voting histories. (7) Disposition of civil penalties collected by county election boards. (8) Absentee ballot applications. (9) Submission of absentee ballot applications by electronic mail. (10) Signing absentee ballot applications by voters with disabilities. (11) The period during which a traveling absentee voter board may visit a voter at the voter's residence or place of confinement. (12) The effect of changes in census block data on precinct establishment orders. (13) Precinct size. (14) Voting and counting absentee ballots. (15) Preparing ballots in vote center counties. (16) Testing voting systems. (17) Certification of electronic poll books. (18) Use of electronic poll books for absentee voting. (19) Use of electronic poll books at vote centers. (20) Printing provisional ballots. (21) Filing statement of economic interests by individual who fills a candidate vacancy for a local or school board office. (22) Determining the end of the line of voters who are waiting to vote at the time the polls close.



Reprinted
April 15, 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.

ENGROSSED 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

ES 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:

ES 466—LS 7409/DI 102



- 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~~ **in** which the person ~~moves~~ **is**



1 **physically present** for:

- 2 (1) temporary employment;
 3 (2) educational purposes, **except as provided in subsection (b)**;
 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 **student's residence address.**

11 **(2) A student has only one (1) residence for purposes of this**
 12 **title.**

13 **(3) A student may state the student's residence as either of the**
 14 **following, but not both:**

15 **(A) The address where the student lives when the student**
 16 **attends the postsecondary educational institution where**
 17 **the student pursues the student's education.**

18 **(B) The address where the student lives when the student**
 19 **is not attending the postsecondary educational institution**
 20 **where the student pursues the student's education.**

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

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

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

29 (2) A summary of Indiana and federal laws concerning providing
 30 assistance to the voter, completion of the ballot in secret,
 31 intimidation of voters, and the return of the absentee ballot to the
 32 county election board.

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

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

38 (1) Administer Indiana election laws.

39 (2) Adopt rules under IC 4-22-2 to do the following:

40 (A) Govern the fair, legal, and orderly conduct of elections,
 41 including the following:

42 (i) Emergency rules described in section 16 of this chapter



1 to implement a court order requiring the commission, the
 2 election division, or an election board or official to
 3 administer an election in a manner not authorized by this
 4 title.

5 (ii) Rules (including joint rules with other agencies when
 6 necessary) to implement and administer NVRA.

7 (B) Carry out IC 3-9 (campaign finance).

8 (C) Govern the establishment of precincts under IC 3-11-1.5.

9 (D) Specify procedures and fees for the processing of an
 10 application from a vendor for voting systems approval and
 11 testing.

12 ~~(E) Prescribe formats for the storage and submission of~~
 13 ~~computerized voter registration records by county and state~~
 14 ~~agencies or offices.~~

15 ~~(3) Prescribe a uniform set of election and registration forms for~~
 16 ~~use throughout Indiana, except when prescribed by this title.~~

17 ~~(4) (3) Advise and exercise supervision over local election and~~
 18 ~~registration officers.~~

19 (b) This section does not divest a county election board of any
 20 powers and duties imposed on the board in IC 3-6-5, except that if
 21 there is a deadlock on a county election board, the county election
 22 board shall submit the question to the commission for final
 23 determination.

24 SECTION 9. IC 3-6-4.2-12, AS AMENDED BY HEA 1138-2015,
 25 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2015]: Sec. 12. The election division shall do the following:

27 (1) Maintain complete and uniform descriptions and maps of all
 28 precincts in Indiana.

29 (2) Promptly update the information required by subdivision (1)
 30 after each precinct establishment order is filed with the
 31 commission under IC 3-11-1.5.

32 (3) Issue media watcher cards under IC 3-6-10-6.

33 (4) Serve in accordance with 52 U.S.C. 20302(b) as the office in
 34 Indiana responsible for providing information regarding voter
 35 registration procedures and absentee ballot procedures to absent
 36 uniformed services voters and overseas voters.

37 (5) As required by 52 U.S.C. 20302(c), submit a report to the
 38 federal Election Assistance Commission not later than ninety (90)
 39 days after each general election setting forth the combined
 40 number of absentee ballots:

41 (A) transmitted to absent uniformed services voters and
 42 overseas voters for the election; and



- 1 (B) returned by absent uniformed services voters and overseas
 2 voters and cast in the election.
- 3 (6) Implement the state plan in accordance with the requirements
 4 of HAVA (52 U.S.C. 21001 through 52 U.S.C. 21006) and this
 5 title, and appoint members of the committee established under 52
 6 U.S.C. 21005.
- 7 (7) Submit reports required under 52 U.S.C. 21008 to the federal
 8 Election Assistance Commission concerning the use of federal
 9 funds under Title II, Subtitle D, Part I of HAVA.
- 10 **(8) Prescribe a uniform set of election and registration forms**
 11 **for use throughout Indiana, except when prescribed by this**
 12 **title.**
- 13 SECTION 10. IC 3-6-6-37, AS AMENDED BY P.L.230-2005,
 14 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2015]: Sec. 37. (a) When the county election board (or a
 16 precinct election board acting on behalf of the county election board)
 17 appoints a precinct election officer and the individual accepts the
 18 appointment by swearing the oath of office required under this chapter,
 19 a contract is created between the county election board and the
 20 individual in which the county election board retains the services of the
 21 precinct election officer as an independent contractor.
- 22 (b) The appointment of a precinct election officer expires when the
 23 county election board completes the canvass of the precinct under
 24 IC 3-12-4.
- 25 **(c) A precinct election officer is not entitled to receive**
 26 **credentials as a challenger, pollbook holder, or watcher. Except as**
 27 **provided in IC 3-11-8-10.5, which permits a poll clerk to maintain**
 28 **a list of voters to make available to a watcher or pollbook holder,**
 29 **or under any provision of IC 3-11-8 that permits a precinct election**
 30 **officer to challenge a voter as part of the official duties of the**
 31 **precinct election officer, a precinct election officer while serving as**
 32 **a precinct election officer may not perform the functions of a**
 33 **challenger, pollbook holder, or watcher.**
- 34 (e) **(d)** For purposes of Article 2, Section 9 of the Constitution of the
 35 State of Indiana, the position of precinct election officer is not a
 36 lucrative office.
- 37 SECTION 11. IC 3-6-8-4, AS AMENDED BY P.L.221-2005,
 38 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2015]: Sec. 4. A watcher appointed under this chapter is
 40 entitled to **do the following:**
- 41 (1) Enter the polls at least thirty (30) minutes before the opening
 42 of the polls and remain there throughout election day until all



- 1 tabulations have been completed.
- 2 (2) Inspect the paper ballot boxes, ballot card voting system, or
- 3 electronic voting system before votes have been cast.
- 4 (3) Inspect the work being done by any precinct election officer
- 5 **(except when a precinct election officer enters a confidential**
- 6 **login or password to obtain access to an electronic poll book**
- 7 **or to operate a voting system).**
- 8 (4) Enter, leave, and reenter the polls at any time on election day.
- 9 (5) Witness the calling and recording of the votes and any other
- 10 proceedings of the precinct election officers in the performance
- 11 of official duties.
- 12 (6) Receive a summary of the vote prepared under IC 3-12-2-15,
- 13 IC 3-12-3-2, IC 3-12-3-11, or IC 3-12-3.5-3, signed by the
- 14 precinct election board, providing:
- 15 (A) the names of all candidates of the political party whose
- 16 primary election is being observed by the watcher and the
- 17 number of votes cast for each candidate;
- 18 (B) the names of all candidates at a general, municipal, or
- 19 special election and the number of votes cast for each
- 20 candidate; or
- 21 (C) the vote cast for or against a public question.
- 22 (7) Accompany the inspector and judge in delivering the
- 23 tabulation and election returns to the county election board by the
- 24 most direct route.
- 25 (8) Be present when the inspector takes a receipt for the
- 26 tabulation and election returns delivered to the county election
- 27 board. ~~and~~
- 28 (9) Call upon the election sheriffs to make arrests.
- 29 SECTION 12. IC 3-6-8-7 IS ADDED TO THE INDIANA CODE
- 30 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 31 1, 2015]: **Sec. 7. A political party may appoint up to two (2)**
- 32 **watchers under this chapter for each satellite office established**
- 33 **under IC 3-11-10-26.3. A watcher appointed under this section is**
- 34 **entitled to:**
- 35 **(1) enter, leave, and reenter the satellite office at any time the**
- 36 **office is open;**
- 37 **(2) inspect the voting systems before absentee ballots are**
- 38 **received at the satellite office each day;**
- 39 **(3) inspect the work being done by any elected official,**
- 40 **absentee board member, or county employee at the satellite**
- 41 **office (except when an individual enters a confidential login or**
- 42 **password to obtain access to an electronic poll book or the**



1 **statewide voter registration system or to operate a voting**
 2 **system used for absentee voting); and**
 3 **(4) witness any proceeding of the county election board or an**
 4 **absentee voting board at the satellite office.**

5 SECTION 13. IC 3-6-9-13, AS AMENDED BY P.L.221-2005,
 6 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2015]: Sec. 13. A watcher appointed under this chapter is
 8 entitled to do the following:

9 (1) Enter the polls at least thirty (30) minutes before the opening
 10 of the polls and remain there throughout election day until all
 11 tabulations have been completed.

12 (2) Inspect the paper ballot boxes, ballot card voting system, or
 13 electronic voting system before votes have been cast.

14 (3) Inspect the work being done by any precinct election officer
 15 **(except when a precinct election officer enters a confidential**
 16 **login or password to obtain access to an electronic poll book**
 17 **or to operate a voting system).**

18 (4) Enter, leave, and reenter the polls at any time on election day.

19 (5) Witness the calling and recording of the votes and any other
 20 proceedings of the precinct election officers in the performance
 21 of official duties.

22 (6) Receive a summary of the vote prepared under IC 3-12-2-15,
 23 IC 3-12-3-2, IC 3-12-3-11, or IC 3-12-3.5-3, signed by the
 24 precinct election board, providing:

25 (A) the names of all candidates of the political party whose
 26 primary election is being observed by the watcher and the
 27 number of votes cast for each candidate if the watcher is
 28 appointed under section 1(a)(1) of this chapter; or

29 (B) the names of all candidates at a school board election and
 30 the number of votes cast for each candidate if the watcher is
 31 appointed under section 1(a)(2) of this chapter.

32 (7) Accompany the inspector and the judge in delivering the
 33 tabulation and the election returns to the county election board by
 34 the most direct route.

35 (8) Be present when the inspector takes a receipt for the
 36 tabulation and the election returns delivered to the county election
 37 board.

38 (9) Call upon the election sheriffs to make arrests.

39 SECTION 14. IC 3-6-10-5.5, AS AMENDED BY P.L.221-2005,
 40 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2015]: Sec. 5.5. A watcher appointed under this chapter is
 42 entitled to do the following:

ES 466—LS 7409/DI 102



- 1 (1) Enter the polls at least thirty (30) minutes before the opening
 2 of the polls and remain there throughout election day until all
 3 tabulations have been completed.
 4 (2) Inspect the paper ballot boxes, ballot card voting system, or
 5 electronic voting system before votes have been cast.
 6 (3) Inspect the work being done by any precinct election officer
 7 **(except when a precinct election officer enters a confidential**
 8 **login or password to obtain access to an electronic poll book**
 9 **or to operate a voting system).**
 10 (4) Enter, leave, and reenter the polls at any time on election day.
 11 (5) Witness the calling and recording of the votes and any other
 12 proceedings of the precinct election officers in the performance
 13 of official duties.
 14 (6) Receive a summary of the vote prepared under IC 3-12-2-15,
 15 IC 3-12-3-2, IC 3-12-3-11, or IC 3-12-3.5-3, signed by the
 16 precinct election board, providing the names of all candidates and
 17 the number of votes cast for each candidate and the votes cast for
 18 or against a public question.
 19 (7) Accompany the inspector and the judge in delivering the
 20 tabulation and the election returns to the county election board by
 21 the most direct route.
 22 (8) Be present when the inspector takes a receipt for the
 23 tabulation and the election returns delivered to the county election
 24 board.

25 SECTION 15. IC 3-7-11-3, AS AMENDED BY HEA 1138-2015,
 26 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2015]: Sec. 3. (a) This section applies when a person
 28 aggrieved by a violation of:

- 29 (1) NVRA; or
 30 (2) this article;

31 files a written notice of the violation with the NVRA official under 52
 32 U.S.C. 20510(b) or this chapter. A person who files a written notice of
 33 violation under this section must state in the notice whether the person
 34 has filed a written notice concerning the violation with the circuit court
 35 clerk under IC 3-7-12.

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

- 39 (1) the person alleged to have committed the violation; and
 40 (2) the members of the commission.

41 (c) Notwithstanding this chapter, a person aggrieved by a violation
 42 of NVRA or this article may file a written notice of violation with the



1 circuit court clerk of the county where the violation allegedly occurred.
 2 If a person files a written notice with the circuit court clerk, the NVRA
 3 official shall not begin enforcement procedures under this chapter
 4 regarding the complaint unless the person files a complaint with the
 5 NVRA official under this chapter.

6 (d) This subsection applies if the written notice of violation alleges
 7 that either co-director has committed a violation. The aggrieved person
 8 shall file the written notice with the chair of the commission. The chair
 9 of the commission shall perform the duties otherwise performed by the
 10 NVRA official concerning a written notice of violation.

11 SECTION 16. IC 3-7-12-27, AS AMENDED BY P.L.258-2013,
 12 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2015]: Sec. 27. (a) The circuit court clerk (or in a county with
 14 a board of registration, the members of the board of registration) shall,
 15 not later than noon seventy-seven (77) days before each general,
 16 primary, or municipal election, file an affidavit under affirmation with
 17 the election division.

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

- 21 (1) conducted the voter list maintenance program under this
- 22 article; and
- 23 (2) canceled the registrations required under the voter list
- 24 maintenance program.

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

- 36 (1) the notice required under IC 3-7-33-5 is not mailed to the
- 37 applicant before the first day that the registration period reopens;
- 38 and
- 39 (2) the registration information provided by the applicant does not
- 40 appear on any certified list of voters or certificate of error issued
- 41 under this article.

42 SECTION 18. IC 3-7-14-6 IS AMENDED TO READ AS



- 1 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. The ~~commission~~
 2 **election division** shall prescribe the design of the registration form
 3 required under section 5 of this chapter.
- 4 SECTION 19. IC 3-7-15-4 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. The ~~commission~~
 6 **election division** shall prescribe the design of the registration form for
 7 each office listed in section 2 of this chapter.
- 8 SECTION 20. IC 3-7-15-5, AS AMENDED BY HEA 1138-2015,
 9 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2015]: Sec. 5. The registration form prescribed under section
 11 4 of this chapter must meet the following requirements:
- 12 (1) The form must be equivalent to the mail registration form
 13 prescribed by the ~~commission~~ **election division** under IC 3-7-31
 14 and in compliance with 52 U.S.C. 20506(a)(6)(A)(ii).
 - 15 (2) The form must include a statement that does the following:
 16 (A) Sets forth each eligibility requirement for registration
 17 (including citizenship).
 18 (B) Contains an attestation that the applicant meets each of the
 19 eligibility requirements.
 20 (C) Requires the signature of the applicant, under penalty of
 21 perjury, and the date the form was signed.
 - 22 (3) The form must include the following as provided in 52 U.S.C.
 23 20506(a)(6)(B):
 24 (A) A question reading "If you are not registered to vote where
 25 you live now, would you like to apply to register to vote here
 26 today?".
 27 (B) A statement reading "Applying to register or declining to
 28 register to vote will not affect the amount of assistance that
 29 you will be provided by this agency."
 30 (C) Boxes for the applicant to check to indicate whether the
 31 applicant would like to register or declines to register to vote.
 32 (D) A statement in close proximity to the boxes and in
 33 prominent type: "IF YOU DO NOT CHECK EITHER BOX,
 34 YOU WILL BE CONSIDERED TO HAVE DECIDED NOT
 35 TO REGISTER TO VOTE AT THIS TIME."
 36 (E) A statement reading "If you would like help in filling out
 37 the voter registration application form, we will help you. The
 38 decision whether to seek or accept help is yours. You may fill
 39 out the application form in private."
 40 (F) A statement reading "If you believe that someone has
 41 interfered with your right to register or to decline to register to
 42 vote, or your right to choose your political party or other



1 political preference, you may file a complaint with (insert the
 2 title, address, and telephone number of the NVRA official). If
 3 you want you may first try to solve the problem by filing a
 4 complaint with the county voter registration office of the
 5 county where the violation occurred."

6 SECTION 21. IC 3-7-16-11 IS AMENDED TO READ AS
 7 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 11. The ~~commission~~
 8 **election division** shall prescribe the design of the registration form to
 9 be used under this chapter.

10 SECTION 22. IC 3-7-16-12, AS AMENDED BY HEA 1138-2015,
 11 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2015]: Sec. 12. The registration form prescribed under section
 13 11 of this chapter must meet the following requirements:

14 (1) The form must be equivalent to the mail registration form
 15 prescribed by the ~~commission~~ **election division** under IC 3-7-31
 16 and in compliance with 52 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 52 U.S.C.
 25 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 (4) The form must be designed to make voter registration as
 9 accessible as possible for persons with disabilities.

10 SECTION 23. IC 3-7-17-5 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) The NVRA
 12 official may act under section 3 of this chapter to prescribe forms and
 13 procedures to implement this chapter.

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

16 SECTION 24. IC 3-7-18-3 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. The ~~commission~~
 18 **election division** shall prescribe the design of the registration form to
 19 be used under this chapter.

20 SECTION 25. IC 3-7-18-4, AS AMENDED BY HEA 1138-2015,
 21 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2015]: Sec. 4. The registration form prescribed under section
 23 3 of this chapter must meet the following requirements:

24 (1) The form must be equivalent to the mail registration form
 25 prescribed by the ~~commission~~ **election division** under IC 3-7-31
 26 and in compliance with 52 U.S.C. 20506(a)(6)(A)(ii).

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

28 (A) Sets forth each eligibility requirement for registration
 29 (including citizenship).

30 (B) Contains an attestation that the applicant meets each of the
 31 eligibility requirements.

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

34 (3) The form must include the following as provided in 52 U.S.C.
 35 20506(a)(6)(B):

36 (A) A question reading "If you are not registered to vote where
 37 you live now, would you like to apply to register to vote here
 38 today?"

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

42 (C) Boxes for the applicant to check to indicate whether the



1 applicant would like to register or declines to register to vote.
 2 (D) A statement in close proximity to the boxes and in
 3 prominent type: "IF YOU DO NOT CHECK EITHER BOX,
 4 YOU WILL BE CONSIDERED TO HAVE DECIDED NOT
 5 TO REGISTER TO VOTE AT THIS TIME."

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

10 (F) A statement reading "If you believe that someone has
 11 interfered with your right to register or to decline to register to
 12 vote, or your right to choose your political party or other
 13 political preference, you may file a complaint with (insert the
 14 title, address, and telephone number of the NVRA official). If
 15 you want you may first try to solve the problem by filing a
 16 complaint with the county voter registration office of the
 17 county where the violation occurred."

18 SECTION 26. IC 3-7-22-3, AS AMENDED BY HEA 1138-2015,
 19 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2015]: Sec. 3. As provided in 52 U.S.C. 20505(a)(2) and 52
 21 U.S.C. 21083, a county voter registration office shall accept and use a
 22 mail voter registration form prescribed by the ~~commission~~ **election**
 23 **division** that complies with 52 U.S.C. 20508(b)(2), 52 U.S.C. 21083,
 24 and this article.

25 SECTION 27. IC 3-7-26.3-33, AS ADDED BY P.L.258-2013,
 26 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JANUARY 1, 2016]: Sec. 33. (a) The computerized list must have the
 28 capacity to receive vote history and other information from an
 29 electronic ~~pollbook~~ **poll book** certified by the secretary of state under
 30 IC 3-11-18.1-12. This information must be able to be uploaded into the
 31 computerized list on each day after absentee voting concludes in the
 32 circuit court clerk's office, a satellite office, or a vote center, and after
 33 election day.

34 (b) The computerized list must have the capacity to transmit
 35 electronic images of the signature of a voter taken from:

- 36 (1) the voter's registration application; **or**
 37 (2) **a more recent signature of a voter from an absentee**
 38 **application, poll list electronic poll book, or registration**
 39 **document;**

40 if available, to be downloaded in connection with a voter's record on
 41 any electronic poll ~~list~~ **book** certified by the secretary of state under
 42 IC 3-11-18.1-12.



1 **(c) The computerized list must have the capacity to receive the**
 2 **uploading of voter registration signatures from electronic poll**
 3 **books and assign each signature to the record of the corresponding**
 4 **voter.**

5 SECTION 28. IC 3-7-26.3-34 IS ADDED TO THE INDIANA
 6 CODE AS A NEW SECTION TO READ AS FOLLOWS
 7 [EFFECTIVE UPON PASSAGE]: **Sec. 34. Beginning not later than**
 8 **January 7, 2016, the secretary of state and the co-directors of the**
 9 **election division shall provide the information regarding:**

- 10 **(1) the location of polling places and vote center locations; and**
 11 **(2) the names of candidates who will appear on ballots in an**
 12 **election;**

13 **necessary for Indiana to participate in the Voting Information**
 14 **Project sponsored by The Pew Charitable Trusts.**

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

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

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

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

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

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

- 42 **(1) To states and local governments in states that are**



1 **implementing the voter list maintenance program described**
 2 **in IC 3-7-38.2-5.**

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

5 SECTION 30. IC 3-7-29-1, AS AMENDED BY P.L.64-2014,
 6 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2015]: Sec. 1. (a) Except as provided in subsection (f), this
 8 section does not apply to a county that:

9 (1) has adopted an order under ~~section 6~~ **section 6(a)(1)** of this
 10 chapter; or

11 (2) is a vote center county under IC 3-11-18.1.

12 (b) Not later than ten (10) days before the election at which the
 13 registration record is to be used, the county voter registration office
 14 shall prepare certified copies of the list of registered voters for each
 15 precinct in the county.

16 (c) The lists must contain the following information concerning
 17 each registered voter:

18 (1) The full name of the voter.

19 (2) The address of the voter.

20 (3) The assigned voter identification number.

21 (4) Whether the voter is required to provide additional
 22 identification before voting either in person or by absentee ballot.

23 (5) The date of birth of the voter, including an indication whether
 24 the voter is less than eighteen (18) years of age for a poll list used
 25 in a primary election.

26 (6) The scanned signature of the voter.

27 (7) Whether the voter is required to provide an affirmation of the
 28 voter's residence.

29 (8) A bar code that allows the county voter registration office to
 30 efficiently record whether the voter has signed the poll list.

31 (9) For a poll list used in a primary election, a letter abbreviation
 32 of the name of the major political party whose ballot the voter has
 33 requested.

34 (10) A space for a poll clerk to indicate when a voter has cast an
 35 absentee ballot.

36 (11) A space for a poll clerk to indicate when a voter has cast a
 37 provisional ballot.

38 (12) For a voter required to submit additional documentation
 39 required under IC 3-7-33-4.5, a space for a poll clerk to insert
 40 letters serving as an abbreviation for the type of documentation
 41 provided by the voter.

42 (d) The names shall be arranged in the same order as they are in the



1 registration record of the precinct.

2 (e) The poll list must also contain a statement at the top of each
3 page indicating that an individual who knowingly makes a false
4 statement:

5 (1) by signing a poll list; or

6 (2) on a poll list concerning the individual's name, voter
7 identification number, or residence address;

8 commits a Level 6 felony as provided by IC 3-14-2-11.

9 (f) This subsection applies to a county that has adopted an order
10 under ~~section 6~~ **section 6(a)(1)** of this chapter or is a vote center county
11 under IC 3-11-18.1. The precinct election board shall post in a location
12 within the precinct or vote center a notice that:

13 (1) is clearly visible to an individual (or to an individual providing
14 assistance under IC 3-11-9) who is providing information to a
15 precinct election officer using an electronic poll book; and

16 (2) indicates that an individual commits a Level 6 felony under
17 IC 3-14-2-11, if the individual knowingly makes a false statement
18 to a precinct election officer concerning:

19 (A) the individual's name;

20 (B) the individual's voter identification number; or

21 (C) the individual's residence address.

22 SECTION 31. IC 3-7-29-2, AS AMENDED BY P.L.271-2013,
23 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2015]: Sec. 2. (a) This section does not apply to a county that:

25 (1) has adopted an order under ~~section 6~~ **section 6(a)(1)** of this
26 chapter; or

27 (2) is a vote center county under IC 3-11-18.1.

28 (b) After the county election board receives a request from the
29 county chairman of a major political party, not more than two (2)
30 copies of the list required by this chapter shall be prepared and
31 furnished to the inspector of the precinct for use at the polls on election
32 day. The inspector may provide a list furnished under this section to
33 any other precinct officer.

34 SECTION 32. IC 3-7-29-3, AS AMENDED BY P.L.258-2013,
35 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2015]: Sec. 3. (a) This section does not apply to a county that:

37 (1) has adopted an order under ~~section 6~~ **section 6(a)(1)** of this
38 chapter; or

39 (2) is a vote center county under IC 3-11-18.1.

40 (b) When the inspector of a precinct procures the ballots and other
41 election supplies for an election, the inspector shall also procure from
42 the county voter registration office the certified copies of the



1 registration record of the precinct with the information required under
2 section 1 of this chapter and other necessary registration supplies.

3 SECTION 33. IC 3-7-29-4, AS AMENDED BY P.L.64-2014,
4 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2015]: Sec. 4. (a) This section does not apply to a county that:

6 (1) has adopted an order under ~~section 6~~ **section 6(a)(1)** of this
7 chapter; or

8 (2) is a vote center county under IC 3-11-18.1.

9 (b) The county voter registration office may also provide the
10 inspector of each precinct in the county with a scanned copy of the
11 signature on the affidavit of registration (or a more recent signature of
12 the voter from an absentee application, poll list, or registration
13 document) of each voter of the precinct for the comparison of
14 signatures under IC 3-10-1-24.6 or IC 3-11-8-25.1.

15 SECTION 34. IC 3-7-29-6, AS AMENDED BY P.L.64-2014,
16 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2015]: Sec. 6. (a) ~~If~~ A county election board ~~adopts~~ **may**
18 **adopt** an order to provide an electronic poll book to the inspector for
19 use at **a the following:**

20 (1) ~~Polling place, places,~~ an office of the circuit court clerk (under
21 IC 3-11-10-26), ~~or at a satellite office~~ **offices** established under
22 IC 3-11-10-26.3, **and vote centers established under**
23 **IC 3-11-18.1-4.** Electronic poll books shall be used at an election
24 (rather than certified poll lists prepared under this chapter) in all
25 **precincts locations** in which the election is to be conducted.

26 (2) **Only at an office of the circuit court clerk (under**
27 **IC 3-11-10-26) and satellite offices established under**
28 **IC 3-11-10-26.3.**

29 (b) An order adopted under subsection (a) must require the use of
30 an electronic signature (as defined in IC 26-2-8-102) to sign an
31 electronic poll book at an election (rather than requiring voters to sign
32 certified poll lists prepared under this chapter) **at each location that**
33 **an electronic poll book is used.**

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

38 (d) An electronic poll book used ~~in a polling place, the office of a~~
39 ~~circuit court clerk under IC 3-11-10-26, or a satellite office established~~
40 ~~under IC 3-11-10-26.3,~~ under an order adopted under subsection (a)
41 must:

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



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

3 SECTION 35. IC 3-7-31-1 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) The ~~commission~~
5 **election division** shall prescribe the forms required or permitted under
6 NVRA or this article.

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

10 SECTION 36. IC 3-7-31-2, AS AMENDED BY P.L.258-2013,
11 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2015]: Sec. 2. Except as provided under section 3 of this
13 chapter, the county voter registration office shall use the forms
14 prescribed by the ~~commission~~ **election division** under section 1 of this
15 chapter.

16 SECTION 37. IC 3-7-31-5, AS AMENDED BY P.L.258-2013,
17 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2015]: Sec. 5. (a) The registration forms prescribed under
19 section 1 of this chapter must:

20 (1) provide for the residence address and the mailing address of
21 the individual completing the forms;

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

25 (3) require the applicant to provide the applicant's voter
26 identification number;

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

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

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

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

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

42 The receipt provided under ~~subdivision~~ **subdivisions (5) and (6)** must



1 state the name and residence address of the individual and the date on
2 which the individual took custody of the application.

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

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

- 13 (1) An employee of a license branch:
14 (A) acting in accordance with IC 3-7-14; or
15 (B) who voluntarily:
16 (i) receives an application for voter registration by mail; and
17 (ii) forwards the application to a county voter registration
18 office as part of the license branch's transmittal of other
19 applications under IC 3-7-14.
- 20 (2) An employee of a public assistance agency:
21 (A) acting in accordance with IC 3-7-15; or
22 (B) who voluntarily:
23 (i) receives an application for voter registration by mail; and
24 (ii) forwards the application to a county voter registration
25 office as part of the agency's transmittal of other applications
26 under IC 3-7-15.
- 27 (3) An employee of an agency serving persons with disabilities:
28 (A) acting in accordance with IC 3-7-16; or
29 (B) who voluntarily:
30 (i) receives an application for voter registration by mail; and
31 (ii) forwards the application to a county voter registration
32 office as part of the agency's transmittal of other applications
33 under IC 3-7-16.
- 34 (4) An employee of an office designated under IC 3-7-18:
35 (A) acting in accordance with that chapter; 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 3-7-18.
- 41 (5) An employee of an office designated under IC 3-7-19:
42 (A) acting in accordance with that chapter; or



- 1 (B) who voluntarily:
 2 (i) receives an application for voter registration by mail; and
 3 (ii) forwards the application to a county voter registration
 4 office as part of the office's transmittal of other applications
 5 under IC 3-7-19.
- 6 (6) An employee of the office of the department of employment
 7 and training services:
 8 (A) acting in accordance with IC 3-7-20.5; or
 9 (B) who voluntarily:
 10 (i) receives an application for voter registration by mail; and
 11 (ii) forwards the application to a county voter registration
 12 office as part of the office's transmittal of other applications
 13 under IC 3-7-20.5.
- 14 (7) An employee of the United States Postal Service or a bonded
 15 courier company, acting in the individual's capacity as an
 16 employee of the United States Postal Service or a bonded courier
 17 company.
- 18 (8) A member of the applicant's household.
- 19 (9) An applicant's attorney in fact under IC 30-5-5-14.
- 20 (10) The election division acting in accordance with
 21 IC 3-7-33-3.7.
- 22 (11) A state agency or county voter registration office receiving
 23 an application through the online voter registration system under
 24 IC 3-7-26.7.
- 25 (12) A precinct election officer acting in the officer's official
 26 capacity under IC 3-6-6.
- 27 (13) A county voter registration officer acting in accordance with
 28 IC 3-7.
- 29 (b) A person who receives a completed application form shall file
 30 the application with the appropriate county voter registration office or
 31 the election division not later than:
 32 (1) noon ten (10) days after the person ~~receives~~ **who initially**
 33 **received the completed application from the voter registration**
 34 **applicant received the application;** or
 35 (2) the deadline set by state law for filing the application with the
 36 county voter registration office;
 37 whichever occurs first. **The ten (10) day filing requirement applies**
 38 **to the delivery of a mail registration form whether prescribed by**
 39 **the United States Election Assistance Commission or the election**
 40 **division.**
- 41 (c) If a person receives a completed voter registration application
 42 that the person has reason to believe is materially false, fictitious, or



1 fraudulent, the person shall deliver the application to the appropriate
 2 county election board not later than the deadline set forth in subsection
 3 (b), with a statement sworn or affirmed to under the penalties for
 4 perjury, setting forth the reasons why the person believes the
 5 application may be materially false, fictitious, or fraudulent. The
 6 county election board shall act under IC 3-6-5-31 to determine if a
 7 violation of election law has occurred.

8 SECTION 39. IC 3-7-33-5, AS AMENDED BY HEA 1138-2015,
 9 SECTION 115, IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) ~~This subsection does not~~
 11 ~~apply to a voter who indicates:~~

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

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

18 When the county voter registration office receives an application for a
 19 new registration or an application with information that revises or adds
 20 information to the applicant's current voter registration record, the
 21 county voter registration office shall determine if the applicant appears
 22 to be eligible to register to vote based on the information in the
 23 application.

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

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

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

31 As required under 52 U.S.C. 20507(a)(2), the county voter registration
 32 office shall send a notice to each person from whom the county voter
 33 registration office receives a voter registration application. The county
 34 voter registration office shall send a notice to the applicant at the
 35 mailing address provided in the application.

36 (c) The notice required by subsection (b) must set forth the
 37 following:

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

39 (2) The disposition of the application by the county voter
 40 registration office.

41 (3) If the county voter registration office determines that the
 42 applicant appears to be eligible, the notice must state the



- 1 following:
- 2 (A) Except as provided under subsection (g), the applicant is
- 3 registered to vote under the residence address when the
- 4 applicant receives the notice. An applicant is presumed to
- 5 have received the notice unless the notice is returned by the
- 6 United States Postal Service due to an unknown or insufficient
- 7 address and received by the county voter registration office not
- 8 later than seven (7) days after the notice is mailed to the
- 9 applicant.
- 10 (B) The name of the precinct in which the voter is registered.
- 11 (C) The address of the polling place for the precinct in which
- 12 the voter is registered.
- 13 (4) In accordance with 52 U.S.C. 20302(d), if the county voter
- 14 registration office has denied the application, the notice must
- 15 include the reasons for the denial.
- 16 (d) The notice required by subsection (b) may not include a voter
- 17 identification number.
- 18 (e) The notice required by subsection (b) may include a voter
- 19 registration card.
- 20 (f) If the notice is returned by the United States Postal Service due
- 21 to an unknown or insufficient address, the county voter registration
- 22 office shall determine that the applicant is ineligible and deny the
- 23 application.
- 24 (g) During the seven (7) days following the mailing of the notice to
- 25 the voter under this section, the county voter registration office shall
- 26 indicate in the computerized list maintained under IC 3-7-26.3 that the
- 27 application is pending. If the notice:
- 28 (1) is not returned by the United States Postal Service and
- 29 received by the county voter registration office at; or
- 30 (2) is received by the applicant by United States Postal Service
- 31 delivery and presented in person by the applicant to the county
- 32 voter registration office before;
- 33 the expiration of the seven (7) day period under subsection (c), the
- 34 county voter registration office shall indicate in the computerized list
- 35 that the applicant is a registered voter.
- 36 (h) This subsection applies if the notice is mailed by the county
- 37 voter registration office after the certified list is prepared under
- 38 IC 3-7-29. If:
- 39 (1) the seven (7) day period under subsection (c) expires before
- 40 election day;
- 41 (2) the applicant has not presented the notice mailed under
- 42 subsection (b) to the county voter registration office as provided



- 1 under subsection (g); and
 2 (3) the applicant would otherwise have been included on the
 3 certified list;
 4 the county voter registration office shall prepare a certificate of error
 5 under IC 3-7-48 to note the addition of the voter to the certified list.
 6 (i) This subsection applies if the notice is mailed by the county voter
 7 registration office after the certified list is prepared under IC 3-7-29. If:
 8 (1) the seven (7) day period has not expired before election day;
 9 and
 10 (2) the applicant has not presented the notice mailed under
 11 subsection (b) to the county voter registration office as provided
 12 under subsection (g);
 13 the county voter registration office shall notify the county election
 14 board. The county election board shall certify to the inspector of the
 15 precinct where the applicant resides that the applicant's voter
 16 registration application is pending, and that the voter, subject to
 17 fulfilling the requirements of IC 3-11.7, is entitled to cast a provisional
 18 ballot.
 19 SECTION 40. IC 3-7-38.2-2, AS AMENDED BY HEA 1138-2015,
 20 SECTION 120, IS AMENDED TO READ AS FOLLOWS
 21 [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) A voter list maintenance
 22 program conducted under this chapter must:
 23 (1) be uniform, nondiscriminatory, and in compliance with the
 24 Voting Rights Act of 1965 (52 U.S.C. 10101);
 25 (2) not result in the removal of the name of a person from the
 26 official list of voters solely due to the person's failure to vote; and
 27 (3) be completed not later than ninety (90) days before a primary,
 28 general, or municipal election.
 29 (b) A county voter registration office may conduct a voter list
 30 maintenance program that complies with subsection (a). In conducting
 31 a voter list maintenance program, the county voter registration office
 32 shall mail a notice described in subsection (d) to each voter whose
 33 registration has not previously been canceled or designated as inactive
 34 under this chapter at the **residence mailing** address:
 35 (1) listed in the voter's registration record; and
 36 (2) determined by the county voter registration office not to be the
 37 voter's current residence address.
 38 (c) A county voter registration office may use information only from
 39 the following sources to make the determination under subsection
 40 (b)(2):
 41 (1) The United States Postal Service National Change of Address
 42 Service.



- 1 (2) A court regarding jury duty notices returned because of an
 2 unknown or insufficient address.
- 3 (3) The return of a mailing sent by the county voter registration
 4 office to all active voters (as defined in IC 3-11-18.1-2) in the
 5 county because of an unknown or insufficient address.
- 6 (4) The bureau of motor vehicles concerning the surrender of a
 7 voter's Indiana license for the operation of a motor vehicle to
 8 another jurisdiction.
- 9 (5) The return by the United States Postal Service after the
 10 expiration of the seven (7) day pending period of a notice
 11 regarding the disposition of a voter registration application under
 12 IC 3-7-33-5 because of an unknown or insufficient address.
- 13 (6) The return of a mailing sent to voters of a precinct advising
 14 voters of a change of precinct boundary or the precinct polling
 15 place because of an unknown or insufficient address, if the county
 16 sends a similar mailing to the voters of each precinct when a
 17 boundary or polling place is changed.
- 18 **(7) Information received from the election division under**
 19 **section 16(b) of this chapter.**
- 20 (d) The notice described in subsection (b) must:
- 21 (1) be sent by first class United States mail, postage prepaid, by
 22 a method that requires the notice to be forwarded to the voter; and
- 23 (2) include a postage prepaid return card that:
- 24 (A) is addressed to the county voter registration office;
- 25 (B) states a date (which must be at least thirty (30) days after
 26 the date the notice is mailed) by which the card must be
 27 returned or the voter's registration will become inactive until
 28 the information is provided to the county voter registration
 29 office; and
- 30 (C) permits the voter to provide the voter's current residence
 31 address.
- 32 (e) If a voter returns the card described in subsection (d)(2) and
 33 provides a current residence address that establishes that the voter
 34 resides:
- 35 (1) in the county, the county voter registration office shall update
 36 the voter's registration record; or
- 37 (2) outside the county, the county voter registration office shall
 38 cancel the voter's registration.
- 39 (f) ~~If a voter returns the card described in subsection (d)(2) after the~~
 40 ~~final day for completing voter list maintenance activities under section~~
 41 ~~3 of this chapter, the county voter registration office shall, when~~
 42 ~~registration reopens after the next primary, general, or municipal~~



1 election following the date specified in the notice, process any update
 2 or cancellation of the voter registration record indicated on the card by
 3 the voter under subsection (e). If a card is returned as undeliverable
 4 due to an unknown or insufficient address by the United States Postal
 5 Service after the date specified in subsection (d)(2)(B), the county
 6 voter registration office shall, when registration reopens after the next
 7 primary, general, or municipal election, determine whether the voter
 8 voted or appeared to vote from the address set forth in the registration
 9 record at any election occurring after the final day for completing voter
 10 list maintenance activities, and if not, then designate the voter as
 11 inactive.

12 (g) If a voter does not return the card described in subsection (d)(2)
 13 by the date specified in subsection (d)(2)(B), the county voter
 14 registration office shall indicate in the voter's registration record that
 15 the voter's registration is inactive.

16 (h) A voter's registration that becomes inactive under subsection (f)
 17 or (g) remains in inactive status from the date described in subsection
 18 (d)(2)(B) until the earlier of the following:

19 (1) The date the county voter registration office updates or
 20 cancels the voter's registration under subsection (e) after the voter
 21 provides a current residence address.

22 (2) The day after the second general election in which the voter
 23 has not voted or appeared to vote.

24 (i) After the date described in subsection (h)(2), the county voter
 25 registration office shall remove the voter's registration from the voter
 26 registration records.

27 SECTION 41. IC 3-7-38.2-5, AS AMENDED BY P.L.2-2014,
 28 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 UPON PASSAGE]: Sec. 5. (a) To assist in performing voter list
 30 maintenance under this chapter, the NVRA official shall submit the
 31 names of all registered voters in Indiana to the United States Postal
 32 Service National Change of Address Service. The submission under
 33 this chapter shall be compiled from the county voter registration
 34 information submitted to the election division under IC 3-7-26.3.

35 (b) This subsection does not require the NVRA official to request
 36 voter registration data from a state listed in this subsection if the
 37 NVRA official will be receiving voter registration data from that state
 38 under the memorandum of understanding described in subsection (d).
 39 To assist in performing voter list maintenance under this chapter, not
 40 later than December 31 of each calendar year the NVRA official shall
 41 request that the chief state election official who is responsible for the
 42 coordination of state responsibilities under NVRA in each of the



- 1 following states provide a list of the registered voters in that state:
- 2 (1) Florida.
- 3 (2) Illinois.
- 4 (3) Kentucky.
- 5 (4) Michigan.
- 6 (5) Ohio.
- 7 (c) The NVRA official shall request a list of registered voters from
- 8 any other state in which the NVRA official determines there is a
- 9 reasonable possibility that a significant number of individuals who
- 10 have registered to vote in Indiana may also be registered to vote in that
- 11 state.
- 12 (d) ~~Not later than August 1, 2013;~~ The NVRA official shall execute
- 13 a memorandum of understanding with the Kansas Secretary of State.
- 14 Notwithstanding any limitation under IC 3-7-26.4 regarding the
- 15 availability of certain information from the computerized list, on
- 16 January 15 of each year, the NVRA official shall provide data from the
- 17 statewide voter registration list without cost to the Kansas Secretary of
- 18 State to permit the comparison of voter registration data in the
- 19 statewide voter registration list with registration data from all other
- 20 states participating in this memorandum of understanding and to
- 21 identify any cases in which a voter cast a ballot in more than one (1)
- 22 state during the same election. Not later than thirty (30) days following
- 23 the receipt of information under this subsection indicating that a voter
- 24 of Indiana may also be registered to vote in another state, the NVRA
- 25 official shall provide the appropriate county voter registration office
- 26 with the name of and any other information obtained under this
- 27 subsection concerning that voter, **if the first name, last name, and**
- 28 **date of birth of the Indiana voter is identical to the first name, last**
- 29 **name, and date of birth of the voter registered in the other state.**
- 30 The county voter registration office shall determine whether the
- 31 individual:
- 32 (1) identified in the report provided by the NVRA official under
- 33 this subsection is the same individual who is a registered voter of
- 34 the county;
- 35 (2) registered to vote in another state on a date following the date
- 36 that voter registered in Indiana; and
- 37 (3) authorized the cancellation of any previous registration by the
- 38 voter when the voter registered in another state.
- 39 (e) If the county voter registration office determines that the voter
- 40 is described by subsection (d)(1) through (d)(3), the county voter
- 41 registration office shall cancel the voter registration of that voter. If the
- 42 county voter registration office determines that the voter is described



1 by subsection (d)(1) and (d)(2), but has not authorized the cancellation
 2 of any previous registration, the county voter registration office shall
 3 send an address confirmation notice to the Indiana address of the voter.

4 SECTION 42. IC 3-7-38.2-16, AS AMENDED BY P.L.64-2014,
 5 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 UPON PASSAGE]: Sec. 16. (a) During each even-numbered year, the
 7 NVRA official shall conduct a residency confirmation and outreach
 8 procedure under this chapter. The NVRA official (or a contractor
 9 acting on behalf of the NVRA official) shall send a nonforwardable
 10 mailing by U.S. mail, postage prepaid, to each active voter (as defined
 11 in IC 3-11-18.1-2) in Indiana **at the voter's mailing address.**

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

- 14 (1) United States District Court for the Northern District of
 15 Indiana; and
- 16 (2) United States District Court for the Southern District of
 17 Indiana;

18 concerning the return of U.S. mail sent by the court for jury selection
 19 purposes. **Not later than twenty-eight (28) days following the**
 20 **primary election conducted in that year**, the state shall provide each
 21 county voter registration office with information concerning any
 22 registered voter who appears to no longer reside at the address set forth
 23 in the voter's registration record due to a mailing returned to the courts.
 24 ~~as undeliverable due to an unknown or insufficient address.~~ **Not later**
 25 **than forty-two (42) days following the primary election conducted**
 26 **in that year**, the county voter registration office shall send an address
 27 confirmation notice to the voter described by this subsection **at the**
 28 **voter's mailing address.**

29 SECTION 43. IC 3-7-39-6 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) A voter who has
 31 changed residence from the county in which the voter is registered to
 32 another county must give the voter's most recent previous address,
 33 listed on a form prescribed under this article.

34 (b) Completion of the form constitutes an authorization of
 35 cancellation of registration in each county of previous residence listed
 36 on the form. At the time of registering, the voter must sign the
 37 authorization to cancel the previous registration.

38 (c) **This subsection applies to a county that has adopted an order**
 39 **under IC 3-7-29-6 or is a vote center county under IC 3-11-18.1-1.**
 40 **A voter described in subsection (a) may make a written affirmation**
 41 **of the voter's change of residence on election day using the**
 42 **affidavit described by IC 3-10-11-4. If the voter makes an oral**



1 **affirmation under this subsection, the poll clerks shall reduce the**
 2 **substance of the affirmation to writing using the affidavit**
 3 **described by IC 3-10-11-4 and initial the affirmation.**

4 SECTION 44. IC 3-7-39-7, AS AMENDED BY HEA 1138-2015,
 5 SECTION 128, IS AMENDED TO READ AS FOLLOWS
 6 [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) This section applies to a voter
 7 who changes residence to an address in the same precinct where the
 8 voter's former residence was located.

9 (b) As required under 52 U.S.C. 20507(e)(1), a voter described in
 10 subsection (a) may vote at the precinct polling place after the voter
 11 makes an oral or a written affirmation of the change of address before
 12 a member of the precinct election board.

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

- 17 (1) reduce the substance of the affirmation to writing at an
 18 appropriate location on the poll list; and
 19 (2) initial the affirmation.

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

29 SECTION 45. IC 3-7-39-10, AS AMENDED BY HEA 1138-2015,
 30 SECTION 131, IS AMENDED TO READ AS FOLLOWS
 31 [EFFECTIVE JULY 1, 2015]: Sec. 10. **(a)** Except as provided in
 32 section 9 of this chapter, and as required under 52 U.S.C. 20504(a)(2),
 33 the ~~circuit court clerk or board of county voter~~ registration **office** shall:

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

40 SECTION 46. IC 3-7-41-2, AS AMENDED BY P.L.64-2014,
 41 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2015]: Sec. 2. (a) The statement described in section 1 of this



1 chapter may be filed with the county voter registration office at any
2 time.

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

8 (c) This subsection applies to a county that has adopted an order
9 under ~~IC 3-7-29-6~~ **IC 3-7-29-6(a)(1)** or is a vote center county under
10 IC 3-11-18.1. A voter described in subsection (b) may indicate that the
11 voter's name has changed by writing the necessary information
12 concerning the name change on election day using the affidavit
13 prescribed by the ~~commission~~ **election division** under IC 3-10-11-6.
14 The poll clerks shall initial the affirmation. The change of name on the
15 voter registration record is effective immediately, and the person may
16 then vote if otherwise qualified.

17 SECTION 47. IC 3-7-41-3 IS AMENDED TO READ AS
18 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) If a voter
19 indicates a change of name on the poll list under section 2 of this
20 chapter, the county voter registration office shall change the name of
21 the voter on the registration record of the precinct.

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

30 SECTION 48. IC 3-7-43-2 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. A request from a
32 voter under this chapter must be in writing and may be on a form
33 prescribed by the ~~commission~~ **election division** or other forms
34 provided by the circuit court clerk or board of registration (including
35 jury notices) if the voter signs the request for removal.

36 SECTION 49. IC 3-7-46-9, AS AMENDED BY P.L.164-2006,
37 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
38 JULY 1, 2015]: Sec. 9. After preparation of the notice under section 8
39 of this chapter, the county voter registration office shall mail the notice
40 to the alleged disfranchised person not later than the day following the
41 day that the voter's registration has been canceled under this chapter.
42 The notice must be mailed to each alleged disfranchised person at the



1 person's last known address using a form prescribed by the ~~commission~~
 2 **election division** under this article.

3 SECTION 50. IC 3-7-48-5, AS AMENDED BY HEA 1138-2015,
 4 SECTION 144, IS AMENDED TO READ AS FOLLOWS
 5 [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) This section applies to a voter
 6 who:

7 (1) formerly resided in a precinct according to the voter
 8 registration record; and

9 (2) no longer resides in that precinct according to the voter
 10 registration record.

11 (b) As provided under 52 U.S.C. 20507(e)(3), a voter described by
 12 subsection (a) may vote in the precinct where the voter formerly
 13 resided (according to the voter registration record) if the voter makes
 14 an oral or a written affirmation to a member of the precinct election
 15 board that the voter continues to reside at the address shown as the
 16 voter's former residence on the voter registration record.

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

21 (1) reduce the substance of the affirmation to writing at an
 22 appropriate location on the poll list; and

23 (2) initial the affirmation.

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

33 SECTION 51. IC 3-8-1-2, AS AMENDED BY P.L.194-2013,
 34 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2015]: Sec. 2. (a) The commission, a county election board,
 36 or a town election board shall act if a candidate (or a person acting on
 37 behalf of a candidate in accordance with state law) has filed any of the
 38 following:

39 (1) A declaration of candidacy under IC 3-8-2 or IC 3-8-5.

40 (2) A request for ballot placement in a presidential primary under
 41 IC 3-8-3.

42 (3) A petition of nomination or candidate's consent to nomination



- 1 under IC 3-8-2.5 or IC 3-8-6.
 2 (4) A certificate of nomination under IC 3-8-5, IC 3-8-7,
 3 IC 3-10-2-15, or IC 3-10-6-12.
 4 (5) A certificate of candidate selection under IC 3-13-1 or
 5 IC 3-13-2.
 6 (6) A declaration of intent to be a write-in candidate under
 7 IC 3-8-2-2.5.
 8 (7) A contest to the denial of certification under IC 3-8-2.5 or
 9 IC 3-8-6-12.
- 10 (b) The commission has jurisdiction to act under this section with
 11 regard to any filing described in subsection (a) that was made with the
 12 election division. Except for a filing under the jurisdiction of a town
 13 election board, a county election board has jurisdiction to act under this
 14 section with regard to any filing described in subsection (a) that was
 15 made with the county election board, county voter registration office,
 16 or the circuit court clerk. A town election board has jurisdiction to act
 17 under this section with regard to any filing that was made with the
 18 county election board, the county voter registration office, or the circuit
 19 court clerk for nomination or election to a town office.
- 20 (c) Except as provided in subsection (e), before the commission or
 21 election board acts under this section, a registered voter of the election
 22 district that a candidate seeks to represent **or a county chairman of a**
 23 **major political party of a county in which any part of the election**
 24 **district is located** must file a sworn statement with the election
 25 division or election board:
- 26 (1) questioning the eligibility of **a the** candidate to seek the office;
 27 and
 28 (2) setting forth the facts known to the voter **or county chairman**
 29 **of a major political party of a county** concerning this question.
- 30 (d) The eligibility of a write-in candidate or a candidate nominated
 31 by a convention, petition, or primary may not be challenged under this
 32 section if the commission or board determines that all of the following
 33 occurred:
- 34 (1) The eligibility of the candidate was challenged under this
 35 section before the candidate was nominated.
 36 (2) The commission or board conducted a hearing on the affidavit
 37 before the nomination.
 38 (3) This challenge would be based on substantially the same
 39 grounds as the previous challenge to the candidate.
- 40 (e) Before the commission or election board can consider a contest
 41 to the denial of a certification under IC 3-8-2.5 or IC 3-8-6-12, a
 42 candidate (or a person acting on behalf of a candidate in accordance



1 with state law) must file a sworn statement with the election division
2 or election board:

- 3 (1) stating specifically the basis for the contest; and
4 (2) setting forth the facts known to the candidate supporting the
5 basis for the contest.

6 (f) Upon the filing of a sworn statement under subsection (c) or (e),
7 the commission or election board shall determine the validity of the
8 questioned:

- 9 (1) declaration of candidacy;
10 (2) declaration of intent to be a write-in candidate;
11 (3) request for ballot placement under IC 3-8-3;
12 (4) petition of nomination;
13 (5) certificate of nomination;
14 (6) certificate of candidate selection issued under IC 3-13-1-15 or
15 IC 3-13-2-8; or
16 (7) denial of a certification under IC 3-8-2.5 or IC 3-8-6-12.

17 (g) The commission or election board shall deny a filing if the
18 commission or election board determines that the candidate has not
19 complied with the applicable requirements for the candidate set forth
20 in the Constitution of the United States, the Constitution of the State of
21 Indiana, or this title.

22 SECTION 52. IC 3-8-2-2.5, AS AMENDED BY P.L.76-2014,
23 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2015]: Sec. 2.5. (a) A person who desires to be a write-in
25 candidate for a federal, state, legislative, or local office or school board
26 office in a general, municipal, or school board election must file a
27 declaration of intent to be a write-in candidate with the officer with
28 whom declaration of candidacy must be filed under sections 5 and 6 of
29 this chapter.

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

- 33 (1) The candidate's name must be printed or typewritten as:
34 (A) the candidate wants the candidate's name to be certified;
35 and
36 (B) the candidate's name is permitted to appear under IC 3-5-7.
37 (2) A statement that the candidate is a registered voter and the
38 location of the candidate's precinct and township (or ward and
39 city or town), county, and state.
40 (3) The candidate's complete residence address, and if the
41 candidate's mailing address is different from the residence
42 address, the mailing address.



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



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



- 1 (2) The penalties for late filing of campaign finance reports under
2 IC 3-9.
- 3 (h) A declaration of intent to be a write-in candidate must include
4 a statement that the candidate requests the name on the candidate's
5 voter registration record be the same as the name the candidate uses on
6 the declaration of intent to be a write-in candidate. If there is a
7 difference between the name on the candidate's declaration of intent to
8 be a write-in candidate and the name on the candidate's voter
9 registration record, the officer with whom the declaration of intent to
10 be a write-in candidate is filed shall forward the information to the
11 voter registration officer of the appropriate county as required by
12 IC 3-5-7-6(e). The voter registration officer of the appropriate county
13 shall change the name on the candidate's voter registration record to be
14 the same as the name on the candidate's declaration of intent to be a
15 write-in candidate.
- 16 SECTION 53. IC 3-8-2-7, AS AMENDED BY P.L.76-2014,
17 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2015]: Sec. 7. (a) The declaration of each candidate required
19 by this chapter must be signed before a person authorized to administer
20 oaths and contain the following information:
- 21 (1) The candidate's name, printed or typewritten 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) A statement that the candidate is a registered voter and the
27 location of the candidate's precinct and township (or ward and
28 city or town), county, and state.
- 29 (3) The candidate's complete residence address, and if the
30 candidate's mailing address is different from the residence
31 address, the mailing address.
- 32 (4) A statement of the candidate's party affiliation. For purposes
33 of this subdivision, a candidate is considered to be affiliated with
34 a political party only if any of the following applies:
- 35 (A) The most recent primary election in Indiana in which the
36 candidate voted was a primary election held by the party with
37 which the candidate claims affiliation.
- 38 (B) The county chairman of:
39 (i) the political party with which the candidate claims
40 affiliation; and
41 (ii) the county in which the candidate resides;
42 certifies that the candidate is a member of the political party.



1 The declaration of candidacy must inform candidates how party
 2 affiliation is determined under this subdivision and permit the
 3 candidate to indicate on the declaration of candidacy which of
 4 clauses (A) or (B) applies to the candidate. If a candidate claims
 5 party affiliation under clause (B), the candidate must attach to the
 6 candidate's declaration of candidacy the written certification of
 7 the county chairman required by clause (B).

8 (5) A statement that the candidate complies with all requirements
 9 under the laws of Indiana to be a candidate for the above named
 10 office, including any applicable residency requirements, and that
 11 the candidate is not ineligible to be a candidate due to a criminal
 12 conviction that would prohibit the candidate from serving in the
 13 office.

14 (6) A request that the candidate's name be placed on the official
 15 primary ballot of that party to be voted on, the office for which the
 16 candidate is declaring, and the date of the primary election.

17 (7) The following statements:

18 (A) A statement that the candidate has attached either of the
 19 following to the declaration:

20 (i) A copy of a statement of economic interests, file stamped
 21 by the office required to receive the statement of economic
 22 interests.

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

25 This requirement does not apply to a candidate for a federal
 26 office.

27 (B) A statement that the candidate understands that if the
 28 candidate is elected to the office, the candidate may be
 29 required to obtain and file an individual surety bond before
 30 serving in the office. This requirement does not apply to a
 31 candidate for a federal office or legislative office.

32 (C) A statement that the candidate understands that if the
 33 candidate is elected to the office, the candidate may be
 34 required to successfully complete training or have attained
 35 certification related to service in an elected office. This
 36 requirement does not apply to a candidate for a federal office,
 37 state office, or legislative office.

38 (D) A statement that the candidate:

39 (i) is aware of the provisions of IC 3-9 regarding campaign
 40 finance and the reporting of campaign contributions and
 41 expenditures; and

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



- 1 This requirement does not apply to a candidate for a federal
2 office.
- 3 The candidate must separately initial each of the statements
4 required by this subdivision.
- 5 (8) A statement as to whether the candidate has been a candidate
6 for state, legislative, or local office in a previous primary,
7 municipal, special, or general election and whether the candidate
8 has filed all reports required by IC 3-9-5-10 for all previous
9 candidacies.
- 10 (9) If the candidate is subject to IC 3-9-1-5, a statement that the
11 candidate has filed a campaign finance statement of organization
12 for the candidate's principal committee or is aware that the
13 candidate may be required to file a campaign finance statement of
14 organization not later than noon seven (7) days after the final date
15 to file the declaration of candidacy under section 11 of this
16 chapter.
- 17 (10) The candidate's signature.
- 18 (b) The **commission election division** shall provide that the form of
19 a declaration of candidacy includes the following information:
- 20 (1) The dates for filing campaign finance reports under IC 3-9.
21 (2) The penalties for late filing of campaign finance reports under
22 IC 3-9.
- 23 (c) A declaration of candidacy must include a statement that the
24 candidate requests the name on the candidate's voter registration record
25 be the same as the name the candidate uses on the declaration of
26 candidacy. If there is a difference between the name on the candidate's
27 declaration of candidacy and the name on the candidate's voter
28 registration record, the officer with whom the declaration of candidacy
29 is filed shall forward the information to the voter registration officer of
30 the appropriate county as required by IC 3-5-7-6(e). The voter
31 registration officer of the appropriate county shall change the name on
32 the candidate's voter registration record to be the same as the name on
33 the candidate's declaration of candidacy.
- 34 SECTION 54. IC 3-8-2-8, AS AMENDED BY P.L.194-2013,
35 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2015]: Sec. 8. (a) A declaration of candidacy for the office of
37 United States Senator or for the office of governor must be
38 accompanied by a petition signed by at least four thousand five
39 hundred (4,500) voters of the state, including at least five hundred
40 (500) voters from each congressional district.
- 41 (b) Each petition must contain the following:
- 42 (1) The signature of each petitioner.



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

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

4 (c) Except as provided in this subsection, the signature, printed
5 name, and residence address of the petitioner must be made in writing
6 by the petitioner. If a petitioner with a disability is unable to write this
7 information on the petition, the petitioner may authorize an individual
8 to do so on the petitioner's behalf. The individual acting under this
9 subsection shall execute an affidavit of assistance for each such
10 petitioner, in a form prescribed by the ~~commission~~ **election division**.
11 The form must set forth the name and address of the individual
12 providing assistance, and the date the individual provided the
13 assistance. The form must be submitted with the petition.

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

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

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

20 The petition must be signed by at least four thousand five hundred
21 (4,500) voters of Indiana, including at least five hundred (500) voters
22 from each congressional district created by the most recent
23 congressional district plan adopted under IC 3-3.

24 SECTION 55. IC 3-8-2.5-2, AS AMENDED BY P.L.76-2014,
25 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2015]: Sec. 2. (a) A candidate for a school board office must
27 file a petition of nomination in accordance with this chapter and as
28 required under IC 20-23 or IC 20-25. The petition of nomination, once
29 filed, serves as the candidate's declaration of candidacy for a school
30 board office.

31 (b) A candidate may be nominated for a school board office by
32 petition of voters who are:

33 (1) registered to vote at the residence address set forth on the
34 petition on the date the petition is certified under this chapter; and

35 (2) qualified to vote for the candidate.

36 (c) The petition of nomination must be signed by the number of
37 voters required for the school board office under IC 20-23 or IC 20-25.

38 (d) Except as provided in this subsection, the signature, printed
39 name, and residence address of the petitioner must be made in writing
40 by the petitioner. If a petitioner with a disability is unable to write this
41 information on the petition, the petitioner may authorize an individual
42 to do so on the petitioner's behalf. The individual acting under this



1 subsection shall execute an affidavit of assistance for each such
 2 petitioner, in a form prescribed by the ~~commission~~ **election division**.
 3 The form must set forth the name and address of the individual
 4 providing assistance, and the date the individual provided the
 5 assistance. The form must be submitted with the petition.

6 SECTION 56. IC 3-8-2.5-2.5, AS AMENDED BY P.L.76-2014,
 7 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2015]: Sec. 2.5. (a) A petition of nomination for a school
 9 board office must state all of the following:

10 (1) The name of each candidate as:

11 (A) the candidate wants the candidate's name to appear on the
 12 ballot; and

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

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

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

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

20 (b) The petition of nomination must be accompanied by the
 21 following:

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

23 (2) A statement that the candidate:

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

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

29 ~~The candidate must separately sign the statement required by this~~
 30 ~~subdivision.~~

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

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

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

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

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

42 (B) has filed all reports required by IC 3-9-5-10 for all



- 1 previous candidacies.
- 2 (5) A statement that each candidate is legally qualified to hold the
- 3 office that the candidate seeks, including any applicable residency
- 4 requirements and restrictions on service due to a criminal
- 5 conviction.
- 6 (6) Any statement of economic interests required under IC 3-8-9.
- 7 SECTION 57. IC 3-8-3-2, AS AMENDED BY P.L.194-2013,
- 8 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 9 JULY 1, 2015]: Sec. 2. (a) A request filed under section 1 of this
- 10 chapter must be accompanied by a petition signed by at least four
- 11 thousand five hundred (4,500) voters of the state, including at least five
- 12 hundred (500) voters from each congressional district.
- 13 (b) Each petition must contain the following:
- 14 (1) The signature of each petitioner.
- 15 (2) The name of each petitioner legibly printed.
- 16 (3) The residence address of each petitioner as set forth on the
- 17 petitioner's voter registration record.
- 18 (c) Except as provided in this subsection, the signature, printed
- 19 name, and residence address of the petitioner must be made in writing
- 20 by the petitioner. If a petitioner with a disability is unable to write this
- 21 information on the petition, the petitioner may authorize an individual
- 22 to do so on the petitioner's behalf. The individual acting under this
- 23 subsection shall execute an affidavit of assistance for each such
- 24 petitioner, in a form prescribed by the ~~commission~~ **election division**.
- 25 The form must set forth the name and address of the individual
- 26 providing assistance, and the date the individual provided the
- 27 assistance. The form must be submitted with the petition.
- 28 (d) This subsection applies to a petition filed during the period:
- 29 (1) beginning on the date that a congressional district plan has
- 30 been adopted under IC 3-3; and
- 31 (2) ending on the date that the part of the act or order issued under
- 32 IC 3-3-2 establishing the previous congressional district plan is
- 33 repealed or superseded.
- 34 The petition must be signed by at least four thousand five hundred
- 35 (4,500) voters of Indiana, including at least five hundred (500) voters
- 36 from each congressional district created by the most recent
- 37 congressional district plan adopted under IC 3-3.
- 38 SECTION 58. IC 3-8-4-2 IS AMENDED TO READ AS FOLLOWS
- 39 [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) A political party shall conduct
- 40 a state convention to nominate the candidates of the political party for
- 41 the following offices to be voted on at the next general election:
- 42 (1) Lieutenant governor.



- 1 (2) Secretary of state.
 2 (3) Auditor of state.
 3 (4) Treasurer of state.
 4 (5) Attorney general.
 5 (6) Superintendent of public instruction.
 6 (b) The convention ~~shall~~ **may** also:
 7 (1) nominate candidates for presidential electors and alternate
 8 electors; and
 9 (2) elect the delegates and alternate delegates to the national
 10 convention of the political party.
 11 **(c) If a political party's state convention does not:**
 12 **(1) nominate candidates for presidential electors and alternate**
 13 **electors; or**
 14 **(2) elect the delegates and alternate delegates to the national**
 15 **convention of the political party;**
 16 **the candidates shall be nominated or the delegates elected as**
 17 **provided in the state party's rules.**
 18 SECTION 59. IC 3-8-5-10.5, AS AMENDED BY P.L.76-2014,
 19 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JANUARY 1, 2016]: Sec. 10.5. (a) A person who desires to be
 21 nominated for a town office by a major political party must file a
 22 declaration of candidacy with the circuit court clerk of the county
 23 containing the greatest percentage of population of the town.
 24 (b) A declaration of candidacy must be filed:
 25 (1) not earlier than the first date that a declaration of candidacy
 26 for a primary election may be filed under IC 3-8-2-4; and
 27 (2) not later than:
 28 (A) noon August 1 before a municipal election if the town
 29 nominates its candidates by convention; and
 30 (B) the date that a declaration of candidacy must be filed under
 31 IC 3-8-2-4 if the town nominates its candidates by a primary
 32 election.
 33 (c) The declaration must be subscribed and sworn to (or affirmed)
 34 before a notary public or other person authorized to administer oaths.
 35 (d) The declaration of each candidate required by this section must
 36 certify the following information:
 37 (1) The candidate's name, printed or typewritten as:
 38 (A) the candidate wants the candidate's name to appear on the
 39 ballot; and
 40 (B) the candidate's name is permitted to appear on the ballot
 41 under IC 3-5-7.
 42 (2) That the candidate is a registered voter and the location of the



- 1 candidate's precinct and township (or the ward and town), county,
2 and state.
- 3 (3) The candidate's complete residence address and the
4 candidate's mailing address if the mailing address is different
5 from the residence address.
- 6 (4) The candidate's party affiliation and the office to which the
7 candidate seeks nomination, including the district designation if
8 the candidate is seeking a town legislative body seat.
- 9 (5) That the candidate complies with all requirements under the
10 laws of Indiana to be a candidate for the above named office,
11 including any applicable residency requirements, and is not
12 ineligible to be a candidate due to a criminal conviction that
13 would prohibit the candidate from serving in the office.
- 14 (6) That the candidate has attached either of the following to the
15 declaration:
- 16 (A) A copy of a statement of economic interests, file stamped
17 by the office required to receive the statement of economic
18 interests.
- 19 (B) A receipt or photocopy of a receipt showing that a
20 statement of economic interests has been filed.
- 21 (7) That the candidate understands that if the candidate is elected
22 to the office, the candidate may be required to obtain and file an
23 individual surety bond before serving in the office.
- 24 (8) That the candidate understands that if the candidate is elected
25 to the office, the candidate may be required to successfully
26 complete training or have attained certification related to service
27 in an elected office.
- 28 (9) That the candidate:
- 29 (A) is aware of the provisions of IC 3-9 regarding campaign
30 finance and the reporting of campaign contributions and
31 expenditures; and
- 32 (B) agrees to comply with the provisions of IC 3-9.
- 33 **(10) A statement indicating whether or not the candidate:**
- 34 **(A) has been a candidate for state, legislative, local, or**
35 **school board office in a previous primary, municipal,**
36 **special, or general election; and**
- 37 **(B) has filed all reports required by IC 3-9-5-10 for all**
38 **previous candidacies.**
- 39 ~~(10)~~ (11) The candidate's signature.
- 40 (e) This subsection does not apply to a town whose municipal
41 election is to be conducted by a county. Immediately after the deadline
42 for filing, the circuit court clerk shall do all of the following:



- 1 (1) Certify to the town clerk-treasurer and release to the public a
 2 list of the candidates of each political party for each office. The
 3 list shall indicate any candidates of a political party nominated for
 4 an office under this chapter because of the failure of any other
 5 candidates of that political party to file a declaration of candidacy
 6 for that office.
- 7 (2) Post a copy of the list in a prominent place in the circuit court
 8 clerk's office.
- 9 (3) File a copy of each declaration of candidacy with the town
 10 clerk-treasurer.
- 11 (f) A person who files a declaration of candidacy for an elected
 12 office for which a per diem or salary is provided for by law is
 13 disqualified from filing a declaration of candidacy for another office for
 14 which a per diem or salary is provided for by law until the original
 15 declaration is withdrawn.
- 16 (g) A person who files a declaration of candidacy for an elected
 17 office may not file a declaration of candidacy for that office in the same
 18 year as a member of a different political party until the original
 19 declaration is withdrawn.
- 20 (h) A person who files a declaration of candidacy under this section
 21 may file a written notice withdrawing the person's declaration of
 22 candidacy in the same manner as the original declaration was filed, if
 23 the notice of withdrawal is filed not later than:
- 24 (1) noon August 1 before the municipal election if the town
 25 nominates its candidates by convention; and
- 26 (2) the date that a declaration of candidacy may be withdrawn
 27 under IC 3-8-2-20 if the town nominates its candidates in a
 28 primary election.
- 29 (i) A declaration of candidacy must include a statement that the
 30 candidate requests the name on the candidate's voter registration record
 31 be the same as the name the candidate uses on the declaration of
 32 candidacy. If there is a difference between the name on the candidate's
 33 declaration of candidacy and the name on the candidate's voter
 34 registration record, the officer with whom the declaration of candidacy
 35 is filed shall forward the information to the voter registration officer of
 36 the appropriate county as required by IC 3-5-7-6(e). The voter
 37 registration officer of the appropriate county shall change the name on
 38 the candidate's voter registration record to be the same as the name on
 39 the candidate's declaration of candidacy.
- 40 SECTION 60. IC 3-8-6-6, AS AMENDED BY P.L.64-2014,
 41 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2015]: Sec. 6. (a) The signatures to a petition of nomination



1 need not be appended to one (1) paper, but a petitioner may not be
 2 counted unless the petitioner is registered and qualified to vote in
 3 conformity with section 8 of this chapter. Each petition must contain
 4 the following:

- 5 (1) The signature of each petitioner.
- 6 (2) The name of each petitioner legibly printed.
- 7 (3) The residence address of each petitioner as set forth on the
 8 petitioner's voter registration record.

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

19 SECTION 61. IC 3-8-6-12, AS AMENDED BY P.L.76-2014,
 20 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2015]: Sec. 12. (a) A petition of nomination for an office filed
 22 under section 10 of this chapter must be filed with and, except as
 23 provided in subsection (d), certified by the person with whom a
 24 declaration of candidacy must be filed under IC 3-8-2.

25 (b) The petition of nomination must be accompanied by the
 26 following:

- 27 (1) The candidate's written consent to become a candidate.
- 28 (2) The following statements:
 - 29 (A) A statement that the candidate has attached either of the
 30 following to the petition:
 - 31 (i) A copy of a statement of economic interests, file stamped
 32 by the office required to receive the statement of economic
 33 interests.
 - 34 (ii) A receipt or photocopy of a receipt showing that a
 35 statement of economic interests has been filed.

36 This requirement does not apply to a candidate for a federal
 37 office.

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



- 1 (C) A statement that the candidate understands that if the
 2 candidate is elected to the office, the candidate may be
 3 required to successfully complete training or have attained
 4 certification related to service in an elected office. This
 5 requirement does not apply to a candidate for a federal office,
 6 state office, or legislative office.
- 7 (D) A statement that the candidate:
 8 (i) is aware of the provisions of IC 3-9 regarding campaign
 9 finance and the reporting of campaign contributions and
 10 expenditures; and
 11 (ii) agrees to comply with the provisions of IC 3-9.
- 12 This requirement does not apply to a candidate for a federal
 13 office.
- 14 The candidate must separately initial each of the statements
 15 required by this subdivision.
- 16 (3) If the candidate is subject to IC 3-9-1-5, a statement by the
 17 candidate that the candidate has filed a campaign finance
 18 statement of organization under IC 3-9-1-5 or is aware that the
 19 candidate may be required to file a campaign finance statement of
 20 organization not later than noon seven (7) days after the final date
 21 for filing a petition for nomination under section 10 of this
 22 chapter.
- 23 (4) If the candidate is subject to IC 3-9-1-5.5, a statement by the
 24 candidate that the candidate is aware of the requirement to file a
 25 campaign finance statement of organization under IC 3-9 after the
 26 first of either of the following occurs:
 27 (A) The candidate receives more than five hundred dollars
 28 (\$500) in contributions.
 29 (B) The candidate makes more than five hundred dollars
 30 (\$500) in expenditures.
- 31 (5) A statement indicating whether or not each candidate:
 32 (A) has been a candidate for state or local office in a previous
 33 primary or general election; and
 34 (B) has filed all reports required by IC 3-9-5-10 for all
 35 previous candidacies.
- 36 (6) A statement that each candidate is legally qualified to hold the
 37 office that the candidate seeks, including any applicable residency
 38 requirements and restrictions on service due to a criminal
 39 conviction.
- 40 (7) If the petition is filed with the secretary of state for an office
 41 not elected by the electorate of the whole state, a statement signed
 42 by the circuit court clerk of each county in the election district of



- 1 the office sought by the individual.
- 2 (8) Any statement of economic interests required under
- 3 IC 3-8-1-33.
- 4 (c) The statement required under subsection (b)(7) must:
- 5 (1) be certified by each circuit court clerk; and
- 6 (2) indicate the number of votes cast for secretary of state:
- 7 (A) at the last election for secretary of state; and
- 8 (B) in the part of the county included in the election district of
- 9 the office sought by the individual filing the petition.
- 10 (d) The person with whom the petition of nomination must be filed
- 11 under subsection (a) shall:
- 12 (1) determine whether a sufficient number of signatures as
- 13 required by section 3 of this chapter have been obtained; and
- 14 (2) do one (1) of the following:
- 15 (A) If the petition includes a sufficient number of signatures,
- 16 certify the petition.
- 17 (B) If the petition has an insufficient number of signatures,
- 18 deny the certification.
- 19 (e) The secretary of state shall, by noon on the date specified under
- 20 IC 3-8-7-16 for the certification of candidates and public questions by
- 21 the election division:
- 22 (1) certify; or
- 23 (2) deny certification under subsection (d) to;
- 24 each petition of nomination filed in the secretary of state's office to the
- 25 appropriate county.
- 26 (f) The ~~commission~~ **election division** shall provide that the form of
- 27 a petition of nomination includes the following information:
- 28 (1) The dates for filing campaign finance reports under IC 3-9.
- 29 (2) The penalties for late filing of campaign finance reports under
- 30 IC 3-9.
- 31 (g) A candidate's consent to become a candidate must include a
- 32 statement that the candidate requests the name on the candidate's voter
- 33 registration record be the same as the name the candidate uses on the
- 34 consent to become a candidate. If there is a difference between the
- 35 name on the candidate's consent to become a candidate and the name
- 36 on the candidate's voter registration record, the officer with whom the
- 37 consent to become a candidate is filed shall forward the information to
- 38 the voter registration officer of the appropriate county as required by
- 39 IC 3-5-7-6(e). The voter registration officer of the appropriate county
- 40 shall change the name on the candidate's voter registration record to be
- 41 the same as the name on the candidate's consent to become a candidate.
- 42 (h) If the person with whom the petition was filed denies



1 certification under subsection (d), the person shall notify the candidate
2 immediately by certified mail.

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

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

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

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

10 SECTION 62. IC 3-8-6-17, AS AMENDED BY P.L.124-2012,
11 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2015]: Sec. 17. (a) If:

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

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

18 the candidate may be replaced on the petition in accordance with this
19 section.

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

25 (1) be on a form prescribed by the ~~commission~~; **election division**;

26 (2) state the following:

27 (A) the name of the individual who ceased to be a candidate;

28 (B) the date and reason the individual ceased to be a
29 candidate; and

30 (C) the name of the individual who will replace the candidate
31 as:

32 (i) the individual wants the individual's name to appear on
33 the ballot; and

34 (ii) the individual's name is permitted to appear on the ballot
35 under IC 3-5-7; and

36 (3) be accompanied by the following:

37 (A) The replacement candidate's consent to be nominated by
38 the petition and, if other candidates were listed on the petition,
39 the signed consent of those candidates to be the replacement.

40 (B) The former candidate's statement of withdrawal in a form
41 substantially similar to the form prescribed under IC 3-8-7-28
42 if the individual withdrew as a candidate.



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

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

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

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

23 SECTION 63. IC 3-8-7-5, AS AMENDED BY P.L.221-2005,
 24 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2015]: Sec. 5. (a) Each circuit court clerk, not later than noon
 26 on the second Monday after a primary election conducted in a year in
 27 which a general election will be held, shall furnish the election division
 28 with a complete list of all:

- 29 (1) candidates nominated; and
- 30 (2) state convention delegates elected;

31 at the primary election.

32 (b) The list must include:

- 33 (1) the address of each candidate and delegate; and
- 34 (2) the United States congressional district in which each
 35 ~~candidate and~~ delegate resides.

36 SECTION 64. IC 3-8-7-8, AS AMENDED BY P.L.76-2014,
 37 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JULY 1, 2015]: Sec. 8. (a) This section applies to a state convention
 39 conducted by a political party described by IC 3-8-4-1.

40 (b) The state chairman and state secretary of the political party
 41 holding the state convention shall certify each candidate nominated at
 42 the convention to the secretary of state not later than noon July 15



- 1 before the general election.
- 2 (c) The certificate must be in writing and state the following:
- 3 (1) The name of each candidate nominated as:
- 4 (A) the candidate wants the candidate's name to appear on the
- 5 ballot; and
- 6 (B) the candidate's name is permitted to appear on the ballot
- 7 under IC 3-5-7.
- 8 (2) Each candidate's residence address.
- 9 (3) Whether each candidate nominated by the convention has
- 10 complied with IC 3-9-1-5 by filing a campaign finance statement
- 11 of organization.
- 12 (4) The following statements:
- 13 (A) A statement that the candidate has attached either of the
- 14 following to the certificate:
- 15 (i) A copy of a statement of economic interests, file stamped
- 16 by the office required to receive the statement of economic
- 17 interests.
- 18 (ii) A receipt or photocopy of a receipt showing that a
- 19 statement of economic interests has been filed.
- 20 This requirement does not apply to a candidate for a federal
- 21 office.
- 22 (B) A statement that the candidate understands that if the
- 23 candidate is elected to the office, the candidate may be
- 24 required to obtain and file an individual surety bond before
- 25 serving in the office. This requirement does not apply to a
- 26 candidate for a federal office or legislative office.
- 27 (C) A statement that the candidate understands that if the
- 28 candidate is elected to the office, the candidate may be
- 29 required to successfully complete training or have attained
- 30 certification related to service in an elected office. This
- 31 requirement does not apply to a candidate for a federal office,
- 32 state office, or legislative office.
- 33 (D) A statement that the candidate:
- 34 (i) is aware of the provisions of IC 3-9 regarding campaign
- 35 finance and the reporting of campaign contributions and
- 36 expenditures; and
- 37 (ii) agrees to comply with the provisions of IC 3-9.
- 38 This requirement does not apply to a candidate for a federal
- 39 office.
- 40 The candidate must separately initial each of the statements
- 41 required by this subdivision.
- 42 (d) The ~~commission~~ **election division** shall prescribe the form of the



1 certificate of nomination for the offices. The ~~commission~~ **election**
 2 **division** shall provide that the form of the certificate of nomination
 3 include 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 (e) A certificate of nomination must include a statement that the
 8 candidate requests the name on the candidate's voter registration record
 9 be the same as the name the candidate uses on the certificate of
 10 nomination. If there is a difference between the name on the candidate's
 11 certificate of nomination and the name on the candidate's voter
 12 registration record, the officer with whom the certificate of nomination
 13 is filed shall forward the information to the voter registration officer of
 14 the appropriate county as required by IC 3-5-7-6(e). The voter
 15 registration officer of the appropriate county shall change the name on
 16 the candidate's voter registration record to be the same as the name on
 17 the candidate's certificate of nomination.

18 (f) The certificate of nomination must be signed by the state
 19 chairman and state secretary of the political party holding the
 20 convention, and set forth the name and residence of the chairman and
 21 secretary. The chairman and secretary shall acknowledge the certificate
 22 before an individual authorized to administer oaths under IC 33-42-4-1.
 23 The signed acknowledgment must be included in the certificate of
 24 nomination executed under this section.

25 SECTION 65. IC 3-8-7-17 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 17. (a) The election
 27 division may not certify the name of a person whose certificate or
 28 petition of nomination has been filed with the election division if the
 29 person has filed a notice with the election division that the person will
 30 not accept the nomination contained in the certificate or petition of
 31 nomination.

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

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

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

41 SECTION 66. IC 3-8-7-25 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 25. ~~The election~~



1 ~~division and~~ Each county election board shall have printed on the
 2 respective general, special, or municipal election ballots the names of
 3 the following candidates:

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

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

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

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

13 SECTION 67. IC 3-8-7-25.5, AS AMENDED BY P.L.225-2011,
 14 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2015]: Sec. 25.5. (a) This section does not apply to the change
 16 of a candidate's name that occurs after absentee ballots have been
 17 printed bearing the candidate's name.

18 (b) A candidate who:

19 (1) is:

20 (A) nominated for election; or

21 (B) a candidate for nomination; and

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

23 (A) the candidate has been nominated; or

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

25 shall file a statement setting forth the former and current legal name of
 26 the candidate with the office where a declaration of candidacy or
 27 certificate of nomination for the office is required to be filed. If the
 28 final date and hour has not passed for filing a declaration of candidacy,
 29 consent for nomination, or declaration of intent to be a write-in
 30 candidate, the candidate must file the request for a change of name on
 31 the form prescribed by the ~~commission~~ **election division** for the
 32 declaration or consent.

33 (c) The statement filed under subsection (b) must also indicate the
 34 following:

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

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

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



1 SECTION 68. IC 3-8-7-28, AS AMENDED BY HEA 1008-2015,
 2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2015]: Sec. 28. (a) Except as provided in subsections (b) and
 4 (c), if a nominee certified under this chapter, IC 3-8-5, IC 3-8-6, or
 5 IC 3-10-1 desires to withdraw as the nominee, the nominee must file a
 6 notice of withdrawal in writing with the public official with whom the
 7 certificate of nomination was filed by noon:

8 (1) August 1 before a general or municipal election;

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

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

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

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

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

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

23 (c) A candidate who has moved from the election district the
 24 candidate sought to represent must file a notice of withdrawal
 25 immediately after changing the candidate's residence. **IC 3-8-8-7** and
 26 the filing requirements of subsection (a) do not apply to a notice of
 27 withdrawal filed under this subsection.

28 SECTION 69. IC 3-8-7-30 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 30. (a) Not later than
 30 noon ~~August 1~~, **on the date specified under section 16 of this**
 31 **chapter**, the election division shall certify to each county election
 32 board:

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

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

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

42 SECTION 70. IC 3-8-9-9, AS ADDED BY P.L.90-2012, SECTION



1 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
2 2015]: Sec. 9. The ~~commission~~ **election division** shall prescribe the
3 form of the statement.

4 SECTION 71. IC 3-9-1-4 IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2015]: Sec. 4. A committee must include in its
6 statement of organization the following:

- 7 (1) The name and address of the committee.
- 8 (2) The purpose for which the committee is formed, unless the
9 committee is a candidate's committee that identifies a specific
10 office sought by the candidate.
- 11 (3) The name and address of the chairman and treasurer.
- 12 (4) If applicable, the name, address, office sought, and political
13 party affiliation or independent status of each candidate whom the
14 committee is supporting.
- 15 (5) If the committee is a legislative caucus committee, political
16 action committee, or regular party committee and is supporting
17 the entire ticket of a political party, the name of the party.
- 18 (6) If the committee is a political action committee supporting or
19 opposing a public question, a brief statement of the question
20 supported or opposed.
- 21 (7) A listing of all banks, safety deposit boxes, and other
22 depositories used.
- 23 (8) Other information prescribed by the ~~commission~~ **election**
24 **division** under ~~IC 3-6-4.1-14(a)(3)~~: **IC 3-6-4.2-12(8)**.

25 SECTION 72. IC 3-9-4-2 IS AMENDED TO READ AS FOLLOWS
26 [EFFECTIVE JULY 1, 2015]: Sec. 2. The election division shall
27 **prescribe and** furnish forms ~~prescribed by the commission~~ for making
28 the reports and statements required to be filed under this article.

29 SECTION 73. IC 3-9-4-4, AS AMENDED BY P.L.164-2006,
30 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2015]: Sec. 4. (a) The election division shall develop a filing
32 and coding system consistent with the purposes of this article. The
33 election division and each county election board shall use the filing and
34 coding system. The coding system must provide:

- 35 (1) not more than ten (10) codes to account for various campaign
36 expenditure items; and
- 37 (2) a clear explanation of the kinds of expenditure items that must
38 be accounted for under each code.

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



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

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

5 (3) Provide for electronic submission, retrieval, storage, and
6 disclosure of campaign finance reports of candidates for the
7 following:

8 (A) Legislative office.

9 (B) State office.

10 The election division shall provide training at no cost to
11 candidates to enable candidates described in this subdivision to
12 file campaign finance reports electronically.

13 (c) The election division shall notify each candidate's committee
14 that the election division will provide at the committee's request at no
15 cost a standardized software program to permit the committee to install
16 the software on a computer and generate an electronic version of the
17 reports and statements required to be filed with the election division
18 under this article. However, the election division is not required to
19 provide or alter the software program to make the program compatible
20 for installation or operation on a specific computer.

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

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

23 (2) A political action committee that has received more than fifty
24 thousand dollars (\$50,000) in contributions since the close of the
25 previous reporting period.

26 The committee must file electronically the report or statement required
27 under this article with the election division using a standardized
28 software program supplied to the committee without charge under
29 subsection (c) or another format approved by the election division. An
30 electronic filing approved by the election division under this subsection
31 may not require manual reentry into a computer system of the data
32 contained in the report or statement in order to make the data available
33 to the general public under subsection (g).

34 (e) This subsection applies to an electronic submission under
35 subsection (b)(3). An electronic submission must be in a format
36 previously approved by the ~~commission~~ **election division** that permits
37 the election division to print out a hard copy of the report after the
38 receipt of the electronic submission from the candidate. Filing of a
39 report occurs under IC 3-5-2-24.5 on the date and at the time
40 electronically recorded by the election division's computer system. If
41 a discrepancy exists between the text of the electronic submission and
42 the printed report, the text of the printed report prevails until an



1 amendment is filed under this article to correct the discrepancy.

2 (f) The election division is not required to accept an electronic
3 submission unless the submission complies with subsection (b)(3).
4 Upon receiving approval from the commission, the election division
5 may accept an electronic submission from candidates, committees, or
6 persons described in subsection (b)(3).

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

10 SECTION 74. IC 3-9-4-17, AS AMENDED BY P.L.225-2011,
11 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2015]: Sec. 17. (a) In addition to any other penalty imposed,
13 a person who does any of the following is subject to a civil penalty
14 under this section:

15 (1) Fails to file with a county election board a report in the
16 manner required under IC 3-9-5.

17 (2) Fails to file a statement of organization required under
18 IC 3-9-1.

19 (3) Is a committee or a member of a committee who disburses or
20 expends money or other property for any political purpose before
21 the money or other property has passed through the hands of the
22 treasurer of the committee.

23 (4) Makes a contribution other than to a committee subject to this
24 article or to a person authorized by law or a committee to receive
25 contributions in the committee's behalf.

26 (5) Is a corporation or labor organization that exceeds any of the
27 limitations on contributions prescribed by IC 3-9-2-4.

28 (6) Makes a contribution in the name of another person.

29 (7) Accepts a contribution made by one (1) person in the name of
30 another person.

31 (8) Is not the treasurer of a committee subject to this article, and
32 pays any expenses of an election or a caucus except as authorized
33 by this article.

34 (9) Commingles the funds of a committee with the personal funds
35 of an officer, a member, or an associate of the committee.

36 (10) Wrongfully uses campaign contributions in violation of
37 IC 3-9-3-4.

38 (11) Fails to designate a contribution as required by IC 3-9-2-5(c).

39 (12) Violates IC 3-9-3-5.

40 (13) Serves as a treasurer of a committee in violation of any of the
41 following:

42 (A) IC 3-9-1-13(1).



1 (B) IC 3-9-1-13(2).

2 (C) IC 3-9-1-18.

3 (14) Violates IC 3-9-3-2.5 by making a communication that
4 contains a disclaimer that is not presented in a clear and
5 conspicuous manner, as required by IC 3-9-3-2.5(d) and
6 IC 3-9-3-2.5(e). This subdivision does not apply to a person
7 whose sole act is, in the normal course of business, participating
8 in the preparation, printing, distribution, or broadcast of the
9 communication containing the disclaimer.

10 (b) This subsection applies to a person who is subject to a civil
11 penalty under subsection (a)(1) or (a)(2) for filing a defective report or
12 statement. If the county election board determines that a person failed
13 to file the report or a statement of organization not later than noon five
14 (5) days after being given notice under section 14 of this chapter, the
15 county election board may assess a civil penalty. The penalty is ten
16 dollars (\$10) for each day the report is late after the expiration of the
17 five (5) day period, not to exceed one hundred dollars (\$100) plus any
18 investigative costs incurred and documented by the board. The civil
19 penalty limit under this subsection applies to each report separately.

20 (c) This subsection applies to a person who is subject to a civil
21 penalty under subsection (a)(1) or (a)(2) for a delinquent report or
22 statement. If the county election board determines that a person failed
23 to file the report or statement of organization by the deadline prescribed
24 under this article, the board shall assess a civil penalty. The penalty is
25 fifty dollars (\$50) for each day the report is late, with the afternoon of
26 the final date for filing the report or statement being calculated as the
27 first day. The civil penalty under this subsection may not exceed one
28 thousand dollars (\$1,000) plus any investigative costs incurred and
29 documented by the board. The civil penalty limit under this subsection
30 applies to each report separately.

31 (d) This subsection applies to a person who is subject to a civil
32 penalty under subsection (a)(3), (a)(4), (a)(6), (a)(7), (a)(8), (a)(9), or
33 (a)(10). If the county election board determines that a person is subject
34 to a civil penalty under subsection (a), the board may assess a civil
35 penalty of not more than one thousand dollars (\$1,000), plus any
36 investigative costs incurred and documented by the board.

37 (e) This subsection applies to a person who is subject to a civil
38 penalty under subsection (a)(5). If the county election board determines
39 that a person is subject to a civil penalty under subsection (a)(5), the
40 board may assess a civil penalty of not more than three (3) times the
41 amount of the contribution in excess of the limit prescribed by
42 IC 3-9-2-4, plus any investigative costs incurred and documented by



1 the board.

2 (f) This subsection applies to a person who is subject to a civil
3 penalty under subsection (a)(11). If the county election board
4 determines that a corporation or a labor organization has failed to
5 designate a contribution in violation of IC 3-9-2-5(c), the board shall
6 assess a civil penalty equal to the greater of the following, plus any
7 investigative costs incurred and documented by the board:

8 (1) Two (2) times the amount of the contributions undesignated.

9 (2) One thousand dollars (\$1,000).

10 (g) This subsection applies to a person who is subject to a civil
11 penalty under subsection (a)(12). If the county election board
12 determines, by unanimous vote of the entire membership of the board,
13 that a person has violated IC 3-9-3-5, the board may assess a civil
14 penalty of not more than five hundred dollars (\$500), plus any
15 investigative costs incurred and documented by the board.

16 (h) This subsection applies to a person who is subject to a civil
17 penalty under subsection (a)(13). If the county election board
18 determines, by unanimous vote of the entire membership of the board,
19 that a person has served as the treasurer of a committee in violation of
20 any of the statutes listed in subsection (a)(13), the board may assess a
21 civil penalty of not more than five hundred dollars (\$500), plus any
22 investigative costs incurred and documented by the board.

23 (i) This subsection applies to a person who is subject to a civil
24 penalty under subsection (a)(14). If the board determines that a person
25 is subject to a civil penalty under subsection (a)(14), the board may
26 assess a civil penalty of not more than one thousand dollars (\$1,000)
27 for each communication circulated or published (but not for each of the
28 copies of the communication actually circulated or published), plus any
29 investigative costs incurred and documented by the election division.

30 (j) All civil penalties collected under this section shall be deposited
31 with the county treasurer to be deposited by the county treasurer in a
32 separate account. ~~to be known as the campaign finance enforcement~~
33 ~~account.~~ The funds in the account are available, with the approval of
34 the county fiscal body, to augment and supplement the funds
35 appropriated for the administration of this ~~article:~~ **title in the county.**

36 (k) Money in the ~~campaign finance enforcement~~
37 ~~established under subsection (j)~~ **account** does not revert to the county general
38 fund at the end of a county fiscal year.

39 (l) Proceedings of the county election board under this section are
40 subject to IC 4-21.5.

41 SECTION 75. IC 3-9-5-5 IS AMENDED TO READ AS FOLLOWS
42 [EFFECTIVE JULY 1, 2015]: Sec. 5. The treasurer of each committee



1 shall file reports of receipts and expenditures on forms prescribed or
2 approved by the ~~commission~~ **election division**.

3 SECTION 76. IC 3-9-5-20.1, AS AMENDED BY P.L.221-2005,
4 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2015]: Sec. 20.1. (a) This section:

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

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

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

12 (1) A primary election.

13 (2) A general election.

14 (3) A municipal election.

15 (4) A special election.

16 (5) For candidates nominated at a state convention, the state
17 convention.

18 (c) As used in this section, "large contribution" means contributions:

19 (1) that total at least one thousand dollars (\$1,000); and

20 (2) that are received:

21 (A) not more than twenty-five (25) days before an election;
22 and

23 (B) not less than forty-eight (48) hours before an election.

24 (d) The treasurer of a candidate's committee shall file a
25 supplemental large contribution report with the election division or a
26 county election board not later than forty-eight (48) hours after the
27 contribution is received. A candidate for a legislative office shall file
28 a report required by this section with the election division and the
29 county election board as required by section 3 of this chapter. A report
30 filed under this section may be filed by facsimile (fax) transmission.

31 (e) A report required by subsection (d) must contain the following
32 information for each large contribution:

33 (1) The name of the person making the contribution.

34 (2) The address of the person making the contribution.

35 (3) If the person making the contribution is an individual, the
36 individual's occupation.

37 (4) The total amount of the contribution.

38 (5) The dates and times the contributions making up the large
39 contribution were received by the treasurer, the candidate, or the
40 candidate's committee.

41 (f) The ~~commission~~ **election division** shall prescribe the form for
42 the report required by this section.



1 SECTION 77. IC 3-9-5-22, AS ADDED BY P.L.221-2005,
 2 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2015]: Sec. 22. (a) This section applies only to a large
 4 contribution that is received by a candidate for a state office, the
 5 candidate's committee, or the treasurer of the candidate's committee.

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

7 (1) For a candidate nominated at a primary election, the primary
 8 election.

9 (2) For a candidate nominated at a state convention, the state
 10 convention.

11 (3) A general election.

12 (c) As used in this section, "large contribution" means either of the
 13 following:

14 (1) Contributions:

15 (A) that total at least one thousand dollars (\$1,000); and

16 (B) that are received:

17 (i) after the end of a reporting period and before the deadline
 18 for the candidate's committee to file a report under section
 19 6 of this chapter; and

20 (ii) not less than forty-eight (48) hours before an election.

21 (2) A single contribution that is at least ten thousand dollars
 22 (\$10,000) that is received at any time.

23 (d) The treasurer of a candidate's committee shall file a
 24 supplemental large contribution report with the election division not
 25 later than:

26 (1) forty-eight (48) hours after a contribution described by
 27 subsection (c)(1) is received; or

28 (2) noon seven (7) days after a contribution described by
 29 subsection (c)(2) is received.

30 (e) A report filed under this section may be filed by facsimile
 31 transmission or as an electronic report when the requirements of
 32 IC 3-9-4 or this chapter have been met. A report required by subsection

33 (d) must contain the following information for each large contribution:

34 (1) The name of the person making the contribution.

35 (2) The address of the person making the contribution.

36 (3) If the person making the contribution is an individual, the
 37 individual's occupation.

38 (4) The total amount of the contribution.

39 (5) The dates and times the contributions making up the large
 40 contribution described in subsection (c)(1) or a large contribution
 41 described in subsection (c)(2) were received by the treasurer, the
 42 candidate, or the candidate's committee.



1 (f) The ~~commission~~ **election division** shall prescribe the form for
2 the report required by this section.

3 SECTION 78. IC 3-10-1-7.1, AS AMENDED BY P.L.76-2014,
4 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2015]: Sec. 7.1. (a) This subsection does not apply to a county
6 in which electronic poll books are used under ~~IC 3-7-29-6~~
7 **IC 3-7-29-6(a)(1)** or IC 3-11-18.1. Each county election board shall
8 furnish the inspector of each precinct for use on primary election day
9 a certified copy under IC 3-7-29 of the list of all voters registered to
10 vote in the precinct.

11 (b) This subsection does not apply to a county in which electronic
12 poll books are used under ~~IC 3-7-29-6~~ **IC 3-7-29-6(a)(1)** or
13 IC 3-11-18.1. The county voter registration office may also provide the
14 inspector of each precinct in the county a certified photocopy of the
15 signature on the affidavit or form of registration of each voter of the
16 precinct for the comparison of signatures under section 24.6 of this
17 chapter.

18 (c) If the name of a person offering to vote at the primary is in the
19 registration record or listed in the certified copy prepared for the
20 precinct or the electronic poll list, it is sufficient evidence of the
21 person's right to vote unless the person is challenged.

22 SECTION 79. IC 3-10-1-31.1, AS AMENDED BY HEA
23 1139-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS
24 [EFFECTIVE JULY 1, 2015]: Sec. 31.1. (a) This section applies only
25 to election materials for elections held after December 31, 2003.

26 (b) The inspector of each precinct shall deliver the bags required by
27 section 30(a) and 30(c) of this chapter in good condition, together with
28 poll lists, tally sheets, and other forms, to the circuit court clerk when
29 making returns.

30 (c) Except for unused ballots disposed of under IC 3-11-3-31 or
31 affidavits received by the county election board under IC 3-14-5-2 for
32 delivery to the foreman of a grand jury, the circuit court clerk shall seal
33 the ballots (including provisional ballots) and other material (including
34 election material related to provisional ballots) during the time allowed
35 to file a verified petition or cross-petition for a recount of votes or to
36 contest the election. Except as provided in subsection (d) and
37 notwithstanding any other provision of state law, after the recount or
38 contest filing period, the election material, including election material
39 related to provisional ballots (except for ballots and provisional ballots,
40 which remain confidential) shall be made available for copying and
41 inspection under IC 5-14-3. The circuit court clerk shall carefully
42 preserve the sealed ballots and other material for twenty-two (22)



1 months, as required by 52 U.S.C. 20701, after which the sealed ballots
 2 and other material are subject to IC 5-15-6 unless an order issued
 3 under:

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

5 (2) 52 U.S.C. 10301;

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

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

9 (e) Upon delivery of the poll lists, the county voter registration
 10 office shall unseal the envelopes containing the poll lists, inspect the
 11 poll lists, and update the registration records of the county. The county
 12 voter registration office shall use the poll lists and information on
 13 affidavits executed under IC 3-10-10, IC 3-10-11, or IC 3-10-12 to
 14 update the registration record to include the voter's voter identification
 15 number if the voter's voter identification number is not already
 16 included in the registration record. Upon completion of the inspection,
 17 the poll list and affidavits shall be preserved with the ballots and other
 18 materials in the manner prescribed by subsection (c) for the period
 19 prescribed by subsections (c) and (d).

20 **(f) In addition to the poll lists described in subsection (e), the**
 21 **county voter registration office shall use the affidavits described by**
 22 **IC 3-10-11-4 to update the registration records of the county as**
 23 **soon as the affidavits are delivered to the county voter registration**
 24 **office.**

25 ~~(f)~~ (g) This subsection does not apply to ballots, including
 26 provisional ballots. Notwithstanding subsection (c), if a county voter
 27 registration office determines that the inspection and copying of
 28 precinct election material would reveal the political parties, candidates,
 29 and public questions for which an individual cast an absentee ballot,
 30 the county voter registration office shall keep confidential only that part
 31 of the election material necessary to protect the secrecy of the voter's
 32 ballot. In addition, the county voter registration office shall keep
 33 confidential information contained in material related to provisional
 34 ballots that identifies an individual, except for the individual's name,
 35 address, and birth date.

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

40 ~~(h)~~ (i) This subsection applies to a detachable recording unit or
 41 compartment used to record a ballot cast on a direct record electronic
 42 voting system. After the time allowed to file a verified petition or



1 cross-petition for a recount of votes or to contest the election, the
 2 circuit court clerk shall transfer the data contained in the unit or
 3 compartment to a disc or other recording medium. After transferring
 4 the data, the clerk may clear or erase the unit or compartment. The
 5 circuit court clerk shall carefully preserve the disc or medium used to
 6 record the data for twenty-two (22) months, as required by 52 U.S.C.
 7 20701, after which time the disc or medium may be erased or
 8 destroyed, subject to IC 5-15-6, unless an order requiring the continued
 9 preservation of the disc or medium is issued under the following:

- 10 (1) IC 3-12-6-19.
 11 (2) IC 3-12-11-16.
 12 (3) 52 U.S.C. 10301.

13 SECTION 80. IC 3-10-5-17 IS AMENDED TO READ AS
 14 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 17. The election
 15 required by section 1 of this chapter shall be conducted by ballot. The
 16 ballot must state first the substance of the proposed constitutional
 17 amendment, followed by appropriate instructions to the voters. The
 18 ballot then must be in the form prescribed by the ~~commission~~ **election**
 19 **division**. The names of the nominees in favor of ratification shall be
 20 placed in the column headed "For Ratification". The names of the
 21 nominees against ratification shall be placed in the column headed
 22 "Against Ratification".

23 SECTION 81. IC 3-10-7-7 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. ~~(a) If a town election~~
 25 ~~board consisting of three (3) members is established in each town~~
 26 ~~except a town that:~~

- 27 ~~(1) has entered into an agreement with the county election board~~
 28 ~~under section 4 of this chapter;~~
 29 ~~(2) is located in a county having a consolidated city; or~~
 30 ~~(3) has a population of less than five hundred (500) and has not~~
 31 ~~adopted and filed a resolution under section 5.5 of this chapter.~~

32 **under section 5.5 of this chapter,**
 33 ~~(b) the town election board consists of the following three (3)~~
 34 ~~members:~~

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

38 SECTION 82. IC 3-10-10-7 IS AMENDED TO READ AS
 39 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. The affidavits for
 40 presidential voting under this chapter must contain the following
 41 information:

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



- 1 (2) The person's assigned identification number.
 2 (3) The person's ~~birthplace and~~ date of birth.
 3 (4) Whether the person is a citizen of the United States.
 4 (5) The person's present residence address.
 5 (6) The address of the person's previous residence in Indiana,
 6 including the county.
 7 (7) The person's statement that the person satisfies the conditions
 8 set forth in section 3 of this chapter.
- 9 SECTION 83. IC 3-10-10-8 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. The ~~commission~~
 11 **election division** shall prescribe the form of the affidavit required by
 12 this chapter.
- 13 SECTION 84. IC 3-10-11-4, AS AMENDED BY P.L.194-2013,
 14 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2015]: Sec. 4. (a) Notwithstanding other provisions of this
 16 title concerning residency requirements for voting, but subject to
 17 subsection (b), a person described in section 2 of this chapter may vote
 18 in the precinct of the person's former residence by executing an
 19 affidavit described in this chapter.
- 20 (b) A person who changes residence from a location:
 21 (1) outside a municipality to a location within a municipality; or
 22 (2) within a municipality to a location outside a municipality;
 23 less than thirty (30) days before a municipal primary election,
 24 municipal election, or special election held only within the
 25 municipality may not vote in the municipal primary election, municipal
 26 election, or special election held only within the municipality in the
 27 precinct of the person's former residence.
- 28 **(c) This subsection applies to a county that has adopted an order**
 29 **under IC 3-7-29-6 or is a vote center county under IC 3-11-18.1-1.**
 30 **A voter may make a written affirmation under this section on**
 31 **election day using the affidavit described by this section. If the**
 32 **voter makes an oral affirmation, the poll clerks shall reduce the**
 33 **substance of the affirmation to writing using the affidavit**
 34 **described by this section and initial the affirmation.**
- 35 SECTION 85. IC 3-10-11-5, AS AMENDED BY P.L.64-2014,
 36 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 JULY 1, 2015]: Sec. 5. An affidavit executed under this chapter must
 38 contain the following information:
 39 (1) The person's last, first, and middle name, in that order.
 40 (2) The person's date of birth.
 41 (3) Whether the person is a United States citizen.
 42 (4) The person's current address, including the county. If the



1 person resides in a municipality, the address must include the
 2 street address, including apartment number or other designation,
 3 or the name and room number of the hotel or lodging house. If the
 4 person does not reside in a municipality, the address must include
 5 the mailing address and the street or road.

6 (5) The address of the person's previous residence, including the
 7 county.

8 (6) The person's statement that the person satisfies the conditions
 9 set forth in section 2 of this chapter.

10 **(7) Responses to the questions listed in IC 3-7-22-5(3) and**
 11 **IC 3-7-22-5(4).**

12 ~~(7)~~ **(8)** The person's voter identification number to permit transfer
 13 of the registration under IC 3-7-13-13.

14 SECTION 86. IC 3-10-11-6 IS AMENDED TO READ AS
 15 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. The ~~commission~~
 16 **election division** shall prescribe the form of the affidavit required by
 17 this chapter that must permit the person to execute a request for
 18 transfer of the person's registration.

19 SECTION 87. IC 3-10-12-4, AS AMENDED BY P.L.194-2013,
 20 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2015]: Sec. 4. (a) The written affirmation described in section
 22 3.4 of this chapter may be executed as follows:

23 (1) At the county voter registration office for the county of the
 24 precinct of the person's former residence, not later than 4 p.m. on
 25 the day before the election.

26 (2) Before the inspector of the precinct of the person's former
 27 residence, if the application and statement are executed on the day
 28 of the election.

29 (3) When the application for an absentee ballot is filed with the
 30 county election board of the county of the precinct of the person's
 31 former residence.

32 (b) If the person executes the affidavit under this section at the
 33 county voter registration office before the day of the election, the office
 34 shall furnish a copy of the affirmation to the person. The person shall
 35 present the copy to the inspector of the precinct of the person's former
 36 residence when the person offers to vote in that precinct under
 37 IC 3-11-8.

38 (c) If the person executes the affirmation under this section when
 39 filing an application for an absentee ballot, the county election board
 40 shall attach the original or a copy of the affirmation to the person's
 41 application for an absentee ballot before the application and ballot are
 42 delivered to the inspector of the precinct of the person's former



1 residence.

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

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

9 (2) Return the original affirmation to the county election board.
10 The county election board shall forward the affidavit and any
11 completed voter registration application to the county voter registration
12 office after the closing of the polls.

13 **(e) This subsection applies to a county that has adopted an order**
14 **under IC 3-7-29-6 or is a vote center county under IC 3-11-18.1-1.**
15 **A voter may make a written affirmation under section 3.4 of this**
16 **chapter on election day using the affidavit described by**
17 **IC 3-10-11-4. If the voter makes an oral affirmation under section**
18 **3.4 of this chapter, the poll clerks shall reduce the substance of the**
19 **affirmation to writing using the affidavit described by IC 3-10-11-4**
20 **and initial the affirmation.**

21 SECTION 88. IC 3-11-1.5-3 IS AMENDED TO READ AS
22 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) Except as
23 provided in:

24 (1) subsection (b);
25 (2) subsection (c);
26 (3) section 3.2 of this chapter; or
27 (4) section 3.5 of this chapter;

28 a county executive shall establish precincts so that a precinct contains
29 ~~no not~~ more than ~~one two~~ thousand ~~two hundred~~ (~~1,200~~) **(2,000)** active
30 voters.

31 (b) This subsection applies to a precinct that includes:

32 (1) an entire township, but does not cross a township boundary in
33 violation of section 4 of this chapter;
34 (2) an entire city legislative body district, but does not cross the
35 boundary of a city legislative body district;
36 (3) an entire town legislative body district, but does not cross the
37 boundary of a town legislative body district; or
38 (4) one (1) residential structure containing more than ~~one two~~
39 thousand ~~two hundred~~ (~~1,200~~) **(2,000)** active voters and no other
40 residential structure containing voters.

41 In changing precincts or establishing new precincts, a county executive
42 shall arrange a precinct so that it will contain ~~no not~~ more than ~~one two~~



1 thousand ~~five~~ **three** hundred ~~(1,500)~~ **(2,300)** active voters.

2 (c) A county executive is not required to establish precincts so that
3 a precinct contains not more than ~~one two~~ thousand ~~two hundred~~
4 ~~(1,200)~~ **(2,000)** active voters if the precinct:

5 (1) was established by the county executive in compliance with
6 subsection (a) within the preceding forty-eight (48) months; and

7 (2) contains not more than ~~one two~~ thousand ~~four two~~ hundred
8 ~~(1,400)~~ **(2,200)** active voters.

9 SECTION 89. IC 3-11-1.5-10.9 IS ADDED TO THE INDIANA
10 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
11 [EFFECTIVE JULY 1, 2015]: **Sec. 10.9. A reference to a census**
12 **block identified as required by section 15(2) of this chapter in an**
13 **order described in section 14 of this chapter refers to the census**
14 **block as it existed on the date of the adoption of the order. A**
15 **change in a census block issued by the Bureau of the Census**
16 **following the date of adoption of the order does not alter the**
17 **precincts established by the order.**

18 SECTION 90. IC 3-11-3-11, AS AMENDED BY HEA 1138-2015,
19 SECTION 154, IS AMENDED TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2015]: Sec. 11. (a) Except as provided in
21 subsection (b), the county election board shall deliver the following to
22 each inspector or the inspector's representative:

23 (1) The supplies provided for the inspector's precinct by the
24 election division.

25 (2) The sample ballots, the ballot labels, if any, and all poll lists,
26 registration lists, and other supplies considered necessary to
27 conduct the election in the inspector's precinct.

28 (3) The ballots printed under the direction of the county election
29 board as follows:

30 (A) In those precincts where ballot card voting systems are to
31 be used, the number of ballots at least equal to one hundred
32 percent (100%) of the number of voters in the inspector's
33 precinct, according to the poll list.

34 (B) In those precincts where electronic voting systems are to
35 be used, the number of ballots that will be required to be
36 printed and furnished to the precincts for emergency purposes
37 only.

38 (C) Provisional ballots in the number considered necessary by
39 the county election board.

40 (4) Twenty (20) ink pens suitable for printing the names of
41 write-in candidates on the ballot or ballot envelope.

42 (5) Copies of the voter's bill of rights for posting as required by 52



- 1 U.S.C. 21082.
- 2 (6) Copies of the instructions for a provisional voter required by
- 3 52 U.S.C. 21082. The county election board shall provide at least
- 4 the number of copies of the instructions as the number of
- 5 provisional ballots provided under subdivision (3).
- 6 (7) Copies of the notice for posting as required by IC 3-7-29-1(f).
- 7 (8) The blank voter registration applications required to be
- 8 provided under IC 3-7-48-7(b).
- 9 (b) This subsection applies to a county that:
- 10 (1) has adopted an order under ~~IC 3-7-29-6~~; **IC 3-7-29-6(a)(1)**; or
- 11 (2) is a vote center county under IC 3-11-18.1.
- 12 The county election board shall deliver and install the hardware,
- 13 firmware, and software necessary to use an electronic poll book in each
- 14 precinct or vote center.
- 15 SECTION 91. IC 3-11-3-16, AS AMENDED BY P.L.64-2014,
- 16 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 17 JULY 1, 2015]: Sec. 16. (a) Except as provided in subsection (b), each
- 18 county election board shall prepare and have delivered to the inspectors
- 19 of the precincts, at the time they receive the ballots for their precincts,
- 20 a suitable number of voter registration lists certified under IC 3-7-29
- 21 and any other forms, papers, certificates, and oaths that are required to
- 22 be furnished to precinct election boards. The forms and papers must be
- 23 prepared in compliance with IC 3-5-4-8.
- 24 (b) In a county described by ~~IC 3-7-29-6~~ **IC 3-7-29-6(a)(1)** or
- 25 IC 3-11-18.1, the electronic poll books shall be delivered and installed
- 26 for use by the county election board under section 11(b) of this chapter.
- 27 (c) The county voter registration office shall cooperate with the
- 28 county election board in the preparation of the lists certified under
- 29 IC 3-7-29 (or in the use of the electronic poll books).
- 30 SECTION 92. IC 3-11-3-29, AS AMENDED BY P.L.194-2013,
- 31 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 32 JULY 1, 2015]: Sec. 29. (a) If a new candidate is appointed or selected
- 33 under IC 3-13-1 or IC 3-13-2 after the printing of ballots and before the
- 34 election, the election board ~~may~~ **shall** print ballots containing the name
- 35 of the new candidate, **except as provided in section 29.5 of this**
- 36 **chapter.**
- 37 (b) If a candidate entitled to be placed on the ballot changes the
- 38 candidate's legal name after the printing of ballots and before the
- 39 election, the board is not required to reprint ballots to reflect the change
- 40 of legal name.
- 41 SECTION 93. IC 3-11-3-29.3, AS ADDED BY P.L.194-2013,
- 42 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 UPON PASSAGE]: Sec. 29.3. (a) This section applies to a candidate
 2 who has filed with the secretary of state or election division as a
 3 candidate for nomination in a primary election.

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

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

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

11 (c) The county election board shall not print the name of a deceased
 12 candidate described in subsection (b) on a primary ballot. However, if
 13 the county election board has already printed ballots containing the
 14 name of the deceased candidate, the county may provide those ballots
 15 to voters and shall not reprint the ballot to remove the name of the
 16 deceased candidate.

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

20 (e) Any vote cast for a deceased candidate in the primary election
 21 is void:

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

25 SECTION 94. IC 3-11-3-29.4, AS AMENDED BY P.L.76-2014,
 26 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 UPON PASSAGE]: Sec. 29.4. (a) This section applies to a candidate
 28 who has filed with a circuit court clerk or board of elections and
 29 registration as a candidate for:

30 (1) nomination in a primary election or municipal primary
 31 election; or

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

33 (b) If the county election board determines by unanimous vote of the
 34 entire membership that there is good cause to believe that a candidate
 35 has died, the board shall not print the name of the candidate on the
 36 primary ballot.

37 (c) However, if the county election board has already printed ballots
 38 containing the name of the deceased candidate, the county may provide
 39 those ballots to voters and shall not reprint the ballot to remove the
 40 name of the deceased candidate.

41 (d) A voter who has cast a ballot containing the name of a deceased
 42 candidate is entitled to request a replacement absentee ballot under



1 IC 3-11-10-1.5.

2 (e) Any vote cast for a deceased candidate in the primary election
3 is void:

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

7 SECTION 95. IC 3-11-4-1.5 IS ADDED TO THE INDIANA CODE
8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
9 1, 2015]: **Sec. 1.5. The provisions of this chapter relating to an**
10 **absentee ballot application do not apply to a voter who votes:**

11 (1) **in person under IC 3-11-10-26 or IC 3-11-10-26.3; and**

12 (2) **in a county using an electronic poll book.**

13 SECTION 96. IC 3-11-4-2, AS AMENDED BY P.L.64-2014,
14 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2015]: **Sec. 2. (a)** A voter who wants to vote by absentee
16 ballot must apply to the county election board for an official absentee
17 ballot. Except as provided in subsection (b), the voter must sign the
18 absentee ballot application.

19 (b) If a voter with disabilities is unable to sign the absentee ballot
20 application and the voter has not designated an individual to serve as
21 attorney in fact for the voter, the ~~county election board~~ voter may
22 designate an individual **eligible to assist the voter under**
23 **IC 3-11-9-2(a)** to sign the application on behalf of the voter **and add**
24 **the individual's name to the application.** If an individual applies for
25 an absentee ballot as the properly authorized attorney in fact for a
26 voter, the attorney in fact must attach a copy of the power of attorney
27 to the application and comply with subsection (d).

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

31 (1) The name of the individual.

32 (2) The voter registration address of the individual.

33 (3) The mailing address of the individual.

34 (4) The date of birth of the individual.

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

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

40 (2) In a primary election, the major political party ballot requested
41 by the individual.

42 (3) In a primary or general election, the types of absentee ballots



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



1 the board;
 2 whichever occurs first. The election division, a county election board,
 3 or a board of elections and registration shall forward an absentee ballot
 4 application to the county election board or board of elections and
 5 registration of the county where the individual resides.

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

15 (1) A statement of the full name, residence and mailing address,
 16 and daytime and evening telephone numbers (if any) of the person
 17 submitting the application.

18 (2) A statement that the person filing the affidavit has complied
 19 with Indiana laws governing the submission of absentee ballot
 20 applications.

21 (3) ~~Beginning January 1, 2015~~; The date (or dates) that the
 22 absentee ballot applications attached to the affidavit were
 23 received.

24 (4) A statement that the person has no knowledge or reason to
 25 believe that the individual whose application is to be filed:

26 (A) is ineligible to vote or to cast an absentee ballot; or

27 (B) did not properly complete and sign the application.

28 (5) A statement that the person is executing the affidavit under the
 29 penalties of perjury.

30 (6) A statement setting forth the penalties for perjury.

31 (i) The county election board shall record the date and time of the
 32 filing of the affidavit.

33 SECTION 97. IC 3-11-4-3, AS AMENDED BY P.L.219-2013,
 34 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2015]: Sec. 3. (a) Except as provided in section 6 of this
 36 chapter, an application for an absentee ballot must be received by the
 37 circuit court clerk (or, in a county subject to IC 3-6-5.2, the director of
 38 the board of elections and registration) not earlier than the date the
 39 registration period resumes under IC 3-7-13-10 nor later than the
 40 following:

41 (1) Noon on election day if the voter registers to vote under
 42 IC 3-7-36-14.



- 1 (2) Noon on the day before election day if the voter:
 2 (A) completes the application in the office of the circuit court
 3 clerk under IC 3-11-10-26; or
 4 (B) is an absent uniformed services voter or overseas voter
 5 who requests that the ballot be transmitted by electronic mail
 6 or fax under section 6(h) of this chapter.
- 7 (3) Noon on the day before election day if:
 8 (A) the application is a mailed, transmitted by fax, or hand
 9 delivered application from a confined voter or voter caring for
 10 a confined person; and
 11 (B) the applicant requests that the absentee ballots be
 12 delivered to the applicant by an absentee voter board under
 13 IC 3-11-10-25.
- 14 (4) 11:59 p.m. on the eighth day before election day if the
 15 application is:
 16 (A) ~~is~~ a mailed application;
 17 **(B) transmitted by electronic mail;**
 18 ~~(B) was~~ **(C)** transmitted by fax; or
 19 ~~(C) was~~ **(D)** hand delivered;
 20 from other voters who request to vote by mail under
 21 IC 3-11-10-24.
- 22 (b) An application for an absentee ballot received by the election
 23 division by the time and date specified by subsection (a)(2)(B), (a)(3),
 24 or (a)(4) is considered to have been timely received for purposes of
 25 processing by the county. The election division shall immediately
 26 transmit the application to the circuit court clerk, or the director of the
 27 board of elections and registration, of the county where the applicant
 28 resides. The election division is not required to complete or file the
 29 affidavit required under section 2(h) of this chapter whenever the
 30 election division transmits an application under this subsection.
- 31 **(c) This subsection applies whenever a special election is**
 32 **conducted during a year in which a general or municipal election**
 33 **is not scheduled. An application for an absentee ballot for a**
 34 **primary being conducted in the following year may not be received**
 35 **by the circuit court clerk (or, in a county subject to IC 3-6-5.2, the**
 36 **director of the board of elections and registration) earlier than the**
 37 **date the registration period resumes under IC 3-7-13-10.**
- 38 SECTION 98. IC 3-11-4-4, AS AMENDED BY HEA 1139-2015,
 39 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2015]: Sec. 4. (a) Applications may be made on application
 41 forms approved by the ~~commission~~ **election division** by any of the
 42 following means:



- 1 (1) In person.
 2 (2) By fax transmission.
 3 (3) By mail (including United States mail or bonded courier).
 4 (4) By electronic mail with a digital image of the application and
 5 signature of the applicant. ~~if transmitted by an absent uniformed~~
 6 ~~services voter or an overseas voter acting under section 6 of this~~
 7 ~~chapter.~~
 8 (b) Application forms shall:
 9 (1) be furnished to a central committee of the county at the
 10 request of the central committee;
 11 (2) be:
 12 (A) mailed;
 13 (B) transmitted by fax; or
 14 (C) transmitted by electronic mail with a digital image of the
 15 application;
 16 upon request, to a voter; and
 17 (3) be delivered to a voter in person who applies at the circuit
 18 court clerk's office.
 19 (c) A county election board shall accept an application for an
 20 absentee ballot transmitted by fax even though the application is
 21 delivered to the county election board by a person other than the person
 22 submitting the application.
 23 (d) When an application is received under subsection (a)(4), the
 24 circuit court clerk's office (or, in a county subject to IC 3-6-5.2 or
 25 IC 3-6-5.4, the office of the board of elections and registration) shall
 26 send an electronic mail receipt acknowledging receipt of the voter's
 27 application.
 28 SECTION 99. IC 3-11-4-5.1, AS AMENDED BY P.L.64-2014,
 29 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 UPON PASSAGE]: Sec. 5.1. (a) The ~~commission~~ **election division**
 31 shall prescribe the form of an application for an absentee ballot.
 32 (b) This subsection does not apply to the form for an absentee ballot
 33 application to be submitted by an absent uniformed services voter or
 34 overseas voter that contains a standardized oath for those voters. The
 35 form of the application for an absentee ballot must do all of the
 36 following:
 37 (1) Require the applicant to swear to or affirm under the penalties
 38 of perjury that all of the information set forth on the application
 39 is true to the best of the applicant's knowledge and belief.
 40 (2) Require a person who assisted with the completion of the
 41 application to swear to or affirm under the penalties of perjury the
 42 statements set forth in section 2(f) of this chapter.



- 1 (3) Serve as a verified statement for a voter to indicate a change
 2 of name under IC 3-7-41. The form must require the applicant to
 3 indicate the applicant's previous name.
 4 (4) Set forth the penalties for perjury.
- 5 (c) The form prescribed by the **commission election division** shall
 6 require that a voter who:
 7 (1) requests an absentee ballot; and
 8 (2) is eligible to vote in the precinct under IC 3-10-11 or
 9 IC 3-10-12;
 10 must include the affidavit required by IC 3-10-11 or a written
 11 affirmation described in IC 3-10-12.
- 12 (d) The **commission election division** shall approve absentee ballot
 13 application forms that comply with this subsection and section 2(g) of
 14 this chapter and permit the applicant to indicate a change of name
 15 under subsection (b). The form prescribed by the **commission election**
 16 **division** must request that a voter who requests an absentee ballot:
 17 (1) provide the last four (4) digits of the voter's Social Security
 18 number; or
 19 (2) state that the voter does not have a Social Security number.
 20 The form must indicate that the voter's compliance with this request is
 21 optional.
- 22 (e) An application form submitted by a voter must:
 23 (1) comply with subsection (d); or
 24 (2) be an earlier approved version of an application form
 25 authorized for use on June 30, 2013.
- 26 (f) The form prescribed by the **commission election division** must
 27 include a statement that permits an applicant to indicate whether:
 28 (1) the applicant has been certified and is currently a participant
 29 in the address confidentiality program under IC 5-26.5-2; and
 30 (2) the applicant's legal **residence address** is at the address set
 31 forth in the applicant's voter registration.
- 32 If the applicant confirms these statements, the applicant may indicate
 33 the address of the office of the attorney general as the address to which
 34 the absentee ballot is to be mailed.
- 35 SECTION 100. IC 3-11-4-5.7, AS AMENDED BY HEA
 36 1138-2015, SECTION 157, IS AMENDED TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2015]: Sec. 5.7. (a) As used in this section,
 38 "MOVE" refers to the Military and Overseas Voter Empowerment Act
 39 (P.L. 111-84, Division A, Title V, Subtitle H (Section 575 et seq.)).
 40 (b) As used in this section, "voter" refers only to either of the
 41 following:
 42 (1) An absent uniformed services voter.



- 1 **(2) An overseas voter.**
 2 ~~(b)~~ **(c)** Except as expressly provided by law, the state delegates its
 3 responsibilities to carry out the requirements of MOVE to each county
 4 election board (or board of elections and registration established under
 5 IC 3-6-5.2 or IC 3-6-5.4).
 6 ~~(c)~~ **(d)** To implement 52 U.S.C. 20302, electronic mail, fax, and web
 7 publication are designated as means of communication for ~~an absent~~
 8 ~~uniformed services voter or an overseas a~~ voter to request a voter
 9 registration application and an absentee ballot application from the
 10 election division, a county election board, or a county voter registration
 11 office.
 12 ~~(d)~~ **(e)** An office described in subsection ~~(c)~~ **(d)** that receives an
 13 electronic mail or fax from a voter shall provide an absentee ballot
 14 application or a voter registration application by electronic mail or fax
 15 to the voter if:
 16 (1) requested by the voter; and
 17 (2) the voter provides an electronic mail address or a fax number
 18 that permits the office to send an application not later than the end
 19 of the first business day after the office receives the
 20 communication from the voter.
 21 If the electronic mail address or the fax number provided by the voter
 22 does not permit the office to send the voter an application not later than
 23 the end of the first business day after the office receives the
 24 communication, the office shall send the application to the voter by
 25 United States mail.
 26 ~~(e)~~ **(f)** As required by 52 U.S.C. 20302, to the extent practicable and
 27 permitted under ~~state~~ **Indiana** law (including IC 3-7 and IC 5-14-3), an
 28 office described in subsection ~~(c)~~ **(d)** shall ensure that the procedures
 29 used to transmit an absentee ballot application or a voter registration
 30 application to an absent uniformed services voter or overseas voter
 31 protect the security and integrity of the application request processes,
 32 and that the privacy of the identity and other personal data of the voter
 33 who requests or is sent an application under subsection ~~(d)~~ **(e)** is
 34 protected throughout the process of making the request or being sent
 35 the application.
 36 ~~(f)~~ **(g)** As required under 52 U.S.C. 20302, an office described in
 37 subsection ~~(c)~~ **(d)** shall include information regarding the use of
 38 electronic mail, fax, and web publication with all informational and
 39 instructional materials that are sent with an absentee ballot application
 40 or an absentee ballot to an absent uniformed services voter or overseas
 41 voter.
 42 ~~(g)~~ **(h)** To implement Section 580 of MOVE, and in accordance with



1 IC 3-7-26.3-3, the secretary of state, with the approval of the election
 2 division, shall develop a free access system that permits an absent
 3 uniformed services voter or overseas voter to determine whether the
 4 voter's absentee ballot has been received by the appropriate county
 5 election board (or board of elections and registration), regardless of the
 6 manner in which the absentee ballot was transmitted by the voter to the
 7 board. To the extent permitted by IC 3-7 and IC 5-14-3, the system
 8 must contain reasonable procedures to protect the security,
 9 confidentiality, and integrity of personal information collected, stored,
 10 or otherwise used on the system.

11 SECTION 101. IC 3-11-4-7, AS AMENDED BY HEA 1138-2015,
 12 SECTION 159, IS AMENDED TO READ AS FOLLOWS
 13 [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) An absentee ballot
 14 application under section 6 of this chapter must be made on a standard
 15 form approved under 52 U.S.C. 20301(b) or on the form prescribed by
 16 the ~~commission election division~~ under section 5.1 of this chapter.

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

19 (1) absent uniformed services voter; or

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

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

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

28 SECTION 102. IC 3-11-4-18, AS AMENDED BY HEA 1139-2015,
 29 SECTION 19, AND BY HEA 1138-2015, SECTION 163, IS
 30 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:
 31 Sec. 18. (a) If a voter satisfies any of the qualifications described in
 32 IC 3-11-10-24 that entitle a voter to cast an absentee ballot by mail, the
 33 county election board shall, at the request of the voter, mail the official
 34 ballot, postage fully prepaid, to the voter at the address stated in the
 35 application.

36 (b) If the county election board mails an absentee ballot to a voter
 37 required to file additional documentation with the county voter
 38 registration office before voting by absentee ballot under this chapter,
 39 the board shall include a notice to the voter in the envelope mailed to
 40 the voter under section 20 of this chapter. The notice must inform the
 41 voter that the voter must file the additional documentation required
 42 under IC 3-7-33-4.5 with the county voter registration office not later



1 than noon on election day for the absentee ballot to be counted as an
 2 absentee ballot, and that, if the documentation required under
 3 IC 3-7-33-4.5 is filed after noon and before 6 p.m. on election day, the
 4 ballot will be processed as a provisional ballot. The ~~commission~~
 5 **election division** shall prescribe the form of this notice under
 6 IC 3-5-4-8.

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

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

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

12 whichever is later. If the election board determines that the county
 13 voter registration office has received an application from the applicant
 14 for registration at an address within the precinct indicated on the
 15 application, and the election board determines that this application is
 16 pending under IC 3-7-33, the ballot shall be mailed on the date the
 17 county voter registration office indicates under IC 3-7-33-5(f) that the
 18 applicant is a registered voter.

19 (d) As required by 52 U.S.C. 21081, an election board shall
 20 establish a voter education program (specific to a paper ballot or
 21 optical scan ballot card provided as an absentee ballot under this
 22 chapter) to notify a voter of the effect of casting multiple votes for a
 23 single office.

24 (e) As provided by 52 U.S.C. 21081, when an absentee ballot is
 25 transmitted under this section, the mailing must include:

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

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

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

36 (1) was not submitted by a voter of the precinct;

37 (2) contains a false statement; or

38 (3) has not been executed or filed in accordance with Indiana or
 39 federal law.

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

42 (1) The name and title of the individual filing the affidavit.



- 1 (2) A brief statement of the facts known or believed by the
 2 individual regarding why:
 3 (A) the applicant is not a voter of the precinct;
 4 (B) the application contains a false statement; or
 5 (C) the application has not been executed or filed in
 6 accordance with Indiana or federal law.
 7 (3) That the individual is executing the affidavit under the
 8 penalties of perjury.
 9 (4) The penalties for perjury.
 10 (c) Upon the filing of the affidavit, the approval or denial of the
 11 application shall be referred to the county election board, which shall
 12 promptly conduct a hearing on the matter.
 13 (d) The county election board may act under IC 3-6-5-31 to refer the
 14 matter to the appropriate prosecuting attorney.
 15 SECTION 104. IC 3-11-4-21, AS AMENDED BY HEA 1138-2015,
 16 SECTION 164, IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2015]: Sec. 21. (a) On the other side of the
 18 envelope required by section 20 of this chapter shall be printed an
 19 affidavit in conformity with 52 U.S.C. 20302(b) **and with the name of**
 20 **the precinct completed by the county election board**, providing that
 21 the voter affirms under penalty of perjury that the following
 22 information is true:
 23 (1) The name of the precinct and township (or ward and city or
 24 town);
 25 (2) (1) That the voter is:
 26 (A) a resident of; or
 27 (B) entitled under IC 3-10-11 or IC 3-10-12 to vote in;
 28 the precinct.
 29 (3) (2) The voter's complete residence address, including the
 30 name of the city or town and county.
 31 (4) (3) That the voter is entitled to vote in the precinct, the type of
 32 election to be held, and the date of the election.
 33 (5) (4) That:
 34 (A) the voter has personally marked the enclosed ballot or
 35 ballots in secret and has enclosed them in this envelope and
 36 sealed them without exhibiting them to any other person;
 37 (B) the voter personally marked the enclosed ballot or ballots,
 38 enclosed them in this envelope, and sealed them with the
 39 assistance of an individual whose name is listed on the
 40 envelope and who affirms under penalty of perjury that the
 41 voter was not coerced or improperly influenced by the
 42 individual assisting the voter or any other person, in a manner



1 prohibited by state or federal law, to cast the ballot for or
 2 against any candidate, political party, or public question; or
 3 (C) as the properly authorized attorney in fact for the
 4 undersigned under IC 30-5-5-14, the attorney in fact affirms
 5 the voter personally marked the enclosed ballot or ballots in
 6 secret and enclosed them in this envelope and sealed them
 7 without exhibiting them to the attorney in fact or to any other
 8 person.

9 ~~(6)~~ (5) The date and the voter's signature.

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

12 (c) A guardian or conservator of an individual may not sign an
 13 affidavit for the individual under this section unless the guardian or
 14 conservator also holds a power of attorney authorizing the guardian or
 15 conservator to sign the affidavit.

16 (d) The side of the envelope containing this affidavit must also set
 17 forth the penalties for perjury.

18 SECTION 105. IC 3-11-7-15, AS AMENDED BY THE
 19 TECHNICAL CORRECTIONS BILL OF THE 2015 GENERAL
 20 ASSEMBLY AND BY HEA 1138-2015, SECTION 171, IS
 21 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:
 22 Sec. 15. (a) A vendor may apply for approval of a proposed
 23 improvement or change to a ballot card voting system that is currently
 24 certified by the commission. A proposed improvement or change may
 25 not be marketed, sold, leased, installed, or implemented in Indiana
 26 before the application for the improvement or change is approved by
 27 the commission.

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

30 (c) The vendor applying for approval of an improvement or a
 31 change must have the improvement or change to the voting system
 32 tested by an independent laboratory accredited under 52 U.S.C. 20971.
 33 The vendor shall pay any testing expenses incurred under this
 34 subsection.

35 (d) The election division (or the person designated under
 36 IC 3-11-16) shall review the proposed improvement or change to the
 37 voting system and the results of the testing by the independent
 38 laboratory under subsection (c) and report the results of the review to
 39 the commission. The review must indicate:

40 (1) whether the proposed improvement or change has been
 41 approved by an independent laboratory accredited under 52
 42 U.S.C. 20971;



- 1 (2) whether the proposed improvement is a de minimis change or
 2 a modification;
- 3 (3) if the proposed improvement or change is a modification,
 4 whether the modification may be installed and implemented
 5 without any significant likelihood that the voting system would be
 6 configured or perform its functions in violation of HAVA or this
 7 title; and
- 8 (4) whether the proposed improvement or change would comply
 9 with HAVA and the standards set forth in this chapter and
 10 IC 3-11-15.
- 11 (e) After the commission has approved the application for an
 12 improvement or change (including a de minimis change) to a ballot
 13 card voting system, the improvement or change may be marketed, sold,
 14 leased, installed, or implemented in Indiana.
- 15 (f) An approval of an application under this section expires on the
 16 date specified under section 19(a) of this chapter.
- 17 SECTION 106. IC 3-11-7.5-2, AS AMENDED BY P.L.221-2005,
 18 SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2015]: Sec. 2. A person may submit an application for
 20 approval of an electronic voting system in the form prescribed by the
 21 ~~commission.~~ **election division.**
- 22 SECTION 107. IC 3-11-7.5-5, AS AMENDED BY HEA
 23 1138-2015, SECTION 173, AND AS AMENDED BY THE
 24 TECHNICAL CORRECTIONS BILL OF THE 2015 GENERAL
 25 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2015]: Sec. 5. (a) A vendor may apply for approval of a
 27 proposed improvement or change to an electronic voting system that is
 28 currently certified by the commission. A proposed improvement or
 29 change may not be marketed, sold, leased, installed, or implemented in
 30 Indiana before the application for the improvement or change is
 31 approved by the commission.
- 32 (b) An application for approval of an improvement or a change must
 33 be in the form prescribed by the ~~commission.~~ **election division.**
- 34 (c) The vendor applying for approval of an improvement or a
 35 change must have the improvement or change to the voting system
 36 tested by an independent laboratory accredited under 52 U.S.C. 20971.
 37 The vendor shall pay any testing expenses incurred under this
 38 subsection.
- 39 (d) The election division (or the person designated under
 40 IC 3-11-16) shall review the improvement or change to the voting
 41 system **in accordance with procedures approved by the commission**
 42 and the results of the testing by the independent laboratory under



1 subsection (c) and report the results of the review to the commission.

2 The review must indicate:

3 (1) whether the proposed improvement or change has been
4 approved by an independent laboratory accredited under 52
5 U.S.C. 20971;

6 (2) whether the proposed improvement **or change** is a de minimis
7 change or a modification **as indicated by a report from an**
8 **independent laboratory;**

9 (3) if the proposed improvement or change is a modification,
10 whether the modification may be installed and implemented
11 without any significant likelihood that the voting system would be
12 configured or perform its functions in violation of HAVA or this
13 title **as indicated by a report from an independent laboratory;**
14 and

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

18 (e) After the commission has examined and approved the
19 application for an improvement or change to an electronic voting
20 system (including a de minimis change), the improvement or change
21 may be marketed, sold, leased, installed, or implemented in Indiana.

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

24 SECTION 108. IC 3-11-8-3, AS AMENDED BY P.L.258-2013,
25 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2015]: Sec. 3. (a) This section does not apply to a county
27 using vote centers under IC 3-11-18.1.

28 (b) Before each election each county executive shall secure for each
29 precinct of the county an accessible facility in which to hold the
30 election.

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

35 (1) either:

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

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

40 (2) located in an accessible facility.

41 (d) If the county election board, by a unanimous vote of its entire
42 membership, determines that an accessible facility is not available



1 under subsection (c), the board may locate the polls in the most
2 convenient available accessible facility in the county.

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

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

7 (2) the most convenient accessible facility is located in an
8 adjoining county;

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

12 SECTION 109. IC 3-11-8-10.3, AS AMENDED BY P.L.76-2014,
13 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 UPON PASSAGE]: Sec. 10.3. (a) A reference to an electronic poll list
15 in a vote center plan adopted under IC 3-11-18.1 before July 1, 2014,
16 is considered to be a reference to an electronic poll book (as defined by
17 IC 3-5-2-20.5), unless otherwise expressly provided in the vote center
18 plan.

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

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

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

27 (A) The electronic poll book contains a device that must be
28 physically removed from the electronic poll book by a person
29 and the device is inserted into the voting system, with no
30 hardware or software connection existing between the
31 electronic poll book and the voting system.

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

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

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

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

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



- 1 (ii) The county's receipt of additional documentation
 2 provided by the voter to the county voter registration office.
 3 (iii) The county's issuance of a certificate of error.
- 4 (4) The information contained on an electronic poll book must be
 5 secure and placed on a dedicated, private server to secure
 6 connectivity between a precinct polling place or satellite absentee
 7 office and the county election board. The electronic poll book
 8 must have the capability of:
- 9 (A) storing (in external or internal memory) **a the current**
 10 local version of the electronic poll list; and
 11 (B) producing a list of audit records that reflect all of the
 12 idiosyncrasies of the system, including in-process audit
 13 records that set forth all transactions.
- 14 (5) The electronic poll book must permit a poll clerk to enter
 15 information regarding an individual who has appeared to vote to
 16 verify whether the individual is eligible to vote, and if so, whether
 17 the voter has:
- 18 (A) already ~~cast~~ **received** a ballot at the election;
 19 (B) returned an absentee ballot; or
 20 (C) submitted any additional documentation required under
 21 IC 3-7-33-4.5.
- 22 (6) After the voter has been provided with a ballot, the electronic
 23 poll book must permit a poll clerk to enter information indicating
 24 that the voter has ~~voted at the election:~~ **received a ballot.**
- 25 (7) The electronic poll book must transmit the information in
 26 subdivision (6) to the county ~~election board server~~ so that:
- 27 (A) the ~~board server~~ may transmit the information
 28 immediately to every other polling place or satellite absentee
 29 office in the county; **or**
 30 (B) **the server makes the information immediately**
 31 **available to every other polling place or satellite office in**
 32 **the county.**
- 33 (8) The electronic poll book must permit reports to be:
- 34 (A) generated by a county election board for a watcher
 35 appointed under IC 3-6-8 at any time during election day; and
 36 (B) electronically transmitted by the county election board to
 37 a political party or independent candidate who has appointed
 38 a watcher under IC 3-6-8.
- 39 (9) On each day after absentee ballots are cast before an absentee
 40 voter board in the circuit court clerk's office, a satellite office, or
 41 a vote center, and after election day, the electronic poll book must
 42 permit voter history to be quickly and accurately uploaded into



- 1 the computerized list **(as defined in IC 3-7-26.3-2)**.
- 2 (10) The electronic poll book must be able to display an electronic
- 3 image of the signature of a voter taken from:
- 4 (A) the voter's registration application; ~~or if available.~~
- 5 **(B) a more recent signature of a voter from an absentee**
- 6 **application, poll list, electronic poll book, or registration**
- 7 **document.**
- 8 (11) The electronic poll book must be used with a signature pad,
- 9 tablet, or other signature capturing device that permits the voter
- 10 to make an electronic signature for comparison with the signature
- 11 displayed under subdivision (10). An image of the electronic
- 12 signature made by the voter on the signature pad, tablet, or other
- 13 signature capturing device must be retained and identified as the
- 14 signature of the voter for the period required for retention under
- 15 IC 3-10-1-31.1.
- 16 (12) The electronic poll book must include a bar code ~~reader or~~
- 17 ~~tablet capturing device~~ that:
- 18 (A) permits a voter who presents an Indiana driver's license or
- 19 a state identification card issued under IC 9-24-16 to scan the
- 20 license or card through the bar code reader or tablet; and
- 21 (B) has the capability to display the voter's registration record
- 22 upon processing the information contained within the bar code
- 23 on the license or card.
- 24 (13) A printer separate from the electronic poll book used in a
- 25 vote center county may be programmed to print on the back of a
- 26 ballot card, immediately before the ballot card is delivered to the
- 27 voter, the printed initials of the poll clerks captured through the
- 28 electronic signature pad or tablet at the time the poll clerks log
- 29 into the electronic poll book system.
- 30 (14) The electronic poll book must be compatible with:
- 31 (A) any hardware attached to the electronic poll book, such as
- 32 signature ~~pads;~~ **capturing devices**, bar code ~~scanners;~~
- 33 **capturing devices**, and network cards;
- 34 (B) the statewide voter registration system; and
- 35 (C) any software system used to prepare voter information to
- 36 be included on the electronic poll book.
- 37 (15) The electronic poll book must have the ability to be used in
- 38 conformity with this title for:
- 39 (A) any type of election conducted in Indiana; or
- 40 (B) any combination of elections held concurrently with a
- 41 general election, municipal election, primary election, or
- 42 special election.



- 1 (16) The procedures for setting up, using, and shutting down an
 2 electronic poll book must
 3 (A) be reasonably easy for a precinct election officer to learn,
 4 understand, and perform. ~~and~~
 5 (B) not require a significant amount of training in addition to
 6 the training required by IC 3-6-6-40.
 7 **After December 31, 2015, a vendor shall provide sufficient**
 8 **training to election officials and poll workers to completely**
 9 **familiarize them with the operations essential for carrying out**
 10 **election activities. A vendor shall provide an assessment of**
 11 **learning goals achieved by the training in consultation with**
 12 **VSTOP (as described in IC 3-11-18.1-12).**
 13 (17) The electronic poll book must enable a precinct election
 14 officer to verify that the electronic poll book:
 15 (A) has been set up correctly;
 16 (B) is working correctly so as to verify the eligibility of the
 17 voter;
 18 (C) is correctly recording that a voter ~~has voted;~~ **received a**
 19 **ballot;** and
 20 (D) has been shut down correctly.
 21 (18) The electronic poll book must include the following
 22 documentation:
 23 (A) Plainly worded, complete, and detailed instructions
 24 sufficient for a precinct election officer to set up, use, and shut
 25 down the electronic poll book.
 26 (B) Training materials that:
 27 (i) may be in written or video form; and
 28 (ii) must be in a format suitable for use at a polling place,
 29 such as simple "how to" guides.
 30 (C) Failsafe data recovery procedures for information included
 31 in the electronic poll book.
 32 (D) Usability tests:
 33 (i) that are conducted by the manufacturer of the electronic
 34 poll list book **or an independent testing facility** using
 35 individuals who are representative of the general public;
 36 (ii) that include the setting up, using, and shutting down of
 37 the electronic poll book; and
 38 (iii) that report their results using ~~the ANSI/INCITS 354~~
 39 **Common Industry Format (CIF) for Usability Test Reports**
 40 **approved by the American National Standards Institute**
 41 **(ANSI) on December 12, 2001. industry standard**
 42 **reporting formats.**



- 1 (E) A clear model of the electronic poll book system
 2 architecture and the following documentation:
 3 (i) End user documentation.
 4 (ii) System-level **and administrator level** documentation.
 5 (iii) Developer documentation.
 6 (F) Detailed information concerning:
 7 (i) electronic poll book consumables; and
 8 (ii) the vendor's supply chain for those consumables.
 9 (G) Vendor internal quality assurance procedures and any
 10 internal or external test data and reports available to the
 11 vendor concerning the electronic poll book.
 12 (H) Repair and maintenance policies for the electronic poll
 13 book.
 14 (I) As of the date of the vendor's application for approval of
 15 the electronic poll book by the secretary of state as required by
 16 IC 3-11-18.1-12, the following:
 17 (i) A list of customers who are using or have previously used
 18 the vendor's electronic poll book.
 19 (ii) A description of any known anomalies involving the
 20 functioning of the electronic poll book, including how those
 21 anomalies were resolved.
- 22 (19) The electronic poll book and any hardware attached to the
 23 electronic poll book must be designed to prevent injury or damage
 24 to any individual or the hardware, including fire and electrical
 25 hazards.
- 26 (20) The electronic poll book must demonstrate that it correctly
 27 processes all activity regarding each voter registration record,
 28 including the use, alteration, storage, **receipt**, and transmittal of
 29 information that is part of the record. Compliance with this
 30 subdivision requires the mapping of the data life cycle of the voter
 31 registration record as processed by the electronic poll book.
- 32 (21) The electronic poll book must successfully perform in
 33 accordance with all representations concerning functionality,
 34 usability, security, accessibility, and sustainability made in the
 35 vendor's application for approval of the electronic poll book by
 36 the secretary of state as required by IC 3-11-18.1-12.
- 37 (22) The electronic poll book must have the capacity to transmit
 38 all information generated by the voter or poll clerk as part of the
 39 process of casting a ballot, including the time and date stamp
 40 indicating when the voter signed the electronic poll book, and the
 41 electronic signature of the voter, for retention on the dedicated
 42 private server maintained by the county election board for the



1 period required by Indiana and federal law.

2 (23) The electronic poll book must:

3 (A) permit a voter to **check in and** sign the electronic poll
4 book even when there is a temporary interruption in
5 connectivity to the Internet; and

6 (B) provide for the uploading of each signature ~~and its~~
7 **assignment so that the signature may be assigned** to the
8 voter's registration record.

9 SECTION 110. IC 3-11-8-10.4 IS ADDED TO THE INDIANA
10 CODE AS A NEW SECTION TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2015]: **Sec. 10.4. (a) This section applies to a**
12 **county if the county election board has adopted an order under**
13 **IC 3-7-29-6(a)(2) for the use of electronic poll books only at an**
14 **office of the circuit court clerk and satellite offices established**
15 **under IC 3-11-10-26.3.**

16 **(b) Notwithstanding section 10.3 of this chapter, the county**
17 **election board is not required to do either of the following:**

18 **(1) Transmit information electronically from electronic poll**
19 **books to precincts on election day.**

20 **(2) Generate reports for watchers, political parties, or**
21 **independent candidates for election day.**

22 SECTION 111. IC 3-11-8-11, AS AMENDED BY HEA 1138-2015,
23 SECTION 176, IS AMENDED TO READ AS FOLLOWS
24 [EFFECTIVE JULY 1, 2015]: Sec. 11. (a) When the hour for closing
25 the polls occurs, the precinct election board shall permit all voters who:

26 (1) have passed the challengers and who are waiting to announce
27 their names to the poll clerks for the purpose of signing the poll
28 list;

29 (2) have signed the poll list but who have not voted; or

30 (3) are in the act of voting;

31 to vote. ~~In addition, the inspector shall require all voters who have not~~
32 ~~yet passed the challengers to line up in single file within the chute. The~~
33 ~~poll clerks shall record the names of the voters in the chute; and these~~
34 ~~voters may vote unless otherwise prevented according to law.~~

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

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

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

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



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

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

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

10 SECTION 112. IC 3-11-8-17.5 IS ADDED TO THE INDIANA
 11 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 12 [EFFECTIVE JULY 1, 2015]: **Sec. 17.5. (a) Voters may use cellular**
 13 **telephones or other electronic devices in the polls as long as**
 14 **electioneering or loud or disruptive conversations do not occur.**

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

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

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

25 SECTION 113. IC 3-11-8-18 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 18. A voter or person
 27 offering to vote may not converse or communicate ~~with a person other~~
 28 ~~than a member of the precinct election board in a loud or disruptive~~
 29 **manner** while at the polls.

30 SECTION 114. IC 3-11-8-18.5 IS ADDED TO THE INDIANA
 31 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 32 [EFFECTIVE JULY 1, 2015]: **Sec. 18.5. A voter may bring into the**
 33 **polling place a list of candidates and public questions for the**
 34 **voter's use in voting, including a list stored on a cellular telephone**
 35 **or similar electronic device, as long as electioneering does not**
 36 **occur.**

37 SECTION 115. IC 3-11-8-25.1, AS AMENDED BY SEA 199-2015,
 38 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2015]: Sec. 25.1. (a) Except as provided in subsection (e), a
 40 voter who desires to vote an official ballot at an election shall provide
 41 proof of identification.

42 (b) Except as provided in subsection (e), before the voter proceeds



1 to vote in the election, a precinct election officer shall ask the voter to
 2 provide proof of identification. One (1) of each of the precinct election
 3 officers nominated by each county chairman of a major political party
 4 of the county under IC 3-6-6-8 or IC 3-6-6-9 is entitled to ask the voter
 5 to provide proof of identification. The voter shall produce the proof of
 6 identification to each precinct officer requesting the proof of
 7 identification before being permitted to sign the poll list.

8 (c) If:

9 (1) the voter is unable or declines to present the proof of
 10 identification; or

11 (2) a member of the precinct election board determines that the
 12 proof of identification provided by the voter does not qualify as
 13 proof of identification under IC 3-5-2-40.5;

14 a member of the precinct election board shall challenge the voter as
 15 prescribed by this chapter.

16 (d) If the voter executes a challenged voter's affidavit under section
 17 22.1 of this chapter, the voter may:

18 (1) sign the poll list; and

19 (2) receive a provisional ballot.

20 (e) A voter who votes in person at a precinct polling place that is
 21 located at a state licensed care facility where the voter resides is not
 22 required to provide proof of identification before voting in an election.

23 (f) After a voter has passed the challengers or has been sworn in, the
 24 voter shall be instructed by a member of the precinct election board to
 25 proceed to the location where the poll clerks are stationed. In a vote
 26 center county using an electronic poll list, two (2) election officers who
 27 are not members of the same political party must be present when a
 28 voter signs in on the electronic poll list. The voter shall announce the
 29 voter's name to the poll clerks or assistant poll clerks. A poll clerk, an
 30 assistant poll clerk, or a member of the precinct election board shall
 31 require the voter to write the following on the poll list or to provide the
 32 following information for entry into the electronic poll list:

33 (1) The voter's name.

34 (2) Except as provided in subsection (k), the voter's current
 35 residence address.

36 (g) The poll clerk, an assistant poll clerk, or a member of the
 37 precinct election board shall:

38 (1) ask the voter to provide or update the voter's voter
 39 identification number;

40 (2) tell the voter the number the voter may use as a voter
 41 identification number; and

42 (3) explain to the voter that the voter is not required to provide or



- 1 update a voter identification number at the polls.
- 2 (h) The poll clerk, an assistant poll clerk, or a member of the
3 precinct election board shall ask the voter to provide proof of
4 identification.
- 5 (i) In case of doubt concerning a voter's identity, the precinct
6 election board shall compare the voter's signature with the signature on
7 the affidavit of registration or any certified copy of the signature
8 provided under IC 3-7-29 or enter the information into the electronic
9 poll book. **voter's registration record provided by the county voter
10 registration office under IC 3-7-29.** If the board determines that the
11 voter's signature is authentic, the voter may then vote. If either poll
12 clerk doubts the voter's identity following comparison of the signatures,
13 the poll clerk shall challenge the voter in the manner prescribed by
14 section 21 of this chapter.
- 15 (j) If:
- 16 (1) the poll clerk does not execute a challenger's affidavit; or
17 (2) the voter executes a challenged voter's affidavit under section
18 22.1 of this chapter or executed the affidavit before signing the
19 poll list;
20 the voter may then vote.
- 21 (k) The electronic poll book (or each line on a poll list sheet
22 provided to take a voter's current address) must include a box under the
23 heading "Address Unchanged" so that the voter may check the box
24 instead of writing the voter's current address on the poll list, or if an
25 electronic poll book is used, the poll clerk may check the box after
26 stating to the voter the address shown on the electronic poll book and
27 receiving an oral affirmation from the voter that the voter's residence
28 address shown on the poll list is the voter's current residence address
29 instead of writing the voter's current residence address on the poll list
30 or reentering the address in the electronic poll book.
- 31 (l) If the voter indicates that the voter's current residence is located
32 within another county in Indiana, the voter is considered to have
33 directed the county voter registration office of the county where the
34 precinct is located to cancel the voter registration record within the
35 county. The precinct election board shall provide the voter with a voter
36 registration application for the voter to complete and file with the
37 county voter registration office of the county where the voter's current
38 residence address is located.
- 39 (m) If the voter indicates that the voter's current residence is located
40 outside Indiana, the voter is considered to have directed the county
41 voter registration office of the county where the precinct is located to
42 cancel the voter registration record within the county.



1 SECTION 116. IC 3-11-8-25.7, AS AMENDED BY P.L.271-2013,
 2 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2015]: Sec. 25.7. (a) This section applies only to a voter who
 4 is a member of the military or public safety officer.

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

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

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

14 (c) A voter who leaves the polls to respond to an emergency in the
 15 voter's capacity as a member of the military or public safety officer
 16 must notify a precinct election officer that the voter is leaving the polls
 17 to respond to an emergency in the voter's capacity as a member of the
 18 military or public safety officer.

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

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

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

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

37 SECTION 117. IC 3-11-9-2, AS AMENDED BY HEA 1138-2015,
 38 SECTION 180, IS AMENDED TO READ AS FOLLOWS
 39 [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) A voter who:

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

42 may request assistance in voting before entering the voting booth and



1 designate a person (other than the voter's employer, an officer of the
2 voter's union, or an agent of the voter's employer or union) to assist the
3 voter in voting at an election, as required by 52 U.S.C. 10508.

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

10 (1) is a voter with disabilities or is unable to read or write English;

11 and

12 (2) has requested the designated person to assist the voter in
13 voting under this section.

14 (c) The person designated may then accompany the voter into the
15 voting booth and assist the voter in marking the voter's paper ballot or
16 ballot card or in registering the voter's vote on the electronic voting
17 system.

18 SECTION 118. IC 3-11-10-8.5 IS ADDED TO THE INDIANA
19 CODE AS A NEW SECTION TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2015]: **Sec. 8.5. (a) This section does not**
21 **apply to an application for an absentee ballot from a voter:**

22 **(1) participating in the address confidentiality program under**
23 **IC 5-26.5-2; or**

24 **(2) requesting to cast an absentee ballot in the office of the**
25 **circuit court clerk, the office of the board of elections and**
26 **registration, or a satellite office.**

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

31 SECTION 119. IC 3-11-10-24, AS AMENDED BY SEA 522-2015,
32 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2015]: Sec. 24. (a) Except as provided in subsection (b), a
34 voter who satisfies any of the following is entitled to vote by mail:

35 (1) The voter has a specific, reasonable expectation of being

36 absent from the county on election day during the entire twelve
37 (12) hours that the polls are open.

38 (2) The voter will be absent from the precinct of the voter's
39 residence on election day because of service as:

40 (A) a precinct election officer under IC 3-6-6;

41 (B) a watcher under IC 3-6-8, IC 3-6-9, or IC 3-6-10;

42 (C) a challenger or pollbook holder under IC 3-6-7; or



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



1 election board.

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

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

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

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

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

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

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

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

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

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

31 SECTION 120. IC 3-11-10-25, AS AMENDED BY HEA
32 1138-2015, SECTION 182, IS AMENDED TO READ AS FOLLOWS
33 [EFFECTIVE JULY 1, 2015]: Sec. 25. (a) A voter who votes by
34 absentee ballot because of:

35 (1) illness or injury; or

36 (2) caring for a confined person at a private residence;

37 and who is within the county on election day may vote before an
38 absentee voter board or by mail.

39 (b) If requested by a voter described in subsection (a) or by a voter
40 with disabilities whose precinct is not accessible to voters with
41 disabilities, an absentee voter board shall visit the voter's place of
42 confinement, the residence of the voter with disabilities, or the private



- 1 residence:
- 2 (1) during the regular office hours of the circuit court clerk;
- 3 (2) at a time agreed to by the board and the voter;
- 4 (3) on any of the ~~twelve (12)~~ **nineteen (19)** days immediately
- 5 before election day; and
- 6 (4) only once before an election, unless:
- 7 (A) the confined voter is unavailable at the time of the board's
- 8 first visit due to a medical emergency; or
- 9 (B) the board, in its discretion, decides to make an additional
- 10 visit.
- 11 (c) This subsection applies to a voter confined due to illness or
- 12 injury. An absentee voter board may not be denied access to the voter's
- 13 place of confinement if the board is present at the place of confinement
- 14 at a time:
- 15 (1) agreed to by the board and the voter; and
- 16 (2) during the regular office hours of the circuit court clerk. A
- 17 person who knowingly violates this subsection commits
- 18 obstruction or interference with an election officer in the
- 19 discharge of the officer's duty, a violation of IC 3-14-3-4.
- 20 (d) The county election board, by unanimous vote of the board's
- 21 entire membership, may authorize an absentee voter board to visit a
- 22 voter who is confined due to illness or injury and will be outside the
- 23 county on election day in accordance with the procedures set forth in
- 24 subsection (b).
- 25 (e) As provided by 52 U.S.C. 21081, a voter casting an absentee
- 26 ballot under this section must be:
- 27 (1) permitted to verify in a private and independent manner the
- 28 votes selected by the voter before the ballot is cast and counted;
- 29 (2) provided with the opportunity to change the ballot or correct
- 30 any error in a private and independent manner before the ballot is
- 31 cast and counted, including the opportunity to receive a
- 32 replacement ballot if the voter is otherwise unable to change or
- 33 correct the ballot; and
- 34 (3) notified before the ballot is cast regarding the effect of casting
- 35 multiple votes for the office and provided an opportunity to
- 36 correct the ballot before the ballot is cast and counted.
- 37 (f) As provided by 52 U.S.C. 21081, when an absentee ballot is
- 38 provided under this section, the board must also provide the voter with:
- 39 (1) information concerning the effect of casting multiple votes for
- 40 an office; and
- 41 (2) instructions on how to correct the ballot before the ballot is
- 42 cast and counted, including the issuance of replacement ballots.



1 (g) This subsection applies to a voter who applies to vote an
 2 absentee ballot by mail. The county election board shall include a copy
 3 of the Absentee Voter's Bill of Rights with any absentee ballot mailed
 4 to the voter.

5 SECTION 121. IC 3-11-10-26, AS AMENDED BY HEA
 6 1138-2015, SECTION 183, IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2015]: Sec. 26. (a) This subsection applies to
 8 all counties, except for a county to which IC 3-6-5.2 applies. As an
 9 alternative to voting by mail, a voter is entitled to cast an absentee
 10 ballot before an absentee voter board at any of the following:

11 (1) One (1) location of the office of the circuit court clerk
 12 designated by the circuit court clerk.

13 (2) A satellite office established under section 26.3 of this
 14 chapter.

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

18 (1) The office of the board of elections and registration.

19 (2) A satellite office established under section 26.3 of this
 20 chapter.

21 (c) Except for a location designated under subsection (a)(1), a
 22 location of the office of the circuit court clerk must be established as
 23 a satellite office under section 26.3 of this chapter in order to be used
 24 as a location at which a voter is entitled to cast an absentee ballot
 25 before an absentee voter board under this section.

26 (d) The voter must **do the following before being permitted to**
 27 **vote:**

28 (1) **This subdivision does not apply to a county that uses**
 29 **electronic poll books for voting under this section.** Sign an
 30 application on the form prescribed by the ~~commission~~ **election**
 31 **division** under IC 3-11-4-5.1. ~~and~~ **The application must be**
 32 **received by the circuit court clerk not later than the time**
 33 **prescribed by IC 3-11-4-3.**

34 (2) **This subdivision applies only to a county that uses**
 35 **electronic poll books for voting under this section. The voter**
 36 **must do both of the following:**

37 (A) **Make and subscribe to the affidavit prescribed by**
 38 **IC 3-11-4-21.**

39 (B) **Sign the electronic poll book.**

40 (2) (3) **Provide proof of identification.**

41 ~~before being permitted to vote. The application must be received by the~~
 42 ~~circuit court clerk not later than the time prescribed by IC 3-11-4-3.~~



1 (e) The voter may vote before the board not more than twenty-eight
 2 (28) days nor later than noon on the day before election day. If the
 3 close of a voter registration period is transferred under IC 3-5-4-1.5
 4 from twenty-nine (29) days to a later date due to the Columbus Day
 5 holiday, the voter may vote before the board on the first day following
 6 the day on which the voter registration period closes.

7 (f) An absent uniformed services voter who is eligible to vote by
 8 absentee ballot in the circuit court clerk's office under IC 3-7-36-14
 9 may vote before the board not earlier than twenty-eight (28) days
 10 before the election and not later than noon on election day. If the close
 11 of a voter registration period is transferred under IC 3-5-4-1.5 from
 12 twenty-nine (29) days to a later date due to the Columbus Day holiday,
 13 the voter may vote before the board on the first day following the day
 14 on which the voter registration period closes. If a voter described by
 15 this subsection wishes to cast an absentee ballot during the period
 16 beginning at noon on the day before election day and ending at noon on
 17 election day, the county election board or absentee voter board may
 18 receive and process the ballot at a location designated by resolution of
 19 the county election board.

20 (g) The absentee voter board in the office of the circuit court clerk
 21 must permit voters to cast absentee ballots under this section for at
 22 least seven (7) hours on each of the two (2) Saturdays preceding
 23 election day.

24 (h) Notwithstanding subsection (g), in a county with a population of
 25 less than twenty thousand (20,000), the absentee voter board in the
 26 office of the circuit court clerk, with the approval of the county election
 27 board, may reduce the number of hours available to cast absentee
 28 ballots under this section to a minimum of four (4) hours on each of the
 29 two (2) Saturdays preceding election day.

30 (i) As provided by 52 U.S.C. 21081, a voter casting an absentee
 31 ballot under this section must be:

- 32 (1) permitted to verify in a private and independent manner the
 33 votes selected by the voter before the ballot is cast and counted;
 34 (2) provided with the opportunity to change the ballot or correct
 35 any error in a private and independent manner before the ballot is
 36 cast and counted, including the opportunity to receive a
 37 replacement ballot if the voter is otherwise unable to change or
 38 correct the ballot; and
 39 (3) notified before the ballot is cast regarding the effect of casting
 40 multiple votes for the office and provided an opportunity to
 41 correct the ballot before the ballot is cast and counted.

42 (j) As provided by 52 U.S.C. 21081, when an absentee ballot is



1 provided under this section, the board must also provide the voter with:

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

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

6 (k) If:

7 (1) the voter is unable or declines to present the proof of
8 identification; or

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

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

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

16 SECTION 122. IC 3-11-10-26.2, AS AMENDED BY P.L.64-2014,
17 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2015]: Sec. 26.2. (a) A county election board or board of
19 elections and registration shall comply with IC 3-11-9-6 by providing
20 an electronic voting system for voting by absentee ballot in the office
21 of the circuit court clerk, the board of elections and registration, or a
22 satellite office established under section 26.3 of this chapter, by a voter
23 with disabilities or any other qualified absentee voter who wishes to
24 cast an absentee ballot on the electronic voting system.

25 (b) The county election board or board of elections and registration
26 may adopt a resolution under this section to authorize the circuit court
27 clerk to use an electronic voting system for voting by voters eligible to
28 cast an absentee ballot before an absentee board under section 25 of
29 this chapter. A resolution adopted under this section must be adopted
30 by the unanimous vote of the board's entire membership.

31 (c) A county providing absentee ballot voting under this section
32 must adopt procedures to do the following:

33 (1) Secure absentee votes cast on an electronic voting system that
34 provide protection comparable to the protection provided to
35 absentee votes cast by paper ballot.

36 (2) Compare the signature on an absentee ballot application with
37 the applicant's signature on the applicant's voter registration
38 ~~application.~~ **record.**

39 (3) Ensure that an invalid ballot (as determined under IC 3-11.5)
40 is not counted.

41 (4) Specify how a spoiled absentee ballot is to be canceled in the
42 direct record electronic voting system if a voter casts and returns



- 1 a replacement absentee ballot.
- 2 (d) A resolution adopted under this section may contain other
3 provisions to implement this section that the board considers useful and
4 that are not contrary to Indiana or federal law.
- 5 (e) If a resolution is adopted under this section, the circuit court
6 clerk may use as many electronic voting machines for recording
7 absentee votes as the clerk considers necessary, subject to the
8 resolution adopted by the board.
- 9 (f) Notwithstanding any other law, an absentee ballot voted on an
10 electronic voting system under this section is not required to bear the
11 seal, signature, and initials prescribed by section 27 of this chapter.
- 12 (g) If a resolution is adopted under this section, the procedure for
13 casting an absentee ballot on an electronic voting system must, except
14 as provided in this section, be substantially the same as the procedure
15 for casting an absentee ballot in the office of the circuit court clerk
16 under section 26 of this chapter.
- 17 SECTION 123. IC 3-11-10-26.3, AS AMENDED BY P.L.194-2013,
18 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JULY 1, 2015]: Sec. 26.3. (a) A county election board may adopt a
20 resolution to authorize the circuit court clerk to establish satellite
21 offices in the county where voters may cast absentee ballots before an
22 absentee voter board.
- 23 (b) To be adopted under this section, a resolution must be adopted
24 by the unanimous vote of the board's entire membership.
- 25 (c) A resolution adopted under this section must do the following:
26 (1) State the locations of the satellite offices.
27 (2) State the hours at which absentee voting may occur at the
28 satellite offices.
- 29 (d) The resolution may contain other provisions the board considers
30 useful.
- 31 (e) If a resolution is adopted under this section for a primary
32 election, the locations of the satellite offices and the hours at which
33 absentee voting may occur at the satellite offices established for the
34 primary election must be used for the subsequent general or municipal
35 election.
- 36 (f) If a resolution is adopted under this section, the procedure for
37 casting an absentee ballot at a satellite office must, except as provided
38 in this section, be substantially the same as the procedure for casting an
39 absentee ballot in the office of the circuit court clerk **under section 26**
40 **of this chapter.**
- 41 (g) A voter casting an absentee ballot under this section is entitled
42 to cast the voter's ballot in accordance with IC 3-11-9.



1 (h) A satellite office established by a circuit court clerk under this
 2 section must comply with the polling place accessibility requirements
 3 of IC 3-11-8.

4 (i) A resolution adopted under this section expires January 1 of the
 5 year immediately after the year in which the resolution is adopted.

6 SECTION 124. IC 3-11-10-27, AS AMENDED BY P.L.55-2014,
 7 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2015]: Sec. 27. (a) This section does not apply to a ballot
 9 mailed to a voter under this chapter.

10 (b) Subject to IC 3-5-4-9, before a ballot is voted under section 25
 11 of this chapter before an absentee voter board, it must bear the circuit
 12 court clerk's official seal and signature or facsimile signature and be
 13 initialed by the absentee voter board visiting the voter under section
 14 25(b) of this chapter (except in a county subject to subsection (d)).

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

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

17 (2) placed in a secrecy envelope if it has been marked using a
 18 marking device for an optical scan ballot;

19 the ballot must bear the circuit court clerk's official seal and signature
 20 or facsimile signature and be initialed by the county election board or
 21 the board's designated representatives under IC 3-11-4-19.

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

30 (e) The initials must be:

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

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

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

38 (B) the initials of the county election board or the board's
 39 representatives captured through the electronic signature pad
 40 or tablet at the time the county election board or the board's
 41 representatives log into the electronic poll book system.

42 (f) **A resolution adopted under subsection (d) may also provide**



1 **that a precinct designation is not required to be preprinted on**
 2 **absentee ballots printed immediately before the ballot is delivered**
 3 **to a voter, but may be added in the same manner as the initials of**
 4 **the county election board or the board's representatives under**
 5 **IC 3-11-4-19 are added under subsection (e).**

6 ~~(f)~~ **(g)** No other initialing of the absentee ballot is necessary.

7 SECTION 125. IC 3-11-10-31, AS AMENDED BY P.L.194-2013,
 8 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2015]: Sec. 31. (a) If a voter has not returned an absentee
 10 ballot, then the voter may vote in person.

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

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

18 SECTION 126. IC 3-11-13-19, AS AMENDED BY P.L.55-2014,
 19 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2015]: Sec. 19. (a) Except as provided in ~~subsection~~
 21 **subsections (b) and (c)**, each circuit court clerk shall print or stamp the
 22 precinct number or designation and a line for each poll clerk's initials
 23 on both a ballot card and the ballot card's secrecy envelope before the
 24 election.

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

33 **(c) In a vote center county using an electronic poll book, the**
 34 **circuit court clerk may print or stamp the precinct number or**
 35 **designation:**

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

37 **(2) at the time the ballot card is printed immediately before**
 38 **the ballot card is delivered to a voter as provided by**
 39 **subsection (b).**

40 SECTION 127. IC 3-11-13-22 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 22. **(a) This**
 42 **section applies to:**



1 **(1) a ballot card voting system; and**
 2 **(2) a voting system that includes features of a ballot card**
 3 **voting system and a direct record electronic voting system.**
 4 ~~(a)~~ **(b)** At least fourteen (14) days before election day, the county
 5 election board of each county planning to use automatic tabulating
 6 machines at the next election shall have the automatic tabulating
 7 machines tested to ascertain that the machines will correctly count the
 8 votes cast for all candidates and on all public questions. Not later than
 9 seven (7) days after conducting the test under this subsection, the
 10 county election board shall certify to the election division that the test
 11 has been conducted in conformity with this subsection.
 12 ~~(b)~~ **(c)** Public notice of the time and place shall be given at least
 13 forty-eight (48) hours before the test. The notice shall be published
 14 once in accordance with IC 5-3-1-4.
 15 **(d) If a county election board determines that:**
 16 **(1) a ballot:**
 17 **(A) must be reprinted or corrected as provided by**
 18 **IC 3-11-2-16 because of the omission of a candidate,**
 19 **political party, or public question from the ballot; or**
 20 **(B) is an absentee ballot that a voter is entitled to recast**
 21 **under IC 3-11-10-1.5 because the absentee ballot includes**
 22 **a candidate for election to office who:**
 23 **(i) ceased to be a candidate; and**
 24 **(ii) has been succeeded by a candidate selected under**
 25 **IC 3-13-1 or IC 3-13-2; and**
 26 **(2) ballots used in the test conducted under this section were**
 27 **not reprinted or corrected to remove the omission of a**
 28 **candidate, political party, or public question, or indicate the**
 29 **name of the successor candidate;**
 30 **the county election board shall conduct an additional public test**
 31 **described in subsection (b) using the reprinted or corrected ballots.**
 32 **Notice of the time and place of the additional test shall be given in**
 33 **accordance with IC 5-14-1.5, but publication of the notice in**
 34 **accordance with IC 5-3-1-4 is not required.**
 35 SECTION 128. IC 3-11-13-24, AS AMENDED BY P.L.221-2005,
 36 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 37 UPON PASSAGE]: Sec. 24. **(a) This subsection applies to a ballot**
 38 **card voting system.** The test required by section 22 of this chapter
 39 must:
 40 (1) be conducted by processing a preaudited group of ballot cards
 41 marked so as to record a predetermined number of valid votes for
 42 each candidate and on each public question; and



1 (2) include for each office one (1) or more ballot cards that have
 2 votes in excess of the number allowed by law in order to test the
 3 ability of the automatic tabulating machines to reject the votes.

4 **(b) This subsection applies to a voting system that includes**
 5 **features of a ballot card voting system and a direct record**
 6 **electronic voting system. The test required by section 22 of this**
 7 **chapter must:**

8 **(1) be conducted by the entry of:**

9 **(A) a preaudited group of ballots; and**

10 **(B) at least ten (10) ballots cast by using the headphone or**
 11 **a sip/puff device;**

12 **so as to record a predetermined number of valid votes for**
 13 **each candidate and on each public question; and**

14 **(2) include at least one (1) ballot for each office and public**
 15 **question that has votes in excess of the number allowed by law**
 16 **in order to test the ability of the voting system to reject the**
 17 **overvotes.**

18 SECTION 129. IC 3-11-13-40 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 40. The county election
 20 board shall certify the results of an audit under section 37 of this
 21 chapter not later than noon twelve (12) days after the election. The
 22 certification must be on the form prescribed by the ~~commission:~~
 23 **election division.** One (1) copy shall be filed with the election returns,
 24 and one (1) copy must be delivered to the election division.

25 SECTION 130. IC 3-11-14.5-1, AS ADDED BY P.L.221-2005,
 26 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 UPON PASSAGE]: Sec. 1. ~~At least fourteen (14) days before election~~
 28 ~~day;~~ **(a) The county election board of each county planning to use an**
 29 **electronic voting system at the next election shall randomly select at**
 30 **least three (3) precincts within the county and test the voting system**
 31 **units to be used at those precincts on election day. Each voting system**
 32 **shall be tested to ascertain that the system will correctly count the votes**
 33 **cast for all candidates and on all public questions in that precinct.**

34 **(b) The testing under subsection (a) must begin before absentee**
 35 **voting starts in the office of the circuit court clerk under**
 36 **IC 3-11-10-26.**

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

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

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

42 **(B) is an absentee ballot that a voter is entitled to recast**



1 under IC 3-11-10-1.5 because the absentee ballot includes
 2 a candidate for election to office who:
 3 (i) ceased to be a candidate; and
 4 (ii) has been succeeded by a candidate selected under
 5 IC 3-13-1 or IC 3-13-2; and
 6 (2) voting system units used in the test conducted under this
 7 section did not contain a ballot that was reprinted or
 8 corrected to remove the omission of a candidate, political
 9 party, or public question, or indicate the name of the
 10 successor candidate;
 11 the county election board shall conduct an additional public test
 12 described in subsection (a) using the voting system units previously
 13 tested and containing the reprinted or corrected ballots.

14 SECTION 131. IC 3-11-14.5-2, AS ADDED BY P.L.221-2005,
 15 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 UPON PASSAGE]: Sec. 2. (a) Except as provided by subsection (b),
 17 public notice of the time and place shall be given at least forty-eight
 18 (48) hours before the test. The notice shall be published once in
 19 accordance with IC 5-3-1-4.

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

25 SECTION 132. IC 3-11-15-7 IS AMENDED TO READ AS
 26 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) Each application
 27 must be in writing, sworn to or affirmed by the applicant, under the
 28 penalties of perjury, on a form prescribed by the ~~commission~~, **election**
 29 **division**, and must satisfy the following requirements:

- 30 (1) Provide the name and address of the vendor submitting the
 31 application.
 32 (2) Provide the telephone number of the vendor.
 33 (3) Provide the name, address, and telephone number of the
 34 individual representing the vendor regarding the application.
 35 (4) Provide the model name and number of the submitted voting
 36 system, stating the hardware, firmware, and software version
 37 numbers of the system.
 38 (5) State whether the voting system is a direct record electronic
 39 voting system or an optical scan ballot card voting system.
 40 (6) Provide a description of the voting system and its capabilities,
 41 including the following:
 42 (A) Photographs.



- 1 (B) Engineering drawings.
 2 (C) Technical documentation.
 3 (D) Fail-safe and emergency backup information.
 4 (E) Environmental requirements for storage, transportation,
 5 and operation.
 6 (7) Include an agreement to pay for the total costs of the
 7 examination.
 8 (8) Provide documentation of the escrow of the voting system's
 9 software, firmware, source codes, and executable images with an
 10 escrow agent approved by the election division.
 11 (9) Provide a functional description of any software components.
 12 (10) Provide schematics or flowcharts identifying software and
 13 data file relationships.
 14 (11) Describe the type of maintenance offered by the vendor.
 15 (12) Provide the names, addresses, and telephone numbers of the
 16 vendor's maintenance providers.
 17 (13) Provide a description of the training courses offered by the
 18 vendor for the voting system.
 19 (14) Provide user manuals, operator and system manuals, and
 20 problem solving manuals.
 21 (15) Provide a statement of the current and future
 22 interchangeability of all subcomponents of the voting system.
 23 (16) Provide documentation from all independent testing
 24 authorities that have examined the system.
 25 (17) Provide documentation from all election jurisdictions that
 26 have previously approved the system.
 27 (18) Pay the application fee required under section 4 of this
 28 chapter.
 29 (b) If an application does not include any of the applicable
 30 requirements listed in subsection (a), those requirements must be filed
 31 with the election division before the application may be considered by
 32 the commission.
 33 SECTION 133. IC 3-11-15-12 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 12. Each application
 35 under this chapter must be in writing on a form prescribed by the
 36 ~~commission~~ **election division** and must comply with the requirements
 37 of this chapter.
 38 SECTION 134. IC 3-11-18.1-14, AS ADDED BY P.L.1-2011,
 39 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 UPON PASSAGE]: Sec. 14. (a) The precinct election board
 41 administering an election at a vote center shall keep the ballots cast in
 42 each precinct separate from the ballots cast in any other precinct whose



1 election is administered at the vote center, so that the votes cast for
 2 each candidate and on each public question in each of the precincts
 3 administered by the board may be determined and included on the
 4 statement required by IC 3-12-4-9.

5 **(b) This subsection applies to a county described under section**
 6 **12 of this chapter on and after the date absentee ballots are first**
 7 **transmitted to voters. A person that receives a certification for an**
 8 **electronic poll book shall file not later than forty-eight (48) hours**
 9 **after the discovery of an anomaly or problem with the poll book a**
 10 **written report describing the anomaly or problem with the**
 11 **secretary of state.**

12 SECTION 135. IC 3-11.5-3-1 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. The following apply
 14 for the purposes of IC 3-6-8, IC 3-6-9, and IC 3-6-10:

15 (1) A central location for counting absentee ballots shall be
 16 treated the same as a precinct poll.

17 (2) An absentee ballot counter shall be treated the same as a
 18 precinct election official.

19 **(3) A major political party of a county is entitled to appoint**
 20 **the number of watchers equal to the number of teams of**
 21 **absentee ballot counters.**

22 SECTION 136. IC 3-11.5-4-8, AS AMENDED BY P.L.76-2014,
 23 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2015]: Sec. 8. (a) This section does not apply to a county that:

25 (1) has adopted an order to use an electronic poll book under
 26 ~~IC 3-7-29-6~~; **IC 3-7-29-6(a)(1)**; or

27 (2) is a vote center county under IC 3-11-18.1;

28 if the electronic poll book used at a polling place or vote center is
 29 immediately updated to indicate the county received, not later than
 30 noon on election day, an absentee ballot from a voter.

31 (b) Each county election board shall certify the names of voters:

32 (1) to whom absentee ballots were sent or who marked ballots in
 33 person; and

34 (2) whose ballots have been received by the board under this
 35 chapter;

36 after the certification under section 1 of this chapter and not later than
 37 noon on election day.

38 (c) The county election board shall have:

39 (1) the certificates described in subsection (b); and

40 (2) the circuit court clerk's certificates for voters who have
 41 registered and voted under IC 3-7-36-14;

42 delivered to the precinct election boards at their respective polls on



1 election day by couriers appointed under section 22 of this chapter.
 2 (d) The certificates shall be delivered not later than 3 p.m. on
 3 election day.
 4 SECTION 137. IC 3-11.5-4-9, AS AMENDED BY P.L.76-2014,
 5 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2015]: Sec. 9. (a) This section does not apply to a county that:
 7 (1) has adopted an order to use an electronic poll book under
 8 ~~IC 3-7-29-6~~; **IC 3-7-29-6(a)(1)**; or
 9 (2) is a vote center county under IC 3-11-18.1;
 10 if the electronic poll book used at a polling place or vote center is
 11 immediately updated to indicate that the county received, not later than
 12 noon on election day, an absentee ballot from a voter.
 13 (b) Upon delivery of the certificates under section 8 of this chapter
 14 to a precinct election board, the inspector shall do the following in the
 15 presence of the poll clerks:
 16 (1) Mark the poll list.
 17 (2) Attach the certificates of voters who have registered and voted
 18 under IC 3-7-36-14 to the poll list.
 19 The poll clerks shall sign the statement printed on the certificate
 20 indicating that the inspector marked the poll list and attached the
 21 certificates under this section in the presence of both poll clerks to
 22 indicate that the absentee ballot of the voter has been received by the
 23 county election board.
 24 (c) The inspector shall then deposit:
 25 (1) the certificate prepared under section 1 of this chapter;
 26 (2) the certificate prepared under section 8 of this chapter; and
 27 (3) any challenge affidavit executed by a qualified person under
 28 section 15 of this chapter;
 29 in an envelope in the presence of both poll clerks.
 30 (d) The inspector shall seal the envelope. The inspector and each
 31 poll clerk shall then sign a statement printed on the envelope indicating
 32 that the inspector or poll clerk has complied with the requirements of
 33 this chapter governing the marking of the poll list and certificates.
 34 (e) The couriers shall immediately return the envelope described in
 35 subsection (c) to the county election board. Upon delivering the
 36 envelope to the county election board, each courier shall sign a
 37 statement printed on the envelope indicating that the courier has not
 38 opened or tampered with the envelope since the envelope was delivered
 39 to the courier.
 40 SECTION 138. IC 3-11.5-4-11, AS AMENDED BY P.L.76-2014,
 41 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2015]: Sec. 11. (a) Except as provided in subsection (b), at



1 any time after the couriers return the certificate under section 9 of this
 2 chapter, absentee ballot counters appointed under section 22 of this
 3 chapter, in the presence of the county election board, shall, except for
 4 a ballot rejected under section 13 of this chapter:

- 5 (1) open the outer or carrier envelope containing an absentee
- 6 ballot envelope and application;
- 7 (2) announce the absentee voter's name; and
- 8 (3) compare the signature upon the application with the signature
- 9 upon the affidavit on the ballot envelope or transmitted affidavit.

10 (b) This subsection applies to a county that:

- 11 (1) has adopted an order to use an electronic poll book under
- 12 ~~IC 3-7-29-6~~; **IC 3-7-29-6(a)(1)**; or
- 13 (2) is a vote center county under IC 3-11-18.1.

14 Immediately after the electronic poll books used at each polling place
 15 or vote center have been updated to indicate that the county received,
 16 not later than noon on election day, an absentee ballot from a voter, the
 17 absentee ballot counters shall, in a central counting location designated
 18 by the county election board, count the absentee ballot votes cast for
 19 each candidate for each office and on each public question in the
 20 precinct.

21 SECTION 139. IC 3-11.5-4-15, AS AMENDED BY P.L.64-2014,
 22 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2015]: Sec. 15. (a) Except as provided in subsection (c), the
 24 vote of an absentee voter may be challenged at the polls for the reason
 25 that the absentee voter is not a legal voter of the precinct where the
 26 ballot is being cast.

27 (b) Before the inspector prepares to mark the poll list to indicate that
 28 an absentee ballot cast by the voter has been received by the county
 29 election board according to a certificate delivered to the polls under
 30 section 1 or section 8 of this chapter, the inspector shall notify the
 31 challengers and the pollbook holders that the inspector is about to mark
 32 the poll list under this section. The inspector shall provide the
 33 challengers and pollbook holders with the name and address of each
 34 voter listed in the certificate so that the voter may be challenged under
 35 this article.

36 (c) This section applies to a county that:

- 37 (1) has adopted an order to use an electronic poll list under
- 38 ~~IC 3-7-29-6~~; **IC 3-7-29-6(a)(1)**; or
- 39 (2) is a vote center county under IC 3-11-18.1.

40 The vote of an absentee ballot may be challenged for the reason that the
 41 absentee voter is not a legal voter of the precinct for which the absentee
 42 ballot was issued. Before the absentee ballot counters process an



1 absentee ballot, the absentee ballot counters shall notify the county
 2 election board. A county election board member, or a representative
 3 designated by a county election board member, may challenge the
 4 absentee ballot under section 16 of this chapter.

5 (d) The challenge under this section must be determined using the
 6 procedures for counting a provisional ballot under IC 3-11.7.

7 SECTION 140. IC 3-11.5-4-18, AS AMENDED BY P.L.194-2013,
 8 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 UPON PASSAGE]: Sec. 18. (a) If a voter has not returned an absentee
 10 ballot, the voter may vote in person.

11 (b) However, if the voter has received an absentee ballot, before the
 12 voter may vote, the voter must return the ballot to the ~~county election~~
 13 ~~board~~ **inspector**. The absentee ballot shall be marked "canceled" and
 14 preserved with the rejected ballots.

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

18 SECTION 141. IC 3-11.5-4-21.5 IS ADDED TO THE INDIANA
 19 CODE AS A NEW SECTION TO READ AS FOLLOWS
 20 [EFFECTIVE JULY 1, 2015]: **Sec. 21.5. Rejected absentee ballots**
 21 **may not be opened, except on order of a court or the state recount**
 22 **commission.**

23 SECTION 142. IC 3-11.5-4-22, AS AMENDED BY P.L.76-2014,
 24 SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2015]: Sec. 22. (a) Except as provided in subsection (b), each
 26 county election board shall appoint:

- 27 (1) absentee voter boards;
- 28 (2) teams of absentee ballot counters; and
- 29 (3) teams of couriers;

30 consisting of two (2) voters of the county, one (1) from each of the two
 31 (2) political parties that have appointed members on the county
 32 election board.

33 (b) Notwithstanding subsection (a), a county election board:

- 34 (1) may appoint, by a unanimous vote of the board's members,
 35 only one (1) absentee ballot courier if the person appointed is a
 36 voter of the county; and
- 37 (2) shall not appoint teams of couriers, if the county:

- 38 (A) has adopted an order to use an electronic poll book under
 39 ~~IC 3-7-29-6~~; **IC 3-7-29-6(a)(1)**; or
- 40 (B) is a vote center county under IC 3-11-18.1.

41 (c) An otherwise qualified person is eligible to serve on an absentee
 42 voter board or as an absentee ballot counter or a courier unless the



- 1 person:
- 2 (1) is unable to read, write, and speak the English language;
- 3 (2) has any property bet or wagered on the result of the election;
- 4 (3) is a candidate to be voted for at the election except as an
- 5 unopposed candidate for precinct committeeman or state
- 6 convention delegate; or
- 7 (4) is the spouse, parent, father-in-law, mother-in-law, child,
- 8 son-in-law, daughter-in-law, grandparent, grandchild, brother,
- 9 sister, brother-in-law, sister-in-law, uncle, aunt, nephew, or niece
- 10 of a candidate or declared write-in candidate to be voted for at the
- 11 election except as an unopposed candidate. This subdivision
- 12 disqualifies a person whose relationship to the candidate is the
- 13 result of birth, marriage, or adoption.
- 14 (d) A person who is a candidate to be voted for at the election or
- 15 who is related to a candidate in a manner that would result in
- 16 disqualification under subsection (c) may, notwithstanding subsection
- 17 (c), serve as a member of an absentee voter board if:
- 18 (1) the candidate is seeking nomination or election to an office in
- 19 an election district that does not consist of the entire county; and
- 20 (2) the county election board restricts the duties of the person as
- 21 an absentee voter board member to performing functions that
- 22 could have no influence on the casting or counting of absentee
- 23 ballots within the election district.
- 24 SECTION 143. IC 3-11.5-4-24, AS AMENDED BY P.L.76-2014,
- 25 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 26 JULY 1, 2015]: Sec. 24. (a) This section does not apply to a county
- 27 that:
- 28 (1) has adopted an order to use an electronic poll book under
- 29 ~~IC 3-7-29-6~~; **IC 3-7-29-6(a)(1)**; or
- 30 (2) is a vote center county under IC 3-11-18.1.
- 31 (b) In addition to the preparations described in IC 3-11-11-2,
- 32 IC 3-11-13-27, or IC 3-11-14-16, the inspector shall:
- 33 (1) mark the poll list; and
- 34 (2) attach the certificates of voters who have registered and voted
- 35 under IC 3-7-36-14 to the poll list;
- 36 in the presence of the poll clerks to indicate the voters of the precinct
- 37 whose absentee ballots have been received by the county election board
- 38 according to the certificate supplied under section 1 of this chapter.
- 39 (c) The poll clerks shall sign the statement printed on the certificate
- 40 supplied under section 1 of this chapter indicating that the inspector:
- 41 (1) marked the poll list; and
- 42 (2) attached the certificates described in subsection (b)(2);



1 under this section in the presence of both poll clerks.

2 (d) The inspector shall retain custody of the certificate supplied
3 under section 1 of this chapter until the certificate is returned under
4 section 9 of this chapter.

5 SECTION 144. IC 3-11.5-5-3, AS AMENDED BY P.L.76-2014,
6 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2015]: Sec. 3. (a) Except as provided in subsection (b),
8 immediately after:

9 (1) the couriers have returned the certificate from a precinct under
10 IC 3-11.5-4-9; and

11 (2) the absentee ballot counters or the county election board have
12 made the findings required under IC 3-11-10 and IC 3-11.5-4 for
13 the absentee ballots cast by voters of the precinct and deposited
14 the accepted absentee ballots in the envelope required under
15 IC 3-11.5-4-12;

16 the absentee ballot counters shall, in a central counting location
17 designated by the county election board, count the absentee ballot votes
18 for each candidate for each office and on each public question in the
19 precinct.

20 (b) This section applies to a county that:

21 (1) has adopted an order to use an electronic poll book under
22 ~~IC 3-7-29-6~~; **IC 3-7-29-6(a)(1)**; or

23 (2) is a vote center county under IC 3-11-18.1.

24 Immediately after the electronic poll books used at each polling place
25 or vote center have been updated to indicate that the county received,
26 not later than noon on election day, an absentee ballot from a voter, the
27 absentee ballot counters shall, in a central counting location designated
28 by the county election board, count the absentee ballot votes cast for
29 each candidate for each office and on each public question in the
30 precinct.

31 SECTION 145. IC 3-11.5-6-3, AS AMENDED BY P.L.76-2014,
32 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2015]: Sec. 3. (a) Except as provided in subsection (b),
34 immediately after:

35 (1) the couriers have returned the certificate from a precinct under
36 IC 3-11.5-4-9; and

37 (2) the absentee ballot counters or the county election board has
38 made the findings required under IC 3-11-10 and IC 3-11.5-4 for
39 the absentee ballots cast by voters of the precinct and deposited
40 the accepted absentee ballots in the envelope required under
41 IC 3-11.5-4-12;

42 the absentee ballot counters shall, in a central counting location



1 designated by the county election board, count the absentee ballot votes
 2 for each candidate for each office and on each public question in the
 3 precinct with the assistance of any persons required for the operation
 4 of the automatic tabulating machine.

5 (b) This subsection applies to a county that:

6 (1) has adopted an order to use an electronic poll book under
 7 ~~IC 3-7-29-6~~; **IC 3-7-29-6(a)(1)**; or

8 (2) is a vote center county under IC 3-11-18.1.

9 Immediately after the electronic poll books used at each polling place
 10 or vote center have been updated to indicate that the county received,
 11 not later than noon on election day, an absentee ballot from a voter, the
 12 absentee ballot counters shall, in a central counting location designated
 13 by the county election board, count the absentee ballot votes cast for
 14 each candidate for each office and on each public question in the
 15 precinct.

16 SECTION 146. IC 3-11.7-1-6 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) All provisional
 18 ballots shall be prepared and printed under the direction of each county
 19 election board.

20 (b) After completing the estimate required by section 4 of this
 21 chapter, the county election board shall immediately prepare the ballots
 22 and have the ballots printed.

23 (c) Except as provided in subsection (e), ballots prepared by the
 24 county election board under this section must provide space for the
 25 voter to cast a write-in ballot.

26 (d) The provisional ballots that are prepared and printed under this
 27 section shall be delivered to the circuit court clerk not later than

28 ~~(+) forty-five (45) fifty (50) days before a general, primary,~~
 29 ~~special, or municipal election. or~~

30 ~~(2) thirty-two (32) days before a special election.~~

31 (e) Space for write-in voting for an office is not required if there are
 32 no declared write-in candidates for that office. However, procedures
 33 must be implemented to permit write-in voting for candidates for
 34 federal offices.

35 (f) This subsection applies to the printing of provisional ballots for
 36 a general election in which the names of the nominees for President
 37 and Vice President of the United States are to be printed on the ballot.
 38 The provisional ballots that are prepared and printed under this section
 39 must be delivered to the circuit court clerk or the clerk's authorized
 40 deputy not later than thirty-eight (38) days before the general election.

41 SECTION 147. IC 3-11.7-5-2.5, AS AMENDED BY P.L.225-2011,
 42 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



- 1 JULY 1, 2015]: Sec. 2.5. (a) A voter who:
 2 (1) was challenged under IC 3-10-1, IC 3-11-8, or IC 3-11-10-26
 3 as a result of the voter's inability or declination to provide proof
 4 of identification; and
 5 (2) cast a provisional ballot;
 6 may personally appear before the circuit court clerk or the county
 7 election board not later than noon ten (10) days following the election.
 8 (b) Except as provided in subsection (c) or (e), if the voter:
 9 (1) provides proof of identification to the circuit court clerk or
 10 county election board; and
 11 (2) executes an affidavit before the clerk or board, in the form
 12 prescribed by the ~~commission~~; **election division**, affirming under
 13 the penalties of perjury that the voter is the same individual who:
 14 (A) personally appeared before the precinct election board;
 15 and
 16 (B) cast the provisional ballot on election day;
 17 the county election board shall find that the voter's provisional ballot
 18 is valid and direct that the provisional ballot be opened under section
 19 4 of this chapter and processed in accordance with this chapter.
 20 (c) If the voter executes an affidavit before the circuit court clerk or
 21 county election board, in the form prescribed by the ~~commission~~;
 22 **election division**, affirming under the penalties of perjury that:
 23 (1) the voter is the same individual who:
 24 (A) personally appeared before the precinct election board;
 25 and
 26 (B) cast the provisional ballot on election day; and
 27 (2) the voter:
 28 (A) is:
 29 (i) indigent; and
 30 (ii) unable to obtain proof of identification without the
 31 payment of a fee; or
 32 (B) has a religious objection to being photographed;
 33 the county election board shall determine whether the voter has been
 34 challenged for any reason other than the voter's inability or declination
 35 to present proof of identification to the precinct election board.
 36 (d) If the county election board determines that the voter described
 37 in subsection (c) has been challenged solely for the inability or
 38 declination of the voter to provide proof of identification, the county
 39 election board shall:
 40 (1) find that the voter's provisional ballot is valid; and
 41 (2) direct that the provisional ballot be:
 42 (A) opened under section 4 of this chapter; and



1 (B) processed in accordance with this chapter.
 2 (e) If the county election board determines that a voter described in
 3 subsection (b) or (c) has been challenged for a cause other than the
 4 voter's inability or declination to provide proof of identification, the
 5 board shall:
 6 (1) note on the envelope containing the provisional ballot that the
 7 voter has complied with the proof of identification requirement;
 8 and
 9 (2) proceed to determine the validity of the remaining challenges
 10 set forth in the challenge affidavit before ruling on the validity of
 11 the voter's provisional ballot.
 12 (f) If a voter described by subsection (a) fails by the deadline for
 13 counting provisional ballots referenced in subsection (a) to:
 14 (1) appear before the county election board; and
 15 (2) execute an affidavit in the manner prescribed by subsection
 16 (b) or (c);
 17 the county election board shall find that the voter's provisional ballot
 18 is invalid.
 19 SECTION 148. IC 3-12-3.5-8, AS ADDED BY P.L.76-2014,
 20 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2015]: Sec. 8. (a) After each electronic voting system has
 22 been secured and the paper vote total printouts obtained, the inspector
 23 shall announce the total number of votes cast on all electronic voting
 24 systems located within the ~~polling place~~, **precinct**, including any
 25 absentee ballots cast, to determine if the total number of votes cast on
 26 the electronic voting systems differs from the number of voters shown
 27 to have received a ballot at the polls or returned an absentee ballot,
 28 according to the poll lists.
 29 (b) If the number of ballots received at the polls and returned as
 30 absentee ballots differs from the total number of voters shown on the
 31 poll lists, the inspector and judge of the opposite party shall report this
 32 fact in writing to the county election board together with the reasons for
 33 the discrepancy, if known, at the time that the inspector and judge
 34 return the precinct poll list to the board.
 35 (c) If:
 36 (1) the total number of votes cast, as determined under subsection
 37 (a); and
 38 (2) the number of voters who received a ballot at the polls or
 39 returned an absentee ballot according to the poll lists;
 40 differs by five (5) or more, then the county election board shall order
 41 an audit of the votes cast in that precinct under this section. **Before**
 42 **ordering an audit, the county election board shall recheck the**



1 **computations reported by the inspector and judge under**
 2 **subsection (b).**

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

5 (1) for each candidate and each public question; and

6 (2) on a direct record electronic voting system in the precinct;
 7 were correctly counted.

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

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

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

24 SECTION 149. IC 3-12-8-17, AS AMENDED BY P.L.221-2005,
 25 SECTION 121, IS AMENDED TO READ AS FOLLOWS
 26 [EFFECTIVE UPON PASSAGE]: Sec. 17. (a) A contest shall be heard
 27 and determined by the court without a jury subject to the Indiana Rules
 28 of Trial Procedure.

29 (b) The court shall determine the issues raised by the petition and
 30 answer to the petition.

31 (c) After hearing and determining a petition alleging that a
 32 candidate is ineligible, the court shall declare as elected or nominated
 33 the qualified candidate who received the highest number of votes and
 34 render judgment accordingly. **If the court rules that the contestee is**
 35 **ineligible, and no other individual was a candidate for nomination**
 36 **or election, the court shall declare that no candidate has been:**

37 (1) **nominated at the primary, and that a ballot vacancy exists**
 38 **that the political party may fill under IC 3-13-1 or IC 3-13-2;**
 39 **or**

40 (2) **elected at the general or municipal election, and that an**
 41 **office vacancy exists that may be filled under IC 3-13, subject**
 42 **to the right of an individual currently serving in the office to**



1 **hold over in that office under Article 15, Section 3 of the**
 2 **Constitution of the State of Indiana.**
 3 (d) If the court finds that:
 4 (1) a mistake in the printing or distribution of the ballots used in
 5 the election;
 6 (2) a mistake in the programming of an electronic voting system;
 7 (3) a malfunction of an electronic voting system; or
 8 (4) the occurrence of a deliberate act or series of actions;
 9 makes it impossible to determine which candidate received the highest
 10 number of votes, the court shall order that a special election be
 11 conducted under IC 3-10-8.
 12 (e) The special election shall be conducted in the precincts
 13 identified in the petition in which the court determines that:
 14 (1) ballots containing the printing mistake or distributed by
 15 mistake were cast;
 16 (2) a mistake occurred in the programming of an electronic voting
 17 system;
 18 (3) an electronic voting system malfunctioned; or
 19 (4) the deliberate act or series of actions occurred.
 20 SECTION 150. IC 3-12-10-4 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) The state recount
 22 commission shall conduct recount proceedings under IC 3-12-11
 23 resulting from:
 24 (1) a presidential primary election;
 25 (2) the nomination of a candidate to a federal, state, or legislative
 26 office in a primary election; or
 27 (3) an election for a federal, state, or legislative office.
 28 **(b) The state recount commission shall conduct recount**
 29 **proceedings under IC 3-12-12 resulting from a public question**
 30 **voted on by the electorate of the entire state.**
 31 ~~(b)~~ (c) The state recount commission shall conduct contest
 32 proceedings under IC 3-12-11 resulting from:
 33 (1) a presidential primary election;
 34 (2) the nomination of a candidate to a federal, state, or legislative
 35 office in a primary election; or
 36 (3) an election for a federal, state, or legislative office.
 37 SECTION 151. IC 3-12-12-23 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 23. (a) This section
 39 applies to a recount of:
 40 (1) a public question concerning the ratification of a state
 41 constitutional amendment or the retention of a justice of the
 42 Indiana supreme court or judge of the Indiana court of appeals; or



1 (2) another public question voted on by the electorate of the entire
2 state.

3 (b) ~~A circuit court clerk~~ **The state recount commission shall**
4 **conduct a recount proceeding under this section and** shall
5 immediately transmit a certificate ~~prepared under section 22 of this~~
6 ~~chapter~~ to the election division **showing for each precinct in which**
7 **a recount was conducted the total vote for and against the public**
8 **question.**

9 (c) Upon tabulation of the returns under this section by the election
10 division, the secretary of state shall issue a certificate declaring the
11 public question approved or rejected.

12 (d) The election division shall provide to the office the results of the
13 recount in each precinct in which a recount was conducted.

14 SECTION 152. IC 3-13-1-9, AS AMENDED BY HEA 1139-2015,
15 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2015]: Sec. 9. The call for a meeting under section 3, 4, 5, or
17 6 of this chapter must:

- 18 (1) be in writing on a form prescribed by the ~~commission;~~
- 19 **election division;**
- 20 (2) state the name of the chairman of the meeting;
- 21 (3) state the purpose of the meeting;
- 22 (4) state the date, time, and place of the meeting;
- 23 (5) be sent by first class mail, at least ten (10) days before the
- 24 meeting, to all persons eligible to participate in the meeting; and
- 25 (6) be filed not later than noon ten (10) days before the meeting
- 26 with the official who is required to receive a certificate of
- 27 candidate selection following the caucus under section 15 of this
- 28 chapter.

29 SECTION 153. IC 3-13-1-10.5, AS AMENDED BY P.L.76-2014,
30 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2015]: Sec. 10.5. (a) A person who wishes to be a candidate
32 for appointment to fill a candidate vacancy under this chapter must file
33 a declaration of candidacy on a form prescribed by the ~~commission~~
34 **election division** with:

- 35 (1) the chairman of the caucus or committee conducting a meeting
- 36 under this chapter; and
- 37 (2) the official who is required to receive a certificate of candidate
- 38 selection following the caucus under section 15 of this chapter;
- 39 at least seventy-two (72) hours before the time fixed for the caucus or
- 40 committee meeting.

41 (b) A candidate's declaration of candidacy must include a statement
42 that the candidate requests the name on the candidate's voter



1 registration record be the same as the name the candidate uses on the
 2 declaration of candidacy. If there is a difference between the name on
 3 the candidate's declaration of candidacy and the name on the
 4 candidate's voter registration record, the officer with whom the
 5 declaration of candidacy is filed shall forward the information to the
 6 voter registration officer of the appropriate county as required by
 7 IC 3-5-7-6(e). The voter registration officer of the appropriate county
 8 shall change the name on the candidate's voter registration record to be
 9 the same as the name on the candidate's declaration of candidacy.

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

12 **(1) This subdivision applies to a candidate filing a declaration**
 13 **of candidacy for a state office, legislative office, local office of**
 14 **judge of a circuit, superior, probate, or small claims court, or**
 15 **local office of prosecuting attorney of a judicial circuit. A**
 16 **statement that the candidate has attached either of the following**
 17 **to the declaration:**

18 (A) A copy of a statement of economic interests, file stamped
 19 by the office required to receive the statement of economic
 20 interests.

21 (B) 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 **(2) This subdivision applies to a candidate filing a declaration**
 26 **of candidacy for a local office not described in subdivision (1)**
 27 **or school board office. A statement that the candidate**
 28 **understands that if the candidate is selected to fill the**
 29 **candidate vacancy, the candidate is required to file a**
 30 **statement of economic interests under IC 3-8-9-5.**

31 ~~(2)~~ **(3)** A statement that the candidate understands that if the
 32 candidate is elected to the office, the candidate may be required
 33 to obtain and file an individual surety bond before serving in the
 34 office. This requirement does not apply to a candidate for a
 35 federal office or legislative office.

36 ~~(3)~~ **(4)** A statement that the candidate understands that if the
 37 candidate is elected to the office, the candidate may be required
 38 to successfully complete training or have attained certification
 39 related to service in an elected office. This requirement does not
 40 apply to a candidate for a federal office, state office, or legislative
 41 office.

42 ~~(4)~~ **(5)** A statement that the candidate:



1 (A) is aware of the provisions of IC 3-9 regarding campaign
2 finance and the reporting of campaign contributions and
3 expenditures; and
4 (B) agrees to comply with the provisions of IC 3-9.
5 This requirement does not apply to a candidate for a federal
6 office.
7 The candidate must separately initial each of the statements required
8 by this subsection.
9 SECTION 154. IC 3-13-1-14 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 14. The selection of a
11 person as a candidate under this chapter is not effective unless:
12 (1) the person's written consent is obtained and filed:
13 (A) in the office in which certificates and petitions of
14 nomination must be filed; and
15 (B) not later than when the certificate is filed; and
16 (2) the candidate has complied with any requirement under
17 IC 3-8-1-33 or IC 3-8-9-5 to file a statement of economic
18 interests.
19 SECTION 155. IC 3-13-1-15, AS AMENDED BY HEA 1139-2015,
20 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2015]: Sec. 15. (a) A county chairman filling a candidate
22 vacancy under section 6(b)(2) of this chapter or the chairman of a
23 meeting filling a candidate vacancy under this chapter shall file a
24 written certificate of candidate selection on a form prescribed by the
25 ~~commission~~ **election division** stating the following information for
26 each candidate selected:
27 (1) The name of each candidate as:
28 (A) the candidate wants the candidate's name to appear on the
29 ballot; and
30 (B) the candidate's name is permitted to appear on the ballot
31 under IC 3-5-7.
32 (2) The residence address of each candidate.
33 (b) The certificate shall be filed with:
34 (1) the election division for:
35 (A) a committee acting under section 3, 4, 5, or 6(c) of this
36 chapter; or
37 (B) a committee acting under section 6(b) of this chapter to fill
38 a candidate vacancy in the office of judge of a circuit, superior,
39 probate, or small claims court or prosecuting attorney; or
40 (2) the circuit court clerk, for a committee acting under section
41 6(b) of this chapter to fill a candidate vacancy for a local office
42 not described in subdivision (1).



1 (c) This subsection applies to a candidate vacancy resulting from a
 2 vacancy on the primary election ballot as described in section 2 of this
 3 chapter. The certificate required by subsection (a) shall be filed not
 4 later than noon July 3 before election day.

5 (d) This subsection applies to all candidate vacancies not described
 6 by subsection (c). The certificate required by subsection (a) shall be
 7 filed not later than noon three (3) days (excluding Saturdays and
 8 Sundays) after selection of the candidates.

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

12 SECTION 156. IC 3-13-2-8, AS AMENDED BY P.L.2-2005,
 13 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2015]: Sec. 8. (a) The chairman or chairmen filling a
 15 candidate vacancy under this chapter shall immediately file a written
 16 certificate of candidate selection on a form prescribed by the
 17 ~~commission~~ **election division** stating the following information for
 18 each candidate selected:

19 (1) The name of each candidate 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) The residence address of each candidate.

25 (b) The certificate shall be filed with:

26 (1) the election division for:

27 (A) one (1) or more chairmen acting under section 2, 3, 4, or
 28 5(b) of this chapter; or

29 (B) a committee acting under section 5(b) of this chapter to fill
 30 a candidate vacancy for the office of judge of a circuit,
 31 superior, probate, county, or small claims court or prosecuting
 32 attorney; or

33 (2) the circuit court clerk of the county in which the greatest
 34 percentage of the population of the election district is located, for
 35 a chairman acting under section 5(a) of this chapter to fill a
 36 candidate vacancy for a local office not described in subdivision

37 (1).

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

41 **(d) A certificate filed under this section is not effective unless the**
 42 **candidate selected to fill the candidate vacancy has filed a**



- 1 **statement of economic interests under IC 3-8-9-5.**
 2 SECTION 157. IC 3-14-1-17, AS AMENDED BY P.L.168-2014,
 3 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2015]: Sec. 17. (a) As used in this section, "government
 5 employee" refers to any of the following:
 6 (1) An employee of the state.
 7 (2) An employee of a political subdivision.
 8 (3) A special state appointee (as defined in IC 4-2-6-1).
 9 (4) An employee of a charter school (as defined in IC 20-24-1-4).
 10 (b) As used in this section, "government employer" refers to the
 11 state or a political subdivision.
 12 (c) As used in this section, "property" refers only to the following:
 13 (1) Equipment, goods, and materials, including mail and
 14 messaging systems.
 15 (2) Money.
 16 (d) A government employee may not knowingly or intentionally use
 17 the property of the employee's government employer to do any of the
 18 following:
 19 (1) Solicit a contribution.
 20 (2) Advocate the election or defeat of a candidate.
 21 (3) Advocate the approval or defeat of a public question.
 22 (e) A government employee may not knowingly or intentionally
 23 distribute **or display** campaign materials advocating:
 24 (1) the election or defeat of a candidate; or
 25 (2) the approval or defeat of a public question;
 26 on the government employer's real property during regular working
 27 hours.
 28 (f) This section does not prohibit the following:
 29 (1) Activities permitted under IC 6-1.1-20.
 30 (2) A government employee from carrying out administrative
 31 duties under the direction of an elected official who is the
 32 government employee's supervisor.
 33 (g) A government employee who knowingly or intentionally
 34 performs several actions described in subsection (d) or (e) in a
 35 connected series that are closely related in time, place, and
 36 circumstance may be charged with only one (1) violation of this section
 37 for that connected series of actions.
 38 (h) A government employee who violates this section commits a
 39 Class A misdemeanor. However, the offense is a Level 6 felony if the
 40 person has a prior unrelated conviction under this section.
 41 SECTION 158. IC 3-14-2-11, AS AMENDED BY P.L.168-2014,
 42 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2015]: Sec. 11. (a) A person who knowingly votes or offers to
 2 vote in a precinct except the one in which the person is registered and
 3 resides commits a Level 6 felony, except when permitted under
 4 IC 3-10-10, IC 3-10-11, or IC 3-10-12.

5 (b) A person who knowingly makes a false statement concerning the
 6 name, address, or voter identification number of the person by:

7 (1) signing a person's signature on a poll list to affirm false
 8 information concerning a voter printed on the poll list; or

9 (2) making a written or oral affirmation under IC 3-7-39-7,
 10 IC 3-10-1-24, **IC 3-10-10-4, IC 3-10-11-4, IC 3-10-12-4**, or
 11 IC 3-11-8-25.1 to provide false information concerning a voter in
 12 addition to the information concerning the voter printed on the
 13 poll list;

14 commits a Level 6 felony.

15 SECTION 159. IC 3-14-3-0.1 IS ADDED TO THE INDIANA
 16 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 17 [EFFECTIVE UPON PASSAGE]: **Sec. 0.1. Notwithstanding any**
 18 **other law, the additions and amendments to this chapter made by**
 19 **legislation enacted in the 2015 regular session of the general**
 20 **assembly do not affect any:**

21 **(1) rights or liabilities accrued;**

22 **(2) penalties incurred;**

23 **(3) offenses committed; or**

24 **(4) proceedings begun;**

25 **before July 1, 2015. Those rights, liabilities, penalties, offenses, and**
 26 **proceedings continue and shall be imposed and enforced under**
 27 **prior law as if the legislation had not been enacted.**

28 SECTION 160. IC 3-14-3-1.1, AS AMENDED BY P.L.158-2013,
 29 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 UPON PASSAGE]: Sec. 1.1. A person who knowingly does any of the
 31 following commits a Level 6 felony:

32 (1) Procures or submits a voter registration ~~applications~~
 33 **application** known by the person to be materially false, fictitious,
 34 or fraudulent.

35 (2) Procures, casts, or tabulates ~~ballots~~ **a ballot** known by the
 36 person to be materially false, fictitious, or fraudulent.

37 SECTION 161. IC 3-14-3-14, AS AMENDED BY P.L.158-2013,
 38 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2015]: Sec. 14. A printer of the ballots for an election, or
 40 person employed in printing the ballots, who knowingly:

41 (1) delivers a ballot to a person other than a county election board
 42 for which the ballots are being printed;



- 1 (2) prints a ballot in any form other than the one prescribed by
- 2 law; or
- 3 (3) prints a ballot containing any names, spellings, or
- 4 arrangements other than as authorized by the ~~commission election~~
- 5 **division** or a county election board;
- 6 commits a Level 6 felony.

7 SECTION 162. IC 5-4-1-1.2 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1.2. (a) This section
 9 does not apply to an individual:

10 (1) appointed or elected to an office the establishment or
 11 qualifications of which are expressly provided for in the
 12 Constitution of the State of Indiana or the Constitution of the
 13 United States; or

14 (2) **holding over in an office under Article 15, Section 3 of the**
 15 **Constitution of the State of Indiana.**

16 (b) Subject to subsection (c), an individual appointed or elected to
 17 an office of a political subdivision may take the oath required under
 18 section 1 of this chapter at any time after the individual's appointment
 19 or election.

20 (c) An individual appointed or elected to an office of a political
 21 subdivision must take the oath required by section 1 of this chapter and
 22 deposit the oath as required by section 4 of this chapter not later than
 23 thirty (30) days after the beginning of the term of office.

24 (d) If an individual appointed or elected to an office of a political
 25 subdivision does not comply with subsection (c), the office becomes
 26 vacant.

27 SECTION 163. IC 6-1.1-20-3.6, AS AMENDED BY P.L.219-2013,
 28 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2015]: Sec. 3.6. (a) Except as provided in sections 3.7 and 3.8
 30 of this chapter, this section applies only to a controlled project
 31 described in section 3.5(a) of this chapter.

32 (b) If a sufficient petition requesting the application of the local
 33 public question process has been filed as set forth in section 3.5 of this
 34 chapter, a political subdivision may not impose property taxes to pay
 35 debt service on bonds or lease rentals on a lease for a controlled project
 36 unless the political subdivision's proposed debt service or lease rental
 37 is approved in an election on a local public question held under this
 38 section.

39 (c) Except as provided in subsection (k), the following question
 40 shall be submitted to the eligible voters at the election conducted under
 41 this section:

42 "Shall _____ (insert the name of the political subdivision)



1 issue bonds or enter into a lease to finance _____ (insert
 2 a brief description of the controlled project), which is estimated
 3 to cost not more than _____ (insert the total cost of the project)
 4 and is estimated to increase the property tax rate for debt service
 5 by _____ (insert increase in tax rate as determined by the
 6 department of local government finance)?".

7 The public question must appear on the ballot in the form approved by
 8 the county election board. If the political subdivision proposing to issue
 9 bonds or enter into a lease is located in more than one (1) county, the
 10 county election board of each county shall jointly approve the form of
 11 the public question that will appear on the ballot in each county. The
 12 form approved by the county election board may differ from the
 13 language certified to the county election board by the county auditor.
 14 If the county election board approves the language of a public question
 15 under this subsection, the county election board shall submit the
 16 language to the department of local government finance for review.

17 (d) The department of local government finance shall review the
 18 language of the public question to evaluate whether the description of
 19 the controlled project is accurate and is not biased against either a vote
 20 in favor of the controlled project or a vote against the controlled
 21 project. The department of local government finance may either
 22 approve the ballot language as submitted or recommend that the ballot
 23 language be modified as necessary to ensure that the description of the
 24 controlled project is accurate and is not biased. The department of local
 25 government finance shall certify its approval or recommendations to
 26 the county auditor and the county election board not more than ten (10)
 27 days after the language of the public question is submitted to the
 28 department for review. If the department of local government finance
 29 recommends a modification to the ballot language, the county election
 30 board shall, after reviewing the recommendations of the department of
 31 local government finance, submit modified ballot language to the
 32 department for the department's approval or recommendation of any
 33 additional modifications. The public question may not be certified by
 34 the county auditor under subsection (e) unless the department of local
 35 government finance has first certified the department's final approval
 36 of the ballot language for the public question.

37 (e) The county auditor shall certify the finally approved public
 38 question under IC 3-10-9-3 to the county election board of each county
 39 in which the political subdivision is located. The certification must
 40 occur not later than noon:

41 (1) seventy-four (74) days before a primary election if the public
 42 question is to be placed on the primary or municipal primary



1 election ballot; or

2 (2) August 1 if the public question is to be placed on the general
3 or municipal election ballot.

4 Subject to the certification requirements and deadlines under this
5 subsection and except as provided in subsection (k), the public
6 question shall be placed on the ballot at the next primary election,
7 general election, or municipal election in which all voters of the
8 political subdivision are entitled to vote. However, if a primary
9 election, general election, or municipal election will not be held during
10 the first year in which the public question is eligible to be placed on the
11 ballot under this section and if the political subdivision requests the
12 public question to be placed on the ballot at a special election, the
13 public question shall be placed on the ballot at a special election to be
14 held on the first Tuesday after the first Monday in May or November
15 of the year. The certification must occur not later than noon
16 seventy-four (74) days before a special election to be held in May (if
17 the special election is to be held in May) or noon on August 1 (if the
18 special election is to be held in November). The fiscal body of the
19 political subdivision that requests the special election shall pay the
20 costs of holding the special election. The county election board shall
21 give notice under IC 5-3-1 of a special election conducted under this
22 subsection. A special election conducted under this subsection is under
23 the direction of the county election board. The county election board
24 shall take all steps necessary to carry out the special election.

25 (f) The circuit court clerk shall certify the results of the public
26 question to the following:

27 (1) The county auditor of each county in which the political
28 subdivision is located.

29 (2) The department of local government finance.

30 (g) Subject to the requirements of IC 6-1.1-18.5-8, the political
31 subdivision may issue the proposed bonds or enter into the proposed
32 lease rental if a majority of the eligible voters voting on the public
33 question vote in favor of the public question.

34 (h) If a majority of the eligible voters voting on the public question
35 vote in opposition to the public question, both of the following apply:

36 (1) The political subdivision may not issue the proposed bonds or
37 enter into the proposed lease rental.

38 (2) Another public question under this section on the same or a
39 substantially similar project may not be submitted to the voters
40 earlier than ~~one (1) year~~ **three hundred fifty (350) days** after the
41 date of the election.

42 (i) IC 3, to the extent not inconsistent with this section, applies to an



1 election held under this section.

2 (j) A political subdivision may not artificially divide a capital
3 project into multiple capital projects in order to avoid the requirements
4 of this section and section 3.5 of this chapter.

5 (k) This subsection applies to a political subdivision for which a
6 petition requesting a public question has been submitted under section
7 3.5 of this chapter. The legislative body (as defined in IC 36-1-2-9) of
8 the political subdivision may adopt a resolution to withdraw a
9 controlled project from consideration in a public question. If the
10 legislative body provides a certified copy of the resolution to the county
11 auditor and the county election board not later than sixty-three (63)
12 days before the election at which the public question would be on the
13 ballot, the public question on the controlled project shall not be placed
14 on the ballot and the public question on the controlled project shall not
15 be held, regardless of whether the county auditor has certified the
16 public question to the county election board. If the withdrawal of a
17 public question under this subsection requires the county election
18 board to reprint ballots, the political subdivision withdrawing the
19 public question shall pay the costs of reprinting the ballots. If a political
20 subdivision withdraws a public question under this subsection that
21 would have been held at a special election and the county election
22 board has printed the ballots before the legislative body of the political
23 subdivision provides a certified copy of the withdrawal resolution to
24 the county auditor and the county election board, the political
25 subdivision withdrawing the public question shall pay the costs
26 incurred by the county in printing the ballots. If a public question on a
27 controlled project is withdrawn under this subsection, a public question
28 under this section on the same controlled project or a substantially
29 similar controlled project may not be submitted to the voters earlier
30 than ~~one~~ **(+) year three hundred fifty (350) days** after the date the
31 resolution withdrawing the public question is adopted.

32 (l) If a public question regarding a controlled project is placed on
33 the ballot to be voted on at a public question under this section, the
34 political subdivision shall submit to the department of local
35 government finance, at least thirty (30) days before the election, the
36 following information regarding the proposed controlled project for
37 posting on the department's Internet web site:

- 38 (1) The cost per square foot of any buildings being constructed as
39 part of the controlled project.
40 (2) The effect that approval of the controlled project would have
41 on the political subdivision's property tax rate.
42 (3) The maximum term of the bonds or lease.



- 1 (4) The maximum principal amount of the bonds or the maximum
- 2 lease rental for the lease.
- 3 (5) The estimated interest rates that will be paid and the total
- 4 interest costs associated with the bonds or lease.
- 5 (6) The purpose of the bonds or lease.
- 6 (7) In the case of a controlled project proposed by a school
- 7 corporation:
- 8 (A) the current and proposed square footage of school building
- 9 space per student;
- 10 (B) enrollment patterns within the school corporation; and
- 11 (C) the age and condition of the current school facilities.
- 12 SECTION 164. IC 9-24-2.5-13, AS AMENDED BY HEA
- 13 1138-2015, SECTION 225, IS AMENDED TO READ AS FOLLOWS
- 14 [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) As required under 52
- 15 U.S.C. 21083, the commission shall enter into an agreement with the
- 16 Commissioner of Social Security under 42 U.S.C. 405(r)(8)(A) to
- 17 verify information set forth on voter registration applications.
- 18 (b) The information subject to verification under this section is the
- 19 following:
- 20 (1) Whether the name (including the first name and any family
- 21 forename or surname), date of birth (including month, day, and
- 22 year), and Social Security number of an individual provided to the
- 23 Commissioner of Social Security match the information contained
- 24 in the Commissioner's records.
- 25 (2) Whether the individual is shown in the records of the
- 26 Commissioner of Social Security as deceased.
- 27 (c) The agreement under subsection (b) must comply with 52 U.S.C.
- 28 21081 and IC 3-7-26.3.
- 29 **(d) If an individual shown in the records of the Commissioner**
- 30 **of Social Security is deceased, the county voter registration office**
- 31 **shall cancel the individual's registration under IC 3-7-45-4, unless**
- 32 **the county voter registration office determines that additional**
- 33 **information is necessary to sufficiently document the individual's**
- 34 **death.**
- 35 SECTION 165. IC 24-5-14-5 IS AMENDED TO READ AS
- 36 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) This section does
- 37 not apply to **any of the following** messages:
- 38 (1) **Messages** from school districts to students, parents, or
- 39 employees.
- 40 (2) **Messages** to subscribers with whom the caller has a current
- 41 business or personal relationship. ~~or~~
- 42 (3) **Messages** advising employees of work schedules.



1 **(4) Messages to voters from a county election board**
 2 **(established by IC 3-6-5-1), a county board of elections and**
 3 **registration (established by IC 3-6-5.2-3 or IC 3-6-5.4-3), or**
 4 **a county voter registration office (as defined in IC 3-5-2-16.2).**

5 (b) A caller may not use or connect to a telephone line an automatic
 6 dialing-announcing device unless:

7 (1) the subscriber has knowingly or voluntarily requested,
 8 consented to, permitted, or authorized receipt of the message; or

9 (2) the message is immediately preceded by a live operator who
 10 obtains the subscriber's consent before the message is delivered.

11 SECTION 166. IC 33-33-2-8 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) The Allen
 13 superior court consists of nine (9) judges as follows:

14 (1) Two (2) judges serve in the family relations division.

15 (2) Three (3) judges serve in the criminal division.

16 (3) Four (4) judges serve in the civil division.

17 A newly elected or appointed judge assumes the division assignment
 18 of the judge whom the judge replaces.

19 (b) If in the opinion of a majority of the judges there is an undue
 20 disparity in the number of cases in any division, the chief judge may
 21 assign specific cases normally assigned to that division to a judge in
 22 another division as directed by a majority of the judges.

23 **(c) Not later than December 31 of the year immediately**
 24 **preceding a year in which the office of judge of the Allen superior**
 25 **court will be on the ballot, the clerk of the circuit court shall file**
 26 **with the election division a list containing the name, the division**
 27 **assignment, and the court number assigned by the roster of judicial**
 28 **officers maintained by the Supreme Court of Indiana, Division of**
 29 **State Court Administration, for each judge of the Allen superior**
 30 **court.**

31 ~~(e)~~ **(d)** During the period under IC 3-8-2-4 in which a declaration of
 32 candidacy may be filed for a primary election, any person desiring to
 33 become a candidate for one (1) of the Allen superior court judgeships
 34 must file with the election division a declaration of candidacy adapted
 35 from the form prescribed under IC 3-8-2 that:

36 (1) is signed by the candidate; and

37 (2) designates the division and the ~~name of the incumbent judge~~
 38 **court number** of the judgeship that the candidate seeks.

39 ~~(d)~~ **(e)** A petition without the designation required under subsection
 40 (c) shall be rejected by the election division (or by the Indiana election
 41 commission under IC 3-8-1-2).

42 ~~(e)~~ **(f)** If an individual who files a declaration under subsection ~~(e)~~



1 (d) ceases to be a candidate after the final date for filing a declaration
 2 under subsection ~~(c)~~; (d), the election division may accept the filing of
 3 additional declarations of candidacy for that seat not later than noon on
 4 August 1.

5 SECTION 167. IC 33-33-53-2.5 IS ADDED TO THE INDIANA
 6 CODE AS A NEW SECTION TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2015]: **Sec. 2.5. Not later than December 31**
 8 **of the year immediately preceding a year in which the office of**
 9 **judge of the Monroe circuit court will be on the ballot, the clerk of**
 10 **the circuit court shall file with the election division a list containing**
 11 **the name and seat designation for each judge of the Monroe circuit**
 12 **court.**

13 SECTION 168. IC 33-33-82-31, AS AMENDED BY P.L.58-2005,
 14 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2015]: Sec. 31. (a) The judge of the Vanderburgh circuit court
 16 and each of the seven (7) judges of the Vanderburgh superior court
 17 shall be elected in nonpartisan elections every six (6) years.

18 (b) **Not later than December 31 of the year immediately**
 19 **preceding a year in which the office of judge of the Vanderburgh**
 20 **superior court will be on the ballot, the clerk of the circuit court**
 21 **shall file with the election division a list containing the name and**
 22 **the court number assigned by the roster of judicial officers**
 23 **maintained by the Supreme Court of Indiana, Division of State**
 24 **Court Administration, for each judge of the Vanderburgh superior**
 25 **court.**

26 ~~(b)~~ (c) During the period under IC 3-8-2-4 in which a declaration of
 27 candidacy may be filed for a primary election, any person desiring to
 28 become a candidate for any one (1) of the eight (8) judgeships affected
 29 by this chapter shall file with the election division a declaration of
 30 candidacy adapted from the form prescribed under IC 3-8-2, signed by
 31 the candidate and ~~designated which~~ **designating by court number the**
 32 **judgeship the candidate seeks.** Any petition without the designation
 33 shall be rejected by the election division (or by the Indiana election
 34 commission under IC 3-8-1-2). To be eligible for election, a candidate
 35 must be:

- 36 (1) domiciled in the county of Vanderburgh;
- 37 (2) a citizen of the United States; and
- 38 (3) admitted to the practice of law in Indiana.

39 (c) If an individual who files a declaration under subsection ~~(b)~~ (c)
 40 ceases to be a candidate after the final date for filing a declaration
 41 under subsection ~~(b)~~; (c), the election division may accept the filing of
 42 additional declarations of candidacy for that judgeship not later than



1 noon August 1.

2 (d) All candidates for each respective judgeship shall be listed on
3 the general election ballot in the form prescribed by IC 3-11, without
4 party designation. The candidate receiving the highest number of votes
5 for each judgeship shall be elected to that office.

6 (e) IC 3, where not inconsistent with this chapter, applies to
7 elections under this chapter.

8 SECTION 169. IC 36-1-3-9 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 9. (a) The area inside
10 the boundaries of a county comprises its territorial jurisdiction.
11 However, a municipality has exclusive jurisdiction over bridges
12 (subject to IC 8-16-3-1), streets, alleys, sidewalks, watercourses,
13 sewers, drains, and public grounds inside its corporate boundaries,
14 unless a statute provides otherwise.

15 (b) The area inside the corporate boundaries of a municipality
16 comprises its territorial jurisdiction, except to the extent that a statute
17 expressly authorizes the municipality to exercise a power in areas
18 outside its corporate boundaries.

19 (c) Whenever a statute authorizes a municipality to exercise a power
20 in areas outside its corporate boundaries, the power may be exercised:

21 (1) inside the corporate boundaries of another municipality, only
22 if both municipalities, by ordinance, enter into an agreement
23 under IC 36-1-7; or

24 (2) in a county other than the county in which the municipal hall
25 is located, but not inside the corporate boundaries of another
26 municipality, only if both the municipality and the other county,
27 by ordinance, enter into an agreement under IC 36-1-7.

28 (d) If the two (2) units involved under subsection (c) cannot reach
29 an agreement, either unit may petition the circuit or superior court of
30 the county to hear and determine the matters at issue. The clerk of the
31 court shall issue notice to the other unit as in other civil actions, and the
32 court shall hold the hearing without a jury. There may be a change of
33 venue from the judge but not from the county. The petitioning unit
34 shall pay the costs of the action.

35 **(e) If a political subdivision permits or authorizes the placement
36 or display of materials:**

37 **(1) advocating the election or defeat of a candidate or public
38 question; or**

39 **(2) supporting or opposing a political party;**

40 **on the real or personal property of the political subdivision, the
41 political subdivision must permit the placement or display of these
42 materials from any person on that real or personal property**



1 **subject to the same time, place, and manner restrictions.**

2 SECTION 170. IC 36-1-6-10 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10. (a) This section
4 applies to:

5 (1) an ordinance adopted by a unit; **or**

6 (2) **an order adopted by a county redistricting commission**
7 **under IC 36-2-2 or IC 36-2-3;**

8 to establish executive, fiscal, or legislative body election districts
9 within the unit.

10 (b) Except as otherwise provided in the ordinance **or order**, the
11 ordinance **or order** takes effect immediately upon passage. However,
12 a previously adopted ordinance **or order** establishing election districts
13 remains in effect for the purpose of filling a vacancy in the executive,
14 fiscal, or legislative body until the expiration of the term of that office.

15 (c) A reference in the ordinance **or order** to the boundary of a
16 political subdivision, a precinct boundary, or an election district
17 boundary refers to the precinct or boundary as the precinct or boundary
18 existed on the date of adoption of the ordinance **or order**. A change in
19 the boundary of a political subdivision, precinct, or election district
20 following the date of adoption of the ordinance **or order** does not alter
21 the boundaries of the election districts established by the ordinance **or**
22 **order**.

23 (d) **The adoption of an ordinance or order does not affect the**
24 **right of an individual serving as a member of the executive, fiscal,**
25 **or legislative body of the unit to continue to serve in office until the**
26 **expiration of the member's current term specified under state law.**

27 SECTION 171. **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.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred Senate Bill 466, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, delete lines 39 through 42, begin a new paragraph and insert:

"SECTION 6. IC 3-5-5-7, AS AMENDED BY P.L.258-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. **(a)** Subject to section 6 of this chapter, a person does not gain residency in a precinct ~~into in~~ which the person ~~moves is~~ **physically present** for:

- (1) temporary employment;
- (2) educational purposes, **except as provided in subsection (b);**
- (3) preparing to purchase or occupy a residence; or
- (4) other purposes;

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

(b) The following apply to a student attending a postsecondary

ES 466—LS 7409/DI 102



educational institution in Indiana:

- (1) A student who applies to register to vote shall state the student's residence address.
- (2) A student has only one (1) residence for purposes of this title.
- (3) A student may state the student's residence as either of the following, but not both:
 - (A) The address where the student lives when the student attends the postsecondary educational institution where the student pursues the student's education.
 - (B) The address where the student lives when the student is not attending the postsecondary educational institution where the student pursues the student's education."

Page 4, delete lines 1 through 24.

Page 5, line 28, delete "P.L.64-2014," and insert "HEA 1138-2015, SECTION 10,".

Page 5, line 29, delete "SECTION 5,".

Page 5, line 37, delete "42 U.S.C. 1973ff-1(b)".

Page 5, line 37, reset in roman "52 U.S.C.".

Page 5, line 38, reset in roman "20302(b)".

Page 5, line 42, delete "42 U.S.C. 1973ff-1(c)".

Page 5, line 42, reset in roman "52 U.S.C. 20302(c)".

Page 6, line 9, delete "(42 U.S.C. 15401 through 15406)".

Page 6, line 9, reset in roman "(52 U.S.C. 21001".

Page 6, line 10, reset in roman "through 52 U.S.C. 21006)".

Page 6, line 11, delete "42 U.S.C. 15405".

Page 6, line 11, reset in roman "52 U.S.C.".

Page 6, reset in roman line 12.

Page 6, line 13, delete "42 U.S.C. 15408".

Page 6, line 13, reset in roman "52 U.S.C.".

Page 6, line 14, reset in roman "21008".

Page 6, line 34, delete "IC 3-11-8," and insert "**IC 3-11-8-10.5, which permits a poll clerk to maintain a list of voters to make available to a watcher or pollbook holder,**".

Page 6, between lines 39 and 40, begin a new paragraph and insert:

"SECTION 11. IC 3-6-8-4, AS AMENDED BY P.L.221-2005, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. A watcher appointed under this chapter is entitled to **do the following:**

- (1) Enter the polls at least thirty (30) minutes before the opening of the polls and remain there throughout election day until all tabulations have been completed.



- (2) Inspect the paper ballot boxes, ballot card voting system, or electronic voting system before votes have been cast.
- (3) Inspect the work being done by any precinct election officer **(except when a precinct election officer enters a confidential login or password to obtain access to an electronic poll book or to operate a voting system)**.
- (4) Enter, leave, and reenter the polls at any time on election day.
- (5) Witness the calling and recording of the votes and any other proceedings of the precinct election officers in the performance of official duties.
- (6) Receive a summary of the vote prepared under IC 3-12-2-15, IC 3-12-3-2, IC 3-12-3-11, or IC 3-12-3.5-3, signed by the precinct election board, providing:
 - (A) the names of all candidates of the political party whose primary election is being observed by the watcher and the number of votes cast for each candidate;
 - (B) the names of all candidates at a general, municipal, or special election and the number of votes cast for each candidate; or
 - (C) the vote cast for or against a public question.
- (7) Accompany the inspector and judge in delivering the tabulation and election returns to the county election board by the most direct route.
- (8) Be present when the inspector takes a receipt for the tabulation and election returns delivered to the county election board. ~~and~~
- (9) Call upon the election sheriffs to make arrests."

Page 7, line 10, delete ";" and insert "**(except when an individual enters a confidential login or password to obtain access to an electronic poll book or the statewide voter registration system or to operate a voting system used for absentee voting);**".

Page 7, between lines 12 and 13, begin a new paragraph and insert: "SECTION 13. IC 3-6-9-13, AS AMENDED BY P.L.221-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 13. A watcher appointed under this chapter is entitled to do the following:

- (1) Enter the polls at least thirty (30) minutes before the opening of the polls and remain there throughout election day until all tabulations have been completed.
- (2) Inspect the paper ballot boxes, ballot card voting system, or electronic voting system before votes have been cast.



- (3) Inspect the work being done by any precinct election officer **(except when a precinct election officer enters a confidential login or password to obtain access to an electronic poll book or to operate a voting system)**.
- (4) Enter, leave, and reenter the polls at any time on election day.
- (5) Witness the calling and recording of the votes and any other proceedings of the precinct election officers in the performance of official duties.
- (6) Receive a summary of the vote prepared under IC 3-12-2-15, IC 3-12-3-2, IC 3-12-3-11, or IC 3-12-3.5-3, signed by the precinct election board, providing:
 - (A) the names of all candidates of the political party whose primary election is being observed by the watcher and the number of votes cast for each candidate if the watcher is appointed under section 1(a)(1) of this chapter; or
 - (B) the names of all candidates at a school board election and the number of votes cast for each candidate if the watcher is appointed under section 1(a)(2) of this chapter.
- (7) Accompany the inspector and the judge in delivering the tabulation and the election returns to the county election board by the most direct route.
- (8) Be present when the inspector takes a receipt for the tabulation and the election returns delivered to the county election board.
- (9) Call upon the election sheriffs to make arrests.

SECTION 14. IC 3-6-10-5.5, AS AMENDED BY P.L.221-2005, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5.5. A watcher appointed under this chapter is entitled to do the following:

- (1) Enter the polls at least thirty (30) minutes before the opening of the polls and remain there throughout election day until all tabulations have been completed.
- (2) Inspect the paper ballot boxes, ballot card voting system, or electronic voting system before votes have been cast.
- (3) Inspect the work being done by any precinct election officer **(except when a precinct election officer enters a confidential login or password to obtain access to an electronic poll book or to operate a voting system)**.
- (4) Enter, leave, and reenter the polls at any time on election day.
- (5) Witness the calling and recording of the votes and any other proceedings of the precinct election officers in the performance of official duties.



(6) Receive a summary of the vote prepared under IC 3-12-2-15, IC 3-12-3-2, IC 3-12-3-11, or IC 3-12-3.5-3, signed by the precinct election board, providing the names of all candidates and the number of votes cast for each candidate and the votes cast for or against a public question.

(7) Accompany the inspector and the judge in delivering the tabulation and the election returns to the county election board by the most direct route.

(8) Be present when the inspector takes a receipt for the tabulation and the election returns delivered to the county election board."

Page 7, line 13, after "IC 3-7-11-3" insert ", AS AMENDED BY HEA 1138-2015, SECTION 30,".

Page 7, line 18, delete "42".

Page 7, line 19, delete "U.S.C. 1973gg-9(b)".

Page 7, line 19, reset in roman "52 U.S.C. 20510(b)".

Page 8, line 37, after "IC 3-7-15-5" insert ", AS AMENDED BY HEA 1138-2015, SECTION 46,".

Page 9, line 1, delete "42 U.S.C. 1973gg-5(a)(6)(A)(ii).".

Page 9, line 1, reset in roman "52".

Page 9, reset in roman line 2.

Page 9, line 10, delete "42 U.S.C.".

Page 9, line 11, delete "1973gg-5(a)(6)(B):".

Page 9, line 11, reset in roman "52 U.S.C. 20506(a)(6)(B):".

Page 9, line 40, after "IC 3-7-16-12" insert ", AS AMENDED BY HEA 1138-2015, SECTION 56,".

Page 10, line 4, delete "42 U.S.C. 1973gg-5(a)(6)(A)(ii).".

Page 10, line 4, reset in roman "52".

Page 10, reset in roman line 5.

Page 10, line 13, delete "42 U.S.C.".

Page 10, line 14, delete "1973gg-5(a)(6)(B):".

Page 10, line 14, reset in roman "52 U.S.C. 20506(a)(6)(B):".

Page 11, line 9, after "IC 3-7-18-4" insert ", AS AMENDED BY HEA 1138-2015, SECTION 69,".

Page 11, line 15, delete "42 U.S.C. 1973gg-5(a)(6)(A)(ii).".

Page 11, line 15, reset in roman "52".

Page 11, reset in roman line 16.

Page 11, line 24, delete "42 U.S.C.".

Page 11, line 25, delete "1973gg-5(a)(6)(B):".

Page 11, line 25, reset in roman "52 U.S.C. 20506(a)(6)(B):".

Page 12, line 8, delete "P.L.81-2005," and insert "HEA 1138-2015, SECTION 83,".



Page 12, line 9, delete "SECTION 5,".

Page 12, line 10, delete "42 U.S.C. 1973gg-4(a)(2) and" .

Page 12, line 11, delete "42 U.S.C. 15483,".

Page 12, line 11, reset in roman "52 U.S.C. 20505(a)(2) and 52 U.S.C. 21083,".

Page 12, line 14, delete "42 U.S.C. 1973gg-7(b)(2), 42 U.S.C. 15483,".

Page 12, line 14, reset in roman "52 U.S.C.".

Page 12, line 15, reset in roman "20508(b)(2), 52 U.S.C. 21083,".

Page 12, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 27. IC 3-7-26.3-33, AS ADDED BY P.L.258-2013, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016]: Sec. 33. (a) The computerized list must have the capacity to receive vote history and other information from an electronic ~~pollbook~~ **poll book** certified by the secretary of state under IC 3-11-18.1-12. This information must be able to be uploaded into the computerized list on each day after absentee voting concludes in the circuit court clerk's office, a satellite office, or a vote center, and after election day.

(b) The computerized list must have the capacity to transmit electronic images of the signature of a voter taken from:

- (1) the voter's registration application; or
- (2) **a more recent signature of a voter from an absentee application, poll list electronic poll book, or registration document;**

if available, to be downloaded in connection with a voter's record on any electronic poll ~~list~~ **book** certified by the secretary of state under IC 3-11-18.1-12.

(c) The computerized list must have the capacity to receive the uploading of voter registration signatures from electronic poll books and assign each signature to the record of the corresponding voter.

SECTION 28. IC 3-7-26.3-34 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 34. Beginning not later than January 7, 2016, the secretary of state and the co-directors of the election division shall provide the information regarding:**

- (1) **the location of polling places and vote center locations; and**
- (2) **the names of candidates who will appear on ballots in an election;**

necessary for Indiana to participate in the Voting Information Project sponsored by The Pew Charitable Trusts."



Page 13, delete lines 6 through 29, begin a new paragraph and insert:

"SECTION 30. IC 3-7-29-1, AS AMENDED BY P.L.64-2014, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. (a) Except as provided in subsection (f), this section does not apply to a county that:

- (1) has adopted an order under ~~section 6~~ **section 6(a)(1)** of this chapter; or
- (2) is a vote center county under IC 3-11-18.1.

(b) Not later than ten (10) days before the election at which the registration record is to be used, the county voter registration office shall prepare certified copies of the list of registered voters for each precinct in the county.

(c) The lists must contain the following information concerning each registered voter:

- (1) The full name of the voter.
- (2) The address of the voter.
- (3) The assigned voter identification number.
- (4) Whether the voter is required to provide additional identification before voting either in person or by absentee ballot.
- (5) The date of birth of the voter, including an indication whether the voter is less than eighteen (18) years of age for a poll list used in a primary election.
- (6) The scanned signature of the voter.
- (7) Whether the voter is required to provide an affirmation of the voter's residence.
- (8) A bar code that allows the county voter registration office to efficiently record whether the voter has signed the poll list.
- (9) For a poll list used in a primary election, a letter abbreviation of the name of the major political party whose ballot the voter has requested.
- (10) A space for a poll clerk to indicate when a voter has cast an absentee ballot.
- (11) A space for a poll clerk to indicate when a voter has cast a provisional ballot.
- (12) For a voter required to submit additional documentation required under IC 3-7-33-4.5, a space for a poll clerk to insert letters serving as an abbreviation for the type of documentation provided by the voter.

(d) The names shall be arranged in the same order as they are in the registration record of the precinct.

(e) The poll list must also contain a statement at the top of each



page indicating that an individual who knowingly makes a false statement:

- (1) by signing a poll list; or
- (2) on a poll list concerning the individual's name, voter identification number, or residence address;

commits a Level 6 felony as provided by IC 3-14-2-11.

(f) This subsection applies to a county that has adopted an order under ~~section 6~~ **section 6(a)(1)** of this chapter or is a vote center county under IC 3-11-18.1. The precinct election board shall post in a location within the precinct or vote center a notice that:

- (1) is clearly visible to an individual (or to an individual providing assistance under IC 3-11-9) who is providing information to a precinct election officer using an electronic poll book; and
- (2) indicates that an individual commits a Level 6 felony under IC 3-14-2-11, if the individual knowingly makes a false statement to a precinct election officer concerning:
 - (A) the individual's name;
 - (B) the individual's voter identification number; or
 - (C) the individual's residence address.

SECTION 31. IC 3-7-29-2, AS AMENDED BY P.L.271-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) This section does not apply to a county that:

- (1) has adopted an order under ~~section 6~~ **section 6(a)(1)** of this chapter; or
- (2) is a vote center county under IC 3-11-18.1.

(b) After the county election board receives a request from the county chairman of a major political party, not more than two (2) copies of the list required by this chapter shall be prepared and furnished to the inspector of the precinct for use at the polls on election day. The inspector may provide a list furnished under this section to any other precinct officer.

SECTION 32. IC 3-7-29-3, AS AMENDED BY P.L.258-2013, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) This section does not apply to a county that:

- (1) has adopted an order under ~~section 6~~ **section 6(a)(1)** of this chapter; or
- (2) is a vote center county under IC 3-11-18.1.

(b) When the inspector of a precinct procures the ballots and other election supplies for an election, the inspector shall also procure from the county voter registration office the certified copies of the registration record of the precinct with the information required under section 1 of this chapter and other necessary registration supplies.



SECTION 33. IC 3-7-29-4, AS AMENDED BY P.L.64-2014, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) This section does not apply to a county that:

- (1) has adopted an order under ~~section 6~~ **section 6(a)(1)** of this chapter; or
- (2) is a vote center county under IC 3-11-18.1.

(b) The county voter registration office may also provide the inspector of each precinct in the county with a scanned copy of the signature on the affidavit of registration (or a more recent signature of the voter from an absentee application, poll list, or registration document) of each voter of the precinct for the comparison of signatures under IC 3-10-1-24.6 or IC 3-11-8-25.1.

SECTION 34. IC 3-7-29-6, AS AMENDED BY P.L.64-2014, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) ~~If~~ A county election board ~~adopts~~ **may adopt** an order to provide an electronic poll book to the inspector for use at ~~a~~ **the following**:

- (1) ~~Polling place, places,~~ an office of the circuit court clerk (under IC 3-11-10-26), ~~or at a satellite office~~ **offices** established under IC 3-11-10-26.3, **and vote centers established under IC 3-11-18.1-4.** Electronic poll books shall be used at an election (rather than certified poll lists prepared under this chapter) in all **precincts locations** in which the election is to be conducted.
- (2) **Only at an office of the circuit court clerk (under IC 3-11-10-26) and satellite offices established under IC 3-11-10-26.3.**

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

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

(d) An electronic poll book used ~~in a polling place; the office of a circuit court clerk under IC 3-11-10-26; or a satellite office established under IC 3-11-10-26.3;~~ under an order adopted under subsection (a) must:

- (1) comply with IC 3-11-8-10.3; and
- (2) be approved by the secretary of state in accordance with the procedures set forth in IC 3-11-18.1-12."



Page 16, line 35, delete "P.L.64-2014," and insert "HEA 1138-2015, SECTION 115,".

Page 16, line 36, delete "SECTION 15,".

Page 17, line 16, delete "42 U.S.C. 1973gg-6(a)(2),".

Page 17, line 16, reset in roman "52 U.S.C. 20507(a)(2),".

Page 17, line 41, delete "42 U.S.C. 1973ff-1(d),".

Page 17, line 41, reset in roman "52 U.S.C.".

Page 17, line 42, reset in roman "20302(d),".

Page 19, line 5, delete "P.L.64-2014," and insert "HEA 1138-2015, SECTION 120,".

Page 19, line 6, delete "SECTION 21,".

Page 19, line 10, delete "(42 U.S.C. 1973);".

Page 19, line 10, reset in roman "(52 U.S.C. 10101);".

Page 23, delete lines 32 through 42, begin a new paragraph and insert:

"SECTION 44. IC 3-7-39-7, AS AMENDED BY HEA 1138-2015, SECTION 128, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) This section applies to a voter who changes residence to an address in the same precinct where the voter's former residence was located.

(b) As required under 52 U.S.C. 20507(e)(1), a voter described in subsection (a) may vote at the precinct polling place after the voter makes an oral or a written affirmation of the change of address before a member of the precinct election board.

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

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

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

Page 24, delete lines 1 through 15.

Page 24, line 16, after "IC 3-7-39-10" insert ", AS AMENDED BY



HEA 1138-2015, SECTION 131,".

Page 24, line 18, delete "42 U.S.C.".

Page 24, line 19, delete "1973gg-3(a)(2),".

Page 24, line 19, reset in roman "52 U.S.C. 20504(a)(2),".

Page 24, delete lines 27 through 42, begin a new paragraph and insert:

"SECTION 46. IC 3-7-41-2, AS AMENDED BY P.L.64-2014, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) The statement described in section 1 of this chapter may be filed with the county voter registration office at any time.

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

(c) This subsection applies to a county that has adopted an order under ~~IC 3-7-29-6~~ **IC 3-7-29-6(a)(1)** or is a vote center county under IC 3-11-18.1. A voter described in subsection (b) may indicate that the voter's name has changed by writing the necessary information concerning the name change on election day using the affidavit prescribed by the ~~commission~~ **election division** under IC 3-10-11-6. The poll clerks shall initial the affirmation. The change of name on the voter registration record is effective immediately, and the person may then vote if otherwise qualified."

Page 25, delete lines 1 through 3.

Page 25, delete lines 32 through 42, begin a new paragraph and insert:

"SECTION 50. IC 3-7-48-5, AS AMENDED BY HEA 1138-2015, SECTION 144, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) This section applies to a voter who:

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

(b) As provided under 52 U.S.C. 20507(e)(3), a voter described by subsection (a) may vote in the precinct where the voter formerly resided (according to the voter registration record) if the voter makes an oral or a written affirmation to a member of the precinct election board that the voter continues to reside at the address shown as the voter's former residence on the voter registration record.



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

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

(d) This subsection applies to a county that has adopted an order under ~~IC 3-7-29-6~~ **IC 3-7-29-6(a)(1)** or is a vote center county under IC 3-11-18.1. A voter described in subsection (a) may make a written affirmation described in this section on the affidavit prescribed by the **commission election division** under IC 3-10-11-6. If the person makes an oral affirmation under this subsection, the poll clerks shall reduce the substance of the affirmation to writing by using the affidavit prescribed by the commission under IC 3-10-11-6 and initial the affirmation.

SECTION 51. IC 3-8-1-2, AS AMENDED BY P.L.194-2013, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) The commission, a county election board, or a town election board shall act if a candidate (or a person acting on behalf of a candidate in accordance with state law) has filed any of the following:

- (1) A declaration of candidacy under IC 3-8-2 or IC 3-8-5.
- (2) A request for ballot placement in a presidential primary under IC 3-8-3.
- (3) A petition of nomination or candidate's consent to nomination under IC 3-8-2.5 or IC 3-8-6.
- (4) A certificate of nomination under IC 3-8-5, IC 3-8-7, IC 3-10-2-15, or IC 3-10-6-12.
- (5) A certificate of candidate selection under IC 3-13-1 or IC 3-13-2.
- (6) A declaration of intent to be a write-in candidate under IC 3-8-2-2.5.
- (7) A contest to the denial of certification under IC 3-8-2.5 or IC 3-8-6-12.

(b) The commission has jurisdiction to act under this section with regard to any filing described in subsection (a) that was made with the election division. Except for a filing under the jurisdiction of a town election board, a county election board has jurisdiction to act under this section with regard to any filing described in subsection (a) that was made with the county election board, county voter registration office, or the circuit court clerk. A town election board has jurisdiction to act



under this section with regard to any filing that was made with the county election board, the county voter registration office, or the circuit court clerk for nomination or election to a town office.

(c) Except as provided in subsection (e), before the commission or election board acts under this section, a registered voter of the election district that a candidate seeks to represent **or a county chairman of a major political party of a county in which any part of the election district is located** must file a sworn statement with the election division or election board:

- (1) questioning the eligibility of a **the** candidate to seek the office; and
- (2) setting forth the facts known to the voter **or county chairman of a major political party of a county** concerning this question.

(d) The eligibility of a write-in candidate or a candidate nominated by a convention, petition, or primary may not be challenged under this section if the commission or board determines that all of the following occurred:

- (1) The eligibility of the candidate was challenged under this section before the candidate was nominated.
- (2) The commission or board conducted a hearing on the affidavit before the nomination.
- (3) This challenge would be based on substantially the same grounds as the previous challenge to the candidate.

(e) Before the commission or election board can consider a contest to the denial of a certification under IC 3-8-2.5 or IC 3-8-6-12, a candidate (or a person acting on behalf of a candidate in accordance with state law) must file a sworn statement with the election division or election board:

- (1) stating specifically the basis for the contest; and
- (2) setting forth the facts known to the candidate supporting the basis for the contest.

(f) Upon the filing of a sworn statement under subsection (c) or (e), the commission or election board shall determine the validity of the questioned:

- (1) declaration of candidacy;
- (2) declaration of intent to be a write-in candidate;
- (3) request for ballot placement under IC 3-8-3;
- (4) petition of nomination;
- (5) certificate of nomination;
- (6) certificate of candidate selection issued under IC 3-13-1-15 or IC 3-13-2-8; or
- (7) denial of a certification under IC 3-8-2.5 or IC 3-8-6-12.



(g) The commission or election board shall deny a filing if the commission or election board determines that the candidate has not complied with the applicable requirements for the candidate set forth in the Constitution of the United States, the Constitution of the State of Indiana, or this title."

Page 26, delete lines 1 through 19.

Page 45, line 19, delete "P.L.194-2013," and insert "HEA 1008-2015, SECTION 4,".

Page 45, line 20, delete "SECTION 31,".

Page 45, line 26, delete "July 15" and insert "August 1".

Page 48, between lines 27 and 28, begin a new paragraph and insert:
"SECTION 73. IC 3-9-4-17, AS AMENDED BY P.L.225-2011, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 17. (a) In addition to any other penalty imposed, a person who does any of the following is subject to a civil penalty under this section:

- (1) Fails to file with a county election board a report in the manner required under IC 3-9-5.
- (2) Fails to file a statement of organization required under IC 3-9-1.
- (3) Is a committee or a member of a committee who disburses or expends money or other property for any political purpose before the money or other property has passed through the hands of the treasurer of the committee.
- (4) Makes a contribution other than to a committee subject to this article or to a person authorized by law or a committee to receive contributions in the committee's behalf.
- (5) Is a corporation or labor organization that exceeds any of the limitations on contributions prescribed by IC 3-9-2-4.
- (6) Makes a contribution in the name of another person.
- (7) Accepts a contribution made by one (1) person in the name of another person.
- (8) Is not the treasurer of a committee subject to this article, and pays any expenses of an election or a caucus except as authorized by this article.
- (9) Commingles the funds of a committee with the personal funds of an officer, a member, or an associate of the committee.
- (10) Wrongfully uses campaign contributions in violation of IC 3-9-3-4.
- (11) Fails to designate a contribution as required by IC 3-9-2-5(c).
- (12) Violates IC 3-9-3-5.
- (13) Serves as a treasurer of a committee in violation of any of the



following:

(A) IC 3-9-1-13(1).

(B) IC 3-9-1-13(2).

(C) IC 3-9-1-18.

(14) Violates IC 3-9-3-2.5 by making a communication that contains a disclaimer that is not presented in a clear and conspicuous manner, as required by IC 3-9-3-2.5(d) and IC 3-9-3-2.5(e). This subdivision does not apply to a person whose sole act is, in the normal course of business, participating in the preparation, printing, distribution, or broadcast of the communication containing the disclaimer.

(b) This subsection applies to a person who is subject to a civil penalty under subsection (a)(1) or (a)(2) for filing a defective report or statement. If the county election board determines that a person failed to file the report or a statement of organization not later than noon five (5) days after being given notice under section 14 of this chapter, the county election board may assess a civil penalty. The penalty is ten dollars (\$10) for each day the report is late after the expiration of the five (5) day period, not to exceed one hundred dollars (\$100) plus any investigative costs incurred and documented by the board. The civil penalty limit under this subsection applies to each report separately.

(c) This subsection applies to a person who is subject to a civil penalty under subsection (a)(1) or (a)(2) for a delinquent report or statement. If the county election board determines that a person failed to file the report or statement of organization by the deadline prescribed under this article, the board shall assess a civil penalty. The penalty is fifty dollars (\$50) for each day the report is late, with the afternoon of the final date for filing the report or statement being calculated as the first day. The civil penalty under this subsection may not exceed one thousand dollars (\$1,000) plus any investigative costs incurred and documented by the board. The civil penalty limit under this subsection applies to each report separately.

(d) This subsection applies to a person who is subject to a civil penalty under subsection (a)(3), (a)(4), (a)(6), (a)(7), (a)(8), (a)(9), or (a)(10). If the county election board determines that a person is subject to a civil penalty under subsection (a), the board may assess a civil penalty of not more than one thousand dollars (\$1,000), plus any investigative costs incurred and documented by the board.

(e) This subsection applies to a person who is subject to a civil penalty under subsection (a)(5). If the county election board determines that a person is subject to a civil penalty under subsection (a)(5), the board may assess a civil penalty of not more than three (3) times the



amount of the contribution in excess of the limit prescribed by IC 3-9-2-4, plus any investigative costs incurred and documented by the board.

(f) This subsection applies to a person who is subject to a civil penalty under subsection (a)(11). If the county election board determines that a corporation or a labor organization has failed to designate a contribution in violation of IC 3-9-2-5(c), the board shall assess a civil penalty equal to the greater of the following, plus any investigative costs incurred and documented by the board:

(1) Two (2) times the amount of the contributions undesignated.

(2) One thousand dollars (\$1,000).

(g) This subsection applies to a person who is subject to a civil penalty under subsection (a)(12). If the county election board determines, by unanimous vote of the entire membership of the board, that a person has violated IC 3-9-3-5, the board may assess a civil penalty of not more than five hundred dollars (\$500), plus any investigative costs incurred and documented by the board.

(h) This subsection applies to a person who is subject to a civil penalty under subsection (a)(13). If the county election board determines, by unanimous vote of the entire membership of the board, that a person has served as the treasurer of a committee in violation of any of the statutes listed in subsection (a)(13), the board may assess a civil penalty of not more than five hundred dollars (\$500), plus any investigative costs incurred and documented by the board.

(i) This subsection applies to a person who is subject to a civil penalty under subsection (a)(14). If the board determines that a person is subject to a civil penalty under subsection (a)(14), the board may assess a civil penalty of not more than one thousand dollars (\$1,000) for each communication circulated or published (but not for each of the copies of the communication actually circulated or published), plus any investigative costs incurred and documented by the election division.

(j) All civil penalties collected under this section shall be deposited with the county treasurer to be deposited by the county treasurer in a separate account. ~~to be known as the campaign finance enforcement account.~~ The funds in the account are available, with the approval of the county fiscal body, to augment and supplement the funds appropriated for the administration of this ~~article.~~ **title in the county.**

(k) Money in the ~~campaign finance enforcement~~ **established under subsection (j)** account does not revert to the county general fund at the end of a county fiscal year.

(l) Proceedings of the county election board under this section are subject to IC 4-21.5."



Page 50, delete lines 32 through 42, begin a new paragraph and insert:

"SECTION 77. IC 3-10-1-7.1, AS AMENDED BY P.L.76-2014, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7.1. (a) This subsection does not apply to a county in which electronic poll books are used under ~~IC 3-7-29-6~~ **IC 3-7-29-6(a)(1)** or IC 3-11-18.1. Each county election board shall furnish the inspector of each precinct for use on primary election day a certified copy under IC 3-7-29 of the list of all voters registered to vote in the precinct.

(b) This subsection does not apply to a county in which electronic poll books are used under ~~IC 3-7-29-6~~ **IC 3-7-29-6(a)(1)** or IC 3-11-18.1. The county voter registration office may also provide the inspector of each precinct in the county a certified photocopy of the signature on the affidavit or form of registration of each voter of the precinct for the comparison of signatures under section 24.6 of this chapter.

(c) If the name of a person offering to vote at the primary is in the registration record or listed in the certified copy prepared for the precinct or the electronic poll list, it is sufficient evidence of the person's right to vote unless the person is challenged.

SECTION 78. IC 3-10-1-31.1, AS AMENDED BY HEA 1139-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 31.1. (a) This section applies only to election materials for elections held after December 31, 2003.

(b) The inspector of each precinct shall deliver the bags required by section 30(a) and 30(c) of this chapter in good condition, together with poll lists, tally sheets, and other forms, to the circuit court clerk when making returns.

(c) Except for unused ballots disposed of under IC 3-11-3-31 or affidavits received by the county election board under IC 3-14-5-2 for delivery to the foreman of a grand jury, the circuit court clerk shall seal the ballots (including provisional ballots) and other material (including election material related to provisional ballots) during the time allowed to file a verified petition or cross-petition for a recount of votes or to contest the election. Except as provided in subsection (d) and notwithstanding any other provision of state law, after the recount or contest filing period, the election material, including election material related to provisional ballots (except for ballots and provisional ballots, which remain confidential) shall be made available for copying and inspection under IC 5-14-3. The circuit court clerk shall carefully preserve the sealed ballots and other material for twenty-two (22)



months, as required by 52 U.S.C. 20701, after which the sealed ballots and other material are subject to IC 5-15-6 unless an order issued under:

- (1) IC 3-12-6-19 or IC 3-12-11-16; or
- (2) 52 U.S.C. 10301;

requires the continued preservation of the ballots or other material.

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

(e) Upon delivery of the poll lists, the county voter registration office shall unseal the envelopes containing the poll lists, inspect the poll lists, and update the registration records of the county. The county voter registration office shall use the poll lists and information on affidavits executed under IC 3-10-10, IC 3-10-11, or IC 3-10-12 to update the registration record to include the voter's voter identification number if the voter's voter identification number is not already included in the registration record. Upon completion of the inspection, the poll list and affidavits shall be preserved with the ballots and other materials in the manner prescribed by subsection (c) for the period prescribed by subsections (c) and (d).

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

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

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

~~(h)~~ (i) This subsection applies to a detachable recording unit or compartment used to record a ballot cast on a direct record electronic voting system. After the time allowed to file a verified petition or



cross-petition for a recount of votes or to contest the election, the circuit court clerk shall transfer the data contained in the unit or compartment to a disc or other recording medium. After transferring the data, the clerk may clear or erase the unit or compartment. The circuit court clerk shall carefully preserve the disc or medium used to record the data for twenty-two (22) months, as required by 52 U.S.C. 20701, after which time the disc or medium may be erased or destroyed, subject to IC 5-15-6, unless an order requiring the continued preservation of the disc or medium is issued under the following:

- (1) IC 3-12-6-19.
- (2) IC 3-12-11-16.
- (3) 52 U.S.C. 10301."

Delete page 51.

Page 52, delete lines 1 through 21.

Page 55, between lines 29 and 30, begin a new paragraph and insert:
"SECTION 87. IC 3-11-1.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) Except as provided in:

- (1) subsection (b);
- (2) subsection (c);
- (3) section 3.2 of this chapter; or
- (4) section 3.5 of this chapter;

a county executive shall establish precincts so that a precinct contains ~~no not~~ more than ~~one two~~ thousand ~~two hundred~~ (~~1,200~~) **(2,000)** active voters.

(b) This subsection applies to a precinct that includes:

- (1) an entire township, but does not cross a township boundary in violation of section 4 of this chapter;
- (2) an entire city legislative body district, but does not cross the boundary of a city legislative body district;
- (3) an entire town legislative body district, but does not cross the boundary of a town legislative body district; or
- (4) one (1) residential structure containing more than ~~one two~~ thousand ~~two hundred~~ (~~1,200~~) **(2,000)** active voters and no other residential structure containing voters.

In changing precincts or establishing new precincts, a county executive shall arrange a precinct so that it will contain ~~no not~~ more than ~~one two~~ thousand ~~five three~~ hundred (~~1,500~~) **(2,300)** active voters.

(c) A county executive is not required to establish precincts so that a precinct contains not more than ~~one two~~ thousand ~~two hundred~~ (~~1,200~~) **(2,000)** active voters if the precinct:

- (1) was established by the county executive in compliance with



subsection (a) within the preceding forty-eight (48) months; and
 (2) contains not more than ~~one~~ **two** thousand ~~four~~ **two** hundred
 (~~1,400~~) **(2,200)** active voters."

Page 55, between lines 38 and 39, begin a new paragraph and insert:
 "SECTION 89. IC 3-11-3-11, AS AMENDED BY HEA 1138-2015,
 SECTION 154, IS AMENDED TO READ AS FOLLOWS
 [EFFECTIVE JULY 1, 2015]: Sec. 11. (a) Except as provided in
 subsection (b), the county election board shall deliver the following to
 each inspector or the inspector's representative:

(1) The supplies provided for the inspector's precinct by the
 election division.

(2) The sample ballots, the ballot labels, if any, and all poll lists,
 registration lists, and other supplies considered necessary to
 conduct the election in the inspector's precinct.

(3) The ballots printed under the direction of the county election
 board as follows:

(A) In those precincts where ballot card voting systems are to
 be used, the number of ballots at least equal to one hundred
 percent (100%) of the number of voters in the inspector's
 precinct, according to the poll list.

(B) In those precincts where electronic voting systems are to
 be used, the number of ballots that will be required to be
 printed and furnished to the precincts for emergency purposes
 only.

(C) Provisional ballots in the number considered necessary by
 the county election board.

(4) Twenty (20) ink pens suitable for printing the names of
 write-in candidates on the ballot or ballot envelope.

(5) Copies of the voter's bill of rights for posting as required by 52
 U.S.C. 21082.

(6) Copies of the instructions for a provisional voter required by
 52 U.S.C. 21082. The county election board shall provide at least
 the number of copies of the instructions as the number of
 provisional ballots provided under subdivision (3).

(7) Copies of the notice for posting as required by IC 3-7-29-1(f).

(8) The blank voter registration applications required to be
 provided under IC 3-7-48-7(b).

(b) This subsection applies to a county that:

(1) has adopted an order under ~~IC 3-7-29-6~~; **IC 3-7-29-6(a)(1)**; or

(2) is a vote center county under IC 3-11-18.1.

The county election board shall deliver and install the hardware,
 firmware, and software necessary to use an electronic poll book in each



precinct or vote center.

SECTION 90. IC 3-11-3-16, AS AMENDED BY P.L.64-2014, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 16. (a) Except as provided in subsection (b), each county election board shall prepare and have delivered to the inspectors of the precincts, at the time they receive the ballots for their precincts, a suitable number of voter registration lists certified under IC 3-7-29 and any other forms, papers, certificates, and oaths that are required to be furnished to precinct election boards. The forms and papers must be prepared in compliance with IC 3-5-4-8.

(b) In a county described by ~~IC 3-7-29-6~~ **IC 3-7-29-6(a)(1)** or IC 3-11-18.1, the electronic poll books shall be delivered and installed for use by the county election board under section 11(b) of this chapter.

(c) The county voter registration office shall cooperate with the county election board in the preparation of the lists certified under IC 3-7-29 (or in the use of the electronic poll books)."

Page 57, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 94. IC 3-11-4-1.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: **Sec. 1.5. The provisions of this chapter relating to an absentee ballot application do not apply to a voter who votes:**

(1) in person under IC 3-11-10-26 or IC 3-11-10-26.3; and

(2) in a county using an electronic poll book."

Page 57, line 24, strike "county election board" and insert "**voter**".

Page 57, line 25, reset in roman "an individual".

Page 57, line 25, delete "both members of an absentee board" and insert "**eligible to assist the voter under IC 3-11-9-2(a)**".

Page 57, line 26, delete "their names" and insert "**the individual's name**".

Page 59, delete lines 36 through 42, begin a new paragraph and insert:

"SECTION 96. IC 3-11-4-3, AS AMENDED BY P.L.219-2013, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) Except as provided in section 6 of this chapter, an application for an absentee ballot must be received by the circuit court clerk (or, in a county subject to IC 3-6-5.2, the director of the board of elections and registration) not earlier than the date the registration period resumes under IC 3-7-13-10 nor later than the following:

(1) Noon on election day if the voter registers to vote under IC 3-7-36-14.



- (2) Noon on the day before election day if the voter:
- (A) completes the application in the office of the circuit court clerk under IC 3-11-10-26; or
 - (B) is an absent uniformed services voter or overseas voter who requests that the ballot be transmitted by electronic mail or fax under section 6(h) of this chapter.
- (3) Noon on the day before election day if:
- (A) the application is a mailed, transmitted by fax, or hand delivered application from a confined voter or voter caring for a confined person; and
 - (B) the applicant requests that the absentee ballots be delivered to the applicant by an absentee voter board under IC 3-11-10-25.
- (4) 11:59 p.m. on the eighth day before election day if the application is:
- (A) ~~is~~ a mailed application;
 - (B) transmitted by electronic mail;**
 - ~~(B) was~~ **(C)** transmitted by fax; or
 - ~~(C) was~~ **(D)** hand delivered;
- from other voters who request to vote by mail under IC 3-11-10-24.

(b) An application for an absentee ballot received by the election division by the time and date specified by subsection (a)(2)(B), (a)(3), or (a)(4) is considered to have been timely received for purposes of processing by the county. The election division shall immediately transmit the application to the circuit court clerk, or the director of the board of elections and registration, of the county where the applicant resides. The election division is not required to complete or file the affidavit required under section 2(h) of this chapter whenever the election division transmits an application under this subsection.

(c) This subsection applies whenever a special election is conducted during a year in which a general or municipal election is not scheduled. An application for an absentee ballot for a primary being conducted in the following year may not be received by the circuit court clerk (or, in a county subject to IC 3-6-5.2, the director of the board of elections and registration) earlier than the date the registration period resumes under IC 3-7-13-10.

SECTION 97. IC 3-11-4-4, AS AMENDED BY HEA 1139-2015, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) Applications may be made on application forms approved by the ~~commission~~ **election division** by any of the following means:

ES 466—LS 7409/DI 102



- (1) In person.
 - (2) By fax transmission.
 - (3) By mail (including United States mail or bonded courier).
 - (4) By electronic mail with a digital image of the application and signature of the applicant. ~~if transmitted by an absent uniformed services voter or an overseas voter acting under section 6 of this chapter.~~
- (b) Application forms shall:
- (1) be furnished to a central committee of the county at the request of the central committee;
 - (2) be:
 - (A) mailed;
 - (B) transmitted by fax; or
 - (C) transmitted by electronic mail with a digital image of the application;
 upon request, to a voter; and
 - (3) be delivered to a voter in person who applies at the circuit court clerk's office.
- (c) A county election board shall accept an application for an absentee ballot transmitted by fax even though the application is delivered to the county election board by a person other than the person submitting the application.
- (d) When an application is received under subsection (a)(4), the circuit court clerk's office (or, in a county subject to IC 3-6-5.2 or IC 3-6-5.4, the office of the board of elections and registration) shall send an electronic mail receipt acknowledging receipt of the voter's application."

Delete page 60.

Page 61, delete lines 1 through 30.

Page 62, between lines 37 and 38, begin a new paragraph and insert:
 "SECTION 99. IC 3-11-4-5.7, AS AMENDED BY HEA 1138-2015, SECTION 157, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5.7. (a) As used in this section, "MOVE" refers to the Military and Overseas Voter Empowerment Act (P.L. 111-84, Division A, Title V, Subtitle H (Section 575 et seq.)).

(b) As used in this section, "voter" refers only to either of the following:

(1) An absent uniformed services voter.

(2) An overseas voter.

~~(b)~~ (c) Except as expressly provided by law, the state delegates its responsibilities to carry out the requirements of MOVE to each county election board (or board of elections and registration established under



IC 3-6-5.2 or IC 3-6-5.4).

(~~e~~) (d) To implement 52 U.S.C. 20302, electronic mail, fax, and web publication are designated as means of communication for ~~an absent uniformed services voter or an overseas~~ a voter to request a voter registration application and an absentee ballot application from the election division, a county election board, or a county voter registration office.

(~~d~~) (e) An office described in subsection (~~e~~) (d) that receives an electronic mail or fax from a voter shall provide an absentee ballot application or a voter registration application by electronic mail or fax to the voter if:

- (1) requested by the voter; and
- (2) the voter provides an electronic mail address or a fax number that permits the office to send an application not later than the end of the first business day after the office receives the communication from the voter.

If the electronic mail address or the fax number provided by the voter does not permit the office to send the voter an application not later than the end of the first business day after the office receives the communication, the office shall send the application to the voter by United States mail.

(~~e~~) (f) As required by 52 U.S.C. 20302, to the extent practicable and permitted under **state Indiana** law (including IC 3-7 and IC 5-14-3), an office described in subsection (~~e~~) (d) shall ensure that the procedures used to transmit an absentee ballot application or a voter registration application to an absent uniformed services voter or overseas voter protect the security and integrity of the application request processes, and that the privacy of the identity and other personal data of the voter who requests or is sent an application under subsection (~~d~~) (e) is protected throughout the process of making the request or being sent the application.

(~~f~~) (g) As required under 52 U.S.C. 20302, an office described in subsection (~~e~~) (d) shall include information regarding the use of electronic mail, fax, and web publication with all informational and instructional materials that are sent with an absentee ballot application or an absentee ballot to an absent uniformed services voter or overseas voter.

(~~g~~) (h) To implement Section 580 of MOVE, and in accordance with IC 3-7-26.3-3, the secretary of state, with the approval of the election division, shall develop a free access system that permits an absent uniformed services voter or overseas voter to determine whether the voter's absentee ballot has been received by the appropriate county



election board (or board of elections and registration), regardless of the manner in which the absentee ballot was transmitted by the voter to the board. To the extent permitted by IC 3-7 and IC 5-14-3, the system must contain reasonable procedures to protect the security, confidentiality, and integrity of personal information collected, stored, or otherwise used on the system."

Page 62, line 38, after "IC 3-11-4-7" insert ", AS AMENDED BY HEA 1138-2015, SECTION 159,".

Page 62, line 41, delete "42 U.S.C. 1973ff(b)".

Page 62, line 41, reset in roman "52 U.S.C. 20301(b)".

Page 63, line 13, delete "P.L.194-2013," and insert "HEA 1139-2015, SECTION 19, AND BY HEA 1138-2015, SECTION 163,".

Page 63, line 14, delete "SECTION 55,".

Page 63, line 34, delete "mailed:" and insert "transmitted:".

Page 64, line 3, delete "42 U.S.C. 15481,".

Page 64, line 3, reset in roman "52 U.S.C. 21081,".

Page 64, line 8, delete "42 U.S.C. 15481,".

Page 64, line 8, reset in roman "52 U.S.C. 21081,".

Page 64, line 9, delete "mailed" and insert "transmitted".

Page 64, line 41, delete "P.L.103-2005," and insert "HEA 1138-2015, SECTION 164,".

Page 64, line 42, delete "SECTION 8,".

Page 65, line 3, delete "42 U.S.C. 1973ff-1(b),".

Page 65, line 3, reset in roman "52 U.S.C. 20302(b)".

Page 66, delete lines 2 through 42, begin a new paragraph and insert:

"SECTION 104. IC 3-11-7-15, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2015 GENERAL ASSEMBLY AND BY HEA 1138-2015, SECTION 171, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]:
Sec. 15. (a) A vendor may apply for approval of a proposed improvement or change to a ballot card voting system that is currently certified by the commission. A proposed improvement or change may not be marketed, sold, leased, installed, or implemented in Indiana before the application for the improvement or change is approved by the commission.

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

(c) The vendor applying for approval of an improvement or a change must have the improvement or change to the voting system tested by an independent laboratory accredited under 52 U.S.C. 20971. The vendor shall pay any testing expenses incurred under this



subsection.

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

- (1) whether the proposed improvement or change has been approved by an independent laboratory accredited under 52 U.S.C. 20971;
- (2) whether the proposed improvement is a de minimis change or a modification;
- (3) if the proposed improvement or change is a modification, whether the modification may be installed and implemented without any significant likelihood that the voting system would be configured or perform its functions in violation of HAVA or this title; and
- (4) whether the proposed improvement or change would comply with HAVA and the standards set forth in this chapter and IC 3-11-15.

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

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

Page 67, line 6, after "IC 3-11-7.5-5," insert "AS AMENDED BY HEA 1138-2015, SECTION 173, AND".

Page 67, line 19, delete "42 U.S.C. 15371."

Page 67, line 20, reset in roman "52 U.S.C. 20971."

Page 67, line 24, after "system" insert "**in accordance with procedures approved by the commission**".

Page 67, line 26, delete "whether the proposed".

Page 67, delete line 27.

Page 67, line 28, reset in roman "whether the proposed improvement or change".

Page 67, line 29, delete "42".

Page 67, line 30, delete "U.S.C. 15371;".

Page 67, line 30, reset in roman "52 U.S.C. 20971;".

Page 67, line 31, reset in roman "whether the proposed improvement".

Page 67, line 31, after "improvement" insert "**or change**".

Page 67, line 32, delete ";" and insert "**as indicated by a report**



from an independent laboratory;".

Page 67, line 37, delete ";" and insert **"as indicated by a report from an independent laboratory;"**.

Page 67, line 38, reset in roman "whether the proposed improvement or change".

Page 70, line 30, after "from" insert ":

(A)".

Page 70, line 31, delete "," and insert **"; or"**.

Page 70, line 31, strike "if available."

Page 70, between lines 31 and 32, begin a new line double block indented and insert:

"(B) a more recent signature of a voter from an absentee application, poll list, electronic poll book, or registration document."

Page 73, line 27, delete "check-in" and insert **"check in"**.

Page 73, between lines 32 and 33, begin a new paragraph and insert:
"SECTION 109. IC 3-11-8-10.4 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10.4. (a) This section applies to a county if the county election board has adopted an order under IC 3-7-29-6(a)(2) for the use of electronic poll books only at an office of the circuit court clerk and satellite offices established under IC 3-11-10-26.3.

(b) Notwithstanding section 10.3 of this chapter, the county election board is not required to do either of the following:

(1) Transmit information electronically from electronic poll books to precincts on election day.

(2) Generate reports for watchers, political parties, or independent candidates for election day."

Page 73, line 33, delete "P.L.221-2005," and insert "HEA 1138-2015, SECTION 176,".

Page 73, line 34, delete "SECTION 66,".

Page 74, line 17, delete "42 U.S.C. 15482,".

Page 74, line 17, reset in roman "52 U.S.C. 21082,".

Page 75, between lines 5 and 6, begin a new paragraph and insert:
"SECTION 114. IC 3-11-8-25.1, AS AMENDED BY SEA 199-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 25.1. (a) Except as provided in subsection (e), a voter who desires to vote an official ballot at an election shall provide proof of identification.

(b) Except as provided in subsection (e), before the voter proceeds to vote in the election, a precinct election officer shall ask the voter to



provide proof of identification. One (1) of each of the precinct election officers nominated by each county chairman of a major political party of the county under IC 3-6-6-8 or IC 3-6-6-9 is entitled to ask the voter to provide proof of identification. The voter shall produce the proof of identification to each precinct officer requesting the proof of identification before being permitted to sign the poll list.

(c) If:

- (1) the voter is unable or declines to present the proof of identification; or
- (2) a member of the precinct election board determines that the proof of identification provided by the voter does not qualify as proof of identification under IC 3-5-2-40.5;

a member of the precinct election board shall challenge the voter as prescribed by this chapter.

(d) If the voter executes a challenged voter's affidavit under section 22.1 of this chapter, the voter may:

- (1) sign the poll list; and
- (2) receive a provisional ballot.

(e) A voter who votes in person at a precinct polling place that is located at a state licensed care facility where the voter resides is not required to provide proof of identification before voting in an election.

(f) After a voter has passed the challengers or has been sworn in, the voter shall be instructed by a member of the precinct election board to proceed to the location where the poll clerks are stationed. In a vote center county using an electronic poll list, two (2) election officers who are not members of the same political party must be present when a voter signs in on the electronic poll list. The voter shall announce the voter's name to the poll clerks or assistant poll clerks. A poll clerk, an assistant poll clerk, or a member of the precinct election board shall require the voter to write the following on the poll list or to provide the following information for entry into the electronic poll list:

- (1) The voter's name.
- (2) Except as provided in subsection (k), the voter's current residence address.

(g) The poll clerk, an assistant poll clerk, or a member of the precinct election board shall:

- (1) ask the voter to provide or update the voter's voter identification number;
- (2) tell the voter the number the voter may use as a voter identification number; and
- (3) explain to the voter that the voter is not required to provide or update a voter identification number at the polls.



(h) The poll clerk, an assistant poll clerk, or a member of the precinct election board shall ask the voter to provide proof of identification.

(i) In case of doubt concerning a voter's identity, the precinct election board shall compare the voter's signature with the signature on the ~~affidavit of registration or any certified copy of the signature provided under IC 3-7-29~~ **or enter the information into the electronic poll book: voter's registration record provided by the county voter registration office under IC 3-7-29.** If the board determines that the voter's signature is authentic, the voter may then vote. If either poll clerk doubts the voter's identity following comparison of the signatures, the poll clerk shall challenge the voter in the manner prescribed by section 21 of this chapter.

(j) If:

- (1) the poll clerk does not execute a challenger's affidavit; or
- (2) the voter executes a challenged voter's affidavit under section 22.1 of this chapter or executed the affidavit before signing the poll list;

the voter may then vote.

(k) The electronic poll book (or each line on a poll list sheet provided to take a voter's current address) must include a box under the heading "Address Unchanged" so that the voter may check the box instead of writing the voter's current address on the poll list, or if an electronic poll book is used, the poll clerk may check the box after stating to the voter the address shown on the electronic poll book and receiving an oral affirmation from the voter that the voter's residence address shown on the poll list is the voter's current residence address instead of writing the voter's current residence address on the poll list or reentering the address in the electronic poll book.

(l) If the voter indicates that the voter's current residence is located within another county in Indiana, the voter is considered to have directed the county voter registration office of the county where the precinct is located to cancel the voter registration record within the county. The precinct election board shall provide the voter with a voter registration application for the voter to complete and file with the county voter registration office of the county where the voter's current residence address is located.

(m) If the voter indicates that the voter's current residence is located outside Indiana, the voter is considered to have directed the county voter registration office of the county where the precinct is located to cancel the voter registration record within the county."

Page 75, line 42, delete "P.L.221-2005," and insert "HEA



1138-2015, SECTION 180,".

Page 76, line 1, delete "SECTION 67,".

Page 76, line 8, delete "42 U.S.C. 1973aa-6.".

Page 76, line 8, reset in roman "52".

Page 76, reset in roman line 9.

Page 76, line 27, after "voter" insert ":

(1)".

Page 76, line 29, delete "IC 5-26.5-2." and insert "**IC 5-26.5-2; or (2) requesting to cast an absentee ballot in the office of the circuit court clerk, the office of the board of elections and registration, or a satellite office.**".

Page 76, line 34, delete "P.L.225-2011," and insert "SEA 522-2015, SECTION 1,".

Page 76, line 35, delete "SECTION 61,".

Page 77, between lines 24 and 25, begin a new line block indented and insert:

"(12) The voter is a serious sex offender (as defined in IC 35-42-4-14(a)).

(13) The voter is prevented from voting due to the unavailability of transportation to the polls.".

Page 78, delete lines 30 through 42, begin a new paragraph and insert:

"SECTION 119. IC 3-11-10-25, AS AMENDED BY HEA 1138-2015, SECTION 182, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 25. (a) A voter who votes by absentee ballot because of:

- (1) illness or injury; or
- (2) caring for a confined person at a private residence;

and who is within the county on election day may vote before an absentee voter board or by mail.

(b) If requested by a voter described in subsection (a) or by a voter with disabilities whose precinct is not accessible to voters with disabilities, an absentee voter board shall visit the voter's place of confinement, the residence of the voter with disabilities, or the private residence:

- (1) during the regular office hours of the circuit court clerk;
- (2) at a time agreed to by the board and the voter;
- (3) on any of the ~~twelve (12)~~ **nineteen (19)** days immediately before election day; and
- (4) only once before an election, unless:
 - (A) the confined voter is unavailable at the time of the board's first visit due to a medical emergency; or



(B) the board, in its discretion, decides to make an additional visit.

(c) This subsection applies to a voter confined due to illness or injury. An absentee voter board may not be denied access to the voter's place of confinement if the board is present at the place of confinement at a time:

- (1) agreed to by the board and the voter; and
- (2) during the regular office hours of the circuit court clerk. A person who knowingly violates this subsection commits obstruction or interference with an election officer in the discharge of the officer's duty, a violation of IC 3-14-3-4.

(d) The county election board, by unanimous vote of the board's entire membership, may authorize an absentee voter board to visit a voter who is confined due to illness or injury and will be outside the county on election day in accordance with the procedures set forth in subsection (b).

(e) As provided by 52 U.S.C. 21081, a voter casting an absentee ballot under this section must be:

- (1) permitted to verify in a private and independent manner the votes selected by the voter before the ballot is cast and counted;
- (2) provided with the opportunity to change the ballot or correct any error in a private and independent manner before the ballot is cast and counted, including the opportunity to receive a replacement ballot if the voter is otherwise unable to change or correct the ballot; and
- (3) notified before the ballot is cast regarding the effect of casting multiple votes for the office and provided an opportunity to correct the ballot before the ballot is cast and counted.

(f) As provided by 52 U.S.C. 21081, when an absentee ballot is provided under this section, the board must also provide the voter with:

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

(g) This subsection applies to a voter who applies to vote an absentee ballot by mail. The county election board shall include a copy of the Absentee Voter's Bill of Rights with any absentee ballot mailed to the voter.

SECTION 120. IC 3-11-10-26, AS AMENDED BY HEA 1138-2015, SECTION 183, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 26. (a) This subsection applies to all counties, except for a county to which IC 3-6-5.2 applies. As an



alternative to voting by mail, a voter is entitled to cast an absentee ballot before an absentee voter board at any of the following:

- (1) One (1) location of the office of the circuit court clerk designated by the circuit court clerk.
- (2) A satellite office established under section 26.3 of this chapter.

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

- (1) The office of the board of elections and registration.
- (2) A satellite office established under section 26.3 of this chapter.

(c) Except for a location designated under subsection (a)(1), a location of the office of the circuit court clerk must be established as a satellite office under section 26.3 of this chapter in order to be used as a location at which a voter is entitled to cast an absentee ballot before an absentee voter board under this section.

(d) The voter must **do the following before being permitted to vote:**

(1) **This subdivision does not apply to a county that uses electronic poll books for voting under this section.** Sign an application on the form prescribed by the ~~commission~~ **election division** under IC 3-11-4-5.1. ~~and~~ **The application must be received by the circuit court clerk not later than the time prescribed by IC 3-11-4-3.**

(2) **This subdivision applies only to a county that uses electronic poll books for voting under this section. The voter must do both of the following:**

(A) **Make and subscribe to the affidavit prescribed by IC 3-11-4-21.**

(B) **Sign the electronic poll book.**

~~(2)~~ (3) **Provide proof of identification.**

~~before being permitted to vote. The application must be received by the circuit court clerk not later than the time prescribed by IC 3-11-4-3.~~

(e) The voter may vote before the board not more than twenty-eight (28) days nor later than noon on the day before election day. If the close of a voter registration period is transferred under IC 3-5-4-1.5 from twenty-nine (29) days to a later date due to the Columbus Day holiday, the voter may vote before the board on the first day following the day on which the voter registration period closes.

(f) An absent uniformed services voter who is eligible to vote by absentee ballot in the circuit court clerk's office under IC 3-7-36-14



may vote before the board not earlier than twenty-eight (28) days before the election and not later than noon on election day. If the close of a voter registration period is transferred under IC 3-5-4-1.5 from twenty-nine (29) days to a later date due to the Columbus Day holiday, the voter may vote before the board on the first day following the day on which the voter registration period closes. If a voter described by this subsection wishes to cast an absentee ballot during the period beginning at noon on the day before election day and ending at noon on election day, the county election board or absentee voter board may receive and process the ballot at a location designated by resolution of the county election board.

(g) The absentee voter board in the office of the circuit court clerk must permit voters to cast absentee ballots under this section for at least seven (7) hours on each of the two (2) Saturdays preceding election day.

(h) Notwithstanding subsection (g), in a county with a population of less than twenty thousand (20,000), the absentee voter board in the office of the circuit court clerk, with the approval of the county election board, may reduce the number of hours available to cast absentee ballots under this section to a minimum of four (4) hours on each of the two (2) Saturdays preceding election day.

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

- (1) permitted to verify in a private and independent manner the votes selected by the voter before the ballot is cast and counted;
- (2) provided with the opportunity to change the ballot or correct any error in a private and independent manner before the ballot is cast and counted, including the opportunity to receive a replacement ballot if the voter is otherwise unable to change or correct the ballot; and
- (3) notified before the ballot is cast regarding the effect of casting multiple votes for the office and provided an opportunity to correct the ballot before the ballot is cast and counted.

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

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

(k) If:

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



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

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

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

SECTION 121. IC 3-11-10-26.2, AS AMENDED BY P.L.64-2014, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 26.2. (a) A county election board or board of elections and registration shall comply with IC 3-11-9-6 by providing an electronic voting system for voting by absentee ballot in the office of the circuit court clerk, the board of elections and registration, or a satellite office established under section 26.3 of this chapter, by a voter with disabilities or any other qualified absentee voter who wishes to cast an absentee ballot on the electronic voting system.

(b) The county election board or board of elections and registration may adopt a resolution under this section to authorize the circuit court clerk to use an electronic voting system for voting by voters eligible to cast an absentee ballot before an absentee board under section 25 of this chapter. A resolution adopted under this section must be adopted by the unanimous vote of the board's entire membership.

(c) A county providing absentee ballot voting under this section must adopt procedures to do the following:

(1) Secure absentee votes cast on an electronic voting system that provide protection comparable to the protection provided to absentee votes cast by paper ballot.

(2) Compare the signature on an absentee ballot application with the applicant's signature on the applicant's voter registration ~~application.~~ **record.**

(3) Ensure that an invalid ballot (as determined under IC 3-11.5) is not counted.

(4) Specify how a spoiled absentee ballot is to be canceled in the direct record electronic voting system if a voter casts and returns a replacement absentee ballot.

(d) A resolution adopted under this section may contain other provisions to implement this section that the board considers useful and that are not contrary to Indiana or federal law.

(e) If a resolution is adopted under this section, the circuit court clerk may use as many electronic voting machines for recording absentee votes as the clerk considers necessary, subject to the resolution adopted by the board.



(f) Notwithstanding any other law, an absentee ballot voted on an electronic voting system under this section is not required to bear the seal, signature, and initials prescribed by section 27 of this chapter.

(g) If a resolution is adopted under this section, the procedure for casting an absentee ballot on an electronic voting system must, except as provided in this section, be substantially the same as the procedure for casting an absentee ballot in the office of the circuit court clerk under section 26 of this chapter.

SECTION 122. IC 3-11-10-26.3, AS AMENDED BY P.L.194-2013, SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 26.3. (a) A county election board may adopt a resolution to authorize the circuit court clerk to establish satellite offices in the county where voters may cast absentee ballots before an absentee voter board.

(b) To be adopted under this section, a resolution must be adopted by the unanimous vote of the board's entire membership.

(c) A resolution adopted under this section must do the following:

- (1) State the locations of the satellite offices.
- (2) State the hours at which absentee voting may occur at the satellite offices.

(d) The resolution may contain other provisions the board considers useful.

(e) If a resolution is adopted under this section for a primary election, the locations of the satellite offices and the hours at which absentee voting may occur at the satellite offices established for the primary election must be used for the subsequent general or municipal election.

(f) If a resolution is adopted under this section, the procedure for casting an absentee ballot at a satellite office must, except as provided in this section, be substantially the same as the procedure for casting an absentee ballot in the office of the circuit court clerk **under section 26 of this chapter.**

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

(h) A satellite office established by a circuit court clerk under this section must comply with the polling place accessibility requirements of IC 3-11-8.

(i) A resolution adopted under this section expires January 1 of the year immediately after the year in which the resolution is adopted."

Delete page 79.

Page 80, delete lines 1 through 30.

Page 84, line 18, delete "." and insert "**in the office of the circuit**



court clerk under IC 3-11-10-26."

Page 87, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 135. IC 3-11.5-4-8, AS AMENDED BY P.L.76-2014, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) This section does not apply to a county that:

(1) has adopted an order to use an electronic poll book under ~~IC 3-7-29-6~~; **IC 3-7-29-6(a)(1)**; or

(2) is a vote center county under IC 3-11-18.1;

if the electronic poll book used at a polling place or vote center is immediately updated to indicate the county received, not later than noon on election day, an absentee ballot from a voter.

(b) Each county election board shall certify the names of voters:

(1) to whom absentee ballots were sent or who marked ballots in person; and

(2) whose ballots have been received by the board under this chapter;

after the certification under section 1 of this chapter and not later than noon on election day.

(c) The county election board shall have:

(1) the certificates described in subsection (b); and

(2) the circuit court clerk's certificates for voters who have registered and voted under IC 3-7-36-14;

delivered to the precinct election boards at their respective polls on election day by couriers appointed under section 22 of this chapter.

(d) The certificates shall be delivered not later than 3 p.m. on election day.

SECTION 136. IC 3-11.5-4-9, AS AMENDED BY P.L.76-2014, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 9. (a) This section does not apply to a county that:

(1) has adopted an order to use an electronic poll book under ~~IC 3-7-29-6~~; **IC 3-7-29-6(a)(1)**; or

(2) is a vote center county under IC 3-11-18.1;

if the electronic poll book used at a polling place or vote center is immediately updated to indicate that the county received, not later than noon on election day, an absentee ballot from a voter.

(b) Upon delivery of the certificates under section 8 of this chapter to a precinct election board, the inspector shall do the following in the presence of the poll clerks:

(1) Mark the poll list.

(2) Attach the certificates of voters who have registered and voted under IC 3-7-36-14 to the poll list.

The poll clerks shall sign the statement printed on the certificate



indicating that the inspector marked the poll list and attached the certificates under this section in the presence of both poll clerks to indicate that the absentee ballot of the voter has been received by the county election board.

(c) The inspector shall then deposit:

- (1) the certificate prepared under section 1 of this chapter;
- (2) the certificate prepared under section 8 of this chapter; and
- (3) any challenge affidavit executed by a qualified person under section 15 of this chapter;

in an envelope in the presence of both poll clerks.

(d) The inspector shall seal the envelope. The inspector and each poll clerk shall then sign a statement printed on the envelope indicating that the inspector or poll clerk has complied with the requirements of this chapter governing the marking of the poll list and certificates.

(e) The couriers shall immediately return the envelope described in subsection (c) to the county election board. Upon delivering the envelope to the county election board, each courier shall sign a statement printed on the envelope indicating that the courier has not opened or tampered with the envelope since the envelope was delivered to the courier.

SECTION 137. IC 3-11.5-4-11, AS AMENDED BY P.L.76-2014, SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 11. (a) Except as provided in subsection (b), at any time after the couriers return the certificate under section 9 of this chapter, absentee ballot counters appointed under section 22 of this chapter, in the presence of the county election board, shall, except for a ballot rejected under section 13 of this chapter:

- (1) open the outer or carrier envelope containing an absentee ballot envelope and application;
- (2) announce the absentee voter's name; and
- (3) compare the signature upon the application with the signature upon the affidavit on the ballot envelope or transmitted affidavit.

(b) This subsection applies to a county that:

- (1) has adopted an order to use an electronic poll book under ~~IC 3-7-29-6~~; **IC 3-7-29-6(a)(1)**; or
- (2) is a vote center county under IC 3-11-18.1.

Immediately after the electronic poll books used at each polling place or vote center have been updated to indicate that the county received, not later than noon on election day, an absentee ballot from a voter, the absentee ballot counters shall, in a central counting location designated by the county election board, count the absentee ballot votes cast for each candidate for each office and on each public question in the



precinct.

SECTION 138. IC 3-11.5-4-15, AS AMENDED BY P.L.64-2014, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 15. (a) Except as provided in subsection (c), the vote of an absentee voter may be challenged at the polls for the reason that the absentee voter is not a legal voter of the precinct where the ballot is being cast.

(b) Before the inspector prepares to mark the poll list to indicate that an absentee ballot cast by the voter has been received by the county election board according to a certificate delivered to the polls under section 1 or section 8 of this chapter, the inspector shall notify the challengers and the pollbook holders that the inspector is about to mark the poll list under this section. The inspector shall provide the challengers and pollbook holders with the name and address of each voter listed in the certificate so that the voter may be challenged under this article.

(c) This section applies to a county that:

- (1) has adopted an order to use an electronic poll list under ~~IC 3-7-29-6~~; **IC 3-7-29-6(a)(1)**; or
- (2) is a vote center county under IC 3-11-18.1.

The vote of an absentee ballot may be challenged for the reason that the absentee voter is not a legal voter of the precinct for which the absentee ballot was issued. Before the absentee ballot counters process an absentee ballot, the absentee ballot counters shall notify the county election board. A county election board member, or a representative designated by a county election board member, may challenge the absentee ballot under section 16 of this chapter.

(d) The challenge under this section must be determined using the procedures for counting a provisional ballot under IC 3-11.7."

Page 87, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 141. IC 3-11.5-4-22, AS AMENDED BY P.L.76-2014, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 22. (a) Except as provided in subsection (b), each county election board shall appoint:

- (1) absentee voter boards;
- (2) teams of absentee ballot counters; and
- (3) teams of couriers;

consisting of two (2) voters of the county, one (1) from each of the two (2) political parties that have appointed members on the county election board.

(b) Notwithstanding subsection (a), a county election board:

- (1) may appoint, by a unanimous vote of the board's members,



- only one (1) absentee ballot courier if the person appointed is a voter of the county; and
- (2) shall not appoint teams of couriers, if the county:
- (A) has adopted an order to use an electronic poll book under ~~IC 3-7-29-6~~; **IC 3-7-29-6(a)(1)**; or
- (B) is a vote center county under IC 3-11-18.1.
- (c) An otherwise qualified person is eligible to serve on an absentee voter board or as an absentee ballot counter or a courier unless the person:
- (1) is unable to read, write, and speak the English language;
- (2) has any property bet or wagered on the result of the election;
- (3) is a candidate to be voted for at the election except as an unopposed candidate for precinct committeeman or state convention delegate; or
- (4) is the spouse, parent, father-in-law, mother-in-law, child, son-in-law, daughter-in-law, grandparent, grandchild, brother, sister, brother-in-law, sister-in-law, uncle, aunt, nephew, or niece of a candidate or declared write-in candidate to be voted for at the election except as an unopposed candidate. This subdivision disqualifies a person whose relationship to the candidate is the result of birth, marriage, or adoption.
- (d) A person who is a candidate to be voted for at the election or who is related to a candidate in a manner that would result in disqualification under subsection (c) may, notwithstanding subsection (c), serve as a member of an absentee voter board if:
- (1) the candidate is seeking nomination or election to an office in an election district that does not consist of the entire county; and
- (2) the county election board restricts the duties of the person as an absentee voter board member to performing functions that could have no influence on the casting or counting of absentee ballots within the election district.
- SECTION 142. IC 3-11.5-4-24, AS AMENDED BY P.L.76-2014, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 24. (a) This section does not apply to a county that:
- (1) has adopted an order to use an electronic poll book under ~~IC 3-7-29-6~~; **IC 3-7-29-6(a)(1)**; or
- (2) is a vote center county under IC 3-11-18.1.
- (b) In addition to the preparations described in IC 3-11-11-2, IC 3-11-13-27, or IC 3-11-14-16, the inspector shall:
- (1) mark the poll list; and
- (2) attach the certificates of voters who have registered and voted



under IC 3-7-36-14 to the poll list;
in the presence of the poll clerks to indicate the voters of the precinct whose absentee ballots have been received by the county election board according to the certificate supplied under section 1 of this chapter.

(c) The poll clerks shall sign the statement printed on the certificate supplied under section 1 of this chapter indicating that the inspector:

- (1) marked the poll list; and
- (2) attached the certificates described in subsection (b)(2);

under this section in the presence of both poll clerks.

(d) The inspector shall retain custody of the certificate supplied under section 1 of this chapter until the certificate is returned under section 9 of this chapter.

SECTION 143. IC 3-11.5-5-3, AS AMENDED BY P.L.76-2014, SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) Except as provided in subsection (b), immediately after:

- (1) the couriers have returned the certificate from a precinct under IC 3-11.5-4-9; and
- (2) the absentee ballot counters or the county election board have made the findings required under IC 3-11-10 and IC 3-11.5-4 for the absentee ballots cast by voters of the precinct and deposited the accepted absentee ballots in the envelope required under IC 3-11.5-4-12;

the absentee ballot counters shall, in a central counting location designated by the county election board, count the absentee ballot votes for each candidate for each office and on each public question in the precinct.

(b) This section applies to a county that:

- (1) has adopted an order to use an electronic poll book under ~~IC 3-7-29-6~~; **IC 3-7-29-6(a)(1)**; or
- (2) is a vote center county under IC 3-11-18.1.

Immediately after the electronic poll books used at each polling place or vote center have been updated to indicate that the county received, not later than noon on election day, an absentee ballot from a voter, the absentee ballot counters shall, in a central counting location designated by the county election board, count the absentee ballot votes cast for each candidate for each office and on each public question in the precinct.

SECTION 144. IC 3-11.5-6-3, AS AMENDED BY P.L.76-2014, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 3. (a) Except as provided in subsection (b), immediately after:



(1) the couriers have returned the certificate from a precinct under IC 3-11.5-4-9; and

(2) the absentee ballot counters or the county election board has made the findings required under IC 3-11-10 and IC 3-11.5-4 for the absentee ballots cast by voters of the precinct and deposited the accepted absentee ballots in the envelope required under IC 3-11.5-4-12;

the absentee ballot counters shall, in a central counting location designated by the county election board, count the absentee ballot votes for each candidate for each office and on each public question in the precinct with the assistance of any persons required for the operation of the automatic tabulating machine.

(b) This subsection applies to a county that:

(1) has adopted an order to use an electronic poll book under ~~IC 3-7-29-6~~; **IC 3-7-29-6(a)(1)**; or

(2) is a vote center county under IC 3-11-18.1.

Immediately after the electronic poll books used at each polling place or vote center have been updated to indicate that the county received, not later than noon on election day, an absentee ballot from a voter, the absentee ballot counters shall, in a central counting location designated by the county election board, count the absentee ballot votes cast for each candidate for each office and on each public question in the precinct."

Page 90, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 148. IC 3-12-8-17, AS AMENDED BY P.L.221-2005, SECTION 121, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 17. (a) A contest shall be heard and determined by the court without a jury subject to the Indiana Rules of Trial Procedure.

(b) The court shall determine the issues raised by the petition and answer to the petition.

(c) After hearing and determining a petition alleging that a candidate is ineligible, the court shall declare as elected or nominated the qualified candidate who received the highest number of votes and render judgment accordingly. **If the court rules that the contestee is ineligible, and no other individual was a candidate for nomination or election, the court shall declare that no candidate has been:**

(1) nominated at the primary, and that a ballot vacancy exists that the political party may fill under IC 3-13-1 or IC 3-13-2; or

(2) elected at the general or municipal election, and that an office vacancy exists that may be filled under IC 3-13, subject



to the right of an individual currently serving in the office to hold over in that office under Article 15, Section 3 of the Constitution of the State of Indiana.

(d) If the court finds that:

- (1) a mistake in the printing or distribution of the ballots used in the election;
- (2) a mistake in the programming of an electronic voting system;
- (3) a malfunction of an electronic voting system; or
- (4) the occurrence of a deliberate act or series of actions;

makes it impossible to determine which candidate received the highest number of votes, the court shall order that a special election be conducted under IC 3-10-8.

(e) The special election shall be conducted in the precincts identified in the petition in which the court determines that:

- (1) ballots containing the printing mistake or distributed by mistake were cast;
- (2) a mistake occurred in the programming of an electronic voting system;
- (3) an electronic voting system malfunctioned; or
- (4) the deliberate act or series of actions occurred."

Page 91, line 22, delete "P.L.225-2011," and insert "HEA 1139-2015, SECTION 23,".

Page 91, line 23, delete "SECTION 80,".

Page 91, line 24, delete "7" and insert "3, 4, 5, or 6".

Page 93, line 27, delete "P.L.225-2011," and insert "HEA 1139-2015, SECTION 29,".

Page 93, line 28, delete "SECTION 83,".

Page 93, line 30, delete "6(a)(2)" and insert "6(b)(2)".

Page 94, line 1, delete "6(b)" and insert "6(c)".

Page 94, line 3, delete "6(a)" and insert "6(b)".

Page 94, line 5, delete "county,".

Page 94, line 8, delete "6(a)" and insert "6(b)".

Page 95, delete lines 37 through 42.

Page 96, line 1, reset in roman "(f)".

Page 96, line 1, delete "(g)".

Page 96, line 6, reset in roman "(g)".

Page 96, line 6, delete "(h)".

Page 96, line 7, delete "(d), or" and insert "(d) or".

Page 96, line 7, delete ", or (f)".

Page 96, line 11, reset in roman "(h)".

Page 96, line 11, delete "(i)".

Page 96, between lines 29 and 30, begin a new paragraph and insert:



"SECTION 158. IC 3-14-3-0.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 0.1. Notwithstanding any other law, the additions and amendments to this chapter made by legislation enacted in the 2015 regular session of the general assembly do not affect any:**

- (1) rights or liabilities accrued;**
- (2) penalties incurred;**
- (3) offenses committed; or**
- (4) proceedings begun;**

before July 1, 2015. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if the legislation had not been enacted.

SECTION 159. IC 3-14-3-1.1, AS AMENDED BY P.L.158-2013, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.1. A person who knowingly does any of the following commits a Level 6 felony:

- (1) Procures or submits a voter registration ~~applications~~ **application** known by the person to be materially false, fictitious, or fraudulent.
- (2) Procures, casts, or tabulates ~~ballots~~ **a ballot** known by the person to be materially false, fictitious, or fraudulent."

Page 96, between lines 41 and 42, begin a new paragraph and insert:

"SECTION 161. IC 5-4-1-1.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1.2. (a) This section does not apply to an individual:

- (1) appointed or elected to an office the establishment or qualifications of which are expressly provided for in the Constitution of the State of Indiana or the Constitution of the United States; or**
- (2) holding over in an office under Article 15, Section 3 of the Constitution of the State of Indiana.**

(b) Subject to subsection (c), an individual appointed or elected to an office of a political subdivision may take the oath required under section 1 of this chapter at any time after the individual's appointment or election.

(c) An individual appointed or elected to an office of a political subdivision must take the oath required by section 1 of this chapter and deposit the oath as required by section 4 of this chapter not later than thirty (30) days after the beginning of the term of office.

(d) If an individual appointed or elected to an office of a political subdivision does not comply with subsection (c), the office becomes



vacant."

Page 100, line 27, after "IC 9-24-2.5-13" insert ", AS AMENDED BY HEA 1138-2015, SECTION 225,".

Page 100, line 29, delete "42 U.S.C. 15483,".

Page 100, line 29, reset in roman "52 U.S.C. 21083,".

Page 100, line 42, delete "42 U.S.C.".

Page 101, line 1, delete "15481".

Page 101, line 1, reset in roman "52 U.S.C. 21081".

Page 101, between lines 7 and 8, begin a new paragraph and insert: "SECTION 164. IC 24-5-14-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. (a) This section does not apply to **any of the following** messages:

(1) **Messages** from school districts to students, parents, or employees.

(2) **Messages** to subscribers with whom the caller has a current business or personal relationship. ~~or~~

(3) **Messages** advising employees of work schedules.

(4) **Messages to voters from a county election board (established by IC 3-6-5-1), a county board of elections and registration (established by IC 3-6-5.2-3 or IC 3-6-5.4-3), or a county voter registration office (as defined in IC 3-5-2-16.2).**

(b) A caller may not use or connect to a telephone line an automatic dialing-announcing device unless:

(1) the subscriber has knowingly or voluntarily requested, consented to, permitted, or authorized receipt of the message; or

(2) the message is immediately preceded by a live operator who obtains the subscriber's consent before the message is delivered."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 466 as printed February 17, 2015.)

SMITH M

Committee Vote: yeas 7, nays 3.



HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 466 be amended to read as follows:

Page 82, delete lines 30 through 33.

Page 118, line 36, delete "county,".

(Reference is to ESB 466 as printed April 10, 2015.)

RICHARDSON

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 466 be amended to read as follows:

Page 6, line 28, after "holder," insert "**or under any provision of IC 3-11-8 that permits a precinct election officer to challenge a voter as part of the official duties of the precinct election officer,**".

Page 62, line 42, strike "(a)".

Page 90, line 31, delete "voter's" and insert "**voter's**".

Page 102, line 13, delete "list," and insert "**book,**".

Page 118, line 36, delete "county,".

Page 129, line 22, strike "(c)" and insert "**(d)**".

Page 129, line 24, strike "(c)," and insert "**(d),**".

(Reference is to ESB 466 as printed April 10, 2015.)

RICHARDSON

HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 466 be amended to read as follows:

Page 41, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 58. IC 3-8-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 2. (a) A political party shall conduct a state convention to nominate the candidates of the political party for the following offices to be voted on at the next general election:

- (1) Lieutenant governor.
- (2) Secretary of state.

ES 466—LS 7409/DI 102



- (3) Auditor of state.
- (4) Treasurer of state.
- (5) Attorney general.
- (6) Superintendent of public instruction.

(b) The convention ~~shall~~ **may** also:

- (1) nominate candidates for presidential electors and alternate electors; and
- (2) elect the delegates and alternate delegates to the national convention of the political party.

(c) If a political party's state convention does not:

- (1) nominate candidates for presidential electors and alternate electors; or**
- (2) elect the delegates and alternate delegates to the national convention of the political party;**

the candidates shall be nominated or the delegates elected as provided in the state party's rules."

Renumber all SECTIONS consecutively.

(Reference is to ESB 466 as printed April 10, 2015.)

RICHARDSON

