

SENATE BILL No. 466

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-5; IC 3-6; IC 3-7; IC 3-8; IC 3-9; IC 3-10; IC 3-11; IC 3-11.5; IC 3-11.7; IC 3-12; IC 3-13; IC 3-14; IC 6-1.1-20-3.6; IC 9-24-2.5-13; IC 33-33; IC 36-1.

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

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

Miller Pete

January 14, 2015, read first time and referred to Committee on Elections.



residency changes made by voters on election day, and allows the update of voter registration records as soon as the writing is delivered to the county voter registration office. Provides that a change in census block data issued by the Bureau of the Census after a precinct establishment order is adopted does not alter the precincts established by the order. Eliminates the requirement that any vote cast for a deceased candidate in a primary election is void, and provides that if a deceased candidate receives the most votes in a primary election, a candidate vacancy occurs that the candidate's party may fill. Provides that, if a voter with disabilities is unable to sign the absentee ballot application and has not designated an attorney in fact, a county election board may designate both members of an absentee board to sign the absentee ballot application on behalf of the voter and add their names to the application. Provides that a precinct election officer who administers more than one precinct is not entitled to additional compensation. Provides that, whenever a special election is conducted during a year in which a general or municipal election is not scheduled, the circuit court clerk may not receive an application for an absentee ballot for a primary being conducted in the following year earlier than December 1. Specifies methods for determining the end of the line of voters who are waiting to vote at the time the polls close. Permits voters to use 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 or distributing or sharing the image using social media or other means. Permits a voter to bring a list of candidates and public questions into the polling place for the voter's use in voting as long as electioneering does not occur. Requires that an absentee ballot application be scanned or copied for public inspection before the application is attached to the returned ballot. Permits the precinct designation on ballots used in a vote center county to be preprinted on the ballot before the election or to be added in the same manner as election officials' initials are added immediately before the ballot is delivered to a voter. Provides that a voter requesting but not receiving an absentee ballot may vote at the polls, if the voter executes an affidavit affirming that the voter did not receive an absentee ballot. Requires a county election board to conduct an additional public test of ballot card or electronic voting systems whenever a ballot is reprinted, corrected, or includes a successor candidate, after the initial testing occurs. Establishes public testing procedures for a voting system that includes features of a ballot card voting system and a direct record electronic voting system. Requires a person that receives a certification of an electronic poll book to file within 48 hours with the secretary of state a written report concerning an anomaly or problem discovered after the first date absentee ballots are sent to voters. Provides that rejected absentee ballots in a central count county may not be opened except on the order of a court or the state recount commission. Requires that provisional ballots be delivered by the printer not later than 50 days before a general, primary, special, or municipal election. (Currently, provisional ballots must be delivered 45 days before a general, primary, or municipal election and 32 days before a special election.) Requires the state recount commission to conduct a recount resulting from a statewide public question. Provides that a person filing to fill a candidate vacancy for a local or school board office is not required to file a statement of economic interests until after the person is selected to fill the vacancy. Prohibits a government employee from knowingly or intentionally displaying campaign materials on a government employer's real property during regular working hours. Provides that, whenever a public question

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Digest Continued

concerning a controlled project is defeated or withdrawn, another public question on the same or similar project may not be submitted to voters earlier than 350 days after the date of the defeat or withdrawal. (Currently, the period is one year.) Requires the Allen County circuit court clerk to file with the division, at the end of a year before a year in which the office of judge of the Allen County superior court will be on the ballot, a list of the names, division assignments, and seat designations of the superior court judges. Requires the Monroe County circuit court clerk to file with the division, at the end of a year before a year in which the office of judge of the Monroe County circuit court will be on the ballot, a list of the names and seat designations of the circuit court judges. Provides that if a political subdivision permits or authorizes the placement of election related communications on the real or personal property of the political subdivision, the political subdivision must permit communications from any person to be placed on the political subdivision's property subject to the same time, place, and manner restrictions that apply to election related communications.



Introduced

First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 466

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

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

- 1 SECTION 1. IC 3-5-2-3, AS AMENDED BY P.L.221-2005,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 UPON PASSAGE]: Sec. 3. "Ballot" means:
4 (1) the paper ballot prepared, printed, and supplied for use at an
5 election;
6 (2) the ballot label **or electronic display** prepared, printed, and
7 supplied for use on the front of an electronic voting system; or
8 (3) the ballot card prepared, printed, and supplied for use in a
9 ballot card voting system.
10 SECTION 2. IC 3-5-2-39 IS AMENDED TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2015]: Sec. 39. "Polls" means the room in a
12 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



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

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

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

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

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

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

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

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

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

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

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

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

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

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



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



1 **physically present** for:

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

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

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

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

- 13 (1) A statement summarizing the rights and responsibilities of the
 14 voter when casting and returning the absentee ballot.
 15 (2) A summary of Indiana and federal laws concerning providing
 16 assistance to the voter, completion of the ballot in secret,
 17 intimidation of voters, and the return of the absentee ballot to the
 18 county election board.
 19 (3) Information concerning how to report violations of the
 20 absentee ballot and election laws.

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

- 24 (1) Administer Indiana election laws.
 25 (2) Adopt rules under IC 4-22-2 to do the following:
 26 (A) Govern the fair, legal, and orderly conduct of elections,
 27 including the following:
 28 (i) Emergency rules described in section 16 of this chapter
 29 to implement a court order requiring the commission, the
 30 election division, or an election board or official to
 31 administer an election in a manner not authorized by this
 32 title.
 33 (ii) Rules (including joint rules with other agencies when
 34 necessary) to implement and administer NVRA.
 35 (B) Carry out IC 3-9 (campaign finance).
 36 (C) Govern the establishment of precincts under IC 3-11-1.5.
 37 (D) Specify procedures and fees for the processing of an
 38 application from a vendor for voting systems approval and
 39 testing.
 40 (E) ~~Prescribe formats for the storage and submission of~~
 41 ~~computerized voter registration records by county and state~~
 42 ~~agencies or offices.~~



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

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

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

10 SECTION 9. IC 3-6-4.2-12, AS AMENDED BY P.L.64-2014,
 11 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2015]: Sec. 12. The election division shall do the following:

13 (1) Maintain complete and uniform descriptions and maps of all
 14 precincts in Indiana.

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

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

19 (4) Serve in accordance with ~~42 U.S.C. 1973ff-1(b)~~ **52 U.S.C.**
 20 **20302(b)** as the office in Indiana responsible for providing
 21 information regarding voter registration procedures and absentee
 22 ballot procedures to absent uniformed services voters and
 23 overseas voters.

24 (5) As required by ~~42 U.S.C. 1973ff-1(c)~~, **52 U.S.C. 20302(c)**,
 25 submit a report to the federal Election Assistance Commission not
 26 later than ninety (90) days after each general election setting forth
 27 the combined number of absentee ballots:

28 (A) transmitted to absent uniformed services voters and
 29 overseas voters for the election; and

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

32 (6) Implement the state plan in accordance with the requirements
 33 of HAVA (~~42 U.S.C. 15401 through 15406~~) (**52 U.S.C. 21001**
 34 **through 52 U.S.C. 21006**) and this title, and appoint members of
 35 the committee established under ~~42 U.S.C. 15405~~. **52 U.S.C.**
 36 **21005**.

37 (7) Submit reports required under ~~42 U.S.C. 15408~~ **52 U.S.C.**
 38 **21008** to the federal Election Assistance Commission concerning
 39 the use of federal funds under Title II, Subtitle D, Part I of
 40 HAVA.

41 (8) **Prescribe a uniform set of election and registration forms**
 42 **for use throughout Indiana, except when prescribed by this**



1 **title.**

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

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

14 **(c) A precinct election officer may not serve at the same time as
15 a challenger, pollbook holder, or watcher. Except as provided in
16 IC 3-11-8, a precinct election officer while serving as a precinct
17 election officer may not perform the functions of a challenger,
18 pollbook holder, or watcher.**

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

22 SECTION 11. IC 3-6-8-7 IS ADDED TO THE INDIANA CODE
23 AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY
24 1, 2015]: **Sec. 7. A political party may appoint up to two (2)
25 watchers under this chapter for each satellite office established
26 under IC 3-11-10-26.3. A watcher appointed under this section has
27 the rights listed in section 4(2), 4(3), 4(4), and 4(5) of this chapter.**

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

31 (1) NVRA; or

32 (2) this article;

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

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

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

42 (2) the members of the commission.



1 (c) Notwithstanding this chapter, a person aggrieved by a violation
 2 of NVRA or this article may file a written notice of violation with the
 3 circuit court clerk of the county where the violation allegedly occurred.
 4 If a person files a written notice with the circuit court clerk, the NVRA
 5 official shall not begin enforcement procedures under this chapter
 6 regarding the complaint unless the person files a complaint with the
 7 NVRA official under this chapter.

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

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

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

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

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

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



1 under this article.

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

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

10 SECTION 17. IC 3-7-15-5 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 5. The registration form
12 prescribed under section 4 of this chapter must meet the following
13 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 ~~42 U.S.C. 1973gg-5(a)(6)(A)(ii)~~. **52**
17 **U.S.C. 20506(a)(6)(A)(ii)**.

18 (2) The form must include a statement that does the following:
19 (A) Sets forth each eligibility requirement for registration
20 (including citizenship).
21 (B) Contains an attestation that the applicant meets each of the
22 eligibility requirements.

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

25 (3) The form must include the following as provided in ~~42 U.S.C.~~
26 ~~1973gg-5(a)(6)(B)~~: **52 U.S.C. 20506(a)(6)(B)**:

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

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

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

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

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



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

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

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

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

21 (2) The form must include a statement that does the following:
 22 (A) Sets forth each eligibility requirement for registration
 23 (including citizenship).

24 (B) Contains an attestation that the applicant meets each of the
 25 eligibility requirements.

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

28 (3) The form must include the following as provided in ~~42 U.S.C.~~
 29 ~~1973gg-5(a)(6)(B)~~: **52 U.S.C. 20506(a)(6)(B)**:

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

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

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

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

42 (E) A statement reading "If you would like help in filling out



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



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today?".
(B) A statement reading "Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency."
(C) Boxes for the applicant to check to indicate whether the applicant would like to register or declines to register to vote.
(D) A statement in close proximity to the boxes and in prominent type: "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME."
(E) A statement reading "If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private."
(F) A statement reading "If you believe that someone has interfered with your right to register or to decline to register to vote, or your right to choose your political party or other political preference, you may file a complaint with (insert the title, address, and telephone number of the NVRA official). If you want you may first try to solve the problem by filing a complaint with the county voter registration office of the county where the violation occurred."

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

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

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

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

- (1) the part or report is to be provided to an entity that:
 - (A) is described in section 6 of this chapter; and



- 1 (B) has previously submitted an application to the election
 2 division and paid any required fee to obtain the complete
 3 compilation; or
 4 (2) the part or report is a purely statistical compilation that:
 5 (A) includes the information described in section 8 of this
 6 chapter; and
 7 (B) does not include any information:
 8 (i) concerning an individual voter; or
 9 (ii) that would permit the identification of an individual
 10 voter as a result of providing the compilation.
 11 (d) The parts and reports provided under this section may not
 12 include the complete Social Security number of any individual.
 13 **(e) The election division may provide the registration**
 14 **information described in section 8 of this chapter, including an**
 15 **individual's voting history, as follows:**
 16 **(1) To states and local governments in states that are**
 17 **implementing the voter list maintenance program described**
 18 **in IC 3-7-38.2-5.**
 19 **(2) Upon written request, to law enforcement officials**
 20 **conducting an investigation.**
 21 SECTION 25. IC 3-7-29-6, AS AMENDED BY P.L.64-2014,
 22 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2015]: Sec. 6. (a) If a county election board adopts an order
 24 to provide an electronic poll book to the inspector for use at a polling
 25 place, an office of the circuit court clerk (under IC 3-11-10-26), **or** at
 26 a satellite office established under IC 3-11-10-26.3, **or a vote center**
 27 **under IC 3-11-18.1-4**, electronic poll books shall be used at an
 28 election (rather than certified poll lists prepared under this chapter) in
 29 all **precincts locations** in which the election is to be conducted.
 30 (b) An order adopted under subsection (a) must require the use of
 31 an electronic signature (as defined in IC 26-2-8-102) to sign an
 32 electronic poll book at an election (rather than requiring voters to sign
 33 certified poll lists prepared under this chapter).
 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, **or a vote center under IC 3-11-18.1-4**, under
 41 an order adopted under subsection (a) 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 26. 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 27. 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 28. 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 29. 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 30. IC 3-7-33-5, AS AMENDED BY P.L.64-2014,
 9 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2015]: Sec. 5. (a) ~~This subsection does not apply to a voter
 11 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 ~~42 U.S.C. 1973gg-6(a)(2)~~, **52 U.S.C. 20507(a)(2)**,
 32 the county voter registration office shall send a notice to each person
 33 from whom the county voter registration office receives a voter
 34 registration application. The county voter registration office shall send
 35 a notice to the applicant at the mailing address provided in the
 36 application.

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

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

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

42 (3) If the county voter registration office determines that the



1 applicant appears to be eligible, the notice must state the
2 following:

3 (A) Except as provided under subsection (g), the applicant is
4 registered to vote under the residence address when the
5 applicant receives the notice. An applicant is presumed to
6 have received the notice unless the notice is returned by the
7 United States Postal Service due to an unknown or insufficient
8 address and received by the county voter registration office not
9 later than seven (7) days after the notice is mailed to the
10 applicant.

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

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

14 (4) In accordance with ~~42 U.S.C. 1973ff-1(d)~~, **52 U.S.C.**
15 **20302(d)**, if the county voter registration office has denied the
16 application, the notice must include the reasons for the denial.

17 (d) The notice required by subsection (b) may not include a voter
18 identification number.

19 (e) The notice required by subsection (b) may include a voter
20 registration card.

21 (f) If the notice is returned by the United States Postal Service due
22 to an unknown or insufficient address, the county voter registration
23 office shall determine that the applicant is ineligible and deny the
24 application.

25 (g) During the seven (7) days following the mailing of the notice to
26 the voter under this section, the county voter registration office shall
27 indicate in the computerized list maintained under IC 3-7-26.3 that the
28 application is pending. If the notice:

29 (1) is not returned by the United States Postal Service and
30 received by the county voter registration office at; or

31 (2) is received by the applicant by United States Postal Service
32 delivery and presented in person by the applicant to the county
33 voter registration office before;

34 the expiration of the seven (7) day period under subsection (c), the
35 county voter registration office shall indicate in the computerized list
36 that the applicant is a registered voter.

37 (h) This subsection applies if the notice is mailed by the county
38 voter registration office after the certified list is prepared under
39 IC 3-7-29. If:

40 (1) the seven (7) day period under subsection (c) expires before
41 election day;

42 (2) the applicant has not presented the notice mailed under



- 1 subsection (b) to the county voter registration office as provided
 2 under subsection (g); and
 3 (3) the applicant would otherwise have been included on the
 4 certified list;
 5 the county voter registration office shall prepare a certificate of error
 6 under IC 3-7-48 to note the addition of the voter to the certified list.
 7 (i) This subsection applies if the notice is mailed by the county voter
 8 registration office after the certified list is prepared under IC 3-7-29. If:
 9 (1) the seven (7) day period has not expired before election day;
 10 and
 11 (2) the applicant has not presented the notice mailed under
 12 subsection (b) to the county voter registration office as provided
 13 under subsection (g);
 14 the county voter registration office shall notify the county election
 15 board. The county election board shall certify to the inspector of the
 16 precinct where the applicant resides that the applicant's voter
 17 registration application is pending, and that the voter, subject to
 18 fulfilling the requirements of IC 3-11.7, is entitled to cast a provisional
 19 ballot.
 20 SECTION 31. IC 3-7-38.2-2, AS AMENDED BY P.L.64-2014,
 21 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 UPON PASSAGE]: Sec. 2. (a) A voter list maintenance program
 23 conducted under this chapter must:
 24 (1) be uniform, nondiscriminatory, and in compliance with the
 25 Voting Rights Act of 1965 (~~42 U.S.C. 1973~~); **(52 U.S.C. 10101)**;
 26 (2) not result in the removal of the name of a person from the
 27 official list of voters solely due to the person's failure to vote; and
 28 (3) be completed not later than ninety (90) days before a primary,
 29 general, or municipal election.
 30 (b) A county voter registration office may conduct a voter list
 31 maintenance program that complies with subsection (a). In conducting
 32 a voter list maintenance program, the county voter registration office
 33 shall mail a notice described in subsection (d) to each voter whose
 34 registration has not previously been canceled or designated as inactive
 35 under this chapter at the **residence mailing** address:
 36 (1) listed in the voter's registration record; and
 37 (2) determined by the county voter registration office not to be the
 38 voter's current residence address.
 39 (c) A county voter registration office may use information only from
 40 the following sources to make the determination under subsection
 41 (b)(2):
 42 (1) The United States Postal Service National Change of Address



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



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

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

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

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

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

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

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

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



- 1 (1) Florida.
 2 (2) Illinois.
 3 (3) Kentucky.
 4 (4) Michigan.
 5 (5) Ohio.

6 (c) The NVRA official shall request a list of registered voters from
 7 any other state in which the NVRA official determines there is a
 8 reasonable possibility that a significant number of individuals who
 9 have registered to vote in Indiana may also be registered to vote in that
 10 state.

11 (d) Not later than August 1, 2013, the NVRA official shall execute
 12 a memorandum of understanding with the Kansas Secretary of State.
 13 Notwithstanding any limitation under IC 3-7-26.4 regarding the
 14 availability of certain information from the computerized list, on
 15 January 15 of each year, the NVRA official shall provide data from the
 16 statewide voter registration list without cost to the Kansas Secretary of
 17 State to permit the comparison of voter registration data in the
 18 statewide voter registration list with registration data from all other
 19 states participating in this memorandum of understanding and to
 20 identify any cases in which a voter cast a ballot in more than one (1)
 21 state during the same election. Not later than thirty (30) days following
 22 the receipt of information under this subsection indicating that a voter
 23 of Indiana may also be registered to vote in another state, the NVRA
 24 official shall provide the appropriate county voter registration office
 25 with the name of and any other information obtained under this
 26 subsection concerning that voter, **if the first name, last name, and**
 27 **date of birth of the Indiana voter is identical to the first name, last**
 28 **name, and date of birth of the voter registered in the other state.**
 29 The county voter registration office shall determine whether the
 30 individual:

- 31 (1) identified in the report provided by the NVRA official under
 32 this subsection is the same individual who is a registered voter of
 33 the county;
 34 (2) registered to vote in another state on a date following the date
 35 that voter registered in Indiana; and
 36 (3) authorized the cancellation of any previous registration by the
 37 voter when the voter registered in another state.

38 (e) If the county voter registration office determines that the voter
 39 is described by subsection (d)(1) through (d)(3), the county voter
 40 registration office shall cancel the voter registration of that voter. If the
 41 county voter registration office determines that the voter is described
 42 by subsection (d)(1) and (d)(2), but has not authorized the cancellation



1 of any previous registration, the county voter registration office shall
 2 send an address confirmation notice to the Indiana address of the voter.

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

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

13 (1) United States District Court for the Northern District of
 14 Indiana; and

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

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

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

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

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



1 **substance of the affirmation to writing using the affidavit**
 2 **described by IC 3-10-11-4 and initial the affirmation.**

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

8 (b) As required under ~~42 U.S.C. 1973gg-6(e)(1)~~, **52 U.S.C.**
 9 **20507(e)(1)**, a voter described in subsection (a) may vote at the
 10 precinct polling place after the voter makes an oral or a written
 11 affirmation of the change of address before a member of the precinct
 12 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 or is a vote center county under IC 3-11-18.1. A
 22 voter described in subsection (a) may make a written affirmation of the
 23 voter's change of residence on election day using the affidavit
 24 prescribed by the ~~commission~~ **election division** under IC 3-10-11-6. If
 25 the voter makes an oral affirmation under this subsection, the poll
 26 clerks shall reduce the substance of the affirmation to writing using the
 27 affidavit prescribed by the commission under IC 3-10-11-6 and initial
 28 the affirmation.

29 SECTION 36. IC 3-7-39-10 IS AMENDED TO READ AS
 30 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10. **(a)** Except as
 31 provided in section 9 of this chapter, and as required under ~~42 U.S.C.~~
 32 ~~1973gg-3(a)(2)~~, **52 U.S.C. 20504(a)(2)**, the ~~circuit court clerk or board~~
 33 **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 37. 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 or is a vote center county under IC 3-11-18.1. A
10 voter described in subsection (b) may indicate that the voter's name has
11 changed by writing the necessary information concerning the name
12 change on election day using the affidavit prescribed by the
13 ~~commission~~ **election division** under IC 3-10-11-6. The poll clerks shall
14 initial the affirmation. The change of name on the voter registration
15 record is effective immediately, and the person may then vote if
16 otherwise qualified.

17 SECTION 38. 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 39. 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 40. 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 41. IC 3-7-48-5, AS AMENDED BY P.L.64-2014,
 4 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2015]: Sec. 5. (a) This section applies to a voter who:

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

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

10 (b) As provided under ~~42 U.S.C. 1973gg-6(e)(3)~~, **52 U.S.C.**
 11 **20507(e)(3)**, a voter described by subsection (a) may vote in the
 12 precinct where the voter formerly resided (according to the voter
 13 registration record) if the voter makes an oral or a written affirmation
 14 to a member of the precinct election board that the voter continues to
 15 reside at the address shown as the voter's former residence on the voter
 16 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 or is a vote center county under IC 3-11-18.1. A
 26 voter described in subsection (a) may make a written affirmation
 27 described in this section on the affidavit prescribed by the ~~commission~~
 28 **election division** under IC 3-10-11-6. If the person makes an oral
 29 affirmation under this subsection, the poll clerks shall reduce the
 30 substance of the affirmation to writing by using the affidavit prescribed
 31 by the ~~commission election division~~ under IC 3-10-11-6 and initial the
 32 affirmation.

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

41 (b) The declaration of intent to be a write-in candidate required
 42 under subsection (a) must be signed before a person authorized to



- 1 administer oaths and must certify the following information:
 2 (1) The candidate's name must be printed or typewritten as:
 3 (A) the candidate wants the candidate's name to be certified;
 4 and
 5 (B) the candidate's name is permitted to appear under IC 3-5-7.
 6 (2) A statement that the candidate is a registered voter and the
 7 location of the candidate's precinct and township (or ward and
 8 city or town), county, and state.
 9 (3) The candidate's complete residence address, and if the
 10 candidate's mailing address is different from the residence
 11 address, the mailing address.
 12 (4) The candidate's party affiliation or a statement that the
 13 candidate is an independent candidate (not affiliated with any
 14 party). The candidate may not claim affiliation with any political
 15 party described by IC 3-8-4-1.
 16 (5) A statement of the candidate's intention to be a write-in
 17 candidate, the name of the office, including the district, and the
 18 date and type of election.
 19 (6) If the candidate is a candidate for the office of President or
 20 Vice President of the United States, a statement declaring the
 21 names of the individuals who have consented and are eligible to
 22 be the candidate's candidates for presidential electors.
 23 (7) The following statements:
 24 (A) A statement that the candidate has attached either of the
 25 following to the declaration:
 26 (i) A copy of a statement of economic interests, file stamped
 27 by the office required to receive the statement of economic
 28 interests.
 29 (ii) A receipt or photocopy of a receipt showing that a
 30 statement of economic interests has been filed.
 31 This requirement does not apply to a candidate for a federal
 32 office.
 33 (B) A statement that the candidate understands that if the
 34 candidate is elected to the office, the candidate may be
 35 required to obtain and file an individual surety bond before
 36 serving in the office. This requirement does not apply to a
 37 candidate for a federal office or legislative office.
 38 (C) A statement that the candidate understands that if the
 39 candidate is elected to the office, the candidate may be
 40 required to successfully complete training or have attained
 41 certification related to service in an elected office. This
 42 requirement does not apply to a candidate for a federal office,



- 1 state office, or legislative office.
 2 (D) A statement that the candidate:
 3 (i) is aware of the provisions of IC 3-9 regarding campaign
 4 finance and the reporting of campaign contributions and
 5 expenditures; and
 6 (ii) agrees to comply with the provisions of IC 3-9.
 7 This requirement does not apply to a candidate for a federal
 8 office.
 9 The candidate must separately initial each of the statements
 10 required by this subdivision.
 11 (8) A statement as to whether the candidate has:
 12 (A) been a candidate for state or local office in a previous
 13 primary or general election; and
 14 (B) filed all reports required by IC 3-9-5-10 for all previous
 15 candidacies.
 16 (9) If the candidate is subject to IC 3-9-1-5, a statement that the
 17 candidate has filed a campaign finance statement of organization
 18 for the candidate's principal committee 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 to file the declaration of intent to be a write-in candidate under
 22 section 4 of this chapter.
 23 (10) If the candidate is subject to IC 3-9-1-5.5, a statement that
 24 the candidate is required to file a campaign finance statement of
 25 organization under IC 3-9 after the first of either of the following
 26 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 (11) A statement that the candidate complies with all
 32 requirements under the laws of Indiana to be a candidate for the
 33 above named office, including any applicable residency
 34 requirements, and that the candidate is not ineligible to be a
 35 candidate due to a criminal conviction that would prohibit the
 36 candidate from serving in the office.
 37 (12) The candidate's signature and telephone number.
 38 (c) At the time of filing the declaration of intent to be a write-in
 39 candidate, the write-in candidate is considered a candidate for all
 40 purposes.
 41 (d) A write-in candidate must comply with the requirements under
 42 IC 3-8-1 that apply to the office to which the write-in candidate seeks



1 election.

2 (e) A person may not be a write-in candidate in a contest for
3 nomination or for election to a political party office.

4 (f) A write-in candidate for the office of President or Vice President
5 of the United States must list at least one (1) candidate for presidential
6 elector and may not list more than the total number of presidential
7 electors to be chosen in Indiana.

8 (g) The ~~commission~~ **election division** shall provide that the form of
9 a declaration of intent to be a write-in candidate includes the following
10 information:

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

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

14 (h) A declaration of intent to be a write-in candidate must include
15 a statement that the candidate requests the name on the candidate's
16 voter registration record be the same as the name the candidate uses on
17 the declaration of intent to be a write-in candidate. If there is a
18 difference between the name on the candidate's declaration of intent to
19 be a write-in candidate and the name on the candidate's voter
20 registration record, the officer with whom the declaration of intent to
21 be a write-in candidate is filed shall forward the information to the
22 voter registration officer of the appropriate county as required by
23 IC 3-5-7-6(e). The voter registration officer of the appropriate county
24 shall change the name on the candidate's voter registration record to be
25 the same as the name on the candidate's declaration of intent to be a
26 write-in candidate.

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

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

33 (A) the candidate wants the candidate's name to appear on the
34 ballot; and

35 (B) the candidate's name is permitted to appear on the ballot
36 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) A statement of the candidate's party affiliation. For purposes
 2 of this subdivision, a candidate is considered to be affiliated with
 3 a political party only if any of the following applies:
 4 (A) The most recent primary election in Indiana in which the
 5 candidate voted was a primary election held by the party with
 6 which the candidate claims affiliation.
 7 (B) The county chairman of:
 8 (i) the political party with which the candidate claims
 9 affiliation; and
 10 (ii) the county in which the candidate resides;
 11 certifies that the candidate is a member of the political party.
 12 The declaration of candidacy must inform candidates how party
 13 affiliation is determined under this subdivision and permit the
 14 candidate to indicate on the declaration of candidacy which of
 15 clauses (A) or (B) applies to the candidate. If a candidate claims
 16 party affiliation under clause (B), the candidate must attach to the
 17 candidate's declaration of candidacy the written certification of
 18 the county chairman required by clause (B).
 19 (5) A statement that the candidate complies with all requirements
 20 under the laws of Indiana to be a candidate for the above named
 21 office, including any applicable residency requirements, and that
 22 the candidate is not ineligible to be a candidate due to a criminal
 23 conviction that would prohibit the candidate from serving in the
 24 office.
 25 (6) A request that the candidate's name be placed on the official
 26 primary ballot of that party to be voted on, the office for which the
 27 candidate is declaring, and the date of the primary election.
 28 (7) The following statements:
 29 (A) A statement that the candidate has attached either of the
 30 following to the declaration:
 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 (8) A statement as to whether the candidate has been a candidate
 17 for state, legislative, or local office in a previous primary,
 18 municipal, special, or general election and whether the candidate
 19 has filed all reports required by IC 3-9-5-10 for all previous
 20 candidacies.

21 (9) If the candidate is subject to IC 3-9-1-5, a statement that the
 22 candidate has filed a campaign finance statement of organization
 23 for the candidate's principal committee or is aware that the
 24 candidate may be required to file a campaign finance statement of
 25 organization not later than noon seven (7) days after the final date
 26 to file the declaration of candidacy under section 11 of this
 27 chapter.

28 (10) The candidate's signature.

29 (b) The ~~commission~~ **election division** shall provide that the form of
 30 a declaration of candidacy includes the following information:

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

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

34 (c) A declaration of candidacy must include a statement that the
 35 candidate requests the name on the candidate's voter registration record
 36 be the same as the name the candidate uses on the declaration of
 37 candidacy. If there is a difference between the name on the candidate's
 38 declaration of candidacy and the name on the candidate's voter
 39 registration record, the officer with whom the declaration of candidacy
 40 is filed shall forward the information to the voter registration officer of
 41 the appropriate county as required by IC 3-5-7-6(e). The voter
 42 registration officer of the appropriate county shall change the name on



1 the candidate's voter registration record to be the same as the name on
2 the candidate's declaration of candidacy.

3 SECTION 44. IC 3-8-2-8, AS AMENDED BY P.L.194-2013,
4 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2015]: Sec. 8. (a) A declaration of candidacy for the office of
6 United States Senator or for the office of governor must be
7 accompanied by a petition signed by at least four thousand five
8 hundred (4,500) voters of the state, including at least five hundred
9 (500) voters from each congressional district.

10 (b) Each petition must contain the following:

11 (1) The signature of each petitioner.

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

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

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

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

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

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

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

35 SECTION 45. IC 3-8-2.5-2, AS AMENDED BY P.L.76-2014,
36 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2015]: Sec. 2. (a) A candidate for a school board office must
38 file a petition of nomination in accordance with this chapter and as
39 required under IC 20-23 or IC 20-25. The petition of nomination, once
40 filed, serves as the candidate's declaration of candidacy for a school
41 board office.

42 (b) A candidate may be nominated for a school board office by



1 petition of voters who are:

- 2 (1) registered to vote at the residence address set forth on the
3 petition on the date the petition is certified under this chapter; and
4 (2) qualified to vote for the candidate.

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

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

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

- 21 (1) The name of each candidate 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) The address of each candidate, including the mailing address,
27 if different from the residence address of the candidate.
28 (3) The school board office that each candidate seeks.
29 (4) That each petitioner is a qualified registered voter and desires
30 to be able to vote for the candidates listed on the petition.

31 (b) The petition of nomination must be accompanied by the
32 following:

- 33 (1) The candidate's written consent to become a candidate.
34 (2) A statement that the candidate:
35 (A) is aware of the provisions of IC 3-9 regarding campaign
36 finance and the reporting of campaign contributions and
37 expenditures; and
38 (B) agrees to comply with the provisions of IC 3-9 referred to
39 in clause (A).

40 ~~The candidate must separately sign the statement required by this~~
41 ~~subdivision.~~

- 42 (3) A statement by the candidate that the candidate is aware of the



1 requirement to file a campaign finance statement of organization
2 under IC 3-9 after the first of either of the following occurs:

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

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

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

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

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

13 (5) A statement that each candidate is legally qualified to hold the
14 office that the candidate seeks, including any applicable residency
15 requirements and restrictions on service due to a criminal
16 conviction.

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

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

24 (b) Each petition must contain the following:

25 (1) The signature of each petitioner.

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

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

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

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

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

42 (2) ending on the date that the part of the act or order issued under



- 1 IC 3-3-2 establishing the previous congressional district plan is
 2 repealed or superseded.
- 3 The petition must be signed by at least four thousand five hundred
 4 (4,500) voters of Indiana, including at least five hundred (500) voters
 5 from each congressional district created by the most recent
 6 congressional district plan adopted under IC 3-3.
- 7 SECTION 48. IC 3-8-5-10.5, AS AMENDED BY P.L.76-2014,
 8 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JANUARY 1, 2016]: Sec. 10.5. (a) A person who desires to be
 10 nominated for a town office by a major political party must file a
 11 declaration of candidacy with the circuit court clerk of the county
 12 containing the greatest percentage of population of the town.
- 13 (b) A declaration of candidacy must be filed:
- 14 (1) not earlier than the first date that a declaration of candidacy
 15 for a primary election may be filed under IC 3-8-2-4; and
 16 (2) not later than:
- 17 (A) noon August 1 before a municipal election if the town
 18 nominates its candidates by convention; and
 19 (B) the date that a declaration of candidacy must be filed under
 20 IC 3-8-2-4 if the town nominates its candidates by a primary
 21 election.
- 22 (c) The declaration must be subscribed and sworn to (or affirmed)
 23 before a notary public or other person authorized to administer oaths.
- 24 (d) The declaration of each candidate required by this section must
 25 certify the following information:
- 26 (1) The candidate's name, printed or typewritten as:
- 27 (A) the candidate wants the candidate's name to appear on the
 28 ballot; and
 29 (B) the candidate's name is permitted to appear on the ballot
 30 under IC 3-5-7.
- 31 (2) That the candidate is a registered voter and the location of the
 32 candidate's precinct and township (or the ward and town), county,
 33 and state.
- 34 (3) The candidate's complete residence address and the
 35 candidate's mailing address if the mailing address is different
 36 from the residence address.
- 37 (4) The candidate's party affiliation and the office to which the
 38 candidate seeks nomination, including the district designation if
 39 the candidate is seeking a town legislative body seat.
- 40 (5) That the candidate complies with all requirements under the
 41 laws of Indiana to be a candidate for the above named office,
 42 including any applicable residency requirements, and is not



- 1 ineligible to be a candidate due to a criminal conviction that
 2 would prohibit the candidate from serving in the office.
- 3 (6) That the candidate has attached either of the following to the
 4 declaration:
- 5 (A) A copy of a statement of economic interests, file stamped
 6 by the office required to receive the statement of economic
 7 interests.
- 8 (B) A receipt or photocopy of a receipt showing that a
 9 statement of economic interests has been filed.
- 10 (7) That the candidate understands that if the candidate is elected
 11 to the office, the candidate may be required to obtain and file an
 12 individual surety bond before serving in the office.
- 13 (8) That the candidate understands that if the candidate is elected
 14 to the office, the candidate may be required to successfully
 15 complete training or have attained certification related to service
 16 in an elected office.
- 17 (9) That the candidate:
- 18 (A) is aware of the provisions of IC 3-9 regarding campaign
 19 finance and the reporting of campaign contributions and
 20 expenditures; and
- 21 (B) agrees to comply with the provisions of IC 3-9.
- 22 **(10) A statement indicating whether or not the candidate:**
- 23 **(A) has been a candidate for state, legislative, local, or**
 24 **school board office in a previous primary, municipal,**
 25 **special, or general election; and**
- 26 **(B) has filed all reports required by IC 3-9-5-10 for all**
 27 **previous candidacies.**
- 28 ~~(10)~~ **(11) The candidate's signature.**
- 29 (e) This subsection does not apply to a town whose municipal
 30 election is to be conducted by a county. Immediately after the deadline
 31 for filing, the circuit court clerk shall do all of the following:
- 32 (1) Certify to the town clerk-treasurer and release to the public a
 33 list of the candidates of each political party for each office. The
 34 list shall indicate any candidates of a political party nominated for
 35 an office under this chapter because of the failure of any other
 36 candidates of that political party to file a declaration of candidacy
 37 for that office.
- 38 (2) Post a copy of the list in a prominent place in the circuit court
 39 clerk's office.
- 40 (3) File a copy of each declaration of candidacy with the town
 41 clerk-treasurer.
- 42 (f) A person who files a declaration of candidacy for an elected



1 office for which a per diem or salary is provided for by law is
 2 disqualified from filing a declaration of candidacy for another office for
 3 which a per diem or salary is provided for by law until the original
 4 declaration is withdrawn.

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

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

13 (1) noon August 1 before the municipal election if the town
 14 nominates its candidates by convention; and

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

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

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

36 (1) The signature of each petitioner.

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

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

40 (b) Except as provided in this subsection, the signature, printed
 41 name, and residence address of the petitioner must be made in writing
 42 by the petitioner. If a petitioner with a disability is unable to write this



1 information on the petition, the petitioner may authorize an individual
 2 to do so on the petitioner's behalf. The individual acting under this
 3 subsection shall execute an affidavit of assistance for each such
 4 petitioner, in a form prescribed by the ~~commission~~ **election division**.
 5 The form must set forth the name and address of the individual
 6 providing assistance, and the date the individual provided the
 7 assistance. The form must be submitted with the petition.

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

14 (b) The petition of nomination must be accompanied by the
 15 following:

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

17 (2) The following statements:

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

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 (3) If the candidate is subject to IC 3-9-1-5, a statement by the
6 candidate that the candidate has filed a campaign finance
7 statement of organization under IC 3-9-1-5 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 for filing a petition for nomination under section 10 of this
11 chapter.
- 12 (4) If the candidate is subject to IC 3-9-1-5.5, a statement by the
13 candidate that the candidate is aware of the requirement to file a
14 campaign finance statement of organization under IC 3-9 after the
15 first of either of the following 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 (5) A statement indicating whether or not each candidate:
- 21 (A) has been a candidate for state or local office in a previous
22 primary or general election; and
- 23 (B) has filed all reports required by IC 3-9-5-10 for all
24 previous candidacies.
- 25 (6) A statement that each candidate is legally qualified to hold the
26 office that the candidate seeks, including any applicable residency
27 requirements and restrictions on service due to a criminal
28 conviction.
- 29 (7) If the petition is filed with the secretary of state for an office
30 not elected by the electorate of the whole state, a statement signed
31 by the circuit court clerk of each county in the election district of
32 the office sought by the individual.
- 33 (8) Any statement of economic interests required under
34 IC 3-8-1-33.
- 35 (c) The statement required under subsection (b)(7) must:
- 36 (1) be certified by each circuit court clerk; and
- 37 (2) indicate the number of votes cast for secretary of state:
- 38 (A) at the last election for secretary of state; and
- 39 (B) in the part of the county included in the election district of
40 the office sought by the individual filing the petition.
- 41 (d) The person with whom the petition of nomination must be filed
42 under subsection (a) shall:



1 (1) determine whether a sufficient number of signatures as
2 required by section 3 of this chapter have been obtained; and

3 (2) do one (1) of the following:

4 (A) If the petition includes a sufficient number of signatures,
5 certify the petition.

6 (B) If the petition has an insufficient number of signatures,
7 deny the certification.

8 (e) The secretary of state shall, by noon on the date specified under
9 IC 3-8-7-16 for the certification of candidates and public questions by
10 the election division:

11 (1) certify; or

12 (2) deny certification under subsection (d) to;

13 each petition of nomination filed in the secretary of state's office to the
14 appropriate county.

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

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

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

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

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

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

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

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

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

41 SECTION 51. IC 3-8-6-17, AS AMENDED BY P.L.124-2012,
42 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



- 1 JULY 1, 2015]: Sec. 17. (a) If:
- 2 (1) a petition of nomination contains the name of at least one (1)
- 3 candidate who seeks to be placed on the ballot as the candidate of
- 4 a political party described by section 1 of this chapter; and
- 5 (2) a candidate listed on the petition ceases to be a candidate after
- 6 the petition is circulated for signature or filed;
- 7 the candidate may be replaced on the petition in accordance with this
- 8 section.
- 9 (b) This subsection applies to a candidate described in subsection
- 10 (a) who sought a federal, state, or legislative office or a local office
- 11 described by IC 3-8-2-5. The state chairman of the political party may
- 12 file a written statement with the election division stating the name of
- 13 the substitute candidate. The statement must:
- 14 (1) be on a form prescribed by the ~~commission~~; **election division**;
- 15 (2) state the following:
- 16 (A) the name of the individual who ceased to be a candidate;
- 17 (B) the date and reason the individual ceased to be a
- 18 candidate; and
- 19 (C) the name of the individual who will replace the candidate
- 20 as:
- 21 (i) the individual wants the individual's name to appear on
- 22 the ballot; and
- 23 (ii) the individual's name is permitted to appear on the ballot
- 24 under IC 3-5-7; and
- 25 (3) be accompanied by the following:
- 26 (A) The replacement candidate's consent to be nominated by
- 27 the petition and, if other candidates were listed on the petition,
- 28 the signed consent of those candidates to be the replacement.
- 29 (B) The former candidate's statement of withdrawal in a form
- 30 substantially similar to the form prescribed under IC 3-8-7-28
- 31 if the individual withdrew as a candidate.
- 32 A replacement candidate's consent to the nomination must include a
- 33 statement that the candidate requests the name on the candidate's voter
- 34 registration record be the same as the name the candidate uses on the
- 35 consent to the nomination. If there is a difference between the name on
- 36 the candidate's consent to the nomination and the name on the
- 37 candidate's voter registration record, the officer with whom the consent
- 38 to the nomination is filed shall forward the information to the voter
- 39 registration officer of the appropriate county as required by
- 40 IC 3-5-7-6(e). The voter registration officer of the appropriate county
- 41 shall change the name on the candidate's voter registration record to be
- 42 the same as the name on the candidate's consent to the nomination.



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

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

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

12 SECTION 52. IC 3-8-7-5, AS AMENDED BY P.L.221-2005,
 13 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2015]: Sec. 5. (a) Each circuit court clerk, not later than noon
 15 on the second Monday after a primary election conducted in a year in
 16 which a general election will be held, shall furnish the election division
 17 with a complete list of all:

- 18 (1) candidates nominated; and
 - 19 (2) state convention delegates elected;
- 20 at the primary election.

21 (b) The list must include:

- 22 (1) the address of each candidate and delegate; and
- 23 (2) the United States congressional district in which each
 24 ~~candidate and~~ delegate resides.

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

29 (b) The state chairman and state secretary of the political party
 30 holding the state convention shall certify each candidate nominated at
 31 the convention to the secretary of state not later than noon July 15
 32 before the general election.

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

- 34 (1) The name of each candidate nominated as:
 - 35 (A) the candidate wants the candidate's name to appear on the
 - 36 ballot; and
 - 37 (B) the candidate's name is permitted to appear on the ballot
 - 38 under IC 3-5-7.
- 39 (2) Each candidate's residence address.
- 40 (3) Whether each candidate nominated by the convention has
- 41 complied with IC 3-9-1-5 by filing a campaign finance statement
- 42 of organization.



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



1 registration record, the officer with whom the certificate of nomination
 2 is filed shall forward the information to the voter registration officer of
 3 the appropriate county as required by IC 3-5-7-6(e). The voter
 4 registration officer of the appropriate county shall change the name on
 5 the candidate's voter registration record to be the same as the name on
 6 the candidate's certificate of nomination.

7 (f) The certificate of nomination must be signed by the state
 8 chairman and state secretary of the political party holding the
 9 convention, and set forth the name and residence of the chairman and
 10 secretary. The chairman and secretary shall acknowledge the certificate
 11 before an individual authorized to administer oaths under IC 33-42-4-1.
 12 The signed acknowledgment must be included in the certificate of
 13 nomination executed under this section.

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

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

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

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

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

- 35 (1) Nominees chosen at a primary election under IC 3-10 and
 36 certified as required by this chapter.
- 37 (2) Nominees chosen by a convention of a political party in the
 38 state whose candidate received at least two percent (2%) of the
 39 total vote cast for secretary of state at the last election and
 40 certified under section 8 of this chapter.
- 41 (3) Nominees nominated by petition under IC 3-8-6.
- 42 (4) Nominees selected to fill a candidate vacancy under IC 3-13-1



- 1 or IC 3-13-2.
- 2 SECTION 56. IC 3-8-7-25.5, AS AMENDED BY P.L.225-2011,
 3 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2015]: Sec. 25.5. (a) This section does not apply to the change
 5 of a candidate's name that occurs after absentee ballots have been
 6 printed bearing the candidate's name.
- 7 (b) A candidate who:
- 8 (1) is:
- 9 (A) nominated for election; or
 10 (B) a candidate for nomination; and
- 11 (2) changed the candidate's legal name after:
- 12 (A) the candidate has been nominated; or
 13 (B) the candidate has become a candidate for nomination;
- 14 shall file a statement setting forth the former and current legal name of
 15 the candidate with the office where a declaration of candidacy or
 16 certificate of nomination for the office is required to be filed. If the
 17 final date and hour has not passed for filing a declaration of candidacy,
 18 consent for nomination, or declaration of intent to be a write-in
 19 candidate, the candidate must file the request for a change of name on
 20 the form prescribed by the ~~commission~~ **election division** for the
 21 declaration or consent.
- 22 (c) The statement filed under subsection (b) must also indicate the
 23 following:
- 24 (1) That the candidate has previously filed a change of name
 25 request with a county voter registration office so that the name set
 26 forth in the statement is identical to the candidate's name on the
 27 county voter registration record.
- 28 (2) How the candidate's legal name was changed.
- 29 (d) Upon the filing of the statement, each county election board
 30 shall print the candidate's legal name on the ballot as set forth in the
 31 statement.
- 32 SECTION 57. IC 3-8-7-28, AS AMENDED BY P.L.194-2013,
 33 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2015]: Sec. 28. (a) Except as provided in subsections (b) and
 35 (c), if a nominee certified under this chapter, IC 3-8-5, IC 3-8-6, or
 36 IC 3-10-1 desires to withdraw as the nominee, the nominee must file a
 37 notice of withdrawal in writing with the public official with whom the
 38 certificate of nomination was filed by noon:
- 39 (1) July 15 before a general or municipal election;
 40 (2) August 1 before a municipal election in a town subject to
 41 IC 3-8-5-10;
 42 (3) on the date specified for town convention nominees under



- 1 IC 3-8-5-14.5;
 2 (4) on the date specified for declared write-in candidates under
 3 IC 3-8-2-2.7;
 4 (5) on the date specified for a school board candidate under
 5 IC 3-8-2.5-4; or
 6 (6) forty-five (45) days before a special election.
- 7 (b) A candidate who is disqualified from being a candidate under
 8 IC 3-8-1-5 must file a notice of withdrawal immediately upon
 9 becoming disqualified. **IC 3-8-8-7 and** the filing requirements of
 10 subsection (a) do not apply to a notice of withdrawal filed under this
 11 subsection.
- 12 (c) A candidate who has moved from the election district the
 13 candidate sought to represent must file a notice of withdrawal
 14 immediately after changing the candidate's residence. **IC 3-8-8-7 and**
 15 the filing requirements of subsection (a) do not apply to a notice of
 16 withdrawal filed under this subsection.
- 17 SECTION 58. IC 3-8-7-30 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 30. (a) Not later than
 19 noon ~~August 1~~, **on the date specified under section 16 of this**
 20 **chapter**, the election division shall certify to each county election
 21 board:
- 22 (1) the name of each individual who filed a declaration of intent
 - 23 to be a write-in candidate with the election division; and
 - 24 (2) any political party that the individual is affiliated with, or
 - 25 whether the individual is an independent candidate.
- 26 (b) This subsection applies to a county that does not use a central
 27 location to tally ballot card votes. The circuit court clerk shall provide
 28 a copy of the certification under this section to the inspector of each
 29 precinct, with instructions concerning the counting of write-in votes for
 30 declared write-in candidates.
- 31 SECTION 59. IC 3-8-9-9, AS ADDED BY P.L.90-2012, SECTION
 32 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 33 2015]: Sec. 9. The ~~commission~~ **election division** shall prescribe the
 34 form of the statement.
- 35 SECTION 60. IC 3-9-1-4 IS AMENDED TO READ AS FOLLOWS
 36 [EFFECTIVE JULY 1, 2015]: Sec. 4. A committee must include in its
 37 statement of organization the following:
- 38 (1) The name and address of the committee.
 - 39 (2) The purpose for which the committee is formed, unless the
 - 40 committee is a candidate's committee that identifies a specific
 - 41 office sought by the candidate.
 - 42 (3) The name and address of the chairman and treasurer.



- 1 (4) If applicable, the name, address, office sought, and political
 2 party affiliation or independent status of each candidate whom the
 3 committee is supporting.
- 4 (5) If the committee is a legislative caucus committee, political
 5 action committee, or regular party committee and is supporting
 6 the entire ticket of a political party, the name of the party.
- 7 (6) If the committee is a political action committee supporting or
 8 opposing a public question, a brief statement of the question
 9 supported or opposed.
- 10 (7) A listing of all banks, safety deposit boxes, and other
 11 depositories used.
- 12 (8) Other information prescribed by the ~~commission~~ **election**
 13 **division** under ~~IC 3-6-4.1-14(a)(3)~~; **IC 3-6-4.2-12(8)**.
- 14 SECTION 61. IC 3-9-4-2 IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2015]: Sec. 2. The election division shall
 16 **prescribe and** furnish forms ~~prescribed by the commission~~ for making
 17 the reports and statements required to be filed under this article.
- 18 SECTION 62. IC 3-9-4-4, AS AMENDED BY P.L.164-2006,
 19 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2015]: Sec. 4. (a) The election division shall develop a filing
 21 and coding system consistent with the purposes of this article. The
 22 election division and each county election board shall use the filing and
 23 coding system. The coding system must provide:
- 24 (1) not more than ten (10) codes to account for various campaign
 25 expenditure items; and
- 26 (2) a clear explanation of the kinds of expenditure items that must
 27 be accounted for under each code.
- 28 (b) The election division shall develop and use a computer system
 29 to store campaign finance reports required to be filed under IC 3-9-5-6,
 30 IC 3-9-5-10, and IC 3-9-5-20.1. The computer system must enable the
 31 election division to do the following:
- 32 (1) Identify all candidates or committees that received
 33 contributions from a contributor over the past three (3) years.
- 34 (2) Identify all contributors to a candidate or committee over the
 35 past three (3) years.
- 36 (3) Provide for electronic submission, retrieval, storage, and
 37 disclosure of campaign finance reports of candidates for the
 38 following:
- 39 (A) Legislative office.
- 40 (B) State office.
- 41 The election division shall provide training at no cost to
 42 candidates to enable candidates described in this subdivision to



1 file campaign finance reports electronically.
 2 (c) The election division shall notify each candidate's committee
 3 that the election division will provide at the committee's request at no
 4 cost a standardized software program to permit the committee to install
 5 the software on a computer and generate an electronic version of the
 6 reports and statements required to be filed with the election division
 7 under this article. However, the election division is not required to
 8 provide or alter the software program to make the program compatible
 9 for installation or operation on a specific computer.

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

- 11 (1) A committee for a candidate seeking election to a state office.
 12 (2) A political action committee that has received more than fifty
 13 thousand dollars (\$50,000) in contributions since the close of the
 14 previous reporting period.

15 The committee must file electronically the report or statement required
 16 under this article with the election division using a standardized
 17 software program supplied to the committee without charge under
 18 subsection (c) or another format approved by the election division. An
 19 electronic filing approved by the election division under this subsection
 20 may not require manual reentry into a computer system of the data
 21 contained in the report or statement in order to make the data available
 22 to the general public under subsection (g).

23 (e) This subsection applies to an electronic submission under
 24 subsection (b)(3). An electronic submission must be in a format
 25 previously approved by the ~~commission~~ **election division** that permits
 26 the election division to print out a hard copy of the report after the
 27 receipt of the electronic submission from the candidate. Filing of a
 28 report occurs under IC 3-5-2-24.5 on the date and at the time
 29 electronically recorded by the election division's computer system. If
 30 a discrepancy exists between the text of the electronic submission and
 31 the printed report, the text of the printed report prevails until an
 32 amendment is filed under this article to correct the discrepancy.

33 (f) The election division is not required to accept an electronic
 34 submission unless the submission complies with subsection (b)(3).
 35 Upon receiving approval from the commission, the election division
 36 may accept an electronic submission from candidates, committees, or
 37 persons described in subsection (b)(3).

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

41 SECTION 63. 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 64. 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 65. 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 66. IC 3-10-1-31.1, AS AMENDED BY P.L.64-2014,
 4 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2015]: Sec. 31.1. (a) This section applies only to election
 6 materials for elections held after December 31, 2003.

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

11 (c) Except for unused ballots disposed of under IC 3-11-3-31 or
 12 affidavits received by the county election board under IC 3-14-5-2 for
 13 delivery to the foreman of a grand jury, the circuit court clerk shall seal
 14 the ballots (including provisional ballots) and other material (including
 15 election material related to provisional ballots) during the time allowed
 16 to file a verified petition or cross-petition for a recount of votes or to
 17 contest the election. Except as provided in subsection (d) and
 18 notwithstanding any other provision of state law, after the recount or
 19 contest filing period, the election material, including election material
 20 related to provisional ballots (except for ballots and provisional ballots,
 21 which remain confidential) shall be made available for copying and
 22 inspection under IC 5-14-3. The circuit court clerk shall carefully
 23 preserve the sealed ballots and other material for twenty-two (22)
 24 months, as required by ~~42 U.S.C. 1974~~, **52 U.S.C. 20701**, after which
 25 the sealed ballots and other material are subject to IC 5-15-6 unless an
 26 order issued under:

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

28 (2) ~~42 U.S.C. 1973~~; **52 U.S.C. 10301**;

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

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

32 (e) Upon delivery of the poll lists, the county voter registration
 33 office shall unseal the envelopes containing the poll lists, inspect the
 34 poll lists, and update the registration records of the county. The county
 35 voter registration office shall use the poll lists to update the registration
 36 record to include the voter's voter identification number if the voter's
 37 voter identification number is not already included in the registration
 38 record. Upon completion of the inspection, the poll list shall be
 39 preserved with the ballots and other materials in the manner prescribed
 40 by subsection (c) for the period prescribed by subsections (c) and (d).

41 (f) **In addition to the poll lists described in subsection (e), the**
 42 **county voter registration office shall use the affidavits described by**



1 **IC 3-10-11-4 to update the registration records of the county as**
 2 **soon as the affidavits are delivered to the county voter registration**
 3 **office.**

4 ~~(f)~~ **(g)** This subsection does not apply to ballots, including
 5 provisional ballots. Notwithstanding subsection (c), if a county voter
 6 registration office determines that the inspection and copying of
 7 precinct election material would reveal the political parties, candidates,
 8 and public questions for which an individual cast an absentee ballot,
 9 the county voter registration office shall keep confidential only that part
 10 of the election material necessary to protect the secrecy of the voter's
 11 ballot. In addition, the county voter registration office shall keep
 12 confidential information contained in material related to provisional
 13 ballots that identifies an individual, except for the individual's name,
 14 address, and birth date.

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

19 ~~(h)~~ **(i)** This subsection applies to a detachable recording unit or
 20 compartment used to record a ballot cast on a direct record electronic
 21 voting system. After the time allowed to file a verified petition or
 22 cross-petition for a recount of votes or to contest the election, the
 23 circuit court clerk shall transfer the data contained in the unit or
 24 compartment to a disc or other recording medium. After transferring
 25 the data, the clerk may clear or erase the unit or compartment. The
 26 circuit court clerk shall carefully preserve the disc or medium used to
 27 record the data for twenty-two (22) months, as required by ~~42 U.S.C.~~
 28 ~~1974, 52 U.S.C. 20701~~, after which time the disc or medium may be
 29 erased or destroyed, subject to IC 5-15-6, unless an order requiring the
 30 continued preservation of the disc or medium is issued under the
 31 following:

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

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

34 (3) ~~42 U.S.C. 1973~~. **52 U.S.C. 10301.**

35 SECTION 67. IC 3-10-5-17 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 17. The election
 37 required by section 1 of this chapter shall be conducted by ballot. The
 38 ballot must state first the substance of the proposed constitutional
 39 amendment, followed by appropriate instructions to the voters. The
 40 ballot then must be in the form prescribed by the ~~commission~~. **election**
 41 **division**. The names of the nominees in favor of ratification shall be
 42 placed in the column headed "For Ratification". The names of the



1 nominees against ratification shall be placed in the column headed
2 "Against Ratification".

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

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

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

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

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

13 (b) the town election board consists of the following three (3)
14 members:

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

17 (2) The town clerk-treasurer.

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

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

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

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

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

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

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

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

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

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

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



1 (1) outside a municipality to a location within a municipality; or
 2 (2) within a municipality to a location outside a municipality;
 3 less than thirty (30) days before a municipal primary election,
 4 municipal election, or special election held only within the
 5 municipality may not vote in the municipal primary election, municipal
 6 election, or special election held only within the municipality in the
 7 precinct of the person's former residence.

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

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

- 19 (1) The person's last, first, and middle name, in that order.
 20 (2) The person's date of birth.
 21 (3) Whether the person is a United States citizen.
 22 (4) The person's current address, including the county. If the
 23 person resides in a municipality, the address must include the
 24 street address, including apartment number or other designation,
 25 or the name and room number of the hotel or lodging house. If the
 26 person does not reside in a municipality, the address must include
 27 the mailing address and the street or road.
 28 (5) The address of the person's previous residence, including the
 29 county.
 30 (6) The person's statement that the person satisfies the conditions
 31 set forth in section 2 of this chapter.
 32 **(7) Responses to the questions listed in IC 3-7-22-5(3) and**
 33 **IC 3-7-22-5(4).**
 34 ~~(7)~~ **(8)** The person's voter identification number to permit transfer
 35 of the registration under IC 3-7-13-13.

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

41 SECTION 74. IC 3-10-12-4, AS AMENDED BY P.L.194-2013,
 42 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2015]: Sec. 4. (a) The written affirmation described in section
2 3.4 of this chapter may be executed as follows:

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

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

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

12 (b) If the person executes the affidavit under this section at the
13 county voter registration office before the day of the election, the office
14 shall furnish a copy of the affirmation to the person. The person shall
15 present the copy to the inspector of the precinct of the person's former
16 residence when the person offers to vote in that precinct under
17 IC 3-11-8.

18 (c) If the person executes the affirmation under this section when
19 filing an application for an absentee ballot, the county election board
20 shall attach the original or a copy of the affirmation to the person's
21 application for an absentee ballot before the application and ballot are
22 delivered to the inspector of the precinct of the person's former
23 residence.

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

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

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

32 The county election board shall forward the affidavit and any
33 completed voter registration application to the county voter registration
34 office after the closing of the polls.

35 **(e) This subsection applies to a county that has adopted an order**
36 **under IC 3-7-29-6 or is a vote center county under IC 3-11-18.1-1.**
37 **A voter may make a written affirmation under section 3.4 of this**
38 **chapter on election day using the affidavit described by**
39 **IC 3-10-11-4. If the voter makes an oral affirmation under section**
40 **3.4 of this chapter, the poll clerks shall reduce the substance of the**
41 **affirmation to writing using the affidavit described by IC 3-10-11-4**
42 **and initial the affirmation.**



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

10 SECTION 76. IC 3-11-3-29, AS AMENDED BY P.L.194-2013,
 11 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2015]: Sec. 29. (a) If a new candidate is appointed or selected
 13 under IC 3-13-1 or IC 3-13-2 after the printing of ballots and before the
 14 election, the election board ~~may~~ **shall** print ballots containing the name
 15 of the new candidate, **except as provided in section 29.5 of this**
 16 **chapter.**

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

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

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

- 28 (1) not include the name of the candidate in the certification
- 29 transmitted to the county under IC 3-8-2-17; or
- 30 (2) if the certification to the county has already been transmitted,
- 31 notify the county election board of each county to which the
- 32 candidate's name has been previously certified.

33 (c) The county election board shall not print the name of a deceased
 34 candidate described in subsection (b) on a primary ballot. However, if
 35 the county election board has already printed ballots containing the
 36 name of the deceased candidate, the county may provide those ballots
 37 to voters and shall not reprint the ballot to remove the name of the
 38 deceased candidate.

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

42 (e) Any vote cast for a deceased candidate in the primary election



1 is void:

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

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

10 (1) nomination in a primary election or municipal primary
 11 election; or

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

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

17 (c) However, if the county election board has already printed ballots
 18 containing the name of the deceased candidate, the county may provide
 19 those ballots to voters and shall not reprint the ballot to remove the
 20 name of the deceased candidate.

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

24 **(e) Any vote cast for a deceased candidate in the primary election**
 25 **is void:**

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

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

35 (b) If a voter with disabilities is unable to sign the absentee ballot
 36 application and the voter has not designated an individual to serve as
 37 attorney in fact for the voter, the county election board may designate
 38 **an individual both members of an absentee board** to sign the
 39 application on behalf of the voter **and add their names to the**
 40 **application.** If an individual applies for an absentee ballot as the
 41 properly authorized attorney in fact for a voter, the attorney in fact must
 42 attach a copy of the power of attorney to the application and comply



- 1 with subsection (d).
- 2 (c) A person may provide an individual with an application for an
 3 absentee ballot with the following information already printed or
 4 otherwise set forth on the application when provided to the individual:
- 5 (1) The name of the individual.
 6 (2) The voter registration address of the individual.
 7 (3) The mailing address of the individual.
 8 (4) The date of birth of the individual.
- 9 (d) A person may not provide an individual with an application for
 10 an absentee ballot with the following information already printed or
 11 otherwise set forth on the application when provided to the individual:
- 12 (1) The address to which the absentee ballot would be mailed, if
 13 different from the voter registration address of the individual.
 14 (2) In a primary election, the major political party ballot requested
 15 by the individual.
 16 (3) In a primary or general election, the types of absentee ballots
 17 requested by the individual.
 18 (4) The reason why the individual is entitled to vote an absentee
 19 ballot:
- 20 (A) by mail; or
 21 (B) before an absentee voter board (other than an absentee
 22 voter board located in the office of the circuit court clerk or a
 23 satellite office);
 24 in accordance with IC 3-11-4-18, IC 3-11-10-24, or
 25 IC 3-11-10-25.
 26 (5) The voter identification number of the individual.
- 27 (e) If the county election board determines that an absentee ballot
 28 application does not comply with subsection (d), the board shall deny
 29 the application under section 17.5 of this chapter.
- 30 (f) A person who assists an individual in completing any
 31 information described in subsection (d) on an absentee ballot
 32 application shall state under the penalties for perjury the following
 33 information on the application:
- 34 (1) The full name, residence and mailing address, and daytime
 35 and evening telephone numbers (if any) of the person providing
 36 the assistance.
 37 (2) The date this assistance was provided.
 38 (3) That the person providing the assistance has complied with
 39 Indiana laws governing the submission of absentee ballot
 40 applications.
 41 (4) That the person has no knowledge or reason to believe that the
 42 individual submitting the application:



- 1 (A) is ineligible to vote or to cast an absentee ballot; or
 2 (B) did not properly complete and sign the application.
 3 When providing assistance to an individual, the person must, in the
 4 individual's presence and with the individual's consent, provide the
 5 information listed in subsection (d) if the individual is unable to do so.
 6 (g) 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. A person who receives a completed
 10 absentee ballot application from the individual who has applied for the
 11 absentee ballot shall indicate on the application the date the person
 12 received the application, and file the application with the appropriate
 13 county election board not later than:
 14 (1) noon ten (10) days after the person receives the application;
 15 or
 16 (2) the deadline set by Indiana law for filing the application with
 17 the board;
 18 whichever occurs first. The election division, a county election board,
 19 or a board of elections and registration shall forward an absentee ballot
 20 application to the county election board or board of elections and
 21 registration of the county where the individual resides.
 22 (h) This subsection does not apply to an employee of the United
 23 States Postal Service or a bonded courier company acting in the
 24 individual's capacity as an employee of the United States Postal Service
 25 or a bonded courier company, or to the election division, a county
 26 election board, or a board of elections and registration. A person filing
 27 an absentee ballot application, other than the person's own absentee
 28 ballot application, must sign an affidavit at the time of filing the
 29 application. The affidavit must be in a form prescribed by the
 30 ~~commission~~ **election division**. The form must include the following:
 31 (1) A statement of the full name, residence and mailing address,
 32 and daytime and evening telephone numbers (if any) of the person
 33 submitting the application.
 34 (2) A statement that the person filing the affidavit has complied
 35 with Indiana laws governing the submission of absentee ballot
 36 applications.
 37 (3) ~~Beginning January 1, 2015~~; The date (or dates) that the
 38 absentee ballot applications attached to the affidavit were
 39 received.
 40 (4) A statement that the person has no knowledge or reason to
 41 believe that the individual whose application is to be filed:
 42 (A) is ineligible to vote or to cast an absentee ballot; or



- 1 (B) did not properly complete and sign the application.
 2 (5) A statement that the person is executing the affidavit under the
 3 penalties of perjury.
 4 (6) A statement setting forth the penalties for perjury.
 5 (i) The county election board shall record the date and time of the
 6 filing of the affidavit.
 7 SECTION 80. IC 3-11-4-3, AS AMENDED BY P.L.219-2013,
 8 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JULY 1, 2015]: Sec. 3. (a) Except as provided in section 6 of this
 10 chapter, an application for an absentee ballot must be received by the
 11 circuit court clerk (or, in a county subject to IC 3-6-5.2, the director of
 12 the board of elections and registration) not earlier than the date the
 13 registration period resumes under IC 3-7-13-10 nor later than the
 14 following:
 15 (1) Noon on election day if the voter registers to vote under
 16 IC 3-7-36-14.
 17 (2) Noon on the day before election day if the voter:
 18 (A) completes the application in the office of the circuit court
 19 clerk under IC 3-11-10-26; or
 20 (B) is an absent uniformed services voter or overseas voter
 21 who requests that the ballot be transmitted by electronic mail
 22 or fax under section 6(h) of this chapter.
 23 (3) Noon on the day before election day if:
 24 (A) the application is a mailed, transmitted by fax, or hand
 25 delivered application from a confined voter or voter caring for
 26 a confined person; and
 27 (B) the applicant requests that the absentee ballots be
 28 delivered to the applicant by an absentee voter board under
 29 IC 3-11-10-25.
 30 (4) 11:59 p.m. on the eighth day before election day if the
 31 application:
 32 (A) is a mailed application;
 33 (B) was transmitted by fax; or
 34 (C) was hand delivered;
 35 from other voters who request to vote by mail under
 36 IC 3-11-10-24.
 37 (b) An application for an absentee ballot received by the election
 38 division by the time and date specified by subsection (a)(2)(B), (a)(3),
 39 or (a)(4) is considered to have been timely received for purposes of
 40 processing by the county. The election division shall immediately
 41 transmit the application to the circuit court clerk, or the director of the
 42 board of elections and registration, of the county where the applicant



1 resides. The election division is not required to complete or file the
 2 affidavit required under section 2(h) of this chapter whenever the
 3 election division transmits an application under this subsection.

4 **(c) This subsection applies whenever a special election is**
 5 **conducted during a year in which a general or municipal election**
 6 **is not scheduled. An application for an absentee ballot for a**
 7 **primary being conducted in the following year may not be received**
 8 **by the circuit court clerk (or, in a county subject to IC 3-6-5.2, the**
 9 **director of the board of elections and registration) earlier than the**
 10 **date the registration period resumes under IC 3-7-13-10.**

11 SECTION 81. IC 3-11-4-4, AS AMENDED BY P.L.219-2013,
 12 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2015]: Sec. 4. (a) Applications may be made on application
 14 forms approved by the ~~commission~~ **election division** by any of the
 15 following means:

16 (1) In person.

17 (2) By fax transmission.

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

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

23 (b) Application forms shall:

24 (1) be furnished to a central committee of the county at the
 25 request of the central committee;

26 (2) be:

27 (A) mailed;

28 (B) transmitted by fax; or

29 (C) transmitted by electronic mail with a digital image of the
 30 application;

31 upon request, to a voter applying by mail, by telephone, by
 32 electronic mail, or by fax; and

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

35 (c) A county election board shall accept an application for an
 36 absentee ballot transmitted by fax even though the application is
 37 delivered to the county election board by a person other than the person
 38 submitting the application.

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



- 1 application.
- 2 SECTION 82. IC 3-11-4-5.1, AS AMENDED BY P.L.64-2014,
3 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 UPON PASSAGE]: Sec. 5.1. (a) The ~~commission~~ **election division**
5 shall prescribe the form of an application for an absentee ballot.
- 6 (b) This subsection does not apply to the form for an absentee ballot
7 application to be submitted by an absent uniformed services voter or
8 overseas voter that contains a standardized oath for those voters. The
9 form of the application for an absentee ballot must do all of the
10 following:
- 11 (1) Require the applicant to swear to or affirm under the penalties
12 of perjury that all of the information set forth on the application
13 is true to the best of the applicant's knowledge and belief.
 - 14 (2) Require a person who assisted with the completion of the
15 application to swear to or affirm under the penalties of perjury the
16 statements set forth in section 2(f) of this chapter.
 - 17 (3) Serve as a verified statement for a voter to indicate a change
18 of name under IC 3-7-41. The form must require the applicant to
19 indicate the applicant's previous name.
 - 20 (4) Set forth the penalties for perjury.
- 21 (c) The form prescribed by the ~~commission~~ **election division** shall
22 require that a voter who:
- 23 (1) requests an absentee ballot; and
 - 24 (2) is eligible to vote in the precinct under IC 3-10-11 or
25 IC 3-10-12;
- 26 must include the affidavit required by IC 3-10-11 or a written
27 affirmation described in IC 3-10-12.
- 28 (d) The ~~commission~~ **election division** shall approve absentee ballot
29 application forms that comply with this subsection and section 2(g) of
30 this chapter and permit the applicant to indicate a change of name
31 under subsection (b). The form prescribed by the ~~commission~~ **election**
32 **division** must request that a voter who requests an absentee ballot:
- 33 (1) provide the last four (4) digits of the voter's Social Security
34 number; or
 - 35 (2) state that the voter does not have a Social Security number.
- 36 The form must indicate that the voter's compliance with this request is
37 optional.
- 38 (e) An application form submitted by a voter must:
- 39 (1) comply with subsection (d); or
 - 40 (2) be an earlier approved version of an application form
41 authorized for use on June 30, 2013.
- 42 (f) The form prescribed by the ~~commission~~ **election division** must



1 include a statement that permits an applicant to indicate whether:

- 2 (1) the applicant has been certified and is currently a participant
 3 in the address confidentiality program under IC 5-26.5-2; and
 4 (2) the applicant's legal **residence address** is at the address set
 5 forth in the applicant's voter registration.

6 If the applicant confirms these statements, the applicant may indicate
 7 the address of the office of the attorney general as the address to which
 8 the absentee ballot is to be mailed.

9 SECTION 83. IC 3-11-4-7 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) An absentee
 11 ballot application under section 6 of this chapter must be made on a
 12 standard form approved under ~~42 U.S.C. 1973ff(b)~~ **52 U.S.C. 20301(b)**
 13 or on the form prescribed by the ~~commission~~ **election division** under
 14 section 5.1 of this chapter.

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

- 17 (1) absent uniformed services voter; or
 18 (2) address confidentiality program participant (as defined in
 19 IC 5-26.5-1-6);

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

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

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

33 (b) If the county election board mails an absentee ballot to a voter
 34 required to file additional documentation with the county voter
 35 registration office before voting by absentee ballot under this chapter,
 36 the board shall include a notice to the voter in the envelope mailed to
 37 the voter under section 20 of this chapter. The notice must inform the
 38 voter that the voter must file the additional documentation required
 39 under IC 3-7-33-4.5 with the county voter registration office not later
 40 than noon on election day for the absentee ballot to be counted as an
 41 absentee ballot, and that, if the documentation required under
 42 IC 3-7-33-4.5 is filed after noon and before 6 p.m. on election day, the



1 ballot will be processed as a provisional ballot. The ~~commission~~
 2 **election division** shall prescribe the form of this notice under
 3 IC 3-5-4-8.

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

- 6 (1) on the day of the receipt of the voter's application; or
 7 (2) not more than five (5) days after the date of delivery of the
 8 ballots under section 15 of this chapter;

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

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

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

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

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

- 33 (1) was not submitted by a voter of the precinct;
 34 (2) contains a false statement; or
 35 (3) has not been executed or filed in accordance with Indiana or
 36 federal law.

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

- 39 (1) The name and title of the individual filing the affidavit.
 40 (2) A brief statement of the facts known or believed by the
 41 individual regarding why:
 42 (A) the applicant is not a voter of the precinct;



- 1 (B) the application contains a false statement; or
 2 (C) the application has not been executed or filed in
 3 accordance with Indiana or federal law.
 4 (3) That the individual is executing the affidavit under the
 5 penalties of perjury.
 6 (4) The penalties for perjury.
 7 (c) Upon the filing of the affidavit, the approval or denial of the
 8 application shall be referred to the county election board, which shall
 9 promptly conduct a hearing on the matter.
 10 (d) The county election board may act under IC 3-6-5-31 to refer the
 11 matter to the appropriate prosecuting attorney.
 12 SECTION 86. IC 3-11-4-21, AS AMENDED BY P.L.103-2005,
 13 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2015]: Sec. 21. (a) On the other side of the envelope required
 15 by section 20 of this chapter shall be printed an affidavit in conformity
 16 with ~~42 U.S.C. 1973ff-1(b)~~, **52 U.S.C. 20302(b)**, providing that the
 17 voter affirms under penalty of perjury that the following information is
 18 true:
 19 (1) The name of the precinct and township (or **ward council**
 20 **district** and city or town).
 21 (2) That the voter is:
 22 (A) a resident of; or
 23 (B) entitled under IC 3-10-11 or IC 3-10-12 to vote in;
 24 the precinct.
 25 (3) The voter's complete residence address, including the name of
 26 the city or town and county.
 27 (4) That the voter is entitled to vote in the precinct, the type of
 28 election to be held, and the date of the election.
 29 (5) That:
 30 (A) the voter has personally marked the enclosed ballot or
 31 ballots in secret and has enclosed them in this envelope and
 32 sealed them without exhibiting them to any other person;
 33 (B) the voter personally marked the enclosed ballot or ballots,
 34 enclosed them in this envelope, and sealed them with the
 35 assistance of an individual whose name is listed on the
 36 envelope and who affirms under penalty of perjury that the
 37 voter was not coerced or improperly influenced by the
 38 individual assisting the voter or any other person, in a manner
 39 prohibited by state or federal law, to cast the ballot for or
 40 against any candidate, political party, or public question; or
 41 (C) as the properly authorized attorney in fact for the
 42 undersigned under IC 30-5-5-14, the attorney in fact affirms



1 the voter personally marked the enclosed ballot or ballots in
 2 secret and enclosed them in this envelope and sealed them
 3 without exhibiting them to the attorney in fact or to any other
 4 person.

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

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

8 (c) A guardian or conservator of an individual may not sign an
 9 affidavit for the individual under this section unless the guardian or
 10 conservator also holds a power of attorney authorizing the guardian or
 11 conservator to sign the affidavit.

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

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

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

25 (c) The vendor applying for approval of an improvement or a
 26 change must have the improvement or change to the voting system
 27 tested by an independent laboratory accredited under ~~42 U.S.C. 15371~~
 28 **52 U.S.C. 20971**. The vendor shall pay any testing expenses incurred
 29 under this subsection.

30 (d) The election division (or the person designated under
 31 IC 3-11-16) shall review the proposed improvement or change to the
 32 voting system and the results of the testing by the independent
 33 laboratory under subsection (c) and report the results of the review to
 34 the commission. The review must indicate: ~~whether the proposed~~
 35 ~~improvement or change:~~

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

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

41 (3) if the proposed improvement or change is a modification,
 42 whether the modification may be installed and implemented



1 without any significant likelihood that the voting system would be
 2 configured or perform its functions in violation of HAVA or this
 3 title; and

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

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

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

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

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

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

29 (c) The vendor applying for approval of an improvement or a
 30 change must have the improvement or change to the voting system
 31 tested by an independent laboratory accredited under ~~42 U.S.C. 15371.~~
 32 **52 U.S.C. 20971.** The vendor shall pay any testing expenses incurred
 33 under this subsection.

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

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



- 1 (2) **whether the proposed improvement** is a de minimis change
 2 or 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
 9 comply with HAVA and the standards set forth in this chapter and
 10 IC 3-11-15.
- 11 (e) After the commission has examined and approved the
 12 application for an improvement or change to an electronic voting
 13 system (including a de minimis change), the improvement or change
 14 may be marketed, sold, leased, installed, or implemented in Indiana.
- 15 (f) An approval of an application under this section expires on the
 16 date specified by section 28(a) of this chapter.
- 17 SECTION 90. IC 3-11-8-3, AS AMENDED BY P.L.258-2013,
 18 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2015]: Sec. 3. (a) This section does not apply to a county
 20 using vote centers under IC 3-11-18.1.
- 21 (b) Before each election each county executive shall secure for each
 22 precinct of the county an accessible facility in which to hold the
 23 election.
- 24 (c) **Unless the county election board adopts an order under**
 25 **IC 3-11-8-4.3**, if an accessible facility is not available within the
 26 precinct, then the polls may be located in another precinct in the county
 27 if the polls are:
- 28 (1) either:
- 29 (A) not more than five (5) miles from the closest boundary of
 30 the precinct for which it is the polls; or
- 31 (B) located in the same township as the precinct that does not
 32 have an accessible facility available; and
- 33 (2) located in an accessible facility.
- 34 (d) If the county election board, by a unanimous vote of its entire
 35 membership, determines that an accessible facility is not available
 36 under subsection (c), the board may locate the polls in the most
 37 convenient available accessible facility in the county.
- 38 (e) If the county election board, by unanimous vote of its entire
 39 membership, determines that:
- 40 (1) an accessible facility is not available under subsection (c) or
 41 (d); and
- 42 (2) the most convenient accessible facility is located in an



1 adjoining county;
 2 the board may locate the polls in the facility described in subdivision
 3 (2) with the unanimous consent of the entire membership of the county
 4 election board of the county in which the facility is located.

5 **(f) If a precinct election officer administers more than one (1)**
 6 **precinct under this section, the precinct election officer is not**
 7 **entitled to additional compensation for administering more than**
 8 **one (1) precinct.**

9 SECTION 91. IC 3-11-8-10.3, AS AMENDED BY P.L.76-2014,
 10 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 UPON PASSAGE]: Sec. 10.3. (a) A reference to an electronic poll list
 12 in a vote center plan adopted under IC 3-11-18.1 before July 1, 2014,
 13 is considered to be a reference to an electronic poll book (as defined by
 14 IC 3-5-2-20.5), unless otherwise expressly provided in the vote center
 15 plan.

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

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

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

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

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

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

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

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

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

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

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



- 1 (4) The information contained on an electronic poll book must be
 2 secure and placed on a dedicated, private server to secure
 3 connectivity between a precinct polling place or satellite absentee
 4 office and the county election board. The electronic poll book
 5 must have the capability of:
- 6 (A) storing (in external or internal memory) **a the current**
 7 local version of the electronic poll list; and
 - 8 (B) producing a list of audit records that reflect all of the
 9 idiosyncrasies of the system, including in-process audit
 10 records that set forth all transactions.
- 11 (5) The electronic poll book must permit a poll clerk to enter
 12 information regarding an individual who has appeared to vote to
 13 verify whether the individual is eligible to vote, and if so, whether
 14 the voter has:
- 15 (A) already ~~cast~~ **received** a ballot at the election;
 - 16 (B) returned an absentee ballot; or
 - 17 (C) submitted any additional documentation required under
 18 IC 3-7-33-4.5.
- 19 (6) After the voter has been provided with a ballot, the electronic
 20 poll book must permit a poll clerk to enter information indicating
 21 that the voter has ~~voted at the election:~~ **received a ballot.**
- 22 (7) The electronic poll book must transmit the information in
 23 subdivision (6) to the county ~~election board server~~ so that:
- 24 (A) the ~~board server~~ may transmit the information
 25 immediately to every other polling place or satellite absentee
 26 office in the county; **or**
 - 27 (B) **the server makes the information immediately**
 28 **available to every other polling place or satellite office in**
 29 **the county.**
- 30 (8) The electronic poll book must permit reports to be:
- 31 (A) generated by a county election board for a watcher
 32 appointed under IC 3-6-8 at any time during election day; and
 - 33 (B) electronically transmitted by the county election board to
 34 a political party or independent candidate who has appointed
 35 a watcher under IC 3-6-8.
- 36 (9) On each day after absentee ballots are cast before an absentee
 37 voter board in the circuit court clerk's office, a satellite office, or
 38 a vote center, and after election day, the electronic poll book must
 39 permit voter history to be quickly and accurately uploaded into
 40 the computerized list **(as defined in IC 3-7-26.3-2).**
- 41 (10) The electronic poll book must be able to display an electronic
 42 image of the signature of a voter taken from the voter's



- 1 registration application, if available.
- 2 (11) The electronic poll book must be used with a signature pad,
3 tablet, or other signature capturing device that permits the voter
4 to make an electronic signature for comparison with the signature
5 displayed under subdivision (10). An image of the electronic
6 signature made by the voter on the signature pad, tablet, or other
7 signature capturing device must be retained and identified as the
8 signature of the voter for the period required for retention under
9 IC 3-10-1-31.1.
- 10 (12) The electronic poll book must include a bar code ~~reader or~~
11 ~~tablet capturing device~~ that:
- 12 (A) permits a voter who presents an Indiana driver's license or
13 a state identification card issued under IC 9-24-16 to scan the
14 license or card through the bar code reader or tablet; and
- 15 (B) has the capability to display the voter's registration record
16 upon processing the information contained within the bar code
17 on the license or card.
- 18 (13) A printer separate from the electronic poll book used in a
19 vote center county may be programmed to print on the back of a
20 ballot card, immediately before the ballot card is delivered to the
21 voter, the printed initials of the poll clerks captured through the
22 electronic signature pad or tablet at the time the poll clerks log
23 into the electronic poll book system.
- 24 (14) The electronic poll book must be compatible with:
- 25 (A) any hardware attached to the electronic poll book, such as
26 signature ~~pads~~, ~~capturing devices~~, bar code ~~scanners~~,
27 ~~capturing devices~~, and network cards;
- 28 (B) the statewide voter registration system; and
- 29 (C) any software system used to prepare voter information to
30 be included on the electronic poll book.
- 31 (15) The electronic poll book must have the ability to be used in
32 conformity with this title for:
- 33 (A) any type of election conducted in Indiana; or
- 34 (B) any combination of elections held concurrently with a
35 general election, municipal election, primary election, or
36 special election.
- 37 (16) The procedures for setting up, using, and shutting down an
38 electronic poll book must
- 39 ~~(A)~~ be reasonably easy for a precinct election officer to learn,
40 understand, and perform. ~~and~~
- 41 ~~(B)~~ not require a significant amount of training in addition to
42 the training required by IC 3-6-6-40.



1 **After December 31, 2015, a vendor shall provide sufficient**
 2 **training to election officials and poll workers to completely**
 3 **familiarize them with the operations essential for carrying out**
 4 **election activities. A vendor shall provide an assessment of**
 5 **learning goals achieved by the training in consultation with**
 6 **VSTOP (as described in IC 3-11-18.1-12).**

7 (17) The electronic poll book must enable a precinct election
 8 officer to verify that the electronic poll book:

9 (A) has been set up correctly;

10 (B) is working correctly so as to verify the eligibility of the
 11 voter;

12 (C) is correctly recording that a voter ~~has voted;~~ **received a**
 13 **ballot;** and

14 (D) has been shut down correctly.

15 (18) The electronic poll book must include the following
 16 documentation:

17 (A) Plainly worded, complete, and detailed instructions
 18 sufficient for a precinct election officer to set up, use, and shut
 19 down the electronic poll book.

20 (B) Training materials that:

21 (i) may be in written or video form; and

22 (ii) must be in a format suitable for use at a polling place,
 23 such as simple "how to" guides.

24 (C) Failsafe data recovery procedures for information included
 25 in the electronic poll book.

26 (D) Usability tests:

27 (i) that are conducted by the manufacturer of the electronic
 28 poll list book **or an independent testing facility** using
 29 individuals who are representative of the general public;

30 (ii) that include the setting up, using, and shutting down of
 31 the electronic poll book; and

32 (iii) that report their results using ~~the ANSI/INCITS -354~~
 33 **Common Industry Format (CIF) for Usability Test Reports**
 34 **approved by the American National Standards Institute**
 35 ~~(ANSI) on December 12, 2001;~~ **industry standard**
 36 **reporting formats.**

37 (E) A clear model of the electronic poll book system
 38 architecture and the following documentation:

39 (i) End user documentation.

40 (ii) System-level **and administrator level** documentation.

41 (iii) Developer documentation.

42 (F) Detailed information concerning:



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



1 assignment so that the signature may be assigned to the
2 voter's registration record.

3 SECTION 92. IC 3-11-8-11, AS AMENDED BY P.L.221-2005,
4 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2015]: Sec. 11. (a) When the hour for closing the polls occurs,
6 the precinct election board shall permit all voters who:

- 7 (1) have passed the challengers and who are waiting to announce
8 their names to the poll clerks for the purpose of signing the poll
9 list;
10 (2) have signed the poll list but who have not voted; or
11 (3) are in the act of voting;

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

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

- 18 (1) determine the end of the line of voters who are waiting to
19 vote, but have not yet passed the challengers; and
20 (2) use one (1) of the following methods to identify the voters
21 in the line who may vote if otherwise qualified to vote
22 according to law:

- 23 (A) Write down the name of each voter.
24 (B) Stamp each voter's hand.
25 (C) Stand, or designate another individual to stand,
26 immediately behind the last voter who may vote.

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

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

38 (b) A voter may not do the following:

- 39 (1) Take a digital image or photograph of the voter's ballot
40 while the voter is in a polling place, an office of the circuit
41 court clerk (under IC 3-11-10-26), a satellite office established
42 under IC 3-11-10-26.3, or a vote center established under



1 **IC 3-11-18.1-4.**

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

4 SECTION 94. IC 3-11-8-18.5 IS ADDED TO THE INDIANA
 5 CODE AS A NEW SECTION TO READ AS FOLLOWS
 6 [EFFECTIVE JULY 1, 2015]: **Sec. 18.5. A voter may bring into the**
 7 **polling place a list of candidates and public questions for the**
 8 **voter's use in voting as long as electioneering does not occur.**

9 SECTION 95. IC 3-11-8-25.7, AS AMENDED BY P.L.271-2013,
 10 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 11 JULY 1, 2015]: Sec. 25.7. (a) This section applies only to a voter who
 12 is a member of the military or public safety officer.

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

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

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

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

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

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

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



1 (f) The ~~commission election division~~ shall prescribe the form of the
2 affidavit required by this section.

3 SECTION 96. IC 3-11-9-2, AS AMENDED BY P.L.221-2005,
4 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2015]: Sec. 2. (a) A voter who:

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

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

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

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

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

27 SECTION 97. IC 3-11-10-8.5 IS ADDED TO THE INDIANA
28 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
29 **[EFFECTIVE JULY 1, 2015]: Sec. 8.5. Before a voter's application**
30 **for an absentee ballot is attached to the ballot envelope under**
31 **section 5, 6, or 8 of this chapter, the application must be scanned**
32 **or otherwise copied for public inspection.**

33 SECTION 98. IC 3-11-10-24, AS AMENDED BY P.L.225-2011,
34 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
35 JULY 1, 2015]: Sec. 24. (a) Except as provided in subsection (b), a
36 voter who satisfies any of the following is entitled to vote by mail:

- 37 (1) The voter has a specific, reasonable expectation of being
38 absent from the county on election day during the entire twelve
39 (12) hours that the polls are open.

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

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



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



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

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

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

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

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

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

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

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

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

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

29 SECTION 99. IC 3-11-10-26, AS AMENDED BY P.L.258-2013,
 30 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2015]: Sec. 26. (a) This subsection applies to all counties,
 32 except for a county to which IC 3-6-5.2 applies. As an alternative to
 33 voting by mail, a voter is entitled to cast an absentee ballot before an
 34 absentee voter board at any of the following:

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

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

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

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



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



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

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

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

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

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

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

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

20 (k) If:

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

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

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

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

30 SECTION 100. IC 3-11-10-27, AS AMENDED BY P.L.55-2014,
31 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
32 JULY 1, 2015]: Sec. 27. (a) This section does not apply to a ballot
33 mailed to a voter under this chapter.

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

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

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

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



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

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

12 (e) The initials must be:

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

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

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

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

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

30 (ff) (g) No other initialing of the absentee ballot is necessary.

31 SECTION 101. IC 3-11-10-31, AS AMENDED BY P.L.194-2013,
 32 SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2015]: Sec. 31. (a) If a voter has not returned an absentee
 34 ballot, then the voter may vote in person.

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

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

42 SECTION 102. IC 3-11-13-19, AS AMENDED BY P.L.55-2014,



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

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

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

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

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

22 SECTION 103. IC 3-11-13-22 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 22. (a) **This**
24 **section applies to:**

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

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

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

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

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

40 (1) **a ballot:**

41 (A) **must be reprinted or corrected as provided by**
42 **IC 3-11-2-16; or**



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

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

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

7 **(2) ballots used in the test conducted under this section were**
 8 **not reprinted or corrected to remove the error or omission, or**
 9 **indicate the name of the successor candidate;**

10 **the county election board shall conduct an additional public test**
 11 **described in subsection (b) using the reprinted or corrected ballots.**
 12 **Notice of the time and place of the additional test shall be given in**
 13 **accordance with IC 5-14-1.5, but publication of the notice in**
 14 **accordance with IC 5-3-1-4 is not required.**

15 SECTION 104. IC 3-11-13-24, AS AMENDED BY P.L.221-2005,
 16 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 UPON PASSAGE]: Sec. 24. **(a) This subsection applies to a ballot**
 18 **card voting system.** The test required by section 22 of this chapter
 19 must:

20 (1) be conducted by processing a preaudited group of ballot cards
 21 marked so as to record a predetermined number of valid votes for
 22 each candidate and on each public question; and

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

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

30 (1) be conducted by the entry of:

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

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

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

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

40 SECTION 105. IC 3-11-13-40 IS AMENDED TO READ AS
 41 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 40. The county election
 42 board shall certify the results of an audit under section 37 of this



1 chapter not later than noon twelve (12) days after the election. The
 2 certification must be on the form prescribed by the ~~commission~~
 3 **election division**. One (1) copy shall be filed with the election returns,
 4 and one (1) copy must be delivered to the election division.

5 SECTION 106. IC 3-11-14.5-1, AS ADDED BY P.L.221-2005,
 6 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 UPON PASSAGE]: Sec. 1. ~~At least fourteen (14) days before election~~
 8 ~~day~~; **(a)** The county election board of each county planning to use an
 9 electronic voting system at the next election shall randomly select at
 10 least three (3) precincts within the county and test the voting system
 11 units to be used at those precincts on election day. Each voting system
 12 shall be tested to ascertain that the system will correctly count the votes
 13 cast for all candidates and on all public questions in that precinct.

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

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

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

18 **(A) must be corrected as provided by IC 3-11-2-16; or**

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

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

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

25 **(2) voting system units used in the test conducted under this**
 26 **section did not contain a ballot that was reprinted or**
 27 **corrected to remove the error or omission, or indicate the**
 28 **name of the successor candidate;**

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

32 SECTION 107. IC 3-11-14.5-2, AS ADDED BY P.L.221-2005,
 33 SECTION 91, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 UPON PASSAGE]: Sec. 2. **(a) Except as provided by subsection (b),**
 35 public notice of the time and place shall be given at least forty-eight
 36 (48) hours before the test. The notice shall be published once in
 37 accordance with IC 5-3-1-4.

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



1 SECTION 108. IC 3-11-15-7 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) Each application
3 must be in writing, sworn to or affirmed by the applicant, under the
4 penalties of perjury, on a form prescribed by the ~~commission~~, **election**
5 **division**, and must satisfy the following requirements:

6 (1) Provide the name and address of the vendor submitting the
7 application.

8 (2) Provide the telephone number of the vendor.

9 (3) Provide the name, address, and telephone number of the
10 individual representing the vendor regarding the application.

11 (4) Provide the model name and number of the submitted voting
12 system, stating the hardware, firmware, and software version
13 numbers of the system.

14 (5) State whether the voting system is a direct record electronic
15 voting system or an optical scan ballot card voting system.

16 (6) Provide a description of the voting system and its capabilities,
17 including the following:

18 (A) Photographs.

19 (B) Engineering drawings.

20 (C) Technical documentation.

21 (D) Fail-safe and emergency backup information.

22 (E) Environmental requirements for storage, transportation,
23 and operation.

24 (7) Include an agreement to pay for the total costs of the
25 examination.

26 (8) Provide documentation of the escrow of the voting system's
27 software, firmware, source codes, and executable images with an
28 escrow agent approved by the election division.

29 (9) Provide a functional description of any software components.

30 (10) Provide schematics or flowcharts identifying software and
31 data file relationships.

32 (11) Describe the type of maintenance offered by the vendor.

33 (12) Provide the names, addresses, and telephone numbers of the
34 vendor's maintenance providers.

35 (13) Provide a description of the training courses offered by the
36 vendor for the voting system.

37 (14) Provide user manuals, operator and system manuals, and
38 problem solving manuals.

39 (15) Provide a statement of the current and future
40 interchangeability of all subcomponents of the voting system.

41 (16) Provide documentation from all independent testing
42 authorities that have examined the system.



1 (17) Provide documentation from all election jurisdictions that
2 have previously approved the system.

3 (18) Pay the application fee required under section 4 of this
4 chapter.

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

9 SECTION 109. IC 3-11-15-12 IS AMENDED TO READ AS
10 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 12. Each application
11 under this chapter must be in writing on a form prescribed by the
12 ~~commission~~ **election division** and must comply with the requirements
13 of this chapter.

14 SECTION 110. IC 3-11-18.1-14, AS ADDED BY P.L.1-2011,
15 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 UPON PASSAGE]: Sec. 14. (a) The precinct election board
17 administering an election at a vote center shall keep the ballots cast in
18 each precinct separate from the ballots cast in any other precinct whose
19 election is administered at the vote center, so that the votes cast for
20 each candidate and on each public question in each of the precincts
21 administered by the board may be determined and included on the
22 statement required by IC 3-12-4-9.

23 (b) **This subsection applies to a county described under section**
24 **12 of this chapter on and after the date absentee ballots are first**
25 **transmitted to voters. A person that receives a certification for an**
26 **electronic poll book shall file not later than forty-eight (48) hours**
27 **after the discovery of an anomaly or problem with the poll book a**
28 **written report describing the anomaly or problem with the**
29 **secretary of state.**

30 SECTION 111. IC 3-11.5-3-1 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 1. The following apply
32 for the purposes of IC 3-6-8, IC 3-6-9, and IC 3-6-10:

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

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

37 (3) **A county political party is entitled to appoint the number**
38 **of watchers equal to the number of teams of absentee ballot**
39 **counters.**

40 SECTION 112. IC 3-11.5-4-18, AS AMENDED BY P.L.194-2013,
41 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
42 UPON PASSAGE]: Sec. 18. (a) If a voter has not returned an absentee



1 ballot, the voter may vote in person.

2 (b) However, if the voter has received an absentee ballot, before the
3 voter may vote, the voter must return the ballot to the ~~county election~~
4 ~~board~~ **inspector**. The absentee ballot shall be marked "canceled" and
5 preserved with the rejected ballots.

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

9 SECTION 113. IC 3-11.5-4-21.5 IS ADDED TO THE INDIANA
10 CODE AS A NEW SECTION TO READ AS FOLLOWS
11 [EFFECTIVE JULY 1, 2015]: **Sec. 21.5. Rejected absentee ballots**
12 **may not be opened, except on order of a court or the state recount**
13 **commission.**

14 SECTION 114. IC 3-11.7-1-6 IS AMENDED TO READ AS
15 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 6. (a) All provisional
16 ballots shall be prepared and printed under the direction of each county
17 election board.

18 (b) After completing the estimate required by section 4 of this
19 chapter, the county election board shall immediately prepare the ballots
20 and have the ballots printed.

21 (c) Except as provided in subsection (e), ballots prepared by the
22 county election board under this section must provide space for the
23 voter to cast a write-in ballot.

24 (d) The provisional ballots that are prepared and printed under this
25 section shall be delivered to the circuit court clerk not later than

26 ~~(1) forty-five (45) fifty (50)~~ days before a general, primary,
27 ~~special~~, or municipal election. ~~or~~

28 ~~(2) thirty-two (32) days before a special election.~~

29 (e) Space for write-in voting for an office is not required if there are
30 no declared write-in candidates for that office. However, procedures
31 must be implemented to permit write-in voting for candidates for
32 federal offices.

33 (f) This subsection applies to the printing of provisional ballots for
34 a general election in which the names of the nominees for President
35 and Vice President of the United States are to be printed on the ballot.
36 The provisional ballots that are prepared and printed under this section
37 must be delivered to the circuit court clerk or the clerk's authorized
38 deputy not later than thirty-eight (38) days before the general election.

39 SECTION 115. IC 3-11.7-5-2.5, AS AMENDED BY P.L.225-2011,
40 SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2015]: Sec. 2.5. (a) A voter who:

42 (1) was challenged under IC 3-10-1, IC 3-11-8, or IC 3-11-10-26



- 1 as a result of the voter's inability or declination to provide proof
 2 of identification; and
 3 (2) cast a provisional ballot;
 4 may personally appear before the circuit court clerk or the county
 5 election board not later than noon ten (10) days following the election.
 6 (b) Except as provided in subsection (c) or (e), if the voter:
 7 (1) provides proof of identification to the circuit court clerk or
 8 county election board; and
 9 (2) executes an affidavit before the clerk or board, in the form
 10 prescribed by the ~~commission~~; **election division**, affirming under
 11 the penalties of perjury that the voter is the same individual who:
 12 (A) personally appeared before the precinct election board;
 13 and
 14 (B) cast the provisional ballot on election day;
 15 the county election board shall find that the voter's provisional ballot
 16 is valid and direct that the provisional ballot be opened under section
 17 4 of this chapter and processed in accordance with this chapter.
 18 (c) If the voter executes an affidavit before the circuit court clerk or
 19 county election board, in the form prescribed by the ~~commission~~;
 20 **election division**, affirming under the penalties of perjury that:
 21 (1) the voter is the same individual who:
 22 (A) personally appeared before the precinct election board;
 23 and
 24 (B) cast the provisional ballot on election day; and
 25 (2) the voter:
 26 (A) is:
 27 (i) indigent; and
 28 (ii) unable to obtain proof of identification without the
 29 payment of a fee; or
 30 (B) has a religious objection to being photographed;
 31 the county election board shall determine whether the voter has been
 32 challenged for any reason other than the voter's inability or declination
 33 to present proof of identification to the precinct election board.
 34 (d) If the county election board determines that the voter described
 35 in subsection (c) has been challenged solely for the inability or
 36 declination of the voter to provide proof of identification, the county
 37 election board shall:
 38 (1) find that the voter's provisional ballot is valid; and
 39 (2) direct that the provisional ballot be:
 40 (A) opened under section 4 of this chapter; and
 41 (B) processed in accordance with this chapter.
 42 (e) If the county election board determines that a voter described in



1 subsection (b) or (c) has been challenged for a cause other than the
 2 voter's inability or declination to provide proof of identification, the
 3 board shall:

4 (1) note on the envelope containing the provisional ballot that the
 5 voter has complied with the proof of identification requirement;
 6 and

7 (2) proceed to determine the validity of the remaining challenges
 8 set forth in the challenge affidavit before ruling on the validity of
 9 the voter's provisional ballot.

10 (f) If a voter described by subsection (a) fails by the deadline for
 11 counting provisional ballots referenced in subsection (a) to:

12 (1) appear before the county election board; and

13 (2) execute an affidavit in the manner prescribed by subsection
 14 (b) or (c);

15 the county election board shall find that the voter's provisional ballot
 16 is invalid.

17 SECTION 116. IC 3-12-3.5-8, AS ADDED BY P.L.76-2014,
 18 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2015]: Sec. 8. (a) After each electronic voting system has
 20 been secured and the paper vote total printouts obtained, the inspector
 21 shall announce the total number of votes cast on all electronic voting
 22 systems located within the ~~polling place~~, **precinct**, including any
 23 absentee ballots cast, to determine if the total number of votes cast on
 24 the electronic voting systems differs from the number of voters shown
 25 to have received a ballot at the polls or returned an absentee ballot,
 26 according to the poll lists.

27 (b) If the number of ballots received at the polls and returned as
 28 absentee ballots differs from the total number of voters shown on the
 29 poll lists, the inspector and judge of the opposite party shall report this
 30 fact in writing to the county election board together with the reasons for
 31 the discrepancy, if known, at the time that the inspector and judge
 32 return the precinct poll list to the board.

33 (c) If:

34 (1) the total number of votes cast, as determined under subsection
 35 (a); and

36 (2) the number of voters who received a ballot at the polls or
 37 returned an absentee ballot according to the poll lists;

38 differs by five (5) or more, then the county election board shall order
 39 an audit of the votes cast in that precinct under this section. **Before**
 40 **ordering an audit, the county election board shall recheck the**
 41 **computations reported by the inspector and judge under**
 42 **subsection (b).**



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

3 (1) for each candidate and each public question; and

4 (2) on a direct record electronic voting system in the precinct;
5 were correctly counted.

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

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

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

22 SECTION 117. IC 3-12-10-4 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 4. (a) The state recount
24 commission shall conduct recount proceedings under IC 3-12-11
25 resulting from:

26 (1) a presidential primary election;

27 (2) the nomination of a candidate to a federal, state, or legislative
28 office in a primary election; or

29 (3) an election for a federal, state, or legislative office.

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

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

35 (1) a presidential primary election;

36 (2) the nomination of a candidate to a federal, state, or legislative
37 office in a primary election; or

38 (3) an election for a federal, state, or legislative office.

39 SECTION 118. IC 3-12-12-23 IS AMENDED TO READ AS
40 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 23. (a) This section
41 applies to a recount of:

42 (1) a public question concerning the ratification of a state



1 constitutional amendment or the retention of a justice of the
 2 Indiana supreme court or judge of the Indiana court of appeals; or
 3 (2) another public question voted on by the electorate of the entire
 4 state.

5 (b) ~~A circuit court clerk~~ **The state recount commission shall**
 6 **conduct a recount proceeding under this section and** shall
 7 immediately transmit a certificate ~~prepared under section 22 of this~~
 8 ~~chapter~~ **to the election division showing for each precinct in which**
 9 **a recount was conducted the total vote for and against the public**
 10 **question.**

11 (c) Upon tabulation of the returns under this section by the election
 12 division, the secretary of state shall issue a certificate declaring the
 13 public question approved or rejected.

14 (d) The election division shall provide to the office the results of the
 15 recount in each precinct in which a recount was conducted.

16 SECTION 119. IC 3-13-1-9, AS AMENDED BY P.L.225-2011,
 17 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2015]: Sec. 9. The call for a meeting under section 7 of this
 19 chapter must:

- 20 (1) be in writing on a form prescribed by the ~~commission;~~
 21 **election division;**
 22 (2) state the name of the chairman of the meeting;
 23 (3) state the purpose of the meeting;
 24 (4) state the date, time, and place of the meeting;
 25 (5) be sent by first class mail, at least ten (10) days before the
 26 meeting, to all persons eligible to participate in the meeting; and
 27 (6) be filed not later than noon ten (10) days before the meeting
 28 with the official who is required to receive a certificate of
 29 candidate selection following the caucus under section 15 of this
 30 chapter.

31 SECTION 120. IC 3-13-1-10.5, AS AMENDED BY P.L.76-2014,
 32 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2015]: Sec. 10.5. (a) A person who wishes to be a candidate
 34 for appointment to fill a candidate vacancy under this chapter must file
 35 a declaration of candidacy on a form prescribed by the ~~commission~~
 36 **election division** with:

- 37 (1) the chairman of the caucus or committee conducting a meeting
 38 under this chapter; and
 39 (2) the official who is required to receive a certificate of candidate
 40 selection following the caucus under section 15 of this chapter;
 41 at least seventy-two (72) hours before the time fixed for the caucus or
 42 committee meeting.



1 (b) A candidate's declaration of candidacy must include a statement
 2 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 declaration of candidacy. If there is a difference between the name on
 5 the candidate's declaration of candidacy and the name on the
 6 candidate's voter registration record, the officer with whom the
 7 declaration of candidacy is filed shall forward the information to the
 8 voter 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 declaration of candidacy.

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

14 **(1) This subdivision applies to a candidate filing a declaration**
 15 **of candidacy for a state office, legislative office, local office of**
 16 **judge of a circuit, superior, probate, county, or small claims**
 17 **court, or local office of prosecuting attorney of a judicial**
 18 **circuit.** A statement that the candidate has attached either of the
 19 following to the declaration:

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

23 (B) 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 **(2) This subdivision applies to a candidate filing a declaration**
 28 **of candidacy for a local office not described in subdivision (1)**
 29 **or school board office. A statement that the candidate**
 30 **understands that if the candidate is selected to fill the**
 31 **candidate vacancy, the candidate is required to file a**
 32 **statement of economic interests under IC 3-8-9-5.**

33 ~~(2)~~ **(3)** A statement that the candidate understands that if the
 34 candidate is elected to the office, the candidate may be required
 35 to obtain and file an individual surety bond before serving in the
 36 office. This requirement does not apply to a candidate for a
 37 federal office or legislative office.

38 ~~(3)~~ **(4)** A statement that the candidate understands that if the
 39 candidate is elected to the office, the candidate may be required
 40 to successfully complete training or have attained certification
 41 related to service in an elected office. This requirement does not
 42 apply to a candidate for a federal office, state office, or legislative



- 1 office.
- 2 ~~(4)~~ (5) A statement that the candidate:
- 3 (A) is aware of the provisions of IC 3-9 regarding campaign
- 4 finance and the reporting of campaign contributions and
- 5 expenditures; and
- 6 (B) agrees to comply with the provisions of IC 3-9.
- 7 This requirement does not apply to a candidate for a federal
- 8 office.
- 9 The candidate must separately initial each of the statements required
- 10 by this subsection.
- 11 SECTION 121. IC 3-13-1-14 IS AMENDED TO READ AS
- 12 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 14. The selection of a
- 13 person as a candidate under this chapter is not effective unless:
- 14 (1) the person's written consent is obtained and filed:
- 15 (A) in the office in which certificates and petitions of
- 16 nomination must be filed; and
- 17 (B) not later than when the certificate is filed; and
- 18 (2) the candidate has complied with any requirement under
- 19 IC 3-8-1-33 or IC 3-8-9-5 to file a statement of economic
- 20 interests.
- 21 SECTION 122. IC 3-13-1-15, AS AMENDED BY P.L.225-2011,
- 22 SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 23 JULY 1, 2015]: Sec. 15. (a) A county chairman filling a candidate
- 24 vacancy under section 6(a)(2) of this chapter or the chairman of a
- 25 meeting filling a candidate vacancy under this chapter shall file a
- 26 written certificate of candidate selection on a form prescribed by the
- 27 **commission election division** stating the following information for
- 28 each candidate selected:
- 29 (1) The name of each candidate as:
- 30 (A) the candidate wants the candidate's name to appear on the
- 31 ballot; and
- 32 (B) the candidate's name is permitted to appear on the ballot
- 33 under IC 3-5-7.
- 34 (2) The residence address of each candidate.
- 35 (b) The certificate shall be filed with:
- 36 (1) the election division for:
- 37 (A) a committee acting under section 3, 4, 5, or 6(b) of this
- 38 chapter; or
- 39 (B) a committee acting under section 6(a) of this chapter to fill
- 40 a candidate vacancy in the office of judge of a circuit, superior,
- 41 probate, county, or small claims court or prosecuting attorney;
- 42 or



- 1 (2) the circuit court clerk, for a committee acting under section
 2 6(a) of this chapter to fill a candidate vacancy for a local office
 3 not described in subdivision (1).
 4 (c) This subsection applies to a candidate vacancy resulting from a
 5 vacancy on the primary election ballot as described in section 2 of this
 6 chapter. The certificate required by subsection (a) shall be filed not
 7 later than noon July 3 before election day.
 8 (d) This subsection applies to all candidate vacancies not described
 9 by subsection (c). The certificate required by subsection (a) shall be
 10 filed not later than noon three (3) days (excluding Saturdays and
 11 Sundays) after selection of the candidates.
 12 **(e) A certificate filed under this section is not effective unless the**
 13 **candidate selected to fill the candidate vacancy has filed a**
 14 **statement of economic interests under IC 3-8-9-5.**
 15 SECTION 123. IC 3-13-2-8, AS AMENDED BY P.L.2-2005,
 16 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2015]: Sec. 8. (a) The chairman or chairmen filling a
 18 candidate vacancy under this chapter shall immediately file a written
 19 certificate of candidate selection on a form prescribed by the
 20 **commission election division** stating the following information for
 21 each candidate selected:
 22 (1) The name of each candidate as:
 23 (A) the candidate wants the candidate's name to appear on the
 24 ballot; and
 25 (B) the candidate's name is permitted to appear on the ballot
 26 under IC 3-5-7.
 27 (2) The residence address of each candidate.
 28 (b) The certificate shall be filed with:
 29 (1) the election division for:
 30 (A) one (1) or more chairmen acting under section 2, 3, 4, or
 31 5(b) of this chapter; or
 32 (B) a committee acting under section 5(b) of this chapter to fill
 33 a candidate vacancy for the office of judge of a circuit,
 34 superior, probate, county, or small claims court or prosecuting
 35 attorney; or
 36 (2) the circuit court clerk of the county in which the greatest
 37 percentage of the population of the election district is located, for
 38 a chairman acting under section 5(a) of this chapter to fill a
 39 candidate vacancy for a local office not described in subdivision
 40 (1).
 41 (c) The certificate required by subsection (a) shall be filed not more
 42 than three (3) days (excluding Saturdays and Sundays) after selection



1 of the candidate.

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

5 SECTION 124. IC 3-14-1-17, AS AMENDED BY P.L.168-2014,
 6 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JULY 1, 2015]: Sec. 17. **(a) As used in this section, "campaign**
 8 **materials" includes a communication that conveys a political**
 9 **preference or party allegiance.**

10 ~~(a)~~ **(b)** As used in this section, "government employee" refers to any
 11 of the following:

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

16 ~~(b)~~ **(c)** As used in this section, "government employer" refers to the
 17 state or a political subdivision.

18 ~~(c)~~ **(d)** As used in this section, "property" refers only to the
 19 following:

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

23 ~~(d)~~ **(e)** A government employee may not knowingly or intentionally
 24 use the property of the employee's government employer to do any of
 25 the following:

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

29 ~~(e)~~ **(f)** A government employee may not knowingly or intentionally
 30 distribute **or display** campaign materials advocating:

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

33 on the government employer's real property during regular working
 34 hours.

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

- 36 (1) Activities permitted under IC 6-1.1-20.
- 37 (2) A government employee from carrying out administrative
 38 duties under the direction of an elected official who is the
 39 government employee's supervisor.

40 ~~(g)~~ **(h)** A government employee who knowingly or intentionally
 41 performs several actions described in subsection ~~(d)~~ **(e)** or ~~(e)~~ **(f)** in a
 42 connected series that are closely related in time, place, and



1 circumstance may be charged with only one (1) violation of this section
2 for that connected series of actions.

3 ~~(h)~~ **(i)** A government employee who violates this section commits
4 a Class A misdemeanor. However, the offense is a Level 6 felony if the
5 person has a prior unrelated conviction under this section.

6 SECTION 125. IC 3-14-2-11, AS AMENDED BY P.L.168-2014,
7 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
8 JULY 1, 2015]: Sec. 11. (a) A person who knowingly votes or offers to
9 vote in a precinct except the one in which the person is registered and
10 resides commits a Level 6 felony, except when permitted under
11 IC 3-10-10, IC 3-10-11, or IC 3-10-12.

12 (b) A person who knowingly makes a false statement concerning the
13 name, address, or voter identification number of the person by:

- 14 (1) signing a person's signature on a poll list to affirm false
15 information concerning a voter printed on the poll list; or
16 (2) making a written or oral affirmation under IC 3-7-39-7,
17 IC 3-10-1-24, **IC 3-10-10-4**, **IC 3-10-11-4**, **IC 3-10-12-4**, or
18 IC 3-11-8-25.1 to provide false information concerning a voter in
19 addition to the information concerning the voter printed on the
20 poll list;

21 commits a Level 6 felony.

22 SECTION 126. IC 3-14-3-14, AS AMENDED BY P.L.158-2013,
23 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2015]: Sec. 14. A printer of the ballots for an election, or
25 person employed in printing the ballots, who knowingly:

- 26 (1) delivers a ballot to a person other than a county election board
27 for which the ballots are being printed;
28 (2) prints a ballot in any form other than the one prescribed by
29 law; or
30 (3) prints a ballot containing any names, spellings, or
31 arrangements other than as authorized by the ~~commission~~ **election**
32 **division** or a county election board;

33 commits a Level 6 felony.

34 SECTION 127. IC 6-1.1-20-3.6, AS AMENDED BY P.L.219-2013,
35 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2015]: Sec. 3.6. (a) Except as provided in sections 3.7 and 3.8
37 of this chapter, this section applies only to a controlled project
38 described in section 3.5(a) of this chapter.

39 (b) If a sufficient petition requesting the application of the local
40 public question process has been filed as set forth in section 3.5 of this
41 chapter, a political subdivision may not impose property taxes to pay
42 debt service on bonds or lease rentals on a lease for a controlled project



1 unless the political subdivision's proposed debt service or lease rental
 2 is approved in an election on a local public question held under this
 3 section.

4 (c) Except as provided in subsection (k), the following question
 5 shall be submitted to the eligible voters at the election conducted under
 6 this section:

7 "Shall _____ (insert the name of the political subdivision)
 8 issue bonds or enter into a lease to finance _____ (insert
 9 a brief description of the controlled project), which is estimated
 10 to cost not more than _____ (insert the total cost of the project)
 11 and is estimated to increase the property tax rate for debt service
 12 by _____ (insert increase in tax rate as determined by the
 13 department of local government finance)?"

14 The public question must appear on the ballot in the form approved by
 15 the county election board. If the political subdivision proposing to issue
 16 bonds or enter into a lease is located in more than one (1) county, the
 17 county election board of each county shall jointly approve the form of
 18 the public question that will appear on the ballot in each county. The
 19 form approved by the county election board may differ from the
 20 language certified to the county election board by the county auditor.
 21 If the county election board approves the language of a public question
 22 under this subsection, the county election board shall submit the
 23 language to the department of local government finance for review.

24 (d) The department of local government finance shall review the
 25 language of the public question to evaluate whether the description of
 26 the controlled project is accurate and is not biased against either a vote
 27 in favor of the controlled project or a vote against the controlled
 28 project. The department of local government finance may either
 29 approve the ballot language as submitted or recommend that the ballot
 30 language be modified as necessary to ensure that the description of the
 31 controlled project is accurate and is not biased. The department of local
 32 government finance shall certify its approval or recommendations to
 33 the county auditor and the county election board not more than ten (10)
 34 days after the language of the public question is submitted to the
 35 department for review. If the department of local government finance
 36 recommends a modification to the ballot language, the county election
 37 board shall, after reviewing the recommendations of the department of
 38 local government finance, submit modified ballot language to the
 39 department for the department's approval or recommendation of any
 40 additional modifications. The public question may not be certified by
 41 the county auditor under subsection (e) unless the department of local
 42 government finance has first certified the department's final approval



- 1 of the ballot language for the public question.
- 2 (e) The county auditor shall certify the finally approved public
3 question under IC 3-10-9-3 to the county election board of each county
4 in which the political subdivision is located. The certification must
5 occur not later than noon:
- 6 (1) seventy-four (74) days before a primary election if the public
7 question is to be placed on the primary or municipal primary
8 election ballot; or
9 (2) August 1 if the public question is to be placed on the general
10 or municipal election ballot.
- 11 Subject to the certification requirements and deadlines under this
12 subsection and except as provided in subsection (k), the public
13 question shall be placed on the ballot at the next primary election,
14 general election, or municipal election in which all voters of the
15 political subdivision are entitled to vote. However, if a primary
16 election, general election, or municipal election will not be held during
17 the first year in which the public question is eligible to be placed on the
18 ballot under this section and if the political subdivision requests the
19 public question to be placed on the ballot at a special election, the
20 public question shall be placed on the ballot at a special election to be
21 held on the first Tuesday after the first Monday in May or November
22 of the year. The certification must occur not later than noon
23 seventy-four (74) days before a special election to be held in May (if
24 the special election is to be held in May) or noon on August 1 (if the
25 special election is to be held in November). The fiscal body of the
26 political subdivision that requests the special election shall pay the
27 costs of holding the special election. The county election board shall
28 give notice under IC 5-3-1 of a special election conducted under this
29 subsection. A special election conducted under this subsection is under
30 the direction of the county election board. The county election board
31 shall take all steps necessary to carry out the special election.
- 32 (f) The circuit court clerk shall certify the results of the public
33 question to the following:
- 34 (1) The county auditor of each county in which the political
35 subdivision is located.
36 (2) The department of local government finance.
- 37 (g) Subject to the requirements of IC 6-1.1-18.5-8, the political
38 subdivision may issue the proposed bonds or enter into the proposed
39 lease rental if a majority of the eligible voters voting on the public
40 question vote in favor of the public question.
- 41 (h) If a majority of the eligible voters voting on the public question
42 vote in opposition to the public question, both of the following apply:



- 1 (1) The political subdivision may not issue the proposed bonds or
2 enter into the proposed lease rental.
- 3 (2) Another public question under this section on the same or a
4 substantially similar project may not be submitted to the voters
5 earlier than ~~one~~ **(+) year three hundred fifty (350) days** after the
6 date of the election.
- 7 (i) IC 3, to the extent not inconsistent with this section, applies to an
8 election held under this section.
- 9 (j) A political subdivision may not artificially divide a capital
10 project into multiple capital projects in order to avoid the requirements
11 of this section and section 3.5 of this chapter.
- 12 (k) This subsection applies to a political subdivision for which a
13 petition requesting a public question has been submitted under section
14 3.5 of this chapter. The legislative body (as defined in IC 36-1-2-9) of
15 the political subdivision may adopt a resolution to withdraw a
16 controlled project from consideration in a public question. If the
17 legislative body provides a certified copy of the resolution to the county
18 auditor and the county election board not later than sixty-three (63)
19 days before the election at which the public question would be on the
20 ballot, the public question on the controlled project shall not be placed
21 on the ballot and the public question on the controlled project shall not
22 be held, regardless of whether the county auditor has certified the
23 public question to the county election board. If the withdrawal of a
24 public question under this subsection requires the county election
25 board to reprint ballots, the political subdivision withdrawing the
26 public question shall pay the costs of reprinting the ballots. If a political
27 subdivision withdraws a public question under this subsection that
28 would have been held at a special election and the county election
29 board has printed the ballots before the legislative body of the political
30 subdivision provides a certified copy of the withdrawal resolution to
31 the county auditor and the county election board, the political
32 subdivision withdrawing the public question shall pay the costs
33 incurred by the county in printing the ballots. If a public question on a
34 controlled project is withdrawn under this subsection, a public question
35 under this section on the same controlled project or a substantially
36 similar controlled project may not be submitted to the voters earlier
37 than ~~one~~ **(+) year three hundred fifty (350) days** after the date the
38 resolution withdrawing the public question is adopted.
- 39 (l) If a public question regarding a controlled project is placed on
40 the ballot to be voted on at a public question under this section, the
41 political subdivision shall submit to the department of local
42 government finance, at least thirty (30) days before the election, the



1 following information regarding the proposed controlled project for
2 posting on the department's Internet web site:

3 (1) The cost per square foot of any buildings being constructed as
4 part of the controlled project.

5 (2) The effect that approval of the controlled project would have
6 on the political subdivision's property tax rate.

7 (3) The maximum term of the bonds or lease.

8 (4) The maximum principal amount of the bonds or the maximum
9 lease rental for the lease.

10 (5) The estimated interest rates that will be paid and the total
11 interest costs associated with the bonds or lease.

12 (6) The purpose of the bonds or lease.

13 (7) In the case of a controlled project proposed by a school
14 corporation:

15 (A) the current and proposed square footage of school building
16 space per student;

17 (B) enrollment patterns within the school corporation; and

18 (C) the age and condition of the current school facilities.

19 SECTION 128. IC 9-24-2.5-13 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) As required
21 under ~~42 U.S.C. 15483~~, **52 U.S.C. 21083**, the commission shall enter
22 into an agreement with the Commissioner of Social Security under 42
23 U.S.C. 405(r)(8)(A) to verify information set forth on voter registration
24 applications.

25 (b) The information subject to verification under this section is the
26 following:

27 (1) Whether the name (including the first name and any family
28 forename or surname), date of birth (including month, day, and
29 year), and Social Security number of an individual provided to the
30 Commissioner of Social Security match the information contained
31 in the Commissioner's records.

32 (2) Whether the individual is shown in the records of the
33 Commissioner of Social Security as deceased.

34 (c) The agreement under subsection (b) must comply with ~~42 U.S.C.~~
35 ~~15481~~ **52 U.S.C. 21081** and IC 3-7-26.3.

36 **(d) If an individual shown in the records of the Commissioner**
37 **of Social Security is deceased, the county voter registration office**
38 **may cancel the individual's registration under IC 3-7-45-4, unless**
39 **the county voter registration office determines that additional**
40 **information is necessary to sufficiently document the individual's**
41 **death.**

42 SECTION 129. IC 33-33-2-8 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 8. (a) The Allen
2 superior court consists of nine (9) judges as follows:

3 (1) Two (2) judges serve in the family relations division.

4 (2) Three (3) judges serve in the criminal division.

5 (3) Four (4) judges serve in the civil division.

6 A newly elected or appointed judge assumes the division assignment
7 of the judge whom the judge replaces.

8 (b) If in the opinion of a majority of the judges there is an undue
9 disparity in the number of cases in any division, the chief judge may
10 assign specific cases normally assigned to that division to a judge in
11 another division as directed by a majority of the judges.

12 **(c) Not later than December 31 of the year immediately**
13 **preceding a year in which the office of judge of the Allen superior**
14 **court will be on the ballot, the clerk of the circuit court shall file**
15 **with the election division a list containing the name, the division**
16 **assignment, and the seat designation for each judge of the Allen**
17 **superior court.**

18 ~~(c)~~ **(d)** During the period under IC 3-8-2-4 in which a declaration of
19 candidacy may be filed for a primary election, any person desiring to
20 become a candidate for one (1) of the Allen superior court judgeships
21 must file with the election division a declaration of candidacy adapted
22 from the form prescribed under IC 3-8-2 that:

23 (1) is signed by the candidate; and

24 (2) designates the division and the name of the incumbent judge
25 of the judgeship that the candidate seeks.

26 ~~(d)~~ **(e)** A petition without the designation required under subsection
27 (c) shall be rejected by the election division (or by the Indiana election
28 commission under IC 3-8-1-2).

29 ~~(e)~~ **(f)** If an individual who files a declaration under subsection (c)
30 ceases to be a candidate after the final date for filing a declaration
31 under subsection (c), the election division may accept the filing of
32 additional declarations of candidacy for that seat not later than noon on
33 August 1.

34 SECTION 130. IC 33-33-53-2.5 IS ADDED TO THE INDIANA
35 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
36 [EFFECTIVE JULY 1, 2015]: **Sec. 2.5. Not later than December 31**
37 **of the year immediately preceding a year in which the office of**
38 **judge of the Monroe circuit court will be on the ballot, the clerk of**
39 **the circuit court shall file with the election division a list containing**
40 **the name and seat designation for each judge of the Monroe circuit**
41 **court.**

42 SECTION 131. IC 36-1-3-9 IS AMENDED TO READ AS



1 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 9. (a) The area inside
 2 the boundaries of a county comprises its territorial jurisdiction.
 3 However, a municipality has exclusive jurisdiction over bridges
 4 (subject to IC 8-16-3-1), streets, alleys, sidewalks, watercourses,
 5 sewers, drains, and public grounds inside its corporate boundaries,
 6 unless a statute provides otherwise.

7 (b) The area inside the corporate boundaries of a municipality
 8 comprises its territorial jurisdiction, except to the extent that a statute
 9 expressly authorizes the municipality to exercise a power in areas
 10 outside its corporate boundaries.

11 (c) Whenever a statute authorizes a municipality to exercise a power
 12 in areas outside its corporate boundaries, the power may be exercised:

13 (1) inside the corporate boundaries of another municipality, only
 14 if both municipalities, by ordinance, enter into an agreement
 15 under IC 36-1-7; or

16 (2) in a county other than the county in which the municipal hall
 17 is located, but not inside the corporate boundaries of another
 18 municipality, only if both the municipality and the other county,
 19 by ordinance, enter into an agreement under IC 36-1-7.

20 (d) If the two (2) units involved under subsection (c) cannot reach
 21 an agreement, either unit may petition the circuit or superior court of
 22 the county to hear and determine the matters at issue. The clerk of the
 23 court shall issue notice to the other unit as in other civil actions, and the
 24 court shall hold the hearing without a jury. There may be a change of
 25 venue from the judge but not from the county. The petitioning unit
 26 shall pay the costs of the action.

27 **(e) If a political subdivision permits or authorizes the placement**
 28 **of election related communications on the real or personal**
 29 **property of the political subdivision, the political subdivision must**
 30 **permit communications from any person to be placed on the**
 31 **political subdivision's property subject to the same time, place, and**
 32 **manner restrictions that apply to election related communications.**

33 SECTION 132. IC 36-1-6-10 IS AMENDED TO READ AS
 34 FOLLOWS [EFFECTIVE JULY 1, 2015]: Sec. 10. (a) This section
 35 applies to:

36 **(1) an ordinance adopted by a unit; or**

37 **(2) an order adopted by a county redistricting commission**
 38 **under IC 36-2-2 or IC 36-2-3;**

39 to establish executive, fiscal, or legislative body election districts
 40 within the unit.

41 (b) Except as otherwise provided in the ordinance **or order**, the
 42 ordinance **or order** takes effect immediately upon passage. However,



1 a previously adopted ordinance **or order** establishing election districts
2 remains in effect for the purpose of filling a vacancy in the executive,
3 fiscal, or legislative body until the expiration of the term of that office.

4 (c) A reference in the ordinance **or order** to the boundary of a
5 political subdivision, a precinct boundary, or an election district
6 boundary refers to the precinct or boundary as the precinct or boundary
7 existed on the date of adoption of the ordinance **or order**. A change in
8 the boundary of a political subdivision, precinct, or election district
9 following the date of adoption of the ordinance **or order** does not alter
10 the boundaries of the election districts established by the ordinance **or**
11 **order**.

12 (d) **The adoption of an ordinance or order does not affect the**
13 **right of an individual serving as a member of the executive, fiscal,**
14 **or legislative body of the unit to continue to serve in office until the**
15 **expiration of the member's current term specified under state law.**

16 SECTION 133. An emergency is declared for this act.

