

COMMITTEE REPORT

MR. PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 273, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

- Delete everything after the enacting clause and insert the following:
 - SECTION 1. IC 3-10-1-31 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 31. (a) The inspector of each precinct shall deliver the bags required by section 30(a) and 30(c) of this chapter in good condition, together with poll lists, tally sheets, and other forms, to the circuit court clerk when making returns.
 - (b) Except for unused ballots disposed of under IC 3-11-3-31, the circuit court clerk shall ~~carefully preserve~~ **seal** the ballots and other material ~~and keep all seals intact during the time allowed to file a verified petition for a recount of votes. After the recount filing period, the election material (except for ballots, which shall remain confidential) shall be made available for copying and inspection under IC 5-14-3. The circuit court clerk shall carefully preserve the sealed ballots and other material~~ for twenty-two (22) months, as required by 42 U.S.C. 1974, after which they may be destroyed unless:
 - (1) an order issued under IC 3-12-6-19 or IC 3-12-11-16; or
 - (2) 42 U.S.C. 1973;requires the continued preservation of the ballots or other material.
 - (c) If a petition for a recount or contest is filed, the material for Adopted 1/21/1999 that election shall remain confidential until completion of the recount or contest.**
 - ~~(e)~~ **(d)** Upon delivery of the poll lists, the circuit court clerk or board of registration may unseal the envelopes containing the poll lists. For the purposes of:
 - (1) a cancellation of registration conducted under IC 3-7-43 through IC 3-7-46; or
 - (2) a transfer of registration conducted under IC 3-7-39, IC 3-7-40, or IC 3-7-42;the clerk or board may inspect the poll lists and update the registration record of the county. Upon completion of the inspection, the poll list shall be resealed and preserved with the ballots and other materials for the time period prescribed by subsection (b).
 - (d) After the expiration of the period described in subsection (b), the

||| ballots may be destroyed in the manner provided by IC 3-11-3-31 or
||| transferred to a state educational institution as provided by IC 3-12-2-
||| 12.
(Reference is to SB 273 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Elections.

GARTON Chairperson