February 1, 2001

HOUSE BILL No. 1118

DIGEST OF HB 1118 (Updated January 31, 2001 1:30 PM - DI 75)

Citations Affected: IC 3-11; IC 3-11.5; IC 3-12.

Synopsis: Extension of voting hours. Requires the polls in each precinct in a county to open at 6 a.m. and close at 8 p.m., instead of 6 p.m., on election day. Makes conforming amendments.

Effective: July 1, 2001.

Day, Ayres, Kruzan

January 9, 2001, read first time and referred to Committee on Elections and Apportionment.
January 31, 2001, reported — Do Pass.

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February 1, 2001

First Regular Session 112th General Assembly (2001)

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 2000 General Assembly.

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HOUSE BILL No. 1118

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

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

SECTION 1. IC 3-11-8-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 8. The polls in each precinct open at 6 a.m. and close at ~~6~~ **8** p.m. on election day.

SECTION 2. IC 3-11-10-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 11. On election day each circuit court clerk (or an agent of the clerk) shall visit the appropriate post office to accept delivery of absentee envelopes at the latest possible time that will permit delivery of the ballots to the appropriate precinct election boards before ~~6~~ **8** p.m.

SECTION 3. IC 3-11-12-26 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 26. Each county election board shall be at its office from 5 a.m. until ~~6~~ **8** p.m. on election day. Upon notice that a voting machine is out of order or fails to work, the board shall be ready between those hours to deliver to any precinct in the county:

(1) necessary ballots;

(2) election booths with an adequate number of stalls;

(3) ballot boxes; and
(4) all necessary supplies and equipment as required by law.

SECTION 4. IC 3-11-14-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 19. Each county election board shall be at its office from 5 a.m. until ~~6~~ **8** p.m. on election day. Upon notice that an electronic voting system is out of order or fails to work, the board shall be ready between those hours to deliver to any precinct in the county:

(1) necessary paper ballots;
(2) election booths with an adequate number of stalls;
(3) ballot boxes; and
(4) all necessary supplies and equipment as required by law.

SECTION 5. IC 3-11.5-4-13, AS AMENDED BY P.L.38-1999, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 13. (a) If the absentee ballot counters find under section 11 of this chapter that:

(1) the affidavit is insufficient or that the ballot has not been endorsed with the initials of:
(A) the two (2) members of the absentee voter board in the office of the clerk of the circuit court under IC 3-11-4-19 or IC 3-11-10-26;
(B) the two (2) members of the absentee voter board visiting the voter under IC 3-11-10-25; or
(C) the two (2) appointed members of the county election board or their designated representatives under IC 3-11-4-19;
(2) the signatures do not correspond or there is no signature;
(3) the absentee voter is not a qualified voter in the precinct;
(4) the absentee voter has voted in person at the election;
(5) the absentee voter has not registered;
(6) the ballot is open, or has been opened and resealed;
(7) the ballot envelope contains more than one (1) ballot of any kind;
(8) in case of a primary election, if the absentee voter has not previously voted, the voter failed to execute the proper declaration relative to age and qualifications and the political party with which the voter intends to affiliate; or
(9) the ballot has been challenged and not supported;

the ballots shall be rejected.

(b) If the absentee ballot counters are unable to agree on a finding described under this section or section 12 of this chapter, the county election board shall make the finding.

(c) The absentee ballot counters or county election board shall issue

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a certificate to a voter whose ballot has been rejected under this section if the voter appears in person before the board not later than ~~5~~ **7** p.m. on election day. The certificate must state that the voter's absentee ballot has been rejected and that the voter may vote in person under section 21 of this chapter if otherwise qualified to vote.

SECTION 6. IC 3-12-4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 6. (a) At ~~6~~ **8** p.m. on each election day, the county election board shall assemble in a room to canvass the certificates, poll lists, and tally papers returned by each inspector in the county and to declare the results of the election as provided in this chapter.

(b) The canvassing must be performed in public under IC 5-14-1.5. However, the board may restrict access to parts of the room where election material is being handled or transported to safeguard the material.

(c) Except as provided in section 7 of this chapter, the county executive shall provide a room in the courthouse that contains adequate space to permit members of the public to witness the canvassing of votes.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1118, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

KROMKOWSKI, Chair

Committee Vote: yeas 7, nays 6.

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