

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 32 be amended to read as follows:

- 1 Page 2, between lines 4 and 5, begin a new paragraph and insert:
- 2 "SECTION 3. IC 3-11-10-24, AS AMENDED BY P.L.120-2009,
- 3 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 UPON PASSAGE]: Sec. 24. (a) Except as provided in subsection (b),
- 5 a voter who satisfies any of the following is entitled to vote by mail:
- 6 (1) The voter has a specific, reasonable expectation of being
- 7 absent from the county on election day during the entire twelve
- 8 (12) hours that the polls are open.
- 9 (2) The voter will be absent from the precinct of the voter's
- 10 residence on election day because of service as:
- 11 (A) a precinct election officer under IC 3-6-6;
- 12 (B) a watcher under IC 3-6-8, IC 3-6-9, or IC 3-6-10;
- 13 (C) a challenger or pollbook holder under IC 3-6-7; or
- 14 (D) a person employed by an election board to administer the
- 15 election for which the absentee ballot is requested.
- 16 (3) The voter will be confined on election day to the voter's
- 17 residence, to a health care facility, or to a hospital because of an
- 18 illness or injury during the entire twelve (12) hours that the polls
- 19 are open.
- 20 (4) The voter is a voter with disabilities.
- 21 (5) The voter is an elderly voter.
- 22 (6) The voter is prevented from voting due to the voter's care of
- 23 an individual confined to a private residence because of illness or
- 24 injury during the entire twelve (12) hours that the polls are open.

- 1 (7) The voter is scheduled to work at the person's regular place of  
 2 employment during the entire twelve (12) hours that the polls are  
 3 open.
- 4 (8) The voter is eligible to vote under IC 3-10-11 or IC 3-10-12.
- 5 (9) The voter is prevented from voting due to observance of a  
 6 religious discipline or religious holiday during the entire twelve  
 7 (12) hours that the polls are open.
- 8 (10) The voter is an address confidentiality program participant  
 9 (as defined in IC 5-26.5-1-6).
- 10 (11) The voter is a member of the military or public safety officer.
- 11 **(12) The voter is a resident of a vote center county.**
- 12 (b) A voter with disabilities who:
- 13 (1) is unable to make a voting mark on the ballot or sign the  
 14 absentee ballot secrecy envelope; and
- 15 (2) requests that the absentee ballot be delivered to an address  
 16 within Indiana;
- 17 must vote before an absentee voter board under section 25(b) of this  
 18 chapter.
- 19 (c) If a voter receives an absentee ballot by mail, the voter shall  
 20 personally mark the ballot in secret and seal the marked ballot inside  
 21 the envelope provided by the county election board for that purpose.  
 22 The voter shall:
- 23 (1) deposit the sealed envelope in the United States mail for  
 24 delivery to the county election board; or
- 25 (2) authorize a member of the voter's household or the individual  
 26 designated as the voter's attorney in fact to:
- 27 (A) deposit the sealed envelope in the United States mail; or  
 28 (B) deliver the sealed envelope in person to the county  
 29 election board.
- 30 (d) If a member of the voter's household or the voter's attorney in  
 31 fact delivers the sealed envelope containing a voter's absentee ballot to  
 32 the county election board, the individual delivering the ballot shall  
 33 complete an affidavit in a form prescribed by the commission. The  
 34 affidavit must contain the following information:
- 35 (1) The name and residence address of the voter whose absentee  
 36 ballot is being delivered.
- 37 (2) A statement of the full name, residence and mailing address,  
 38 and daytime and evening telephone numbers (if any) of the  
 39 individual delivering the absentee ballot.
- 40 (3) A statement indicating whether the individual delivering the  
 41 absentee ballot is a member of the voter's household or is the  
 42 attorney in fact for the voter. If the individual is the attorney in  
 43 fact for the voter, the individual must attach a copy of the power  
 44 of attorney for the voter, unless a copy of this document has  
 45 already been filed with the county election board.
- 46 (4) The date and location at which the absentee ballot was

- 1 delivered by the voter to the individual delivering the ballot to the
- 2 county election board.
- 3 (5) A statement that the individual delivering the absentee ballot
- 4 has complied with Indiana laws governing absentee ballots.
- 5 (6) A statement that the individual delivering the absentee ballot
- 6 is executing the affidavit under the penalties of perjury.
- 7 (7) A statement setting forth the penalties for perjury.
- 8 (e) The county election board shall record the date and time that the
- 9 affidavit under subsection (d) was filed with the board.
- 10 (f) After a voter has mailed or delivered an absentee ballot to the
- 11 office of the circuit court clerk, the voter may not recast a ballot, except
- 12 as provided in:
- 13 (1) section 1.5 of this chapter; or
- 14 (2) section 33 of this chapter."
- 15 Renumber all SECTIONS consecutively.  
(Reference is to ESB 32 as printed January 28, 2011.)

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Representative Pierce