

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WITHDRAWN	Noes _____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

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

MR. SPEAKER:

I move that House Bill 1242 be amended to read as follows:

1           Page 22, between lines 20 and 21, begin a new paragraph and insert:  
2           "SECTION 35. IC 3-11-18.1-1, AS ADDED BY SEA 32-2011,  
3           SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           DECEMBER 31, 2010 (RETROACTIVE)]: Sec. 1. (a) This chapter  
5           applies to a county designated as a vote center county under this  
6           chapter.  
7           (b) On January 1, 2011, a county designated as a vote center pilot  
8           county under:  
9           (1) IC 3-11-18 (before its expiration);  
10           (2) P.L.164-2006, SECTION 148 (before its expiration); or  
11           (3) P.L.108-2008, SECTION 4 (before its expiration);  
12           is automatically redesignated as a vote center county under this  
13           chapter.  
14           (b) On January 1, 2011, the following counties are designated as  
15           vote center counties:  
16           (1) Cass County.  
17           (2) Tippecanoe County.  
18           (3) Wayne County.  
19           (c) A county designated as a vote center county under subsection  
20           (b) shall operate its vote centers under the county's vote center  
21           plan adopted under IC 3-11-18 (before its expiration) as in effect  
22           on December 31, 2010. If a county's vote center plan is inconsistent  
23           with this chapter or the rules adopted under section 3(a) of this  
24           chapter, the county shall amend the county's plan as provided in

1 **this chapter to make the plan consistent with this chapter and the**  
 2 **rules adopted under section 3(a) of this chapter.**

3 **(d) A county designated as a vote center county under**  
 4 **subsection (b) must implement any amendments to its vote center**  
 5 **plan required by rules adopted under section 3(a) of this chapter**  
 6 **not later than three (3) years after those rules become effective.**

7 SECTION 36. IC 3-11-18.1-3, AS ADDED BY SEA 32-2011,  
 8 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 9 DECEMBER 31, 2010 (RETROACTIVE)]: Sec. 3. (a) A county must  
 10 comply with this section to become a vote center county. **Before a**  
 11 **county may become a vote center county under this section, the**  
 12 **commission shall adopt rules under IC 4-22-2 to set minimum**  
 13 **standards for the following:**

14 **(1) Requirements for hardware and software for computer**  
 15 **equipment used in vote centers and to support vote centers.**

16 **(2) Requirements for server and other system capacity.**

17 **(3) Requirements for encryption and other security features.**

18 **(4) Electronic pollbooks.**

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

20 (1) The county election board.

21 (2) The board of elections and registration established under  
 22 IC 3-6-5.2 or IC 3-6-5.4.

23 (c) The board shall hold a public hearing to present a draft plan for  
 24 administration of vote centers in the county.

25 (d) After presentation of the draft plan under subsection (c), the  
 26 board shall accept written public comments on the draft plan.

27 (e) At least thirty (30) days after the hearing held under subsection  
 28 (c), the board shall hold a public hearing to consider the following:

29 (1) The draft plan.

30 (2) The written public comments.

31 (3) Any other public comment that the board may permit on the  
 32 draft plan.

33 (f) After consideration of the draft plan and the public comments,  
 34 the board may do the following:

35 (1) Adopt an order approving the draft plan.

36 (2) Amend the draft plan and adopt an order approving the  
 37 amended draft plan.

38 The board may adopt the order to approve a plan only by unanimous  
 39 vote of the entire membership of the board.

40 (g) All members of the board must sign the order adopting the plan.

41 (h) The order and the adopted plan must be filed with the election  
 42 division and must include a copy of:

43 (1) a resolution adopted by the county executive; and

44 (2) a resolution adopted by the county fiscal body;

45 approving the designation of the county as a vote center county.

46 SECTION 37. IC 3-11-18.1-4, AS ADDED BY SEA 32-2011,

1 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 DECEMBER 31, 2010 (RETROACTIVE)]: Sec. 4. (a) The plan  
3 required by section 3 of this chapter must include at least the following:

- 4 (1) The total number of vote centers to be established.  
5 (2) The location of each vote center.  
6 (3) The effective date of the order.  
7 (4) The following information according to the computerized list  
8 (as defined in IC 3-7-26.3-2) as of the date of the order:  
9 (A) The total number of voters within the county.  
10 (B) The number of active voters within the county.  
11 (C) The number of inactive voters within the county.  
12 (5) For each vote center designated under subdivision (2), a list  
13 of the precincts whose polls will be located at the vote center  
14 consistent with section 12 of this chapter.  
15 (6) For each vote center designated under subdivision (2), the  
16 number of precinct election boards that will be appointed to  
17 administer an election at the vote center.  
18 (7) For each precinct election board designated under subdivision  
19 (6), the number and name of each precinct the precinct election  
20 board will administer consistent with section 12 of this chapter.  
21 (8) For each vote center designated under subdivision (2), the  
22 number and title of the precinct election officers who will be  
23 appointed to serve at the vote center.  
24 (9) For each vote center designated under subdivision (2):  
25 (A) the number and type of ballot variations that will be  
26 provided at the vote center; and  
27 (B) whether these ballots will be:  
28 (i) delivered to the vote center before the opening of the  
29 polls; or  
30 (ii) printed on demand for a voter's use.  
31 (10) A detailed description of any hardware, firmware, or  
32 software used:  
33 (A) to create an electronic poll list for each precinct whose  
34 polls are to be located at a vote center; or  
35 (B) to establish a secure electronic connection between the  
36 county election board and the precinct election officials  
37 administering a vote center.  
38 (11) A description of the equipment and procedures to be used to  
39 ensure that information concerning a voter entered into any  
40 electronic poll list used by precinct election officers at a vote  
41 center is immediately accessible to:  
42 (A) the county election board; and  
43 (B) the electronic poll lists used by precinct election officers  
44 at all other vote centers in the county.  
45 (12) For each precinct designated under subdivision (5), the  
46 number of electronic poll lists to be provided for the precinct.

- 1 (13) The security and contingency plans to be implemented by the
- 2 county to do all of the following:
- 3 (A) Prevent a disruption of the vote center process.
- 4 (B) Ensure that the election is properly conducted if a
- 5 disruption occurs.
- 6 (C) Prevent access to an electronic poll list without the
- 7 coordinated action of two (2) precinct election officers who are
- 8 not members of the same political party.
- 9 (14) A certification that the vote center complies with the
- 10 accessibility requirements applicable to polling places under
- 11 IC 3-11-8.
- 12 (15) A sketch depicting the planned layout of the vote center,
- 13 indicating the location of:
- 14 (A) equipment; and
- 15 (B) precinct election officers;
- 16 within the vote center.
- 17 (16) The total number of vote centers to be established at satellite
- 18 offices that are established under IC 3-11-10-26.3 to allow voters
- 19 to cast absentee ballots in accordance with IC 3-11. However, a
- 20 plan must provide for at least one (1) vote center to be established
- 21 as a satellite office under IC 3-11-10-26.3 on the two (2)
- 22 Saturdays immediately preceding an election day.
- 23 (17) The method and timing of providing voter data to persons
- 24 who are entitled to receive the data under this title. Data shall be
- 25 provided to all persons entitled to the data without unreasonable
- 26 delay.
- 27 **(b) The plan must comply with Indiana and federal law."**
- 28 Page 26, after line 7, begin a new paragraph and insert:
- 29 **"SECTION 49. An emergency is declared for this act."**
- 30 Renumber all SECTIONS consecutively.
- (Reference is to HB 1242 as printed January 28, 2011.)

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Representative Battles