

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 536 be amended to read as follows:

- 1 Page 6, line 8, delete "IC 3-11-10-1.5." and insert "IC 3-11-10-1.5
2 **or**".
3 Page 9, delete lines 39 through 42.
4 Delete pages 10 through 12.
5 Page 13, delete lines 1 through 9.
6 Page 13, line 15, delete "using the procedures in" and insert "**in**
7 **accordance with**".
8 Page 13, between lines 21 and 22, begin a new paragraph and insert:
9 "SECTION 14. IC 3-11-10-17, AS AMENDED BY P.L.198-2005,
10 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2011]: Sec. 17. (a) If the inspector finds under section 15 of
12 this chapter that any of the following applies, a ballot may not be
13 accepted or counted:
14 (1) The affidavit is insufficient or the ballot has not been endorsed
15 with the initials of:
16 (A) the two (2) members of the absentee voter board in the
17 office of the circuit court clerk under IC 3-11-4-19 or section
18 27 of this chapter;
19 (B) the two (2) members of the absentee voter board visiting
20 the voter under section 25(b) of the chapter; or
21 (C) the two (2) appointed members of the county election
22 board or their designated representatives under IC 3-11-4-19.
23 (2) A copy of the voter's signature has been furnished to the
24 precinct election board and that the signatures do not correspond
25 or there is no signature.
26 (3) The absentee voter is not a qualified voter in the precinct.
27 ~~(4) The absentee voter has voted in person at the election.~~
28 ~~(5)~~ **(4)** The absentee voter has not registered.
29 ~~(6)~~ **(5)** The ballot is open or has been opened and resealed. This

- 1 subdivision does not permit an absentee ballot transmitted by fax
 2 or electronic mail under IC 3-11-4-6 to be rejected because the
 3 ballot was sealed in the absentee ballot envelope by the individual
 4 designated by the circuit court to receive absentee ballots
 5 transmitted by fax or electronic mail.
- 6 ~~(7)~~ **(6)** The ballot envelope contains more than one (1) ballot of
 7 any kind for the same office or public question.
- 8 ~~(8)~~ **(7)** In the case of a primary election, if the absentee voter has
 9 not previously voted, the voter failed to execute the proper
 10 declaration relative to age and qualifications and the political
 11 party with which the voter intends to affiliate.
- 12 ~~(9)~~ **(8)** The ballot has been challenged and not supported.
- 13 (b) Subsection (c) applies whenever a voter with a disability is
 14 unable to make a signature:
- 15 (1) on an absentee ballot application that corresponds to the
 16 voter's signature in the records of the county voter registration
 17 office; or
 18 (2) on an absentee ballot secrecy envelope that corresponds with
 19 the voter's signature:
- 20 (A) in the records of the county voter registration office; or
 21 (B) on the absentee ballot application.
- 22 (c) The voter may request that the voter's signature or mark be
 23 attested to by:
- 24 (1) the absentee voter board under section 25(b) of this chapter;
 25 (2) a member of the voter's household; or
 26 (3) an individual serving as attorney in fact for the voter.
- 27 (d) An attestation under subsection (c) provides an adequate basis
 28 for an inspector to determine that a signature or mark complies with
 29 subsection (a)(2)."
- 30 Page 15, line 18, reset in roman "section 1.5 of this".
 31 Page 15, line 18, delete "chapter;" and insert "chapter."
 32 Page 15, delete line 20.
 33 Page 15, line 27, strike "The" and insert "**One (1)**".
 34 Page 15, line 29, strike "or".
 35 Page 15, line 29, delete "the board of registration that is used for
 36 the" and insert "**designated by the circuit court clerk.**".
 37 Page 15, delete line 30.
 38 Page 16, line 25, strike "(e)," and insert "**(g)**".
 39 Page 19, line 22, reset in roman "However, a plan must provide for
 40 at".
 41 Page 19, reset in roman lines 23 through 25.
 42 Page 20, between lines 9 and 10, begin a new paragraph and insert:
 43 "SECTION 22. IC 3-11.5-1-4, AS AMENDED BY P.L.66-2010,
 44 SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 45 JULY 1, 2011]: Sec. 4. To the extent that they are in conflict with this
 46 article, the following statutes do not apply to a county that ~~has adopted~~

- 1 a resolution described by section † of this chapter: counts absentee
 2 ballots at a central location under IC 3-11-10-11.5:
 3 (1) IC 3-11-4-22.
 4 (2) IC 3-11-10-1.5.
 5 (3) IC 3-11-10-3.
 6 (4) IC 3-11-10-5.
 7 (5) IC 3-11-10-6.
 8 (6) IC 3-11-10-7.
 9 (7) IC 3-11-10-8.
 10 (8) IC 3-11-10-9.
 11 (9) IC 3-11-10-11.
 12 (10) IC 3-11-10-12.
 13 (11) IC 3-11-10-12.5.
 14 (12) IC 3-11-10-13.
 15 (13) IC 3-11-10-14.
 16 (14) IC 3-11-10-15.
 17 (15) IC 3-11-10-16.
 18 (16) IC 3-11-10-17.
 19 (17) IC 3-11-10-18.
 20 (18) IC 3-11-10-20.
 21 (19) IC 3-11-10-21.
 22 (20) IC 3-11-10-22.
 23 (21) IC 3-11-10-23.
 24 (22) IC 3-11-10-31.
 25 (23) IC 3-11-10-32.
 26 ~~(24) IC 3-11-10-33.~~
 27 ~~(25)~~ (24) IC 3-11-10-34.
 28 ~~(26)~~ (25) IC 3-11-10-35.
 29 ~~(27)~~ (26) IC 3-11-10-36.
 30 ~~(28)~~ (27) IC 3-11-10-37.
 31 ~~(29)~~ (28) IC 3-12-2.
 32 ~~(30)~~ (29) IC 3-12-3-12."
 33 Page 21, delete lines 36 through 42.
 34 Delete page 22.
 35 Page 23, delete lines 1 through 6.
 36 Page 23, line 8, delete "IC 3-11-4-22;".
 37 Page 23, delete lines 9 through 11.
 38 Page 23, line 12, delete "IC 3-11-10-21; IC 3-11-10-22;
 39 IC 3-11-10-23;".
 40 Page 23, line 13, delete "IC 3-11-10-35; IC 3-11.5-1;" and insert "IC
 41 3-11.5-1-1;".

- 1 Page 23, line 14, delete "IC 3-11.5-6-1; IC 3-12-3-14;
- 2 IC 3-12-3.5-7." and insert "IC 3-11.1-6-1".
- 3 Renumber all SECTIONS consecutively.
(Reference is to SB 536 as printed February 16, 2011.)

Senator LAWSON C