

SENATE MOTION

MADAM PRESIDENT:

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

- 1 Page 10, between lines 14 and 15, begin a new paragraph and insert:
2 "SECTION 19. IC 3-7-36-14 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 14. (a) This section
4 applies to a person described in subsection (b) who applies to register
5 to vote during the period:
6 (1) beginning on the date that the certified list of voters is
7 prepared under IC 3-7-29-1; and
8 (2) ending at noon election day.
9 (b) An absent uniformed services voter who is absent from Indiana
10 during the registration period described in IC 3-7-13-10 and who
11 otherwise would be entitled to register to vote under Indiana law may,
12 upon returning to Indiana during the period described in subsection (a)
13 following discharge from service or reassignment, register to vote by
14 doing the following:
15 (1) Showing either of the following to the county voter
16 registration office:
17 (A) A discharge from service, dated not earlier than the
18 beginning of the registration period that ended on the date
19 described in IC 3-7-13-11, of:
20 (i) the voter;
21 (ii) the voter's spouse; or
22 (iii) the individual of whom the voter is a dependent.
23 (B) A copy of the government movement orders, with a
24 reporting date not earlier than the beginning of the registration
25 period that ended on the date described in IC 3-7-13-11, of:
26 (i) the voter;
27 (ii) the voter's spouse; or
28 (iii) the individual of whom the voter is a dependent.
29 (2) Completing a registration affidavit.

1 (c) A voter who registers under this section may vote at the
 2 upcoming election only by absentee ballot at the office of the circuit
 3 court clerk at the time the voter registers under this section or at any
 4 time after the voter registers under this section and before ~~noon~~ **3 p.m.**
 5 on election day. A voter who wants to vote under this subsection must
 6 do both of the following:

- 7 (1) Complete an application for an absentee ballot.
 8 (2) Sign an affidavit that the voter has not voted at any other
 9 precinct in the election.

10 The voter may vote at subsequent elections as otherwise provided in
 11 this title.

12 (d) If the voter votes by absentee ballot under this section, the
 13 circuit court clerk shall do the following:

- 14 (1) Certify in writing that the voter registered under this section.
 15 (2) Attach the certification to the voter's absentee ballot envelope.

16 (e) If the county has a board of registration, the board of registration
 17 shall promptly deliver the voter's registration affidavit to the circuit
 18 court clerk to permit the voter to vote under subsection (c).

19 (f) If the voter chooses not to vote under subsection (c), the county
 20 voter registration office shall register the voter on the first day of the
 21 next registration period."

22 Page 38, line 16, strike "Noon" and insert "**3 p.m.**".

23 Page 41, between lines 33 and 34, begin a new paragraph and insert:

24 "SECTION 55. IC 3-11-4-18, AS AMENDED BY P.L.66-2010,
 25 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2011]: Sec. 18. (a) If a voter satisfies any of the qualifications
 27 described in IC 3-11-10-24 that entitle a voter to cast an absentee ballot
 28 by mail, the county election board shall, at the request of the voter, mail
 29 the official ballot, postage fully prepaid, to the voter at the address
 30 stated in the application.

31 (b) If the county election board mails an absentee ballot to a voter
 32 required to file additional documentation with the county voter
 33 registration office before voting by absentee ballot under this chapter,
 34 the board shall include a notice to the voter in the envelope mailed to
 35 the voter under section 20 of this chapter. The notice must inform the
 36 voter that the voter must file the additional documentation required
 37 under IC 3-7-33-4.5 with the county voter registration office not later
 38 than ~~noon~~ **3 p.m.** on election day for the absentee ballot to be counted
 39 as an absentee ballot, and that, if the documentation required under
 40 IC 3-7-33-4.5 is filed after ~~noon~~ **3 p.m.** and before 6 p.m. on election
 41 day, the ballot will be processed as a provisional ballot. The
 42 commission shall prescribe the form of this notice under IC 3-5-4-8.

43 (c) Except as provided in section 18.5 of this chapter, the ballot
 44 shall be mailed:

- 45 (1) on the day of the receipt of the voter's application; or
 46 (2) not more than five (5) days after the date of delivery of the

1 ballots under section 15 of this chapter;
2 whichever is later.

3 (d) As required by 42 U.S.C. 15481, an election board shall
4 establish a voter education program (specific to a paper ballot or
5 optical scan ballot card provided as an absentee ballot under this
6 chapter) to notify a voter of the effect of casting multiple votes for a
7 single office.

8 (e) As provided by 42 U.S.C. 15481, when an absentee ballot is
9 mailed under this section, the mailing must include:

10 (1) information concerning the effect of casting multiple votes for
11 an office; and

12 (2) instructions on how to correct the ballot before the ballot is
13 cast and counted, including the issuance of replacement ballots.".

14 Page 42, between lines 39 and 40, begin a new paragraph and insert:
15 "SECTION 60. IC 3-11-10-11, AS AMENDED BY P.L.221-2005,
16 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2011]: Sec. 11. (a) On election day each circuit court clerk (or
18 an agent of the clerk) shall visit the appropriate post office to accept
19 delivery of absentee envelopes at the latest possible time that will
20 permit delivery of the ballots to the appropriate precinct election boards
21 before 6 p.m.

22 (b) Not later than ~~noon~~ **3 p.m.** on election day, the county voter
23 registration office shall visit the appropriate post office to accept
24 delivery of mail containing documentation submitted by a voter to
25 comply with IC 3-7-33-4.5. The office shall immediately notify the
26 county election board regarding the filing of this documentation to
27 permit the board to provide certification of this filing to the appropriate
28 precinct election boards before 6 p.m.".

29 Page 46, line 39, strike "noon" and insert "**3 p.m.**".

30 Page 46, line 41, after "ending at" strike "noon" and insert "**3 p.m.**".

31 Page 55, between lines 6 and 7, begin a new paragraph and insert:
32 "SECTION 73. IC 3-11.5-4-3 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 3. A county election
34 board must receive an absentee ballot before ~~noon~~ **3 p.m.** on election
35 day.

36 SECTION 74. IC 3-11.5-4-7 IS AMENDED TO READ AS
37 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 7. Not later than ~~noon~~
38 **3 p.m.** on election day each circuit court clerk, or an agent of the clerk,
39 shall visit the appropriate post office to accept delivery of absentee
40 envelopes.

41 SECTION 75. IC 3-11.5-4-8 IS AMENDED TO READ AS
42 FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 8. (a) Each county
43 election board shall certify the names of voters:

44 (1) to whom absentee ballots were sent or who marked ballots in
45 person; and

46 (2) whose ballots have been received by the board under this

- 1 chapter;
 2 after the certification under section 1 of this chapter and not later than
 3 ~~noon~~ **3 p.m.** on election day.
- 4 (b) The county election board shall have:
 5 (1) the certificates described in subsection (a); and
 6 (2) the circuit court clerk's certificates for voters who have
 7 registered and voted under IC 3-7-36-14;
 8 delivered to the precinct election boards at their respective polls on
 9 election day by couriers appointed under section 22 of this chapter.
- 10 (c) The certificates shall be delivered not later than ~~3 p.m.~~ **5 p.m.** on
 11 election day."
- 12 Page 55, after line 42, begin a new paragraph and insert:
 13 "SECTION 77. IC 3-11.5-4-10, AS AMENDED BY P.L.198-2005,
 14 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2011]: Sec. 10. Subject to section 7 of this chapter, absentee
 16 ballots received by mail (or by fax or electronic mail under
 17 IC 3-11-4-6) after ~~noon~~ **3 p.m.** on election day are considered as
 18 arriving too late and may not be counted."
 19 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1242 as printed April 1, 2011.)

Senator LANANE