March 8, 2013

ENGROSSED
SENATE BILL No. 116

DIGEST OF SB 116 (Updated March 6, 2013 3:54 pm - DI 75)

Citations Affected: IC 3-7.

Synopsis: Voter identification numbers. Provides that a voter identification number may not be included on the notice sent by a county voter registration office to acknowledge the receipt of a voter registration application.

Effective: July 1, 2013.

Miller Patricia, Miller Pete, Arnold J

(HOUSE SPONSORS — RICHARDSON, BARTLETT, BATTLES, MAYFIELD)

January 7, 2013, read first time and referred to Committee on Elections.
February 4, 2013, amended, reported favorably — Do Pass.
February 7, 2013, read second time, ordered engrossed.
February 8, 2013, engrossed.
February 12, 2013, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

February 26, 2013, read first time and referred to Committee on Elections and Apportionment.
March 7, 2013, reported — Do Pass.

C o p y

March 8, 2013

First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

C o p y

ENGROSSED
SENATE BILL No. 116

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 3-7-33-5, AS AMENDED BY P.L.164-2006, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) When the county voter registration office receives an application for a new registration or an application with information that revises or adds information to the applicant's current voter registration record, the county voter registration office shall determine if the applicant appears to be eligible to register to vote based on the information in the application.

(b) As required under 42 U.S.C. 1973gg-6(a)(2), the county voter registration office shall send a notice to each person from whom the county voter registration office receives a voter registration application. The county voter registration office shall send a notice to the applicant at the mailing address provided in the application.

(c) The notice required by subsection (b) must set forth the following:

(1) A statement that the application has been received.

(2) The disposition of the application by the county voter

registration office.

(3) If the county voter registration office determines that the applicant appears to be eligible, the notice must state the following:

(A) Except as provided under subsection ~~(f),~~ **(g),** the applicant is registered to vote under the residence address when the applicant receives the notice. An applicant is presumed to have received the notice unless the notice is returned by the United States Postal Service due to an unknown or insufficient address and received by the county voter registration office not later than seven (7) days after the notice is mailed to the applicant.

(B) The name of the precinct in which the voter is registered.

(C) The address of the polling place for the precinct in which the voter is registered.

~~(D) The voter's voter identification number.~~

(4) In accordance with 42 U.S.C. 1973ff-1(d), if the county voter registration office has denied the application, the notice must include the reasons for the denial.

(d) The notice required by subsection (b) may not include a voter identification number.

~~(d)~~ **(e)** The notice required by subsection (b) may include a voter registration card.

~~(e)~~ **(f)** If the notice is returned by the United States Postal Service due to an unknown or insufficient address, the county voter registration office shall determine that the applicant is ineligible and deny the application.

~~(f)~~ **(g)** During the seven (7) days following the mailing of the notice to the voter under this section, the county voter registration office shall indicate in the computerized list maintained under IC 3-7-26.3 that the application is pending. If the notice:

(1) is not returned by the United States Postal Service and received by the county voter registration office at; or

(2) is received by the applicant by United States Postal Service delivery and presented in person by the applicant to the county voter registration office before;

the expiration of the seven (7) day period under subsection (c), the county voter registration office shall indicate in the computerized list that the applicant is a registered voter.

~~(g)~~ **(h)** This subsection applies if the notice is mailed by the county voter registration office after the certified list is prepared under IC 3-7-29. If:

C o p y

(1) the seven (7) day period under subsection (c) expires before election day;

(2) the applicant has not presented the notice mailed under subsection (b) to the county voter registration office as provided under subsection ~~(f);~~ **(g);** and

(3) the applicant would otherwise have been included on the certified list;

the county voter registration office shall prepare a certificate of error under IC 3-7-48 to note the addition of the voter to the certified list.

~~(h)~~ **(i)** This subsection applies if the notice is mailed by the county voter registration office after the certified list is prepared under IC 3-7-29. If:

(1) the seven (7) day period has not expired before election day; and

(2) the applicant has not presented the notice mailed under subsection (b) to the county voter registration office as provided under subsection ~~(f);~~ **(g);**

the county voter registration office shall notify the county election board. The county election board shall certify to the inspector of the precinct where the applicant resides that the applicant's voter registration application is pending, and that the voter, subject to fulfilling the requirements of IC 3-11.7, is entitled to cast a provisional ballot.

C o p y

COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Senate Bill No. 116, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, line 5, strike "(f)," and insert "**(g),**".

Page 2, between lines 19 and 20, begin a new paragraph and insert:

"**(d) The notice required by subsection (b) may not include a voter identification number.**".

Page 2, line 20, strike "(d)" and insert "**(e)**".

Page 2, line 22, strike "(e)" and insert "**(f)**".

Page 2, line 26, strike "(f)" and insert "**(g)**".

Page 2, line 38, strike "(g)" and insert "**(h)**".

Page 3, line 3, strike "(f);" and insert "**(g);**".

Page 3, line 8, strike "(h)" and insert "**(i)**".

Page 3, line 15, strike "(f);" and insert "**(g);**".

and when so amended that said bill do pass.

(Reference is to SB 116 as introduced.)

LANDSKE, Chairperson

Committee Vote: Yeas 8, Nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred Senate Bill 116, 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.

SMITH M, Chair

Committee Vote: yeas 10, nays 0.

C o p y