



Reprinted
February 19, 2013

HOUSE BILL No. 1311

DIGEST OF HB 1311 (Updated February 18, 2013 5:50 pm - DI 75)

Citations Affected: IC 3-5; IC 3-7; IC 3-10; IC 3-11; IC 5-26.5; IC 20-23; IC 36-2; IC 36-3; IC 36-4; IC 36-5; IC 36-6; noncode.

Synopsis: Election matters. Permits a county election board to adopt an order, under certain conditions, approving the use of an electronic poll list and electronic signature pads in each precinct of the county. Provides that, if a county election board adopts an order to provide an electronic poll list to the inspector for use at a polling place or at a satellite office, electronic poll lists may be used at an election (rather than certified poll lists). Provides that an order adopted to allow the use of electronic poll lists at an election may include the use of electronic signatures to sign the poll lists. Requires a local unit (other than a school corporation) to adopt an ordinance to recertify its boundaries
(Continued next page)

Effective: July 1, 2013.

Mayfield, Baird, Richardson

January 14, 2013, read first time and referred to Committee on Elections and Apportionment.
February 14, 2013, amended, reported — Do Pass.
February 18, 2013, read second time, amended, ordered engrossed.

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whenever the local unit determines that redistricting after a federal decennial census is not required. Requires the governing body of a school corporation to send a copy of the school corporation's plan to the circuit court clerk of each county in which the school corporation is located and a certification that the school corporation's election districts satisfy statutory redistricting requirements if the school corporation elects governing body members by districts in which only the voters of a district may vote for the member representing that district. Requires this information to be sent to circuit court clerks not later than December 31, 2013. Requires the governing body of a school corporation to follow a similar process after a federal decennial census is conducted and each time the school corporation's plan is amended. Requires that a map of the legislative districts of a political subdivision be filed with the circuit court clerk each time the boundaries are redrawn or recertified. Requires the census data advisory committee to study during the 2013 legislative interim the standards for determining residency for purposes of voting, candidacy, and holding office in Indiana. Requires the census data advisory committee to study during the 2013 legislative interim voter suppression of African-Americans, Latinos, other ethnic minorities, and the elderly.

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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.

HOUSE BILL No. 1311

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 3-5-2-47.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2013]: **Sec. 47.5. "Signing the poll list" means:**
4 (1) a voter writing the voter's name on the certified list of
5 registered voters for the precinct prepared in accordance with
6 IC 3-7-29-1; or
7 (2) a voter writing the voter's name on an electronic poll list
8 using an electronic signature pad at a polling place or satellite
9 office (as established under IC 3-11-10-26.3) where the use of
10 an electronic poll list is authorized in accordance with
11 IC 3-7-29-6.
12 SECTION 2. IC 3-7-29-1, AS AMENDED BY P.L.81-2005,
13 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2013]: Sec. 1. (a) **This section does not apply to a county
15 that has adopted an order under section 6 of this chapter.**
16 (a) (b) Not later than ten (10) days before the election at which the
17 registration record is to be used, the county voter registration office

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1 shall prepare certified copies of the list of registered voters for each
2 precinct in the county.

3 ~~(b)~~ **(c)** The lists must contain the following information concerning
4 each registered voter:

5 (1) The full name of the voter.

6 (2) The address of the voter.

7 (3) The assigned ~~county~~ **voter** identification number.

8 (4) Whether the voter is required to provide additional
9 identification before voting either in person or by absentee ballot.

10 ~~(c)~~ **(d)** The names shall be arranged in the same order as they are in
11 the registration record of the precinct.

12 SECTION 3. IC 3-7-29-2 IS AMENDED TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2013]: Sec. 2. **(a) This section does not apply
14 to a county that has adopted an order under section 6 of this
15 chapter.**

16 **(b)** After the county election board receives a request from the
17 county chairman of a major political party, not more than two (2)
18 copies of the list required by this chapter shall be prepared and
19 furnished to the inspector of the precinct for use at the polls on election
20 day. The inspector may provide a list furnished under this section to
21 any other precinct officer.

22 SECTION 4. IC 3-7-29-3, AS AMENDED BY P.L.164-2006,
23 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2013]: Sec. 3. When the inspector of a precinct procures the
25 ballots and other election supplies for an election, the inspector shall
26 also procure from the county voter registration office the certified
27 copies of the registration record of the precinct with the information
28 required under section 1 of this chapter **(or an electronic poll list in
29 a county in which an order is adopted under section 6 of this
30 chapter)** and other necessary registration supplies.

31 SECTION 5. IC 3-7-29-4, AS AMENDED BY P.L.164-2006,
32 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2013]: Sec. 4. **(a) This section does not apply to a county:**

34 **(1) that has adopted an order under section 6 of this chapter;
35 and**

36 **(2) in which an electronic poll list containing available
37 scanned images of the signatures of voters is provided at the
38 precinct.**

39 **(b)** The county voter registration office may also provide the
40 inspector of each precinct in the county with a ~~certified photocopy~~
41 **scanned copy** of the signature on the affidavit of registration of each
42 voter of the precinct for the comparison of signatures under

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1 IC 3-10-1-24.6 or IC 3-11-8-25.1.

2 SECTION 6. IC 3-7-29-6 IS ADDED TO THE INDIANA CODE
3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
4 1, 2013]: **Sec. 6. (a) If a county election board adopts an order to
5 provide an electronic poll list to the inspector for use at a polling
6 place or at a satellite office established under IC 3-11-10-26.3,
7 electronic poll lists may be used at an election (rather than certified
8 poll lists prepared under this chapter).**

9 **(b) An order adopted under subsection (a) may include the use
10 of an electronic signature (as defined in IC 26-2-8-102) to sign an
11 electronic poll list at an election (rather than requiring voters to
12 sign certified poll lists prepared under this chapter).**

13 SECTION 7. IC 3-10-1-7.1, AS AMENDED BY P.L.164-2006,
14 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JULY 1, 2013]: **Sec. 7.1. (a) This subsection does not apply to a
16 county in which electronic poll lists are used under IC 3-7-29-6.**
17 Each county election board shall furnish the inspector of each precinct
18 for use on primary election day a certified copy under IC 3-7-29 of the
19 list of all voters registered to vote in the precinct.

20 **(b) This subsection does not apply to a county in which
21 electronic poll lists with the capability to display signatures of
22 voters are used under IC 3-7-29-6.** The county voter registration
23 office may also provide the inspector of each precinct in the county a
24 certified photocopy of the signature on the affidavit or form of
25 registration of each voter of the precinct for the comparison of
26 signatures under section 24.6 of this chapter.

27 **(c) If the name of a person offering to vote at the primary is in the
28 registration record or listed in the certified copy prepared for the
29 precinct or the electronic poll list, it is sufficient evidence of the
30 person's right to vote unless the person is challenged.**

31 SECTION 8. IC 3-10-1-8, AS AMENDED BY P.L.164-2006,
32 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JULY 1, 2013]: **Sec. 8. A person who will be a voter at the general
34 election for which the primary is being held and whose name does not
35 appear on the registration record of the precinct, ~~or on~~ the certified
36 copy of the registration record prepared under IC 3-7-29, or the
37 electronic poll list may:**

- 38 (1) vote if the county voter registration office provides a signed
39 certificate of error; or
40 (2) cast a provisional ballot under IC 3-11.7, as provided by 42
41 U.S.C. 15482.

42 SECTION 9. IC 3-10-1-24, AS AMENDED BY P.L.164-2006,

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1 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2013]: Sec. 24. (a) A voter who desires to vote must give the
3 voter's name and political party to the poll clerks of the precinct on
4 primary election day. The poll clerks shall require the voter to write the
5 following on the poll list **or to provide the following information for**
6 **entry into the electronic poll list:**

7 (1) The voter's name.

8 (2) Except as provided in subsection (d), the voter's current
9 residence address.

10 (3) The name of the voter's party.

11 (b) The poll clerks shall:

12 (1) ask the voter to provide or update the voter's voter
13 identification number;

14 (2) tell the voter the number the voter may use as a voter
15 identification number; and

16 (3) explain to the voter that the voter is not required to provide a
17 voter identification number at the polls.

18 (c) If the voter is unable to sign the voter's name, the voter must sign
19 the poll list by mark, which must be witnessed by one (1) of the poll
20 clerks or assistant poll clerks acting under IC 3-6-6, who shall place the
21 poll clerk's or assistant poll clerk's initials after or under the mark.

22 (d) **The electronic poll list (or each line on a poll list sheet**
23 **provided to take a voter's current residence address) must include a box**
24 **under the heading "Address Unchanged" so that the poll clerk may**
25 **check the box for a voter whose residence address shown on the poll**
26 **list is the voter's current residence address ~~may check the box~~ instead**
27 **of writing the voter's current residence address on the poll list or**
28 **reentering the address in the electronic poll list.**

29 SECTION 10. IC 3-10-1-24.6, AS AMENDED BY P.L.164-2006,
30 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
31 JULY 1, 2013]: Sec. 24.6. (a) In case of doubt concerning a voter's
32 identity, the precinct election board shall compare the voter's signature
33 with the signature on the ~~affidavit~~ of registration **record** or any
34 certified copy of the signature provided under section 7.1 of this
35 chapter. If the board determines that the voter's signature is authentic,
36 the voter may then vote.

37 (b) If either poll clerk doubts the voter's identity following the
38 comparison of the signatures, the poll clerk shall challenge the voter in
39 the manner prescribed by IC 3-11-8. If the poll clerk does not execute
40 a challenger's affidavit under IC 3-11-8-21 or if the voter executes a
41 challenged voter's affidavit under IC 3-11-8-22.1, the voter may then
42 vote.

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1 SECTION 11. IC 3-11-3-11, AS AMENDED BY P.L.230-2005,
 2 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 3 JULY 1, 2013]: Sec. 11. The county election board shall deliver the
 4 following to each inspector or the inspector's representative:

5 (1) The supplies provided for the inspector's precinct by the
 6 election division.

7 (2) The local sample ballots, the ballot labels, if any, and all poll
 8 lists, registration lists, and other supplies considered necessary to
 9 conduct the election in the inspector's precinct.

10 (3) The local ballots printed under the direction of the county
 11 election board as follows:

12 (A) In those precincts where ballot card voting systems are to
 13 be used, the number of ballots at least equal to one hundred
 14 percent (100%) of the number of voters in the inspector's
 15 precinct, according to the poll list.

16 (B) In those precincts where electronic voting systems are to
 17 be used, the number of ballots that will be required to be
 18 printed and furnished to the precincts for emergency purposes
 19 only.

20 (C) Provisional ballots in the number considered necessary by
 21 the county election board.

22 (4) Twenty (20) ink pens suitable for printing the names of
 23 write-in candidates on the ballot or ballot envelope.

24 (5) Copies of the voter's bill of rights for posting as required by 42
 25 U.S.C. 15482.

26 (6) Copies of the instructions for a provisional voter required by
 27 42 U.S.C. 15482. The county election board shall provide at least
 28 the number of copies of the instructions as the number of
 29 provisional ballots provided under subdivision (3).

30 **(7) If the county election board has adopted an order under**
 31 **IC 3-7-29-6, the hardware, firmware, and software considered**
 32 **necessary to use an electronic poll list and electronic signature**
 33 **pads in the precinct.**

34 SECTION 12. IC 3-11-3-16, AS AMENDED BY P.L.164-2006,
 35 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2013]: Sec. 16. Each county election board shall prepare and
 37 have delivered to the inspectors of the precincts, at the time they
 38 receive the ballots for their precincts, a suitable number of voter
 39 registration lists certified under IC 3-7-29 **(or an electronic poll list in**
 40 **a county described by IC 3-7-29-6)** and any other forms, papers,
 41 certificates, and oaths that are required to be furnished to precinct
 42 election boards. The forms and papers must be prepared in compliance



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1 with IC 3-5-4-8. The county voter registration office shall cooperate
 2 with the county election board in the preparation of the lists certified
 3 under IC 3-7-29 **(or in the use of the electronic poll lists)**.

4 SECTION 13. IC 3-11-8-10.3, AS ADDED BY P.L.1-2011,
 5 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2013]: Sec. 10.3. (a) As used in this section, "electronic poll
 7 list" refers to a poll list that is maintained in a computer data base.

8 (b) An electronic poll list must satisfy all of the following:

9 (1) An electronic poll list must be programmed so that the
 10 coordinated action of two (2) election officers who are not
 11 members of the same political party is necessary to access the
 12 electronic poll list.

13 (2) An electronic poll list may not be connected to a voting
 14 system.

15 (3) An electronic poll list may not permit access to voter
 16 information other than information provided on the certified list
 17 of voters prepared under IC 3-7-29-1.

18 **(4) Any other standards that the commission may prescribe.**

19 SECTION 14. IC 3-11-8-25.1, AS AMENDED BY P.L.53-2009,
 20 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2013]: Sec. 25.1. (a) Except as provided in subsection (e), a
 22 voter who desires to vote an official ballot at an election shall provide
 23 proof of identification.

24 (b) Except as provided in subsection (e), before the voter proceeds
 25 to vote in the election, a precinct election officer shall ask the voter to
 26 provide proof of identification. The voter shall produce the proof of
 27 identification before being permitted to sign the poll list.

28 (c) If:

29 (1) the voter is unable or declines to present the proof of
 30 identification; or

31 (2) a member of the precinct election board determines that the
 32 proof of identification provided by the voter does not qualify as
 33 proof of identification under IC 3-5-2-40.5;

34 a member of the precinct election board shall challenge the voter as
 35 prescribed by this chapter.

36 (d) If the voter executes a challenged voter's affidavit under section
 37 22.1 of this chapter, the voter may:

38 (1) sign the poll list; and

39 (2) receive a provisional ballot.

40 (e) A voter who votes in person at a precinct polling place that is
 41 located at a state licensed care facility where the voter resides is not
 42 required to provide proof of identification before voting in an election.

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1 (f) After a voter has passed the challengers or has been sworn in, the
 2 voter shall be instructed by a member of the precinct election board to
 3 proceed to the location where the poll clerks are stationed. The voter
 4 shall announce the voter's name to the poll clerks or assistant poll
 5 clerks. A poll clerk, an assistant poll clerk, or a member of the precinct
 6 election board shall require the voter to write the following on the poll
 7 list **or to provide the following information for entry into the**
 8 **electronic poll list:**

9 (1) The voter's name.

10 (2) Except as provided in subsection (k), the voter's current
 11 residence address.

12 (g) The poll clerk, an assistant poll clerk, or a member of the
 13 precinct election board shall:

14 (1) ask the voter to provide or update the voter's voter
 15 identification number;

16 (2) tell the voter the number the voter may use as a voter
 17 identification number; and

18 (3) explain to the voter that the voter is not required to provide or
 19 update a voter identification number at the polls.

20 (h) The poll clerk, an assistant poll clerk, or a member of the
 21 precinct election board shall ask the voter to provide proof of
 22 identification.

23 (i) In case of doubt concerning a voter's identity, the precinct
 24 election board shall compare the voter's signature with the signature on
 25 the affidavit of registration or any certified copy of the signature
 26 provided under IC 3-7-29 **or enter the information into the**
 27 **electronic poll list.** If the board determines that the voter's signature is
 28 authentic, the voter may then vote. If either poll clerk doubts the voter's
 29 identity following comparison of the signatures, the poll clerk shall
 30 challenge the voter in the manner prescribed by section 21 of this
 31 chapter.

32 (j) If, in a precinct governed by subsection (g):

33 (1) the poll clerk does not execute a challenger's affidavit; or

34 (2) the voter executes a challenged voter's affidavit under section
 35 22.1 of this chapter or executed the affidavit before signing the
 36 poll list;

37 the voter may then vote.

38 (k) **The electronic poll list (or each line on a poll list sheet**
 39 **provided to take a voter's current address) must include a box under the**
 40 **heading "Address Unchanged" so that the poll clerk may check the**
 41 **box for a voter whose residence address shown on the poll list is the**
 42 **voter's current residence address** ~~may check the box~~ instead of writing

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1 the voter's current residence address on the poll list **or reentering the**
 2 **address in the electronic poll list.**

3 SECTION 15. IC 3-11-8-25.5, AS AMENDED BY P.L.164-2006,
 4 SECTION 102, IS AMENDED TO READ AS FOLLOWS
 5 [EFFECTIVE JULY 1, 2013]: Sec. 25.5. If an individual signs the
 6 individual's name and either:

- 7 (1) signs the individual's address; or
 8 (2) checks the "Address Unchanged" box;

9 on the poll list **or provides the information for entry by the poll**
 10 **clerk into the electronic poll list** under section 25.1 of this chapter
 11 and then leaves the polls without casting a ballot or after casting a
 12 provisional ballot, the voter may not be permitted to reenter the polls
 13 to cast a ballot at the election.

14 SECTION 16. IC 3-11-8-25.7, AS ADDED BY P.L.120-2009,
 15 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 16 JULY 1, 2013]: Sec. 25.7. (a) This section applies only to a voter who
 17 is a member of the military or public safety officer.

18 (b) Notwithstanding section 25.5 of this chapter, if a voter signs the
 19 voter's name and either:

- 20 (1) writes the voter's address; or
 21 (2) checks the "Address Unchanged" box;

22 on the poll list **or provides the information for entry by the poll**
 23 **clerk into the electronic poll list** under section 25.1 of this chapter
 24 and then leaves the polls without casting a ballot or after casting a
 25 provisional ballot, the voter may reenter the polls to cast a ballot at the
 26 election as provided in this section.

27 (c) A voter who leaves the polls to respond to an emergency in the
 28 voter's capacity as a member of the military or public safety officer
 29 must notify a precinct election officer that the voter is leaving the polls
 30 to respond to an emergency in the voter's capacity as a member of the
 31 military or public safety officer.

32 (d) A poll clerk or assistant poll clerk shall make a notation on the
 33 poll list with the voter's name indicating that the voter has left the polls
 34 as permitted by this section and the time the voter left the polls.

35 (e) If the voter returns to the polls, the voter shall be permitted to
 36 vote if the voter executes an affidavit stating all of the following:

- 37 (1) The name of the voter.
 38 (2) That the voter is a member of the military or public safety
 39 officer.
 40 (3) The military or public safety position the voter holds.
 41 (4) That after the voter signed the poll list, but before the voter
 42 voted, the voter was called to respond to an emergency in the

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- 1 voter's capacity as a member of the military or public safety
 2 officer.
- 3 (5) A brief description of the emergency to which the voter
 4 responded.
- 5 (6) The time at which the voter returned to the polls.
- 6 (f) The commission shall prescribe the form of the affidavit required
 7 by this section.
- 8 SECTION 17. IC 3-11-8-26.1, AS AMENDED BY P.L.164-2006,
 9 SECTION 103, IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE JULY 1, 2013]: Sec. 26.1. (a) If a voter:
- 11 (1) cannot sign; or
 12 (2) is a voter with a disability that makes it difficult for the voter
 13 to sign;
- 14 the voter's name and address, the poll clerks shall, by proper
 15 interrogation, satisfy themselves that the voter is the person the voter
 16 represents the voter to be.
- 17 (b) If satisfied as to the voter's identity under subsection (a), one (1)
 18 of the poll clerks shall then place the following on the poll list **or enter**
 19 **the information into the electronic poll list:**
- 20 (1) The voter's name.
 21 (2) Except as provided in subsection (e), the voter's current
 22 residence address.
- 23 (c) The poll clerks shall:
- 24 (1) ask the voter to provide or update the voter's voter
 25 identification number;
 26 (2) tell the voter the number the voter may use as a voter
 27 identification number; and
 28 (3) explain to the voter that the voter is not required to provide or
 29 update a voter identification number at the polls.
- 30 (d) The poll clerk shall then add the clerk's initials in parentheses,
 31 after or under the signature. The voter then may vote.
- 32 (e) **The electronic poll list (or each line on a poll list sheet**
 33 **provided to take a voter's current residence address) must include a box**
 34 **under the heading "Address Unchanged" so that the poll clerk may**
 35 **check the box to indicate that the residence address shown on the poll**
 36 **list is the voter's current residence address instead of writing the voter's**
 37 **current residence address on the poll list or reentering the address in**
 38 **the electronic poll list.**
- 39 SECTION 18. IC 5-26.5-2-5 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) **The definitions**
 41 **set forth in IC 3-5-2 apply to this section.**
- 42 (b) A program participant who is otherwise qualified to vote may

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1 apply to vote as provided in IC 3-7. The residence address of a
2 program participant shall be recorded in the computerized system
3 as set forth in the voter registration application. However, the
4 voter registration application of the program participant is
5 confidential, and the name and residence address of the program
6 participant shall not be printed on any poll list or made available
7 through any electronic poll list provided to precinct election
8 officers.

9 (c) The program participant may vote in person at the office of
10 the county election board or may vote absentee by mail. The
11 program participant's mailing address shall be recorded in the
12 computerized system as the address of the office of the attorney
13 general. Except as provided in this section, IC 3-11-4-6 applies to
14 a program participant who wishes to vote by absentee ballot.

15 SECTION 19. IC 20-23-4-35, AS ADDED BY P.L.1-2005,
16 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2013]: Sec. 35. (a) The governing body of a school
18 corporation may be organized under this section.

19 (b) The governing body consists of seven (7) members, elected as
20 follows:

21 (1) Four (4) members elected from districts, with one (1) member
22 serving from each ~~electoral~~ **election** district. A member elected
23 under this subdivision must be:

24 (A) a resident of the ~~electoral~~ **election** district from which the
25 member is elected; and

26 (B) voted upon by only the registered voters residing within
27 the ~~electoral~~ **election** district and voting at a governing body
28 election.

29 (2) Three (3) members, who are voted upon by all the registered
30 voters residing within the school corporation and voting at a
31 governing body election, elected under this subdivision. The
32 governing body shall establish three (3) residential districts as
33 follows:

34 (A) One (1) residential district must be the township that has
35 the greatest population within the school corporation.

36 (B) Two (2) residential districts must divide the remaining
37 area within the school corporation.

38 Only one (1) member who resides within a particular residential
39 district established under this subdivision may serve on the
40 governing body at a time.

41 (c) A member of the governing body who is:

42 (1) elected from an electoral or a residential district; or

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1 (2) appointed to fill a vacancy from an electoral or a residential
 2 district;
 3 must reside within the boundaries of the district the member represents.
 4 (d) A vacancy on the governing body shall be filled by the
 5 governing body as soon as practicable after the vacancy occurs. A
 6 member chosen by the governing body to fill a vacancy holds office for
 7 the remainder of the unexpired term.
 8 (e) The members of the governing body serving at the time a plan
 9 is amended under this section shall establish the electoral and
 10 residential districts described in subsection (b).
 11 (f) The electoral districts described in subsection (b)(1):
 12 (1) shall be drawn on the basis of precinct lines;
 13 (2) may not cross precinct lines; and
 14 (3) as nearly as practicable, be of equal population, with the
 15 population of the largest exceeding the population of the smallest
 16 by not more than fifteen percent (15%).
 17 (g) The residential districts described in subsection (b)(2) may:
 18 (1) be drawn in any manner considered appropriate by the
 19 governing body; and
 20 (2) be drawn along township lines.
 21 (h) The governing body shall certify the districts **that are**
 22 **established under subsections (f) and (g), amended under subsection**
 23 **(e), or recertified under section 35.5 of this chapter to:**
 24 (1) the state board; and
 25 (2) the ~~county election board~~ **circuit court clerk of the each**
 26 **county in which the school corporation is located as provided in**
 27 **section 35.5 of this chapter.**
 28 (i) The governing body shall designate:
 29 (1) three (3) of the districts established under this section to be
 30 elected at the first school board election that occurs after the
 31 effective date of the plan; and
 32 (2) the remaining four (4) districts to be elected at the second
 33 school board election that occurs after the effective date of the
 34 plan.
 35 SECTION 20. IC 20-23-4-35.5 IS ADDED TO THE INDIANA
 36 CODE AS A **NEW SECTION TO READ AS FOLLOWS**
 37 **[EFFECTIVE JULY 1, 2013]: Sec. 35.5. (a) Not later than December**
 38 **31, 2013, the governing body shall do the following:**
 39 **(1) Send a copy of the school corporation's plan to the circuit**
 40 **court clerk of each county in which the school corporation is**
 41 **located.**
 42 **(2) If any members of the governing body are elected from**

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1 election districts voted upon by only the registered voters
 2 residing within the election district, certify that the election
 3 districts comply with section 35(f) and 35(g) of this chapter.
 4 (b) This subsection applies during the first year after a year in
 5 which a federal decennial census is conducted. The governing body
 6 shall amend the plan under section 35(e) of this chapter if an
 7 amendment is necessary to reestablish the districts in compliance
 8 with section 35(f) and 35(g) of this chapter. If the governing body
 9 determines that a plan amendment under section 35(e) of this
 10 chapter is not required, the governing body shall recertify that the
 11 districts as established comply with section 35(f) and 35(g) of this
 12 chapter.
 13 (c) Each time the school corporation's plan is amended, the
 14 governing body shall file the following with the circuit court clerk
 15 of each county in which the school corporation is located:
 16 (1) A copy of the amendment.
 17 (2) Either of the following:
 18 (A) A certification that the plan amendment does not
 19 require reestablishment of the school corporation's
 20 election districts to comply with section 35(f) and 35(g) of
 21 this chapter.
 22 (B) If the plan amendment requires reestablishment of the
 23 school corporation's election districts to comply with
 24 section 35(f) and 35(g) of this chapter, a map of the new
 25 district boundaries.
 26 (d) A plan amendment or recertification under this section must
 27 be filed not later than thirty (30) days after the amendment or
 28 recertification occurs.
 29 SECTION 21. IC 20-23-7-4, AS ADDED BY P.L.1-2005,
 30 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2013]: Sec. 4. (a) At the first meeting of the board of
 32 commissioners of the county after the creation of the metropolitan
 33 school district as provided in this chapter, the board of commissioners
 34 shall divide the district into three (3) governing body districts
 35 approximately equal in population. Not more than one (1) year after the
 36 effective date of each United States decennial census, the board of
 37 commissioners shall:
 38 (1) readjust the boundaries of the districts to equalize the districts
 39 by population; or
 40 (2) recertify that the boundaries of the districts as drawn
 41 comply with this subsection.
 42 (b) Instead of the division provided under subsection (a), any

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1 resolution or petition provided in section 2(a) or 2(b) of this chapter
2 may:

- 3 (1) provide that the metropolitan school district to be created shall
- 4 be divided into two (2) or more governing body districts;
- 5 (2) describe the governing body member districts;
- 6 (3) provide that one (1) or more members of the governing body
- 7 must reside within each of the governing body member districts;
- 8 (4) set out the number of members to serve from each designated
- 9 district;
- 10 (5) provide that the governing body member districts need not be
- 11 equal in size or population, and that one (1) board member district
- 12 may include all the area in the metropolitan school district;
- 13 (6) specify that the number of governing body members to be
- 14 resident in each district need not be an equal number; and
- 15 (7) eliminate all requirements that there be governing body
- 16 member districts.

- 17 (c) If the resolution or petition:
- 18 (1) does not provide for governing body member districts and
- 19 designate the number of governing body members to be resident
- 20 in each district; or
- 21 (2) provides for the elimination of governing body member
- 22 districts;

23 subsection (a) controls. If either subsection (a) or (b) applies,
24 candidates shall be voted upon by all the registered voters of the
25 metropolitan school district voting at any governing body member
26 election.

27 SECTION 22. IC 20-23-7-4.5 IS ADDED TO THE INDIANA
28 CODE AS A NEW SECTION TO READ AS FOLLOWS
29 [EFFECTIVE JULY 1, 2013]: **Sec. 4.5. (a) Not later than December**
30 **31, 2013, the board of commissioners shall do the following:**

- 31 (1) **Send a copy of the school corporation's plan to the circuit**
- 32 **court clerk of each county in which the school corporation is**
- 33 **located.**
- 34 (2) **If the any members of the governing body are elected from**
- 35 **election districts voted upon by only the registered voters**
- 36 **residing within the election district, certify that the election**
- 37 **districts comply with section 4 of this chapter.**

38 (b) **This subsection applies during the first year after a year in**
39 **which a federal decennial census is conducted. The board of**
40 **commissioners shall amend the plan under section 4 of this chapter**
41 **if an amendment is necessary to reestablish the districts in**
42 **compliance with section 4 of this chapter. If the board of**

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1 commissioners determines that a plan amendment under section 4
2 of this chapter is not required, the board of commissioners shall
3 recertify that the districts as established comply with section 4 of
4 this chapter.

5 (c) Each time the school corporation's plan is amended, the
6 board of commissioners shall file the following with the circuit
7 court clerk of each county in which the school corporation is
8 located:

- 9 (1) A copy of the amendment.
- 10 (2) Either of the following:
 - 11 (A) A certification that the plan amendment does not
 - 12 require reestablishment of the school corporation's
 - 13 election districts to comply with section 4 of this chapter.
 - 14 (B) If the plan amendment requires reestablishment of the
 - 15 school corporation's election districts to comply with
 - 16 section 4 of this chapter, a map of the new district
 - 17 boundaries.

18 (d) A plan amendment or recertification under this section must
19 be filed not later than thirty (30) days after the amendment or
20 recertification occurs.

21 SECTION 23. IC 20-23-8-8, AS AMENDED BY P.L.2-2006,
22 SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2013]: Sec. 8. (a) A plan is subject to the following
24 limitations:

- 25 (1) A member of the governing body may not serve for a term of
- 26 more than four (4) years, but a member may succeed himself or
- 27 herself in office. This limitation does not apply to members who
- 28 hold over during an interim period to effect a new plan awaiting
- 29 the selection and qualification of a member under the new plan.
- 30 (2) The plan, if the members are:
 - 31 (A) to be elected, shall conform with one (1) of the types of
 - 32 board organization permitted by IC 20-23-4-27; or
 - 33 (B) appointed, shall conform with one (1) of the types
 - 34 permitted by IC 20-23-4-28.
- 35 (3) The terms of the members of the governing body, either
- 36 elected to or taking office on or before the time the plan takes
- 37 effect, may not be shortened. The terms of the members taking
- 38 office under the plan may be shortened to make the plan workable
- 39 on a permanent basis.
- 40 (4) If the plan provides for electoral districts, where a member of
- 41 the governing body is elected solely by the voters of a single
- 42 district, the districts must be as near as practicable equal in

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1 population. The districts shall be reapportioned and their
2 boundaries:

3 (A) changed, if necessary; or

4 (B) recertified, if changes are not necessary;

5 by resolution of the governing body before the election next
6 following the effective date of the subsequent decennial census to
7 preserve the equality by resolution of the governing body.

8 (5) The plan shall comply with the:

9 (A) Constitution of the State of Indiana; and

10 (B) Constitution of the United States;

11 including the equal protection clauses of both constitutions.

12 (6) The provisions of IC 20-23-4-26 through IC 20-23-4-33
13 relating to the board of trustees of a community school
14 corporation and to the community school corporation, including
15 provisions relating to powers of the board and corporation and
16 provisions relating to the mechanics of selection of the board,
17 where elected and where appointed, apply to a governing body set
18 up by a plan under this chapter and to the school corporation.

19 (b) The limitations set forth in this section do not have to be
20 specifically set forth in a plan but are a part of the plan. A plan shall be
21 construed, if possible, to comply with this chapter. If a provision of the
22 plan or an application of the plan violates this chapter, the invalidity
23 does not affect the other provisions or applications of the plan that can
24 be given effect without the invalid provision or application. The
25 provisions of a plan are severable.

26 SECTION 24. IC 20-23-8-8.5 IS ADDED TO THE INDIANA
27 CODE AS A NEW SECTION TO READ AS FOLLOWS
28 [EFFECTIVE JULY 1, 2013]: **Sec. 8.5. (a) Not later than December**
29 **31, 2013, the governing body shall do the following:**

30 (1) **Send a copy of the school corporation's plan to the circuit**
31 **court clerk of each county in which the school corporation is**
32 **located.**

33 (2) **If any members of the governing body are elected from**
34 **election districts voted upon by only the registered voters**
35 **residing within the election district, certify that the election**
36 **districts comply with section 8 of this chapter.**

37 (b) **This subsection applies during the first year after a year in**
38 **which a federal decennial census is conducted. The governing body**
39 **shall amend the plan under section 8 of this chapter if an**
40 **amendment is necessary to reestablish the districts in compliance**
41 **with section 8 of this chapter. If the governing body determines**
42 **that a plan amendment under section 8 of this chapter is not**

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1 required, the governing body shall recertify that the districts as
2 established comply with section 8 of this chapter.

3 (c) Each time the school corporation's plan is amended, the
4 governing body shall file the following with the circuit court clerk
5 of each county in which the school corporation is located:

6 (1) A copy of the amendment.

7 (2) Either of the following:

8 (A) A certification that the plan amendment does not
9 require reestablishment of the school corporation's
10 election districts to comply with section 8 of this chapter.

11 (B) If the plan amendment requires reestablishment of the
12 school corporation's election districts to comply with
13 section 8 of this chapter, a map of the new district
14 boundaries.

15 (d) A plan amendment or recertification under this section must
16 be filed not later than thirty (30) days after the amendment or
17 recertification occurs.

18 SECTION 25. IC 20-23-15-7.5 IS ADDED TO THE INDIANA
19 CODE AS A NEW SECTION TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2013]: Sec. 7.5. (a) Not later than December
21 31, 2013, the governing body shall do the following:

22 (1) Send a copy of the school corporation's plan to the circuit
23 court clerk of each county in which the school corporation is
24 located.

25 (2) If any members of the governing body are elected from
26 election districts voted upon by only the registered voters
27 residing within the election district, certify that the election
28 districts comply with section 7 of this chapter.

29 (b) This subsection applies during the first year after a year in
30 which a federal decennial census is conducted. The governing body
31 shall amend the plan if an amendment is necessary to reestablish
32 the districts in compliance with section 7 of this chapter. If the
33 governing body determines that a plan amendment is not required,
34 the governing body shall recertify that the districts as established
35 comply with section 7 of this chapter.

36 (c) Each time the school corporation's plan is amended, the
37 governing body shall file the following with the circuit court clerk
38 of each county in which the school corporation is located:

39 (1) A copy of the amendment.

40 (2) Either of the following:

41 (A) A certification that the plan amendment does not
42 require reestablishment of the school corporation's

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**election districts to comply with section 7 of this chapter.
(B) If the plan amendment requires reestablishment of the
school corporation's election districts to comply with
section 7 of this chapter, a map of the new district
boundaries.**

**(d) A plan amendment or recertification under this section must
be filed not later than thirty (30) days after the amendment or
recertification occurs.**

SECTION 26. IC 36-2-2-4, AS AMENDED BY P.L.119-2012,
SECTION 179, IS AMENDED TO READ AS FOLLOWS
[EFFECTIVE JULY 1, 2013]: Sec. 4. (a) This subsection does not
apply to a county having a population of:

- (1) more than four hundred thousand (400,000) but less than
seven hundred thousand (700,000); or
- (2) more than two hundred fifty thousand (250,000) but less than
two hundred seventy thousand (270,000).

The executive shall divide the county into three (3) districts that are
composed of contiguous territory and are reasonably compact. The
district boundaries drawn by the executive must not cross precinct
boundary lines and must divide townships only when a division is
clearly necessary to accomplish redistricting under this section. If
necessary, the county auditor shall call a special meeting of the
executive to establish or revise districts.

(b) This subsection applies to a county having a population of more
than four hundred thousand (400,000) but less than seven hundred
thousand (700,000). A county redistricting commission shall divide the
county into three (3) single-member districts that comply with
subsection (d). The commission is composed of:

- (1) the members of the Indiana election commission;
- (2) two (2) members of the senate selected by the president pro
tempore, one (1) from each political party; and
- (3) two (2) members of the house of representatives selected by
the speaker, one (1) from each political party.

The legislative members of the commission have no vote and may act
only in an advisory capacity. A majority vote of the voting members is
required for the commission to take action. The commission may meet
as frequently as necessary to perform its duty under this subsection.
The commission's members serve without additional compensation
above that provided for them as members of the Indiana election
commission, the senate, or the house of representatives.

(c) This subsection applies to a county having a population of more
than two hundred fifty thousand (250,000) but less than two hundred

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1 seventy thousand (270,000). The executive shall divide the county into
 2 three (3) single-member districts that comply with subsection (d).
 3 (d) Single-member districts established under subsection (b) or (c)
 4 must:
 5 (1) be compact, subject only to natural boundary lines (such as
 6 railroads, major highways, rivers, creeks, parks, and major
 7 industrial complexes);
 8 (2) contain, as nearly as is possible, equal population; and
 9 (3) not cross precinct lines.
 10 (e) **Except as provided by subsection (g)**, a division under
 11 subsection (a), (b), or (c) shall be made:
 12 (1) during the first year after a year in which a federal decennial
 13 census is conducted; and
 14 (2) when the county adopts an order declaring a county boundary
 15 to be changed under IC 36-2-1-2.
 16 (f) A division under subsection (a), (b), or (c) may be made in any
 17 odd-numbered year not described in subsection (e).
 18 **(g) This subsection applies during the first year after a year in**
 19 **which a federal decennial census is conducted. If the county**
 20 **executive or county redistricting commission determines that a**
 21 **division under subsection (e) is not required, the county executive**
 22 **or county redistricting commission shall adopt an ordinance**
 23 **recertifying that the districts as drawn comply with this section.**
 24 **(h) Each time there is a division under subsection (e) or (f) or a**
 25 **recertification under subsection (g), the county executive or county**
 26 **redistricting commission shall file with the circuit court clerk of the**
 27 **county, not later than thirty (30) days after the division or**
 28 **recertification occurs, a map of the district boundaries:**
 29 **(1) adopted under subsection (e) or (f); or**
 30 **(2) recertified under subsection (g).**
 31 SECTION 27. IC 36-2-3-4, AS AMENDED BY P.L.119-2012,
 32 SECTION 182, IS AMENDED TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) This subsection does not
 34 apply to a county having a population of:
 35 (1) more than four hundred thousand (400,000) but less than
 36 seven hundred thousand (700,000); or
 37 (2) more than two hundred fifty thousand (250,000) but less than
 38 two hundred seventy thousand (270,000).
 39 The county executive shall, by ordinance, divide the county into four
 40 (4) contiguous, single-member districts that comply with subsection
 41 (d). If necessary, the county auditor shall call a special meeting of the
 42 executive to establish or revise districts. One (1) member of the fiscal

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1 body shall be elected by the voters of each of the four (4) districts.
 2 Three (3) at-large members of the fiscal body shall be elected by the
 3 voters of the whole county.

4 (b) This subsection applies to a county having a population of more
 5 than four hundred thousand (400,000) but less than seven hundred
 6 thousand (700,000). The county redistricting commission established
 7 under IC 36-2-2-4 shall divide the county into seven (7) single-member
 8 districts that comply with subsection (d). One (1) member of the fiscal
 9 body shall be elected by the voters of each of these seven (7)
 10 single-member districts.

11 (c) This subsection applies to a county having a population of more
 12 than two hundred fifty thousand (250,000) but less than two hundred
 13 seventy thousand (270,000). The fiscal body shall divide the county
 14 into nine (9) single-member districts that comply with subsection (d).
 15 Three (3) of these districts must be contained within each of the three
 16 (3) districts established under IC 36-2-2-4(c). One (1) member of the
 17 fiscal body shall be elected by the voters of each of these nine (9)
 18 single-member districts.

19 (d) Single-member districts established under subsection (a), (b), or
 20 (c) must:

21 (1) be compact, subject only to natural boundary lines (such as
 22 railroads, major highways, rivers, creeks, parks, and major
 23 industrial complexes);

24 (2) not cross precinct boundary lines;

25 (3) contain, as nearly as possible, equal population; and

26 (4) include whole townships, except when a division is clearly
 27 necessary to accomplish redistricting under this section.

28 (e) **Except as provided by subsection (g),** a division under
 29 subsection (a), (b), or (c) shall be made:

30 (1) during the first year after a year in which a federal decennial
 31 census is conducted; and

32 (2) when the county executive adopts an order declaring a county
 33 boundary to be changed under IC 36-2-1-2.

34 (f) A division under subsection (a), (b), or (c) may be made in any
 35 odd-numbered year not described in subsection (e).

36 **(g) This subsection applies during the first year after a year in**
 37 **which a federal decennial census is conducted. If the county**
 38 **executive, county redistricting commission, or county fiscal body**
 39 **determines that a division under subsection (e) is not required, the**
 40 **county executive, county redistricting commission, or county fiscal**
 41 **body shall adopt an ordinance recertifying that the districts as**
 42 **drawn comply with this section.**

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1 **(h) Each time there is a division under subsection (e) or (f) or a**
2 **recertification under subsection (g), the county executive, county**
3 **redistricting commission, or county fiscal body shall file with the**
4 **circuit court clerk of the county, not later than thirty (30) days**
5 **after the division or recertification occurs, a map of the district**
6 **boundaries:**

7 **(1) adopted under subsection (e) or (f); or**

8 **(2) recertified under subsection (g).**

9 SECTION 28. IC 36-3-4-3, AS AMENDED BY P.L.141-2007,
10 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2013]: Sec. 3. (a) The city-county legislative body shall, by
12 ordinance, divide the whole county into twenty-five (25) districts that:

13 (1) are compact, subject only to natural boundary lines (such as
14 railroads, major highways, rivers, creeks, parks, and major
15 industrial complexes);

16 (2) contain, as nearly as is possible, equal population; and

17 (3) do not cross precinct boundary lines.

18 **Except as provided by subsection (f),** this division shall be made
19 during the second year after a year in which a federal decennial census
20 is conducted and may also be made at any other time, subject to
21 IC 3-11-1.5-32.

22 (b) The legislative body is composed of twenty-five (25) members
23 elected from the districts established under subsection (a) and four (4)
24 members elected from an at-large district containing the whole county.

25 (c) Each voter of the county may vote for four (4) candidates for
26 at-large membership and one (1) candidate from the district in which
27 the voter resides. The four (4) at-large candidates receiving the most
28 votes from the whole county and the district candidates receiving the
29 most votes from their respective districts are elected to the legislative
30 body.

31 (d) If the legislative body fails to make the division before the date
32 prescribed by subsection (a) or the division is alleged to violate
33 subsection (a) or other law, a taxpayer or registered voter of the county
34 may petition the superior court of the county to hear and determine the
35 matter. The court shall hear and determine the matter as a five (5)
36 member panel of judges from the superior court. The clerk of the court
37 shall select the judges electronically and randomly. Not more than three
38 (3) members of the five (5) member panel of judges may be of the same
39 political party. The first judge selected shall maintain the case file and
40 preside over the proceedings. There may not be a change of venue from
41 the court or from the county. The court may appoint a master to assist
42 in its determination and may draw proper district boundaries if

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1 necessary. An appeal from the court's judgment must be taken within
 2 thirty (30) days, directly to the supreme court, in the same manner as
 3 appeals from other actions.

4 (e) An election of the legislative body held under the ordinance or
 5 court judgment determining districts that is in effect on the date of the
 6 election is valid, regardless of whether the ordinance or judgment is
 7 later determined to be invalid.

8 **(f) This subsection applies during the second year after a year**
 9 **in which a federal decennial census is conducted. If the legislative**
 10 **body determines that a division under subsection (a) is not**
 11 **required, the legislative body shall adopt an ordinance recertifying**
 12 **that the districts as drawn comply with this section.**

13 **(g) Each time there is a division under subsection (a) or a**
 14 **recertification under subsection (f), the legislative body shall file**
 15 **with the circuit court clerk of the county, not later than thirty (30)**
 16 **days after the division or recertification occurs, a map of the**
 17 **district boundaries:**

18 **(1) adopted under subsection (a); or**

19 **(2) recertified under subsection (f).**

20 SECTION 29. IC 36-4-6-3, AS AMENDED BY P.L.230-2005,
 21 SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2013]: Sec. 3. (a) This section applies only to second class
 23 cities.

24 (b) The legislative body shall adopt an ordinance to divide the city
 25 into six (6) districts that:

26 (1) are composed of contiguous territory, except for territory that
 27 is not contiguous to any other part of the city;

28 (2) are reasonably compact;

29 (3) do not cross precinct boundary lines, except as provided in
 30 subsection (c) or (d); and

31 (4) contain, as nearly as is possible, equal population.

32 (c) The boundary of a city legislative body district may cross a
 33 precinct boundary line if:

34 (1) more than one (1) member of the legislative body elected from
 35 the districts established under subsection (b) resides in one (1)
 36 precinct established under IC 3-11-1.5 after the most recent
 37 municipal election; and

38 (2) following the establishment of a legislative body district
 39 whose boundary crosses a precinct boundary line, not more than
 40 one (1) member of the legislative body elected from districts
 41 resides within the same city legislative body district.

42 (d) The boundary of a city legislative body district may cross a

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1 precinct line if the districts would not otherwise contain, as nearly as
2 is possible, equal population.

3 (e) A city legislative body district with a boundary described by
4 subsection (c) or (d) may not cross a census block boundary line:

- 5 (1) except when following a precinct boundary line; or
6 (2) unless the city legislative body certifies in the ordinance that
7 the census block has no population, and is not likely to ever have
8 population.

9 (f) The legislative body may not adopt an ordinance dividing the city
10 into districts with boundaries described by subsection (c) or (d) unless
11 the clerk of the city mails a written notice to the circuit court clerk. The
12 notice must:

- 13 (1) state that the legislative body is considering the adoption of an
14 ordinance described by this subsection; and
15 (2) be mailed not later than ten (10) days before the legislative
16 body adopts the ordinance.

17 (g) **Except as provided in subsection (i)**, the division under
18 subsection (b) shall be made:

- 19 (1) during the second year after a year in which a federal
20 decennial census is conducted; and
21 (2) when required to assign annexed territory to a district.

22 This division may be made at any other time, subject to IC 3-11-1.5-32.

23 (h) The legislative body is composed of six (6) members elected
24 from the districts established under subsection (b) and three (3) at-large
25 members.

26 (i) Each voter of the city may vote for three (3) candidates for
27 at-large membership and one (1) candidate from the district in which
28 the voter resides. The three (3) at-large candidates receiving the most
29 votes from the whole city and the district candidates receiving the most
30 votes from their respective districts are elected to the legislative body.

31 (j) If any territory in the city is not included in one (1) of the
32 districts established under this section, the territory is included in the
33 district that:

- 34 (1) is contiguous to that territory; and
35 (2) contains the least population of all districts contiguous to that
36 territory.

37 (k) If any territory in the city is included in more than one (1) of the
38 districts established under this section, the territory is included in the
39 district that:

- 40 (1) is one (1) of the districts in which the territory is described in
41 the ordinance adopted under this section;
42 (2) is contiguous to that territory; and

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1 (3) contains the least population of all districts contiguous to that
2 territory.

3 **(l) This subsection applies during the second year after a year**
4 **in which a federal decennial census is conducted. If the legislative**
5 **body determines that a division under subsection (g) is not**
6 **required, the legislative body shall adopt an ordinance recertifying**
7 **that the districts as drawn comply with this section.**

8 **(m)** A copy of the ordinance establishing districts **or a**
9 **recertification adopted** under this section must be filed with the
10 circuit court clerk of the county that contains the greatest population of
11 the city not later than thirty (30) days after the ordinance **or**
12 **recertification** is adopted. **The filing must include a map of the**
13 **district boundaries:**

14 **(1) adopted under subsection (b); or**

15 **(2) recertified under subsection (l).**

16 SECTION 30. IC 36-4-6-4, AS AMENDED BY P.L.169-2006,
17 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
18 JULY 1, 2013]: Sec. 4. (a) This section applies to third class cities,
19 except as provided by section 5 of this chapter.

20 (b) This subsection does not apply to a city with an ordinance
21 described by subsection (j) or (m). The legislative body shall adopt an
22 ordinance to divide the city into five (5) districts that:

23 (1) are composed of contiguous territory, except for territory that
24 is not contiguous to any other part of the city;

25 (2) are reasonably compact;

26 (3) do not cross precinct boundary lines except as provided in
27 subsection (c) or (d); and

28 (4) contain, as nearly as is possible, equal population.

29 (c) The boundary of a city legislative body district may cross a
30 precinct boundary line if:

31 (1) more than one (1) member of the legislative body elected from
32 the districts established under subsection (b), (j), or (m) resides in
33 one (1) precinct established under IC 3-11-1.5 after the most
34 recent municipal election; and

35 (2) following the establishment of a legislative body district
36 whose boundary crosses a precinct boundary line, not more than
37 one (1) member of the legislative body elected from the districts
38 resides within the same city legislative body district.

39 (d) The boundary of a city legislative body district may cross a
40 precinct line if the districts would not otherwise contain, as nearly as
41 is possible, equal population.

42 (e) A city legislative body district with a boundary described by

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- 1 subsection (c) or (d) may not cross a census block boundary line:
- 2 (1) except when following a precinct boundary line; or
- 3 (2) unless the city legislative body certifies in the ordinance that
- 4 the census block has no population, and is not likely to ever have
- 5 population.
- 6 (f) The legislative body may not adopt an ordinance dividing the city
- 7 into districts with boundaries described by subsection (c) or (d) unless
- 8 the clerk of the city mails a written notice to the circuit court clerk. The
- 9 notice must:
- 10 (1) state that the legislative body is considering the adoption of an
- 11 ordinance described by this subsection; and
- 12 (2) be mailed not later than ten (10) days before the legislative
- 13 body adopts the ordinance.
- 14 (g) **Except as provided in subsection (q)**, the division under
- 15 subsection (b), (j), or (m) shall be made:
- 16 (1) during the second year after a year in which a federal
- 17 decennial census is conducted; and
- 18 (2) when required to assign annexed territory to a district.
- 19 This division may be made at any other time, subject to IC 3-11-1.5-32.
- 20 (h) This subsection does not apply to a city with an ordinance
- 21 described by subsection (j) or (m). The legislative body is composed of
- 22 five (5) members elected from the districts established under
- 23 subsection (b) and two (2) at-large members.
- 24 (i) This subsection does not apply to a city with an ordinance
- 25 described by subsection (j) or (m). Each voter of the city may vote for
- 26 two (2) candidates for at-large membership and one (1) candidate from
- 27 the district in which the voter resides. The two (2) at-large candidates
- 28 receiving the most votes from the whole city and the district candidates
- 29 receiving the most votes from their respective districts are elected to
- 30 the legislative body.
- 31 (j) A city may adopt an ordinance under this subsection to divide the
- 32 city into four (4) districts that:
- 33 (1) are composed of contiguous territory;
- 34 (2) are reasonably compact;
- 35 (3) do not cross precinct boundary lines, except as provided in
- 36 subsection (c) or (d); and
- 37 (4) contain, as nearly as is possible, equal population.
- 38 (k) This subsection applies to a city with an ordinance described by
- 39 subsection (j). The legislative body is composed of four (4) members
- 40 elected from the districts established under subsection (j) and three (3)
- 41 at-large members.
- 42 (l) This subsection applies to a city with an ordinance described by

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1 subsection (j). Each voter of the city may vote for three (3) candidates
 2 for at-large membership and one (1) candidate from the district in
 3 which the voter resides. The three (3) at-large candidates receiving the
 4 most votes from the whole city and the district candidates receiving the
 5 most votes from their respective districts are elected to the legislative
 6 body.

7 (m) This subsection applies only if the ordinance adopted under
 8 IC 36-4-1.5-3 by the town legislative body of a town that has a
 9 population of less than ten thousand (10,000) and that becomes a city
 10 specifies that the city legislative body districts are governed by this
 11 subsection. The ordinance adopted under IC 36-4-1.5-3(b)(1) dividing
 12 the town into city legislative body districts may provide that:

13 (1) the city shall be divided into three (3) districts that:

14 (A) are composed of contiguous territory;

15 (B) are reasonably compact;

16 (C) do not cross precinct boundary lines, except as provided in
 17 subsection (c) or (d); and

18 (D) contain, as nearly as is possible, equal population; and

19 (2) the legislative body of the city is composed of three (3)
 20 members elected from the districts established under this
 21 subsection and two (2) at-large members.

22 Each voter of the city may vote for two (2) candidates for at-large
 23 membership and one (1) candidate from the district in which the voter
 24 resides. The two (2) at-large candidates receiving the most votes from
 25 the whole city and the district candidates receiving the most votes from
 26 their respective districts are elected to the legislative body.

27 (n) A copy of the ordinance establishing districts **or a**
 28 **recertification adopted** under this section must be filed with the
 29 circuit court clerk of the county that contains the greatest population of
 30 the city no later than thirty (30) days after the ordinance **or**
 31 **recertification** is adopted. **The filing must include a map of the**
 32 **district boundaries:**

33 **(1) adopted under subsection (b), (j), or (m); or**

34 **(2) recertified under subsection (q).**

35 (o) If any territory in the city is not included in one (1) of the
 36 districts established under this section, the territory is included in the
 37 district that:

38 (1) is contiguous to that territory; and

39 (2) contains the least population of all districts contiguous to that
 40 territory.

41 (p) If any territory in the city is included in more than one (1) of the
 42 districts established under this section, the territory is included in the

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1 district that:
 2 (1) is one (1) of the districts in which the territory is described in
 3 the ordinance adopted under this section;
 4 (2) is contiguous to that territory; and
 5 (3) contains the least population of all districts contiguous to that
 6 territory.

7 **(q) This subsection applies during the second year after a year**
 8 **in which a federal decennial census is conducted. If the legislative**
 9 **body determines that a division under subsection (g) is not**
 10 **required, the legislative body shall adopt an ordinance recertifying**
 11 **that the districts as drawn comply with this section.**

12 SECTION 31. IC 36-4-6-5, AS AMENDED BY P.L.113-2010,
 13 SECTION 121, IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) This section applies to third
 15 class cities having a population of less than ten thousand (10,000). The
 16 legislative body of such a city may, by ordinance adopted after June 30,
 17 2010, and during a year in which an election of the legislative body will
 18 not occur, decide to be governed by this section instead of section 4 of
 19 this chapter. The legislative body districts created by an ordinance
 20 adopted under this subsection apply to the first election of the
 21 legislative body held after the date the ordinance is adopted. The clerk
 22 of the legislative body shall send a certified copy of any ordinance
 23 adopted under this subsection to the secretary of the county election
 24 board.

25 (b) This subsection does not apply to a city with an ordinance
 26 described by subsection (j). The legislative body shall adopt an
 27 ordinance to divide the city into four (4) districts that:

- 28 (1) are composed of contiguous territory, except for territory that
- 29 is not contiguous to any other part of the city;
- 30 (2) are reasonably compact;
- 31 (3) do not cross precinct boundary lines except as provided in
- 32 subsection (c) or (d); and
- 33 (4) contain, as nearly as is possible, equal population.

34 (c) The boundary of a city legislative body district may cross a
 35 precinct boundary line if:

- 36 (1) more than one (1) member of the legislative body elected from
- 37 the districts established under subsection (b) or (j) resides in one
- 38 (1) precinct established under IC 3-11-1.5 after the most recent
- 39 municipal election; and
- 40 (2) following the establishment of a legislative body district
- 41 whose boundary crosses a precinct boundary line, not more than
- 42 one (1) member of the legislative body elected from the districts

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- 1 resides within the same city legislative body district.
- 2 (d) The boundary of a city legislative body district may cross a
- 3 precinct line if the districts would not otherwise contain, as nearly as
- 4 is possible, equal population.
- 5 (e) A city legislative body district with a boundary described by
- 6 subsection (c) or (d) may not cross a census block boundary line:
- 7 (1) except when following a precinct boundary line; or
- 8 (2) unless the city legislative body certifies in the ordinance that
- 9 the census block has no population, and is not likely to ever have
- 10 population.
- 11 (f) The legislative body may not adopt an ordinance dividing the city
- 12 into districts with boundaries described by subsection (c) or (d) unless
- 13 the clerk of the city mails a written notice to the circuit court clerk. The
- 14 notice must:
- 15 (1) state that the legislative body is considering the adoption of an
- 16 ordinance described by this subsection; and
- 17 (2) be mailed not later than ten (10) days before the legislative
- 18 body adopts the ordinance.
- 19 (g) **Except as provided in subsection (q)**, the division under
- 20 subsection (b) or (j) shall be made:
- 21 (1) during the second year after a year in which a federal
- 22 decennial census is conducted; and
- 23 (2) when required to assign annexed territory to a district.
- 24 This division may be made at any other time, subject to IC 3-11-1.5-32.
- 25 (h) This subsection does not apply to a city with an ordinance
- 26 described by subsection (j). The legislative body is composed of four
- 27 (4) members elected from the districts established under subsection (b)
- 28 and one (1) at-large member.
- 29 (i) This subsection does not apply to a city with an ordinance
- 30 described by subsection (j). Each voter may vote for one (1) candidate
- 31 for at-large membership and one (1) candidate from the district in
- 32 which the voter resides. The at-large candidate receiving the most votes
- 33 from the whole city and the district candidates receiving the most votes
- 34 from their respective districts are elected to the legislative body.
- 35 (j) A city may adopt an ordinance under this subsection to divide the
- 36 city into three (3) districts that:
- 37 (1) are composed of contiguous territory, except for territory that
- 38 is not contiguous to any other part of the city;
- 39 (2) are reasonably compact;
- 40 (3) do not cross precinct boundary lines, except as provided in
- 41 subsection (c) or (d); and
- 42 (4) contain, as nearly as is possible, equal population.

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1 (k) This subsection applies to a city with an ordinance described by
 2 subsection (j). The legislative body is composed of three (3) members
 3 elected from the districts established under subsection (j) and two (2)
 4 at-large members.

5 (l) This subsection applies to a city with an ordinance described by
 6 subsection (j). Each voter of the city may vote for two (2) candidates
 7 for at-large membership and one (1) candidate from the district in
 8 which the voter resides. The two (2) at-large candidates receiving the
 9 most votes from the whole city and the district candidates receiving the
 10 most votes from their respective districts are elected to the legislative
 11 body.

12 (m) This subsection applies to a city having a population of less than
 13 seven thousand (7,000). A legislative body of such a city that has, by
 14 resolution adopted before May 7, 1991, decided to continue an election
 15 process that permits each voter of the city to vote for one (1) candidate
 16 at large and one (1) candidate from each of its four (4) council districts
 17 may hold elections using that voting arrangement. The at-large
 18 candidate and the candidate from each district receiving the most votes
 19 from the whole city are elected to the legislative body. The districts
 20 established in cities adopting such a resolution may cross precinct
 21 boundary lines.

22 (n) A copy of the ordinance establishing districts **or a**
 23 **recertification** under this section must be filed with the circuit court
 24 clerk of the county that contains the greatest population of the city not
 25 later than thirty (30) days after the ordinance **or recertification** is
 26 adopted. **The filing must include a map of the district boundaries:**

27 **(1) adopted under subsection (b) or (j); or**

28 **(2) recertified under subsection (q).**

29 (o) If any territory in the city is not included in one (1) of the
 30 districts established under this section, the territory is included in the
 31 district that:

32 (1) is contiguous to that territory; and

33 (2) contains the least population of all districts contiguous to that
 34 territory.

35 (p) If any territory in the city is included in more than one (1) of the
 36 districts established under this section, the territory is included in the
 37 district that:

38 (1) is one (1) of the districts in which the territory is described in
 39 the ordinance adopted under this section;

40 (2) is contiguous to that territory; and

41 (3) contains the least population of all districts contiguous to that
 42 territory.



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1 **(q) This subsection applies during the second year after a year**
 2 **in which a federal decennial census is conducted. If the legislative**
 3 **body determines that a division under subsection (b) or (j) is not**
 4 **required, the legislative body shall adopt an ordinance recertifying**
 5 **that the districts as drawn comply with this section.**

6 SECTION 32. IC 36-5-2-4.1, AS AMENDED BY P.L.230-2005,
 7 SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2013]: Sec. 4.1. (a) The legislative body may, by ordinance,
 9 divide the town into districts for the purpose of conducting elections of
 10 town officers.

11 (b) A town legislative body district must comply with the following
 12 standards:

13 (1) The district must be composed of contiguous territory, except
 14 for territory that is not contiguous to any other part of the town.

15 (2) The district must be reasonably compact.

16 (3) The district must contain, as nearly as is possible, equal
 17 population.

18 (4) The district may not cross a census block boundary except
 19 when following a precinct boundary line or unless the ordinance
 20 specifies that the census block has no population and is not likely
 21 to ever have population.

22 (5) The district may not cross precinct lines, except as provided
 23 in subsection (c).

24 (c) The boundary of a town legislative body district established
 25 under subsection (a) may cross a precinct boundary line if:

26 (1) the legislative body provides by ordinance under section 5 of
 27 this chapter that all legislative body members are to be elected at
 28 large by the voters of the whole town; or

29 (2) the district would not otherwise contain, as nearly as is
 30 possible, equal population.

31 (d) If any territory in the town is not included in one (1) of the
 32 districts established under this section, the territory is included in the
 33 district that:

34 (1) is contiguous to that territory; and

35 (2) contains the least population of all districts contiguous to that
 36 territory.

37 (e) If any territory in the town is included in more than one (1) of the
 38 districts established under this section, the territory is included in the
 39 district that:

40 (1) is one (1) of the districts in which the territory is described in
 41 the ordinance adopted under this section;

42 (2) is contiguous to that territory; and

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1 (3) contains the least population of all districts contiguous to that
2 territory.
3 (f) The ordinance may be appealed in the manner prescribed by
4 IC 34-13-6. If the town is located in two (2) or more counties, the
5 appeal may be filed in the circuit or superior court of any of those
6 counties.
7 (g) This subsection does not apply to a town with an ordinance
8 described by subsection (h). **Except as provided in subsection (k),** the
9 division permitted by subsection (a) shall be made:
10 (1) during the second year after a year in which a federal
11 decennial census is conducted, subject to IC 3-11-1.5-32; and
12 (2) when required to assign annexed territory to a municipal
13 legislative body district.
14 The division may also be made in any other year.
15 (h) This subsection applies to a town having a population of less
16 than three thousand five hundred (3,500). The town legislative body
17 may adopt an ordinance providing that:
18 (1) town legislative body districts are abolished; and
19 (2) all members of the legislative body are elected at large.
20 (i) An ordinance described by subsection (h):
21 (1) may not be adopted or repealed during a year in which a
22 municipal election is scheduled to be conducted in the town under
23 IC 3-10-6 or IC 3-10-7; and
24 (2) is effective upon passage.
25 (j) A copy of the ordinance establishing districts **or a**
26 **recertification** under this section must be filed with the circuit court
27 clerk of the county that contains the greatest population of the town not
28 later than thirty (30) days after the ordinance **or recertification** is
29 adopted. **The filing must include a map of the district boundaries:**
30 **(1) adopted under subsection (a); or**
31 **(2) recertified under subsection (k).**
32 **(k) This subsection applies during the second year after a year**
33 **in which a federal decennial census is conducted. If the legislative**
34 **body determines that a division under subsection (a) is not**
35 **required, the legislative body shall adopt an ordinance recertifying**
36 **that the districts as drawn comply with this section.**
37 SECTION 33. IC 36-6-6-2.5, AS AMENDED BY P.L.230-2005,
38 SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2013]: Sec. 2.5. (a) This section applies to townships in a
40 county containing a consolidated city.
41 (b) The legislative body shall adopt a resolution that divides the
42 township into legislative body districts that:

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- 1 (1) are composed of contiguous territory;
- 2 (2) are reasonably compact;
- 3 (3) respect, as nearly as reasonably practicable, precinct boundary
- 4 lines; and
- 5 (4) contain, as nearly as reasonably practicable, equal population.
- 6 (c) Before a legislative body may adopt a resolution that divides a
- 7 township into legislative body districts, the secretary of the legislative
- 8 body shall mail a written notice to the circuit court clerk. This notice
- 9 must:
- 10 (1) state that the legislative body is considering the adoption of a
- 11 resolution to divide the township into legislative body districts;
- 12 and
- 13 (2) be mailed not later than ten (10) days before the legislative
- 14 body adopts the resolution.
- 15 (d) **Except as provided in subsection (f)**, the legislative body shall
- 16 make a division into legislative body districts at the following times:
- 17 (1) During the second year after a year in which a federal
- 18 decennial census is conducted.
- 19 (2) Subject to IC 3-11-1.5-32.5, whenever the boundary of the
- 20 township changes.
- 21 (e) The legislative body may make the division under this section at
- 22 any time, subject to IC 3-11-1.5-32.5.
- 23 (f) **This subsection applies during the second year after a year**
- 24 **in which a federal decennial census is conducted. If the legislative**
- 25 **body determines that a division is not required under subsection**
- 26 **(b), the legislative body shall adopt an ordinance recertifying that**
- 27 **the districts as drawn comply with this section.**
- 28 (g) Each time there is a division under subsection (b) or a
- 29 recertification under subsection (f), the legislative body shall file
- 30 with the circuit court clerk of the county not later than thirty (30)
- 31 days after the adoption or recertification occurs a map of the
- 32 district boundaries:
- 33 (1) adopted under subsection (b); or
- 34 (2) recertified under subsection (f).
- 35 SECTION 34. [EFFECTIVE JULY 1, 2013] (a) As used in this
- 36 SECTION, "committee" refers to the census data advisory
- 37 committee established by IC 2-5-19-2.
- 38 (b) During the 2013 legislative interim, the committee shall do
- 39 the following:
- 40 (1) Study the standards for determining residency for
- 41 purposes of voting, candidacy, and holding office in Indiana
- 42 (IC 3-5-5).

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- 1 **(2) Make any recommendations for changing those standards**
- 2 **as the committee considers appropriate.**
- 3 **(c) This SECTION expires January 1, 2014.**
- 4 SECTION 35. [EFFECTIVE JULY 1, 2013] **(a) As used in this**
- 5 **SECTION, "committee" refers to the census data advisory**
- 6 **committee established by IC 2-5-19-2.**
- 7 **(b) During the 2013 legislative interim, the committee shall do**
- 8 **the following:**
- 9 **(1) Study voter suppression of African-Americans, Latinos,**
- 10 **other ethnic minorities, and the elderly.**
- 11 **(2) Make any recommendations for legislation as the**
- 12 **committee considers appropriate.**
- 13 **(c) This SECTION expires January 1, 2014.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1311, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 3-5-2-47.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 47.5. "Signing the poll list" means:**

- (1) a voter writing the voter's name on the certified list of registered voters for the precinct prepared in accordance with IC 3-7-29-1; or**
- (2) a voter writing the voter's name on an electronic poll list using an electronic signature pad at a polling place or satellite office (as established under IC 3-11-10-26.3) where the use of an electronic poll list is authorized in accordance with IC 3-7-29-6.**

SECTION 2. IC 3-7-29-1, AS AMENDED BY P.L.81-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 1. (a) This section does not apply to a county that has adopted an order under section 6 of this chapter.**

~~(a)~~ **(b)** Not later than ten (10) days before the election at which the registration record is to be used, the county voter registration office shall prepare certified copies of the list of registered voters for each precinct in the county.

~~(b)~~ **(c)** The lists must contain the following information concerning each registered voter:

- (1) The full name of the voter.
- (2) The address of the voter.
- (3) The assigned ~~county~~ **voter** identification number.
- (4) Whether the voter is required to provide additional identification before voting either in person or by absentee ballot.

~~(c)~~ **(d)** The names shall be arranged in the same order as they are in the registration record of the precinct.

SECTION 3. IC 3-7-29-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 2. (a) This section does not apply to a county that has adopted an order under section 6 of this chapter.**

(b) After the county election board receives a request from the county chairman of a major political party, not more than two (2) copies of the list required by this chapter shall be prepared and

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furnished to the inspector of the precinct for use at the polls on election day. The inspector may provide a list furnished under this section to any other precinct officer.

SECTION 4. IC 3-7-29-3, AS AMENDED BY P.L.164-2006, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. When the inspector of a precinct procures the ballots and other election supplies for an election, the inspector shall also procure from the county voter registration office the certified copies of the registration record of the precinct with the information required under section 1 of this chapter **(or an electronic poll list in a county in which an order is adopted under section 6 of this chapter)** and other necessary registration supplies.

SECTION 5. IC 3-7-29-4, AS AMENDED BY P.L.164-2006, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. **(a) This section does not apply to a county:**

- (1) that has adopted an order under section 6 of this chapter; and**
- (2) in which an electronic poll list containing available scanned images of the signatures of voters is provided at the precinct.**

(b) The county voter registration office may also provide the inspector of each precinct in the county with a **certified photocopy scanned copy** of the signature on the affidavit of registration of each voter of the precinct for the comparison of signatures under IC 3-10-1-24.6 or IC 3-11-8-25.1.

SECTION 6. IC 3-7-29-6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. **(a) If a county election board adopts an order to provide an electronic poll list to the inspector for use at a polling place or at a satellite office established under IC 3-11-10-26.3, electronic poll lists may be used at an election (rather than certified poll lists prepared under this chapter).**

(b) An order adopted under subsection (a) may include the use of an electronic signature (as defined in IC 26-2-8-102) to sign an electronic poll list at an election (rather than requiring voters to sign certified poll lists prepared under this chapter).

SECTION 7. IC 3-10-1-7.1, AS AMENDED BY P.L.164-2006, SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7.1. **(a) This subsection does not apply to a county in which electronic poll lists are used under IC 3-7-29-6.** Each county election board shall furnish the inspector of each precinct for use on primary election day a certified copy under IC 3-7-29 of the

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list of all voters registered to vote in the precinct.

(b) **This subsection does not apply to a county in which electronic poll lists with the capability to display signatures of voters are used under IC 3-7-29-6.** The county voter registration office may also provide the inspector of each precinct in the county a certified photocopy of the signature on the affidavit or form of registration of each voter of the precinct for the comparison of signatures under section 24.6 of this chapter.

(c) If the name of a person offering to vote at the primary is in the registration record or listed in the certified copy prepared for the precinct **or the electronic poll list**, it is sufficient evidence of the person's right to vote unless the person is challenged.

SECTION 8. IC 3-10-1-8, AS AMENDED BY P.L.164-2006, SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. A person who will be a voter at the general election for which the primary is being held and whose name does not appear on the registration record of the precinct, ~~or on~~ the certified copy of the registration record prepared under IC 3-7-29, **or the electronic poll list** may:

- (1) vote if the county voter registration office provides a signed certificate of error; or
- (2) cast a provisional ballot under IC 3-11.7, as provided by 42 U.S.C. 15482.

SECTION 9. IC 3-10-1-24, AS AMENDED BY P.L.164-2006, SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 24. (a) A voter who desires to vote must give the voter's name and political party to the poll clerks of the precinct on primary election day. The poll clerks shall require the voter to write the following on the poll list **or to provide the following information for entry into the electronic poll list**:

- (1) The voter's name.
 - (2) Except as provided in subsection (d), the voter's current residence address.
 - (3) The name of the voter's party.
- (b) The poll clerks shall:
- (1) ask the voter to provide or update the voter's voter identification number;
 - (2) tell the voter the number the voter may use as a voter identification number; and
 - (3) explain to the voter that the voter is not required to provide a voter identification number at the polls.
- (c) If the voter is unable to sign the voter's name, the voter must sign

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the poll list by mark, which must be witnessed by one (1) of the poll clerks or assistant poll clerks acting under IC 3-6-6, who shall place the poll clerk's or assistant poll clerk's initials after or under the mark.

(d) **The electronic poll list (or** each line on a poll list sheet provided to take a voter's current residence address) must include a box under the heading "Address Unchanged" so that **the poll clerk may check the box for** a voter whose residence address shown on the poll list is the voter's current residence address ~~may check the box~~ instead of writing the voter's current residence address on the poll list **or reentering the address in the electronic poll list.**

SECTION 10. IC 3-10-1-24.6, AS AMENDED BY P.L.164-2006, SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 24.6. (a) In case of doubt concerning a voter's identity, the precinct election board shall compare the voter's signature with the signature on the ~~affidavit of registration~~ **record** or any certified copy of the signature provided under section 7.1 of this chapter. If the board determines that the voter's signature is authentic, the voter may then vote.

(b) If either poll clerk doubts the voter's identity following the comparison of the signatures, the poll clerk shall challenge the voter in the manner prescribed by IC 3-11-8. If the poll clerk does not execute a challenger's affidavit under IC 3-11-8-21 or if the voter executes a challenged voter's affidavit under IC 3-11-8-22.1, the voter may then vote."

Page 2, delete lines 1 through 25.

Page 3, delete lines 17 through 42, begin a new paragraph and insert:

"SECTION 12. IC 3-11-3-16, AS AMENDED BY P.L.164-2006, SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 16. Each county election board shall prepare and have delivered to the inspectors of the precincts, at the time they receive the ballots for their precincts, a suitable number of voter registration lists certified under IC 3-7-29 **(or an electronic poll list in a county described by IC 3-7-29-6)** and any other forms, papers, certificates, and oaths that are required to be furnished to precinct election boards. The forms and papers must be prepared in compliance with IC 3-5-4-8. The county voter registration office shall cooperate with the county election board in the preparation of the lists certified under IC 3-7-29 **(or in the use of the electronic poll lists).**

SECTION 13. IC 3-11-8-10.3, AS ADDED BY P.L.1-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 10.3. (a) As used in this section, "electronic poll



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list" refers to a poll list that is maintained in a computer data base.

(b) An electronic poll list must satisfy all of the following:

(1) An electronic poll list must be programmed so that the coordinated action of two (2) election officers who are not members of the same political party is necessary to access the electronic poll list.

(2) An electronic poll list may not be connected to a voting system.

(3) An electronic poll list may not permit access to voter information other than information provided on the certified list of voters prepared under IC 3-7-29-1.

(4) Any other standards that the commission may prescribe.

SECTION 14. IC 3-11-8-25.1, AS AMENDED BY P.L.53-2009, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 25.1. (a) Except as provided in subsection (e), a voter who desires to vote an official ballot at an election shall provide proof of identification.

(b) Except as provided in subsection (e), before the voter proceeds to vote in the election, a precinct election officer shall ask the voter to provide proof of identification. The voter shall produce the proof of identification before being permitted to sign the poll list.

(c) If:

(1) the voter is unable or declines to present the proof of identification; or

(2) a member of the precinct election board determines that the proof of identification provided by the voter does not qualify as proof of identification under IC 3-5-2-40.5;

a member of the precinct election board shall challenge the voter as prescribed by this chapter.

(d) If the voter executes a challenged voter's affidavit under section 22.1 of this chapter, the voter may:

(1) sign the poll list; and

(2) receive a provisional ballot.

(e) A voter who votes in person at a precinct polling place that is located at a state licensed care facility where the voter resides is not required to provide proof of identification before voting in an election.

(f) After a voter has passed the challengers or has been sworn in, the voter shall be instructed by a member of the precinct election board to proceed to the location where the poll clerks are stationed. The voter shall announce the voter's name to the poll clerks or assistant poll clerks. A poll clerk, an assistant poll clerk, or a member of the precinct election board shall require the voter to write the following on the poll

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list **or to provide the following information for entry into the electronic poll list:**

- (1) The voter's name.
- (2) Except as provided in subsection (k), the voter's current residence address.

(g) The poll clerk, an assistant poll clerk, or a member of the precinct election board shall:

- (1) ask the voter to provide or update the voter's voter identification number;
- (2) tell the voter the number the voter may use as a voter identification number; and
- (3) explain to the voter that the voter is not required to provide or update a voter identification number at the polls.

(h) The poll clerk, an assistant poll clerk, or a member of the precinct election board shall ask the voter to provide proof of identification.

(i) In case of doubt concerning a voter's identity, the precinct election board shall compare the voter's signature with the signature on the affidavit of registration or any certified copy of the signature provided under IC 3-7-29 **or enter the information into the electronic poll list.** If the board determines that the voter's signature is authentic, the voter may then vote. If either poll clerk doubts the voter's identity following comparison of the signatures, the poll clerk shall challenge the voter in the manner prescribed by section 21 of this chapter.

(j) If, in a precinct governed by subsection (g):

- (1) the poll clerk does not execute a challenger's affidavit; or
- (2) the voter executes a challenged voter's affidavit under section 22.1 of this chapter or executed the affidavit before signing the poll list;

the voter may then vote.

(k) **The electronic poll list (or each line on a poll list sheet provided to take a voter's current address) must include a box under the heading "Address Unchanged" so that the poll clerk may check the box for a voter whose residence address shown on the poll list is the voter's current residence address ~~may check the box~~ instead of writing the voter's current residence address on the poll list or reentering the address in the electronic poll list.**

SECTION 15. IC 3-11-8-25.5, AS AMENDED BY P.L.164-2006, SECTION 102, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 25.5. If an individual signs the individual's name and either:

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- (1) signs the individual's address; or
- (2) checks the "Address Unchanged" box;

on the poll list **or provides the information for entry by the poll clerk into the electronic poll list** under section 25.1 of this chapter and then leaves the polls without casting a ballot or after casting a provisional ballot, the voter may not be permitted to reenter the polls to cast a ballot at the election.

SECTION 16. IC 3-11-8-25.7, AS ADDED BY P.L.120-2009, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 25.7. (a) This section applies only to a voter who is a member of the military or public safety officer.

(b) Notwithstanding section 25.5 of this chapter, if a voter signs the voter's name and either:

- (1) writes the voter's address; or
- (2) checks the "Address Unchanged" box;

on the poll list **or provides the information for entry by the poll clerk into the electronic poll list** under section 25.1 of this chapter and then leaves the polls without casting a ballot or after casting a provisional ballot, the voter may reenter the polls to cast a ballot at the election as provided in this section.

(c) A voter who leaves the polls to respond to an emergency in the voter's capacity as a member of the military or public safety officer must notify a precinct election officer that the voter is leaving the polls to respond to an emergency in the voter's capacity as a member of the military or public safety officer.

(d) A poll clerk or assistant poll clerk shall make a notation on the poll list with the voter's name indicating that the voter has left the polls as permitted by this section and the time the voter left the polls.

(e) If the voter returns to the polls, the voter shall be permitted to vote if the voter executes an affidavit stating all of the following:

- (1) The name of the voter.
- (2) That the voter is a member of the military or public safety officer.
- (3) The military or public safety position the voter holds.
- (4) That after the voter signed the poll list, but before the voter voted, the voter was called to respond to an emergency in the voter's capacity as a member of the military or public safety officer.
- (5) A brief description of the emergency to which the voter responded.
- (6) The time at which the voter returned to the polls.
- (f) The commission shall prescribe the form of the affidavit required

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by this section.

SECTION 17. IC 3-11-8-26.1, AS AMENDED BY P.L.164-2006, SECTION 103, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 26.1. (a) If a voter:

- (1) cannot sign; or
- (2) is a voter with a disability that makes it difficult for the voter to sign;

the voter's name and address, the poll clerks shall, by proper interrogation, satisfy themselves that the voter is the person the voter represents the voter to be.

(b) If satisfied as to the voter's identity under subsection (a), one (1) of the poll clerks shall then place the following on the poll list **or enter the information into the electronic poll list:**

- (1) The voter's name.
- (2) Except as provided in subsection (e), the voter's current residence address.

(c) The poll clerks shall:

- (1) ask the voter to provide or update the voter's voter identification number;
- (2) tell the voter the number the voter may use as a voter identification number; and
- (3) explain to the voter that the voter is not required to provide or update a voter identification number at the polls.

(d) The poll clerk shall then add the clerk's initials in parentheses, after or under the signature. The voter then may vote.

(e) **The electronic poll list (or each line on a poll list sheet provided to take a voter's current residence address) must include a box under the heading "Address Unchanged" so that the poll clerk may check the box to indicate that the residence address shown on the poll list is the voter's current residence address instead of writing the voter's current residence address on the poll list or reentering the address in the electronic poll list.**

SECTION 18. IC 5-26.5-2-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. **(a) The definitions set forth in IC 3-5-2 apply to this section.**

(b) A program participant who is otherwise qualified to vote may apply to vote as provided in IC 3-7. The residence address of a program participant shall be recorded in the computerized system as set forth in the voter registration application. However, the voter registration application of the program participant is confidential, and the name and residence address of the program participant shall not be printed on any poll list or made available

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through any electronic poll list provided to precinct election officers.

(c) The program participant may vote in person at the office of the county election board or may vote absentee by mail. The program participant's mailing address shall be recorded in the computerized system as the address of the office of the attorney general. Except as provided in this section, IC 3-11-4-6 applies to a program participant who wishes to vote by absentee ballot.

SECTION 19. IC 20-23-4-35, AS ADDED BY P.L.1-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 35. (a) The governing body of a school corporation may be organized under this section.

(b) The governing body consists of seven (7) members, elected as follows:

(1) Four (4) members elected from districts, with one (1) member serving from each ~~electoral~~ **election** district. A member elected under this subdivision must be:

(A) a resident of the ~~electoral~~ **election** district from which the member is elected; and

(B) voted upon by only the registered voters residing within the ~~electoral~~ **election** district and voting at a governing body election.

(2) Three (3) members, who are voted upon by all the registered voters residing within the school corporation and voting at a governing body election, elected under this subdivision. The governing body shall establish three (3) residential districts as follows:

(A) One (1) residential district must be the township that has the greatest population within the school corporation.

(B) Two (2) residential districts must divide the remaining area within the school corporation.

Only one (1) member who resides within a particular residential district established under this subdivision may serve on the governing body at a time.

(c) A member of the governing body who is:

(1) elected from an electoral or a residential district; or

(2) appointed to fill a vacancy from an electoral or a residential district;

must reside within the boundaries of the district the member represents.

(d) A vacancy on the governing body shall be filled by the governing body as soon as practicable after the vacancy occurs. A member chosen by the governing body to fill a vacancy holds office for

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the remainder of the unexpired term.

(e) The members of the governing body serving at the time a plan is amended under this section shall establish the electoral and residential districts described in subsection (b).

(f) The electoral districts described in subsection (b)(1):

- (1) shall be drawn on the basis of precinct lines;
- (2) may not cross precinct lines; and
- (3) as nearly as practicable, be of equal population, with the population of the largest exceeding the population of the smallest by not more than fifteen percent (15%).

(g) The residential districts described in subsection (b)(2) may:

- (1) be drawn in any manner considered appropriate by the governing body; and
- (2) be drawn along township lines.

(h) The governing body shall certify the districts **that are established under subsections (f) and (g), amended under subsection (e), or recertified under section 35.5 of this chapter** to:

- (1) the state board; and
- (2) the ~~county election board~~ **circuit court clerk of the each county in which the school corporation is located as provided in section 35.5 of this chapter.**

(i) The governing body shall designate:

- (1) three (3) of the districts established under this section to be elected at the first school board election that occurs after the effective date of the plan; and
- (2) the remaining four (4) districts to be elected at the second school board election that occurs after the effective date of the plan.

SECTION 20. IC 20-23-4-35.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 35.5. (a) Not later than December 31, 2013, the governing body shall do the following:**

- (1) **Send a copy of the school corporation's plan to the circuit court clerk of each county in which the school corporation is located.**
- (2) **If any members of the governing body are elected from election districts voted upon by only the registered voters residing within the election district, certify that the election districts comply with section 35(f) and 35(g) of this chapter.**

(b) This subsection applies during the first year after a year in which a federal decennial census is conducted. The governing body shall amend the plan under section 35(e) of this chapter if an

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amendment is necessary to reestablish the districts in compliance with section 35(f) and 35(g) of this chapter. If the governing body determines that a plan amendment under section 35(e) of this chapter is not required, the governing body shall recertify that the districts as established comply with section 35(f) and 35(g) of this chapter.

(c) Each time the school corporation's plan is amended, the governing body shall file the following with the circuit court clerk of each county in which the school corporation is located:

- (1) A copy of the amendment.**
- (2) Either of the following:**
 - (A) A certification that the plan amendment does not require reestablishment of the school corporation's election districts to comply with section 35(f) and 35(g) of this chapter.**
 - (B) If the plan amendment requires reestablishment of the school corporation's election districts to comply with section 35(f) and 35(g) of this chapter, a map of the new district boundaries.**

(d) A plan amendment or recertification under this section must be filed not later than thirty (30) days after the amendment or recertification occurs.

SECTION 21. IC 20-23-7-4, AS ADDED BY P.L.1-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) At the first meeting of the board of commissioners of the county after the creation of the metropolitan school district as provided in this chapter, the board of commissioners shall divide the district into three (3) governing body districts approximately equal in population. Not more than one (1) year after the effective date of each United States decennial census, the board of commissioners shall:

- (1) readjust the boundaries of the districts to equalize the districts by population; or**
- (2) recertify that the boundaries of the districts as drawn comply with this subsection.**

(b) Instead of the division provided under subsection (a), any resolution or petition provided in section 2(a) or 2(b) of this chapter may:

- (1) provide that the metropolitan school district to be created shall be divided into two (2) or more governing body districts;
- (2) describe the governing body member districts;
- (3) provide that one (1) or more members of the governing body



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must reside within each of the governing body member districts;
 (4) set out the number of members to serve from each designated district;

(5) provide that the governing body member districts need not be equal in size or population, and that one (1) board member district may include all the area in the metropolitan school district;

(6) specify that the number of governing body members to be resident in each district need not be an equal number; and

(7) eliminate all requirements that there be governing body member districts.

(c) If the resolution or petition:

(1) does not provide for governing body member districts and designate the number of governing body members to be resident in each district; or

(2) provides for the elimination of governing body member districts;

subsection (a) controls. If either subsection (a) or (b) applies, candidates shall be voted upon by all the registered voters of the metropolitan school district voting at any governing body member election.

SECTION 22. IC 20-23-7-4.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 4.5. (a) Not later than December 31, 2013, the board of commissioners shall do the following:**

(1) Send a copy of the school corporation's plan to the circuit court clerk of each county in which the school corporation is located.

(2) If the any members of the governing body are elected from election districts voted upon by only the registered voters residing within the election district, certify that the election districts comply with section 4 of this chapter.

(b) This subsection applies during the first year after a year in which a federal decennial census is conducted. The board of commissioners shall amend the plan under section 4 of this chapter if an amendment is necessary to reestablish the districts in compliance with section 4 of this chapter. If the board of commissioners determines that a plan amendment under section 4 of this chapter is not required, the board of commissioners shall recertify that the districts as established comply with section 4 of this chapter.

(c) Each time the school corporation's plan is amended, the board of commissioners shall file the following with the circuit

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court clerk of each county in which the school corporation is located:

- (1) A copy of the amendment.
- (2) Either of the following:
 - (A) A certification that the plan amendment does not require reestablishment of the school corporation's election districts to comply with section 4 of this chapter.
 - (B) If the plan amendment requires reestablishment of the school corporation's election districts to comply with section 4 of this chapter, a map of the new district boundaries.

(d) A plan amendment or recertification under this section must be filed not later than thirty (30) days after the amendment or recertification occurs.

SECTION 23. IC 20-23-8-8, AS AMENDED BY P.L.2-2006, SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. (a) A plan is subject to the following limitations:

- (1) A member of the governing body may not serve for a term of more than four (4) years, but a member may succeed himself or herself in office. This limitation does not apply to members who hold over during an interim period to effect a new plan awaiting the selection and qualification of a member under the new plan.
- (2) The plan, if the members are:
 - (A) to be elected, shall conform with one (1) of the types of board organization permitted by IC 20-23-4-27; or
 - (B) appointed, shall conform with one (1) of the types permitted by IC 20-23-4-28.
- (3) The terms of the members of the governing body, either elected to or taking office on or before the time the plan takes effect, may not be shortened. The terms of the members taking office under the plan may be shortened to make the plan workable on a permanent basis.
- (4) If the plan provides for electoral districts, where a member of the governing body is elected solely by the voters of a single district, the districts must be as near as practicable equal in population. The districts shall be reapportioned and their boundaries:
 - (A) changed, if necessary; **or**
 - (B) **recertified, if changes are not necessary;**
 by resolution of the governing body before the election next following the effective date of the subsequent decennial census to

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preserve the equality by resolution of the governing body.

(5) The plan shall comply with the:

(A) Constitution of the State of Indiana; and

(B) Constitution of the United States;

including the equal protection clauses of both constitutions.

(6) The provisions of IC 20-23-4-26 through IC 20-23-4-33 relating to the board of trustees of a community school corporation and to the community school corporation, including provisions relating to powers of the board and corporation and provisions relating to the mechanics of selection of the board, where elected and where appointed, apply to a governing body set up by a plan under this chapter and to the school corporation.

(b) The limitations set forth in this section do not have to be specifically set forth in a plan but are a part of the plan. A plan shall be construed, if possible, to comply with this chapter. If a provision of the plan or an application of the plan violates this chapter, the invalidity does not affect the other provisions or applications of the plan that can be given effect without the invalid provision or application. The provisions of a plan are severable.

SECTION 24. IC 20-23-8-8.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 8.5. (a) Not later than December 31, 2013, the governing body shall do the following:**

(1) Send a copy of the school corporation's plan to the circuit court clerk of each county in which the school corporation is located.

(2) If any members of the governing body are elected from election districts voted upon by only the registered voters residing within the election district, certify that the election districts comply with section 8 of this chapter.

(b) This subsection applies during the first year after a year in which a federal decennial census is conducted. The governing body shall amend the plan under section 8 of this chapter if an amendment is necessary to reestablish the districts in compliance with section 8 of this chapter. If the governing body determines that a plan amendment under section 8 of this chapter is not required, the governing body shall recertify that the districts as established comply with section 8 of this chapter.

(c) Each time the school corporation's plan is amended, the governing body shall file the following with the circuit court clerk of each county in which the school corporation is located:

(1) A copy of the amendment.

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(2) Either of the following:

(A) A certification that the plan amendment does not require reestablishment of the school corporation's election districts to comply with section 8 of this chapter.

(B) If the plan amendment requires reestablishment of the school corporation's election districts to comply with section 8 of this chapter, a map of the new district boundaries.

(d) A plan amendment or recertification under this section must be filed not later than thirty (30) days after the amendment or recertification occurs.

SECTION 25. IC 20-23-15-7.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 7.5. (a) Not later than December 31, 2013, the governing body shall do the following:**

(1) Send a copy of the school corporation's plan to the circuit court clerk of each county in which the school corporation is located.

(2) If any members of the governing body are elected from election districts voted upon by only the registered voters residing within the election district, certify that the election districts comply with section 7 of this chapter.

(b) This subsection applies during the first year after a year in which a federal decennial census is conducted. The governing body shall amend the plan if an amendment is necessary to reestablish the districts in compliance with section 7 of this chapter. If the governing body determines that a plan amendment is not required, the governing body shall recertify that the districts as established comply with section 7 of this chapter.

(c) Each time the school corporation's plan is amended, the governing body shall file the following with the circuit court clerk of each county in which the school corporation is located:

(1) A copy of the amendment.

(2) Either of the following:

(A) A certification that the plan amendment does not require reestablishment of the school corporation's election districts to comply with section 7 of this chapter.

(B) If the plan amendment requires reestablishment of the school corporation's election districts to comply with section 7 of this chapter, a map of the new district boundaries.

(d) A plan amendment or recertification under this section must

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be filed not later than thirty (30) days after the amendment or recertification occurs."

Delete pages 4 through 7.

Page 8, delete lines 1 through 5.

Page 9, line 19, delete "recertify" and insert "**adopt an ordinance recertifying**".

Page 10, line 38, delete "recertify" and insert "**adopt an ordinance recertifying**".

Page 12, line 8, delete "recertify" and insert "**adopt an ordinance recertifying**".

Page 14, line 3, delete "recertify" and insert "**adopt an ordinance recertifying**".

Page 17, line 7, delete "recertify" and insert "**adopt an ordinance recertifying**".

Page 20, line 1, delete "recertify" and insert "**adopt an ordinance recertifying**".

Page 21, line 32, delete "recertify" and insert "**adopt an ordinance recertifying**".

Page 22, line 23, delete "recertify" and insert "**adopt an ordinance recertifying**".

Page 22, after line 31, begin a new paragraph and insert:

"SECTION 34. [EFFECTIVE JULY 1, 2013] (a) **As used in this SECTION, "committee" refers to the census data advisory committee established by IC 2-5-19-2.**

(b) During the 2013 legislative interim, the committee shall do the following:

(1) Study the standards for determining residency for purposes of voting, candidacy, and holding office in Indiana (IC 3-5-5).

(2) Make any recommendations for changing those standards as the committee considers appropriate.

(c) This SECTION expires January 1, 2014."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1311 as introduced.)

SMITH M, Chair

Committee Vote: yeas 12, nays 0.



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HOUSE MOTION

Mr. Speaker: I move that House Bill 1311 be amended to read as follows:

Page 32, after line 3, begin a new paragraph and insert:

"SECTION 35 [EFFECTIVE JULY 1, 2013] (a) As used in this SECTION, "committee" refers to the census data advisory committee established by IC 2-5-19-2.

(b) During the 2013 legislative interim, the committee shall do the following:

(1) Study voter suppression of African-Americans, Latinos, other ethnic minorities, and the elderly.

(2) Make any recommendations for legislation as the committee considers appropriate.

(c) This SECTION expires January 1, 2014."

Renumber all SECTIONS consecutively.

(Reference is to HB 1311 as printed February 15, 2013.)

PRYOR

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