

Adopted Rejected

COMMITTEE REPORT

YES: 10
NO: 0

MR. SPEAKER:

*Your Committee on Elections and Apportionment, to which was referred Senate Bill 388, 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:*

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 3-11-8-11, AS AMENDED BY P.L.221-2005,
- 3 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2013]: Sec. 11. (a) When the hour for closing the polls occurs,
- 5 the precinct election board shall permit all voters who:
- 6 (1) have passed the challengers and who are waiting to announce
- 7 their names to the poll clerks for the purpose of signing the poll
- 8 list;
- 9 (2) have signed the poll list but who have not voted; or
- 10 (3) are in the act of voting;
- 11 to vote. In addition, the inspector shall require all voters who have not
- 12 yet passed the challengers to line up in single file within the chute. The
- 13 poll clerks shall record the names of the voters in the chute, and these
- 14 voters may vote unless otherwise prevented according to law.

1 (b) This subsection applies if a court order (or other order) has been
 2 issued to extend the hours that the polls are open under section 8 of this
 3 chapter. As provided in 42 U.S.C. 15482, the inspector shall identify
 4 the voters who would not otherwise be eligible to vote after the closing
 5 of the polls under subsection (a) and shall provide a provisional ballot
 6 to the voters in accordance with IC 3-11.7.

7 **(c) This section also applies to voting at a vote center under**
 8 **IC 3-11-18.1.**

9 SECTION 2. IC 3-11-8-11.3 IS ADDED TO THE INDIANA CODE
 10 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 11 1, 2013]: **Sec. 11.3. (a) This section applies to a voter casting an**
 12 **absentee ballot at:**

13 **(1) a location of the office of the circuit court clerk designated**
 14 **by the circuit court clerk under IC 3-11-10-26(a)(1);**

15 **(2) the office of the board of elections and registration under**
 16 **IC 3-11-10-26(b)(1); or**

17 **(3) a satellite office established under IC 3-11-10-26.3.**

18 **(b) When the hour for closing the location or office, or the**
 19 **deadline for voting established by IC 3-11-10-26 occurs, a voter**
 20 **who is:**

21 **(1) in the act of voting; or**

22 **(2) in line to vote, as determined in subsection (c);**

23 **shall be permitted to vote, unless otherwise prevented according to**
 24 **law.**

25 **(c) At the time described in subsection (b):**

26 **(1) an individual designated by the circuit court clerk shall**
 27 **determine the end of the line of voters who are waiting to vote**
 28 **at the time described in subsection (b); and**

1 **(2) other individuals designated by the circuit court clerk shall**
2 **record the names of the voters waiting in the line of voters**
3 **determined under subdivision (1).**

(Reference is to SB 388 as reprinted February 8, 2013, Author
Correction.)

and when so amended that said bill do pass.

Representative Smith M