

Adopted	Rejected
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COMMITTEE REPORT

YES:	9
NO:	3

MR. SPEAKER:

*Your Committee on Elections and Apportionment, to which was referred Senate Bill 519, 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 Page 2, between lines 25 and 26, begin a new paragraph and insert:
- 2 "SECTION 4. IC 3-5-2-47.5 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 4 1, 2013]: **Sec. 47.5. "Signing the poll list" means:**
- 5 (1) a voter writing the voter's name on the certified list of
- 6 registered voters for the precinct prepared in accordance with
- 7 IC 3-7-29-1; or
- 8 (2) a voter writing the voter's name on an electronic poll list
- 9 using an electronic signature pad at a polling place, office of
- 10 the circuit court clerk (under IC 3-11-10-26), or satellite office
- 11 (as established under IC 3-11-10-26.3) where the use of an
- 12 electronic poll list is authorized in accordance with
- 13 IC 3-7-29-6."
- 14 Page 2, line 29, after "to" insert "**IC 3-5-2 or**".
- 15 Page 6, line 18, delete "secretary of family and social services" and
- 16 insert "**NVRA official**".

- 1 Page 6, line 19, delete "appointed under IC 12-8-1.5".
- 2 Page 9, between lines 22 and 23, begin a new paragraph and insert:
- 3 "SECTION 37. IC 3-7-26.3-33 IS ADDED TO THE INDIANA
- 4 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE JULY 1, 2013]: **Sec. 33. (a) The computerized list**
- 6 **must have the capacity to receive vote history and other**
- 7 **information from an electronic pollbook certified by the secretary**
- 8 **of state under IC 3-11-18.1-12. This information must be able to be**
- 9 **uploaded into the computerized list on each day after absentee**
- 10 **voting concludes in the circuit court clerk's office, a satellite office,**
- 11 **or a vote center, and after election day.**
- 12 **(b) The computerized list must have the capacity to transmit**
- 13 **electronic images of the signature of a voter taken from the voter's**
- 14 **registration application, if available, to be downloaded in**
- 15 **connection with a voter's record on any electronic poll list certified**
- 16 **by the secretary of state under IC 3-11-18.1-12."**
- 17 Page 12, delete lines 13 through 42, begin a new paragraph and
- 18 insert:
- 19 "SECTION 46. IC 3-7-29-1, AS AMENDED BY P.L.81-2005,
- 20 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 21 JULY 1, 2013]: **Sec. 1. (a) Except as provided in subsection (f), this**
- 22 **section does not apply to a county that:**
- 23 **(1) has adopted an order under section 6 of this chapter; or**
- 24 **(2) is a vote center county under IC 3-11-18.1.**
- 25 ~~(a)~~ **(b)** Not later than ten (10) days before the election at which the
- 26 registration record is to be used, the county voter registration office
- 27 shall prepare certified copies of the list of registered voters for each
- 28 precinct in the county.
- 29 ~~(b)~~ **(c)** The lists must contain the following information concerning
- 30 each registered voter:
- 31 (1) The full name of the voter.
- 32 (2) The address of the voter.
- 33 (3) The assigned ~~county~~ **voter** identification number.
- 34 (4) Whether the voter is required to provide additional
- 35 identification before voting either in person or by absentee ballot.
- 36 **(5) The voter's date of birth, including an indication whether**
- 37 **the voter is less than eighteen (18) years of age for a poll list**
- 38 **used in a primary election.**

- 1 **(6) The scanned signature of the voter.**
- 2 **(7) Whether the voter is required to provide an affirmation of**
- 3 **the voter's residence.**
- 4 **(8) A bar code that allows the county voter registration office**
- 5 **to efficiently record whether the voter has signed the poll list.**
- 6 **(9) For a poll list used in a primary election, a letter**
- 7 **abbreviation of the name of the major political party whose**
- 8 **ballot the voter has requested.**
- 9 **(10) A space for a poll clerk to indicate when a voter has cast**
- 10 **an absentee ballot.**
- 11 **(11) A space for a poll clerk to indicate when a voter has cast**
- 12 **a provisional ballot.**
- 13 **(12) For a voter required to submit additional documentation**
- 14 **required under IC 3-7-33-4.5, a space for a poll clerk to insert**
- 15 **letters serving as an abbreviation for the type of**
- 16 **documentation provided by the voter.**

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

19 **(e) The poll list must also contain a statement at the top of each**
 20 **page indicating that an individual who knowingly makes a false**
 21 **statement by signing a poll list or indicating on a poll list that a**
 22 **voter's address has changed commits a Class D felony as provided**
 23 **by IC 3-14-2-11.**

24 **(f) This subsection applies to a county that has adopted an order**
 25 **under section 6 of this chapter or is a vote center county under**
 26 **IC 3-11-18.1. The precinct election board shall post in a location**
 27 **within the precinct or vote center a notice that:**

28 **(1) is clearly visible to an individual (or to an individual**
 29 **providing assistance under IC 3-11-9) who is providing**
 30 **information to a precinct election officer using an electronic**
 31 **poll list; and**

32 **(2) indicates that an individual commits a Class D felony**
 33 **under IC 3-14-2-11 if the individual knowingly makes a false**
 34 **statement to a precinct election officer:**

- 35 **(A) concerning the individual's name; or**
- 36 **(B) indicating that the individual's address has changed."**

37 Page 13, delete lines 1 through 11.

38 Page 13, delete lines 24 through 42, begin a new paragraph and

1 insert:

2 "SECTION 48. IC 3-7-29-3, AS AMENDED BY P.L.164-2006,
3 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2013]: Sec. 3. When the inspector of a precinct procures the
5 ballots and other election supplies for an election, the inspector shall
6 also procure from the county voter registration office the certified
7 copies of the registration record of the precinct with the information
8 required under section 1 of this chapter **(or an electronic poll list in
9 a county in which an order is adopted under section 6 of this
10 chapter or that is a vote center county under IC 3-11-18.1)** and
11 other necessary registration supplies.

12 SECTION 49. IC 3-7-29-4, AS AMENDED BY P.L.164-2006,
13 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2013]: Sec. 4. **(a) This section does not apply to a county
15 that:**

16 **(1) has adopted an order under section 6 of this chapter; or**

17 **(2) is a vote center county under IC 3-11-18.1.**

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

23 SECTION 50. IC 3-7-29-6 IS ADDED TO THE INDIANA CODE
24 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
25 1, 2013]: Sec. 6. **(a) If a county election board adopts an order to
26 provide an electronic poll list to the inspector for use at a polling
27 place, an office of the circuit court clerk (under IC 3-11-10-26), or
28 a satellite office established under IC 3-11-10-26.3, electronic poll
29 lists may be used at an election (rather than certified poll lists
30 prepared under this chapter).**

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

35 **(c)** The county voter registration office shall download the
36 information required to be available on an electronic poll list
37 before the electronic poll list is delivered and installed as required
38 by IC 3-11-3-11(b).".

- 1 Page 14, delete lines 1 through 16.
- 2 Page 15, line 11, after "IC 3-7-32." insert "**Any version of a form**
- 3 **approved by the commission under section 1 of this chapter before**
- 4 **August 1, 2013, may not be used after December 31, 2013, or**
- 5 **accepted by a county voter registration office under IC 3-5-4-8."**
- 6 Page 19, line 24, after "all" insert "**active**".
- 7 Page 19, line 24, after "voters" insert "**(as defined in**
- 8 **IC 3-11-18.1-2)**".
- 9 Page 22, line 38, strike "an".
- 10 Page 22, line 39, strike "annual" and insert "**a**".
- 11 Page 22, line 42, after "each" insert "**active**".
- 12 Page 22, line 42, after "voter" insert "**(as defined in**
- 13 **IC 3-11-18.1-2)**".
- 14 Page 23, delete lines 2 through 13.
- 15 Page 23, line 14, delete "(c)" and insert "**(b)**".
- 16 Page 25, between lines 18 and 19, begin a new paragraph and insert:
- 17 "SECTION 72. IC 3-7-48-1 IS AMENDED TO READ AS
- 18 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. (a) Except as
- 19 otherwise provided by NVRA or in this chapter, a person whose name
- 20 does not appear on the registration record may not vote, unless the
- 21 ~~circuit court clerk or board of county voter~~ registration ~~provides office~~
- 22 **issues** a signed certificate of error **immediately available for**
- 23 **inspection** in the **county voter registration** office ~~where the~~
- 24 ~~permanent registration record is kept~~ showing that the voter is legally
- 25 registered in the precinct where the voter resides.
- 26 (b) A person whose name does not appear on the registration record
- 27 may cast a provisional ballot as provided in IC 3-11.7.
- 28 SECTION 73. IC 3-7-48-2, AS AMENDED BY P.L.81-2005,
- 29 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 30 JULY 1, 2013]: Sec. 2. A certificate of error issued under section 1 of
- 31 this chapter:
- 32 (1) may be issued at any time after:
- 33 **(A) the production of the certified list under IC 3-7-29; or**
- 34 **(B) the downloading of the information into an electronic**
- 35 **poll list under IC 3-7-29-6(c);**
- 36 (2) shall be executed by the circuit court clerk, or in a county with
- 37 a board of registration, by both members of the board; and
- 38 (3) shall be numbered serially in the method prescribed for entry

1 in the computerized list maintained under IC 3-7-26.3.
 2 SECTION 74. IC 3-7-48-3 IS AMENDED TO READ AS
 3 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. **(a) This section**
 4 **does not apply whenever a county voter registration office provides**
 5 **confirmation of the issuance of a certificate of error to a precinct**
 6 **election officer by transmitting the confirmation through an**
 7 **electronic poll list used at a precinct or vote center.**

8 **(b)** One (1) copy of the certificate of error shall be delivered to the
 9 inspector of the precinct of the voter's residence. The inspector shall
 10 return that copy to the circuit court clerk with other election material
 11 at the close of the polls as provided in this title. ~~The other copy shall be~~
 12 ~~delivered to the county election board and returned to the circuit court~~
 13 ~~clerk when the polls are closed."~~

14 Page 26, delete lines 6 through 42, begin a new paragraph and
 15 insert:

16 "SECTION 77. IC 3-10-1-24, AS AMENDED BY P.L.164-2006,
 17 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2013]: Sec. 24. (a) A voter who desires to vote must give the
 19 voter's name and political party to the poll clerks of the precinct on
 20 primary election day. The poll clerks shall require the voter to write the
 21 following on the poll list **or to provide the following information for**
 22 **entry into the electronic poll list:**

- 23 (1) The voter's name.
 24 (2) Except as provided in subsection (d), the voter's current
 25 residence address.
 26 (3) The name of the voter's party.

- 27 (b) The poll clerks shall:
 28 (1) ask the voter to provide or update the voter's voter
 29 identification number;
 30 (2) tell the voter the number the voter may use as a voter
 31 identification number; and
 32 (3) explain to the voter that the voter is not required to provide a
 33 voter identification number at the polls.

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

38 (d) **The electronic poll list (or each line on a poll list sheet**

1 provided to take a voter's current residence address) must include a box
 2 under the heading "Address Unchanged" so that **the voter may check**
 3 **the box instead of writing the voter's current address on the poll**
 4 **list, or if an electronic poll list is used, the poll clerk may check the**
 5 **box a voter whose after stating to the voter the address shown on**
 6 **the electronic poll list and receiving an oral affirmation from the**
 7 **voter that the voter's** residence address shown on the poll list is the
 8 voter's current residence address ~~may check the box~~ instead of writing
 9 the voter's current residence address on the poll list **or reentering the**
 10 **address in the electronic poll list.**

11 **(e) If the voter makes:**

12 **(1) a written affirmation on the poll list that the voter resides**
 13 **at an address within the precinct but not at the address shown**
 14 **on the poll list for the precinct; or**

15 **(2) an oral affirmation of a change of address under**
 16 **IC 3-7-39-7;**

17 **the county election board shall direct the county voter registration**
 18 **office to transfer the individual's voter registration record to the**
 19 **address within the precinct indicated by the voter."**

20 Page 27, delete lines 1 through 6.

21 Page 27, between lines 20 and 21, begin a new paragraph and insert:

22 "SECTION 79. IC 3-11-3-11, AS AMENDED BY P.L.230-2005,
 23 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2013]: Sec. 11. **(a) Except as provided in subsection (b)**, the
 25 county election board shall deliver the following to each inspector or
 26 the inspector's representative:

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

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

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

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

38 (B) In those precincts where electronic voting systems are to

- 1 be used, the number of ballots that will be required to be
 2 printed and furnished to the precincts for emergency purposes
 3 only.
- 4 (C) Provisional ballots in the number considered necessary by
 5 the county election board.
- 6 (4) Twenty (20) ink pens suitable for printing the names of
 7 write-in candidates on the ballot or ballot envelope.
- 8 (5) Copies of the voter's bill of rights for posting as required by 42
 9 U.S.C. 15482.
- 10 (6) Copies of the instructions for a provisional voter required by
 11 42 U.S.C. 15482. The county election board shall provide at least
 12 the number of copies of the instructions as the number of
 13 provisional ballots provided under subdivision (3).
- 14 **(7) Copies of the notice for posting as required by**
 15 **IC 3-7-29-1(f).**
- 16 **(8) The blank voter registration applications required to be**
 17 **provided under IC 3-7-48-7(b).**
- 18 **(b) This subsection applies to a county that:**
- 19 **(1) has adopted an order under IC 3-7-29-6 of this chapter; or**
 20 **(2) is a vote center county under IC 3-11-18.1.**
- 21 **The county election board shall deliver and install the hardware,**
 22 **firmware, and software necessary to use an electronic poll list in**
 23 **each precinct or vote center."**
- 24 Page 28, delete lines 24 through 42, begin a new paragraph and
 25 insert:
- 26 "SECTION 83. IC 3-11-8-10.3, AS ADDED BY P.L.1-2011,
 27 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2013]: Sec. 10.3. (a) As used in this section, "electronic poll
 29 list" refers to a poll list that is maintained in a computer data base.
- 30 (b) An electronic poll list must satisfy all of the following:
- 31 (1) An electronic poll list must be programmed so that the
 32 coordinated action of two (2) election officers who are not
 33 members of the same political party is necessary to access the
 34 electronic poll list.
- 35 (2) An electronic poll list may not be connected to a voting
 36 system.
- 37 (3) An electronic poll list may not permit access to voter
 38 information other than:

- 1 (A) information provided on the certified list of voters
2 prepared under IC 3-7-29-1; or
3 **(B) information concerning any of the following received**
4 **or issued after the electronic poll list has been downloaded**
5 **by the county election board under IC 3-7-29-6:**
6 (i) The county's receipt of an absentee ballot from the
7 voter.
8 (ii) The county's receipt of additional documentation
9 provided by the voter to the county voter registration
10 office.
11 (iii) The county's issuance of a certificate of error.
12 **(4) The information contained on an electronic poll list must**
13 **be encrypted and placed on a dedicated, private server to**
14 **secure connectivity between a precinct polling place or**
15 **satellite absentee office and the county election board.**
16 **(5) The electronic poll list must permit a poll clerk to enter**
17 **information regarding an individual who has appeared to vote**
18 **to verify whether the individual is eligible to vote and, if so,**
19 **whether the voter has:**
20 **(A) already cast a ballot at the election;**
21 **(B) returned an absentee ballot; or**
22 **(C) submitted any additional documentation required**
23 **under IC 3-7-33-4.5.**
24 **(6) After the voter has been provided with a ballot, the**
25 **electronic poll list must permit a poll clerk to enter**
26 **information indicating that the voter has voted at the election.**
27 **(7) The electronic poll list must transmit the information in**
28 **subdivision (6) to the county election board so that the board**
29 **may transmit the information immediately to every other**
30 **polling place or satellite absentee office in the county in which**
31 **an electronic poll list is being used.**
32 **(8) The electronic poll list must permit reports to be:**
33 **(A) generated by a county election board for a watcher**
34 **appointed under IC 3-6-8 at any time during election day;**
35 **and**
36 **(B) electronically transmitted by the county election board**
37 **to a political party or independent candidate who has**
38 **appointed a watcher under IC 3-6-8.**

- 1 **(9) On each day after absentee ballots are cast before an**
- 2 **absentee voting board in the circuit court clerk’s office, a**
- 3 **satellite office, or a vote center, and after election day, the**
- 4 **electronic poll list must permit voter history to be quickly and**
- 5 **accurately uploaded into the computerized list.**
- 6 **(10) The electronic poll list must be able to display an**
- 7 **electronic image of the signature of a voter taken from the**
- 8 **voter's registration application, if available.**
- 9 **(11) The electronic poll list must be used with a signature pad**
- 10 **that permits the voter to make an electronic signature for**
- 11 **comparison with the signature displayed under subdivision**
- 12 **(10). An image of the electronic signature made by the voter**
- 13 **on the signature pad must be retained and identified as the**
- 14 **signature of the voter for the period required for retention**
- 15 **under IC 3-10-1-31.1.**
- 16 **(12) The electronic poll list must include a bar code reader**
- 17 **that:**
- 18 **(A) permits a voter who presents an Indiana driver's**
- 19 **license or a state identification card issued under**
- 20 **IC 9-24-16 to scan the license or card through the bar code**
- 21 **reader; and**
- 22 **(B) has the capability to display the voter's registration**
- 23 **record upon processing the information contained within**
- 24 **the bar code on the license or card.**
- 25 **(13) The electronic poll list must be compatible with:**
- 26 **(A) any hardware attached to the pollbook, such as**
- 27 **signature pads, bar code scanners, and network cards;**
- 28 **(B) the statewide voter registration system; and**
- 29 **(C) any software system used to prepare voter information**
- 30 **to be included on the electronic poll list.**
- 31 **(14) The electronic poll list must have the ability to be used in**
- 32 **conformity with this title for:**
- 33 **(A) any type of election conducted in Indiana; or**
- 34 **(B) any combination of elections held concurrently with a**
- 35 **general election, municipal election, primary election, or**
- 36 **special election.**
- 37 **(15) The procedures for setting up, using, and shutting down**
- 38 **an electronic poll list must:**

- 1 **(A) be reasonably easy for a precinct election officer to**
- 2 **learn, understand, and perform; and**
- 3 **(B) not require a significant amount of training in addition**
- 4 **to the training required by IC 3-6-6-40.**
- 5 **(16) The electronic poll list must enable a precinct election**
- 6 **officer to verify that the electronic poll list:**
- 7 **(A) has been set up correctly;**
- 8 **(B) is working correctly so as to verify the eligibility of the**
- 9 **voter;**
- 10 **(C) is correctly recording that a voter has voted; and**
- 11 **(D) has been shut down correctly.**
- 12 **(17) The electronic poll list must include the following**
- 13 **documentation:**
- 14 **(A) Plainly worded, complete, and detailed instructions**
- 15 **sufficient for a precinct election officer to set up, use, and**
- 16 **shut down the electronic poll list.**
- 17 **(B) Training materials that:**
- 18 **(i) may be in written or video form; and**
- 19 **(ii) must be in a format suitable for use at a polling place,**
- 20 **such as simple "how to" guides.**
- 21 **(C) Failsafe data recovery procedures for information**
- 22 **included in the electronic poll list.**
- 23 **(D) Usability tests:**
- 24 **(i) that are conducted by the manufacturer of the**
- 25 **electronic poll list using individuals who are**
- 26 **representative of the general public;**
- 27 **(ii) that include the setting up, using, and shutting down**
- 28 **of the electronic poll list; and**
- 29 **(iii) that report their results using the ANSI/INCITS-354**
- 30 **Common Industry Format (CIF) for Usability Test**
- 31 **Reports approved by the American National Standards**
- 32 **Institute (ANSI) on December 12, 2001.**
- 33 **(E) A clear model of the electronic poll list system**
- 34 **architecture and the following documentation:**
- 35 **(i) End user documentation.**
- 36 **(ii) System-level documentation.**
- 37 **(iii) Developer documentation.**
- 38 **(F) Detailed information concerning:**

- 1 (i) electronic poll list consumables; and
- 2 (ii) the vendor's supply chain for those consumables.
- 3 **(G) Vendor internal quality assurance procedures and any**
- 4 **internal or external test data and reports available to the**
- 5 **vendor concerning the electronic poll list.**
- 6 **(H) Repair and maintenance policies for the electronic poll**
- 7 **list.**
- 8 **(I) As of the date of the vendor's application for approval**
- 9 **of the electronic poll list by the secretary of state as**
- 10 **required by IC 3-11-18.1-12(2), the following:**
- 11 (i) A list of customers who are using or have previously
- 12 used the vendor's electronic poll list.
- 13 (ii) A description of any known anomalies involving the
- 14 functioning of the electronic poll list, including how those
- 15 anomalies were resolved.
- 16 **(18) The electronic poll list and any hardware attached to the**
- 17 **pollbook must be designed to prevent injury or damage to any**
- 18 **individual or the hardware, including fire and electrical**
- 19 **hazards.**
- 20 **(19) The electronic poll list must demonstrate that it correctly**
- 21 **processes all activity regarding each voter registration record**
- 22 **included on the list, including the use, alteration, storage, and**
- 23 **transmittal of information that is part of the record.**
- 24 **Compliance with this subdivision requires the mapping of the**
- 25 **data life cycle of the voter registration record as processed by**
- 26 **the electronic poll list.**
- 27 **(20) The electronic poll list must successfully perform in**
- 28 **accordance with all representations concerning functionality,**
- 29 **usability, security, accessibility, and sustainability made in the**
- 30 **vendor's application for approval of the electronic poll list by**
- 31 **the secretary of state as required by IC 3-11-18.1-12(2).**
- 32 **(21) The electronic poll list must:**
- 33 **(A) permit a voter to sign the poll list even when there is a**
- 34 **temporary interruption in connectivity to the Internet; and**
- 35 **(B) provide for the uploading of each signature and its**
- 36 **assignment to the voter's registration record."**

37 Page 29, delete lines 1 through 20.

38 Page 29, delete lines 29 through 42, begin a new paragraph and

1 insert:

2 "SECTION 85. IC 3-11-8-25.1, AS AMENDED BY P.L.53-2009,
3 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2013]: Sec. 25.1. (a) Except as provided in subsection (e), a
5 voter who desires to vote an official ballot at an election shall provide
6 proof of identification.

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

11 (c) If:

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

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

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

19 (d) If the voter executes a challenged voter's affidavit under section
20 22.1 of this chapter, the voter may:

21 (1) sign the poll list; and

22 (2) receive a provisional ballot.

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

26 (f) After a voter has passed the challengers or has been sworn in, the
27 voter shall be instructed by a member of the precinct election board to
28 proceed to the location where the poll clerks are stationed. The voter
29 shall announce the voter's name to the poll clerks or assistant poll
30 clerks. A poll clerk, an assistant poll clerk, or a member of the precinct
31 election board shall require the voter to write the following on the poll
32 list **or to provide the following information for entry into the**
33 **electronic poll list:**

34 (1) The voter's name.

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

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

- 1 (1) ask the voter to provide or update the voter's voter
- 2 identification number;
- 3 (2) tell the voter the number the voter may use as a voter
- 4 identification number; and
- 5 (3) explain to the voter that the voter is not required to provide or
- 6 update a voter identification number at the polls.
- 7 (h) The poll clerk, an assistant poll clerk, or a member of the
- 8 precinct election board shall ask the voter to provide proof of
- 9 identification.
- 10 (i) In case of doubt concerning a voter's identity, the precinct
- 11 election board shall compare the voter's signature with the signature on
- 12 the affidavit of registration or any certified copy of the signature
- 13 provided under IC 3-7-29 **or enter the information into the**
- 14 **electronic poll list.** If the board determines that the voter's signature is
- 15 authentic, the voter may then vote. If either poll clerk doubts the voter's
- 16 identity following comparison of the signatures, the poll clerk shall
- 17 challenge the voter in the manner prescribed by section 21 of this
- 18 chapter.
- 19 (j) If, in a precinct governed by subsection (g):
- 20 (1) the poll clerk does not execute a challenger's affidavit; or
- 21 (2) the voter executes a challenged voter's affidavit under section
- 22 22.1 of this chapter or executed the affidavit before signing the
- 23 poll list;
- 24 the voter may then vote.
- 25 (k) **The electronic poll list (or each line on a poll list sheet**
- 26 **provided to take a voter's current address) must include a box under the**
- 27 **heading "Address Unchanged" so that the voter may check the box**
- 28 **instead of writing the voter's current address on the poll list, or if**
- 29 **an electronic poll list is used, the poll clerk may check the box a**
- 30 **voter whose after stating to the voter the address shown on the**
- 31 **electronic poll list and receiving an oral affirmation from the voter**
- 32 **that the voter's residence address shown on the poll list is the voter's**
- 33 **current residence address may check the box instead of writing the**
- 34 **voter's current residence address on the poll list or reentering the**
- 35 **address in the electronic poll list.**
- 36 (l) **If the voter makes:**
- 37 (1) **a written affirmation on the poll list that the voter resides**
- 38 **at an address within the precinct but not at the address shown**

1 **on the poll list for the precinct; or**
 2 **(2) an oral affirmation of a change of address under**
 3 **IC 3-7-39-7;**
 4 **the county election board shall direct the county voter registration**
 5 **office to transfer the individual's voter registration record to the**
 6 **address within the precinct indicated by the voter.**

7 SECTION 86. IC 3-11-8-25.5, AS AMENDED BY P.L.164-2006,
 8 SECTION 102, IS AMENDED TO READ AS FOLLOWS
 9 [EFFECTIVE JULY 1, 2013]: Sec. 25.5. If an individual signs the
 10 individual's name and either:

11 (1) signs the individual's address; or
 12 (2) checks the "Address Unchanged" box;
 13 **on the poll list or provides the information for entry by the poll**
 14 **clerk into the electronic poll list** under section 25.1 of this chapter
 15 and then leaves the polls without casting a ballot or after casting a
 16 provisional ballot, the voter may not be permitted to reenter the polls
 17 to cast a ballot at the election.

18 SECTION 87. IC 3-11-8-25.7, AS ADDED BY P.L.120-2009,
 19 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2013]: Sec. 25.7. (a) This section applies only to a voter who
 21 is a member of the military or public safety officer.

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

24 (1) writes the voter's address; or
 25 (2) checks the "Address Unchanged" box;
 26 **on the poll list or provides the information for entry by the poll**
 27 **clerk into the electronic poll list** under section 25.1 of this chapter
 28 and then leaves the polls without casting a ballot or after casting a
 29 provisional ballot, the voter may reenter the polls to cast a ballot at the
 30 election as provided in this section.

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

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

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

3 (1) The name of the voter.

4 (2) That the voter is a member of the military or public safety
5 officer.

6 (3) The military or public safety position the voter holds.

7 (4) That after the voter signed the poll list, but before the voter
8 voted, the voter was called to respond to an emergency in the
9 voter's capacity as a member of the military or public safety
10 officer.

11 (5) A brief description of the emergency to which the voter
12 responded.

13 (6) The time at which the voter returned to the polls.

14 (f) The commission shall prescribe the form of the affidavit required
15 by this section.

16 SECTION 88. IC 3-11-8-26.1, AS AMENDED BY P.L.164-2006,
17 SECTION 103, IS AMENDED TO READ AS FOLLOWS
18 [EFFECTIVE JULY 1, 2013]: Sec. 26.1. (a) If a voter:

19 (1) cannot sign; or

20 (2) is a voter with a disability that makes it difficult for the voter
21 to sign;

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

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

28 (1) The voter's name.

29 (2) Except as provided in subsection (e), the voter's current
30 residence address.

31 (c) The poll clerks shall:

32 (1) ask the voter to provide or update the voter's voter
33 identification number;

34 (2) tell the voter the number the voter may use as a voter
35 identification number; and

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

38 (d) The poll clerk shall then add the clerk's initials in parentheses,

1 after or under the signature. The voter then may vote.

2 (e) **The electronic poll list (or** each line on a poll list sheet
 3 provided to take a voter's current residence address) must include a box
 4 under the heading "Address Unchanged" so that **the voter may check**
 5 **the box instead of writing the voter's current address on the poll**
 6 **list, or if an electronic poll list is used,** the poll clerk may check the
 7 box ~~to indicate that the~~ **after stating to the voter the address shown**
 8 **on the electronic poll list and receiving an oral affirmation from**
 9 **the voter that the voter's** residence address shown on the poll list is
 10 the voter's current residence address instead of writing the voter's
 11 current residence address on the poll list **or reentering the address in**
 12 **the electronic poll list.**

13 SECTION 89. IC 3-11-10-26, AS AMENDED BY P.L.225-2011,
 14 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2013]: Sec. 26. (a) This subsection applies to all counties,
 16 except for a county to which IC 3-6-5.2 applies. As an alternative to
 17 voting by mail, a voter is entitled to cast an absentee ballot before an
 18 absentee voter board at any of the following:

19 (1) One (1) location of the office of the circuit court clerk
 20 designated by the circuit court clerk.

21 (2) A satellite office established under section 26.3 of this
 22 chapter.

23 (b) This subsection applies to a county to which IC 3-6-5.2 applies.
 24 As an alternative to voting by mail, a voter is entitled to cast an
 25 absentee ballot before an absentee voter board at any of the following:

26 (1) The office of the board of elections and registration.

27 (2) A satellite office established under section 26.3 of this
 28 chapter.

29 (c) Except for a location designated under subsection (a)(1), a
 30 location of the office of the circuit court clerk must be established as
 31 a satellite office under section 26.3 of this chapter in order to be used
 32 as a location at which a voter is entitled to cast an absentee ballot
 33 before an absentee voter board under this section.

34 (d) The voter must:

35 (1) sign an application on the form prescribed by the commission
 36 under IC 3-11-4-5.1; and

37 (2) provide proof of identification;

38 before being permitted to vote. The application must be received by the

- 1 circuit court clerk not later than the time prescribed by IC 3-11-4-3.
- 2 (e) The voter may vote before the board not more than ~~twenty-nine~~
3 **(29) twenty-eight (28)** days nor later than noon on the day before
4 election day. **If the close of a voter registration period is transferred**
5 **pursuant to IC 3-5-4-1.5 from twenty-nine (29) days to a later date**
6 **due to the Columbus Day holiday, the voter may vote before the**
7 **board on the first day following the day on which the voter**
8 **registration period closes.**
- 9 (f) An absent uniformed services voter who is eligible to vote by
10 absentee ballot in the circuit court clerk's office under IC 3-7-36-14
11 may vote before the board not earlier than ~~twenty-nine (29)~~
12 **twenty-eight (28)** days before the election and not later than noon on
13 election day. **If the close of a voter registration period is transferred**
14 **pursuant to IC 3-5-4-1.5 from twenty-nine (29) days to a later date**
15 **due to the Columbus Day holiday, the voter may vote before the**
16 **board on the first day following the day on which the voter**
17 **registration period closes.** If a voter described by this subsection
18 wishes to cast an absentee ballot during the period beginning at noon
19 on the day before election day and ending at noon on election day, the
20 county election board or absentee voter board may receive and process
21 the ballot at a location designated by resolution of the county election
22 board.
- 23 (g) The absentee voter board in the office of the circuit court clerk
24 must permit voters to cast absentee ballots under this section for at
25 least seven (7) hours on each of the two (2) Saturdays preceding
26 election day.
- 27 (h) Notwithstanding subsection (g), in a county with a population of
28 less than twenty thousand (20,000), the absentee voter board in the
29 office of the circuit court clerk, with the approval of the county election
30 board, may reduce the number of hours available to cast absentee
31 ballots under this section to a minimum of four (4) hours on each of the
32 two (2) Saturdays preceding election day.
- 33 (i) As provided by 42 U.S.C. 15481, a voter casting an absentee
34 ballot under this section must be:
- 35 (1) permitted to verify in a private and independent manner the
36 votes selected by the voter before the ballot is cast and counted;
37 (2) provided with the opportunity to change the ballot or correct
38 any error in a private and independent manner before the ballot is

1 cast and counted, including the opportunity to receive a
2 replacement ballot if the voter is otherwise unable to change or
3 correct the ballot; and

4 (3) notified before the ballot is cast regarding the effect of casting
5 multiple votes for the office and provided an opportunity to
6 correct the ballot before the ballot is cast and counted.

7 (j) As provided by 42 U.S.C. 15481, when an absentee ballot is
8 provided under this section, the board must also provide the voter with:

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

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

13 (k) If:

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

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

19 the voter shall be permitted to cast an absentee ballot and the voter's
20 absentee ballot shall be treated as a provisional ballot.

21 (l) A voter casting an absentee ballot under this section is entitled
22 to cast the voter's ballot in accordance with IC 3-11-9.

23 SECTION 90. IC 3-11-16-4, AS ADDED BY P.L.221-2005,
24 SECTION 95, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JULY 1, 2013]: Sec. 4. The person or entity designated under this
26 chapter to conduct the program shall do the following:

27 (1) Develop and propose procedures and standards for the
28 certification, acquisition, functioning, training, and security for
29 voting systems used to conduct elections in Indiana.

30 (2) Compile and maintain an inventory of all voting systems used
31 to conduct elections in Indiana.

32 (3) Review reports concerning voting systems prepared by
33 independent laboratories and submitted by applicants for voting
34 system certification.

35 (4) Recommend to the commission whether an application for
36 voting system certification should be approved and, if so, whether
37 the approval should be subject to any restrictions or conditions to
38 ensure compliance with Indiana law.

- 1 (5) Perform any additional testing of a voting system necessary to
- 2 determine whether the voting system complies with state law.
- 3 (6) Each year perform random audits of voting systems used to
- 4 conduct Indiana elections and prepare reports indicating whether
- 5 the voting systems have been certified, programmed, and used in
- 6 compliance with Indiana law.
- 7 (7) Review contracts, leases, purchase orders, and amendments to
- 8 those documents concerning the acquisition or maintenance of
- 9 voting systems.
- 10 (8) Assist with the development of quantity purchase agreements
- 11 and other contracts for the lease or purchase of voting systems.
- 12 **(9) Develop and propose procedures and standards for the**
- 13 **certification, acquisition, functioning, training, and security**
- 14 **for electronic pollbooks used to conduct elections in Indiana.**
- 15 ~~(9)~~ **(10)** Perform any other duties related to the approval or use of
- 16 voting systems as provided in:
- 17 (A) state law; or
- 18 (B) the contract described in section 3 of this chapter.

19 SECTION 91. IC 3-11-17-1, AS ADDED BY P.L.221-2005,
 20 SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2013]: Sec. 1. This chapter applies to a voting system **or an**
 22 **electronic pollbook** vendor who sells, leases, installs, implements, or
 23 permits the use of a voting system **or an electronic pollbook** in an
 24 election conducted in Indiana.

25 SECTION 92. IC 3-11-17-2, AS ADDED BY P.L.221-2005,
 26 SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2013]: Sec. 2. In addition to any other penalty imposed, a
 28 vendor who knowingly, recklessly, or negligently sells, leases, installs,
 29 implements, or permits the use of a voting system **or an electronic**
 30 **pollbook** in an election conducted in Indiana in violation of this title is
 31 subject to a civil penalty under this chapter."

32 Page 30, delete lines 1 through 17.

33 Page 30, line 32, delete "." and insert "**for an election that is not**
 34 **being held in each precinct of the county.**".

35 Page 30, line 38, delete "." and insert "**for an election that is not**
 36 **being held in each precinct of the county.**".

37 Page 32, between lines 27 and 28, begin a new paragraph and insert:
 38 "SECTION 95. IC 3-11-18.1-12, AS ADDED BY P.L.1-2011,

1 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2013]: Sec. 12. **(a)** Notwithstanding any other law, the
3 electronic poll list used at each vote center

4 ~~(1)~~ must:

5 **(1)** comply with IC 3-11-8-10.3;

6 ~~(2)~~ **may include an electronic image of the signature of a voter**
7 **taken from the voter's registration application, if available; and**

8 ~~(3)~~ **may (2) be in a format approved by the secretary of state in**
9 **accordance with this section.**

10 **(b) A person who wishes to market, sell, lease, or provide an**
11 **electronic pollbook for use in an election in Indiana must first file**
12 **an application for certification with the election division on a form**
13 **prescribed by the secretary of state.**

14 **(c) The secretary of state shall refer the application to the**
15 **person or entity conducting the voting system technical oversight**
16 **program (VSTOP) established by IC 3-11-16-2.**

17 **(d) The VSTOP shall examine the electronic pollbook with its**
18 **accompanying documentation and file a report with the secretary**
19 **of state indicating:**

20 **(1) whether the electronic pollbook would operate in**
21 **compliance with this title;**

22 **(2) any recommendations regarding the acquisition or use of**
23 **the electronic pollbook; and**

24 **(3) whether VSTOP recommends that the secretary of state**
25 **approve the electronic pollbook under this section, including**
26 **any recommended restrictions that should be placed on the**
27 **secretary of state's approval.**

28 **(e) After the report required by subsection (d) is filed, the**
29 **secretary of state may approve the application for certification,**
30 **permitting the electronic pollbook to be used in an election in**
31 **Indiana.**

32 **(f) A certification under this section expires on December 31 of**
33 **the year following the date of its issuance, unless earlier revoked by**
34 **the secretary of state upon a written finding of good cause for the**
35 **revocation.**

36 SECTION 96. IC 3-11-18.1-14.5 IS ADDED TO THE INDIANA
37 CODE AS A NEW SECTION TO READ AS FOLLOWS
38 [EFFECTIVE JULY 1, 2013]: **Sec. 14.5. Each day after absentee**

1 **voting concludes in the circuit court clerk's office, a satellite office,**
 2 **or a vote center, the county election board shall direct that the vote**
 3 **history be uploaded from each electronic pollbook into the**
 4 **computerized list.**

5 SECTION 97. IC 3-11.5-4-1 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. Each circuit court
 7 clerk shall do the following:

8 (1) Keep a separate absentee ballot record for each precinct in the
 9 county.

10 (2) **This subdivision applies to a county in which the county**
 11 **voter registration office prepares a certified list of all voters**
 12 **registered to vote in each precinct in the county under**
 13 **IC 3-7-29-1.** Certify to each inspector or the inspector's
 14 representative, at the time that the ballots and supplies are
 15 delivered under IC 3-11-3, the names of the voters:

16 (A) to whom absentee ballots were sent or who marked ballots
 17 in person; and

18 (B) whose ballots have been received by the county election
 19 board under IC 3-11-10.

20 (3) **This subdivision applies to a county that has adopted an**
 21 **order to use an electronic poll list under IC 3-7-29-6 or is a**
 22 **voter center county under IC 3-11-18.1. Provide the following**
 23 **information to the county voter registration office so that the**
 24 **information can be included on the electronic poll list under**
 25 **IC 3-7-29-6(c) at the time the county voter registration office**
 26 **downloads information to an electronic poll list under**
 27 **IC 3-7-29-6(c):**

28 (A) **The names of the voters to whom absentee ballots were**
 29 **sent or who marked ballots in person.**

30 (B) **The names of the voters whose ballots have been**
 31 **received by the county election board under IC 3-11-10.**

32 SECTION 98. IC 3-11.5-4-8 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. (a) **This section**
 34 **does not apply to a county that:**

35 (1) **has adopted an order to use an electronic poll list under**
 36 **IC 3-7-29-6; or**

37 (2) **is a vote center county under IC 3-11-18.1;**

38 **if the electronic poll list used at a polling place or vote center is**

1 **immediately updated to indicate that the county received, not later**
 2 **than noon on election day, an absentee ballot from a voter.**

3 ~~(a)~~ **(b)** Each county election board shall certify the names of voters:

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

6 (2) whose ballots have been received by the board under this
 7 chapter;

8 after the certification under section 1 of this chapter and not later than
 9 noon on election day.

10 ~~(b)~~ **(c)** The county election board shall have:

11 (1) the certificates described in subsection ~~(a)~~; **(b)**; and

12 (2) the circuit court clerk's certificates for voters who have
 13 registered and voted under IC 3-7-36-14;

14 delivered to the precinct election boards at their respective polls on
 15 election day by couriers appointed under section 22 of this chapter.

16 ~~(c)~~ **(d)** The certificates shall be delivered not later than 3 p.m. on
 17 election day.

18 SECTION 99. IC 3-11.5-4-9, AS AMENDED BY P.L.225-2011,
 19 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 20 JULY 1, 2013]: Sec. 9. **(a) This section does not apply to a county**
 21 **that:**

22 **(1) has adopted an order to use an electronic poll list under**
 23 **IC 3-7-29-6; or**

24 **(2) is a vote center county under IC 3-11-18.1;**

25 **if the electronic poll list used at a polling place or vote center is**
 26 **immediately updated to indicate that the county received, not later**
 27 **than noon on election day, an absentee ballot from a voter.**

28 ~~(a)~~ **(b)** Upon delivery of the certificates under section 8 of this
 29 chapter to a precinct election board, the inspector shall do the following
 30 in the presence of the poll clerks:

31 (1) Mark the poll list.

32 (2) Attach the certificates of voters who have registered and voted
 33 under IC 3-7-36-14 to the poll list.

34 The poll clerks shall sign the statement printed on the certificate
 35 indicating that the inspector marked the poll list and attached the
 36 certificates under this section in the presence of both poll clerks to
 37 indicate that the absentee ballot of the voter has been received by the
 38 county election board.

1 ~~(b)~~ **(c)** The inspector shall then deposit:
 2 (1) the certificate prepared under section 1 of this chapter;
 3 (2) the certificate prepared under section 8 of this chapter; and
 4 (3) any challenge affidavit executed by a qualified person under
 5 section 16 of this chapter;
 6 in an envelope in the presence of both poll clerks.

7 ~~(c)~~ **(d)** The inspector shall seal the envelope. The inspector and each
 8 poll clerk shall then sign a statement printed on the envelope indicating
 9 that the inspector or poll clerk has complied with the requirements of
 10 this chapter governing the marking of the poll list and certificates.

11 ~~(d)~~ **(e)** The couriers shall immediately return the envelope described
 12 in subsection ~~(b)~~ **(c)** to the county election board. Upon delivering the
 13 envelope to the county election board, each courier shall sign a
 14 statement printed on the envelope indicating that the courier has not
 15 opened or tampered with the envelope since the envelope was delivered
 16 to the courier.

17 SECTION 100. IC 3-11.5-4-11 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 11. **(a) Except as**
 19 **provided in subsection (b),** at any time after the couriers return the
 20 certificate under section 9 of this chapter, absentee ballot counters
 21 appointed under section 22 of this chapter, in the presence of the
 22 county election board, shall, except for a ballot rejected under section
 23 13 of this chapter:

- 24 (1) open the outer or carrier envelope containing an absentee
- 25 ballot envelope and application;
- 26 (2) announce the absentee voter's name; and
- 27 (3) compare the signature upon the application with the signature
- 28 upon the affidavit on the ballot envelope or transmitted affidavit.

29 **(b) This subsection applies to a county that:**
 30 **(1) has adopted an order to use an electronic poll list under**
 31 **IC 3-7-29-6; or**
 32 **(2) is a vote center county under IC 3-11-18.1.**

33 **Immediately after the electronic poll lists used at each polling place**
 34 **or vote center have been updated to indicate that the county**
 35 **received, not later than noon on election day, an absentee ballot**
 36 **from a voter, the absentee ballot counters shall, in a central**
 37 **counting location designated by the county election board, count**
 38 **the absentee ballot votes cast for each candidate for each office and**

1 **on each public question in the precinct.**

2 SECTION 101. IC 3-11.5-4-15 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 15. (a) **Except as**
4 **provided in subsection (c)**, the vote of an absentee voter may be
5 challenged at the polls for the reason that the absentee voter is not a
6 legal voter of the precinct where the ballot is being cast.

7 (b) **This subsection applies** before the inspector prepares to mark
8 the poll list to indicate that an absentee ballot cast by the voter has been
9 received by the county election board according to a certificate
10 delivered to the polls under section 1 or section 8 of this chapter. The
11 inspector shall notify the challengers and the pollbook holders that the
12 inspector is about to mark the poll list under this section. The inspector
13 shall provide the challengers and pollbook holders with the name and
14 address of each voter listed in the certificate so that the voter may be
15 challenged under this article.

16 (c) **This section applies to a county that:**

17 (1) **has adopted an order to use an electronic poll list under**
18 **IC 3-7-29-6; or**

19 (2) **is a vote center county under IC 3-11-18.1.**

20 **The vote of an absentee ballot may be challenged for the reason**
21 **that the absentee voter is not a legal voter of the precinct for which**
22 **the absentee ballot was issued. Before the absentee ballot counters**
23 **process an absentee ballot, the absentee ballot counters shall notify**
24 **the county election board. A county election board member, or a**
25 **representative designated by the county election board member,**
26 **may challenge the counting of an absentee ballot.**

27 (d) The challenge under this section must be determined using
28 the procedures for counting a provisional ballot under IC 3-11.7.

29 SECTION 102. IC 3-11.5-4-16, AS AMENDED BY P.L.164-2006,
30 SECTION 120, IS AMENDED TO READ AS FOLLOWS
31 [EFFECTIVE JULY 1, 2013]: Sec. 16. (a) If an absentee ballot is
32 challenged under section 15 of this chapter, the absentee voter's
33 application for an absentee ballot shall be considered as the affidavit
34 required to be made by a voter when challenged at the polls while
35 voting in person.

36 (b) Except as provided in subsection (c), the challenge procedure
37 under this section is the same as though the ballot was cast by the voter
38 in person.

1 (c) An absentee voter is not required to provide proof of
2 identification.

3 (d) **This subsection does not apply to a county that:**

4 (1) **has adopted an order to use an electronic poll list under**
5 **IC 3-7-29-6; or**

6 (2) **is a vote center county under IC 3-11-18.1.**

7 If a proper affidavit by a qualified person in the form required by
8 IC 3-11-8-22.1 is made that would entitle the absentee voter to vote if
9 the absentee voter had personally appeared, the couriers shall return the
10 affidavit to the county election board in the same envelope as the
11 certificate returned under section 9 of this chapter.

12 (e) The absentee ballot cast by the challenged voter shall be counted
13 if the county election board makes the findings required under ~~section~~
14 ~~11 of this chapter.~~ **IC 3-11.7.**

15 SECTION 103. IC 3-11.5-4-22 IS AMENDED TO READ AS
16 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 22. (a) Except as
17 provided in subsection (b), each county election board shall appoint:

- 18 (1) absentee voter boards;
- 19 (2) teams of absentee ballot counters; and
- 20 (3) teams of couriers;

21 consisting of two (2) voters of the county, one (1) from each of the two
22 (2) political parties that have appointed members on the county
23 election board.

24 (b) Notwithstanding subsection (a), a county election board:

25 (1) may appoint, by a unanimous vote of the board's members,
26 only one (1) absentee ballot courier if the person appointed is a
27 voter of the county; **and**

28 (2) **shall not appoint teams of couriers, if the county:**

29 (A) **has adopted an order to use an electronic poll list**
30 **under IC 3-7-29-6; or**

31 (B) **is a vote center county under IC 3-11-18.1.**

32 (c) An otherwise qualified person is eligible to serve on an absentee
33 voter board or as an absentee ballot counter or a courier unless the
34 person:

- 35 (1) is unable to read, write, and speak the English language;
- 36 (2) has any property bet or wagered on the result of the election;
- 37 (3) is a candidate to be voted for at the election except as an
38 unopposed candidate for precinct committeeman or state

1 convention delegate; or
 2 (4) is the spouse, parent, father-in-law, mother-in-law, child,
 3 son-in-law, daughter-in-law, grandparent, grandchild, brother,
 4 sister, brother-in-law, sister-in-law, uncle, aunt, nephew, or niece
 5 of a candidate or declared write-in candidate to be voted for at the
 6 election except as an unopposed candidate. This subdivision
 7 disqualifies a person whose relationship to the candidate is the
 8 result of birth, marriage, or adoption.

9 (d) A person who is a candidate to be voted for at the election or
 10 who is related to a candidate in a manner that would result in
 11 disqualification under subsection (c) may, notwithstanding subsection
 12 (c), serve as a member of an absentee voter board if:

- 13 (1) the candidate is seeking nomination or election to an office in
- 14 an election district that does not consist of the entire county; and
- 15 (2) the county election board restricts the duties of the person as
- 16 an absentee voter board member to performing functions that
- 17 could have no influence on the casting or counting of absentee
- 18 ballots within the election district.

19 SECTION 104. IC 3-11.5-4-24, AS AMENDED BY P.L.221-2005,
 20 SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2013]: Sec. 24. **(a) This section does not apply to a county**
 22 **that:**

- 23 **(1) has adopted an order to use an electronic poll list under**
- 24 **IC 3-7-29-6; or**
- 25 **(2) is a vote center county under IC 3-11-18.1.**

26 ~~(a)~~ **(b)** In addition to the preparations described in IC 3-11-11-2,
 27 IC 3-11-13-27, or IC 3-11-14-16, the inspector shall:

- 28 (1) mark the poll list; and
- 29 (2) attach the certificates of voters who have registered and voted
- 30 under IC 3-7-36-14 to the poll list;

31 in the presence of the poll clerks to indicate the voters of the precinct
 32 whose absentee ballots have been received by the county election board
 33 according to the certificate supplied under section 1 of this chapter.

34 ~~(b)~~ **(c)** The poll clerks shall sign the statement printed on the
 35 certificate supplied under section 1 of this chapter indicating that the
 36 inspector:

- 37 (1) marked the poll list; and
- 38 (2) attached the certificates described in subsection ~~(a)~~**(2)**; **(b)****(2)**;

1 under this section in the presence of both poll clerks.

2 (e) (d) The inspector shall retain custody of the certificate supplied
3 under section 1 of this chapter until the certificate is returned under
4 section 9 of this chapter.

5 SECTION 105. IC 3-11.5-5-3 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) **Except as**
7 **provided in subsection (b)**, immediately after:

8 (1) the couriers have returned the certificate from a precinct under
9 IC 3-11.5-4-9; and

10 (2) the absentee ballot counters or the county election board have
11 made the findings required under IC 3-11-10 and IC 3-11.5-4 for
12 the absentee ballots cast by voters of the precinct and deposited
13 the accepted absentee ballots in the envelope required under
14 IC 3-11.5-4-12;

15 the absentee ballot counters shall, in a central counting location
16 designated by the county election board, count the absentee ballot votes
17 for each candidate for each office and on each public question in the
18 precinct.

19 (b) **This subsection applies to a county that:**

20 (1) **has adopted an order to use an electronic poll list under**
21 **IC 3-7-29-6; or**

22 (2) **is a vote center county under IC 3-11-18.1.**

23 **Immediately after the electronic poll lists used at each polling place**
24 **or vote center have been updated to indicate that the county**
25 **received, not later than noon on election day, an absentee ballot**
26 **from a voter, the absentee ballot counters shall, in a central**
27 **counting location designated by the county election board, count**
28 **the absentee ballot votes cast for each candidate for each office and**
29 **on each public question in the precinct.**

30 SECTION 106. IC 3-11.5-6-3 IS AMENDED TO READ AS
31 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) **Except as**
32 **provided in subsection (b)**, immediately after:

33 (1) the couriers have returned the certificate from a precinct under
34 IC 3-11.5-4-9; and

35 (2) the absentee ballot counters or the county election board has
36 made the findings required under IC 3-11-10 and IC 3-11.5-4 for
37 the absentee ballots cast by voters of the precinct and deposited
38 the accepted absentee ballots in the envelope required under

1 IC 3-11.5-4-12;
2 the absentee ballot counters shall, in a central counting location
3 designated by the county election board, count the absentee ballot votes
4 for each candidate for each office and on each public question in the
5 precinct with the assistance of any persons required for the operation
6 of the automatic tabulating machine.

- 7 **(b) This subsection applies to a county that:**
8 **(1) has adopted an order to use an electronic poll list under**
9 **IC 3-7-29-6; or**
10 **(2) is a vote center county under IC 3-11-18.1.**

11 **Immediately after the electronic poll lists used at each polling place**
12 **or vote center have been updated to indicate that the county**
13 **received, not later than noon on election day, an absentee ballot**
14 **from a voter, the absentee ballot counters shall, in a central**
15 **counting location designated by the county election board, count**
16 **the absentee ballot votes cast for each candidate for each office and**
17 **on each public question in the precinct.**

18 SECTION 107. IC 3-14-1-17 IS ADDED TO THE INDIANA
19 CODE AS A NEW SECTION TO READ AS FOLLOWS
20 [EFFECTIVE JULY 1, 2013]: **Sec. 17. (a) As used in this section,**
21 **"government employee" refers to any of the following:**

- 22 **(1) An employee of the state.**
23 **(2) An employee of a political subdivision.**
24 **(3) A special state appointee (as defined in IC 4-2-6-1).**

25 **(b) As used in this section, "government employer" refers to the**
26 **state or a political subdivision.**

27 **(c) As used in this section, "property" refers only to the**
28 **following:**

- 29 **(1) Equipment, goods, and materials, including mail and**
30 **messaging systems.**
31 **(2) Money.**

32 **(d) A government employee may not knowingly or intentionally**
33 **do any of the following:**

- 34 **(1) Use the property of the employee's government employer**
35 **to do any of the following:**
36 **(A) Solicit a contribution.**
37 **(B) Advocate the election or defeat of a candidate.**
38 **(C) Advocate the approval or defeat of a public question.**

- 1 **(2) Distribute campaign materials advocating:**
- 2 **(A) the election or defeat of a candidate; or**
- 3 **(B) the approval or defeat of a public question;**
- 4 **on the government employer's real property during regular**
- 5 **working hours.**

6 **This subsection does not prohibit activities permitted under**
 7 **IC 6-1.1-20.**

8 **(e) A government employee who knowingly or intentionally**
 9 **performs several actions described in subsection (d) in a connected**
 10 **series that are closely related in time, place, and circumstance may**
 11 **be charged with only one (1) violation of this section for that**
 12 **connected series of actions.**

13 **(f) A government employee who violates this section commits a**
 14 **Class A misdemeanor. However, the offense is a Class D felony if**
 15 **the person has a prior unrelated conviction under this section."**

16 Page 32, line 41, after "mail." insert "**The absentee ballot**
 17 **application of a program participant is confidential."**

18 Page 35, delete lines 24 through 37, begin a new paragraph and
 19 insert:

20 "SECTION 115. IC 16-35-1.6-7 IS AMENDED TO READ AS
 21 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. A designated
 22 employee may use any of the following methods to transmit voter
 23 registration applications or declinations under section 5 ~~or~~ 6 of this
 24 chapter:

- 25 (1) Hand delivery to the circuit court clerk or board of
- 26 registration.
- 27 (2) ~~Certified Delivery by the United States Postal Service,~~
- 28 **using first class mail. return receipt requested."**

29 Page 36, between lines 5 and 6, begin a new paragraph and insert:

30 "SECTION 116. IC 35-51-3-1, AS ADDED BY P.L.70-2011,
 31 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JULY 1, 2013]: Sec. 1. The following statutes define crimes in ~~IC 3-~~

33 **IC 3-14-1:**

- 34 IC 3-14-1-1 (Concerning elections).
- 35 IC 3-14-1-2 (Concerning elections).
- 36 IC 3-14-1-3 (Concerning elections).
- 37 IC 3-14-1-6 (Concerning elections).
- 38 IC 3-14-1-7 (Concerning elections).

- 1 IC 3-14-1-10 (Concerning elections).
- 2 IC 3-14-1-10.5 (Concerning elections).
- 3 IC 3-14-1-11 (Concerning elections).
- 4 IC 3-14-1-13 (Concerning elections).
- 5 IC 3-14-1-14 (Concerning elections).
- 6 IC 3-14-1-14.5 (Concerning elections).
- 7 **IC 3-14-1-17 (Concerning election campaign violations).**
- 8 ~~IC 3-14-2-1 (Concerning voting):~~
- 9 ~~IC 3-14-2-2 (Concerning voting):~~
- 10 ~~IC 3-14-2-2.5 (Concerning voting):~~
- 11 ~~IC 3-14-2-3 (Concerning voting):~~
- 12 ~~IC 3-14-2-4 (Concerning voting):~~
- 13 ~~IC 3-14-2-5 (Concerning voting):~~
- 14 ~~IC 3-14-2-6 (Concerning voting):~~
- 15 ~~IC 3-14-2-7 (Concerning voting):~~
- 16 ~~IC 3-14-2-8 (Concerning voting):~~
- 17 ~~IC 3-14-2-9 (Concerning voting):~~
- 18 ~~IC 3-14-2-10 (Concerning voting):~~
- 19 ~~IC 3-14-2-11 (Concerning voting):~~
- 20 ~~IC 3-14-2-12 (Concerning voting):~~
- 21 ~~IC 3-14-2-13 (Concerning voting):~~
- 22 ~~IC 3-14-2-14 (Concerning voting):~~
- 23 ~~IC 3-14-2-15 (Concerning voting):~~
- 24 ~~IC 3-14-2-16 (Concerning voting):~~
- 25 ~~IC 3-14-2-17 (Concerning voting):~~
- 26 ~~IC 3-14-2-18 (Concerning voting):~~
- 27 ~~IC 3-14-2-19 (Concerning voting):~~
- 28 ~~IC 3-14-2-20 (Concerning voting):~~
- 29 ~~IC 3-14-2-21 (Concerning voting):~~
- 30 ~~IC 3-14-2-22 (Concerning voting):~~
- 31 ~~IC 3-14-2-23 (Concerning voting):~~
- 32 ~~IC 3-14-2-24 (Concerning voting):~~
- 33 ~~IC 3-14-2-25 (Concerning voting):~~
- 34 ~~IC 3-14-2-26 (Concerning voting):~~
- 35 ~~IC 3-14-2-27 (Concerning voting):~~
- 36 ~~IC 3-14-2-28 (Concerning voting):~~
- 37 ~~IC 3-14-2-29 (Concerning voting):~~
- 38 ~~IC 3-14-2-30 (Concerning voting):~~

- 1 ~~IC 3-14-3-1.1 (Concerning voting):~~
2 ~~IC 3-14-3-2 (Concerning voting):~~
3 ~~IC 3-14-3-3 (Concerning voting):~~
4 ~~IC 3-14-3-4 (Concerning voting):~~
5 ~~IC 3-14-3-5 (Concerning voting):~~
6 ~~IC 3-14-3-6 (Concerning voting):~~
7 ~~IC 3-14-3-7 (Concerning voting):~~
8 ~~IC 3-14-3-8 (Concerning voting):~~
9 ~~IC 3-14-3-9 (Concerning voting):~~
10 ~~IC 3-14-3-10 (Concerning voting):~~
11 ~~IC 3-14-3-11 (Concerning voting):~~
12 ~~IC 3-14-3-12 (Concerning voting):~~
13 ~~IC 3-14-3-13 (Concerning voting):~~
14 ~~IC 3-14-3-14 (Concerning voting):~~
15 ~~IC 3-14-3-15 (Concerning voting):~~
16 ~~IC 3-14-3-16 (Concerning voting):~~
17 ~~IC 3-14-3-17 (Concerning voting):~~
18 ~~IC 3-14-3-18 (Concerning voting):~~
19 ~~IC 3-14-3-19 (Concerning voting):~~
20 ~~IC 3-14-3-20 (Concerning voting):~~
21 ~~IC 3-14-3-20.5 (Concerning voting):~~
22 ~~IC 3-14-3-21 (Concerning voting):~~
23 ~~IC 3-14-3-21.5 (Concerning voting):~~
24 ~~IC 3-14-4-1 (Concerning elections):~~
25 ~~IC 3-14-4-2 (Concerning elections):~~
26 ~~IC 3-14-4-3 (Concerning elections):~~
27 ~~IC 3-14-4-3.5 (Concerning elections):~~
28 ~~IC 3-14-4-4 (Concerning elections):~~
29 ~~IC 3-14-4-6 (Concerning elections):~~
30 ~~IC 3-14-4-7 (Concerning elections):~~
31 ~~IC 3-14-4-8 (Concerning elections):~~
32 ~~IC 3-14-4-9 (Concerning elections):~~
33 ~~IC 3-14-4-10 (Concerning elections):~~
34 ~~IC 3-14-6-1.1 (Concerning elections):~~
35 ~~IC 3-14-6-2 (Concerning elections):~~
36 SECTION 117. IC 35-51-3-2 IS ADDED TO THE INDIANA
37 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
38 [EFFECTIVE JULY 1, 2013]: **Sec. 2. The following statutes define**

- 1 **crimes in IC 3-14-2:**
- 2 **IC 3-14-2-1 (Concerning voting).**
- 3 **IC 3-14-2-2 (Concerning voting).**
- 4 **IC 3-14-2-2.5 (Concerning voting).**
- 5 **IC 3-14-2-3 (Concerning voting).**
- 6 **IC 3-14-2-4 (Concerning voting).**
- 7 **IC 3-14-2-5 (Concerning voting).**
- 8 **IC 3-14-2-6 (Concerning voting).**
- 9 **IC 3-14-2-7 (Concerning voting).**
- 10 **IC 3-14-2-8 (Concerning voting).**
- 11 **IC 3-14-2-9 (Concerning voting).**
- 12 **IC 3-14-2-10 (Concerning voting).**
- 13 **IC 3-14-2-11 (Concerning voting).**
- 14 **IC 3-14-2-12 (Concerning voting).**
- 15 **IC 3-14-2-13 (Concerning voting).**
- 16 **IC 3-14-2-14 (Concerning voting).**
- 17 **IC 3-14-2-15 (Concerning voting).**
- 18 **IC 3-14-2-16 (Concerning voting).**
- 19 **IC 3-14-2-17 (Concerning voting).**
- 20 **IC 3-14-2-18 (Concerning voting).**
- 21 **IC 3-14-2-19 (Concerning voting).**
- 22 **IC 3-14-2-20 (Concerning voting).**
- 23 **IC 3-14-2-21 (Concerning voting).**
- 24 **IC 3-14-2-22 (Concerning voting).**
- 25 **IC 3-14-2-23 (Concerning voting).**
- 26 **IC 3-14-2-24 (Concerning voting).**
- 27 **IC 3-14-2-25 (Concerning voting).**
- 28 **IC 3-14-2-26 (Concerning voting).**
- 29 **IC 3-14-2-27 (Concerning voting).**
- 30 **IC 3-14-2-28 (Concerning voting).**
- 31 **IC 3-14-2-29 (Concerning voting).**
- 32 **IC 3-14-2-30 (Concerning voting).**

33 SECTION 118. IC 35-51-3-3 IS ADDED TO THE INDIANA
 34 CODE AS A NEW SECTION TO READ AS FOLLOWS
 35 [EFFECTIVE JULY 1, 2013]: **Sec. 3. The following statutes define**

- 36 **crimes in IC 3-14-3:**
- 37 **IC 3-14-3-1.1 (Concerning voting).**
- 38 **IC 3-14-3-2 (Concerning voting).**

- 1 **IC 3-14-3-3 (Concerning voting).**
- 2 **IC 3-14-3-4 (Concerning voting).**
- 3 **IC 3-14-3-5 (Concerning voting).**
- 4 **IC 3-14-3-6 (Concerning voting).**
- 5 **IC 3-14-3-7 (Concerning voting).**
- 6 **IC 3-14-3-8 (Concerning voting).**
- 7 **IC 3-14-3-9 (Concerning voting).**
- 8 **IC 3-14-3-10 (Concerning voting).**
- 9 **IC 3-14-3-11 (Concerning voting).**
- 10 **IC 3-14-3-12 (Concerning voting).**
- 11 **IC 3-14-3-13 (Concerning voting).**
- 12 **IC 3-14-3-14 (Concerning voting).**
- 13 **IC 3-14-3-15 (Concerning voting).**
- 14 **IC 3-14-3-16 (Concerning voting).**
- 15 **IC 3-14-3-17 (Concerning voting).**
- 16 **IC 3-14-3-18 (Concerning voting).**
- 17 **IC 3-14-3-19 (Concerning voting).**
- 18 **IC 3-14-3-20 (Concerning voting).**
- 19 **IC 3-14-3-20.5 (Concerning voting).**
- 20 **IC 3-14-3-21 (Concerning voting).**
- 21 **IC 3-14-3-21.5 (Concerning voting).**

22 SECTION 119. IC 35-51-3-4 IS ADDED TO THE INDIANA
 23 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 2013]: **Sec. 4. The following statutes define**
 25 **crimes in IC 3-14-4:**

- 26 **IC 3-14-4-1 (Concerning elections).**
- 27 **IC 3-14-4-2 (Concerning elections).**
- 28 **IC 3-14-4-3 (Concerning elections).**
- 29 **IC 3-14-4-3.5 (Concerning elections).**
- 30 **IC 3-14-4-4 (Concerning elections).**
- 31 **IC 3-14-4-6 (Concerning elections).**
- 32 **IC 3-14-4-7 (Concerning elections).**
- 33 **IC 3-14-4-8 (Concerning elections).**
- 34 **IC 3-14-4-9 (Concerning elections).**
- 35 **IC 3-14-4-10 (Concerning elections).**

36 SECTION 120. IC 35-51-3-6 IS ADDED TO THE INDIANA
 37 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2013]: **Sec. 6. The following statutes define**

- 1 **crimes in IC 3-14-6:**
- 2 **IC 3-14-6-1.1 (Concerning elections).**
- 3 **IC 3-14-6-2 (Concerning elections)."**
- 4 Renumber all SECTIONS consecutively.
(Reference is to SB 519 as printed February 19, 2013.)

and when so amended that said bill do pass.

Representative Smith M