

---

---

# SENATE BILL No. 519

---

## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 3-5; IC 3-6; IC 3-7; IC 3-10-1; IC 3-11; IC 5-26.5-2-5; IC 12-14; IC 12-15-1.5; IC 16-35-1.6.

**Synopsis:** Various election law matters. Makes changes in the standards for determining residency of voters and candidates. Establishes the voter education outreach fund to receive, hold, and disburse funds for education and outreach to citizens concerning voter rights and responsibilities. Removes references to "pastors". Permits county vote center plans to use other titles to designate precinct election officials (rather than inspector, judge, poll clerk, assistant poll clerk, or election sheriff). Provides that the county vote center plan must specify which precinct election officer is to perform a duty required of a precinct election officer by the election code. Requires the secretary of family and social services to designate the agencies required to provide voter registration services. Provides that the subscription of an entity to statewide voter registration file information expires on the first January 1 following payment of the annual fee. Amends the requirements concerning precinct polling place lists to update a reference to voter identification number and to add birth dates. Permits a vote center county to use notices mailed to the active voters of the county (or provided at the vote center) and presented at a vote center for the purpose of obtaining a voter's signature when casting a ballot (rather than having the voter sign a printed poll list). Requires the National Voter Registration Act (NVRA) official to conduct an annual residency confirmation and outreach procedure. Requires comparison of voter lists from certain neighboring states and others with the Indiana voter registration list to identify duplicate registrations. Requires a county voter registration office to cancel the registration of a voter if the office receives certain notices of the voter's  
(Continued next page)

C  
o  
p  
y

**Effective:** Upon passage; July 1, 2013.

---

---

## Landske

---

---

January 14, 2013, read first time and referred to Committee on Elections.

---

---



death. Requires the state department of health and the election division to obtain certain information about the deaths of Indiana residents for purposes of maintaining voter registration records. Establishes procedures for county processing of voter registration record cancellations. Permits the county election board of a county that is not a vote center county to adopt an order to use electronic poll lists. Establishes additional standards for electronic poll lists. Permits the family and social services administration and the state department of health to transmit voter registration applications by first class mail. (Current law requires the use of certified mail, when mail is used.) Appropriates \$1,000,000 from the state general fund to the voter education outreach fund for each year of the 2013-2015 biennium for voter education and outreach. Appropriates \$365,000 from the state general fund to perform certain duties relating to the voting system technical oversight program. Appropriates \$2,500,000 from the state general fund for each year of the 2013-2015 biennium to provide management services for the statewide voter registration system. Appropriates \$1,500,000 from the state general fund for address confirmation mailings to voters. Makes technical changes. Repeals: (1) obsolete procedures relating to designation of voter registration agencies; (2) a requirement for counties to have an NVRA implementation plan; (3) requirements relating to making memoranda of voter registration documents; (4) statutes relating to pasters; (5) sample ballots; and (6) delivery of absentee ballot applications.

C  
o  
p  
y



Introduced

First Regular Session 118th General Assembly (2013)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

C  
O  
P  
Y

## SENATE BILL No. 519

A BILL FOR AN ACT to amend the Indiana Code concerning elections and to make an appropriation.

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

1 SECTION 1. IC 3-5-2-16.4 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2013]: **Sec. 16.4. "Domicile" means residence, as determined**  
4 **under IC 3-5-5.**

5 SECTION 2. IC 3-5-2-23.2 IS AMENDED TO READ AS  
6 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 23.2. (a) Except as  
7 provided in subsection (b), "expedited basis" refers to the processing  
8 of:

- 9 (1) a voter registration application;
- 10 (2) a cancellation of a voter registration application;
- 11 (3) a transfer of a voter registration application; or
- 12 (4) another document that creates or amends the voter registration
- 13 record of an individual;
- 14 not later than forty-eight (48) hours after the document is received by
- 15 a county voter registration office or an agency required under IC 3-7 to



1 transmit voter registration documents to a county voter registration  
2 office.

3 (b) If a voter registration application or other document listed in  
4 subsection (a) includes a partial Social Security number that must be  
5 submitted to the Commissioner of Social Security for verification under  
6 42 U.S.C. 405(r), "expedited basis" refers to the processing of the  
7 application or document not later than forty-eight (48) hours after the  
8 bureau of motor vehicles commission receives verification from the  
9 Commissioner regarding the partial Social Security number.

10 (c) **This subsection applies to the processing of a voter**  
11 **registration document described in subsection (a)(1) that is**  
12 **received by a county voter registration office not more than seven**  
13 **(7) days before the close of a registration period under**  
14 **IC 3-7-13-10. The processing of a document subject to this**  
15 **subsection on an "expedited basis" refers to processing not later**  
16 **than seven (7) days following the receipt of the document.**

17 SECTION 3. IC 3-5-2-26.4 IS ADDED TO THE INDIANA CODE  
18 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
19 1, 2013]: **Sec. 26.4. "Inhabitant", for purposes of:**

20 (1) **Article 4, Section 7 of the Constitution of the State of**  
21 **Indiana; and**

22 (2) **Article 6, Section 4 of the Constitution of the State of**  
23 **Indiana;**

24 **means a person who resides at a location, as determined under**  
25 **IC 3-5-5.**

26 SECTION 4. IC 3-5-5-0.5 IS ADDED TO THE INDIANA CODE  
27 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
28 1, 2013]: **Sec. 0.5. For purposes of this chapter, an individual's**  
29 **"immediate family" includes the spouse, children, stepchildren,**  
30 **parents, or grandparents of the individual.**

31 SECTION 5. IC 3-5-5-3 IS AMENDED TO READ AS FOLLOWS  
32 [EFFECTIVE JULY 1, 2013]: **Sec. 3. (a) A person does not have**  
33 **residence in more than one (1) precinct within Indiana.**

34 **(b) For purposes of this chapter, a person does not have**  
35 **residence both within Indiana and outside Indiana.**

36 SECTION 6. IC 3-5-5-5 IS AMENDED TO READ AS FOLLOWS  
37 [EFFECTIVE JULY 1, 2013]: **Sec. 5. As provided in Article 2, Section**  
38 **4 of the Constitution of the State of Indiana, a person is not considered**  
39 **to have lost does not lose residence in a precinct in Indiana by reason**  
40 **of the person's absence on the business of:**

41 (1) the state of Indiana; or

42 (2) the United States.

C  
o  
p  
y



1 SECTION 7. IC 3-5-5-6 IS AMENDED TO READ AS FOLLOWS  
 2 [EFFECTIVE JULY 1, 2013]: Sec. 6. **(a)** Sections 7 through 17 of this  
 3 chapter establish presumptions regarding the residency of a person in  
 4 a precinct. A person can rebut these presumptions by demonstrating  
 5 intent to reside in another precinct and conduct taken to implement that  
 6 intent.

7 **(b) An individual who makes a statement regarding the**  
 8 **residence of the individual, under the penalties for perjury, is**  
 9 **presumed to reside at the location specified by the individual, as of**  
 10 **the date of making the statement.**

11 SECTION 8. IC 3-5-5-7, AS AMENDED BY P.L.164-2006,  
 12 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2013]: Sec. 7. **Subject to section 6 of this chapter**, a person  
 14 does not gain residency in a precinct into which the person moves for:

- 15 (1) temporary employment;  
 16 (2) educational purposes; **or**  
 17 **(3) preparing to purchase or occupy a residence; or**  
 18 **(4) other purposes;**

19 without the intent of making a permanent home in the precinct.

20 SECTION 9. IC 3-5-5-8 IS AMENDED TO READ AS FOLLOWS  
 21 [EFFECTIVE JULY 1, 2013]: Sec. 8. **Subject to section 6 of this**  
 22 **chapter**, if a person ~~moves into~~ **is physically present within** another  
 23 state with the intention of making that state the person's residence, the  
 24 person loses residency in Indiana.

25 SECTION 10. IC 3-5-5-9 IS AMENDED TO READ AS FOLLOWS  
 26 [EFFECTIVE JULY 1, 2013]: Sec. 9. **Subject to section 6 of this**  
 27 **chapter**, if a person ~~moves to~~ **is physically present within** another  
 28 state with the intention of remaining in the other state for an indefinite  
 29 time as a place of residence, the person loses residency in Indiana, even  
 30 if the person intends to return at some time.

31 SECTION 11. IC 3-5-5-10 IS AMENDED TO READ AS  
 32 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 10. **Subject to section**  
 33 **6 of this chapter**, if a person ~~moves into~~ **is physically present within**  
 34 another precinct in Indiana with the intention of making that precinct  
 35 the person's residence, the person loses residency in the precinct that  
 36 the person left.

37 SECTION 12. IC 3-5-5-13 IS AMENDED TO READ AS  
 38 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 13. **Subject to section**  
 39 **6 of this chapter**, if a person:

- 40 (1) is living at a place other than the residence of the person's  
 41 immediate family; and  
 42 (2) has the intention of remaining at that place **and engages in**

C  
o  
p  
y



1           **conduct to carry out that intent;**  
 2 the place where the person lives is the person's residence.

3           SECTION 13. IC 3-5-5-14 IS AMENDED TO READ AS  
 4 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 14. **Subject to section**  
 5 **6 of this chapter**, a married person who does not live in a household  
 6 with the person's spouse may establish a separate residence from the  
 7 residence of the person's spouse **by intending to do so and engaging**  
 8 **in conduct to carry out that intent.**

9           SECTION 14. IC 3-5-5-15 IS AMENDED TO READ AS  
 10 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 15. **Subject to section**  
 11 **6 of this chapter**, the residence of a person who:

12           (1) is unmarried; and

13           (2) does not have an immediate family;

14 is where the person usually sleeps **if that is the intent of the person,**  
 15 **and the person engages in conduct to carry out that intent.**

16           SECTION 15. IC 3-6-3.7-4 IS ADDED TO THE INDIANA CODE  
 17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 18 1, 2013]: Sec. 4. (a) **The voter education outreach fund is**  
 19 **established for the purpose of receiving, holding, and disbursing**  
 20 **funds for education and outreach to citizens concerning voter**  
 21 **rights and responsibilities, including voter identification**  
 22 **requirements.**

23           (b) **The fund shall be administered by the secretary of state.**

24           (c) **The expenses of administering the fund shall be paid from**  
 25 **money in the fund.**

26           (d) **The treasurer of state shall invest the money in the fund not**  
 27 **currently needed to meet the obligations of the fund in the same**  
 28 **manner as other public money may be invested.**

29           (e) **Money in the fund at the end of a state fiscal year does not**  
 30 **revert to the state general fund.**

31           (f) **Money in the fund is appropriated continuously for the**  
 32 **purposes described in subsection (a).**

33           SECTION 16. IC 3-6-5-14, AS AMENDED BY P.L.221-2005,  
 34 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2013]: Sec. 14. (a) Each county election board, in addition to  
 36 duties otherwise prescribed by law, shall do the following:

37           (1) ~~Adopt and amend a written plan to implement NVRA within~~  
 38 ~~the county:~~

39           (2) **(1) Conduct all elections and administer the election laws**  
 40 **within the county, except as provided in IC 3-8-5 and IC 3-10-7**  
 41 **for town conventions and municipal elections in certain small**  
 42 **towns.**

C  
O  
P  
Y



1           ~~(3)~~ **(2)** Prepare all ballots.  
2           ~~(4)~~ **(3)** Distribute all ballots ~~and pasters~~ to all of the precincts in  
3           the county.  
4           (b) ~~This subsection does not apply to pasters to be attached to~~  
5           ~~ballots during the final three (3) days before an election:~~ Not later than  
6           the Monday before distributing ballots ~~pasters~~, and voting systems to  
7           the precincts in the county, the county election board shall notify the  
8           county chairman of each major political party and, upon request, the  
9           chairman of any other bona fide political party in the county, that  
10          sample ballots ~~and pasters~~ are available for inspection.  
11          SECTION 17. IC 3-6-6-5.5 IS ADDED TO THE INDIANA CODE  
12          AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY  
13          1, 2013]: **Sec. 5.5. (a) This section applies in a county using vote**  
14          **centers under IC 3-11-18.1.**  
15          **(b) The county vote center plan:**  
16                  **(1) may use other titles to designate precinct election officers;**  
17                  **and**  
18                  **(2) must specify which precinct election officer is to perform**  
19                  **a duty required under this title to be performed by a precinct**  
20                  **election officer.**  
21          **(c) A precinct election officer in a vote center county shall**  
22          **comply with section 7 of this chapter.**  
23          SECTION 18. IC 3-7-11-1 IS AMENDED TO READ AS  
24          FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. The co-directors of  
25          the ~~commission election division~~ are jointly designated under 42  
26          U.S.C. 1973gg-8 as the chief state election official responsible for the  
27          coordination of state responsibilities under NVRA.  
28          SECTION 19. IC 3-7-12-26 IS AMENDED TO READ AS  
29          FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 26. Each county fiscal  
30          body shall appropriate an adequate amount of funds for the ~~electoral~~  
31          ~~court clerk or board of county voter~~ registration **office** to conduct:  
32                  (1) the voter list maintenance activity under this article; and  
33                  (2) the mailing of notices required under the voter list  
34                  maintenance program.  
35          SECTION 20. IC 3-7-12-27 IS AMENDED TO READ AS  
36          FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 27. (a) The circuit court  
37          clerk (or **in a county with a board of registration, the members of**  
38          **the board of registration) members** shall, ~~following the cancellation of~~  
39          ~~voter registrations as provided by the voter list maintenance program~~  
40          ~~under this article;~~ **not later than noon seventy-seven (77) days before**  
41          **each general, primary, or municipal election,** file an affidavit under  
42          affirmation with the election division.

COPY



1 (b) The affidavit must be on a form prescribed by the commission  
 2 and must state that the ~~clerk or board~~ **county voter registration office**  
 3 has:

- 4 (1) conducted the voter list maintenance program under this  
 5 article; and  
 6 (2) canceled the registrations required under the voter list  
 7 maintenance program.

8 SECTION 21. IC 3-7-16-2.5 IS ADDED TO THE INDIANA CODE  
 9 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY  
 10 1, 2013]: **Sec. 2.5. The secretary of family and social services**  
 11 **appointed under IC 12-8-1.5 shall designate the agencies required**  
 12 **to provide voter registration services under this chapter after**  
 13 **determining the extent to which:**

- 14 (1) **an agency's programs are funded by the state; and**  
 15 (2) **the agency is primarily engaged in serving persons with**  
 16 **disabilities.**

17 SECTION 22. IC 3-7-16-3 IS REPEALED [EFFECTIVE JULY 1,  
 18 2013]. ~~Sec. 3: The commission shall determine if an agency is required~~  
 19 ~~to provide voter registration services under NVRA and this chapter.~~

20 SECTION 23. IC 3-7-16-4 IS REPEALED [EFFECTIVE JULY 1,  
 21 2013]. ~~Sec. 4: Before making a determination under section 3 of this~~  
 22 ~~chapter, the commission shall do the following:~~

- 23 (1) ~~Notify the governing body of the agency that the agency may~~  
 24 ~~be required to provide voter registration services under this~~  
 25 ~~chapter and NVRA.~~  
 26 (2) ~~Conduct a public hearing on the matter.~~

27 SECTION 24. IC 3-7-16-5 IS REPEALED [EFFECTIVE JULY 1,  
 28 2013]. ~~Sec. 5: The commission shall accept evidence at the public~~  
 29 ~~hearing concerning the extent to which:~~

- 30 (1) ~~the agency's programs are funded by the state; and~~  
 31 (2) ~~the agency is primarily engaged in serving persons with~~  
 32 ~~disabilities.~~

33 SECTION 25. IC 3-7-16-6 IS REPEALED [EFFECTIVE JULY 1,  
 34 2013]. ~~Sec. 6: The commission may only accept evidence at the hearing~~  
 35 ~~concerning the agency's cost in complying with NVRA or this chapter~~  
 36 ~~to determine when an order issued under section 7 of this chapter~~  
 37 ~~should take effect.~~

38 SECTION 26. IC 3-7-16-7 IS REPEALED [EFFECTIVE JULY 1,  
 39 2013]. ~~Sec. 7: If the commission determines that the agency is required~~  
 40 ~~to provide voter registration services under NVRA and this chapter, the~~  
 41 ~~NVRA official shall issue an order specifying the date that the agency~~  
 42 ~~must begin providing voter registration services and prescribing any~~



C  
o  
p  
y

1 other procedures reasonably necessary for the agency to comply with  
2 NVRA:

3 SECTION 27. IC 3-7-16-8 IS REPEALED [EFFECTIVE JULY 1,  
4 2013]. Sec. 8: An order issued under section 7 of this chapter expires  
5 when the earlier of the following occurs:

6 (1) Ten (10) years after the date that an agency is required to  
7 begin providing voter registration services:

8 (2) When revoked by the NVRA official after a public hearing as  
9 provided in this chapter:

10 SECTION 28. IC 3-7-21-2 IS REPEALED [EFFECTIVE JULY 1,  
11 2013]. Sec. 2: Each county election board shall file the county's NVRA  
12 implementation plan adopted under IC 3-6-5-14 with the election  
13 division:

14 SECTION 29. IC 3-7-21-3 IS REPEALED [EFFECTIVE JULY 1,  
15 2013]. Sec. 3: A county NVRA implementation plan may recommend  
16 that additional federal, state, and local governmental offices (or  
17 nongovernmental offices) within the county be designated as voter  
18 registration agencies:

19 SECTION 30. IC 3-7-21-4 IS REPEALED [EFFECTIVE JULY 1,  
20 2013]. Sec. 4: The commission shall review each county NVRA  
21 implementation plan and determine the following:

22 (1) Whether the voter registration agencies located within the  
23 county will adequately implement the legislative findings and  
24 purposes set forth in NVRA and this article:

25 (2) Whether designating an office recommended as a voter  
26 registration agency under section 3 of this chapter will implement  
27 the legislative findings and purposes:

28 SECTION 31. IC 3-7-21-5 IS REPEALED [EFFECTIVE JULY 1,  
29 2013]. Sec. 5: (a) If the commission determines that the voter  
30 registration agencies located within the county will not adequately  
31 implement NVRA or this article, the commission shall recommend an  
32 amendment to the county NVRA implementation plan to ensure that  
33 NVRA and this article are adequately implemented:

34 (b) Unless the county election board files a written protest with the  
35 NVRA official not later than noon thirty (30) days after the commission  
36 recommends the plan amendment, the plan is amended as provided in  
37 the recommendation. A written protest under this subsection is referred  
38 to the commission for final determination:

39 (c) If recommended in the county NVRA implementation plan:

40 (1) as filed under section 2 of this chapter; or

41 (2) as amended under subsection (b);

42 the county election board shall enter into an agreement to designate an

C  
O  
P  
Y



1 office described in the plan as a voter registration agency. An  
 2 agreement under this subsection is subject to review and approval by  
 3 the commission.

4 SECTION 32. IC 3-7-21-5.5 IS ADDED TO THE INDIANA CODE  
 5 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 6 1, 2013]: **Sec. 5.5. The designation of an office as a voter  
 7 registration agency under a county NVRA implementation plan  
 8 before July 1, 2013, remains in effect until otherwise ordered by  
 9 the county election board.**

10 SECTION 33. IC 3-7-21-6 IS AMENDED TO READ AS  
 11 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. **(a)** For the purposes  
 12 of this chapter, the officer, board, entity, or agency that has the  
 13 authority to enter into an agreement with the county election board is  
 14 the "governing body" under ~~IC 3-17-18~~. **IC 3-7-18.**

15 **(b) A county election board, by unanimous vote of its entire  
 16 membership, may enter into an agreement to designate an office  
 17 located within the county as a voter registration agency.**

18 SECTION 34. IC 3-7-26.3-29 IS AMENDED TO READ AS  
 19 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 29. **(a)** The  
 20 computerized list must include voter registration management features  
 21 that do the following:

- 22 (1) Automatically assign voter identification numbers in  
 23 accordance with this title.
- 24 (2) Calculate the number of registered voters by precinct or any  
 25 election district.
- 26 (3) Permit expedited web based inquiries concerning polling  
 27 place locations.
- 28 (4) Track and report all voter list maintenance transactions  
 29 performed within the system.
- 30 (5) Permit tracking regarding the political party ballot requested  
 31 by voters voting in a primary.
- 32 (6) Generate a variety of reports on paper ~~compact disc~~, or floppy  
 33 disc format, such as walking lists, call lists, lists of voters by  
 34 precinct, lists of voters by name, date of birth, or date of  
 35 registration, and lists of voters by other household data.
- 36 (7) Identify voters who are currently less than eighteen (18) years  
 37 of age.
- 38 (8) Permit electronic processing of voter registration information  
 39 received as files from other state and federal agencies.
- 40 (9) Provide flexible query functions for management and  
 41 statistical reports, including the ability of the secretary of state or  
 42 a co-director of the election division to view individual voter

C  
o  
p  
y



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

registration records.  
(10) Contain full audit controls and management reports to track and manage the work of county voter registration office employees, including the ability of the secretary of state or the co-directors of the election division to determine whether a county voter registration office is performing voter list maintenance functions in the manner required by IC 3-7.

**(b) The reports and lists generated under subsection (a)(6) and (a)(7) may not contain any information described by IC 3-7-26.4-8(c), except when provided to a person who:**

- (1) is entitled to a complete compilation of the voter registration information; and**
- (2) has paid the annual fee required under IC 3-7-26.4 for the current calendar year.**

SECTION 35. IC 3-7-26.4-12, AS AMENDED BY P.L.164-2006, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 12. (a) This section does not apply to the chief justice of the supreme court or to a person described by section 8 of this chapter.

(b) Notwithstanding IC 5-14-3-8, the election division shall charge each person described by section 6 of this chapter an annual **subscription** fee of five thousand dollars (\$5,000) to receive the following:

- (1) A complete compilation of the voter registration information contained in the computerized list.
- (2) Updates of the voter registration information made during the year covered by the fee.

**(c) A subscription to the statewide voter registration system information expires on the first January 1 following the payment of the subscription fee.**

SECTION 36. IC 3-7-27-6, AS AMENDED BY P.L.225-2011, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. (a) As required under 42 U.S.C. 1973gg-6(i), a county voter registration office shall retain records concerning the implementation of programs and activities conducted for the purpose of ensuring the accuracy and currency of the voter registration list. These records include the following:

- (1) Lists of names and addresses of voters who were sent notices under the voter list maintenance program.
- (2) Information concerning whether a voter has responded to a notice described by subdivision (1) as of the date the inspection of the record is made.

C  
o  
p  
y



1 (b) The county voter registration office shall retain the records  
2 described by this section for at least two (2) years. Except for records  
3 concerning declinations to register to vote or that indicate the identity  
4 of a voter registration agency where a person registered, the county  
5 voter registration office shall make the records available for public  
6 inspection and photocopying at a reasonable cost as provided in  
7 IC 5-14-3.

8 (c) In accordance with IC 5-14-3-3(h) and notwithstanding any other  
9 statute, a county voter registration office shall, with regard to voter  
10 registration information concerning voters of the county on a  
11 computerized system, act in accordance with a nondiscriminatory  
12 uniform policy adopted by the county election board. The policy must  
13 either permit a person to duplicate or obtain a duplicate copy of a  
14 ~~computer tape; computer disc microfilm;~~ or other similar record system  
15 that contains this voter registration information or not permit the person  
16 to duplicate or obtain a duplicate copy of the information.  
17 **Notwithstanding IC 5-14-3-8, the county election board may adopt**  
18 **a nondiscriminatory uniform fee for the production of this**  
19 **electronic record.**

20 (d) A person who requests computerized voter registration  
21 information under subsection (c) must provide a written statement that  
22 the person will not:

- 23 (1) use the information to solicit merchandise, goods, services, or  
24 subscriptions; or
  - 25 (2) sell, loan, give away, or otherwise deliver the information  
26 obtained by the request to any other person;
- 27 for a purpose other than political activities or political fundraising  
28 activities.

29 (e) Publication of information obtained under subsection (d) in a  
30 news broadcast or newspaper is not prohibited.

31 SECTION 37. IC 3-7-27-8 IS REPEALED [EFFECTIVE JULY 1,  
32 2013]. ~~Sec. 8: In a county that has a board of registration, the board~~  
33 ~~shall have prepared a memorandum for each voter's original affidavit~~  
34 ~~of registration or transfer of an original registration executed by the~~  
35 ~~board.~~

36 SECTION 38. IC 3-7-27-9 IS REPEALED [EFFECTIVE JULY 1,  
37 2013]. ~~Sec. 9: The memorandum must indicate the name, assigned~~  
38 ~~identification number, street and number, ward, and precinct of each~~  
39 ~~resident voter of the county who has executed an original affidavit of~~  
40 ~~registration. For a resident voter of the county who executes a transfer~~  
41 ~~of an original registration or a change of name, the memorandum must~~  
42 ~~indicate the name, the assigned identification number, and the former~~

C  
o  
p  
y



1 and present addresses by street and number, ward, and precinct.

2 SECTION 39. IC 3-7-27-10 IS REPEALED [EFFECTIVE JULY 1,  
3 2013]. Sec. 10: The board of registration shall retain the original copies  
4 of all memoranda or microfilmed copies of the memoranda as part of  
5 the board's records until disposal of the record is permitted under this  
6 article after cancellation of the registration.

7 SECTION 40. IC 3-7-28-1 IS AMENDED TO READ AS  
8 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. The circuit court  
9 clerk or board of county voter registration office shall provide a copy  
10 of voter registration memoranda as described in IC 3-7-27-8  
11 information to certain county chairmen and candidates as provided in  
12 this chapter.

13 SECTION 41. IC 3-7-28-2 IS AMENDED TO READ AS  
14 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. (a) This section does  
15 not apply to confidential information included on a voter registration  
16 application.

17 (b) Copies of A report containing information regarding all  
18 registration applications executed under this article during that part of  
19 a registration period ending sixty-five (65) days before a primary,  
20 general, or municipal election shall be forwarded not later than sixty  
21 (60) days before the election to the following upon request:

- 22 (1) Each of the county chairmen of the major political parties of  
23 the county.
- 24 (2) The chairman of the following:
  - 25 (A) A bona fide political party that has at least one (1)  
26 candidate on the ballot of the election.
  - 27 (B) An independent candidate's committee if the candidate is  
28 on the ballot at the election.

29 SECTION 42. IC 3-7-28-3 IS AMENDED TO READ AS  
30 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. Copies of (a) This  
31 section does not apply to confidential information included on a  
32 voter registration application.

33 (b) A report containing information regarding all memoranda  
34 registration applications executed under this article during that part  
35 of a registration period beginning sixty-five (65) days before a primary,  
36 general, or municipal election and ending twenty-nine (29) days before  
37 the election shall be forwarded daily and within forty-eight (48) hours  
38 of the date on which the memoranda were originally made to the  
39 following upon request:

- 40 (1) Each of the county chairmen of the major political parties of  
41 the county.
- 42 (2) The chairman of the following:

C  
o  
p  
y



- 1 (A) A bona fide political party that has at least one (1)
- 2 candidate on the ballot of the election.
- 3 (B) An independent candidate's committee if the candidate is
- 4 on the ballot at the election.

5 SECTION 43. IC 3-7-29-1, AS AMENDED BY P.L.81-2005,  
 6 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2013]: Sec. 1. **(a) This section does not apply to a county:**

- 8 **(1) that has adopted an order under section 6 of this chapter;**
- 9 **or**
- 10 **(2) in which vote centers are used under IC 3-11-18.1.**

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

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

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

22 **(5) The voter's date of birth.**

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

25 **(e) The list must also contain a statement at the top of each page**  
 26 **indicating that an individual who knowingly makes a false**  
 27 **statement by signing the voter's list or indicating whether the**  
 28 **voter's address has changed is punishable under IC 3-14-2-11 as a**  
 29 **Class D felony.**

30 SECTION 44. IC 3-7-29-1.5 IS ADDED TO THE INDIANA CODE  
 31 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 32 1, 2013]: Sec. 1.5. **(a) This subsection applies to a county:**

- 33 **(1) that has adopted an order under section 6 of this chapter;**
- 34 **or**
- 35 **(2) in which vote centers are used under IC 3-11-18.1.**

36 **(b) Not later than ten (10) days before an election, the county**  
 37 **voter registration office shall mail a notice of the election to each**  
 38 **active voter (as defined in IC 3-11-18.1-2) of the county. The notice**  
 39 **under this subsection must provide the following:**

- 40 **(1) Information regarding the locations of vote centers in the**
- 41 **county.**
- 42 **(2) A space for the voter to sign the notice.**

C  
o  
p  
y



1           **(3) Instructions for the voter to return the signed notice to a**  
2           **vote center location to cast a ballot.**

3           SECTION 45. IC 3-7-29-2 IS AMENDED TO READ AS  
4           FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. **(a) This section**  
5           **does not apply to a county:**

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

8           **(2) in which vote centers are used under IC 3-11-18.1.**

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

15           SECTION 46. IC 3-7-29-3, AS AMENDED BY P.L.164-2006,  
16           SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
17           JULY 1, 2013]: Sec. 3. When the inspector of a precinct procures the  
18           ballots and other election supplies for an election, the inspector shall  
19           also procure from the county voter registration office the certified  
20           copies of the registration record of the precinct with the information  
21           required under section 1 of this chapter **(or an electronic poll list in**  
22           **a county in which vote centers are used under IC 3-11-18.1 or an**  
23           **order is adopted under section 6 of this chapter)** and other necessary  
24           registration supplies.

25           SECTION 47. IC 3-7-29-4, AS AMENDED BY P.L.164-2006,  
26           SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
27           JULY 1, 2013]: Sec. 4. **(a) This section does not apply to a county:**

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

30           **(2) in which:**

31           **(A) vote centers are used under IC 3-11-18.1; and**

32           **(B) an electronic poll list containing available scanned**  
33           **images of the signatures of voters is provided at the vote**  
34           **centers.**

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

40           SECTION 48. IC 3-7-29-6 IS ADDED TO THE INDIANA CODE  
41           AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY  
42           1, 2013]: **Sec. 6. If a county election board adopts an order to**

C  
o  
p  
y



1 provide an electronic poll list to the inspector for use at a polling  
 2 place or at a satellite office established under IC 3-11-10-26.3,  
 3 electronic poll lists may be used at an election (rather than certified  
 4 poll lists prepared under this chapter).

5 SECTION 49. IC 3-7-31-2 IS AMENDED TO READ AS  
 6 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. Except as provided  
 7 under section 3 of this chapter, a circuit court clerk or board of the  
 8 county voter registration office shall use the forms prescribed by the  
 9 commission under section 1 of this chapter.

10 SECTION 50. IC 3-7-31-3 IS AMENDED TO READ AS  
 11 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. A circuit court clerk  
 12 or board of county voter registration office may make minor  
 13 modifications to registration forms to use the form in the county  
 14 registration records after filing a copy of the modified form with the  
 15 election division.

16 SECTION 51. IC 3-7-31-5 IS AMENDED TO READ AS  
 17 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) The registration  
 18 forms prescribed under section 1 of this chapter must:

- 19 (1) provide for the residence address and the mailing address of
- 20 the individual completing the forms;
- 21 (2) contain a statement that a notice of disposition of the person's
- 22 registration application will be mailed to the mailing address of
- 23 the individual; and
- 24 (3) require the applicant to provide the applicant's voter
- 25 identification number;
- 26 (4) after December 31, 2013, require an individual subject to
- 27 IC 3-7-32-8 who receives a completed application from the
- 28 applicant to state on the application the name and residence
- 29 address of the individual and the date on which the individual
- 30 received the application from the applicant, with this
- 31 statement being sworn or affirmed under the penalties for
- 32 perjury; and
- 33 (5) after December 31, 2013, contain a receipt to be given by
- 34 an individual subject to IC 3-7-32-8 to the applicant when the
- 35 individual receives the completed application.

36 The receipt provided under subdivision (5) must state the name  
 37 and residence address of the individual and the date on which the  
 38 individual took custody of the application.

39 (b) Not later than August 1, 2013, the commission shall act  
 40 under IC 3-5-4-8 to approve a voter registration form that  
 41 complies with this section and IC 3-7-32.

42 SECTION 52. IC 3-7-32-7 IS AMENDED TO READ AS

C  
O  
P  
Y



1 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) If the voter is  
 2 unable to ~~write~~, **execute an original registration application in a**  
 3 **manner authorized under section 1 of this chapter**, the voter may  
 4 procure another individual to **assist with the execution of the**  
 5 **application.**

6 (b) **If the voter is unable to sign the application, the person**  
 7 **assisting the voter may write the voter's name and in the space**  
 8 **provided for the voter's signature. Unless the voter is physically**  
 9 **unable to do so, the voter shall also make the voter's mark in the**  
 10 **space provided for the voter's signature.**

11 (c) The person ~~writing in the name of the voter assisting the voter~~  
 12 **with the execution of the application** shall also write the person's own  
 13 name and **residence** address on the affidavit **in the space indicated for**  
 14 **that purpose.**

15 SECTION 53. IC 3-7-32-8 IS ADDED TO THE INDIANA CODE  
 16 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 17 1, 2013]: Sec. 8. (a) **This section does not apply to a voter**  
 18 **registration application received by any of the following:**

19 (1) **An employee of a license branch acting in accordance with**  
 20 **IC 3-7-14.**

21 (2) **An employee of a public assistance agency acting in**  
 22 **accordance with IC 3-7-15.**

23 (3) **An employee of an agency serving persons with disabilities**  
 24 **acting in accordance with IC 3-7-16.**

25 (4) **An employee of an office designated under IC 3-7-18**  
 26 **acting in accordance with that chapter.**

27 (5) **An employee of an office designated under IC 3-7-19**  
 28 **acting in accordance with that chapter.**

29 (6) **An employee of the office of the department of**  
 30 **employment and training services acting in accordance with**  
 31 **IC 3-7-20.5.**

32 (7) **An employee of the United States Postal Service or a**  
 33 **bonded courier company, acting in the individual's capacity**  
 34 **as an employee of the United States Postal Service or a**  
 35 **bonded courier company.**

36 (8) **A member of the applicant's household.**

37 (9) **An applicant's attorney in fact under IC 30-5-5-14.**

38 (b) **After December 31, 2013, an individual who receives a**  
 39 **completed application form shall file the application with the**  
 40 **appropriate county voter registration office not later than:**

41 (1) **noon ten (10) days after the individual receives the**  
 42 **application; or**

C  
o  
p  
y



1           (2) the deadline set by state law for filing the application with  
 2           the county voter registration office;  
 3           **whichever occurs first.**

4           (c) If a person receives a completed voter registration  
 5           application that the person has reason to believe is materially false,  
 6           fictitious, or fraudulent, the person shall deliver the application to  
 7           the appropriate county election board not later than the deadline  
 8           set forth in subsection (b), with a statement sworn or affirmed to  
 9           under the penalties for perjury, setting forth the reasons why the  
 10          person believes the application may be materially false, fictitious,  
 11          or fraudulent. The county election board shall act under  
 12          **IC 3-6-5-31 to determine if a violation of election law has occurred.**

13          SECTION 54. IC 3-7-33-3.7, AS ADDED BY P.L.225-2011,  
 14          SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 15          JULY 1, 2013]: Sec. 3.7. (a) This section applies to a voter registration  
 16          application submitted to the election division in person or by mail.

17          (b) An eligible applicant:

- 18           (1) who submits a completed application; or  
 19           (2) on whose behalf a completed application is submitted;

20          in person to the election division not later than 5 p.m. on the  
 21          twenty-ninth day before an election shall be registered to vote in the  
 22          election.

23          (c) An eligible applicant:

- 24           (1) who submits a completed application; or  
 25           (2) on whose behalf a completed application is submitted;

26          by mail to the election division shall be registered to vote in the  
 27          election, if the application is postmarked not later than the twenty-ninth  
 28          day before the election. If a postmark on an application submitted by  
 29          mail is missing or illegible, an eligible applicant shall be registered to  
 30          vote in the election, if the application is received by the election  
 31          division not later than the Monday following the close of the  
 32          registration period.

33          (d) The election division shall promptly forward an application  
 34          received under this section to the county voter registration office of the  
 35          county where the applicant resides. **However, the election division**  
 36          **shall not transmit to a county voter registration office an**  
 37          **application that cannot be processed during the period when**  
 38          **registration is closed under IC 3-7-13-10 until at least seven (7)**  
 39          **days after the date of the close of registration. The election division**  
 40          **shall clearly identify the applications described by this subsection**  
 41          **in the transmittal to the county voter registration office as "late**  
 42          **registrations".**

C  
O  
P  
Y



1 SECTION 55. IC 3-7-33-5, AS AMENDED BY P.L.164-2006,  
 2 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 3 JULY 1, 2013]: Sec. 5. (a) When the county voter registration office  
 4 receives an application for a new registration or an application with  
 5 information that revises or adds information to the applicant's current  
 6 voter registration record, the county voter registration office shall  
 7 determine if the applicant appears to be eligible to register to vote  
 8 based on the information in the application.

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

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

- 16 (1) A statement that the application has been received.
- 17 (2) The disposition of the application by the county voter  
 18 registration office.
- 19 (3) If the county voter registration office determines that the  
 20 applicant appears to be eligible, the notice must state the  
 21 following:

22 (A) ~~Except as provided under subsection (f);~~ The applicant is  
 23 registered to vote under the residence address ~~when the~~  
 24 ~~applicant receives the notice. An applicant is presumed to~~  
 25 ~~have received the notice unless the notice is returned by the~~  
 26 ~~United States Postal Service due to an unknown or insufficient~~  
 27 ~~address and received by the county voter registration office not~~  
 28 ~~later than seven (7) days after as of the date~~ the notice is  
 29 mailed to the applicant.

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

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

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

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

37 (d) The notice required by subsection (b) may include a voter  
 38 registration card.

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

C  
 O  
 P  
 Y



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

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

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

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

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

16 (1) the seven (7) day period under subsection (e) expires before  
 17 election day;

18 (2) the applicant has not presented the notice mailed under  
 19 subsection (b) to the county voter registration office as provided  
 20 under subsection (f); and

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

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

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

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

30 (2) the applicant has not presented the notice mailed under  
 31 subsection (b) to the county voter registration office as provided  
 32 under subsection (f);

33 the county voter registration office shall notify the county election  
 34 board. The county election board shall certify to the inspector of the  
 35 precinct where the applicant resides that the applicant's voter  
 36 registration application is pending, and that the voter, subject to  
 37 fulfilling the requirements of IC 3-11-7, is entitled to cast a provisional  
 38 ballot.

39 SECTION 56. IC 3-7-33-5.5 IS ADDED TO THE INDIANA CODE  
 40 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 41 1, 2013]: **Sec. 5.5. (a) This section applies to a voter registration**  
 42 **application that is received by a county voter registration office**

C  
O  
P  
Y



1 after the date specified for filing the application under IC 3-7-32-8.

2 (b) In determining the eligibility of the applicant, the county  
3 voter registration office may not reject the application solely on the  
4 ground that an individual who received the application from the  
5 applicant failed to comply with IC 3-7-32-8. However, the county  
6 voter registration office shall, not later than three (3) days after  
7 receipt of the application, provide notice of the apparent violation  
8 of IC 3-7-32-8 to the county election board for appropriate action  
9 under IC 3-6-5-31.

10 SECTION 57. IC 3-7-34-1.5 IS ADDED TO THE INDIANA CODE  
11 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
12 1, 2013]: Sec. 1.5. As used in this chapter, a registration form is  
13 "incomplete" if the applicant does not provide any of the  
14 following:

- 15 (1) The name of the applicant.
- 16 (2) The residence address of the applicant (other than the ZIP  
17 code).
- 18 (3) The mailing address of the applicant (other than the ZIP  
19 code), unless the applicant provides a residence address at  
20 which United States Postal Service mail delivery for the  
21 applicant can be received.
- 22 (4) The date of birth of the applicant.
- 23 (5) The voter identification number of the applicant or a  
24 statement that the applicant has no voter identification  
25 number.
- 26 (6) The applicant's response to the question, "Are you a  
27 citizen of the United States of America?".
- 28 (7) The applicant's response to the question, "Will you be at  
29 least eighteen (18) years of age on or before election day?".
- 30 (8) A map or diagram of the voter's residence (if the applicant  
31 has no residence address with a street number or name  
32 included on this application).
- 33 (9) The signature of the applicant to the statement swearing  
34 or affirming that:
  - 35 (A) the applicant meets the requirements for approval of  
36 the application;
  - 37 (B) the information and all other statements on the  
38 application are true; and
  - 39 (C) the applicant understands if the applicant signs the  
40 statement knowing that the statement is not true, the  
41 applicant is committing perjury, and understands the  
42 penalties for committing perjury.

C  
o  
p  
y



1 SECTION 58. IC 3-7-34-2, AS AMENDED BY P.L.81-2005,  
2 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2013]: Sec. 2. (a) This section applies when a county voter  
4 registration office receives a registration form that is not fully and  
5 properly completed so that the county voter registration office can:

6 (1) **administer voter registration and other parts of the**  
7 **election process (as provided by 42 U.S.C. 1973gg-7); or**

8 (2) determine if the applicant is eligible to register under this  
9 article, **or including when the applicant** fails to answer either of  
10 the questions set forth in IC 3-7-22-5(3) or IC 3-7-22-5(4).

11 (b) As required by 42 U.S.C. 15483, the county voter registration  
12 office shall promptly make:

- 13 (1) one (1) effort to contact the voter by mail if possible; and
- 14 (2) one (1) effort to contact the voter by telephone if a telephone  
15 number is listed.

16 SECTION 59. IC 3-7-38.2-1 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. As required under 42  
18 U.S.C. 1973gg-6(a)(4), **the NVRA official and** each county voter  
19 registration office shall conduct a general program that makes a  
20 reasonable effort to remove the names of ineligible voters from the  
21 official lists of eligible voters due to a change of residence of the voter.

22 SECTION 60. IC 3-7-38.2-2, AS AMENDED BY P.L.1-2007,  
23 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
24 JULY 1, 2013]: Sec. 2. (a) A voter list maintenance program conducted  
25 under this chapter must:

- 26 (1) be uniform, nondiscriminatory, and in compliance with the  
27 Voting Rights Act of 1965 (42 U.S.C. 1973);
- 28 (2) not result in the removal of the name of a person from the  
29 official list of voters solely due to the person's failure to vote; and
- 30 (3) be completed not later than ninety (90) days before a primary,  
31 general, or municipal election.

32 (b) A county voter registration office may conduct a voter list  
33 maintenance program that complies with subsection (a). In conducting  
34 a voter list maintenance program, the county voter registration office  
35 shall mail a notice described in subsection (d) to each registered voter  
36 at the residence address:

- 37 (1) listed in the voter's registration record; and
- 38 (2) determined by the county voter registration office not to be the  
39 voter's current residence address.

40 (c) A county voter registration office may use information only from  
41 the following sources to make the determination under subsection  
42 (b)(2):

C  
o  
p  
y



- 1 (1) The United States Postal Service National Change of Address
- 2 Service.
- 3 (2) A court regarding jury duty notices.
- 4 (3) The return of a mailing sent by the county voter registration
- 5 office to all voters in the county.
- 6 (4) The bureau of motor vehicles concerning the surrender of a
- 7 voter's Indiana license for the operation of a motor vehicle to
- 8 another jurisdiction.
- 9 (d) The notice described in subsection (b) must:
- 10 (1) be sent by first class United States mail, postage prepaid, by
- 11 a method that requires the notice to be forwarded to the voter; and
- 12 (2) include a postage prepaid return card that:
- 13 (A) is addressed to the county voter registration office;
- 14 (B) states a date **(which must be at least thirty (30) days**
- 15 **after the date the notice is mailed)** by which the card must be
- 16 returned or the voter's registration will become inactive until
- 17 the information is provided to the county voter registration
- 18 office; and
- 19 (C) permits the voter to provide the voter's current residence
- 20 address.
- 21 (e) If a voter returns the card described in subsection (d)(2) and
- 22 provides a current residence address that establishes that the voter
- 23 resides:
- 24 (1) in the county, the county voter registration office shall update
- 25 the voter's registration record; or
- 26 (2) outside the county, the county voter registration office shall
- 27 cancel the voter's registration.
- 28 **(f) If a voter returns the card described in subsection (d)(2) after**
- 29 **the date specified in the notice, the county voter registration office**
- 30 **shall, when registration reopens after the next primary, general, or**
- 31 **municipal election following the date specified in the notice,**
- 32 **process any update or cancellation of the voter registration record**
- 33 **indicated on the card by the voter under subsection (e). If a card is**
- 34 **returned as undeliverable due to an unknown or insufficient**
- 35 **address by the United States Postal Service after the date specified**
- 36 **in subsection (d)(2)(B), the county voter registration office shall,**
- 37 **when registration reopens after the next primary, general, or**
- 38 **municipal election, designate the voter as inactive.**
- 39 (ff) (g) If a voter does not return the card described in subsection
- 40 (d)(2) by the date specified in subsection (d)(2)(B), the county voter
- 41 registration office shall indicate in the voter's registration record that
- 42 the voter's registration is inactive.

COPY



1           ~~(g)~~ **(h)** A voter's registration that becomes inactive under subsection  
 2 (f) **or (g)** remains in inactive status from the date described in  
 3 subsection (d)(2)(B) until the earlier of the following:

4           (1) The date the county voter registration office updates or  
 5           cancels the voter's registration under subsection (e) after the voter  
 6           provides a current residence address.

7           (2) The day after the second general election in which the voter  
 8           has not voted or appeared to vote.

9           ~~(h)~~ **(i)** After the date described in subsection ~~(g)(2)~~; **(h)(2)**, the  
 10 county voter registration office shall remove the voter's registration  
 11 from the voter registration records.

12           SECTION 61. IC 3-7-38.2-5, AS AMENDED BY P.L.164-2006,  
 13 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14 JULY 1, 2013]: Sec. 5. **(a)** To assist in performing voter list  
 15 maintenance under this chapter, the NVRA official ~~may~~ **shall at least**  
 16 **once each month** submit the names of all registered voters in Indiana  
 17 to the United States Postal Service National Change of Address  
 18 Service. The submission under this chapter shall be compiled from the  
 19 county voter registration information submitted to the election division  
 20 under IC 3-7-26.3.

21           **(b) This subsection does not require the NVRA official to**  
 22 **request voter registration data from a state listed in this subsection**  
 23 **if the NVRA official will be receiving voter registration data from**  
 24 **that state under the memorandum of understanding described in**  
 25 **subsection (d). To assist in performing voter list maintenance**  
 26 **under this chapter, not later than December 31 of each calendar**  
 27 **year the NVRA official shall request that the chief state election**  
 28 **official who is responsible for the coordination of state**  
 29 **responsibilities under NVRA in each of the following states provide**  
 30 **a list of the registered voters in that state:**

31           **(1) Florida.**

32           **(2) Illinois.**

33           **(3) Kentucky.**

34           **(4) Michigan.**

35           **(5) Ohio.**

36           **(c) The NVRA official shall request a list of registered voters**  
 37 **from any other state in which the NVRA official determines there**  
 38 **is a reasonable possibility that a significant number of individuals**  
 39 **who have registered to vote in Indiana may also be registered to**  
 40 **vote in that state.**

41           **(d) Not later than August 1, 2013, the NVRA official shall**  
 42 **execute a memorandum of understanding with the Kansas**

C  
O  
P  
Y



1 Secretary of State. On January 15 of each year, the NVRA official  
 2 shall provide data from the statewide voter registration list without  
 3 cost to the Kansas Secretary of State to permit the comparison of  
 4 voter registration data in the statewide voter registration list with  
 5 registration data from all other states participating in this  
 6 memorandum of understanding. Not later than thirty (30) days  
 7 following the receipt of information under this subsection  
 8 indicating that a voter of Indiana may also be registered to vote in  
 9 another state, the NVRA official shall provide the appropriate  
 10 county voter registration office with the name and any other  
 11 information obtained under this subsection concerning that voter.  
 12 The county voter registration office shall determine whether the  
 13 individual:

- 14 (1) identified in the report provided by the NVRA official  
 15 under this subsection is the same individual who is a  
 16 registered voter of the county;  
 17 (2) registered to vote in another state on a date following the  
 18 date that voter registered in Indiana; and  
 19 (3) authorized the cancellation of any previous registration by  
 20 the voter when the voter registered in another state.

21 (e) If the county voter registration office determines that the  
 22 voter is described by subsection (d)(1) through (d)(3), the county  
 23 voter registration office shall cancel the voter registration of that  
 24 voter. If the county voter registration office determines that the  
 25 voter is described by subsection (d)(1) and (d)(2), but has not  
 26 authorized the cancellation of any previous registration, the county  
 27 voter registration office shall send an address confirmation notice  
 28 to the Indiana address of the voter.

29 SECTION 62. IC 3-7-38.2-6 IS AMENDED TO READ AS  
 30 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. ~~If~~ **When** the names  
 31 of voters are submitted under section 5 of this chapter, the NVRA  
 32 official shall request that the United States Postal Service indicate the  
 33 voters who no longer reside at the submitted address. However, the  
 34 NVRA official shall also request that a voter who:

- 35 (1) has a temporary forwarding order in effect;  
 36 (2) is an absent uniformed services voter; or  
 37 (3) is an overseas voter;

38 not be included in the list of voters who no longer reside at the  
 39 submitted address.

40 SECTION 63. IC 3-7-38.2-7.5 IS ADDED TO THE INDIANA  
 41 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 42 [EFFECTIVE JULY 1, 2013]: **Sec. 7.5. The NVRA official shall do**

C  
O  
P  
Y



1 both of the following:

2 (1) Compare the lists of voters described in section 5(c) of this  
3 chapter with the list of registered voters in Indiana to identify  
4 any individuals who may be registered to vote in more than  
5 one (1) state.

6 (2) Provide each county voter registration office with a list of  
7 potential duplicate registrations not later than thirty (30) days  
8 after receipt of a list of voters of a state.

9 SECTION 64. IC 3-7-38.2-8 IS AMENDED TO READ AS  
10 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. **At least once each**  
11 **month**, the NVRA official shall notify each county voter registration  
12 office whose residences may have changed according to information  
13 supplied under this chapter.

14 SECTION 65. IC 3-7-38.2-16 IS AMENDED TO READ AS  
15 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 16. (a) **During each**  
16 **even-numbered year**, the NVRA official ~~may also~~ **shall** conduct an  
17 annual residency confirmation and outreach procedure under this  
18 chapter. The NVRA official (or a contractor acting on behalf of the  
19 NVRA official) may send a mailing by U.S. mail, postage prepaid, to  
20 each voter in Indiana. ~~who has not received a mailing under any other~~  
21 ~~provision of this chapter.~~

22 (b) **The NVRA official shall, not later than January 31 of each**  
23 **year, submit the name of each registered voter in Indiana to the**  
24 **United States Department of Homeland Security, U.S. Citizenship**  
25 **and Immigration Service Verification Division for comparison with**  
26 **data maintained in that agency's SAVE Program. If the NVRA**  
27 **official fails to perform the official's duty under this subsection, the**  
28 **secretary of state shall do so. The state shall provide each county**  
29 **voter registration office with information concerning any**  
30 **registered voter who appears to not be a citizen of the United**  
31 **States according to the SAVE Program for further investigation by**  
32 **the county election board or county prosecuting attorney to**  
33 **determine if a violation of this title may have occurred.**

34 (c) **The NVRA official shall, not later than January 31 of each**  
35 **year, request information from the:**

36 (1) **United States District Court for the Northern District of**  
37 **Indiana; and**

38 (2) **United States District Court for the Southern District of**  
39 **Indiana;**

40 **concerning the return of U.S. mail sent by the court for jury**  
41 **selection purposes. The state shall provide each county voter**  
42 **registration office with information concerning any registered**

C  
o  
p  
y



1 voter who appears to no longer reside at the address set forth in  
 2 the voter's registration record due to a mailing returned to the  
 3 courts as undeliverable due to an unknown or insufficient address.  
 4 The county voter registration office shall send an address  
 5 confirmation notice to the voter described by this subsection.

6 SECTION 66. IC 3-7-43-6, AS AMENDED BY P.L.164-2006,  
 7 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 8 JULY 1, 2013]: Sec. 6. (a) This section applies to a voter who requests  
 9 a cancellation of voter registration under IC 3-7-39-6.

10 (b) The county voter registration office of the county in which a  
 11 voter registers shall send the authorization of cancellation to the county  
 12 voter registration office **using the computerized list**, on an expedited  
 13 basis, as required by IC 3-7-26.3. **A county voter registration office**  
 14 **is not required to forward a paper copy of the request for**  
 15 **cancellation of registration to another county voter registration**  
 16 **office if the authorization of cancellation has been transmitted to**  
 17 **the other county voter registration office using the computerized**  
 18 **list. The county voter registration office shall retain the paper copy**  
 19 **of the request for cancellation for the two (2) year period required**  
 20 **under 42 U.S.C. 1974.**

21 SECTION 67. IC 3-7-45-4, AS AMENDED BY P.L.164-2006,  
 22 SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2013]: Sec. 4. (a) Except as provided in subsection (b), a  
 24 county voter registration office shall cancel the registration of a  
 25 deceased person after receiving a copy of the deceased person's death  
 26 certificate on an expedited basis, as required under 42 U.S.C. 15483.  
 27 The county voter registration office shall enter the date and other  
 28 information regarding the cancellation into the computerized list under  
 29 IC 3-7-26.3.

30 (b) **Except as provided in subsection (c), a county voter**  
 31 **registration office shall cancel the registration of a deceased person**  
 32 **after receiving a copy of an obituary, notice of estate**  
 33 **administration, or other notice of death of that person published in**  
 34 **a newspaper in which a legal notice may be published under**  
 35 **IC 5-3-1.**

36 (b) (c) A county voter registration office may require additional  
 37 written information before canceling the registration of a person under  
 38 subsection (a) if the information contained in the death certificate **or**  
 39 **notice of death** is insufficient to identify the person whose registration  
 40 is to be canceled. If:

41 (1) additional written information is not given to the county voter  
 42 registration office; or

C  
o  
p  
y



1 (2) the additional written information is insufficient to identify the  
 2 person whose registration is to be canceled;  
 3 the county voter registration office is not required to cancel the person's  
 4 registration.

5 SECTION 68. IC 3-7-45-5, AS AMENDED BY P.L.164-2006,  
 6 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2013]: Sec. 5. (a) The state department of health shall  
 8 ~~negotiate with appropriate agencies in each state other than Indiana to~~  
 9 acquire information regarding the deaths of Indiana residents occurring  
 10 in each of the other states **from those states and from the State and**  
 11 **Territorial Exchange of Vital Events (STEVE) System and**  
 12 **Electronic Verification of Vital Events (EVVE) System,**  
 13 **administered by the National Association for Public Health**  
 14 **Statistics and Information Systems.** The state department of health  
 15 may offer to share with each other state information regarding the  
 16 deaths of the other state's residents in Indiana.

17 (b) ~~If an agreement is made with the agency of another state under~~  
 18 ~~this section, the agreement must provide for acquisition of information~~  
 19 ~~about the deaths of Indiana residents in the other state so that~~ **At least**  
 20 **once each month,** the state department of health ~~can~~ **shall** forward that  
 21 information as provided in section 2.1 of this chapter.

22 SECTION 69. IC 3-7-45-6.1, AS AMENDED BY P.L.164-2006,  
 23 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2013]: Sec. 6.1. (a) **At least once each month,** the election  
 25 division shall obtain information regarding Indiana residents identified  
 26 as deceased by the federal Social Security Administration as required  
 27 by 42 U.S.C. 15483 and in conformity with IC 3-7-26.3.

28 (b) **Not later than thirty (30) days after receiving a report**  
 29 **obtained under subsection (a),** the election division shall provide  
 30 each county voter registration office with a report identifying the  
 31 deceased individuals who are shown as residing in the county.

32 (c) Except as provided in section 7 of this chapter, the county voter  
 33 registration office shall cancel the registration of each deceased person  
 34 listed in the report provided under subsection (b).

35 SECTION 70. IC 3-7-45-8 IS AMENDED TO READ AS  
 36 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 8. **At least once each**  
 37 **month,** the NVRA official shall notify each county voter registration  
 38 office of the names of deceased persons obtained under this chapter.

39 SECTION 71. IC 3-10-1-7.1, AS AMENDED BY P.L.164-2006,  
 40 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 41 JULY 1, 2013]: Sec. 7.1. (a) **This subsection does not apply to a**  
 42 **county in which electronic poll lists are used under IC 3-7-29-6 or**

C  
o  
p  
y



1 **IC 3-11-18.1.** Each county election board shall furnish the inspector of  
 2 each precinct for use on primary election day a certified copy under  
 3 IC 3-7-29 of the list of all voters registered to vote in the precinct.

4 (b) **This subsection does not apply to a county in which**  
 5 **electronic poll lists with the ability to display signatures of voters**  
 6 **are used under IC 3-7-29-6 or IC 3-11-18.1.** The county voter  
 7 registration office may also provide the inspector of each precinct in  
 8 the county a certified photocopy of the signature on the affidavit or  
 9 form of registration of each voter of the precinct for the comparison of  
 10 signatures under section 24.6 of this chapter.

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

15 SECTION 72. IC 3-10-1-8, AS AMENDED BY P.L.164-2006,  
 16 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2013]: Sec. 8. A person who will be a voter at the general  
 18 election for which the primary is being held and whose name does not  
 19 appear on the registration record of the precinct, ~~or on~~ the certified  
 20 copy of the registration record prepared under IC 3-7-29, **or the**  
 21 **electronic poll list** may:

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

26 SECTION 73. IC 3-10-1-24, AS AMENDED BY P.L.164-2006,  
 27 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2013]: Sec. 24. (a) A voter who desires to vote must give the  
 29 voter's name and political party to the poll clerks of the precinct on  
 30 primary election day. The poll clerks shall require the voter to write the  
 31 following on the poll list:

- 32 (1) The voter's name.
- 33 (2) Except as provided in subsection (d), the voter's current  
 34 residence address.
- 35 (3) The name of the voter's party.

36 (b) The poll clerks shall:

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



C  
o  
p  
y

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

5 (d) Each line on a poll list sheet provided to take a voter's current  
 6 residence address must include a box under the heading "Address  
 7 Unchanged" so that a voter whose residence address shown on the poll  
 8 list is the voter's current residence address may check the box instead  
 9 of writing the voter's current residence address on the poll list.

10 (e) **For purposes of this section and section 7.2 of this chapter,**  
 11 **in a county using vote centers under IC 3-11-18.1, a voter is**  
 12 **considered to have written on the poll list or signed the poll list**  
 13 **when the voter executes the notice mailed to the voter under**  
 14 **IC 3-7-29-1.5(b).**

15 (f) **If a voter fails to bring the notice mailed to the voter under**  
 16 **IC 3-7-29-1.5(b), the precinct election board shall provide a**  
 17 **replacement notice to the voter at the vote center. The voter is**  
 18 **considered to have written on the poll list or signed the poll list**  
 19 **when the voter executes the replacement notice.**

20 (g) **If the voter states on the poll list that the voter resides at an**  
 21 **address that is within the same precinct but is not the same address**  
 22 **shown on the poll list for that precinct, or makes an affirmation of**  
 23 **that change of address under IC 3-7-39-7, the county election**  
 24 **board shall direct the county voter registration office to transfer**  
 25 **the individual's voter registration record to the address within the**  
 26 **precinct indicated by the voter.**

27 SECTION 74. IC 3-10-1-24.6, AS AMENDED BY P.L.164-2006,  
 28 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29 JULY 1, 2013]: Sec. 24.6. (a) In case of doubt concerning a voter's  
 30 identity, the precinct election board shall compare the voter's signature  
 31 with the signature on the affidavit of registration **record** or any  
 32 certified copy of the signature provided under section 7.1 of this  
 33 chapter. If the board determines that the voter's signature is authentic,  
 34 the voter may then vote.

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

41 SECTION 75. IC 3-11-3-16, AS AMENDED BY P.L.164-2006,  
 42 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

C  
o  
p  
y



1 JULY 1, 2013]: Sec. 16. Each county election board shall prepare and  
 2 have delivered to the inspectors of the precincts, at the time they  
 3 receive the ballots for their precincts, a suitable number of voter  
 4 registration lists certified under IC 3-7-29 **(or an electronic poll list in**  
 5 **a county described by IC 3-7-29-6 or IC 3-11-18.1)** and any other  
 6 forms, papers, certificates, and oaths that are required to be furnished  
 7 to precinct election boards. The forms and papers must be prepared in  
 8 compliance with IC 3-5-4-8. The county voter registration office shall  
 9 cooperate with the county election board in the preparation of the lists  
 10 certified under IC 3-7-29 **(or in the use of the electronic poll lists).**

11 SECTION 76. IC 3-11-8-3, AS AMENDED BY P.L.230-2005,  
 12 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 13 JULY 1, 2013]: Sec. 3. **(a) This section does not apply to a county**  
 14 **using vote centers under IC 3-11-18.1.**

15 ~~(a)~~ **(b)** Before each election each county executive shall secure for  
 16 each precinct of the county an accessible facility in which to hold the  
 17 election.

18 ~~(b)~~ **(c)** If an accessible facility is not available within the precinct,  
 19 then the polls may be located in another precinct in the county if the  
 20 polls are:

21 (1) either:

22 (A) not more than five (5) miles from the closest boundary of  
 23 the precinct for which it is the polls; or

24 (B) located in the same township as the precinct that does not  
 25 have an accessible facility available; and

26 (2) located in an accessible facility.

27 ~~(c)~~ **(d)** If the county election board, by a unanimous vote of its entire  
 28 membership, determines that an accessible facility is not available  
 29 under subsection ~~(b)~~; **(c)**, the board may locate the polls in the most  
 30 convenient available accessible facility in the county.

31 ~~(c)~~ **(e)** If the county election board, by unanimous vote of its entire  
 32 membership, determines that:

33 (1) an accessible facility is not available under subsection ~~(b)~~ **(c)**  
 34 or ~~(c)~~; **(d)**; and

35 (2) the most convenient accessible facility is located in an  
 36 adjoining county;

37 the board may locate the polls in the facility described in subdivision  
 38 (2) with the unanimous consent of the entire membership of the county  
 39 election board of the county in which the facility is located.

40 SECTION 77. IC 3-11-8-4.1 IS AMENDED TO READ AS  
 41 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4.1. **(a) This section**  
 42 **does not apply to a county using vote centers under IC 3-11-18.1.**

C  
o  
p  
y



1           **(b)** The polls for each precinct may be located in only one (1) place.  
2           SECTION 78. IC 3-11-8-10.3, AS ADDED BY P.L.1-2011,  
3           SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           JULY 1, 2013]: Sec. 10.3. (a) As used in this section, "electronic poll  
5           list" refers to a poll list that is maintained in a computer data base.  
6           (b) An electronic poll list must satisfy all of the following:  
7           (1) An electronic poll list must be programmed so that the  
8           coordinated action of two (2) election officers who are not  
9           members of the same political party is necessary to access the  
10          electronic poll list.  
11          (2) An electronic poll list may not be connected to a voting  
12          system.  
13          (3) An electronic poll list may not permit access to voter  
14          information other than information provided on the certified list  
15          of voters prepared under IC 3-7-29-1.  
16          **(4) The information contained on an electronic poll list must**  
17          **be encrypted and placed on a dedicated, private server to**  
18          **secure connectivity between a precinct polling place or**  
19          **satellite absentee office and the county election board.**  
20          **(5) The electronic poll list must permit a poll clerk to enter**  
21          **information regarding an individual who has appeared to vote**  
22          **to verify whether the individual is eligible to vote, and if so,**  
23          **whether the voter has already cast a ballot at the election.**  
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 generated**  
33          **for a watcher appointed under IC 3-6-8 at any time during**  
34          **election day and must permit reports to be electronically**  
35          **transmitted by the county election board to a political party**  
36          **or independent candidate who has appointed a watcher under**  
37          **IC 3-6-8.**  
38          **(9) After election day, the electronic poll list must permit**  
39          **voter history to be quickly and accurately uploaded into the**  
40          **computerized list.**  
41          SECTION 79. IC 3-11-8-17 IS AMENDED TO READ AS  
42          FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 17. **(a) This section**

COPY



1 **does not apply to a county using vote centers under IC 3-11-18.1.**

2 **(b)** In a precinct, ~~for which assistant poll clerks are provided;~~ as  
 3 many as ~~six (6)~~ voters may be admitted to the polls at one **(1)** time for  
 4 the purpose of voting ~~if there are no assistant poll clerks; no more than~~  
 5 ~~three (3) voters may be admitted to the polls at any one time: as there~~  
 6 **are stations for voting in the polls.**

7 SECTION 80. IC 3-11-8-26.1, AS AMENDED BY P.L.164-2006,  
 8 SECTION 103, IS AMENDED TO READ AS FOLLOWS  
 9 [EFFECTIVE JULY 1, 2013]: Sec. 26.1. (a) If a voter:

10 (1) cannot sign; or

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

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

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

19 (1) The voter's name.

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

22 (c) The poll clerks shall:

23 (1) ask the voter to provide or update the voter's voter  
 24 identification number;

25 (2) tell the voter the number the voter may use as a voter  
 26 identification number; and

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

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

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

38 SECTION 81. IC 3-11-18.1-4, AS ADDED BY P.L.225-2011,  
 39 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2013]: Sec. 4. The plan required by section 3 of this chapter  
 41 must include at least the following:

42 (1) The total number of vote centers to be established.

C  
O  
P  
Y



- 1 (2) The location of each vote center.  
 2 (3) The effective date of the order.  
 3 (4) The following information according to the computerized list  
 4 (as defined in IC 3-7-26.3-2) as of the date of the order:  
 5 (A) The total number of voters within the county.  
 6 (B) The number of active voters within the county.  
 7 (C) The number of inactive voters within the county.  
 8 (5) For each vote center designated under subdivision (2), a list  
 9 of the precincts whose polls will be located at the vote center  
 10 consistent with section 13 of this chapter.  
 11 (6) For each vote center designated under subdivision (2), the  
 12 number of precinct election boards that will be appointed to  
 13 administer an election at the vote center.  
 14 (7) For each precinct election board designated under subdivision  
 15 (6), the number and name of each precinct the precinct election  
 16 board will administer consistent with section 13 of this chapter.  
 17 (8) For each vote center designated under subdivision (2), the  
 18 number and title of the precinct election officers who will be  
 19 appointed to serve at the vote center.  
 20 (9) For each vote center designated under subdivision (2):  
 21 (A) the number and type of ballot variations that will be  
 22 provided at the vote center; and  
 23 (B) whether these ballots will be:  
 24 (i) delivered to the vote center before the opening of the  
 25 polls; or  
 26 (ii) printed on demand for a voter's use.  
 27 (10) A detailed description of any hardware, firmware, or  
 28 software used:  
 29 (A) to create an electronic poll list for each precinct whose  
 30 polls are to be located at a vote center; or  
 31 (B) to establish a secure electronic connection between the  
 32 county election board and the precinct election officials  
 33 administering a vote center.  
 34 (11) A description of the equipment and procedures to be used to  
 35 ensure that information concerning a voter entered into any  
 36 electronic poll list used by precinct election officers at a vote  
 37 center is immediately accessible to:  
 38 (A) the county election board; and  
 39 (B) the electronic poll lists used by precinct election officers  
 40 at all other vote centers in the county.  
 41 (12) For each precinct designated under subdivision (5), the  
 42 number of electronic poll lists to be provided for the precinct.

C  
O  
P  
Y

- 1 (13) The security and contingency plans to be implemented by the
- 2 county to do all of the following:
- 3 (A) Prevent a disruption of the vote center process.
- 4 (B) Ensure that the election is properly conducted if a
- 5 disruption occurs.
- 6 (C) Prevent access to an electronic poll list without the
- 7 coordinated action of two (2) precinct election officers who are
- 8 not members of the same political party.
- 9 (14) A certification that the vote center complies with the
- 10 accessibility requirements applicable to polling places under
- 11 IC 3-11-8.
- 12 (15) A sketch depicting the planned layout of the vote center,
- 13 indicating the location of:
- 14 (A) equipment; and
- 15 (B) precinct election officers;
- 16 within the vote center.
- 17 (16) The total number and locations of satellite offices to be
- 18 established under IC 3-11-10-26.3 at vote center locations
- 19 designated under subdivision (2) to allow voters to cast absentee
- 20 ballots in accordance with IC 3-11. However, a plan must provide
- 21 for at least one (1) vote center to be established as a satellite
- 22 office under IC 3-11-10-26.3 on the two (2) Saturdays
- 23 immediately preceding an election day.
- 24 (17) The method and timing of providing voter data to persons
- 25 who are entitled to receive the data under this title. Data shall be
- 26 provided to all persons entitled to the data without unreasonable
- 27 delay.
- 28 **(18) That the county election board shall adopt a resolution**
- 29 **under IC 3-11.5-5-1 or IC 3-11.5-6-1 to make the central**
- 30 **counting of absentee ballots applicable to the county (if the**
- 31 **board has not already done so).**
- 32 SECTION 82. IC 3-11-18.1-8, AS ADDED BY P.L.1-2011,
- 33 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 34 JULY 1, 2013]: Sec. 8. (a) **Except as provided in subsection (b),** the
- 35 designation of a county as a vote center county takes effect
- 36 immediately upon the filing of the order with the election division,
- 37 unless otherwise specified by the county election board.
- 38 **(b) An order filed with the election division during the final sixty**
- 39 **(60) days before an election becomes effective on the day following**
- 40 **the election.**
- 41 ~~(b)~~ (c) The designation of a county as a vote center county remains
- 42 in effect until the county election board, by unanimous vote of its entire

COPY



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42

membership:  
(1) rescinds the order designating the county as a vote center county; and  
(2) files a copy of the document rescinding the order with the election division.

SECTION 83. 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 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 84. IC 12-14-1.5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) As required under 42 U.S.C. 1973gg-5(d)(1), the county director or designated office employee shall transmit a copy of a completed voter registration application:

- (1) to the circuit court clerk or board of registration of the county in which the individual's residential address (as indicated on the application) is located; and
- (2) not later than five (5) days after the application is accepted at the office.

(b) The county director or designated employee shall transmit a copy of the voter registration application (or a separate declination form) on which the individual declined to register to vote by specifically declining to register or by failing to complete the voter registration portion of the application.

(c) The declination must be transmitted:

- (1) to the circuit court clerk or board of registration of the county in which the individual's residential address (as indicated on the application) is located; and

C  
o  
p  
y



1 (2) not later than five (5) days after the application is accepted at  
2 the office.

3 SECTION 85. IC 12-14-1.5-6 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. A county director or  
5 designated employee may use any of the following methods to transmit  
6 voter registration applications or declinations under section 4 ~~or 5~~ of  
7 this chapter:

8 (1) Hand delivery to the circuit court clerk or board of  
9 registration.

10 (2) ~~Certified Delivery by the United States Postal Service,~~  
11 ~~using first class mail. return receipt requested.~~

12 SECTION 86. IC 12-14-25-3 IS AMENDED TO READ AS  
13 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) As required  
14 under 42 U.S.C. 1973gg-5(d)(1), the designated office employee shall  
15 transmit ~~a copy~~ of a completed voter registration application:

16 (1) to the circuit court clerk or board of registration of the county  
17 in which the individual's residential address (as indicated on the  
18 application) is located; and

19 (2) not later than five (5) days after the application is accepted at  
20 the office.

21 (b) The designated employee shall transmit ~~a copy~~ of the voter  
22 registration application (or a separate declination form) on which the  
23 individual declined to register to vote by specifically declining to  
24 register or by failing to complete the voter registration portion of the  
25 application.

26 (c) The declination must be transmitted:

27 (1) to the circuit court clerk or board of registration of the county  
28 in which the individual's residential address (as indicated on the  
29 application) is located; and

30 (2) not later than five (5) days after the application is accepted at  
31 the office.

32 SECTION 87. IC 12-15-1.5-4 IS AMENDED TO READ AS  
33 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4. (a) This section does  
34 not apply to a voter registration application or declination to register  
35 accepted at a county office during the final five (5) days before the end  
36 of a registration period under IC 3-7-13.

37 (b) As required under 42 U.S.C. 1973gg-5(d)(1), the county director  
38 or designated office employee shall transmit ~~a copy~~ of a completed  
39 voter registration application:

40 (1) to the circuit court clerk or board of registration of the county  
41 in which the individual's residential address (as indicated on the  
42 application) is located; and

C  
o  
p  
y



1 (2) not later than ten (10) days after the application is accepted at  
2 the office.

3 (c) The county director or designated employee shall transmit a ~~copy~~  
4 of the voter registration application (or a separate declination form) on  
5 which the individual declined to register to vote by specifically  
6 declining to register or by failing to complete the voter registration  
7 portion of the application.

8 (d) The declination must be transmitted:  
9 (1) to the circuit court clerk or board of registration of the county  
10 in which the individual's residential address (as indicated on the  
11 application) is located; and

12 (2) not later than ten (10) days after the application is accepted at  
13 the office.

14 SECTION 88. IC 12-15-1.5-6 IS AMENDED TO READ AS  
15 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. A county director or  
16 designated employee may use any of the following methods to transmit  
17 voter registration applications or declinations under section 4 or 5 of  
18 this chapter:

19 (1) Hand delivery to the circuit court clerk or board of  
20 registration.

21 (2) ~~Certified Delivery by the United States Postal Service,~~  
22 ~~using first class mail. return receipt requested.~~

23 (3) Electronic transfer, after approval by the co-directors of the  
24 election division.

25 SECTION 89. IC 16-35-1.6-5 IS AMENDED TO READ AS  
26 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) As required  
27 under 42 U.S.C. 1973gg-5(d)(1), the designated office employee shall  
28 transmit a ~~copy~~ of a completed voter registration application:

29 (1) to the circuit court clerk or board of registration of the county  
30 in which the individual's residential address (as indicated on the  
31 application) is located; and

32 (2) not later than five (5) days after the application is accepted at  
33 the office.

34 (b) The employee shall transmit a ~~copy~~ of the voter registration  
35 application (or a separate declination form) on which the individual  
36 declined to register to vote by specifically declining to register or by  
37 failing to complete the voter registration portion of the application.

38 (c) The declination must be transmitted:  
39 (1) to the circuit court clerk or board of registration of the county  
40 in which the individual's residential address (as indicated on the  
41 application) is located; and

42 (2) not later than five (5) days after the application is accepted at

C  
o  
p  
y



1 the office.

2 SECTION 90. IC 16-35-1.6-7 IS REPEALED [EFFECTIVE JULY  
3 1, 2013]. Sec. 7: A designated employee may use any of the following  
4 methods to transmit voter registration applications or declinations  
5 under section 5 or 6 of this chapter:

6 (1) Hand delivery to the circuit court clerk or board of  
7 registration:

8 (2) Certified mail; return receipt requested.

9 SECTION 91. IC 16-35-1.6-8 IS REPEALED [EFFECTIVE JULY  
10 1, 2013]. Sec. 8: If a designated employee transmits registration  
11 applications or declinations by hand delivery under section 7(1) of this  
12 chapter, the circuit court clerk or board of registration shall provide the  
13 designated employee with a receipt for the forms. The receipt must  
14 state the date and time of delivery; and the printed name and signature  
15 of the person who received the forms:

16 SECTION 92. IC 16-35-1.6-9 IS AMENDED TO READ AS  
17 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 9. (a) The ~~co-directors~~  
18 ~~of the election division~~ shall provide the commissioner with a list of the  
19 current ~~addresses~~ **address** and telephone ~~numbers~~ **number** of the  
20 ~~offices of the circuit court clerk or board of county voter~~ registration  
21 **office** in each county. The commissioner shall promptly forward the list  
22 and each revision of the list to each WIC office.

23 (b) The ~~co-directors~~ shall provide the commissioner with  
24 pre-addressed packets for WIC offices to transmit applications under  
25 section 7(1) or 7(2) of this chapter:

26 SECTION 93. [EFFECTIVE JULY 1, 2013] (a) **There is**  
27 **appropriated to the voter education outreach fund one million**  
28 **dollars (\$1,000,000) from the state general fund for voter education**  
29 **and outreach beginning July 1, 2013, and ending June 30, 2014.**

30 (b) **There is appropriated to the voter education outreach fund**  
31 **one million dollars (\$1,000,000) from the state general fund for**  
32 **voter education and outreach beginning July 1, 2014, and ending**  
33 **June 30, 2015.**

34 (c) **The secretary of state shall enter into contracts to provide**  
35 **information to citizens regarding voter rights and responsibilities,**  
36 **including voter identification requirements.**

37 (d) **This SECTION expires July 1, 2015.**

38 SECTION 94. [EFFECTIVE JULY 1, 2013] (a) **As used in this**  
39 **SECTION, "account" refers to the voting system technical**  
40 **oversight program account established by IC 3-11-17-6.**

41 (b) **There is appropriated to the account three hundred**  
42 **sixty-five thousand dollars (\$365,000) from the state general fund**

C  
o  
p  
y



1 to permit the secretary of state to contract with the entity  
 2 administering the voting system technical oversight program to  
 3 perform the duties set forth in IC 3-11-16-4 beginning July 1, 2013,  
 4 and ending June 30, 2015.

5 (c) This SECTION expires July 1, 2015.

6 SECTION 95. [EFFECTIVE UPON PASSAGE] (a) There is  
 7 appropriated to the election division two million five hundred  
 8 thousand dollars (\$2,500,000) for voter list maintenance and  
 9 operation of the statewide voter registration system beginning July  
 10 1, 2013, and ending June 30, 2014.

11 (b) There is appropriated to the election division two million five  
 12 hundred thousand dollars (\$2,500,000) for voter list maintenance  
 13 and operation of the statewide voter registration system beginning  
 14 July 1, 2014, and ending June 30, 2015.

15 (c) Not later than May 31, 2013, the election division shall enter  
 16 into a contract with an entity to provide management services for  
 17 the statewide voter registration system, with the consent of the  
 18 secretary of state. If the election division does not enter into a  
 19 contract before June 1, 2013, the secretary of state may enter into  
 20 the contract without the approval of the election division.

21 (d) This SECTION expires July 1, 2015.

22 SECTION 96. [EFFECTIVE JULY 1, 2013] (a) There is  
 23 appropriated to the election division one million five hundred  
 24 thousand dollars (\$1,500,000) to conduct an address confirmation  
 25 mailing to each voter at each voter registration record address  
 26 within Indiana, beginning July 1, 2013, and ending June 30, 2014.

27 (b) Not later than October 1, 2013, the election division shall  
 28 enter into a contract with an entity to conduct the address  
 29 confirmation mailing described in subsection (a). If the election  
 30 division does not enter into a contract before October 2, 2013, the  
 31 secretary of state may enter into the contract without the approval  
 32 of the election division.

33 (c) This SECTION expires January 1, 2015.

34 SECTION 97. An emergency is declared for this act.

C  
o  
p  
y

