



February 19, 2013

SENATE BILL No. 519

DIGEST OF SB 519 (Updated February 14, 2013 12:50 pm - DI 58)

Citations Affected: IC 3-5; IC 3-6; IC 3-7; IC 3-10; IC 3-11; IC 5-26.5; IC 12-14; IC 12-15; IC 16-35; noncode.

Synopsis: Various election law matters. Makes changes in the standards for determining residency of voters and candidates. Provides that additions and amendments to the standards for determining residency do not affect rights, liabilities, penalties, violations, and proceedings before July 1, 2013. 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 "pasters". 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 eligible to vote in the next election (or provided at the vote center) and presented at a vote center for the
(Continued next page)

Effective: Upon passage; July 1, 2013.

Landske, Miller Patricia

January 14, 2013, read first time and referred to Committee on Elections.
February 4, 2013, amended, reported favorably — Do Pass; reassigned to Committee on Appropriations.
February 18, 2013, amended, reported favorably — Do Pass.

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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 and any cases in which a voter cast a ballot in more than one state during the same election. Requires a county voter registration office to cancel the registration of a voter if the office receives certain notices of the voter's 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.) 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.

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February 19, 2013

First Regular Session 118th General Assembly (2013)

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

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

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

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SENATE BILL No. 519

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

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

- 1 SECTION 1. IC 3-5-2-16.4 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

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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 3-5-5-0.2 IS ADDED TO THE INDIANA CODE
27 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
28 1, 2013]: **Sec. 0.2. Notwithstanding any other law, the additions and**
29 **amendments to this chapter made by SEA 519-2013 do not affect**
30 **any:**

31 (1) **rights or liabilities accrued;**

32 (2) **penalties incurred;**

33 (3) **violations committed; or**

34 (4) **proceedings begun;**

35 **before July 1, 2013. Those rights, liabilities, penalties, offenses, and**
36 **proceedings continue and shall be imposed and enforced under**
37 **prior law as if SEA 519-2013 had not been enacted.**

38 SECTION 5. IC 3-5-5-0.5 IS ADDED TO THE INDIANA CODE
39 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
40 1, 2013]: **Sec. 0.5. For purposes of this chapter, an individual's**
41 **"immediate family" includes the spouse, children, stepchildren,**
42 **parents, or grandparents of the individual.**



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1 SECTION 6. IC 3-5-5-3 IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JULY 1, 2013]: Sec. 3. **(a)** A person does not have
 3 residence in more than one (1) precinct **within Indiana.**

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

6 SECTION 7. IC 3-5-5-5 IS AMENDED TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2013]: Sec. 5. As provided in Article 2, Section
 8 4 of the Constitution of the State of Indiana, a person is **not considered**
 9 **to have lost does not lose** residence in a precinct in Indiana by reason
 10 of the person's absence on the business of:

- 11 (1) the state of Indiana; or
 12 (2) the United States.

13 SECTION 8. IC 3-5-5-6 IS AMENDED TO READ AS FOLLOWS
 14 [EFFECTIVE JULY 1, 2013]: Sec. 6. **(a)** Sections 7 through 17 of this
 15 chapter establish presumptions regarding the residency of a person in
 16 a precinct. A person can rebut these presumptions by demonstrating
 17 intent to reside in another precinct and conduct taken to implement that
 18 intent.

19 **(b) An individual who makes a statement regarding the**
 20 **residence of the individual, under the penalties for perjury, is**
 21 **presumed to reside at the location specified by the individual, as of**
 22 **the date of making the statement.**

23 SECTION 9. IC 3-5-5-7, AS AMENDED BY P.L.164-2006,
 24 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2013]: Sec. 7. **Subject to section 6 of this chapter,** a person
 26 does not gain residency in a precinct into which the person moves for:

- 27 (1) temporary employment;
 28 (2) educational purposes; ~~or~~
 29 **(3) preparing to purchase or occupy a residence; or**
 30 ~~(3)~~ **(4) other purposes;**

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

32 SECTION 10. IC 3-5-5-8 IS AMENDED TO READ AS FOLLOWS
 33 [EFFECTIVE JULY 1, 2013]: Sec. 8. **Subject to section 6 of this**
 34 **chapter,** if a person ~~moves into~~ **is physically present within** another
 35 state with the intention of making that state the person's residence, the
 36 person loses residency in Indiana.

37 SECTION 11. IC 3-5-5-9 IS AMENDED TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2013]: Sec. 9. **Subject to section 6 of this**
 39 **chapter,** if a person ~~moves to~~ **is physically present within** another
 40 state with the intention of remaining in the other state for an indefinite
 41 time as a place of residence, the person loses residency in Indiana, even
 42 if the person intends to return at some time.



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1 SECTION 12. IC 3-5-5-10 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 10. **Subject to section**
 3 **6 of this chapter**, if a person ~~moves into~~ **is physically present within**
 4 another precinct in Indiana with the intention of making that precinct
 5 the person's residence, the person loses residency in the precinct that
 6 the person left.

7 SECTION 13. IC 3-5-5-13 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 13. **Subject to section**
 9 **6 of this chapter**, if a person:

10 (1) is living at a place other than the residence of the person's
 11 immediate family; and

12 (2) has the intention of remaining at that place **and engages in**
 13 **conduct to carry out that intent;**

14 the place where the person lives is the person's residence.

15 SECTION 14. IC 3-5-5-14 IS AMENDED TO READ AS
 16 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 14. **Subject to section**
 17 **6 of this chapter**, a married person who does not live in a household
 18 with the person's spouse may establish a separate residence from the
 19 residence of the person's spouse **by intending to do so and engaging**
 20 **in conduct to carry out that intent.**

21 SECTION 15. IC 3-5-5-15 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 15. **Subject to section**
 23 **6 of this chapter**, the residence of a person who:

24 (1) is unmarried; and

25 (2) does not have an immediate family;

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

28 SECTION 16. IC 3-6-3.7-4 IS ADDED TO THE INDIANA CODE
 29 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 30 1, 2013]: Sec. 4. (a) **The voter education outreach fund is**
 31 **established for the purpose of receiving, holding, and disbursing**
 32 **funds for education and outreach to citizens concerning voter**
 33 **rights and responsibilities, including voter identification**
 34 **requirements.**

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

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

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

41 SECTION 17. IC 3-6-5-14, AS AMENDED BY P.L.221-2005,
 42 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2013]: Sec. 14. (a) Each county election board, in addition to
 2 duties otherwise prescribed by law, shall do the following:

3 ~~(1) Adopt and amend a written plan to implement NVRA within~~
 4 ~~the county.~~

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

9 ~~(3) (2) Prepare all ballots.~~

10 ~~(4) (3) Distribute all ballots and pasters to all of the precincts in~~
 11 ~~the county.~~

12 (b) ~~This subsection does not apply to pasters to be attached to~~
 13 ~~ballots during the final three (3) days before an election.~~ Not later than
 14 the Monday before distributing ballots ~~pasters~~; and voting systems to
 15 the precincts in the county, the county election board shall notify the
 16 county chairman of each major political party and, upon request, the
 17 chairman of any other bona fide political party in the county, that
 18 sample ballots ~~and pasters~~ are available for inspection.

19 SECTION 18. IC 3-6-6-5.5 IS ADDED TO THE INDIANA CODE
 20 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 21 1, 2013]: **Sec. 5.5. (a) This section applies in a county using vote**
 22 **centers under IC 3-11-18.1.**

23 **(b) The county vote center plan:**

24 **(1) may use other titles to designate precinct election officers;**
 25 **and**

26 **(2) must specify which precinct election officer is to perform**
 27 **a duty required under this title to be performed by a precinct**
 28 **election officer.**

29 **(c) A precinct election officer in a vote center county shall**
 30 **comply with section 7 of this chapter.**

31 SECTION 19. IC 3-7-11-1 IS AMENDED TO READ AS
 32 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. The co-directors of
 33 the ~~commission election division~~ are jointly designated under 42
 34 U.S.C. 1973gg-8 as the chief state election official responsible for the
 35 coordination of state responsibilities under NVRA.

36 SECTION 20. IC 3-7-12-26 IS AMENDED TO READ AS
 37 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 26. Each county fiscal
 38 body shall appropriate an adequate amount of funds for the ~~ircuit~~
 39 ~~court clerk or board of county voter~~ registration **office** to conduct:

40 (1) the voter list maintenance activity under this article; and

41 (2) the mailing of notices required under the voter list
 42 maintenance program.



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1 SECTION 21. IC 3-7-12-27 IS AMENDED TO READ AS
 2 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 27. (a) The circuit court
 3 clerk (or **in a county with a board of registration, the members of**
 4 **the board of registration) members** shall, following the cancellation of
 5 voter registrations as provided by the voter list maintenance program
 6 under this article, **not later than noon seventy-seven (77) days before**
 7 **each general, primary, or municipal election**, file an affidavit under
 8 affirmation with the election division.

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

12 (1) conducted the voter list maintenance program under this
 13 article; and

14 (2) canceled the registrations required under the voter list
 15 maintenance program.

16 SECTION 22. IC 3-7-16-2.5 IS ADDED TO THE INDIANA CODE
 17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 18 1, 2013]: Sec. 2.5. **The secretary of family and social services**
 19 **appointed under IC 12-8-1.5 shall designate the agencies required**
 20 **to provide voter registration services under this chapter after**
 21 **determining the extent to which:**

22 (1) **an agency's programs are funded by the state; and**

23 (2) **the agency is primarily engaged in serving persons with**
 24 **disabilities.**

25 SECTION 23. IC 3-7-16-3 IS REPEALED [EFFECTIVE JULY 1,
 26 2013]. Sec. 3: The commission shall determine if an agency is required
 27 to provide voter registration services under NVRA and this chapter.

28 SECTION 24. IC 3-7-16-4 IS REPEALED [EFFECTIVE JULY 1,
 29 2013]. Sec. 4: Before making a determination under section 3 of this
 30 chapter, the commission shall do the following:

31 (1) Notify the governing body of the agency that the agency may
 32 be required to provide voter registration services under this
 33 chapter and NVRA.

34 (2) Conduct a public hearing on the matter.

35 SECTION 25. IC 3-7-16-5 IS REPEALED [EFFECTIVE JULY 1,
 36 2013]. Sec. 5: The commission shall accept evidence at the public
 37 hearing concerning the extent to which:

38 (1) the agency's programs are funded by the state; and

39 (2) the agency is primarily engaged in serving persons with
 40 disabilities.

41 SECTION 26. IC 3-7-16-6 IS REPEALED [EFFECTIVE JULY 1,
 42 2013]. Sec. 6: The commission may only accept evidence at the hearing

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1 concerning the agency's cost in complying with NVRA or this chapter
2 to determine when an order issued under section 7 of this chapter
3 should take effect.

4 SECTION 27. IC 3-7-16-7 IS REPEALED [EFFECTIVE JULY 1,
5 2013]. Sec. 7: If the commission determines that the agency is required
6 to provide voter registration services under NVRA and this chapter, the
7 NVRA official shall issue an order specifying the date that the agency
8 must begin providing voter registration services and prescribing any
9 other procedures reasonably necessary for the agency to comply with
10 NVRA.

11 SECTION 28. IC 3-7-16-8 IS REPEALED [EFFECTIVE JULY 1,
12 2013]. Sec. 8: An order issued under section 7 of this chapter expires
13 when the earlier of the following occurs:

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

16 (2) When revoked by the NVRA official after a public hearing as
17 provided in this chapter.

18 SECTION 29. IC 3-7-21-2 IS REPEALED [EFFECTIVE JULY 1,
19 2013]. Sec. 2: Each county election board shall file the county's NVRA
20 implementation plan adopted under IC 3-6-5-14 with the election
21 division:

22 SECTION 30. IC 3-7-21-3 IS REPEALED [EFFECTIVE JULY 1,
23 2013]. Sec. 3: A county NVRA implementation plan may recommend
24 that additional federal, state, and local governmental offices (or
25 nongovernmental offices) within the county be designated as voter
26 registration agencies:

27 SECTION 31. IC 3-7-21-4 IS REPEALED [EFFECTIVE JULY 1,
28 2013]. Sec. 4: The commission shall review each county NVRA
29 implementation plan and determine the following:

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

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

36 SECTION 32. IC 3-7-21-5 IS REPEALED [EFFECTIVE JULY 1,
37 2013]. Sec. 5: (a) If the commission determines that the voter
38 registration agencies located within the county will not adequately
39 implement NVRA or this article, the commission shall recommend an
40 amendment to the county NVRA implementation plan to ensure that
41 NVRA and this article are adequately implemented.

42 (b) Unless the county election board files a written protest with the

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1 NVRA official not later than noon thirty (30) days after the commission
 2 recommends the plan amendment, the plan is amended as provided in
 3 the recommendation. A written protest under this subsection is referred
 4 to the commission for final determination.

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

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

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

8 the county election board shall enter into an agreement to designate an
 9 office described in the plan as a voter registration agency. An
 10 agreement under this subsection is subject to review and approval by
 11 the commission.

12 SECTION 33. IC 3-7-21-5.5 IS ADDED TO THE INDIANA CODE
 13 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 14 1, 2013]: **Sec. 5.5. The designation of an office as a voter
 15 registration agency under a county NVRA implementation plan
 16 before July 1, 2013, remains in effect until otherwise ordered by
 17 the county election board.**

18 SECTION 34. IC 3-7-21-6 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 6. **(a)** For the purposes
 20 of this chapter, the officer, board, entity, or agency that has the
 21 authority to enter into an agreement with the county election board is
 22 the "governing body" under IC 3-17-18. **IC 3-7-18.**

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

26 SECTION 35. IC 3-7-26.3-29 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 29. **(a)** The
 28 computerized list must include voter registration management features
 29 that do the following:

30 (1) Automatically assign voter identification numbers in
 31 accordance with this title.

32 (2) Calculate the number of registered voters by precinct or any
 33 election district.

34 (3) Permit expedited web based inquiries concerning polling
 35 place locations.

36 (4) Track and report all voter list maintenance transactions
 37 performed within the system.

38 (5) Permit tracking regarding the political party ballot requested
 39 by voters voting in a primary.

40 (6) Generate a variety of reports on paper ~~compact disc~~, or floppy
 41 disc format, such as walking lists, call lists, lists of voters by
 42 precinct, lists of voters by name, date of birth, or date of

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- 1 registration, and lists of voters by other household data.
- 2 (7) Identify voters who are currently less than eighteen (18) years
- 3 of age.
- 4 (8) Permit electronic processing of voter registration information
- 5 received as files from other state and federal agencies.
- 6 (9) Provide flexible query functions for management and
- 7 statistical reports, including the ability of the secretary of state or
- 8 a co-director of the election division to view individual voter
- 9 registration records.
- 10 (10) Contain full audit controls and management reports to track
- 11 and manage the work of county voter registration office
- 12 employees, including the ability of the secretary of state or the
- 13 co-directors of the election division to determine whether a
- 14 county voter registration office is performing voter list
- 15 maintenance functions in the manner required by IC 3-7.

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

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

23 SECTION 36. IC 3-7-26.4-12, AS AMENDED BY P.L.164-2006,
 24 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2013]: Sec. 12. (a) This section does not apply to the chief
 26 justice of the supreme court or to a person described by section 8 of
 27 this chapter.

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

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

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

39 SECTION 37. IC 3-7-27-6, AS AMENDED BY P.L.225-2011,
 40 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JULY 1, 2013]: Sec. 6. (a) As required under 42 U.S.C. 1973gg-6(i),
 42 a county voter registration office shall retain records concerning the

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1 implementation of programs and activities conducted for the purpose
2 of ensuring the accuracy and currency of the voter registration list.
3 These records include the following:

4 (1) Lists of names and addresses of voters who were sent notices
5 under the voter list maintenance program.

6 (2) Information concerning whether a voter has responded to a
7 notice described by subdivision (1) as of the date the inspection
8 of the record is made.

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

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

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

31 (1) use the information to solicit merchandise, goods, services, or
32 subscriptions; or

33 (2) sell, loan, give away, or otherwise deliver the information
34 obtained by the request to any other person;

35 for a purpose other than political activities or political fundraising
36 activities.

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

39 SECTION 38. IC 3-7-27-8 IS REPEALED [EFFECTIVE JULY 1,
40 2013]. ~~Sec. 8: In a county that has a board of registration, the board~~
41 ~~shall have prepared a memorandum for each voter's original affidavit~~
42 ~~of registration or transfer of an original registration executed by the~~

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

SECTION 40. IC 3-7-27-10 IS REPEALED [EFFECTIVE JULY 1, 2013]. Sec. 10: The board of registration shall retain the original copies of all memoranda or microfilmed copies of the memoranda as part of the board's records until disposal of the record is permitted under this article after cancellation of the registration.

SECTION 41. IC 3-7-28-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 1. The circuit court clerk or board of **county voter** registration **office** shall provide a **copy** of voter registration **memoranda** as described in **IC 3-7-27-8 information** to certain county chairmen and candidates as provided in this chapter.

SECTION 42. IC 3-7-28-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. (a) This section does not apply to confidential information included on a voter registration application.

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

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

SECTION 43. IC 3-7-28-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. **Copies of (a) This section does not apply to confidential information included on a voter registration application.**

(b) A report containing information regarding all **memoranda registration applications** executed under this article during that part

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1 of a registration period beginning sixty-five (65) days before a primary,
 2 general, or municipal election and ending twenty-nine (29) days before
 3 the election shall be forwarded daily and within forty-eight (48) hours
 4 of the date on which the ~~memoranda were~~ **report was** originally made
 5 to the following upon request:

6 (1) Each of the county chairmen of the major political parties of
 7 the county.

8 (2) The chairman of the following:

9 (A) A bona fide political party that has at least one (1)
 10 candidate on the ballot of the election.

11 (B) An independent candidate's committee if the candidate is
 12 on the ballot at the election.

13 SECTION 44. IC 3-7-29-1, AS AMENDED BY P.L.81-2005,
 14 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JULY 1, 2013]: Sec. 1. **(a) This section does not apply to a county:**

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

17 **or**

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

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

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

25 (1) The full name of the voter.

26 (2) The address of the voter.

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

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

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

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

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

38 SECTION 45. IC 3-7-29-1.5 IS ADDED TO THE INDIANA CODE
 39 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 40 1, 2013]: Sec. 1.5. **(a) This section applies to a county:**

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

42 **or**

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- 1 **(2) in which vote centers are used under IC 3-11-18.1.**
- 2 **(b) Not later than ten (10) days before an election, the county**
- 3 **voter registration office shall mail a notice of the election to each**
- 4 **active voter (as defined in IC 3-11-18.1-2) eligible to vote in the**
- 5 **next election. The notice under this subsection must provide the**
- 6 **following:**
- 7 **(1) Information regarding the locations of vote centers in the**
- 8 **county.**
- 9 **(2) A space for the voter to sign the notice.**
- 10 **(3) Instructions for the voter to return the signed notice to a**
- 11 **vote center location to cast a ballot.**

12 SECTION 46. IC 3-7-29-2 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. **(a) This section**
 14 **does not apply to a county:**

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

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

24 SECTION 47. IC 3-7-29-3, AS AMENDED BY P.L.164-2006,
 25 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2013]: Sec. 3. When the inspector of a precinct procures the
 27 ballots and other election supplies for an election, the inspector shall
 28 also procure from the county voter registration office the certified
 29 copies of the registration record of the precinct with the information
 30 required under section 1 of this chapter **(or an electronic poll list in**
 31 **a county in which vote centers are used under IC 3-11-18.1 or an**
 32 **order is adopted under section 6 of this chapter)** and other necessary
 33 registration supplies.

34 SECTION 48. IC 3-7-29-4, AS AMENDED BY P.L.164-2006,
 35 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2013]: Sec. 4. **(a) This section does not apply to a county:**

- 37 **(1) that:**
- 38 **(A) has adopted an order under section 6 of this chapter;**
- 39 **and**
- 40 **(B) provides an electronic poll list that contains scanned**
- 41 **images of the signatures of voters; or**
- 42 **(2) in which:**

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**(A) vote centers are used under IC 3-11-18.1; and
(B) an electronic poll list containing available scanned images of the signatures of voters is provided at the vote centers.**

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

SECTION 49. IC 3-7-29-6 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE JULY 1, 2013]: **Sec. 6. If a county election board adopts an order to provide an electronic poll list to the inspector for use at a polling place or at a satellite office established under IC 3-11-10-26.3, electronic poll lists may be used at an election (rather than certified poll lists prepared under this chapter).**

SECTION 50. IC 3-7-31-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 2. Except as provided under section 3 of this chapter, a ~~circuit court clerk or board of the~~ **county voter registration office** shall use the forms prescribed by the commission under section 1 of this chapter.

SECTION 51. IC 3-7-31-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. A ~~circuit court clerk or board of~~ **county voter registration office** may make minor modifications to registration forms to use the form in the county registration records **after filing a copy of the modified form with the election division.**

SECTION 52. IC 3-7-31-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. **(a)** The registration forms prescribed under section 1 of this chapter must:

- (1) provide for the residence address and the mailing address of the individual completing the forms;
- (2) contain a statement that a notice of disposition of the person's registration application will be mailed to the mailing address of the individual; ~~and~~
- (3) require the applicant to provide the applicant's voter identification number;
- (4) after December 31, 2013, require an individual subject to IC 3-7-32-8 who receives a completed application from the applicant to state on the application the name and residence address of the individual and the date on which the individual received the application from the applicant, with this**

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1 statement being sworn or affirmed under the penalties for
 2 perjury; and
 3 (5) after December 31, 2013, contain a receipt to be given by
 4 an individual subject to IC 3-7-32-8 to the applicant when the
 5 individual receives the completed application.

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

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

12 SECTION 53. IC 3-7-32-7 IS AMENDED TO READ AS
 13 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) If the voter is
 14 unable to write, execute an original registration application in a
 15 manner authorized under section 1 of this chapter, the voter may
 16 procure another individual to assist with the execution of the
 17 application.

18 (b) If the voter is unable to sign the application, the person
 19 assisting the voter may write the voter's name and in the space
 20 provided for the voter's signature. Unless the voter is physically
 21 unable to do so, the voter shall also make the voter's mark in the
 22 space provided for the voter's signature.

23 (c) The person writing in the name of the voter assisting the voter
 24 with the execution of the application shall also write the person's own
 25 name and residence address on the affidavit in the space indicated for
 26 that purpose.

27 SECTION 54. IC 3-7-32-8 IS ADDED TO THE INDIANA CODE
 28 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 29 1, 2013]: Sec. 8. (a) This section does not apply to a voter
 30 registration application received by any of the following:

- 31 (1) An employee of a license branch acting in accordance with
 32 IC 3-7-14.
- 33 (2) An employee of a public assistance agency acting in
 34 accordance with IC 3-7-15.
- 35 (3) An employee of an agency serving persons with disabilities
 36 acting in accordance with IC 3-7-16.
- 37 (4) An employee of an office designated under IC 3-7-18
 38 acting in accordance with that chapter.
- 39 (5) An employee of an office designated under IC 3-7-19
 40 acting in accordance with that chapter.
- 41 (6) An employee of the office of the department of
 42 employment and training services acting in accordance with

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IC 3-7-20.5.

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

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

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

(10) The election division acting in accordance with IC 3-7-33-3.7.

(b) After December 31, 2013, a person who receives a completed application form shall file the application with the appropriate county voter registration office or the election division not later than:

(1) noon ten (10) days after the person receives the application; or

(2) the deadline set by state law for filing the application with the county voter registration office;

whichever occurs first.

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

SECTION 55. IC 3-7-33-3.7, AS ADDED BY P.L.225-2011, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3.7. (a) This section applies to a voter registration application submitted to the election division in person or by mail.

(b) An eligible applicant:

(1) who submits a completed application; or

(2) on whose behalf a completed application is submitted;

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

(c) An eligible applicant:

(1) who submits a completed application; or

(2) on whose behalf a completed application is submitted;

by mail to the election division shall be registered to vote in the election, if the application is postmarked not later than the twenty-ninth

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1 day before the election. If a postmark on an application submitted by
 2 mail is missing or illegible, an eligible applicant shall be registered to
 3 vote in the election, if the application is received by the election
 4 division not later than the Monday following the close of the
 5 registration period.

6 (d) The election division shall promptly forward an application
 7 received under this section to the county voter registration office of the
 8 county where the applicant resides. **However, the election division**
 9 **shall not transmit to a county voter registration office an**
 10 **application that cannot be processed during the period when**
 11 **registration is closed under IC 3-7-13-10 until at least seven (7)**
 12 **days after the date of the close of registration. The election division**
 13 **shall clearly identify the applications described by this subsection**
 14 **in the transmittal to the county voter registration office as "late**
 15 **registrations".**

16 SECTION 56. IC 3-7-33-5.5 IS ADDED TO THE INDIANA CODE
 17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 18 1, 2013]: **Sec. 5.5. (a) This section applies to a voter registration**
 19 **application that is received by a county voter registration office**
 20 **after the date specified for filing the application under IC 3-7-32-8.**

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

29 SECTION 57. IC 3-7-34-1.5 IS ADDED TO THE INDIANA CODE
 30 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 31 1, 2013]: **Sec. 1.5. As used in this chapter, a registration form is**
 32 **"incomplete" if the applicant does not provide any of the**
 33 **following:**

- 34 (1) **The name of the applicant.**
- 35 (2) **The residence address of the applicant (other than the ZIP**
 36 **code).**
- 37 (3) **The mailing address of the applicant (other than the ZIP**
 38 **code), unless the applicant provides a residence address at**
 39 **which United States Postal Service mail delivery for the**
 40 **applicant can be received.**
- 41 (4) **The date of birth of the applicant.**
- 42 (5) **The voter identification number of the applicant or a**



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statement that the applicant has no voter identification number.

(6) The applicant's response to the question, "Are you a citizen of the United States of America?".

(7) The applicant's response to the question, "Will you be at least eighteen (18) years of age on or before election day?".

(8) A map or diagram of the voter's residence (if the applicant has no residence address with a street number or name included on this application).

(9) The signature of the applicant to the statement swearing or affirming that:

(A) the applicant meets the requirements for approval of the application;

(B) the information and all other statements on the application are true; and

(C) the applicant understands if the applicant signs the statement knowing that the statement is not true, the applicant is committing perjury, and understands the penalties for committing perjury.

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

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

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

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

(1) one (1) effort to contact the voter by mail if possible; and

(2) one (1) effort to contact the voter by telephone if a telephone number is listed.

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

SECTION 60. IC 3-7-38.2-2, AS AMENDED BY P.L.1-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2013]: Sec. 2. (a) A voter list maintenance program conducted
2 under this chapter must:

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

9 (b) A county voter registration office may conduct a voter list
10 maintenance program that complies with subsection (a). In conducting
11 a voter list maintenance program, the county voter registration office
12 shall mail a notice described in subsection (d) to each registered voter
13 at the residence address:

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

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

- 20 (1) The United States Postal Service National Change of Address
21 Service.
22 (2) A court regarding jury duty notices.
23 (3) The return of a mailing sent by the county voter registration
24 office to all voters in the county.
25 (4) The bureau of motor vehicles concerning the surrender of a
26 voter's Indiana license for the operation of a motor vehicle to
27 another jurisdiction.

28 (d) The notice described in subsection (b) must:

- 29 (1) be sent by first class United States mail, postage prepaid, by
30 a method that requires the notice to be forwarded to the voter; and
31 (2) include a postage prepaid return card that:

- 32 (A) is addressed to the county voter registration office;
33 (B) states a date (**which must be at least thirty (30) days**
34 **after the date the notice is mailed**) by which the card must be
35 returned or the voter's registration will become inactive until
36 the information is provided to the county voter registration
37 office; and

- 38 (C) permits the voter to provide the voter's current residence
39 address.

40 (e) If a voter returns the card described in subsection (d)(2) and
41 provides a current residence address that establishes that the voter
42 resides:

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- 1 (1) in the county, the county voter registration office shall update
- 2 the voter's registration record; or
- 3 (2) outside the county, the county voter registration office shall
- 4 cancel the voter's registration.

5 **(f) If a voter returns the card described in subsection (d)(2) after**
 6 **the final day for completing voter list maintenance activities under**
 7 **section 3 of this chapter, the county voter registration office shall,**
 8 **when registration reopens after the next primary, general, or**
 9 **municipal election following the date specified in the notice,**
 10 **process any update or cancellation of the voter registration record**
 11 **indicated on the card by the voter under subsection (e). If a card is**
 12 **returned as undeliverable due to an unknown or insufficient**
 13 **address by the United States Postal Service after the date specified**
 14 **in subsection (d)(2)(B), the county voter registration office shall,**
 15 **when registration reopens after the next primary, general, or**
 16 **municipal election, designate the voter as inactive.**

17 ~~(f)~~ **(g)** If a voter does not return the card described in subsection
 18 (d)(2) by the date specified in subsection (d)(2)(B), the county voter
 19 registration office shall indicate in the voter's registration record that
 20 the voter's registration is inactive.

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

- 24 (1) The date the county voter registration office updates or
- 25 cancels the voter's registration under subsection (e) after the voter
- 26 provides a current residence address.
- 27 (2) The day after the second general election in which the voter
- 28 has not voted or appeared to vote.

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

32 SECTION 61. IC 3-7-38.2-5, AS AMENDED BY P.L.164-2006,
 33 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2013]: Sec. 5. **(a)** To assist in performing voter list
 35 maintenance under this chapter, the NVRA official ~~may~~ **shall** submit
 36 the names of all registered voters in Indiana to the United States Postal
 37 Service National Change of Address Service. The submission under
 38 this chapter shall be compiled from the county voter registration
 39 information submitted to the election division under IC 3-7-26.3.

40 **(b) This subsection does not require the NVRA official to**
 41 **request voter registration data from a state listed in this subsection**
 42 **if the NVRA official will be receiving voter registration data from**

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1 that state under the memorandum of understanding described in
 2 subsection (d). To assist in performing voter list maintenance
 3 under this chapter, not later than December 31 of each calendar
 4 year the NVRA official shall request that the chief state election
 5 official who is responsible for the coordination of state
 6 responsibilities under NVRA in each of the following states provide
 7 a list of the registered voters in that state:

- 8 (1) Florida.
- 9 (2) Illinois.
- 10 (3) Kentucky.
- 11 (4) Michigan.
- 12 (5) Ohio.

13 (c) The NVRA official shall request a list of registered voters
 14 from any other state in which the NVRA official determines there
 15 is a reasonable possibility that a significant number of individuals
 16 who have registered to vote in Indiana may also be registered to
 17 vote in that state.

18 (d) Not later than August 1, 2013, the NVRA official shall
 19 execute a memorandum of understanding with the Kansas
 20 Secretary of State. Notwithstanding any limitation under
 21 IC 3-7-26.4 regarding the availability of certain information from
 22 the computerized list, on January 15 of each year, the NVRA
 23 official shall provide data from the statewide voter registration list
 24 without cost to the Kansas Secretary of State to permit the
 25 comparison of voter registration data in the statewide voter
 26 registration list with registration data from all other states
 27 participating in this memorandum of understanding and to identify
 28 any cases in which a voter cast a ballot in more than one (1) state
 29 during the same election. Not later than thirty (30) days following
 30 the receipt of information under this subsection indicating that a
 31 voter of Indiana may also be registered to vote in another state, the
 32 NVRA official shall provide the appropriate county voter
 33 registration office with the name and any other information
 34 obtained under this subsection concerning that voter. The county
 35 voter registration office shall determine whether the individual:

- 36 (1) identified in the report provided by the NVRA official
 37 under this subsection is the same individual who is a
 38 registered voter of the county;
- 39 (2) registered to vote in another state on a date following the
 40 date that voter registered in Indiana; and
- 41 (3) authorized the cancellation of any previous registration by
 42 the voter when the voter registered in another state.



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1 (e) If the county voter registration office determines that the
 2 voter is described by subsection (d)(1) through (d)(3), the county
 3 voter registration office shall cancel the voter registration of that
 4 voter. If the county voter registration office determines that the
 5 voter is described by subsection (d)(1) and (d)(2), but has not
 6 authorized the cancellation of any previous registration, the county
 7 voter registration office shall send an address confirmation notice
 8 to the Indiana address of the voter.

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

- 15 (1) has a temporary forwarding order in effect;
- 16 (2) is an absent uniformed services voter; or
- 17 (3) is an overseas voter;

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

20 SECTION 63. IC 3-7-38.2-7.5 IS ADDED TO THE INDIANA
 21 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
 22 [EFFECTIVE JULY 1, 2013]: **Sec. 7.5. The NVRA official shall do**
 23 **both of the following:**

- 24 (1) **Compare the lists of voters described in section 5(c) of this**
 25 **chapter with the list of registered voters in Indiana to identify**
 26 **any individuals who may be registered to vote in more than**
 27 **one (1) state.**
- 28 (2) **Provide each county voter registration office with a list of**
 29 **potential duplicate registrations not later than thirty (30) days**
 30 **after receipt of a list of voters of a state.**

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

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



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1 provision of this chapter.

2 (b) The NVRA official shall, not later than January 31 of each
 3 year, submit the name of each registered voter in Indiana to the
 4 United States Department of Homeland Security, U.S. Citizenship
 5 and Immigration Service Verification Division, for comparison
 6 with data maintained in that agency's SAVE Program. If the
 7 NVRA official fails to perform the official's duty under this
 8 subsection, the secretary of state shall do so. The state shall provide
 9 each county voter registration office with information concerning
 10 any registered voter who appears to not be a citizen of the United
 11 States according to the SAVE Program for further investigation by
 12 the county election board or county prosecuting attorney to
 13 determine if a violation of this title may have occurred.

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

16 (1) United States District Court for the Northern District of
 17 Indiana; and

18 (2) United States District Court for the Southern District of
 19 Indiana;

20 concerning the return of U.S. mail sent by the court for jury
 21 selection purposes. The state shall provide each county voter
 22 registration office with information concerning any registered
 23 voter who appears to no longer reside at the address set forth in
 24 the voter's registration record due to a mailing returned to the
 25 courts as undeliverable due to an unknown or insufficient address.
 26 The county voter registration office shall send an address
 27 confirmation notice to the voter described by this subsection.

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

32 (b) The county voter registration office of the county in which a
 33 voter registers shall send the authorization of cancellation to the county
 34 voter registration office **using the computerized list**, on an expedited
 35 basis, as required by IC 3-7-26.3. **A county voter registration office**
 36 **is not required to forward a paper copy of the request for**
 37 **cancellation of registration to another county voter registration**
 38 **office if the authorization of cancellation has been transmitted to**
 39 **the other county voter registration office using the computerized**
 40 **list. The county voter registration office shall retain the paper copy**
 41 **of the request for cancellation for the two (2) year period required**
 42 **under 42 U.S.C. 1974.**



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

10 **(b) Except as provided in subsection (c), a county voter**
 11 **registration office shall cancel the registration of a deceased person**
 12 **after receiving a copy of an obituary, notice of estate**
 13 **administration, or other notice of death of that person published in**
 14 **a newspaper in which a legal notice may be published under**
 15 **IC 5-3-1.**

16 ~~(b)~~ (c) A county voter registration office may require additional
 17 written information before canceling the registration of a person under
 18 subsection (a) if the information contained in the death certificate **or**
 19 **notice of death** is insufficient to identify the person whose registration
 20 is to be canceled. If:

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

23 (2) the additional written information is insufficient to identify the
 24 person whose registration is to be canceled;

25 the county voter registration office is not required to cancel the person's
 26 registration.

27 SECTION 68. IC 3-7-45-5, AS AMENDED BY P.L.164-2006,
 28 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 29 JULY 1, 2013]: Sec. 5. (a) The state department of health shall
 30 ~~negotiate with appropriate agencies in each state other than Indiana to~~
 31 ~~acquire information regarding the deaths of Indiana residents occurring~~
 32 ~~in each of the other states~~ **from those states or from the State and**
 33 **Territorial Exchange of Vital Events (STEVE) System and**
 34 **Electronic Verification of Vital Events (EVVE) System,**
 35 **administered by the National Association for Public Health**
 36 **Statistics and Information Systems.** The state department of health
 37 may offer to share with each other state information regarding the
 38 deaths of the other state's residents in Indiana.

39 (b) ~~If an agreement is made with the agency of another state under~~
 40 ~~this section, the agreement must provide for acquisition of information~~
 41 ~~about the deaths of Indiana residents in the other state so that~~ **At least**
 42 **once each month,** the state department of health ~~can~~ **shall** forward that



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1 information as provided in section 2.1 of this chapter.

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

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

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

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

19 SECTION 71. IC 3-10-1-7.1, AS AMENDED BY P.L.164-2006,
20 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2013]: Sec. 7.1. (a) **This subsection does not apply to a**
22 **county in which electronic poll lists are used under IC 3-7-29-6 or**
23 **IC 3-11-18.1.** Each county election board shall furnish the inspector of
24 each precinct for use on primary election day a certified copy under
25 IC 3-7-29 of the list of all voters registered to vote in the precinct.

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

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

37 SECTION 72. IC 3-10-1-8, AS AMENDED BY P.L.164-2006,
38 SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JULY 1, 2013]: Sec. 8. A person who will be a voter at the general
40 election for which the primary is being held and whose name does not
41 appear on the registration record of the precinct, ~~or on~~ the certified
42 copy of the registration record prepared under IC 3-7-29, **or the**

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- 1 **electronic poll list** may:
- 2 (1) vote if the county voter registration office provides a signed
- 3 certificate of error; or
- 4 (2) cast a provisional ballot under IC 3-11.7, as provided by 42
- 5 U.S.C. 15482.
- 6 SECTION 73. IC 3-10-1-24, AS AMENDED BY P.L.164-2006,
- 7 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 8 JULY 1, 2013]: Sec. 24. (a) A voter who desires to vote must give the
- 9 voter's name and political party to the poll clerks of the precinct on
- 10 primary election day. The poll clerks shall require the voter to write the
- 11 following on the poll list:
- 12 (1) The voter's name.
- 13 (2) Except as provided in subsection (d), the voter's current
- 14 residence address.
- 15 (3) The name of the voter's party.
- 16 (b) The poll clerks shall:
- 17 (1) ask the voter to provide or update the voter's voter
- 18 identification number;
- 19 (2) tell the voter the number the voter may use as a voter
- 20 identification number; and
- 21 (3) explain to the voter that the voter is not required to provide a
- 22 voter identification number at the polls.
- 23 (c) If the voter is unable to sign the voter's name, the voter must sign
- 24 the poll list by mark, which must be witnessed by one (1) of the poll
- 25 clerks or assistant poll clerks acting under IC 3-6-6, who shall place the
- 26 poll clerk's or assistant poll clerk's initials after or under the mark.
- 27 (d) Each line on a poll list sheet provided to take a voter's current
- 28 residence address must include a box under the heading "Address
- 29 Unchanged" so that a voter whose residence address shown on the poll
- 30 list is the voter's current residence address may check the box instead
- 31 of writing the voter's current residence address on the poll list.
- 32 **(e) For purposes of this section and section 7.2 of this chapter,**
- 33 **in a county using vote centers under IC 3-11-18.1, a voter is**
- 34 **considered to have written on the poll list or signed the poll list**
- 35 **when the voter executes the notice mailed to the voter under**
- 36 **IC 3-7-29-1.5(b).**
- 37 **(f) If a voter fails to bring the notice mailed to the voter under**
- 38 **IC 3-7-29-1.5(b), the precinct election board shall provide a**
- 39 **replacement notice to the voter at the vote center. The voter is**
- 40 **considered to have written on the poll list or signed the poll list**
- 41 **when the voter executes the replacement notice.**
- 42 **(g) If the voter makes a written affirmation on the poll list that**

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1 **the voter resides at an address that is within the same precinct but**
 2 **is not the same address shown on the poll list for that precinct, or**
 3 **makes an oral affirmation of that change of address under**
 4 **IC 3-7-39-7, the county election board shall direct the county voter**
 5 **registration office to transfer the individual's voter registration**
 6 **record to the address within the precinct indicated by the voter.**

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

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

21 SECTION 75. IC 3-11-3-16, AS AMENDED BY P.L.164-2006,
 22 SECTION 90, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2013]: Sec. 16. Each county election board shall prepare and
 24 have delivered to the inspectors of the precincts, at the time they
 25 receive the ballots for their precincts, a suitable number of voter
 26 registration lists certified under IC 3-7-29 **(or an electronic poll list in**
 27 **a county described by IC 3-7-29-6 or IC 3-11-18.1)** and any other
 28 forms, papers, certificates, and oaths that are required to be furnished
 29 to precinct election boards. The forms and papers must be prepared in
 30 compliance with IC 3-5-4-8. The county voter registration office shall
 31 cooperate with the county election board in the preparation of the lists
 32 certified under IC 3-7-29 **(or in the use of the electronic poll lists).**

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

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

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

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- 1 (1) either:
- 2 (A) not more than five (5) miles from the closest boundary of
- 3 the precinct for which it is the polls; or
- 4 (B) located in the same township as the precinct that does not
- 5 have an accessible facility available; and
- 6 (2) located in an accessible facility.
- 7 ~~(c)~~ (d) If the county election board, by a unanimous vote of its entire
- 8 membership, determines that an accessible facility is not available
- 9 under subsection ~~(b)~~; (c), the board may locate the polls in the most
- 10 convenient available accessible facility in the county.
- 11 ~~(d)~~ (e) If the county election board, by unanimous vote of its entire
- 12 membership, determines that:
- 13 (1) an accessible facility is not available under subsection ~~(b)~~ (c)
- 14 or ~~(c)~~; (d); and
- 15 (2) the most convenient accessible facility is located in an
- 16 adjoining county;
- 17 the board may locate the polls in the facility described in subdivision
- 18 (2) with the unanimous consent of the entire membership of the county
- 19 election board of the county in which the facility is located.
- 20 SECTION 77. IC 3-11-8-4.1 IS AMENDED TO READ AS
- 21 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 4.1. (a) **This section**
- 22 **does not apply to a county using vote centers under IC 3-11-18.1.**
- 23 (b) The polls for each precinct may be located in only one (1) place.
- 24 SECTION 78. IC 3-11-8-10.3, AS ADDED BY P.L.1-2011,
- 25 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 26 JULY 1, 2013]: Sec. 10.3. (a) As used in this section, "electronic poll
- 27 list" refers to a poll list that is maintained in a computer data base.
- 28 (b) An electronic poll list must satisfy all of the following:
- 29 (1) An electronic poll list must be programmed so that the
- 30 coordinated action of two (2) election officers who are not
- 31 members of the same political party is necessary to access the
- 32 electronic poll list.
- 33 (2) An electronic poll list may not be connected to a voting
- 34 system.
- 35 (3) An electronic poll list may not permit access to voter
- 36 information other than information provided on the certified list
- 37 of voters prepared under IC 3-7-29-1.
- 38 (4) **The information contained on an electronic poll list must**
- 39 **be encrypted and placed on a dedicated, private server to**
- 40 **secure connectivity between a precinct polling place or**
- 41 **satellite absentee office and the county election board.**
- 42 (5) **The electronic poll list must permit a poll clerk to enter**

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information regarding an individual who has appeared to vote to verify whether the individual is eligible to vote, and if so, whether the voter has already cast a ballot at the election.

(6) After the voter has been provided with a ballot, the electronic poll list must permit a poll clerk to enter information indicating that the voter has voted at the election.

(7) The electronic poll list must transmit the information in subdivision (6) to the county election board so that the board may transmit the information immediately to every other polling place or satellite absentee office in the county in which an electronic poll list is being used.

(8) The electronic poll list must permit reports to be generated by a county election board for a watcher appointed under IC 3-6-8 at any time during election day and must permit reports to be electronically transmitted by the county election board to a political party or independent candidate who has appointed a watcher under IC 3-6-8.

(9) After election day, the electronic poll list must permit voter history to be quickly and accurately uploaded into the computerized list.

SECTION 79. IC 3-11-8-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 17. (a) **This section does not apply to a county using vote centers under IC 3-11-18.1.**

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

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

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

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

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

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

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- 1 residence address.
- 2 (c) The poll clerks shall:
- 3 (1) ask the voter to provide or update the voter's voter
- 4 identification number;
- 5 (2) tell the voter the number the voter may use as a voter
- 6 identification number; and
- 7 (3) explain to the voter that the voter is not required to provide or
- 8 update a voter identification number at the polls.
- 9 (d) The poll clerk shall then add the clerk's initials in parentheses,
- 10 after or under the signature. The voter then may vote.
- 11 (e) **The electronic poll list (or** each line on a poll list sheet
- 12 provided to take a voter's current residence address) must include a box
- 13 under the heading "Address Unchanged" so that the poll clerk may
- 14 check the box to indicate that the residence address shown on the poll
- 15 list is the voter's current residence address instead of writing the voter's
- 16 current residence address on the poll list **or reentering the address in**
- 17 **the electronic poll list.**
- 18 SECTION 81. IC 3-11-18.1-4, AS ADDED BY P.L.225-2011,
- 19 SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 20 JULY 1, 2013]: Sec. 4. The plan required by section 3 of this chapter
- 21 must include at least the following:
- 22 (1) The total number of vote centers to be established.
- 23 (2) The location of each vote center.
- 24 (3) The effective date of the order.
- 25 (4) The following information according to the computerized list
- 26 (as defined in IC 3-7-26.3-2) as of the date of the order:
- 27 (A) The total number of voters within the county.
- 28 (B) The number of active voters within the county.
- 29 (C) The number of inactive voters within the county.
- 30 (5) For each vote center designated under subdivision (2), a list
- 31 of the precincts whose polls will be located at the vote center
- 32 consistent with section 13 of this chapter.
- 33 (6) For each vote center designated under subdivision (2), the
- 34 number of precinct election boards that will be appointed to
- 35 administer an election at the vote center.
- 36 (7) For each precinct election board designated under subdivision
- 37 (6), the number and name of each precinct the precinct election
- 38 board will administer consistent with section 13 of this chapter.
- 39 (8) For each vote center designated under subdivision (2), the
- 40 number and title of the precinct election officers who will be
- 41 appointed to serve at the vote center.
- 42 (9) For each vote center designated under subdivision (2):

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- 1 (A) the number and type of ballot variations that will be
- 2 provided at the vote center; and
- 3 (B) whether these ballots will be:
- 4 (i) delivered to the vote center before the opening of the
- 5 polls; or
- 6 (ii) printed on demand for a voter's use.
- 7 (10) A detailed description of any hardware, firmware, or
- 8 software used:
- 9 (A) to create an electronic poll list for each precinct whose
- 10 polls are to be located at a vote center; or
- 11 (B) to establish a secure electronic connection between the
- 12 county election board and the precinct election officials
- 13 administering a vote center.
- 14 (11) A description of the equipment and procedures to be used to
- 15 ensure that information concerning a voter entered into any
- 16 electronic poll list used by precinct election officers at a vote
- 17 center is immediately accessible to:
- 18 (A) the county election board; and
- 19 (B) the electronic poll lists used by precinct election officers
- 20 at all other vote centers in the county.
- 21 (12) For each precinct designated under subdivision (5), the
- 22 number of electronic poll lists to be provided for the precinct.
- 23 (13) The security and contingency plans to be implemented by the
- 24 county to do all of the following:
- 25 (A) Prevent a disruption of the vote center process.
- 26 (B) Ensure that the election is properly conducted if a
- 27 disruption occurs.
- 28 (C) Prevent access to an electronic poll list without the
- 29 coordinated action of two (2) precinct election officers who are
- 30 not members of the same political party.
- 31 (14) A certification that the vote center complies with the
- 32 accessibility requirements applicable to polling places under
- 33 IC 3-11-8.
- 34 (15) A sketch depicting the planned layout of the vote center,
- 35 indicating the location of:
- 36 (A) equipment; and
- 37 (B) precinct election officers;
- 38 within the vote center.
- 39 (16) The total number and locations of satellite offices to be
- 40 established under IC 3-11-10-26.3 at vote center locations
- 41 designated under subdivision (2) to allow voters to cast absentee
- 42 ballots in accordance with IC 3-11. However, a plan must provide

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1 for at least one (1) vote center to be established as a satellite
 2 office under IC 3-11-10-26.3 on the two (2) Saturdays
 3 immediately preceding an election day.

4 (17) The method and timing of providing voter data to persons
 5 who are entitled to receive the data under this title. Data shall be
 6 provided to all persons entitled to the data without unreasonable
 7 delay.

8 **(18) That the county election board shall adopt a resolution**
 9 **under IC 3-11.5-5-1 or IC 3-11.5-6-1 to make the central**
 10 **counting of absentee ballots applicable to the county (if the**
 11 **board has not already done so).**

12 SECTION 82. IC 3-11-18.1-8, AS ADDED BY P.L.1-2011,
 13 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2013]: Sec. 8. (a) **Except as provided in subsection (b),** the
 15 designation of a county as a vote center county takes effect
 16 immediately upon the filing of the order with the election division,
 17 unless otherwise specified by the county election board.

18 **(b) An order filed with the election division during the final sixty**
 19 **(60) days before an election becomes effective on the day following**
 20 **the election.**

21 ~~(b)~~ (c) The designation of a county as a vote center county remains
 22 in effect until the county election board, by unanimous vote of its entire
 23 membership:

24 (1) rescinds the order designating the county as a vote center
 25 county; and

26 (2) files a copy of the document rescinding the order with the
 27 election division.

28 SECTION 83. IC 5-26.5-2-5 IS AMENDED TO READ AS
 29 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) **The definitions**
 30 **set forth in IC 3-5-2 apply to this section.**

31 (b) A program participant who is otherwise qualified to vote may
 32 apply to vote as provided in IC 3-7. **The residence address of a**
 33 **program participant shall be recorded in the computerized system**
 34 **as set forth in the voter registration application. However, the**
 35 **voter registration application of the program participant is**
 36 **confidential, and the name and residence address of the program**
 37 **participant shall not be printed on any poll list or made available**
 38 **through any electronic poll list provided to precinct election**
 39 **officers.**

40 (c) **The program participant may vote in person at the office of**
 41 **the county election board or may vote absentee by mail. The**
 42 **program participant's mailing address shall be recorded in the**

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1 **computerized system as the address of the office of the attorney**
2 **general. Except as provided in this section, IC 3-11-4-6 applies to**
3 **a program participant who wishes to vote by absentee ballot.**

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

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 five (5) days after the application is accepted at
13 the office.

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

19 (c) The declination must be transmitted:

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

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

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

30 (1) Hand delivery to the circuit court clerk or board of
31 registration.

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

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

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

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

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

6 (c) The declination must be transmitted:
7 (1) to the circuit court clerk or board of registration of the county
8 in which the individual's residential address (as indicated on the
9 application) is located; and
10 (2) not later than five (5) days after the application is accepted at
11 the office.

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

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

20 (1) to the circuit court clerk or board of registration of the county
21 in which the individual's residential address (as indicated on the
22 application) is located; and
23 (2) not later than ten (10) days after the application is accepted at
24 the office.

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

30 (d) The declination must be transmitted:
31 (1) to the circuit court clerk or board of registration of the county
32 in which the individual's residential address (as indicated on the
33 application) is located; and
34 (2) not later than ten (10) days after the application is accepted at
35 the office.

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

41 (1) Hand delivery to the circuit court clerk or board of
42 registration.

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1 (2) ~~Certified Delivery by the United States Postal Service,~~
2 **using first class mail. return receipt requested.**
3 (3) Electronic transfer, after approval by the co-directors of the
4 election division.
5 SECTION 89. IC 16-35-1.6-5 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 5. (a) As required
7 under 42 U.S.C. 1973gg-5(d)(1), the designated office employee shall
8 transmit ~~a copy of~~ a completed voter registration application:
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 five (5) days after the application is accepted at
13 the office.
14 (b) The employee shall transmit ~~a copy of~~ the voter registration
15 application (or a separate declination form) on which the individual
16 declined to register to vote by specifically declining to register or by
17 failing to complete the voter registration portion of the application.
18 (c) The declination must be transmitted:
19 (1) to the circuit court clerk or board of registration of the county
20 in which the individual's residential address (as indicated on the
21 application) is located; and
22 (2) not later than five (5) days after the application is accepted at
23 the office.
24 SECTION 90. IC 16-35-1.6-7 IS REPEALED [EFFECTIVE JULY
25 1, 2013]. ~~Sec. 7. A designated employee may use any of the following~~
26 ~~methods to transmit voter registration applications or declinations~~
27 ~~under section 5 or 6 of this chapter:~~
28 (1) ~~Hand delivery to the circuit court clerk or board of~~
29 ~~registration.~~
30 (2) ~~Certified mail; return receipt requested.~~
31 SECTION 91. IC 16-35-1.6-8 IS REPEALED [EFFECTIVE JULY
32 1, 2013]. ~~Sec. 8. If a designated employee transmits registration~~
33 ~~applications or declinations by hand delivery under section 7(1) of this~~
34 ~~chapter, the circuit court clerk or board of registration shall provide the~~
35 ~~designated employee with a receipt for the forms. The receipt must~~
36 ~~state the date and time of delivery, and the printed name and signature~~
37 ~~of the person who received the forms.~~
38 SECTION 92. IC 16-35-1.6-9 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 9. (a) ~~The co-directors~~
40 ~~of the election division shall provide the commissioner with a list of the~~
41 ~~current addresses address and telephone numbers number of the~~
42 ~~offices of the circuit court clerk or board of county voter registration~~

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1 office in each county. The commissioner shall promptly forward the list
2 and each revision of the list to each WIC office.

3 (b) The co-directors shall provide the commissioner with
4 pre-addressed packets for WIC offices to transmit applications under
5 section 7(1) or 7(2) of this chapter.

6 SECTION 93. [EFFECTIVE UPON PASSAGE] (a) Not later than
7 May 31, 2013, the election division may enter into a contract with
8 an entity to provide management services for the statewide voter
9 registration system, with the consent of the secretary of state. If the
10 election division does not enter into a contract before June 1, 2013,
11 the secretary of state may enter into the contract without the
12 approval of the election division.

13 (b) This SECTION expires July 1, 2015.

14 SECTION 94. [EFFECTIVE JULY 1, 2013] (a) Not later than
15 October 1, 2013, the election division may enter into a contract
16 with an entity to conduct the address confirmation mailing to each
17 voter registration record address within Indiana. If the election
18 division does not enter into a contract before October 2, 2013, the
19 secretary of state may enter into the contract without the approval
20 of the election division.

21 (b) This SECTION expires January 1, 2015.

22 SECTION 95. An emergency is declared for this act.

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COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Senate Bill No. 519, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 2, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 4. IC 3-5-5-0.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2013]: **Sec. 0.2. Notwithstanding any other law, the additions and amendments to this chapter made by SEA 519-2013 do not affect any:**

- (1) rights or liabilities accrued;**
- (2) penalties incurred;**
- (3) violations committed; or**
- (4) proceedings begun;**

before July 1, 2013. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if SEA 519-2013 had not been enacted."

Page 11, line 38, strike "memoranda were" and insert "**report was**".

Page 12, line 15, after "contain" insert "**only**".

Page 12, line 32, delete "subsection" and insert "**section**".

Page 12, line 38, delete "of the county." and insert "**eligible to vote in the next election.**".

Page 13, line 28, after "that" insert ":

(A)".

Page 13, line 28, after "chapter;" insert "**and**

(B) provides an electronic poll list that contains scanned images of the signatures of voters; or".

Page 13, delete line 29.

Page 15, between lines 37 and 38, begin a new line block indented and insert:

"(10) The election division acting in accordance with IC 3-7-33-3.7."

Page 15, line 38, delete "an individual" and insert "**a person**".

Page 15, line 40, after "office" insert "**or the election division**".

Page 15, line 41, delete "individual" and insert "**person**".

Delete page 17.

Page 18, delete lines 1 through 38.

Page 21, line 29, delete "date specified in the notice," and insert "**final day for completing voter list maintenance activities under section 3 of this chapter,**".

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Page 22, line 15, delete "at least".

Page 22, line 16, delete "once each month".

Page 23, line 1, delete "On" and insert "**Notwithstanding any limitation under IC 3-7-26.4 regarding the availability of certain information from the computerized list, on**".

Page 23, line 6, delete "understanding." and insert "**understanding and to identify any cases in which a voter cast a ballot in more than one (1) state during the same election.**".

Page 24, line 25, delete "Division" and insert "**Division,**".

Page 26, line 10, after "those states" delete "and" and insert "**or**".

Page 28, line 20, delete "states" and insert "**makes a written affirmation**".

Page 28, line 22, after "makes an" insert "**oral**".

Page 30, line 32, after "generated" insert "**by a county election board**".

Page 37, line 41, delete "three" and insert "**five**".

Page 37, line 42, delete "sixty-five".

Page 37, line 42, delete "\$365,000" and insert "**(\$500,000)**".

Page 38, line 6, delete "(a) There is".

Page 38, delete lines 7 through 14.

Page 38, line 15, delete "(c)" and insert "**(a)**".

Page 38, line 21, delete "(d)" and insert "**(b)**".

Page 38, line 22, delete "(a) There is".

Page 38, delete lines 23 through 26.

Page 38, line 27, delete "(b)" and insert "**(a)**".

Page 38, line 29, delete "described in subsection (a)." and insert "**to each voter registration record address within Indiana.**".

Page 38, line 33, delete "(c)" and insert "**(b)**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

(Reference is to SB 519 as introduced.)

LANDSKE, Chairperson

Committee Vote: Yeas 5, Nays 3.

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COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill No. 519, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

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

Page 4, delete lines 41 through 42.

Page 5, delete lines 1 through 2.

Page 36, delete lines 10 through 31.

Page 36, line 33, delete "shall" and insert "**may**".

Page 36, line 41, delete "shall" and insert "**may**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 519 as printed February 5, 2013.)

KENLEY, Chairperson

Committee Vote: Yeas 6, Nays 4.

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