

IC 3-6-10

Chapter 10. Watchers for the Media

IC 3-6-10-1

Media entitled to watchers

Sec. 1. The following media may appoint in writing one (1) watcher for each precinct:

- (1) Each daily, weekly, semiweekly, or triweekly newspaper of general circulation in the county where an election is held.
- (2) Each news service operating in the county where an election is held.
- (3) Each radio or television station operating in the county where an election is held.

As added by P.L.5-1986, SEC.2. Amended by P.L.3-1987, SEC.42; P.L.4-1996, SEC.13.

IC 3-6-10-2

List of watchers; signature

Sec. 2. A list of all persons appointed under section 1 of this chapter shall be prepared and signed by an individual or an officer of the corporation owning the newspaper, news service, radio station, or television station. The signature must be verified.

As added by P.L.5-1986, SEC.2. Amended by P.L.3-1987, SEC.43.

IC 3-6-10-3

Persons entitled to receive list

Sec. 3. The list required by section 2 of this chapter shall be furnished the day before election day to the following:

- (1) The circuit court clerk.
- (2) The county election board.
- (3) The county chairman of each political party that is entitled to appoint a watcher under IC 3-6-8.
- (4) The chairman of each independent candidate's committee that is entitled to appoint a watcher under IC 3-6-8.

As added by P.L.5-1986, SEC.2. Amended by P.L.3-1993, SEC.29.

IC 3-6-10-4

Application of IC 3-6-10-2 and IC 3-6-10-3

Sec. 4. Sections 2 and 3 of this chapter do not apply to persons who are employed by a newspaper, news service, radio station, or television station as their regular occupation.

As added by P.L.5-1986, SEC.2. Amended by P.L.3-1987, SEC.44.

IC 3-6-10-5

Watcher identification card; powers; photographing proceedings; photographing voters

Sec. 5. (a) Each person who acts as a watcher under this chapter must obtain a watcher identification card from the county election board. The identification card issued under this subsection must clearly state the following:

- (1) The status of the individual as an appointed watcher.
- (2) The name of the individual serving as a watcher.
- (3) The name of the person that appointed the individual as a watcher.

(b) Watchers appointed under this chapter do not have a voice or vote in any proceeding of a precinct election board. The watchers may attend the election as witnesses only and are subject to the orders of the board.

(c) Except as provided in subsection (d), a watcher appointed under this chapter may photograph the proceedings of a precinct election board.

(d) A watcher appointed under this chapter may not photograph a voter:

- (1) while the voter is in the polls if the voter informs the precinct election board that the voter objects to being photographed by the watcher; or
- (2) in a manner that permits the watcher to see or know for what ticket, candidates, or public questions the voter has voted.

As added by P.L.5-1986, SEC.2. Amended by P.L.3-1987, SEC.45; P.L.7-1990, SEC.5; P.L.4-1996, SEC.14; P.L.230-2005, SEC.22.

IC 3-6-10-5.5

Watcher rights

Sec. 5.5. A watcher appointed under this chapter is entitled to do the following:

- (1) Enter the polls at least thirty (30) minutes before the opening of the polls and remain there throughout election day until all tabulations have been completed.
- (2) Inspect the paper ballot boxes, ballot card voting system, or electronic voting system before votes have been cast.
- (3) Inspect the work being done by any precinct election officer.
- (4) Enter, leave, and reenter the polls at any time on election day.
- (5) Witness the calling and recording of the votes and any other proceedings of the precinct election officers in the performance of official duties.
- (6) Receive a summary of the vote prepared under IC 3-12-2-15, IC 3-12-3-2, IC 3-12-3-11, or IC 3-12-3.5-3, signed by the precinct election board, providing the names of all candidates and the number of votes cast for each candidate and the votes cast for or against a public question.
- (7) Accompany the inspector and the judge in delivering the tabulation and the election returns to the county election board by the most direct route.
- (8) Be present when the inspector takes a receipt for the tabulation and the election returns delivered to the county election board.

As added by P.L.14-2004, SEC.16. Amended by P.L.221-2005, SEC.13.

IC 3-6-10-6

Multiple county media watchers; procurement of watcher identification card

Sec. 6. If a person desires to act as a watcher for a newspaper, news service, radio station, or television station in more than one (1) county in Indiana, the person must obtain a watcher identification card from the election division. The secretary of state may adopt rules under IC 4-22-2 to implement this section.

As added by P.L.3-1987, SEC.46. Amended by P.L.2-1996, SEC.7; P.L.3-1997, SEC.50.