

IC 3-7-15

Chapter 15. Registration Procedures at Public Assistance Agencies

IC 3-7-15-1

Purpose of chapter

Sec. 1. This chapter prescribes voter registration procedures in public assistance agencies as provided in 42 U.S.C. 1973gg-5(a)(2)(A).

As added by P.L.12-1995, SEC.24.

IC 3-7-15-2

Offices providing public assistance for purposes of NVRA

Sec. 2. The general assembly finds that the following offices in Indiana provide public assistance within the scope of NVRA:

(1) Each county office established under IC 12-19-1-1 that administers:

(A) the Temporary Assistance for Needy Families program (TANF) under IC 12-14; or

(B) the Medicaid program under IC 12-15.

(2) Each office of the division of family resources that administers the food stamp program under federal law.

(3) Each office of the state department of health that administers the Special Supplemental Nutrition Program for the Women, Infants and Children Program (WIC) under IC 16-35-1.5.

As added by P.L.12-1995, SEC.24. Amended by P.L.3-1995, SEC.23; P.L.145-2006, SEC.1; P.L.161-2007, SEC.1; P.L.146-2008, SEC.1; P.L.44-2009, SEC.1.

IC 3-7-15-3

Duty to distribute registration form

Sec. 3. As provided in 42 U.S.C. 1973gg-5(a)(4)(A)(i) and 42 U.S.C. 1973gg-5(a)(6)(A), an office listed in section 2 of this chapter shall distribute a voter registration form prescribed under section 4 of this chapter to each applicant for public assistance whenever the applicant:

(1) applies for service or assistance;

(2) applies for recertification or renewal of services or assistance; or

(3) submits a change of address form relating to the service or assistance;

unless the applicant declines in writing to register to vote.

As added by P.L.12-1995, SEC.24.

IC 3-7-15-4

Design of registration form

Sec. 4. The commission shall prescribe the design of the registration form for each office listed in section 2 of this chapter.

As added by P.L.12-1995, SEC.24. Amended by P.L.3-1997, SEC.56.

IC 3-7-15-5

Requirements of registration form

Sec. 5. The registration form prescribed under section 4 of this chapter must meet the following requirements:

- (1) The form must be equivalent to the mail registration form prescribed by the commission under IC 3-7-31 and in compliance with 42 U.S.C. 1973gg-5(a)(6)(A)(ii).
- (2) The form must include a statement that does the following:
 - (A) Sets forth each eligibility requirement for registration (including citizenship).
 - (B) Contains an attestation that the applicant meets each of the eligibility requirements.
 - (C) Requires the signature of the applicant, under penalty of perjury, and the date the form was signed.
- (3) The form must include the following as provided in 42 U.S.C. 1973gg-5(a)(6)(B):
 - (A) A question reading "If you are not registered to vote where you live now, would you like to apply to register to vote here today?".
 - (B) A statement reading "Applying to register or declining to register to vote will not affect the amount of assistance that you will be provided by this agency.".
 - (C) Boxes for the applicant to check to indicate whether the applicant would like to register or declines to register to vote.
 - (D) A statement in close proximity to the boxes and in prominent type: "IF YOU DO NOT CHECK EITHER BOX, YOU WILL BE CONSIDERED TO HAVE DECIDED NOT TO REGISTER TO VOTE AT THIS TIME.".
 - (E) A statement reading "If you would like help in filling out the voter registration application form, we will help you. The decision whether to seek or accept help is yours. You may fill out the application form in private.".
 - (F) A statement reading "If you believe that someone has interfered with your right to register or to decline to register to vote, or your right to choose your political party or other political preference, you may file a complaint with (insert the title, address, and telephone number of the NVRA official). If you want you may first try to solve the problem by filing a complaint with the county voter registration office of the county where the violation occurred.".

As added by P.L.12-1995, SEC.24. Amended by P.L.3-1997, SEC.57.

IC 3-7-15-6

Contents of declination form

Sec. 6. If the form used by an applicant to decline to register to vote is on a separate form from the voter registration application, the declination form must contain the following:

- (1) A statement reading "If you decline to register to vote, this is confidential, and can only be used for voter registration

purposes."

(2) A statement reading "If you decide to register to vote, information about the office at which you register is confidential, and can only be used for voter registration purposes."

(3) A line for the signature of the person who declines to register to vote.

(4) A line for the date that the person declined to register to vote.

As added by P.L.12-1995, SEC.24.

IC 3-7-15-7

Declination to register

Sec. 7. An applicant who fails to check either box described in section 5(3) of this chapter or to sign a separate declination form under section 6 of this chapter shall be considered to have declined to register.

As added by P.L.12-1995, SEC.24.

IC 3-7-15-8

Procedures for registration

Sec. 8. To register under this chapter, an individual must do the following while on the premises of the office:

(1) Complete the voter registration application prescribed under section 4 of this chapter.

(2) Present the application to an employee of the office.

As added by P.L.12-1995, SEC.24.

IC 3-7-15-9

Duties of employees in providing application

Sec. 9. An employee of the office who provides an individual with an application for assistance or services under section 3 of this chapter shall do the following:

(1) Inform each individual who applies for assistance or services that the information the individual provides on the individual's voter registration application will be used to register the individual to vote unless:

(A) the individual is not eligible to vote; or

(B) the individual:

(i) declines to register to vote;

(ii) fails to complete the voter registration part of the application; or

(iii) answers "no" to either question described by IC 3-7-22-5(3) or IC 3-7-22-5(4).

(2) Provide each individual who indicates a desire to register or transfer registration with assistance in filling out the voter registration application unless the individual refuses assistance, as provided in 42 U.S.C. 1973gg-5(a)(4)(ii).

(3) Check the completed voter registration form for legibility and completeness.

(4) Deliver the completed registration form to the office administrator (or the employee designated by the administrator to be responsible for voter registration services) for transmittal to the appropriate county voter registration office.

(5) Inform the individual that the individual will receive a mailing from the county voter registration office of the county where the individual resides concerning the disposition of the voter registration application.

As added by P.L.12-1995, SEC.24. Amended by P.L.9-2004, SEC.6.

IC 3-7-15-10

Duties of employees if applicant registering to vote after twenty-ninth day before primary, general, municipal, or special election

Sec. 10. If an individual is registering to vote after the twenty-ninth day before the date that a primary, general, municipal, or special election is scheduled in the precinct where the voter resides, the employee of the office who provides an individual with an application for assistance or services under section 3 of this chapter shall do the following:

(1) Inform the individual that office registration will not permit the individual to vote in the next election.

(2) Inform the individual of other procedures the individual may follow to vote in the next election.

As added by P.L.12-1995, SEC.24.

IC 3-7-15-11

Prohibited acts

Sec. 11. As provided in 42 U.S.C. 1973gg-5(a)(5), an employee of the office shall not do any of the following:

(1) Seek to influence an applicant's political preference or party registration.

(2) Display any political preference or party allegiance, including any pictures, photographs, or other likenesses of any currently elected federal, state, county, or local official.

(3) Make any statement to an applicant or take any action the purpose or effect of which is to discourage the applicant from registering to vote.

(4) Make any statement to an applicant or take any action whose purpose or effect is to lead the applicant to believe that a decision whether or not to register has any bearing on the availability of services or benefits.

As added by P.L.12-1995, SEC.24.

IC 3-7-15-12

Assistance in completing registration form required

Sec. 12. As provided in 42 U.S.C. 1973gg-5(a)(4)(A)(ii) and 42 U.S.C. 1973gg-5(a)(6)(C), an office described in section 2 of this chapter must offer the same degree of assistance in helping an applicant complete a voter registration form as the applicant receives

from the agency in completing forms for assistance or services, unless the individual refuses assistance in completing the voter registration form.

As added by P.L.12-1995, SEC.24.

IC 3-7-15-13

Written acknowledgment of application; format

Sec. 13. Whenever an applicant completes a voter registration application under this chapter, the office shall provide the applicant with a written acknowledgment that the applicant has completed a voter registration application at the office. The acknowledgment:

- (1) may be a detachable part of the registration form prescribed under section 4 of this chapter; and
- (2) must set forth the name and residential address of the applicant and the date that the application was completed.

As added by P.L.12-1995, SEC.24.

IC 3-7-15-14

Submission of application not required

Sec. 14. An applicant who completes a voter registration application under section 4 of this chapter is not required to submit the application to a circuit court clerk or board of registration member.

As added by P.L.12-1995, SEC.24. Amended by P.L.2-1996, SEC.19.

IC 3-7-15-15

Confidentiality of information

Sec. 15. Voter registration information received or maintained by an office under this chapter is confidential and may be used only for voter registration purposes as provided in this article and 42 U.S.C. 1973gg-5(a)(7).

As added by P.L.12-1995, SEC.24.

IC 3-7-15-16

Duty of office to forward registration application

Sec. 16. Unless the applicant refuses to permit the office to transmit the form to the circuit court clerk or board of registration of the county where the applicant resides, the office shall forward the voter registration application to the clerk or board not later than five (5) days after the date of acceptance and as provided in 42 U.S.C. 1973gg-5(a)(4)(iii) and:

- (1) IC 12-14-1.5;
- (2) IC 12-14-25;
- (3) IC 12-15-1.5; or
- (4) IC 16-35-1.6.

As added by P.L.12-1995, SEC.24. Amended by P.L.3-1995, SEC.24.

IC 3-7-15-17

Updating voter registration record

Sec. 17. A signed application under section 4 of this chapter

authorizes a circuit court clerk or board of registration to update the voter registration record of the applicant.

As added by P.L.12-1995, SEC.24.

IC 3-7-15-18

Notification to applicant of disposition

Sec. 18. The circuit court clerk or board of registration shall, upon receiving a completed application under section 16 of this chapter, notify the applicant of the disposition of the application in the manner prescribed under IC 3-7-33 and as required under 42 U.S.C. 1973gg-6(a)(2).

As added by P.L.12-1995, SEC.24.