

### **IC 3-7-26.3**

#### Chapter 26.3. Statewide Voter Registration List

### **IC 3-7-26.3-1**

#### **Repealed**

*(Repealed by P.L.164-2006, SEC.143.)*

### **IC 3-7-26.3-2**

#### **"Computerized list"**

Sec. 2. As used in this chapter, "computerized list" refers to the statewide voter registration list established under section 3 of this chapter.

*As added by P.L.209-2003, SEC.35.*

### **IC 3-7-26.3-3**

#### **Establishment of statewide voter registration list**

Sec. 3. As required under 42 U.S.C. 15483, the secretary of state with the consent of the co-directors of the election division shall implement, in a uniform and nondiscriminatory manner, a single, uniform, official, centralized, and interactive statewide voter registration list under this chapter.

*As added by P.L.209-2003, SEC.35. Amended by P.L.164-2006, SEC.12.*

### **IC 3-7-26.3-4**

#### **Requirements for list; ownership of list; use of list**

Sec. 4. (a) As required under 42 U.S.C. 15483, the computerized list must:

- (1) be defined, maintained, and administered at the state level;
- (2) contain the name and registration information of every voter in Indiana; and
- (3) assign a unique identifier to each voter in Indiana.

(b) To ensure the proper maintenance and administration of the list under subsection (a)(1), the secretary of state and the election division are the owners of all property comprising the computerized list. Except as expressly provided by statute, the computerized list and each of its components must be used exclusively for voter registration and election administration and for no other purpose.

*As added by P.L.209-2003, SEC.35. Amended by P.L.81-2005, SEC.11.*

### **IC 3-7-26.3-4.5**

#### **Maintaining computerized list; agreement with county**

Sec. 4.5. The state may enter into agreements with a county to use existing county property for purposes of maintaining the computerized list. If the county's equipment fails to perform properly in maintaining the computerized list, the state may cancel any existing agreement with the county and install additional state owned equipment in any county facility to ensure proper operation and maintenance of the computerized list.

*As added by P.L.164-2006, SEC.13.*

**IC 3-7-26.3-5**

**List as single system to maintain voter registration information in Indiana**

Sec. 5. In accordance with 42 U.S.C. 15483, the computerized list serves as:

- (1) the single system for storing and managing the official list of voters throughout Indiana; and
- (2) the official voter registration list for the conduct of all elections in Indiana.

*As added by P.L.209-2003, SEC.35.*

**IC 3-7-26.3-6**

**Coordination with other state agency data bases**

Sec. 6. As required under 42 U.S.C. 15483, the computerized list must be coordinated with other agency data bases within Indiana.

*As added by P.L.209-2003, SEC.35.*

**IC 3-7-26.3-7**

**Electronic access to the list**

Sec. 7. As required under 42 U.S.C. 15483, each county voter registration office, the election division, and the secretary of state must be able to obtain immediate electronic access to the information contained in the computerized list.

*As added by P.L.209-2003, SEC.35.*

**IC 3-7-26.3-8**

**Change of data in list; authority of county voter registration offices**

Sec. 8. The computerized list must be formatted so that only the county voter registration office of a county may change data in the file concerning the voters registered in that county.

*As added by P.L.209-2003, SEC.35.*

**IC 3-7-26.3-9**

**Entry of voter registration information**

Sec. 9. As required under 42 U.S.C. 15483, a county voter registration office must electronically enter all voter registration information obtained by the county voter registration office into the computerized list on an expedited basis at the time the information is provided to the county voter registration office.

*As added by P.L.209-2003, SEC.35.*

**IC 3-7-26.3-10**

**Support to county voter registration offices**

Sec. 10. As required under 42 U.S.C. 15483, the secretary of state and the election division shall provide the support required for the county voter registration office to enter the information into the computerized list.

*As added by P.L.209-2003, SEC.35.*

### **IC 3-7-26.3-11**

#### **List maintenance; removal of voters from the list**

Sec. 11. As required under 42 U.S.C. 15483, the county voter registration office shall perform list maintenance with respect to the computerized list on a regular basis. The list maintenance activity required under this section includes the removal of an individual from the list when required by this article and NVRA following:

- (1) the death of the individual;
- (2) the individual's confirmation that the individual resides outside the county in which the individual is registered; or
- (3) an inactive voter's failure to respond to a notice or otherwise act in accordance with 42 U.S.C. 1973gg-6 to require the voter's registration to be reclassified as active within the period prescribed by NVRA.

*As added by P.L.209-2003, SEC.35.*

### **IC 3-7-26.3-12**

#### **Coordination of list with department of correction records**

Sec. 12. As required under 42 U.S.C. 15483, the election division shall coordinate the computerized list with the department of correction records concerning individuals disfranchised under IC 3-7-46.

*As added by P.L.209-2003, SEC.35.*

### **IC 3-7-26.3-13**

#### **Coordination of list with state department of health records**

Sec. 13. As required under 42 U.S.C. 15483, the election division shall coordinate the computerized list with the state department of health concerning individuals identified as deceased under IC 3-7-45.

*As added by P.L.209-2003, SEC.35.*

### **IC 3-7-26.3-14**

#### **Standards for list maintenance**

Sec. 14. As required under 42 U.S.C. 15483, the computerized list maintenance performed under sections 11 through 13 of this chapter must ensure that:

- (1) the name of each voter appears in the computerized list;
- (2) only voters who are not eligible to vote are removed from the computerized list; and
- (3) duplicate names of an individual voter are eliminated from the computerized list.

*As added by P.L.209-2003, SEC.35.*

### **IC 3-7-26.3-15**

#### **Security of list**

Sec. 15. As required under 42 U.S.C. 15483, the election division and each county voter registration office shall provide adequate technological security measures to prevent unauthorized access to the computerized list.

*As added by P.L.209-2003, SEC.35.*

### **IC 3-7-26.3-16**

#### **Accuracy of list; updates**

Sec. 16. As required under 42 U.S.C. 15483, the election division and each county voter registration office shall ensure that voter registration records are accurate and updated regularly.

*As added by P.L.209-2003, SEC.35.*

### **IC 3-7-26.3-17**

#### **Removal of inactive voters from list**

Sec. 17. As required under 42 U.S.C. 15483, the election division and each county voter registration office shall perform the list maintenance required under NVRA to ensure that inactive voters described in section 11(3) of this chapter and 42 U.S.C. 1973gg-6(d)(1)(B) are removed from the official list of eligible voters.

*As added by P.L.209-2003, SEC.35.*

### **IC 3-7-26.3-18**

#### **Verification of information with bureau of motor vehicles; agreement to implement**

Sec. 18. As required under 42 U.S.C. 15483, the secretary of state, the co-directors of the election division, and the bureau of motor vehicles commission shall enter into an agreement to match information in the computerized list data base with information in the data base of the bureau of motor vehicles commission to enable the election division (acting on behalf of the secretary of state) and the commission to verify the accuracy of the information provided on voter registration applications.

*As added by P.L.209-2003, SEC.35.*

### **IC 3-7-26.3-19**

#### **Agreement between bureau of motor vehicles and Social Security Administration; information to be verified**

Sec. 19. (a) As required under 42 U.S.C. 15483, the bureau of motor vehicles commission shall enter into an agreement with the Commissioner of Social Security under 42 U.S.C. 405(r)(8)(A) to verify information set forth on voter registration applications.

(b) The following information is subject to verification under this section:

(1) Whether the name (including the first name and any family forename or surname), date of birth (including month, day, and year), and Social Security number of an individual provided to the Commissioner of Social Security match the information contained in the Commissioner's records.

(2) Whether the individual is shown in the records of the Commissioner of Social Security as deceased.

*As added by P.L.209-2003, SEC.35.*

### **IC 3-7-26.3-20**

#### **Requirements for agreement**

Sec. 20. As required by 42 U.S.C. 15483, the agreement under section 19 of this chapter must include:

- (1) safeguards to assure the maintenance of the confidentiality of any information disclosed to the bureau;
- (2) procedures to permit the bureau to use the information to maintain the bureau's records; and
- (3) procedures to permit the election division to coordinate the records of the computerized list established under this chapter with the bureau's data base as provided by section 6 of this chapter.

*As added by P.L.209-2003, SEC.35.*

### **IC 3-7-26.3-21**

#### **Confidentiality of information; permissible uses of information**

Sec. 21. As provided by 42 U.S.C. 15483, the information provided by the Commissioner of Social Security or by an individual to the bureau of motor vehicles is confidential. The information may be used only for the purposes described under 42 U.S.C. 15483 and sections 19 and 20 of this chapter.

*As added by P.L.209-2003, SEC.35.*

### **IC 3-7-26.3-22**

#### **List requirement; voter information**

Sec. 22. The computerized list must contain at least the following information for each voter:

- (1) The voter's voting history for at least the previous ten (10) years, if available, including the political party ballot requested by the voter at any primary election during the period.
- (2) The source of the voter's registration application.
- (3) A listing of all previous addresses at which the voter was registered to vote during at least the previous ten (10) years, if available.
- (4) Information concerning the documentation submitted by the voter to comply with the requirements of HAVA.
- (5) Documentation of all changes to the registration made by the voter.
- (6) Documentation concerning all notices sent to the voter by the county voter registration office.

*As added by P.L.14-2004, SEC.29.*

### **IC 3-7-26.3-23**

#### **List requirement; absentee ballot management features**

Sec. 23. The computerized list must include absentee ballot management features that do the following:

- (1) Manage absentee ballots based on the type, eligibility, and status of the absentee voter.
- (2) Permit the printing of absentee labels by group or date, or by individual for use by a voter voting in person at the county election board office.
- (3) Permit the documentation of the date on which each

absentee ballot is issued and returned.

(4) Permit the printing of absentee ballot applications with voter registration information for the absentee ballot applicant.

*As added by P.L.14-2004, SEC.30.*

#### **IC 3-7-26.3-24**

##### **List requirement; clerk transmittals to election division**

Sec. 24. The computerized list must permit a circuit court clerk to transmit reports or statements to the election division under IC 3-6-5, this article, IC 3-8-3, or IC 3-12-5.

*As added by P.L.14-2004, SEC.31. Amended by P.L.81-2005, SEC.12.*

#### **IC 3-7-26.3-25**

##### **List requirement; election and poll worker management features**

Sec. 25. The computerized list must include election and poll worker management features such as whether poll workers served only part of an election day.

*As added by P.L.14-2004, SEC.32.*

#### **IC 3-7-26.3-26**

##### **List requirement; disaster recovery plan**

Sec. 26. The computerized list must provide fully synchronized backup and recovery with a well defined disaster recovery plan.

*As added by P.L.14-2004, SEC.33.*

#### **IC 3-7-26.3-27**

##### **List requirement; signature digitizing features**

Sec. 27. The computerized list must include signature digitizing features that have the ability to accept and maintain a scanned image of the voter's signature.

*As added by P.L.14-2004, SEC.34.*

#### **IC 3-7-26.3-28**

##### **List requirement; street file management features**

Sec. 28. The computerized list must include street file management features that do the following:

(1) Include an integral street file with automatic assignment to election districts and jurisdictions based on residence address location.

(2) Permit changing street names throughout a county or for specific areas within a county.

(3) Permit interfacing with geographic information systems.

(4) Permit comprehensive changes to reflect changes in legislative district or precinct boundary lines.

(5) Permit the accommodation of multiple place names within a single ZIP code area.

(6) Permit the tracking and management of data concerning polling place locations.

*As added by P.L.14-2004, SEC.35.*

### **IC 3-7-26.3-29**

#### **List requirement; voter registration management features**

Sec. 29. The computerized list must include voter registration management features that do the following:

- (1) Automatically assign voter identification numbers in accordance with this title.
- (2) Calculate the number of registered voters by precinct or any election district.
- (3) Permit expedited web based inquiries concerning polling place locations.
- (4) Track and report all voter list maintenance transactions performed within the system.
- (5) Permit tracking regarding the political party ballot requested by voters voting in a primary.
- (6) Generate a variety of reports on paper, compact disc, or floppy disc format, such as walking lists, call lists, lists of voters by precinct, lists of voters by name, date of birth, or date of registration, and lists of voters by other household data.
- (7) Identify voters who are currently less than eighteen (18) years of age.
- (8) Permit electronic processing of voter registration information received as files from other state and federal agencies.
- (9) Provide flexible query functions for management and statistical reports, including the ability of the secretary of state or a co-director of the election division to view individual voter registration records.
- (10) Contain full audit controls and management reports to track and manage the work of county voter registration office employees, including the ability of the secretary of state or the co-directors of the election division to determine whether a county voter registration office is performing voter list maintenance functions in the manner required by IC 3-7.

*As added by P.L.14-2004, SEC.36.*

### **IC 3-7-26.3-30**

#### **List requirement; help desk support feature**

Sec. 30. The computerized list must include a help desk support feature, staffed by individuals who can provide assistance to county voter registration offices regarding the proper operation of the system.

*As added by P.L.14-2004, SEC.37.*

### **IC 3-7-26.3-31**

#### **List requirement; other features**

Sec. 31. The computerized list must include features permitting the secretary of state or a co-director of the election division to include other features determined by the secretary of state and the co-directors of the election division.

*As added by P.L.14-2004, SEC.38.*

**IC 3-7-26.3-32**

**List requirement; features for county with county voter registration office**

Sec. 32. (a) This section applies to a county with a county voter registration office described in IC 3-5-2-16.2(1) or IC 3-5-2-16.2(2).

(b) The computerized list must permit a county election board to view data concerning voters of the county in order to do the following:

(1) Administer absentee balloting.

(2) Determine whether an individual who wishes to file as a candidate is a voter of the county.

*As added by P.L.14-2004, SEC.39.*