



# 2018 Indiana Election Legislation Summary

*Prepared by the Indiana Election Division*

This document summarizes the election-related legislation that passed the Indiana General Assembly and became law in 2018. Bills may be obtained by contacting the Legislative Information Center at 200 West Washington Street, Room 230, Indianapolis, Indiana 46204-2731; (317) 232-9856, or by downloading documents from the General Assembly's website at [www.iga.in.gov](http://www.iga.in.gov).

This document is intended to serve as an overview of information concerning Indiana election laws. Although the Election Division takes every effort to ensure the accuracy of the information in this document, **where your legal rights are involved, do not rely on this document. Instead, review the law yourself or consult with your attorney.**

**The 2018 Regular Session of the Indiana General Assembly enacted the following election-related bills:**

Public Law 3-2018 (Senate Enrolled Act 9): Residence of Person Committed to Institution  
Public Law 10-2018 (Senate Enrolled Act 165): Staggered Terms of Township Board Members  
Public Law 100-2018 (Senate Enrolled Act 327): Election Security  
Public Law 116-2018 (House Enrolled Act 1253): Voter Registration  
Public Law 210-2018 (House Enrolled Act 1383): Lake County Precincts

**The following bills made technical or non-election related amendments to election statutes:**

Public Law 86-2018 (Senate Enrolled Act 6): Technical Corrections  
Public Law 156-2018 (Senate Enrolled Act 126): Courts

## VOTER REGISTRATION

### Residence of Person Committed to an Institution

An individual adjudged mentally ill and committed to an institution for individuals with a mental illness may state either of the following, but not both, as the individual's residence for purposes of voting:

- 1) The address of the institution where the individual has been committed.
- 2) The address where the individual lives when the individual is not committed to an institution.

(SEA 9 § 1; Effective date: January 1, 2019; Citation affected: IC 3-5-5-17)

### Scanning Voter Registration Records

A county voter registration office shall scan a paper document and attach the scanned image of the document to the voter's file in the statewide voter registration system (SVRS) if the paper document creates, amends, or cancels the voter's registration record. In addition, the county voter registration office shall scan a voter registration application that is subsequently rejected and associate it with the rejected record in the SVRS.

(HEA 1253 § 2; Effective date: March 15, 2018; Citation affected: IC 3-7-33-8[New])

### Retention of Paper Voter Registration Records

The county voter registration office shall retain a voter's paper registration records associated with the address at which the voter is registered to vote until all of the following are satisfied:

- 1) The voter's registration at the residence address in the voter's registration application has been cancelled; and
- 2) The general election immediately following the cancellation of the voter's registration under subdivision (1) has occurred; and
- 3) Twenty-four (24) months have elapsed following the general election described in subdivision (2).

For example, if a voter's registration is cancelled July 1, 2018, the voter's paper registration records associated with the voter's registration at that address may be disposed of as provided in state law and the county's retention schedule after November 7, 2020.

(HEA 1253 § 4; Effective date: July 1, 2018; Citation affected: IC 3-10-1-31.1)

## **Interstate Crosscheck Program Matches**

Confidence factors are established in state law for the interstate crosscheck program to assist county voter registration offices in determining whether a voter of the county has registered more recently in another state. The Election Division shall provide a county voter registration office information about a potential match when the first name, last name, and date of birth of the Indiana voter is identical with that of a voter registered in the other state and a comparison of the Indiana record with that of another state results in the accumulation of at least seventy-five (75) points based on the following criteria and associated point values:

- 1) Full Social Security number: 40 points.
- 2) Last four (4) digits of Social Security number: 10 points.
- 3) Indiana driver's license or identification card credential number: 50 points.
- 4) Date of birth: 25 points.
- 5) Last Name: 15 points.
- 6) First Name: 15 points.
- 7) Middle Name: 5 points.
- 8) Suffix: 5 points.
- 9) Street Address 1: 10 points.
- 10) Zip Code (first five (5) digits): 5 points.

(SEA 1253 § 3; Effective date: March 15, 2018; Citation affected: IC 3-7-32.8-5)

## **ABSENTEE VOTING**

### **Absentee Ballot Tracking**

A county may assign a unique tracking number as prescribed by the Election Division, using IMb Tracing or a similar automated tracking method, to each absentee ballot mailed to a voter to provide real-time tracking information for the envelope containing the ballot. As used in this subsection, "IMb Tracing" refers to a real-time mail tracking service offered through the United States Postal Service.

(SEA 327 § 2; Effective date: July 1, 2018; Citations affected: IC 3-11-4-18)

### **Counting Absentee Ballots in Counties Using Electronic Poll Books or Vote Center Counties**

This paragraph applies to Marion County Only: If the Marion County election board adopts an order to use electronic poll books for in-person absentee voting (early voting) and on election day in the polls, or adopts an order to become a vote center county, the absentee ballot counters at a central counting location may count absentee ballots at any time after 6 a.m. on election day if the absentee ballots have been processed by the absentee ballot counters prior to counting and the electronic poll books have been updated to reflect receipt of the absentee ballots as of 12:01 a.m. on election day.

This paragraph applies to counties other than Marion County: The county election board of any county (other than Marion County) that has adopted an order to use electronic poll books for in-person absentee voting (early voting) and on election day in the polls, or has adopted an order to become a vote center county, may adopt a unanimous resolution of the entire membership of the board to permit absentee ballot counters to count absentee ballots at any time after 6 a.m. on election day if the absentee ballots have been processed by the absentee ballot counters prior to counting and the electronic poll books have been updated to reflect receipt of the absentee ballots as of 12:01 a.m. on election day. A resolution pursuant to this state law may only be repealed or amended by unanimous vote of the entire membership of the board.

(SEA 327 §§ 16 and 18; Effective date: July 1, 2018; Citations affected: IC 3-11.5-4-11; IC 3-11.5-6-3); (HEA 1383 §§ 2 and 4; Effective date: July 1, 2018; Citations affected: IC 3-11.5-4-11; IC 3-11.5-6-3)

### **Absentee Ballot Signature Review in Central Count Counties**

This paragraph only applies to Marion County: In Marion County, the absentee ballot counters may review signatures on absentee ballots cast in-person (by travelling board, at the clerk's office, or at a satellite absentee facility) at any time after the ballots are received by the board. The absentee ballot counters may, but are not required to, find that the signature on an absentee ballot application corresponds to the signature on the absentee ballot envelope, or that the absentee voter is a qualified voter of the precinct. (IC 3-11.5-4-12) However, the review and comparison of the absentee voter's signature on the ballot security envelope and absentee ballot application (or voter registration record when no application is used) by the county election board under IC 3-11.5-4-4 and IC 3-11.5-4-5 is still required.

This paragraph applies to counties other than Marion County: The county election board of any county (other than Marion County) that counts absentee ballot at a central location may adopt a unanimous resolution of the entire membership of the board to permit absentee ballot counters to review the signatures on an absentee ballots cast in-person (by travelling board, at the clerk's office, or at a satellite absentee facility) at any time after the ballots are received by the board. The absentee ballot counters may, but are not required to, find that the signature on an absentee ballot application corresponds to the signature on the absentee ballot envelope, or that the absentee voter is a qualified voter of the precinct. (IC 3-11.5-4-12) However, the review and comparison of the absentee voter's signature on the ballot security envelope and absentee ballot application (or voter registration record when no application is used) by the county election board under IC 3-11.5-4-4 and IC 3-11.5-4-5 is still required.

A resolution pursuant to this state law may only be repealed or amended by unanimous vote of the entire membership of the board.

(SEA 327 § 17; Effective date: July 1, 2018; Citations affected: IC 3-11.5-4-12); (HEA 1383 § 3; Effective date: July 1, 2018; Citations affected: IC 3-11.5-4-12)

### **Marion County Only: Absentee Ballot Counting Procedures**

Absentee ballot counters in Marion County are not required to group absentee ballots cards by precinct prior to counting. The absentee ballot counters may count ballots, and prepare and deliver certificates for counted ballots, for multiple precincts without first finishing counting one precinct before starting the next precinct, provided that the ballots have been accepted by the counters and the ballots are not required to be remade before counting.

After counting, absentee ballots may be stored in the order in which the absentee ballots were counted and not in order by precinct.

(SEA 327 §§ 19, 20, 21; Effective date: July 1, 2018; Citations affected: IC 3-11.5-6-4; IC 3-11.5-6-5; IC 3-11.5-6-21); (HEA 1383 §§ 5, 6, 7; Effective date: July 1, 2018; Citations affected: IC 3-11.5-6-4; IC 3-11.5-6-5; IC 3-11.5-6-21)

## **BALLOTS, VOTING SYSTEMS AND ELECTRONIC POLL BOOKS AND LISTS**

### **County Reimbursement for Security and Monitoring Expenditures**

A county election board may file an application with the secretary of state for reimbursement of expenditures made by the county to secure and monitor facilities where voting systems and electronic poll books are stored. The application must be on a form prescribed the Election Division. If the secretary of state, with the consent of the Election Division, approves the application, the county may be reimbursed for all or part of the expenditures.

(SEA 327 § 1; Effective date: March 15, 2018; Citation affected: IC 3-6-3.7-5[New])

### **County Voting Equipment Access Policies**

The county election board is responsible for establishing access protocols for voting systems and electronic poll books, including specifying when variations from access policies are permitted.

The county election board may adopt a resolution by unanimous vote of the board's entire membership to establish a security protocol to secure the county's voting systems and electronic poll books. The security protocol must include an audit trail to detect unauthorized access to the voting systems and electronic poll books. The voting system technical oversight program (VSTOP) and the Election Division shall be available to advise the county election board in the development of a security protocol. If the county election board adopts a security protocol by unanimous vote of the board's entire membership, then the following specific requirements for voting system access do not apply to the county.

If the county election board does not adopt a security protocol by unanimous resolution of the board's entire membership, then upon completion of the canvass of votes cast in an election, the county election board shall place a uniquely numbered seal on each voting system and electronic

poll book used in the election to secure the voting system and electronic poll book and permit post-election auditing. The form of the seal and information contained on the seal shall be prescribed by the Election Division and must make it impossible to access the sealed part of the voting system or electronic poll book unit without detection.

A seal placed on a voting system or electronic poll book must remain in place except when the county election board finds unsealing to be necessary and orders unsealing for one of the following reasons:

- 1) To conduct maintenance on the voting system or electronic poll book.
- 2) To prepare the voting system or electronic poll book for use in the next election to be conducted by the county in which the voting system or electronic poll book will be made available.
- 3) To install certified voting system hardware, firmware, or software on a voting system or certified upgrades on an electronic poll book.
- 4) To conduct a public test of the voting system or electronic poll book required by state law.
- 5) To conduct an audit authorized or required by this title.
- 6) For the county election board to correct an error under IC 3-12-5-14.
- 7) When ordered during a recount or contest proceeding under IC 3-12.

The county election board shall reseal the voting system or electronic poll book immediately after the completion of the maintenance, installation, audit, correction, recount proceeding, or contest proceeding described above.

When the county election board orders the unsealing of the voting system or electronic poll book to prepare for the use of the equipment in an election, the voting system or electronic poll book may remain unsealed until the canvassing of the vote is completed after the election.

The county election board shall document when each voting system or electronic poll book is sealed or unsealed by identifying the following:

- 1) the serial number of each voting system or electronic poll book that is sealed or unsealed;
- 2) the date on which the sealing or unsealing occurred; and
- 3) the individual who performed the sealing or unsealing.

(SEA 327 § 9; Effective date: July 1, 2018; Citation affected: IC 3-11-15-46)

### **County Reporting of Improper Access to Voting Equipment or SVRS Data**

A county election board shall file a report with the secretary of state not later than forty-eight (48) hours after receiving notice of the following from a federal, state, or local government agency:

- 1) a voting system or electronic poll book has been improperly obtained or altered in a manner that violates Indiana law; or
- 2) the data concerning the county maintained in the statewide voter registration system (SVRS) has been accessed or altered by a person in violation of Indiana law.

(SEA 327 § 14; Effective date: March 15, 2018; Citation affected: IC 3-11-17-7)

### **County Disposal of Voting Systems and Electronic Poll Books**

Whenever a county wishes to dispose of a voting system unit or an electronic poll book unit, the county election board must first file a plan with the Election Division. The plan must state the following:

- 1) the serial number of each unit to be disposed of by the county;
- 2) the method to be used for disposal of the equipment, including sale, transfer, or destruction of the equipment; and
- 3) that the disposal will occur in compliance with federal and state laws requiring the retention of election materials until the expiration of the period specified by those laws.

If the Election Division approves the proposed plan, the Election Division shall notify the county election board and the voting system technical oversight program (VSTOP). The county election board may dispose of the equipment after receiving notice that the Election Division approves the county's proposed plan.

(SEA 327 § 10; Effective date: March 15, 2018; Citation affected: IC 3-11-15-59[New])

### Vendor Restriction on Selling Voting Systems

A vendor of a voting system certified for use in Indiana may not sell, lease, or transfer possession of a voting system to a person except to the following:

- 1) an Indiana county;
- 2) the voting system technical oversight program (VSTOP) established by IC 3-11-16-2;
- 3) a state or local government in the United States for the purpose of conducting elections in that jurisdiction; or
- 4) a political party in Indiana entitled to nominate candidates for the general election at a state or town convention conducted pursuant to state law for the limited purpose of conducting the nomination of the candidates.

(SEA 327 § 11; Effective date: March 15, 2018; Citation affected: IC 3-11-15-60[New])

### County Election Board Responsible for Care and Custody of Voting Equipment

The county election board is responsible for the care and custody of all ballot card voting systems, electronic voting systems, and electronic poll books while not in use.

(SEA 327 §§ 3, 4, and 5; Effective date: March 15, 2018; Citation affected: IC 3-11-7-20[New], IC 3-11-7.5-24; IC 3-11-8-10.3)

### Electronic Poll Book Server

Information generated by the voter or the poll clerk as part of the process of casting a ballot, including the time and date stamp indicating when the voter signed the electronic poll book and the signature of the voter, is required to be kept on private server **approved** by the county election board. Former law required this information to be kept on a private server **maintained** by the county election board. The amended state law permits the information to be kept on a private server maintained by the county's vendor rather than on a server maintained by the county.

(SEA 327 § 5; Effective date: March 15, 2018; Citation affected: IC 3-11-8-10.3)

### Pre-Election Voting System Public Tests

The required public tests for ballot card and electronic voting systems must include testing to ascertain whether votes for straight party tickets and write-in candidates will be tabulated correctly.

(SEA 327 §§ 6 and 7; Effective date: July 1, 2018; Citation affected: IC 3-11-13-22; IC 3-11-14.5-1)



## Post-Election Electronic Voting System Audits

On election day, after each electronic voting system (direct recording equipment or DRE systems) has been secured and the vote totals printed, the inspector and judge of the opposite party shall record the total number of:

- 1) votes cast on all electronic voting systems located within the precinct (or vote center in a vote center county); and
- 2) voters who have received a ballot by signing in at the polls according to the poll lists for each precinct (or vote center in a vote center county);

to determine if the total number of votes cast on the electronic voting systems differs from the number of voters who received a ballot according to the poll lists. The total number of votes cast, and number of voters who received a ballot according to the poll lists shall be recorded on a form prescribed by the Election Division. The form shall also indicate any discrepancy between the total number of votes cast on electronic systems and voters who received a ballot according to the poll lists, together with the reasons for the discrepancy, if known. The inspector and judge shall sign the form and deliver it to the county election board with other materials from the precinct.

The county election board shall compile the following information into a single document listing for each precinct (or vote center in a vote center county):

- 1) The number of votes cast on the electronic voting systems in the precinct (or vote center), as shown on the form returned from the precinct (or vote center).
- 2) The number of voters who received a ballot at the polls according to the poll lists as shown on the form returned from the precinct (or vote center).
- 3) The difference between the number in subdivision (1) and the number in subdivision (2).
- 4) The number of absentee ballots returned by voters of the precinct (or vote center).
- 5) The number of absentee ballots of the precinct (or vote center) that were counted.

Not later than noon on the second Friday following the election, the county election board shall discuss and publish the document described above at a public hearing and immediately make the document available for inspection and copying by any voter of the county.

If the difference between the number of votes cast on the electronic voting systems in a precinct (or vote center) and number of voters who received a ballot according to the poll lists is greater than or equal to the audit threshold number, then the county election board or the secretary of state may order an audit of all the votes cast in that precinct (or vote center). Before ordering an audit, the county election board shall recheck the computations reported on the form submitted to the board by the inspector and judge of the opposite party.

The "audit threshold number" refers to the following number:

- 1) One (1), if the total number of votes cast as recorded on the form returned by the inspector and judge from a precinct is not more than twenty (20).
- 2) Two (2), if the total number of votes cast, as determined under subsection (c), is:
  - a. more than twenty (20); but
  - b. not more than forty (40).
- 3) Three (3), if the total number of votes cast, as determined under subsection (c), is:
  - a. more than forty (40); but
  - b. not more than sixty (60).
- 4) Four (4), if the total number of votes cast, as determined under subsection (c), is:
  - a. more than sixty (60); but
  - b. not more than eighty (80).
- 5) Five percent (5%) of the total number of votes cast, rounded up to the nearest whole number, if the total number of votes cast, as determined under subsection (c), is:
  - a. more than eighty (80); but
  - b. not more than five hundred (500).
- 6) Twenty-five (25), if the total number of votes cast, as determined under subsection (c) is more than five hundred (500).

Public notice of the audit must be given at least forty-eight (48) hours in advance and must be published once. However, if publication of notice will not allow the certification of results within thirty (30) days after the election (former law required publication within 13 days after the election) then notice shall be given by posting at or near the office of the county election board.

The county election board shall certify the results of the audit not later than noon thirty (30) days after the election (former law required certification within 13 days after the election). The certification must be on the form prescribed by the Election Division. One (1) copy shall be filed with the election returns, and one (1) copy must be delivered to the Election Division.

Not later than ninety (90) days after each election in which an audit is conducted under this section, the secretary of state shall publish a report stating whether the results of each audit indicate that the discrepancy was the result of human error, intentional violations of election laws, unknown causes, or a combination of these factors.

This statute does not apply to optical scan (ballot card) voting systems or to DRE systems used for absentee voting only.

(HEA 1383 § 8 and 9; Effective date: July 1, 2018; Citation affected: IC 3-12-3.5-1; IC 3-12-3.5-8)

### **Election Equipment Inventory**

Each county election board shall regularly provide information to the voting system technical oversight program (VSTOP) to update the inventory of voting systems and electronic poll books. Not later than January 31 of each year, the county election board shall certify to the secretary of state that the information set forth in the inventory regarding the voting systems and electronic poll books of the county is accurate, to the best of the knowledge and belief of the county election board.

The inventory system maintained by VSTOP shall include unique serial numbers to identify each voting system unit and electronic poll book and indicate the location where each voting system unit or electronic poll book is ordinarily stored.

(SEA 327 §§ 12 and 13; Effective date: March 15, 2018; Citation affected: IC 3-11-16-4; IC 3-11-16-5[New])

### **VSTOP Program Expanded**

The responsibilities of the voting system technical oversight program (VSTOP) were expanded to include the following activities: performing random audits of electronic poll books, assisting counties with contracts to procure electronic poll books and election equipment monitoring systems, and to perform other duties related to the approval or use of electronic poll books as provided in state law or a contract with the state.

(SEA 327 § 12; Effective date: March 15, 2018; Citation affected: IC 3-11-16-4)

### **Marketing Uncertified Electronic Poll Book**

A person may not market, sell, lease, or provide an electronic poll book for use in an election in Indiana until the secretary of state has approved the application for certification. However, a vendor who has an electronic poll book not yet certified for use in Indiana by the secretary of state, may display or demonstrate an electronic poll book that has not been certified at a conference of election officials sponsored by a state agency or an association of circuit court clerks or voter registration officers.

Prior to the display or demonstration, the vendor must file notice with the Election Division at least seven (7) days before the scheduled starting date of the conference setting forth the following:

- 1) The name of the person and each representative scheduled to display or demonstrate the electronic poll book.
- 2) The address and telephone number of the person.
- 3) The model name of the electronic poll book.

- 4) The name and manufacturer of the electronic poll book.
- 5) The date and location of the display or demonstration of the electronic poll book.

At the conference, the vendor must display the electronic poll book with a notice. The notice must be posted on the surface of the electronic poll book in at least 16 point type size and state that the electronic poll book is "Not Approved for Use in Indiana." Any communication concerning the electronic poll book made available at the conference must also include a statement that the electronic poll book is "Not Approved for Use in Indiana" in a type size that is at least as large as the largest type size used in the communication.

(SEA 327 § 15; Effective date: March 15, 2018; Citation affected: IC 3-11-18.1-12)

## **CANDIDATES AND OFFICEHOLDERS**

### **Staggered Terms of Township Board Members**

In a year preceding a general election for the members of a township board, the township board may pass a resolution to provide for the staggering of the terms of township board members (other than in Marion County). The first election where staggering of terms could begin is the general election in 2022.

A staggered term resolution must be must be filed with the circuit court clerk before January 1 of a year in which an election of township board members is scheduled. The resolution takes effect when the ordinance is filed with the circuit court clerk.

The resolution must provide that the candidate who receives the greatest number of votes among all the candidates for township board at the next election shall serve a four (4) year term, beginning January 1 after the election, and that the candidates receiving the second and third greatest number of votes among all candidates shall serve a two (2) year term, beginning January 1 after the election. Subsequent terms of township board members shall be four (4) years.

If there is a vacancy for one (1) or more township board offices because there were fewer candidates than the number of board members to be elected, the vacancy is filled either by a caucus of a major political party, if the office was last held by a person elected or selected as a candidate of a major political party, or by the board of commissioners of the county where a major party failed to fill the vacancy or the office was last held by a person who was not elected or selected as a candidate of a major political party.

If there is more than one (1) vacancy to be filled, the authority filling the vacancy determines the length of the term of the candidate selected to fill the vacancy consistent with the requirements set forth in state law for the resolution (one township board member with a 4-year term and two members with 2-year terms).

If a tie occurs among the candidates standing for election, the tie is resolved as otherwise provided by state law for resolving ties and the authority resolving the tie determines the length of the term in accordance with the requirements set forth in state law for the resolution (one township board member with a 4-year term and two members with 2-year terms).

The township board may repeal a resolution to stagger township board member terms but not earlier than twelve (12) years after the resolution was adopted and only in a year in which an election for members of the township board is not held. The repeal of the resolution must provide that all members of the township board be elected at the next general election with the terms of all the members of the township board ending January 1 after the next general election. Thereafter, the term of office of the members elected at the next general election is four (4) years, beginning January 1 after that election.

(SEA 165 § 1; Effective date: July 1, 2018; Citations affected: IC 36-6-6-2.3[New])

### **Residence of Person Committed to an Institution**

An individual adjudged mentally ill and committed to an institution for individuals with a mental illness may state either of the following, but not both, as the individual's residence for the purpose of determining the residency of a candidate or officeholder:

- 1) The address of the institution where the individual has been committed.
- 2) The address where the individual lives when the individual is not committed to an institution.

(SEA 9 § 1; Effective date: January 1, 2019; Citation affected: IC 3-5-5-17)

## **PRECINCTS AND ELECTION DISTRICTS**

### **Precinct Consolidation in Lake County**

Not later than July 1, 2018, the Indiana election commission shall adopt a precinct establishment order for the county that the commission considers will realize savings for Lake County and not impose unreasonable obstacles on the ability of the voters of the county to vote at the polls. If the commission adopts an order, the order takes effect January 1, 2019.

If the commission fails to adopt a precinct establishment order by July 1, 2018, then the secretary of state shall issue an order not later than August 1, 2018 that will take effect on January 1, 2019. The secretary shall also issue a precinct establishment order not later than July 1 of each year immediately following a year in which presidential electors are chosen.

Prior to adopting a precinct establishment order the secretary shall determine the following:

- 1) Precincts in the county that had fewer than six hundred (600) active voters (as defined in IC 3-11-18.1-2) as of November 1 of the preceding year.
- 2) Whether compliance with the precinct boundary standards set forth in section IC 3-11-1.5-4 or IC 3-11-1.5-5 would prevent the combination of a precinct described in paragraph 1 above with one or more adjoining precincts.
- 3) The potential savings in the administration of elections resulting from the combination of precincts described above.

Notwithstanding the laws governing precinct boundary changes in other cases (IC 3-11-1.5), the secretary of state shall issue an order to consolidate precincts that must realize savings for the county and not impose unreasonable obstacles on the ability of the voters of the county to vote at the polls. The secretary shall file the order with the Lake County Board of Elections and Registration and the Election Division. Orders issued by the secretary after 2018 take effect September 1 of the year issued (years following the year in which presidential electors are chosen).

(HEA 1383 § 1; Effective date: March 15, 2018; Citation affected: IC 3-6-5.2-10)

## **LOCAL ELECTION ADMINISTRATION**

### **County Election Board Minutes**

The circuit court clerk shall permanently retain the minutes of all meetings of the county election board.

(HEA 1253 § 1; Effective date: July 1, 2018; Citation affected: IC 3-6-5-13)

### **County Reimbursement for Security and Monitoring Expenditures**

A county election board may file an application with the secretary of state for reimbursement of expenditures made by the county to secure and monitor facilities where voting systems and electronic poll books are stored. The application must be on a form prescribed the Election Division. If the secretary of state, with the consent of the Election Division, approves the application, the county may be reimbursed for all or part of the expenditures.

(SEA 327 § 1 Effective date: March 15, 2018; Citation affected: IC 3-6-3.7-5[New])

### **County Election Board Responsible for Care and Custody of Voting Equipment**

The county election board is responsible for the care and custody of all ballot card voting systems, electronic voting systems, and electronic poll books while not in use.

(SEA 327 §§ 3, 4, and 5; Effective date: March 15, 2018; Citation affected: IC 3-11-7-20[New], IC 3-11-7.5-24; IC 3-11-8-10.3)

## **MISCELLANEOUS CHANGES**

### **New Superior Court in Kosciusko County**

A fourth judge is added to the superior court of Kosciusko County, effective July 1, 2019.

(SEA 126 § 2; Effective date: July 1, 2019; Citation affected: IC 33-33-43-2)

### **Updating or Correcting References in State Law**

Cross-reference to a subsection in a statute to indicate when a voter goes from pending to active for purposes of sending an absentee ballot to a voter is corrected.

(SEA 6 § 3; Effective date: March 15, 2018; Citation affected: IC 3-11-4-18)

(SEA 327 § 2; Effective date: July 1, 2018; Citation affected: IC 3-11-4-18)

An obsolete application date concerning electronic poll book training is repealed.

(SEA 327 § 5; Effective date: March 15, 2018; Citation affected: IC 3-11-8-10.3)

Reference to current federal guidelines regarding the "error rate" requirements for voting systems certified for use in elections is updated to reflect the current guidelines.

(SEA 327 § 8; Effective date: March 15, 2018; Citation affected: IC 3-11-15-20)