

PROPOSED AMENDMENT

HB 1264 # 8

DIGEST

Voter registration. Provides that an application to obtain or renew a motor vehicle driver's license or permit or an identification card serves as a voter registration application unless the applicant expressly declines on the application to register to vote. Provides that a voter becomes registered to vote when the county voter registration office determines the voter appears to be eligible to vote at the address on the voter's voter registration application. Makes conforming changes.

- 1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
2 "SECTION 1. IC 3-7-14-1.5 IS ADDED TO THE INDIANA CODE
3 AS A **NEW SECTION TO READ AS FOLLOWS** [EFFECTIVE
4 JANUARY 1, 2025]: **Sec. 1.5. This chapter does not apply to an**
5 **application to receive the following:**
6 **(1) A permit or driver's license if an individual provides**
7 **documentation to show that the individual's lawful status is**
8 **not a citizen or national of the United States.**
9 **(2) An identification card if an individual provides**
10 **documentation to show that the individual's lawful status is**
11 **not a citizen or national of the United States.**
12 **(3) A temporary credential issued under IC 9-24-11-5(c) or**
13 **IC 9-24-16-3(f).**
14 SECTION 2. IC 3-7-14-2 IS AMENDED TO READ AS FOLLOWS
15 [EFFECTIVE JANUARY 1, 2025]: Sec. 2. (a) Except as provided in
16 subsection (b), the definitions in IC 9-13-2 apply to this chapter.
17 **(b) A reference to the "commission" in this chapter is a reference to**
18 **the Indiana election commission unless otherwise stated.**
19 **(b) A reference to an "application" in this chapter is a reference**
20 **to an application to obtain or renew a motor vehicle driver's**
21 **license or permit or an identification card unless otherwise stated.**
22 SECTION 3. IC 3-7-14-4, AS AMENDED BY P.L.128-2015,
23 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JANUARY 1, 2025]: Sec. 4. **(a) An application to obtain or renew a**
25 **motor vehicle driver's license, permit, or identification card serves as**

1 an application for voter registration:

2 (1) under this article; and

3 (2) as provided in 52 U.S.C. 20504(a)(1). ~~unless the applicant~~
4 ~~fails to sign~~

5 **(b) An individual's signature on an application is considered the**
6 **individual's signature for the individual's voter registration**
7 **application.**

8 SECTION 4. IC 3-7-14-5, AS AMENDED BY P.L.128-2015,
9 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
10 JANUARY 1, 2025]: Sec. 5. ~~As provided in 52 U.S.C. 20504(c)(1);~~
11 The bureau of motor vehicles commission shall **design each**
12 **application form to include the information required for** a voter
13 registration application form as a part of the application for a driver's
14 license ~~prescribed under IC 9-24; required by Indiana law.~~

15 SECTION 5. IC 3-7-14-6, AS AMENDED BY P.L.169-2015,
16 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JANUARY 1, 2025]: Sec. 6. The **bureau of motor vehicles**
18 **commission and the election division shall prescribe the jointly**
19 **design of the registration application form** required under section 5 of
20 this chapter.

21 SECTION 6. IC 3-7-14-7 IS REPEALED [EFFECTIVE JANUARY
22 1, 2025]. Sec. 7. ~~As provided in 52 U.S.C. 20504(c)(2); the registration~~
23 ~~form described in section 5 of this chapter must meet the following~~
24 ~~requirements:~~

25 ~~(1) The form may not require information that duplicates~~
26 ~~information required in the driver's license application part of the~~
27 ~~form; except as set forth in subdivision (3):~~

28 ~~(2) The form may require only the minimum amount of~~
29 ~~information necessary to do the following:~~

30 ~~(A) Prevent duplication of voter registrations:~~

31 ~~(B) Permit the circuit court clerk or board of registration to:~~

32 ~~(i) assess the eligibility of the applicant; and~~

33 ~~(ii) administer the election and voter registration system:~~

34 ~~(3) The form must include a statement that does the following:~~

35 ~~(A) Sets forth each eligibility requirement for registration~~
36 ~~(including citizenship):~~

37 ~~(B) Contains an attestation that the applicant meets each of the~~
38 ~~eligibility requirements:~~

39 ~~(C) Requires the signature of the applicant; under penalty of~~
40 ~~perjury:~~

1 (4) The form must include the following, in print that is identical
2 to the print used in the attestation part of the application:

3 (A) Information setting forth the penalties provided by law for
4 submission of a false voter registration application.

5 (B) A statement that, if an applicant declines to register to
6 vote, the fact that the applicant has declined to register will
7 remain confidential and will be used only for voter registration
8 purposes.

9 (C) A statement that if an applicant does register to vote, the
10 office at which the applicant submits a voter registration
11 application will remain confidential and will be used only for
12 voter registration purposes.

13 SECTION 7. IC 3-7-14-7.1 IS ADDED TO THE INDIANA CODE
14 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
15 JANUARY 1, 2025]: **Sec. 7.1. The application form described in
16 section 5 of this chapter must meet the following requirements:**

17 **(1) The form must obtain all information required for a
18 driver's license or permit or an identification card.**

19 **(2) The form may require only the minimum amount of
20 information necessary to do the following:**

21 **(A) Prevent duplication of voter registrations.**

22 **(B) Permit the circuit court clerk or board of registration
23 to:**

24 **(i) assess the eligibility of the applicant; and**

25 **(ii) administer the election and voter registration system.**

26 **(3) The form must set forth each eligibility requirement for
27 voter registration, including citizenship.**

28 **(4) The form must contain each of the following options, one**

29 **(1) of which an applicant may select as provided on the form:**

30 **(A) The applicant meets the eligibility requirements for
31 voter registration and wishes to register to vote or to
32 update the applicant's voter registration record.**

33 **(B) The applicant does not wish to register to vote or to
34 update the applicant's voter registration record.**

35 **(5) The form must inform the applicant that if the applicant
36 does not select an option set forth under subdivision (4), the
37 applicant will be considered to have chosen the option that the
38 applicant:**

39 **(A) meets the eligibility requirements for voter
40 registration; and**

1 **(B) wishes to register to vote or to update the applicant's**
 2 **voter registration record.**

3 **(6) The form must require the signature of the applicant**
 4 **under the penalties of perjury.**

5 **(7) The form must include the following in print that is**
 6 **identical to the print used in the attestation part of the**
 7 **application:**

8 **(A) Information setting forth the penalties provided by law**
 9 **for submission of a false voter registration application.**

10 **(B) A statement that, regardless of the applicant's decision**
 11 **regarding registering to vote or updating the applicant's**
 12 **voter registration record, the applicant's decision will**
 13 **remain confidential and will be used only for voter**
 14 **registration purposes.**

15 SECTION 8. IC 3-7-14-8 IS REPEALED [EFFECTIVE JANUARY
 16 1, 2025]. ~~Sec. 8: To register under this chapter, an individual must do~~
 17 ~~the following while on the premises of the license branch:~~

18 ~~(1) Complete the voter registration application under section 4 of~~
 19 ~~this chapter.~~

20 ~~(2) Present the application to an employee of the license branch.~~

21 SECTION 9. IC 3-7-14-9, AS AMENDED BY P.L.164-2006,
 22 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JANUARY 1, 2025]: Sec. 9. (a) An employee of the bureau of motor
 24 vehicles commission who provides an individual with a ~~driver's license~~
 25 ~~or identification card~~ **an application shall do the following:**

26 **(1) Inform each individual who applies for a driver's license or an**
 27 **identification card seeks to complete an application that the**
 28 **information the individual provides on the individual's application**
 29 **will be used to register the individual to vote unless any of the**
 30 **following apply:**

31 **(A) The individual is not eligible to vote.**

32 **(B) The individual declines to register to vote. or fails to**
 33 **complete the voter registration part of the application; or The**
 34 **employee shall explain to the individual that if the**
 35 **individual does not select an option set forth under section**
 36 **7.1(4) of this chapter, the individual will be considered to**
 37 **have selected the option that the individual:**

38 **(i) meets the eligibility requirements for voter**
 39 **registration; and**

40 **(ii) wishes to register to vote or to update the individual's**

1 **voter registration record.**

2 (C) The individual answers "no" to either question described
3 by IC 3-7-22-5(3) or IC 3-7-22-5(4).

4 (2) Provide each individual ~~who indicates a desire to register or~~
5 ~~transfer registration~~ with assistance in filling out the ~~voter~~
6 ~~registration~~ application if requested to do so by the individual.

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

9 (4) Inform the individual that the individual will receive a mailing
10 from the county voter registration office of the county where the
11 individual resides concerning the disposition of the voter
12 registration application.

13 (5) Inform each individual who submits a change of address for
14 a driver's license or identification card that the information serves
15 as notice of a change of address for voter registration unless the
16 applicant ~~states in writing~~ **indicates** on the form that the change
17 of address is not for voter registration purposes.

18 (b) The bureau of motor vehicles commission shall transmit ~~a voter~~
19 ~~registration form information~~ to the election division for transmittal
20 to the appropriate county voter registration office in accordance with
21 IC 3-7-26.3.

22 SECTION 10. IC 3-7-14-10 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JANUARY 1, 2025]: Sec. 10. If an
24 individual is ~~registering to vote~~ **completes an application** after the
25 twenty-ninth day before the date that a primary, general, municipal, or
26 special election is scheduled in the precinct where the ~~voter individual~~
27 resides, the employee of the bureau of motor vehicles commission who
28 provides an individual with a ~~driver's license or an identification card~~
29 application shall do the following:

30 (1) Inform the individual that license branch registration will not
31 permit the individual to vote in the next election.

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

34 SECTION 11. IC 3-7-14-11, AS AMENDED BY P.L.164-2006,
35 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
36 JANUARY 1, 2025]: Sec. 11. **Unless the applicant declines to**
37 **register under section 7.1 of this chapter**, whenever an applicant
38 completes a ~~voter registration~~ **an** application under section 4 of this
39 chapter, the bureau of motor vehicles commission shall provide the
40 applicant with a written acknowledgment that the applicant has

1 completed a voter registration application at a license branch. The
2 acknowledgment:

3 (1) may be:

4 (A) a detachable part; or

5 (B) an electronic version;

6 of the **registration application** form **prescribed designed** under
7 section **4 5** of this chapter; and

8 (2) must set forth the name and residential address of the
9 applicant and the date that the application was completed.

10 SECTION 12. IC 3-7-14-12, AS AMENDED BY P.L.227-2023,
11 SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JANUARY 1, 2025]: Sec. 12. (a) An applicant who completes a ~~voter~~
13 ~~registration~~ **an** application under section 4 of this chapter is not
14 required to submit the application to a county voter registration office.

15 (b) The bureau of motor vehicles commission shall forward the
16 voter registration ~~part of information on~~ the application ~~and or~~ any
17 declination to register under this section to the election division for
18 transmittal to the appropriate county voter registration office on an
19 expedited basis in accordance with IC 3-7-26.3, IC 9-24-2.5, and 52
20 U.S.C. 20504(c)(2)(E).

21 SECTION 13. IC 3-7-14-14, AS AMENDED BY P.L.128-2015,
22 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JANUARY 1, 2025]: Sec. 14. Except as provided in section 15 of this
24 chapter, an application under section 4 of this chapter authorizes a
25 county voter registration office to update the voter registration record
26 of the applicant:

27 (1) under 52 U.S.C. 20504(a)(2) unless the applicant ~~fails to sign~~
28 **declines** the voter registration application **as provided under**
29 **section 7.1 of this chapter**; or

30 (2) in a manner authorized under IC 3-7-26.3.

31 SECTION 14. IC 3-7-14-15, AS AMENDED BY P.L.128-2015,
32 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
33 JANUARY 1, 2025]: Sec. 15. As provided in 52 U.S.C. 20504(d), a
34 circuit court clerk or board of registration may update the address in the
35 voter registration of an applicant, unless the applicant indicates on an
36 application to ~~obtain or renew a motor vehicle driver's license~~ (or any
37 other change of address form submitted to the clerk or board by the
38 bureau of motor vehicles commission) that the change of address of the
39 applicant is not for voter registration purposes.

40 SECTION 15. IC 3-7-33-3, AS AMENDED BY P.L.128-2015,

1 SECTION 112, IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JANUARY 1, 2025]: Sec. 3. (a) This section applies to
 3 a voter registration application that is:

4 (1) completed as part of a ~~driver's license~~ **an** application under
 5 IC 3-7-14; or

6 (2) submitted at a voter registration agency under this article.

7 (b) As provided in 52 U.S.C. 20507(a)(1), an eligible applicant
 8 whose application is accepted by the bureau of motor vehicles or a
 9 voter registration agency not later than twenty-nine (29) days before the
 10 election shall be registered to vote in the election."

11 Delete pages 2 through 17.

12 Page 18, delete lines 1 through 11.

13 Page 19, delete lines 21 through 42.

14 Delete pages 20 through 21.

15 Page 22, delete lines 1 through 17.

16 Page 23, line 29, after "3-7-33-4.5" insert ".".

17 Page 23, line 29, delete "or IC 3-7-33-4.7".

18 Page 27, delete lines 39 through 42, begin a new paragraph and
 19 insert:

20 "SECTION 18. IC 9-24-2.5-4, AS AMENDED BY P.L.71-2019,
 21 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JANUARY 1, 2025]: Sec. 4. (a) As required under 52 U.S.C.
 23 20504(e)(1), the manager or designated license branch employee shall
 24 transmit an electronic version of the ~~completed~~ voter registration
 25 **portion of information from** each application **or renewal** for a driver's
 26 license or an identification card for nondrivers issued under this article
 27 to the county voter registration office of the county in which the
 28 individual's residential address (as indicated on the application) is
 29 located.

30 (b) The voter registration ~~application~~ **information** shall be
 31 transmitted to the county voter registration office in an electronic
 32 format and on an expedited basis (as defined by IC 3-5-2-23.2) using
 33 the computerized list established under IC 3-7-26.3."

34 Delete pages 28 through 35.

35 Renumber all SECTIONS consecutively.

(Reference is to HB 1264 as reprinted January 26, 2024.)