



PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1264 be amended to read as follows:

- 1 Page 2, delete lines 26 through 42, begin a new paragraph and
- 2 insert:
- 3 "SECTION 2. IC 3-5-8-2, AS AMENDED BY P.L.128-2015,
- 4 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 2024]: Sec. 2. The statement required by section 1 of this
- 6 chapter must contain the following:
- 7 (1) A statement of the qualifications that an individual must meet
- 8 to vote in Indiana, including qualifications relating to registration.
- 9 (2) A statement describing the circumstances that permit a voter
- 10 who has moved from the precinct where the voter is registered to
- 11 return to that precinct to vote.
- 12 (3) A statement that an individual who meets the qualifications
- 13 and circumstances listed in subdivisions (1) and (2) may vote in
- 14 the election.
- 15 (4) A statement describing how a voter who is challenged at the
- 16 polls may be permitted to vote.
- 17 (5) The date of the election and the hours during which the polls
- 18 will be open, as required by 52 U.S.C. 21082.
- 19 (6) Instructions on how to vote, including how to cast a vote and
- 20 how to cast a provisional ballot, as required by 52 U.S.C. 21082.
- 21 (7) Instructions for:

- 1 (A) mail-in registrants and first time voters under
 2 IC 3-7-33-4.5 and 52 U.S.C. 21083, as required under 52
 3 U.S.C. 21082; **and**
 4 **(B) in-person registrants and first time voters under**
 5 **IC 3-7-33-4.7.**
- 6 (8) General information on voting rights under applicable federal
 7 and state laws, including the right of an individual to cast a
 8 provisional ballot and instructions on how to contact the
 9 appropriate officials if these rights are alleged to have been
 10 violated, as required under 52 U.S.C. 21082.
- 11 (9) General information on federal and state laws regarding
 12 prohibitions on acts of fraud and misrepresentation, as required
 13 under 52 U.S.C. 21082.
- 14 (10) A statement informing the voter what assistance is available
 15 to assist the voter at the polls.
- 16 (11) A statement informing the voter what circumstances will
 17 spoil the voter's ballot and the procedures available for the voter
 18 to request a new ballot.
- 19 (12) A statement describing which voters will be permitted to
 20 vote at the closing of the polls.
- 21 (13) Other information that the commission considers important
 22 for a voter to know.
- 23 SECTION 3. IC 3-7-14-7, AS AMENDED BY P.L.128-2015,
 24 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2024]: Sec. 7. (a) As provided in 52 U.S.C. 20504(c)(2), the
 26 registration form described in section 5 of this chapter must meet the
 27 following requirements:
- 28 (1) The form may not require information that duplicates
 29 information required in the driver's license application part of the
 30 form, except as set forth in subdivision (3).
- 31 (2) The form may require only the minimum amount of
 32 information necessary to do the following:
- 33 (A) Prevent duplication of voter registrations.
- 34 (B) Permit the circuit court clerk or board of registration to:
 35 (i) assess the eligibility of the applicant; and
 36 (ii) administer the election and voter registration system.
- 37 (3) The form must include a statement that does the following:
- 38 (A) Sets forth each eligibility requirement for registration
 39 (including citizenship).
- 40 (B) Contains an attestation that the applicant meets each of the
 41 eligibility requirements.
- 42 (C) Requires the signature of the applicant, under penalty of
 43 perjury.
- 44 (4) The form must include the following, in print that is identical
 45 to the print used in the attestation part of the application:
- 46 (A) Information setting forth the penalties provided by law for

- 1 submission of a false voter registration application.
- 2 (B) A statement that, if an applicant declines to register to
- 3 vote, the fact that the applicant has declined to register will
- 4 remain confidential and will be used only for voter registration
- 5 purposes.
- 6 (C) A statement that if an applicant does register to vote, the
- 7 office at which the applicant submits a voter registration
- 8 application will remain confidential and will be used only for
- 9 voter registration purposes.

10 **(b) The registration form described in section 5 of this chapter**
 11 **must include a statement informing the individual that if the**
 12 **individual is registering for the first time, the appropriate**
 13 **information required under IC 3-7-33-4.7 must be submitted with**
 14 **the registration form in order to avoid the additional identification**
 15 **requirements upon voting for the first time.**

16 SECTION 4. IC 3-7-15-5, AS AMENDED BY P.L.169-2015,
 17 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2024]: Sec. 5. (a) The registration form prescribed under
 19 section 4 of this chapter must meet the following requirements:

- 20 (1) The form must be equivalent to the mail registration form
- 21 prescribed by the election division under IC 3-7-31 and in
- 22 compliance with 52 U.S.C. 20506(a)(6)(A)(ii).
- 23 (2) The form must include a statement that does the following:
- 24 (A) Sets forth each eligibility requirement for registration
- 25 (including citizenship).
- 26 (B) Contains an attestation that the applicant meets each of the
- 27 eligibility requirements.
- 28 (C) Requires the signature of the applicant, under penalty of
- 29 perjury, and the date the form was signed.
- 30 (3) The form must include the following as provided in 52 U.S.C.
- 31 20506(a)(6)(B):
- 32 (A) A question reading "If you are not registered to vote where
- 33 you live now, would you like to apply to register to vote here
- 34 today?".
- 35 (B) A statement reading "Applying to register or declining to
- 36 register to vote will not affect the amount of assistance that
- 37 you will be provided by this agency."
- 38 (C) Boxes for the applicant to check to indicate whether the
- 39 applicant would like to register or declines to register to vote.
- 40 (D) A statement in close proximity to the boxes and in
- 41 prominent type: "IF YOU DO NOT CHECK EITHER BOX,
- 42 YOU WILL BE CONSIDERED TO HAVE DECIDED NOT
- 43 TO REGISTER TO VOTE AT THIS TIME."
- 44 (E) A statement reading "If you would like help in filling out
- 45 the voter registration application form, we will help you. The
- 46 decision whether to seek or accept help is yours. You may fill

1 out the application form in private."
 2 (F) A statement reading "If you believe that someone has
 3 interfered with your right to register or to decline to register to
 4 vote, or your right to choose your political party or other
 5 political preference, you may file a complaint with (insert the
 6 title, address, and telephone number of the NVRA official). If
 7 you want you may first try to solve the problem by filing a
 8 complaint with the county voter registration office of the
 9 county where the violation occurred."

10 **(b) The registration form prescribed under section 4 of this**
 11 **chapter must include a statement informing the individual that if**
 12 **the individual is registering for the first time, the appropriate**
 13 **information required under IC 3-7-33-4.7 must be submitted with**
 14 **the registration form in order to avoid the additional identification**
 15 **requirements upon voting for the first time.**

16 SECTION 5. IC 3-7-15-7 IS AMENDED TO READ AS FOLLOWS
 17 [EFFECTIVE JULY 1, 2024]: Sec. 7. An applicant who fails to check
 18 either box described in section 5(3) 5(a)(3) of this chapter or to sign a
 19 separate declination form under section 6 of this chapter shall be
 20 considered to have declined to register.

21 SECTION 6. IC 3-7-16-12, AS AMENDED BY P.L.169-2015,
 22 SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JULY 1, 2024]: Sec. 12. (a) The registration form prescribed under
 24 section 11 of this chapter must meet the following requirements:

- 25 (1) The form must be equivalent to the mail registration form
 26 prescribed by the election division under IC 3-7-31 and in
 27 compliance with 52 U.S.C. 20506(a)(6)(A)(ii).
- 28 (2) The form must include a statement that does the following:
 29 (A) Sets forth each eligibility requirement for registration
 30 (including citizenship).
 31 (B) Contains an attestation that the applicant meets each of the
 32 eligibility requirements.
 33 (C) Requires the signature of the applicant, under penalty of
 34 perjury, and the date the form was signed.
- 35 (3) The form must include the following as provided in 52 U.S.C.
 36 20506(a)(6)(B):
 37 (A) A question reading "If you are not registered to vote where
 38 you live now, would you like to apply to register to vote here
 39 today?".
 40 (B) A statement reading "Applying to register or declining to
 41 register to vote will not affect the amount of assistance that
 42 you will be provided by this agency."
 43 (C) Boxes for the applicant to check to indicate whether the
 44 applicant would like to register or declines to register to vote.
 45 (D) A statement in close proximity to the boxes and in
 46 prominent type: "IF YOU DO NOT CHECK EITHER BOX,

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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."

(4) The form must be designed to make voter registration as accessible as possible for persons with disabilities.

(b) The registration form prescribed under section 11 of this chapter must include a statement informing the individual that if the individual is registering for the first time, the appropriate information required under IC 3-7-33-4.7 must be submitted with the registration form in order to avoid the additional identification requirements upon voting for the first time.

SECTION 7. IC 3-7-16-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 14. An applicant who fails to check either box described in section ~~12(3)~~ **12(a)(3)** of this chapter or to sign a separate declination form under section 13 of this chapter shall be considered to have declined to register.

SECTION 8. IC 3-7-18-4, AS AMENDED BY P.L.169-2015, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]: Sec. 4. **(a)** The registration form prescribed under section 3 of this chapter must meet the following requirements:

- (1) The form must be equivalent to the mail registration form prescribed by the election division under IC 3-7-31 and in compliance with 52 U.S.C. 20506(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 52 U.S.C. 20506(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?"

- 1 (B) A statement reading "Applying to register or declining to
 2 register to vote will not affect the amount of assistance that
 3 you will be provided by this agency."
 4 (C) Boxes for the applicant to check to indicate whether the
 5 applicant would like to register or declines to register to vote.
 6 (D) A statement in close proximity to the boxes and in
 7 prominent type: "IF YOU DO NOT CHECK EITHER BOX,
 8 YOU WILL BE CONSIDERED TO HAVE DECIDED NOT
 9 TO REGISTER TO VOTE AT THIS TIME."
 10 (E) A statement reading "If you would like help in filling out
 11 the voter registration application form, we will help you. The
 12 decision whether to seek or accept help is yours. You may fill
 13 out the application form in private."
 14 (F) A statement reading "If you believe that someone has
 15 interfered with your right to register or to decline to register to
 16 vote, or your right to choose your political party or other
 17 political preference, you may file a complaint with (insert the
 18 title, address, and telephone number of the NVRA official). If
 19 you want you may first try to solve the problem by filing a
 20 complaint with the county voter registration office of the
 21 county where the violation occurred."

22 **(b) The registration form prescribed under section 3 of this**
 23 **chapter must include a statement informing the individual that if**
 24 **the individual is registering for the first time, the appropriate**
 25 **information required under IC 3-7-33-4.7 must be submitted with**
 26 **the registration form in order to avoid the additional identification**
 27 **requirements upon voting for the first time.**

28 SECTION 9. IC 3-7-18-6 IS AMENDED TO READ AS FOLLOWS
 29 [EFFECTIVE JULY 1, 2024]: Sec. 6. An applicant who fails to check
 30 either box described in section ~~4(3)~~ **4(a)(3)** of this chapter or to sign a
 31 separate declination form under section 5 of this chapter shall be
 32 considered to have declined to register.

33 SECTION 10. IC 3-7-22-5, AS AMENDED BY P.L.128-2015,
 34 SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2024]: Sec. 5. A mail registration form prescribed under
 36 section 3 of this chapter must meet the following requirements:

- 37 (1) The form must include a statement that does the following:
 38 (A) Sets forth each eligibility requirement for registration
 39 (including citizenship).
 40 (B) Contains an attestation that the applicant meets each of the
 41 eligibility requirements.
 42 (C) Requires the signature of the applicant, under penalty of
 43 perjury.
 44 (2) The form must include, in print that is identical to the print
 45 used in the attestation part of the application, information setting
 46 forth the penalties provided by law for submission of a false voter

- 1 registration application.
- 2 (3) The question "Are you a citizen of the United States of
3 America?" and boxes for the applicant to check to indicate
4 whether the applicant is or is not a citizen of the United States.
- 5 (4) The question "Will you be 18 years of age on or before
6 election day?" and boxes for the applicant to check to indicate
7 whether or not the applicant will be eighteen (18) years of age on
8 or before election day.
- 9 (5) A statement informing the individual that, if the ~~form is~~
10 ~~submitted by mail and the~~ individual is registering for the first
11 time, the appropriate information required under 52 U.S.C. 21083
12 **or IC 3-7-33-4.7** must be submitted with the ~~mail-in~~ registration
13 form in order to avoid the additional identification requirements
14 upon voting for the first time.
- 15 SECTION 11. IC 3-7-27-20.2, AS AMENDED BY P.L.164-2006,
16 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2024]: Sec. 20.2. (a) The county voter registration office shall
18 prepare an entry in the computerized system indicating:
- 19 (1) whether the applicant was required to provide documentation
20 under IC 3-7-33-4.5 **or IC 3-7-33-4.7**; and
21 (2) if so, whether the required documentation has been provided.
- 22 (b) If the documentation required under IC 3-7-33-4.5 **or**
23 **IC 3-7-33-4.7** has been provided, the entry must include the following:
- 24 (1) The date the documentation was filed with the county voter
25 registration office.
26 (2) Whether the documentation was filed with the county voter
27 registration office by:
- 28 (A) a precinct election board after the person voted in person
29 at the polling place;
30 (B) the county election board after the person applied to cast
31 an absentee ballot; or
32 (C) the applicant as part of the original filing of the application
33 to register to vote, or in a subsequent filing received by the
34 county voter registration office.
- 35 (3) A brief description of the type of documentation provided.
- 36 The election division shall provide each county voter registration office
37 with a suggested coding system for identifying the types of
38 documentation.
- 39 SECTION 12. IC 3-7-29-1, AS AMENDED BY P.L.169-2015,
40 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JULY 1, 2024]: Sec. 1. (a) Except as provided in subsection (f), this
42 section does not apply to a county that:
- 43 (1) has adopted an order under section 6(a)(1) of this chapter; or
44 (2) is a vote center county under IC 3-11-18.1.
- 45 (b) Not later than ten (10) days before the election at which the
46 registration record is to be used, the county voter registration office

1 shall prepare certified copies of the list of registered voters for each
2 precinct in the county.

3 (c) The lists must contain the following information concerning
4 each registered voter:

5 (1) The full name of the voter.

6 (2) The address of the voter.

7 (3) The assigned voter identification number.

8 (4) Whether the voter is required to provide additional
9 identification before voting either in person or by absentee ballot.

10 (5) The date of birth of the voter, including an indication whether
11 the voter is less than eighteen (18) years of age for a poll list used
12 in a primary election.

13 (6) The scanned signature of the voter.

14 (7) Whether the voter is required to provide an affirmation of the
15 voter's residence.

16 (8) A bar code that allows the county voter registration office to
17 efficiently record whether the voter has signed the poll list.

18 (9) For a poll list used in a primary election, a letter abbreviation
19 of the name of the major political party whose ballot the voter has
20 requested.

21 (10) A space for a poll clerk to indicate when a voter has cast an
22 absentee ballot.

23 (11) A space for a poll clerk to indicate when a voter has cast a
24 provisional ballot.

25 (12) For a voter required to submit additional documentation
26 required under IC 3-7-33-4.5 or **IC 3-7-33-4.7**, a space for a poll
27 clerk to insert letters serving as an abbreviation for the type of
28 documentation provided by the voter.

29 (d) The names shall be arranged in the same order as they are in the
30 registration record of the precinct.

31 (e) The poll list must also contain a statement at the top of each
32 page indicating that an individual who knowingly makes a false
33 statement:

34 (1) by signing a poll list; or

35 (2) on a poll list concerning the individual's name, voter
36 identification number, or residence address;

37 commits a Level 6 felony as provided by IC 3-14-2-11.

38 (f) This subsection applies to a county that has adopted an order
39 under section 6(a)(1) of this chapter or is a vote center county under
40 IC 3-11-18.1. The precinct election board shall post in a location within
41 the precinct or vote center a notice that:

42 (1) is clearly visible to an individual (or to an individual providing
43 assistance under IC 3-11-9) who is providing information to a
44 precinct election officer using an electronic poll book; and

45 (2) indicates that an individual commits a Level 6 felony under
46 IC 3-14-2-11, if the individual knowingly makes a false statement

1 to a precinct election officer concerning:

- 2 (A) the individual's name;
 3 (B) the individual's voter identification number; or
 4 (C) the individual's residence address.

5 SECTION 13. IC 3-7-33-4.7 IS ADDED TO THE INDIANA CODE
 6 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 7 1, 2024]: **Sec. 4.7. (a) The requirements of this section:**

8 **(1) apply to an individual who has not previously voted in:**

- 9 **(A) a general election in Indiana (or a special election for**
 10 **federal office in Indiana); or**
 11 **(B) a general election (or a special election for federal**
 12 **office) in the county where the individual has submitted a**
 13 **registration application if the application was received by**
 14 **the county voter registration office after December 31,**
 15 **2002, and before January 1, 2006; and**

16 **(2) do not apply to an individual who:**

17 **(A) submits with the individual's application the:**

- 18 **(i) individual's Indiana driver's license number; or**
 19 **(ii) last four (4) digits of the individual's Social Security**
 20 **number;**

21 **and the county voter registration office or election division**
 22 **matches the information submitted by the applicant with**
 23 **an existing Indiana identification record bearing the same**
 24 **identification number, name, and date of birth set forth in**
 25 **the voter registration application;**

26 **(B) is an absent uniformed services voter or overseas**
 27 **voter;**

28 **(C) is entitled to vote other than in person under the**
 29 **federal Voting Accessibility for the Elderly and**
 30 **Handicapped Act (52 U.S.C. 20102(b)(2)(B)(ii)) due to a**
 31 **determination by the election division that a permanent or**
 32 **temporarily accessible polling place cannot be provided for**
 33 **the individual; or**

34 **(D) is entitled to vote other than in person under any other**
 35 **federal law.**

36 **(b) Subject to subsection (c), an individual who applies to**
 37 **register to vote in person at a registration agency shall present with**
 38 **the individual's application:**

39 **(1) a current and valid photo identification; or**

40 **(2) a current utility bill, bank statement, government check,**
 41 **paycheck, or government document;**

42 **that shows the name and residence address of the voter stated on**
 43 **the voter registration application.**

44 **(c) When a county voter registration office receives a voter**
 45 **registration application under subsection (b), the office shall**
 46 **determine whether the applicant:**

47 **(1) complied with the proof of residence requirements under**

1 subsection (b); or
 2 (2) must provide additional documentation to comply with the
 3 proof of residence requirements under subsection (b).
 4 (d) If the county voter registration office determines that the
 5 applicant:
 6 (1) is not required to submit additional documentation under
 7 subsection (b); or
 8 (2) has provided the documentation required under subsection
 9 (b);
 10 the county voter registration office shall process the application in
 11 accordance with section 5 of this chapter.
 12 (e) If the county voter registration office determines that the
 13 applicant is required to submit additional documentation under
 14 subsection (b), the office shall process the application under section
 15 5 of this chapter and, if the applicant is otherwise eligible to vote,
 16 add the information concerning this documentation to the voter's
 17 computerized registration entry under IC 3-7-27-20.2.
 18 (f) The county voter registration office shall remove the notation
 19 described in subsection (e) after the voter votes in an election for
 20 a federal office.
 21 (g) The requirements of this section must be administered in a
 22 uniform and nondiscriminatory manner."
 23 Delete pages 3 through 6.
 24 Page 7, delete lines 1 through 11.
 25 Page 13, delete lines 8 through 42.
 26 Delete page 14.
 27 Page 15, delete lines 1 through 10, begin a new paragraph and
 28 insert:
 29 "SECTION 20. IC 3-10-1-24, AS AMENDED BY P.L.278-2019,
 30 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2024]: Sec. 24. (a) A voter who desires to vote must give the
 32 voter's name and political party to the poll clerks of the precinct on
 33 primary election day. In a vote center county using an electronic poll
 34 book, two (2) election officers who are not members of the same
 35 political party must be present when a voter signs in on the electronic
 36 poll book. The poll clerks shall require the voter to write the following
 37 on the poll list or to provide the following information for entry into the
 38 electronic poll book:
 39 (1) The voter's name.
 40 (2) Except as provided in subsection (d), the voter's current
 41 residence address.
 42 (3) The name of the voter's party. **A voter shall mark the voter's**
 43 **political party ballot selection on the electronic poll book**
 44 **instead of communicating the selection to the poll clerks.**
 45 After:
 46 (A) the voter writes the voter's party on the poll list; or

- 1 (B) the voter's party is entered into the electronic poll book;
- 2 the voter may not change the choice of the voter's party.
- 3 (b) The poll clerks shall:
 - 4 (1) ask the voter to provide or update the voter's voter
 - 5 identification number;
 - 6 (2) tell the voter the number the voter may use as a voter
 - 7 identification number; and
 - 8 (3) explain to the voter that the voter is not required to provide a
 - 9 voter identification number at the polls.
- 10 (c) If the voter is unable to sign the voter's name, the voter must sign
- 11 the poll list by mark, which must be witnessed by one (1) of the poll
- 12 clerks or assistant poll clerks acting under IC 3-6-6, who shall place the
- 13 poll clerk's or assistant poll clerk's initials after or under the mark.
- 14 (d) The poll list (or each line on a poll list sheet provided to take a
- 15 voter's current residence address) must include a box under the heading
- 16 "Address Unchanged" so that the voter may check the box instead of
- 17 writing the voter's current address on the poll list, or if an electronic
- 18 poll book is used, the poll clerk may check the box after stating to the
- 19 voter the address shown on the electronic poll book and receiving an
- 20 oral affirmation from the voter that the voter's residence address shown
- 21 on the poll list is the voter's current residence address instead of writing
- 22 the voter's current residence address on the poll list or reentering the
- 23 address in the electronic poll book.
- 24 (e) If the voter makes:
 - 25 (1) a written affirmation on the poll list (or if an electronic poll
 - 26 book is used, a written affirmation in the manner described in
 - 27 IC 3-7-39-7) that the voter resides at an address within the
 - 28 precinct but not at the address shown on the poll list for the
 - 29 precinct; or
 - 30 (2) an oral affirmation of a change of address under IC 3-7-39-7;
 - 31 the county election board shall direct the county voter registration
 - 32 office to transfer the individual's voter registration record to the address
 - 33 within the precinct indicated by the voter.
- 34 SECTION 21. IC 3-11-4-17.5, AS AMENDED BY P.L.140-2023,
- 35 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 36 JULY 1, 2024]: Sec. 17.5. (a) Upon receiving an application for an
- 37 absentee ballot, the county election board (or the absentee voter board
- 38 in the office of the circuit court clerk) shall determine if:
 - 39 (1) the applicant is a voter of the precinct in which the applicant
 - 40 resides, according to the records of the county voter registration
 - 41 office;
 - 42 (2) the information set forth on the application appears to be true;
 - 43 (3) the signature of the voter on the application substantially
 - 44 conforms with the signature of the voter on the voter registration
 - 45 record, or that any substantial difference between the signatures
 - 46 can be accounted for by age or disability of the voter or the

1 execution of the affidavit by an individual acting under section
 2 2(b) of this chapter; and
 3 (4) the application has been completed and filed in accordance
 4 with Indiana and federal law.

5 If the members of the absentee voter board are unable to agree about
 6 any of the determinations described in subdivisions (1) through (4), the
 7 issue shall be referred to the county election board for determination.
 8 If the application is submitted by a voter wanting to cast an absentee
 9 ballot under IC 3-11-10-26, IC 3-11-10-26.2, or IC 3-11-10-26.3, the
 10 voter shall be permitted to cast a provisional ballot, which the county
 11 election board shall retain.

12 (b) If:
 13 (1) the applicant is not a voter of the precinct according to the
 14 registration record; or
 15 (2) the application as completed and filed:
 16 (A) contains a false statement; or
 17 (B) does not otherwise comply with Indiana or federal law;
 18 as alleged under section 18.5 of this chapter, the county election board
 19 shall deny the application.

20 (c) A voter's failure to provide the information requested under
 21 section 5.1 of this chapter does not affect a voter's ability to receive an
 22 absentee ballot. A county election board may not deny an application
 23 because the voter has not provided the information requested under
 24 section 5.1 of this chapter as a part of the voter's application for an
 25 absentee ballot. The county election board shall implement the
 26 procedures prescribed by section 17.6 of this chapter if the voter fails
 27 to provide the information requested under section 5.1 of this chapter.

28 (d) If the application is denied, the county election board shall
 29 provide the voter with the reasons for the denial of the application.
 30 Unless the voter is present when the board denies the application, the
 31 board shall send a written notice stating the reasons for the denial to the
 32 voter. The notice must be sent:

33 (1) not later than forty-eight (48) hours after the application is
 34 denied; and
 35 (2) to the voter:
 36 (A) at the address at which the voter requested that the
 37 absentee ballot be mailed;
 38 (B) to the voter's electronic mail address, if the voter has
 39 provided an electronic mail address on the voter's absentee
 40 ballot application; or
 41 (C) by personal delivery of the notice.

42 (e) If the county election board determines that the applicant is a
 43 voter of the precinct under subsection (a), the board shall then
 44 determine whether:

45 (1) the applicant was required to file any additional
 46 documentation under IC 3-7-33-4.5 or **IC 3-7-33-4.7**; and

1 (2) the applicant has filed this documentation according to the
 2 records of the county voter registration office.
 3 If the applicant has not filed the required documentation, the county
 4 election board shall approve the application if the application otherwise
 5 complies with this chapter. The board shall add a notation to the
 6 application and to the record compiled under section 17 of this chapter
 7 indicating that the applicant will be required to provide additional
 8 documentation to the county voter registration office under
 9 IC 3-7-33-4.5 or **IC 3-7-33-4.7** before the absentee ballot may be
 10 counted.

11 (f) If the applicant:
 12 (1) is a voter of the precinct according to the registration record;
 13 and
 14 (2) states on the application that the applicant resides at an
 15 address that is within the same precinct but is not the same
 16 address shown on the registration record;
 17 the county election board shall direct the county voter registration
 18 office to transfer the applicant's voter registration address to the
 19 address within the precinct shown on the application. The applicant's
 20 application for an absentee ballot shall be approved if the applicant is
 21 otherwise eligible to receive the ballot under this chapter.

22 SECTION 22. IC 3-11-4-18, AS AMENDED BY P.L.227-2023,
 23 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2024]: Sec. 18. (a) If a voter satisfies any of the qualifications
 25 described in IC 3-11-10-24 that entitle a voter to cast an absentee ballot
 26 by mail, the county election board shall, at the request of the voter, mail
 27 the official ballot, postage fully prepaid, to the voter at the address
 28 stated in the application. Each ballot may be assigned a unique tracking
 29 number as prescribed by the election division using IMb Tracing or a
 30 similar automated tracking method to provide real-time tracking
 31 information for the envelope containing the ballot. As used in this
 32 subsection, "IMb Tracing" refers to a real-time mail tracking service
 33 offered through the United States Postal Service.

34 (b) If the county election board mails an absentee ballot to a voter
 35 required to file additional documentation with the county voter
 36 registration office before voting by absentee ballot under this chapter,
 37 the board shall include a notice to the voter in the envelope mailed to
 38 the voter under section 20 of this chapter. The notice must inform the
 39 voter that the voter must file the additional documentation required
 40 under IC 3-7-33-4.5 or **IC 3-7-33-4.7** with the county voter registration
 41 office before 6 p.m. on election day.

42 (c) Except as provided in this subsection, section 18.5 of this
 43 chapter, or IC 3-11-10-26.5, the ballot shall be transmitted:
 44 (1) on the day of the receipt of the voter's application; or
 45 (2) not more than five (5) days after the date of delivery of the
 46 ballots under section 15 of this chapter;

1 whichever is later. If the election board determines that the county
 2 voter registration office has received an application from the applicant
 3 for registration at an address within the precinct indicated on the
 4 application, and the election board determines that this application is
 5 pending under IC 3-7-33, the ballot shall be mailed on the date the
 6 county voter registration office indicates under IC 3-7-33-5(g) that the
 7 applicant is a registered voter.

8 (d) As required by 52 U.S.C. 21081, an election board shall
 9 establish a voter education program (specific to a paper ballot or
 10 optical scan ballot card provided as an absentee ballot under this
 11 chapter) to notify a voter of the effect of casting multiple votes for a
 12 single office.

13 (e) As provided by 52 U.S.C. 21081, when an absentee ballot is
 14 transmitted under this section, the mailing must include:

15 (1) information concerning the effect of casting multiple votes for
 16 an office; and

17 (2) instructions on how to correct the ballot before the ballot is
 18 cast and counted, including the issuance of replacement ballots.

19 SECTION 23. IC 3-11-8-10.3, AS AMENDED BY P.L.115-2022,
 20 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2024]: Sec. 10.3. (a) A reference to an electronic poll list in
 22 a vote center plan adopted under IC 3-11-18.1 before July 1, 2014, is
 23 considered to be a reference to an electronic poll book (as defined by
 24 IC 3-5-2-20.5), unless otherwise expressly provided in the vote center
 25 plan.

26 (b) An electronic poll book must satisfy all of the following:

27 (1) An electronic poll book must be programmed so that the
 28 coordinated action of two (2) election officers who are not
 29 members of the same political party is necessary to access the
 30 electronic poll book.

31 (2) An electronic poll book may not be connected to a voting
 32 system. However, the electronic poll book may be used in
 33 conjunction with a voting system if both of the following apply:

34 (A) The electronic poll book contains a device that must be
 35 physically removed from the electronic poll book by a person
 36 and the device is inserted into the voting system, with no
 37 hardware or software connection existing between the
 38 electronic poll book and the voting system.

39 (B) All data on the device is erased when the device is
 40 removed from the voting system and before the device is
 41 reinserted into an electronic poll book.

42 (3) An electronic poll book may not permit access to voter
 43 information other than:

44 (A) information provided on the certified list of voters
 45 prepared under IC 3-7-29-1; or

46 (B) information concerning any of the following received or

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issued after the electronic poll list has been downloaded by the county election board under IC 3-7-29-6:

- (i) The county's receipt of an absentee ballot from the voter.
- (ii) The county's receipt of additional documentation provided by the voter to the county voter registration office.
- (iii) The county's issuance of a certificate of error.

An electronic poll book may not display whether a voter's registration record is in active or inactive status.

(4) The information contained on an electronic poll book must be secure and placed on a dedicated, private server to secure connectivity between a precinct polling place or satellite absentee office and the county election board. The electronic poll book must have the capability of:

- (A) storing (in external or internal memory) the current local version of the electronic poll list; and
- (B) producing a list of audit records that reflect all of the idiosyncrasies of the system, including in-process audit records that set forth all transactions.

(5) The electronic poll book must permit a poll clerk to enter information regarding an individual who has appeared to vote to verify whether the individual is eligible to vote, and if so, whether the voter has:

- (A) already received a ballot at the election;
- (B) returned an absentee ballot; or
- (C) submitted any additional documentation required under IC 3-7-33-4.5 or IC 3-7-33-4.7.

(6) After the voter has been provided with a ballot, the electronic poll book must permit a poll clerk to enter information indicating that the voter has received a ballot.

(7) The electronic poll book must transmit the information in subdivision (6) to the county server so that:

- (A) the server may transmit the information immediately to every other polling place or satellite absentee office in the county; or
- (B) the server makes the information immediately available to every other polling place or satellite office in the county.

(8) The electronic poll book must permit reports to be:

- (A) generated by a county election board for a watcher appointed under IC 3-6-8 at any time during election day; and
- (B) electronically transmitted by the county election board to a political party or independent candidate who ~~has appointed~~ **is eligible to appoint** a watcher under IC 3-6-8.

(9) On each day after absentee ballots are cast before an absentee voter board in the circuit court clerk's office, a satellite office, or a vote center, and after election day, the electronic poll book must permit voter history to be quickly and accurately uploaded into

- 1 the computerized list (as defined in IC 3-7-26.3-2).
- 2 (10) The electronic poll book must be able to display an electronic
- 3 image of the signature of a voter taken from:
- 4 (A) the voter's registration application; or
- 5 (B) a more recent signature of a voter from an absentee
- 6 application, poll list, electronic poll book, or registration
- 7 document.
- 8 (11) The electronic poll book must be used with a signature pad,
- 9 tablet, or other signature capturing device that permits the voter
- 10 to:
- 11 (A) make an electronic signature for comparison with the
- 12 signature displayed under subdivision (10); **and**
- 13 **(B) indicate the name of the voter's political party under**
- 14 **IC 3-10-1-24.**
- 15 An image of the electronic signature made by the voter on the
- 16 signature pad, tablet, or other signature capturing device must be
- 17 retained and identified as the signature of the voter for the period
- 18 required for retention under IC 3-10-1-31.1.
- 19 (12) The electronic poll book must include a bar code capturing
- 20 device that:
- 21 (A) permits a voter who presents an Indiana driver's license or
- 22 a state identification card issued under IC 9-24-16 to scan the
- 23 license or card through the bar code reader or tablet; and
- 24 (B) has the capability to display the voter's registration record
- 25 upon processing the information contained within the bar code
- 26 on the license or card.
- 27 (13) A printer separate from the electronic poll book used in a
- 28 vote center county may be programmed to print on the back of a
- 29 ballot card, immediately before the ballot card is delivered to the
- 30 voter, the printed initials of the poll clerks captured through the
- 31 electronic signature pad or tablet at the time the poll clerks log
- 32 into the electronic poll book system.
- 33 (14) The electronic poll book must be compatible with:
- 34 (A) any hardware attached to the electronic poll book, such as
- 35 signature capturing devices, bar code capturing devices, and
- 36 network cards;
- 37 (B) the statewide voter registration system; and
- 38 (C) any software system used to prepare voter information to
- 39 be included on the electronic poll book.
- 40 (15) The electronic poll book must have the ability to be used in
- 41 conformity with this title for:
- 42 (A) any type of election conducted in Indiana; or
- 43 (B) any combination of elections held concurrently with a
- 44 general election, municipal election, primary election, or
- 45 special election.
- 46 (16) The procedures for setting up, using, and shutting down an

- 1 electronic poll book must be reasonably easy for a precinct
- 2 election officer to learn, understand, and perform. A vendor shall
- 3 provide sufficient training to election officials and poll workers
- 4 to completely familiarize them with the operations essential for
- 5 carrying out election activities. A vendor shall provide an
- 6 assessment of learning goals achieved by the training in
- 7 consultation with VSTOP (as described in IC 3-11-18.1-12).
- 8 (17) The electronic poll book must enable a precinct election
- 9 officer to verify that the electronic poll book:
 - 10 (A) has been set up correctly;
 - 11 (B) is working correctly so as to verify the eligibility of the
 - 12 voter;
 - 13 (C) is correctly recording that a voter received a ballot; and
 - 14 (D) has been shut down correctly.
- 15 (18) The electronic poll book must include the following
- 16 documentation:
 - 17 (A) Plainly worded, complete, and detailed instructions
 - 18 sufficient for a precinct election officer to set up, use, and shut
 - 19 down the electronic poll book.
 - 20 (B) Training materials that:
 - 21 (i) may be in written or video form; and
 - 22 (ii) must be in a format suitable for use at a polling place,
 - 23 such as simple "how to" guides.
 - 24 (C) Failsafe data recovery procedures for information included
 - 25 in the electronic poll book.
 - 26 (D) Usability tests:
 - 27 (i) that are conducted by the manufacturer of the electronic
 - 28 poll book or an independent testing facility using individuals
 - 29 who are representative of the general public;
 - 30 (ii) that include the setting up, using, and shutting down of
 - 31 the electronic poll book; and
 - 32 (iii) that report their results using industry standard reporting
 - 33 formats.
 - 34 (E) A clear model of the electronic poll book system
 - 35 architecture and the following documentation:
 - 36 (i) End user documentation.
 - 37 (ii) System-level and administrator level documentation.
 - 38 (iii) Developer documentation.
 - 39 (F) Detailed information concerning:
 - 40 (i) electronic poll book consumables; and
 - 41 (ii) the vendor's supply chain for those consumables.
 - 42 (G) Vendor internal quality assurance procedures and any
 - 43 internal or external test data and reports available to the
 - 44 vendor concerning the electronic poll book.
 - 45 (H) Repair and maintenance policies for the electronic poll
 - 46 book.

- 1 (I) As of the date of the vendor's application for approval of
- 2 the electronic poll book by the secretary of state as required by
- 3 IC 3-11-18.1-12, the following:
- 4 (i) A list of customers who are using or have previously used
- 5 the vendor's electronic poll book.
- 6 (ii) A description of any known anomalies involving the
- 7 functioning of the electronic poll book, including how those
- 8 anomalies were resolved.
- 9 (J) Information concerning batteries used in the electronic poll
- 10 book, including the following:
- 11 (i) A list of all batteries to be used in the electronic poll
- 12 book and any peripherals.
- 13 (ii) The expected life span of each battery.
- 14 (iii) A log documenting when each battery was installed or
- 15 subsequently replaced.
- 16 (iv) A schedule for the replacement of each battery not later
- 17 than thirty (30) days before the end of the expected life span
- 18 of each battery.
- 19 (v) Plans to test batteries before each election.
- 20 (vi) Plans for the emergency replacement of batteries that
- 21 fail on election day or during the thirty (30) days before
- 22 election day.
- 23 (19) The electronic poll book and any hardware attached to the
- 24 electronic poll book must be designed to prevent injury or damage
- 25 to any individual or the hardware, including fire and electrical
- 26 hazards.
- 27 (20) The electronic poll book must demonstrate that it correctly
- 28 processes all activity regarding each voter registration record,
- 29 including the use, alteration, storage, receipt, and transmittal of
- 30 information that is part of the record. Compliance with this
- 31 subdivision requires the mapping of the data life cycle of the voter
- 32 registration record as processed by the electronic poll book.
- 33 (21) The electronic poll book must successfully perform in
- 34 accordance with all representations concerning functionality,
- 35 usability, security, accessibility, and sustainability made in the
- 36 vendor's application for approval of the electronic poll book by
- 37 the secretary of state as required by IC 3-11-18.1-12.
- 38 (22) The electronic poll book must have the capacity to transmit
- 39 all information generated by the voter or poll clerk as part of the
- 40 process of casting a ballot, including the time and date stamp
- 41 indicating when the voter signed the electronic poll book, and the
- 42 electronic signature of the voter, for retention on the dedicated
- 43 private server approved by the county election board for the
- 44 period required by Indiana and federal law.
- 45 (23) The electronic poll book must:
- 46 (A) permit a voter to check in and sign the electronic poll book

- 1 even when there is a temporary interruption in connectivity to
- 2 the Internet; and
- 3 (B) provide for the uploading of each signature so that the
- 4 signature may be assigned to the voter's registration record.
- 5 (24) The electronic poll book must have the capacity, for each
- 6 voter who appears on the electronic poll list, to transmit
- 7 information that a voter cast a provisional ballot:
- 8 (A) from the electronic poll book to the dedicated private
- 9 server; and
- 10 (B) from the dedicated private server to the voter's record in
- 11 the statewide voter registration system.
- 12 This functionality may not be disabled.
- 13 (c) The county election board is responsible for the care and custody
- 14 of all electronic poll books while not in use.
- 15 (d) The county election board is responsible for ensuring that all
- 16 electronic poll books are dedicated devices to be used only for their
- 17 intended purpose and for no other activity. Software that is not needed
- 18 for the essential purpose of running the electronic poll book may not be
- 19 installed on an electronic poll book.
- 20 SECTION 24. IC 3-11-8-23, AS AMENDED BY P.L.64-2014,
- 21 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 22 JULY 1, 2024]: Sec. 23. (a) If a challenged voter has already made an
- 23 affirmation or executed an affidavit under IC 3-7-48-7.5, IC 3-10-10-9,
- 24 IC 3-10-11-4.5, or IC 3-10-12-5, the challenged voter is not required to
- 25 execute an additional affidavit under this section.
- 26 (b) The affidavit of a challenged voter required by section 22.1 of
- 27 this chapter must be sworn and affirmed and must contain the
- 28 following:
- 29 (1) A statement that the voter is a citizen of the United States.
- 30 (2) The voter's date of birth to the best of the voter's information
- 31 and belief.
- 32 (3) A statement that the voter has been a resident of the precinct
- 33 for thirty (30) days immediately before this election or is qualified
- 34 to vote in the precinct under IC 3-10-10, IC 3-10-11, or
- 35 IC 3-10-12.
- 36 (4) The voter's name and a statement that the voter is generally
- 37 known by that name.
- 38 (5) A statement that the voter has not voted and will not vote in
- 39 any other precinct in this election.
- 40 (6) The voter's current residential address, including the street or
- 41 number, and if applicable, the voter's residential address thirty
- 42 (30) days before the election, and the date the voter moved.
- 43 (7) If applicable, that, when the voter was challenged to present
- 44 proof of identification or an additional document to confirm the
- 45 voter's identity and current residence, the voter presented proof of
- 46 identification or the additional documentation that complied with

1 IC 3-5-2-40.5, or IC 3-7-33-4.5, or **IC 3-7-33-4.7.**
2 (8) A statement that the voter understands that making a false
3 statement on the affidavit is punishable under the penalties of
4 perjury.
5 (9) If the individual's name does not appear on the registration
6 list, a statement that the individual registered to vote and where
7 the individual believes the individual registered to vote during the
8 registration period described by IC 3-7-13-10.
9 SECTION 25. IC 3-11-8-25.2, AS AMENDED BY P.L.115-2022,
10 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JULY 1, 2024]: Sec. 25.2. (a) The poll clerk or assistant poll clerk shall
12 examine the list provided under IC 3-7-29-1 to determine if the county
13 election board has indicated that the voter is required to provide
14 additional personal identification under:
15 (1) 52 U.S.C. 21083 and IC 3-7-33-4.5; or
16 (2) **IC 3-7-33-4.7;**
17 before voting in person. If the list indicates that the voter is required to
18 present this identification before voting in person, the poll clerk shall
19 advise the voter that the voter must present, in addition to the proof of
20 identification required by section 25.1(a) of this chapter, a piece of
21 identification described in subsection (b) to the poll clerk.
22 (b) As required by 52 U.S.C. 21083 or **IC 3-7-33-4.7**, and in
23 addition to the proof of identification required by section 25.1(a) of this
24 chapter, a voter described by IC 3-7-33-4.5 or **IC 3-7-33-4.7** who has
25 not complied with IC 3-7-33-4.5 or **IC 3-7-33-4.7** before appearing at
26 the polls on election day must present one (1) of the following
27 documents to the poll clerk:
28 (1) A current and valid photo identification.
29 (2) A current utility bill.
30 (3) A current bank statement.
31 (4) A current government check.
32 (5) A current paycheck.
33 (6) A current government document.
34 The document presented by the voter must show the name and
35 residence address of the voter.
36 (c) If a voter presents a document under subsection (b), the poll
37 clerk shall add a notation to the list indicating the type of document
38 presented by the voter. The election division shall prescribe a
39 standardized coding system to classify documents presented under this
40 subsection for entry into the county voter registration system.
41 (d) If a voter required to present documentation under subsection (b)
42 is unable to present the documentation to the poll clerk while present
43 in the polls, the poll clerk shall notify the precinct election board. The
44 board shall provide a provisional ballot to the voter under IC 3-11.7-2.
45 (e) The precinct election board shall advise the voter, both orally
46 and in writing, that the voter may file a copy of the documentation with

1 the county voter registration office to permit the provisional ballot to
 2 be counted under IC 3-11.7. The election division shall prescribe the
 3 form of the explanation required by this subsection.

4 SECTION 26. IC 3-11-10-11, AS AMENDED BY P.L.227-2023,
 5 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2024]: Sec. 11. On election day, the county voter registration
 7 office shall visit the appropriate post office to accept delivery of mail
 8 containing documentation submitted by a voter to comply with
 9 IC 3-7-33-4.5 **or IC 3-7-33-4.7**. The office shall immediately notify the
 10 county election board regarding the filing of this documentation.

11 SECTION 27. IC 3-11-10-28, AS AMENDED BY P.L.109-2021,
 12 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JULY 1, 2024]: Sec. 28. (a) A voter voting before an absentee voter
 14 board shall mark the voter's ballot in the presence of the board, but not
 15 in such a manner that either of the members of the board can see for
 16 whom the voter voted, unless the voter requests the help of the board
 17 in marking a ballot under IC 3-11-9. The voter shall fold each ballot
 18 separately in a manner to conceal the voter's markings.

19 (b) The voter shall then, in the presence of the board, place the
 20 ballot in an envelope furnished by the county election board.

21 (c) The circuit court clerk shall provide, to the extent practicable,
 22 the same degree of privacy to absentee voters voting at the office of the
 23 circuit court clerk as provided to voters at the polls on election day.

24 (d) This subsection applies to a voter required to present additional
 25 information under IC 3-7-33-4.5 **or IC 3-7-33-4.7**. If the voter does not
 26 present the required additional information before receiving the
 27 absentee ballot, the absentee ballot shall be processed in accordance
 28 with IC 3-11.5-4-3.5.

29 (e) This subsection applies to a voter required to present additional
 30 information under IC 3-7-33-4.5 **or IC 3-7-33-4.7**. Upon accepting the
 31 completed absentee ballot from the voter, the board shall provide the
 32 voter with a notice:

33 (1) listing the documentation the voter may submit to the county
 34 voter registration office to comply with IC 3-7-33-4.5 **or**
 35 **IC 3-7-33-4.7**; and

36 (2) stating the address and hours of the county voter registration
 37 office.

38 SECTION 28. IC 3-11.5-4-3.5, AS ADDED BY P.L.109-2021,
 39 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2024]: Sec. 3.5. (a) Upon receipt of an absentee ballot from
 41 a voter required to provide additional information to the county voter
 42 registration office under IC 3-7-33-4.5 **or IC 3-7-33-4.7**, the county
 43 election board shall contact the county voter registration office to
 44 determine if the additional information has been filed with the office
 45 by the voter.

46 (b) If the voter has filed the information with the county voter

1 registration office, the county election board shall add a notation to the
2 application indicating that the required information has been filed and
3 that the absentee ballot may be counted if the ballot otherwise complies
4 with this article.

5 (c) If the voter has not filed the information with the county voter
6 registration office, the county election board shall add a notation on the
7 application filed by a voter described under subsection (b) and on the
8 envelope provided under this chapter reading substantially as follows:

9 "ABSENTEE BALLOT COUNTERS: AS OF (insert date
10 absentee ballot application approved) THIS VOTER WAS
11 REQUIRED TO FILE ADDITIONAL DOCUMENTATION
12 WITH THE COUNTY VOTER REGISTRATION OFFICE
13 BEFORE THIS BALLOT MAY BE COUNTED. CHECK THE
14 POLL LIST AND COUNTY ELECTION BOARD
15 CERTIFICATION TO SEE IF THE VOTER HAS FILED THIS
16 INFORMATION. IF NOT, PROCESS AS A PROVISIONAL
17 BALLOT IF THIS BALLOT OTHERWISE COMPLIES WITH
18 INDIANA LAW."

19 SECTION 29. IC 3-11.5-4-12, AS AMENDED BY P.L.210-2018,
20 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
21 JULY 1, 2024]: Sec. 12. (a) Notwithstanding any provision to the
22 contrary in this chapter, in a county described by subsection (e) or (f),
23 the signature review process described in this section may be
24 conducted at any time after receipt of an absentee ballot by the county
25 election board.

26 (b) If the absentee ballot counters find under section 11 of this
27 chapter that:

- 28 (1) the affidavit is properly executed;
- 29 (2) the signatures correspond;
- 30 (3) the absentee voter is a qualified voter of the precinct;
- 31 (4) the absentee voter is registered and is not required to file
32 additional information with the county voter registration office
33 under IC 3-7-33-4.5 or **IC 3-7-33-4.7**; and
- 34 (5) in case of a primary election, if the absentee voter has not
35 previously voted, the absentee voter has executed the proper
36 declaration relative to age and qualifications and the political
37 party with which the absentee voter intends to affiliate;

38 the absentee ballot counters shall open the envelope containing the
39 absentee ballots so as not to deface or destroy the affidavit and take out
40 each ballot enclosed without unfolding or permitting a ballot to be
41 unfolded or examined.

42 (c) If the absentee ballot counters find under subsection (b) that the
43 voter has not filed the additional information required to be filed with
44 the county voter registration office under IC 3-7-33-4.5 or
45 **IC 3-7-33-4.7**, but that all of the other findings listed under subsection
46 (b) apply, the absentee ballot shall be processed as a provisional ballot

1 under IC 3-11.7.
 2 (d) The absentee ballot counters shall then deposit the ballots in a
 3 secure envelope with the name of the precinct set forth on the outside
 4 of the envelope. After the absentee ballot counters or the county
 5 election board has made the findings described in subsection (b) or
 6 section 13 of this chapter for all absentee ballots of the precinct, the
 7 absentee ballot counters shall remove all the ballots deposited in the
 8 envelope under this section for counting under IC 3-11.5-5 or
 9 IC 3-11.5-6.

10 (e) This subsection applies to a county having a consolidated city.
 11 For an absentee ballot cast in person by a voter under IC 3-11-10-25,
 12 IC 3-11-10-26, or IC 3-11-10-26.3, the absentee ballot counters may,
 13 but are not required to, make the findings required under subsection
 14 (b)(2) or (b)(3). ~~of this section.~~

15 (f) This subsection applies to a county:
 16 (1) that does not have a consolidated city; and
 17 (2) when the county election board has adopted a resolution by
 18 the unanimous vote of its entire membership to use the procedures
 19 set forth in this subsection.

20 For an absentee ballot cast in person by a voter under IC 3-11-10-25,
 21 IC 3-11-10-26, or IC 3-11-10-26.3, the absentee ballot counters may,
 22 but are not required to, make the findings required under subsection
 23 (b)(2) or (b)(3). ~~of this section.~~

24 (g) A resolution adopted under subsection (f) may be repealed or
 25 amended only by the unanimous vote of the entire membership of the
 26 county election board.

27 SECTION 30. IC 3-11.7-2-1, AS AMENDED BY P.L.128-2015,
 28 SECTION 201, IS AMENDED TO READ AS FOLLOWS
 29 [EFFECTIVE JULY 1, 2024]: Sec. 1. (a) As provided by 52 U.S.C.
 30 21082, this section applies to the following individuals:

- 31 (1) An individual:
 - 32 (A) whose name does not appear on the registration list; and
 - 33 (B) who is challenged under IC 3-10-1 or IC 3-11-8 after the
 - 34 voter makes an oral or a written affirmation under IC 3-7-48-5
 - 35 or IC 3-7-48-7 or after the voter produces a certificate of error
 - 36 under IC 3-7-48-1.
- 37 (2) An individual described by IC 3-10-1-10.5, IC 3-11-8-23.5, or
- 38 IC 3-11-8-27.5 who is challenged as not eligible to vote.
- 39 (3) An individual who seeks to vote in an election as a result of a
- 40 court order (or any other order) extending the time established for
- 41 closing the polls under IC 3-11-8-8.

42 (b) As required by 52 U.S.C. 21083, a voter who has registered to
 43 vote but has not:

- 44 (1) presented identification required under 52 U.S.C. 21083 to the
- 45 poll clerk before voting in person under IC 3-11-8-25.1; or
- 46 (2) filed a copy of the identification required under 52 U.S.C.

1 21083 to the county voter registration office before the voter's
2 absentee ballot is cast;
3 is entitled to vote a provisional ballot under this article.

4 **(c) A voter who has registered to vote but has not:**
5 **(1) presented documentation required under IC 3-7-33-4.7 to**
6 **the poll clerk before voting in person; or**
7 **(2) filed a copy of the identification required under**
8 **IC 3-7-33-4.7 with the county voter registration office before**
9 **the voter's absentee ballot is cast;**
10 **is entitled to vote a provisional ballot under this article.**

11 ~~(e)~~ **(d)** A precinct election officer shall inform an individual
12 described by subsection (a)(1) or (a)(2) that the individual may cast a
13 provisional ballot if the individual:

- 14 (1) is eligible to vote under IC 3-7-13-1;
- 15 (2) submitted a voter registration application during the
16 registration period described by IC 3-7-13-10; and
- 17 (3) executes an affidavit described in IC 3-10-1-9 or IC 3-11-8-23.

18 ~~(d)~~ **(e)** A precinct election officer shall inform an individual
19 described by subsection (a)(3) that the individual may cast a
20 provisional ballot.

21 SECTION 31. IC 3-11.7-2-2, AS AMENDED BY P.L.115-2022,
22 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
23 JULY 1, 2024]: Sec. 2. (a) A provisional voter shall do the following:

- 24 (1) Execute the affidavit described in IC 3-10-1-9 or
25 IC 3-11-8-23.
- 26 (2) Sign the poll list.
- 27 (3) Mark the ballot in the presence of no other person, unless the
28 voter requests help in marking a ballot under IC 3-11-9.
- 29 (4) Fold each ballot separately.
- 30 (5) Fold each ballot so as to conceal the marking.
- 31 (6) Enclose each ballot, with the seal and signature of the circuit
32 court clerk on the outside, together with any unused ballot, in the
33 envelope provided by the county election board under
34 IC 3-11.7-1-8.
- 35 (7) Securely seal the envelope.

36 (b) A provisional voter may mark a ballot with a pen or a lead
37 pencil.

38 (c) This subsection applies to a provisional voter described in
39 section 1(a)(1), 1(a)(2), or 1(a)(3) of this chapter. As provided by 52
40 U.S.C. 21082, a precinct election officer shall give the provisional
41 voter a copy of the written instructions prescribed by the county
42 election board under IC 3-11.7-6-3 after the voter returns the envelope
43 containing the provisional voter's ballots.

44 (d) This subsection applies to a provisional voter described in
45 section 1(a), ~~or 1(b), or 1(c)~~ of this chapter. In addition to the written
46 instructions required by subsection (c), a precinct election officer shall

1 provide the provisional voter, both orally and in writing, an explanation
2 of what actions, if any, the provisional voter must take in order to have
3 the provisional voter's ballot counted. The election division shall
4 prescribe the form of the explanation required by this subsection.

5 SECTION 32. IC 3-11.7-5-2, AS AMENDED BY P.L.128-2015,
6 SECTION 205, IS AMENDED TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2024]: Sec. 2. (a) Except as provided in section
8 5 of this chapter, if the county election board determines that all the
9 following apply, a provisional ballot is valid and shall be counted under
10 this chapter:

11 (1) The affidavit executed by the provisional voter under
12 IC 3-11.7-2-1 is properly executed.

13 (2) The provisional voter is a qualified voter of the precinct and
14 has provided proof of identification, if required, under IC 3-10-1,
15 IC 3-11-8, or IC 3-11-10-26.

16 (3) Based on all the information available to the county election
17 board, including:

18 (A) information provided by the provisional voter;

19 (B) information contained in the county's voter registration
20 records; and

21 (C) information contained in the statewide voter registration
22 file;

23 the provisional voter registered to vote at a registration agency
24 under this article on a date within the registration period.

25 (b) If the provisional voter has provided information regarding the
26 registration agency where the provisional voter registered to vote, the
27 board shall promptly make an inquiry to the agency regarding the
28 alleged registration. The agency shall respond to the board not later
29 than noon of the first Friday after the election, indicating whether the
30 agency's records contain any information regarding the registration. If
31 the agency does not respond to the board's inquiry, or if the agency
32 responds that the agency has no record of the alleged registration, the
33 board shall reject the provisional ballot. The board shall endorse the
34 ballot with the word "Rejected" and document on the ballot the inquiry
35 and response, if any, by the agency.

36 (c) Except as provided in section 5 of this chapter, a provisional
37 ballot cast by a voter described in IC 3-11.7-2-1(b) is valid and shall be
38 counted if the county election board determines under this article that
39 the voter filed the documentation required under IC 3-7-33-4.5 and 52
40 U.S.C. 21083 with the county voter registration office not later than the
41 closing of the polls on election day.

42 **(d) Except as provided in section 5 of this chapter, a provisional**
43 **ballot cast by a voter described in IC 3-11.7-2-1(c) is valid and shall**
44 **be counted if the county election board determines under this**
45 **article that the voter filed the documentation required under**
46 **IC 3-7-33-4.7 with the county voter registration office not later**

1 **than the closing of the polls on election day.**
2 SECTION 33. IC 3-14-5-1, AS AMENDED BY P.L.157-2019,
3 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2024]: Sec. 1. (a) This section applies during an election
5 whenever a voter makes an affidavit before the inspector in a precinct
6 that a person who has offered to vote is an illegal voter in the precinct.
7 This section does not apply to an affidavit executed by an individual
8 who:
9 (1) is subject to the requirements set forth in IC 3-7-33-4.5 **or**
10 **IC 3-7-33-4.7;**
11 (2) is challenged solely as a result of the individual's inability or
12 refusal to comply with IC 3-7-33-4.5 **or IC 3-7-33-4.7;** and
13 (3) subsequently complies with IC 3-7-33-4.5 **or IC 3-7-33-4.7,**
14 **as applicable,** before the close of the polls on election day.
15 (b) Immediately after the close of the polls the inspector shall
16 deliver the affidavit to the county election board. After the final date
17 and hour for filing a recount or contest and the county election board
18 has completed the county election board's canvas of the returns, the
19 county election board shall forward the affidavits to the prosecuting
20 attorney for the county under section 2 of this chapter. The prosecuting
21 attorney for the county shall:
22 (1) proceed as if the affidavit had been made before the
23 prosecuting attorney; and
24 (2) ensure that the grand jury notifies the NVRA official under
25 section 2 of this chapter if a violation of NVRA appears to have
26 occurred."
27 Renumber all SECTIONS consecutively.
(Reference is to HB 1264 as printed January 18, 2024.)

Representative Wesco