



# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1265 be amended to read as follows:

- 1           Page 18, between lines 8 and 9, begin a new paragraph and insert:  
2           "SECTION 18. IC 3-11-14-2, AS AMENDED BY P.L.115-2022,  
3           SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           UPON PASSAGE]: Sec. 2. (a) Except as provided in subsections (c)  
5           and (f), a county election board may use an approved electronic voting  
6           system:  
7                 (1) in any election;  
8                 (2) in all or in some of the precincts within a political subdivision  
9                 holding an election; and  
10                (3) instead of or in combination with any other voting method.  
11           (b) A county election board may use an electronic voting system  
12           which includes a voter verifiable paper audit trail if the voting system:  
13                 (1) otherwise complies with this chapter and IC 3-11-15; and  
14                 (2) is certified by the Indiana election commission.  
15           (c) A county election board may not use an approved electronic  
16           voting system purchased, leased, or otherwise acquired by the county  
17           after December 31, 2019, unless the system:  
18                 (1) is certified by the Indiana election commission; and  
19                 (2) includes a voter verifiable paper audit trail.  
20           **This subsection does not apply to a voting system used by a voter**  
21           **casting an absentee ballot with the absentee voter board under**  
22           **IC 3-11-10-25.** This subsection does not prohibit a county election  
23           board from having maintenance performed on an electronic voting  
24           system purchased, leased, or otherwise acquired by the county before  
25           January 1, 2020.  
26           (d) The voter verifiable paper audit trail must contain all of the  
27           following:

- 1 (1) The name or code of the election as provided by the voting  
2 system.
- 3 (2) The date of the election.
- 4 (3) The date the voter verifiable paper audit trail was printed.
- 5 (4) A security code and record number specific to each paper  
6 receipt assigned by the voting system.
- 7 (5) The name or designation of the voter's precinct.
- 8 (6) The name or designation of each office on the voter's ballot.
- 9 (7) The name of the candidate and the designation of the  
10 candidate's political party selected by the voter.
- 11 (8) If the voter selects a straight party ticket, the name of the  
12 political party ticket the voter selected.
- 13 (9) The following information:
- 14 (A) A description of the text of any public question or judicial  
15 retention question on the voter's ballot that:
- 16 (i) contains not more than thirty (30) characters; and
- 17 (ii) the county election board determines reasonably conveys  
18 the content of the public question or judicial retention  
19 question.
- 20 (B) The response the voter selected for each question.
- 21 (e) The voter verifiable paper audit trail may contain additional  
22 information and instructions determined to be useful to the voter by the  
23 county election board subject to the design capabilities of the voter  
24 verifiable paper audit trail.
- 25 (f) This subsection applies to a county in which any direct record  
26 electronic voting system that does not include a voter verifiable paper  
27 audit trail is used for an election. A county election board shall not use  
28 a direct record electronic voting system in an election after July 1,  
29 2022, unless the county election board:
- 30 (1) uses a number of direct record electronic voting systems  
31 including a voter verifiable paper audit trail in the election that is  
32 equal to or greater than ten percent (10%) of the total number of  
33 direct record electronic voting systems owned, leased, or  
34 otherwise available to the county as of January 1, 2022, and as of  
35 January 1 in each year thereafter;
- 36 (2) determines, not later than July 1, 2022, and January 1 of each  
37 year thereafter, the minimum number of direct record electronic  
38 voting systems including a voter verifiable paper audit trail  
39 necessary to comply with the requirement of this subsection; and
- 40 (3) files a certification of this determination to the secretary of  
41 state not later than August 11, 2022, and February 11 of each year  
42 thereafter.
- 43 **This subsection does not apply to a voting system used by a voter**  
44 **casting an absentee ballot with the absentee voter board under**

- 1 **IC 3-11-10-25."**
- 2 Renumber all SECTIONS consecutively.  
(Reference is to EHB 1265 as printed February 21, 2024.)

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Senator TOMES