

HOUSE BILL No. 1592

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-5-2-47.5; IC 3-7-29-6; IC 3-11; IC 3-14-3-16.

Synopsis: Early voting; vote centers. Provides that in a county having a consolidated city, the executive of the city and not the county election board determines: (1) whether satellite offices for absentee voting are to be established during an election year; or (2) whether vote centers are to be established in the county.

Effective: January 1, 2015 (retroactive).

DeLaney

January 20, 2015, read first time and referred to Committee on Elections and Apportionment.



First Regular Session of the 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

HOUSE BILL No. 1592



A BILL FOR AN ACT to amend the Indiana Code concerning elections.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 3-5-2-47.5, AS AMENDED BY P.L.64-2014,
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2015 (RETROACTIVE)]: Sec. 47.5. "Signing the poll
4 list" means **the following**:
5 (1) A voter writing the voter's name on the certified list of
6 registered voters for the precinct prepared in accordance with
7 IC 3-7-29-1. **or**
8 (2) A voter writing the voter's name on an electronic poll book
9 using an electronic signature pad, tablet, or other signature
10 capturing device at a polling place, office of the circuit court clerk
11 (under IC 3-11-10-26), or satellite office (as established under
12 IC 3-11-10-26.3 **or IC 3-11-10-26.7**) where the use of an
13 electronic poll book is authorized in accordance with IC 3-7-29-6.
14 SECTION 2. IC 3-7-29-6, AS AMENDED BY P.L.64-2014,
15 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JANUARY 1, 2015 (RETROACTIVE)]; Sec. 6. (a) If a county election
 2 board adopts an order to provide an electronic poll book to the
 3 inspector for use at a polling place, an office of the circuit court clerk
 4 (under IC 3-11-10-26), or at a satellite office established under
 5 IC 3-11-10-26.3 **or IC 3-11-10-26.7**, electronic poll books shall be
 6 used at an election (rather than certified poll lists prepared under this
 7 chapter) in all precincts in which the election is to be conducted.

8 (b) An order adopted under subsection (a) must require the use of
 9 an electronic signature (as defined in IC 26-2-8-102) to sign an
 10 electronic poll book at an election (rather than requiring voters to sign
 11 certified poll lists prepared under this chapter).

12 (c) The county voter registration office shall download the
 13 information required to be available on an electronic poll book before
 14 the electronic poll list is delivered and installed as required by
 15 IC 3-11-3-11(b).

16 (d) An electronic poll book used in a polling place, the office of a
 17 circuit court clerk under IC 3-11-10-26, or a satellite office established
 18 under IC 3-11-10-26.3 **or IC 3-11-10-26.7**, under an order adopted
 19 under subsection (a) must:

20 (1) comply with IC 3-11-8-10.3; and

21 (2) be approved by the secretary of state in accordance with the
 22 procedures set forth in IC 3-11-18.1-12.

23 SECTION 3. IC 3-11-4-1, AS AMENDED BY P.L.66-2010,
 24 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JANUARY 1, 2015 (RETROACTIVE)]; Sec. 1. (a) A voter who is
 26 otherwise qualified to vote in person is entitled to vote by absentee
 27 ballot. Except as otherwise provided in this article, a voter voting by
 28 absentee ballot must vote in the office of the circuit court clerk (or
 29 board of elections and registration in a county subject to IC 3-6-5.2) or
 30 at a satellite office established under IC 3-11-10-26.3 **or**
 31 **IC 3-11-10-26.7**.

32 (b) A county election board, by unanimous vote of its entire
 33 membership, may authorize a person who is otherwise qualified to vote
 34 in person to vote by absentee ballot if the board determines that the
 35 person has been hospitalized or suffered an injury following the final
 36 date and hour for applying for an absentee ballot that would prevent the
 37 person from voting in person at the polls.

38 (c) The commission, by unanimous vote of its entire membership,
 39 may authorize a person who is otherwise qualified to vote in person to
 40 vote by absentee ballot if the commission determines that an
 41 emergency prevents the person from voting in person at a polling place.

42 (d) The absentee ballots used in subsection (b) or (c) must be the



1 same official absentee ballots as described in section 12.5 of this
 2 chapter. Taking into consideration the amount of time remaining before
 3 the election, the commission shall determine whether the absentee
 4 ballots are transmitted to and from the voter by mail or personally
 5 delivered. An absentee ballot that is personally delivered shall comply
 6 with the requirements in sections 19, 20, and 21 of this chapter.

7 SECTION 4. IC 3-11-9-1, AS AMENDED BY P.L.66-2010,
 8 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 9 JANUARY 1, 2015 (RETROACTIVE)]: Sec. 1. This chapter applies
 10 to:

- 11 (1) each precinct; and
 12 (2) absentee voting, including the casting of an absentee ballot
 13 before an absentee voter board:
 14 (A) in the office of the:
 15 (i) circuit court clerk; or
 16 (ii) board of elections and registration in a county subject to
 17 IC 3-6-5.2 or IC 3-6-5.4; or
 18 (B) at a satellite office established under IC 3-11-10-26.3 **or**
 19 **IC 3-11-10-26.7.**

20 SECTION 5. IC 3-11-10-12.5, AS ADDED BY P.L.66-2010,
 21 SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JANUARY 1, 2015 (RETROACTIVE)]: Sec. 12.5. (a) This section
 23 applies to absentee ballots cast:

- 24 (1) under section 26, ~~or 26.3~~, **or 26.7** of this chapter; and
 25 (2) on a direct record electronic voting system.

26 (b) Notwithstanding section 12 of this chapter, a county election
 27 board is not required to deliver absentee ballots described in subsection
 28 (a) to the precincts for counting. However, the county election board
 29 shall deliver to each precinct a list of the names of voters who have cast
 30 absentee ballots described in subsection (a). The county election board
 31 shall deliver this list at the same time the county election board delivers
 32 other absentee ballots to the precinct. Absentee ballots described in
 33 subsection (a) may be challenged using the same procedure that applies
 34 to other absentee ballots. The judges shall mark the poll list to indicate
 35 that each voter on the list sent by the county election board has voted
 36 by absentee ballot. If a voter has already voted at the precinct or if the
 37 absentee ballot is challenged, the judges shall note that fact on the list
 38 sent by the county election board and return the list to the county
 39 election board with the precinct's other election materials. The county
 40 election board shall delete the absentee votes of a voter described in
 41 subsection (a) whose name has been noted by the judges as having
 42 voted at the precinct. The county election board shall count the



1 absentee ballots described in subsection (a) using the procedures in
 2 IC 3-11.5 for counting absentee ballots at a central location, including
 3 the procedures for challenging absentee ballots and eliminating the
 4 absentee ballots of individuals voting in person at the polls, to assure
 5 that the ballots cast on the direct record electronic voting system may
 6 be counted.

7 (c) A county election board acting under this section:

8 (1) may count all absentee ballots described in subsection (a) at
 9 a central location; and

10 (2) shall adjust the vote totals for each precinct based on the count
 11 of absentee ballots under subdivision (1).

12 (d) This section does not require a county election board to count
 13 absentee ballots not described in subsection (a) at a central location
 14 under this section or IC 3-11.5.

15 SECTION 6. IC 3-11-10-26, AS AMENDED BY P.L.258-2013,
 16 SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JANUARY 1, 2015 (RETROACTIVE)]: Sec. 26. (a) This subsection
 18 applies to all counties, except for a county to which IC 3-6-5.2 applies.
 19 As an alternative to voting by mail, a voter is entitled to cast an
 20 absentee ballot before an absentee voter board at any of the following:

21 (1) One (1) location of the office of the circuit court clerk
 22 designated by the circuit court clerk.

23 (2) A satellite office established under section 26.3 **or** 26.7 of this
 24 chapter.

25 (b) This subsection applies to a county to which IC 3-6-5.2 applies.
 26 As an alternative to voting by mail, a voter is entitled to cast an
 27 absentee ballot before an absentee voter board at any of the following:

28 (1) The office of the board of elections and registration.

29 (2) A satellite office established under section 26.3 **or** 26.7 of this
 30 chapter.

31 (c) Except for a location designated under subsection (a)(1), a
 32 location of the office of the circuit court clerk must be established as
 33 a satellite office under section 26.3 **or** 26.7 of this chapter in order to
 34 be used as a location at which a voter is entitled to cast an absentee
 35 ballot before an absentee voter board under this section.

36 (d) The voter must:

37 (1) sign an application on the form prescribed by the commission
 38 under IC 3-11-4-5.1; and

39 (2) provide proof of identification;

40 before being permitted to vote. The application must be received by the
 41 circuit court clerk not later than the time prescribed by IC 3-11-4-3.

42 (e) The voter may vote before the board not more than twenty-eight



1 (28) days nor later than noon on the day before election day. If the
2 close of a voter registration period is transferred under IC 3-5-4-1.5
3 from twenty-nine (29) days to a later date due to the Columbus Day
4 holiday, the voter may vote before the board on the first day following
5 the day on which the voter registration period closes.

6 (f) An absent uniformed services voter who is eligible to vote by
7 absentee ballot in the circuit court clerk's office under IC 3-7-36-14
8 may vote before the board not earlier than twenty-eight (28) days
9 before the election and not later than noon on election day. If the close
10 of a voter registration period is transferred under IC 3-5-4-1.5 from
11 twenty-nine (29) days to a later date due to the Columbus Day holiday,
12 the voter may vote before the board on the first day following the day
13 on which the voter registration period closes. If a voter described by
14 this subsection wishes to cast an absentee ballot during the period
15 beginning at noon on the day before election day and ending at noon on
16 election day, the county election board or absentee voter board may
17 receive and process the ballot at a location designated by resolution of
18 the county election board.

19 (g) The absentee voter board in the office of the circuit court clerk
20 must permit voters to cast absentee ballots under this section for at
21 least seven (7) hours on each of the two (2) Saturdays preceding
22 election day.

23 (h) Notwithstanding subsection (g), in a county with a population of
24 less than twenty thousand (20,000), the absentee voter board in the
25 office of the circuit court clerk, with the approval of the county election
26 board, may reduce the number of hours available to cast absentee
27 ballots under this section to a minimum of four (4) hours on each of the
28 two (2) Saturdays preceding election day.

29 (i) As provided by 42 U.S.C. 15481, a voter casting an absentee
30 ballot under this section must be:

- 31 (1) permitted to verify in a private and independent manner the
32 votes selected by the voter before the ballot is cast and counted;
33 (2) provided with the opportunity to change the ballot or correct
34 any error in a private and independent manner before the ballot is
35 cast and counted, including the opportunity to receive a
36 replacement ballot if the voter is otherwise unable to change or
37 correct the ballot; and
38 (3) notified before the ballot is cast regarding the effect of casting
39 multiple votes for the office and provided an opportunity to
40 correct the ballot before the ballot is cast and counted.

41 (j) As provided by 42 U.S.C. 15481, when an absentee ballot is
42 provided under this section, the board must also provide the voter with:



- 1 (1) information concerning the effect of casting multiple votes for
 2 an office; and
 3 (2) instructions on how to correct the ballot before the ballot is
 4 cast and counted, including the issuance of replacement ballots.
 5 (k) If:
 6 (1) the voter is unable or declines to present the proof of
 7 identification; or
 8 (2) a member of the board determines that the proof of
 9 identification provided by the voter does not qualify as proof of
 10 identification under IC 3-5-2-40.5;
 11 the voter shall be permitted to cast an absentee ballot and the voter's
 12 absentee ballot shall be treated as a provisional ballot.
 13 (l) A voter casting an absentee ballot under this section is entitled
 14 to cast the voter's ballot in accordance with IC 3-11-9.
 15 SECTION 7. IC 3-11-10-26.2, AS AMENDED BY P.L.64-2014,
 16 SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JANUARY 1, 2015 (RETROACTIVE)]: Sec. 26.2. (a) A county
 18 election board or board of elections and registration shall comply with
 19 IC 3-11-9-6 by providing an electronic voting system for voting by
 20 absentee ballot in the office of the circuit court clerk, the board of
 21 elections and registration, or a satellite office established under section
 22 26.3 **or 26.7** of this chapter, by a voter with disabilities or any other
 23 qualified absentee voter who wishes to cast an absentee ballot on the
 24 electronic voting system.
 25 (b) The county election board or board of elections and registration
 26 may adopt a resolution under this section to authorize the circuit court
 27 clerk to use an electronic voting system for voting by voters eligible to
 28 cast an absentee ballot before an absentee board under section 25 of
 29 this chapter. A resolution adopted under this section must be adopted
 30 by the unanimous vote of the board's entire membership.
 31 (c) A county providing absentee ballot voting under this section
 32 must adopt procedures to do the following:
 33 (1) Secure absentee votes cast on an electronic voting system that
 34 provide protection comparable to the protection provided to
 35 absentee votes cast by paper ballot.
 36 (2) Compare the signature on an absentee ballot application with
 37 the applicant's signature on the applicant's voter registration
 38 application.
 39 (3) Ensure that an invalid ballot (as determined under IC 3-11.5)
 40 is not counted.
 41 (4) Specify how a spoiled absentee ballot is to be canceled in the
 42 direct record electronic voting system if a voter casts and returns



- 1 a replacement absentee ballot.
- 2 (d) A resolution adopted under this section may contain other
3 provisions to implement this section that the board considers useful and
4 that are not contrary to Indiana or federal law.
- 5 (e) If a resolution is adopted under this section, the circuit court
6 clerk may use as many electronic voting machines for recording
7 absentee votes as the clerk considers necessary, subject to the
8 resolution adopted by the board.
- 9 (f) Notwithstanding any other law, an absentee ballot voted on an
10 electronic voting system under this section is not required to bear the
11 seal, signature, and initials prescribed by section 27 of this chapter.
- 12 (g) If a resolution is adopted under this section, the procedure for
13 casting an absentee ballot on an electronic voting system must, except
14 as provided in this section, be substantially the same as the procedure
15 for casting an absentee ballot in the office of the circuit court clerk
16 under section 26 of this chapter.
- 17 SECTION 8. IC 3-11-10-26.3, AS AMENDED BY P.L.194-2013,
18 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JANUARY 1, 2015 (RETROACTIVE)]: Sec. 26.3. **(a) This section
20 does not apply to a county having a consolidated city.**
- 21 ~~(a)~~ **(b)** A county election board may adopt a resolution to authorize
22 the circuit court clerk to establish satellite offices in the county where
23 voters may cast absentee ballots before an absentee voter board.
- 24 ~~(b)~~ **(c)** To be adopted under this section, a resolution must be
25 adopted by the unanimous vote of the board's entire membership.
- 26 ~~(c)~~ **(d)** A resolution adopted under this section must do the
27 following:
- 28 (1) State the locations of the satellite offices.
- 29 (2) State the hours at which absentee voting may occur at the
30 satellite offices.
- 31 ~~(d)~~ **(e)** The resolution may contain other provisions the board
32 considers useful.
- 33 ~~(e)~~ **(f)** If a resolution is adopted under this section for a primary
34 election, the locations of the satellite offices and the hours at which
35 absentee voting may occur at the satellite offices established for the
36 primary election must be used for the subsequent general or municipal
37 election.
- 38 ~~(f)~~ **(g)** If a resolution is adopted under this section, the procedure for
39 casting an absentee ballot at a satellite office must, except as provided
40 in this section, be substantially the same as the procedure for casting an
41 absentee ballot in the office of the circuit court clerk.
- 42 ~~(g)~~ **(h)** A voter casting an absentee ballot under this section is



1 entitled to cast the voter's ballot in accordance with IC 3-11-9.

2 ~~(h)~~ (i) A satellite office established by a circuit court clerk under
3 this section must comply with the polling place accessibility
4 requirements of IC 3-11-8.

5 ~~(i)~~ (j) A resolution adopted under this section expires January 1 of
6 the year immediately after the year in which the resolution is adopted.

7 SECTION 9. IC 3-11-10-26.5, AS AMENDED BY P.L.219-2013,
8 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JANUARY 1, 2015 (RETROACTIVE)]: Sec. 26.5. (a) This section
10 applies to **any of the following**:

11 (1) A municipal election.

12 (2) A primary conducted in a municipal election year. ~~and~~

13 (3) A special election conducted under IC 3-10-8.

14 **This section does not apply to a county having a consolidated city.**

15 (b) Notwithstanding section 26 of this chapter, a county election
16 board (or a town election board acting under IC 3-10-7) may adopt a
17 resolution by the unanimous vote of the board's entire membership
18 stating that voters are entitled to vote by absentee ballot before an
19 absentee voter board in the office of the circuit court clerk or town
20 election board during specific days and hours identified in the
21 resolution.

22 (c) If the election board adopts a resolution under subsection (b), the
23 board must include written findings of fact in the resolution stating:

24 (1) the number of absentee ballot applications anticipated or
25 previously received for the election;

26 (2) the expense to be incurred by providing absentee ballot voting
27 in the office during the entire period required under section 26 of
28 this chapter; and

29 (3) that voters would experience little or no inconvenience by
30 restricting absentee ballot voting in the office to the days and
31 hours specified in the resolution.

32 (d) This subsection does not apply to an absentee ballot challenged
33 under IC 3-11-4-18.5 until the challenge has been decided by the
34 election board. If the election board adopts a resolution under
35 subsection (b), an absentee ballot requested to be mailed to a voter
36 shall be mailed:

37 (1) on the first business day that a voter is entitled to vote by
38 absentee ballot before an absentee voter board in the office of the
39 election board following receipt of the voter's application;

40 (2) not more than five (5) days after the date of delivery of the
41 ballots under IC 3-11-4-15; or

42 (3) on the day of the receipt of the voter's application;



1 whichever is the latest.

2 (e) This subsection does not apply to an absentee ballot application
3 challenged under IC 3-11-4-18.5 until the challenge has been decided
4 by the election board. If the absentee ballot is requested by an absent
5 uniformed services voter or an overseas voter, the absentee ballot shall
6 be transmitted:

7 (1) not more than five (5) days after the date of delivery of the
8 ballots under IC 3-11-4-15; or

9 (2) on the day of the receipt of the voter's application;

10 whichever is later.

11 SECTION 10. IC 3-11-10-26.7 IS ADDED TO THE INDIANA
12 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JANUARY 1, 2015 (RETROACTIVE)]: **Sec. 26.7. (a)**
14 **This section applies only to a county having a consolidated city.**

15 (b) **The executive may issue an executive order requiring the**
16 **circuit court clerk to establish satellite offices in the county where**
17 **voters may cast absentee ballots before an absentee voter board.**

18 (c) **An executive order issued under this section must do the**
19 **following:**

20 (1) **State the locations of the satellite offices.**

21 (2) **State the hours at which absentee voting may occur at the**
22 **satellite offices.**

23 (3) **State the dates that the satellite offices will be open for**
24 **voting.**

25 **The executive order may contain other provisions the executive**
26 **considers useful.**

27 (d) **If an executive order is issued under this section for a**
28 **primary election, the following apply:**

29 (1) **The executive order also applies to the subsequent general**
30 **election.**

31 (2) **The locations of the satellite offices are the same for the**
32 **primary and the subsequent general election.**

33 (3) **The hours at which absentee voting may occur at each**
34 **satellite office for the primary election are the same for the**
35 **subsequent general election. However, the number of days**
36 **that voting may occur at the satellite offices for a general**
37 **election may be greater than the number of days established**
38 **for the primary election.**

39 (e) **If an executive order is issued under this section, the**
40 **procedure for casting an absentee ballot at a satellite office must,**
41 **except as provided in this section, be substantially the same as the**
42 **procedure for casting an absentee ballot in the office of the circuit**



1 court clerk.

2 (f) A voter casting an absentee ballot under this section is

3 entitled to cast the voter's ballot in accordance with IC 3-11-9.

4 (g) A satellite office established under this section must comply

5 with the polling place accessibility requirements of IC 3-11-8.

6 (h) An executive order issued under this section expires January

7 1 of the year immediately after the year to which the executive

8 order applies.

9 SECTION 11. IC 3-11-10-29.2, AS ADDED BY P.L.64-2014,

10 SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

11 JANUARY 1, 2015 (RETROACTIVE)]: Sec. 29.2. (a) This section

12 applies to a voter casting an absentee ballot at:

13 (1) the location of the office of the circuit court clerk designated

14 by the circuit court clerk under ~~IC 3-11-10-26(a)(1)~~; **section**

15 **26(a)(1) of this chapter**;

16 (2) the office of the board of elections and registration under

17 ~~IC 3-11-10-26(b)(1)~~; **section 26(b)(1) of this chapter**; or

18 (3) a satellite office established under ~~IC 3-11-10-26.3~~; **section**

19 **26.3 or 26.7 of this chapter**.

20 (b) When the hour for closing the location or office described in

21 subsection (a) or the deadline for voting established by ~~IC 3-11-10-26~~

22 **section 26 of this chapter** occurs, a voter who is:

23 (1) in the act of voting; or

24 (2) in line to vote, as determined in subsection (c);

25 shall be permitted to vote, if otherwise qualified to vote according to

26 law.

27 (c) At the time described in subsection (b), an individual designated

28 by the circuit court clerk shall:

29 (1) determine the end of the line of voters who are waiting to vote;

30 and

31 (2) use one (1) of the following methods to identify the voters in

32 the line who may vote if otherwise qualified to vote according to

33 law:

34 (A) Write down the name of each voter.

35 (B) Stamp each voter's hand.

36 (C) Stand, or designate another individual to stand,

37 immediately behind the last voter who may vote.

38 SECTION 12. IC 3-11-18.1-3, AS ADDED BY P.L.1-2011,

39 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

40 JANUARY 1, 2015 (RETROACTIVE)]: Sec. 3. (a) A county must

41 comply with this section to become a vote center county.

42 (b) As used in this section, "board" refers to any of the following:



- 1 (1) The county election board.
- 2 (2) The board of elections and registration established under
- 3 IC 3-6-5.2 or IC 3-6-5.4.
- 4 **(3) In a county having a consolidated city, the executive.**
- 5 (c) The board shall hold a public hearing to present a draft plan for
- 6 administration of vote centers in the county.
- 7 (d) After presentation of the draft plan under subsection (c), the
- 8 board shall accept written public comments on the draft plan.
- 9 (e) At least thirty (30) days after the hearing held under subsection
- 10 (c), the board shall hold a public hearing to consider the following:
- 11 (1) The draft plan.
- 12 (2) The written public comments.
- 13 (3) Any other public comment that the board may permit on the
- 14 draft plan.
- 15 (f) After consideration of the draft plan and the public comments,
- 16 the board may do the following:
- 17 (1) Adopt an order approving the draft plan.
- 18 (2) Amend the draft plan and adopt an order approving the
- 19 amended draft plan.
- 20 The board may adopt the order to approve a plan only by unanimous
- 21 vote of the entire membership of the board.
- 22 (g) All members of the board must sign the order adopting the plan.
- 23 (h) The order and the adopted plan must be filed with the election
- 24 division and must include a copy of:
- 25 (1) a resolution adopted by the county executive, **if the county is**
- 26 **a county other than a county having a consolidated city;** and
- 27 (2) a resolution adopted by the county fiscal body;
- 28 approving the designation of the county as a vote center county.
- 29 **(i) This subsection applies only to a county having a**
- 30 **consolidated city. If an order is adopted under this section, the**
- 31 **county election board shall take all actions required by this chapter**
- 32 **for establishing and operating vote centers in the county.**
- 33 SECTION 13. IC 3-11-18.1-4, AS AMENDED BY P.L.76-2014,
- 34 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 35 JANUARY 1, 2015 (RETROACTIVE)]: Sec. 4. The plan required by
- 36 section 3 of this chapter must include at least the following:
- 37 (1) The total number of vote centers to be established.
- 38 (2) The location of each vote center.
- 39 (3) The effective date of the order.
- 40 (4) The following information according to the computerized list
- 41 (as defined in IC 3-7-26.3-2) as of the date of the order:
- 42 (A) The total number of voters within the county.



- 1 (B) The number of active voters within the county.
 2 (C) The number of inactive voters within the county.
 3 (5) For each vote center designated under subdivision (2), a list
 4 of the precincts whose polls will be located at the vote center
 5 consistent with section 13 of this chapter for an election that is not
 6 being held in each precinct of the county.
 7 (6) For each vote center designated under subdivision (2), the
 8 number of precinct election boards that will be appointed to
 9 administer an election at the vote center.
 10 (7) For each precinct election board designated under subdivision
 11 (6), the number and name of each precinct the precinct election
 12 board will administer consistent with section 13 of this chapter for
 13 an election that is not being held in each precinct of the county.
 14 (8) For each vote center designated under subdivision (2), the
 15 number and title of the precinct election officers who will be
 16 appointed to serve at the vote center.
 17 (9) For each vote center designated under subdivision (2):
 18 (A) the number and type of ballot variations that will be
 19 provided at the vote center; and
 20 (B) whether these ballots will be:
 21 (i) delivered to the vote center before the opening of the
 22 polls; or
 23 (ii) printed on demand for a voter's use.
 24 (10) A detailed description of any hardware, firmware, or
 25 software used:
 26 (A) to create an electronic poll list for each precinct whose
 27 polls are to be located at a vote center; or
 28 (B) to manage data in an electronic poll book through a secure
 29 electronic connection between the county election board and
 30 the precinct election officials administering a vote center.
 31 (11) A description of the equipment and procedures to be used to
 32 ensure that information concerning a voter entered into any
 33 electronic poll book used by precinct election officers at a vote
 34 center is immediately accessible to:
 35 (A) the county election board; and
 36 (B) the electronic poll books used by precinct election officers
 37 at all other vote centers in the county.
 38 (12) For each precinct designated under subdivision (5), the
 39 number of electronic poll books to be provided for the precinct.
 40 (13) This subdivision applies to a county in which ballot cards are
 41 used at a vote center. For each vote center designated under
 42 subdivision (2), whether each ballot card printed will have the



1 printed initials of the poll clerks captured through the electronic
 2 signature pad or tablet at the time the poll clerks log into the
 3 electronic poll book system printed on the back of the ballot card
 4 immediately before the ballot card is delivered to a voter.

5 (14) The security and contingency plans to be implemented by the
 6 county to do all of the following:

7 (A) Prevent a disruption of the vote center process.

8 (B) Ensure that the election is properly conducted if a
 9 disruption occurs.

10 (C) Prevent access to an electronic poll book without the
 11 coordinated action of two (2) precinct election officers who are
 12 not members of the same political party.

13 (15) A certification that the vote center complies with the
 14 accessibility requirements applicable to polling places under
 15 IC 3-11-8.

16 (16) A sketch depicting the planned layout of the vote center,
 17 indicating the location of:

18 (A) equipment; and

19 (B) precinct election officers;

20 within the vote center.

21 (17) The total number and locations of satellite offices to be
 22 established under IC 3-11-10-26.3 **or IC 3-11-10-26.7** at vote
 23 center locations designated under subdivision (2) to allow voters
 24 to cast absentee ballots in accordance with IC 3-11. However, a
 25 plan must provide for at least one (1) vote center to be established
 26 as a satellite office under IC 3-11-10-26.3 **or IC 3-11-10-26.7** on
 27 the two (2) Saturdays immediately preceding an election day.

28 (18) The method and timing of providing voter data to persons
 29 who are entitled to receive the data under this title. Data shall be
 30 provided to all persons entitled to the data without unreasonable
 31 delay.

32 (19) That the county election board shall adopt a resolution under
 33 IC 3-11.5-5-1 or IC 3-11.5-6-1 to make the central counting of
 34 absentee ballots applicable to the county (if the board has not
 35 already done so).

36 (20) For a plan adopted after July 1, 2014, in a county in which a
 37 majority of votes are cast on optical scan ballot cards, any
 38 additional procedures to provide for efficient and secure voting at
 39 each vote center, including ballot on demand printing.

40 SECTION 14. IC 3-11-18.1-11, AS ADDED BY P.L.1-2011,
 41 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JANUARY 1, 2015 (RETROACTIVE)]: Sec. 11. Notwithstanding any



1 other law, a voter who resides in a vote center county is entitled to cast
 2 an absentee ballot at a vote center located at a satellite office of the
 3 county election board established under IC 3-11-10-26.3 **or**
 4 **IC 3-11-10-26.7** in the same manner and subject to the same
 5 restrictions applicable to a voter wishing to cast an absentee ballot
 6 before an absentee board located in the office of the circuit court clerk
 7 or board of elections and registration.

8 SECTION 15. IC 3-14-3-16, AS AMENDED BY P.L.194-2013,
 9 SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JANUARY 1, 2015 (RETROACTIVE)]: Sec. 16. (a) As used in this
 11 section, "electioneering" includes expressing support or opposition to
 12 any candidate or political party or expressing approval or disapproval
 13 of any public question in any manner that could reasonably be expected
 14 to convey that support or opposition to another individual. The term
 15 includes wearing or displaying an article of clothing, sign, button, or
 16 placard that states the name of any political party or includes the name,
 17 picture, photograph, or other likeness of any currently elected federal,
 18 state, county, or local official. The term does not include expressing
 19 support or opposition to a candidate or a political party or expressing
 20 approval or disapproval of a public question in:

- 21 (1) material mailed to a voter; or
- 22 (2) a telephone or an electronic communication with a voter.

23 (b) A person who knowingly does any electioneering:

- 24 (1) on election day within:
 - 25 (A) the polls; or
 - 26 (B) the chute;
- 27 (2) within an area in the office of the circuit court clerk or a
 28 satellite office of the circuit court clerk established under
 29 IC 3-11-10-26.3 **or IC 3-11-10-26.7** used by an absentee voter
 30 board to permit an individual to cast an absentee ballot; or
- 31 (3) except for a voter who is:
 - 32 (A) the person's spouse;
 - 33 (B) an incapacitated person (as defined in IC 29-3-1-7.5) for
 34 whom the person has been appointed the guardian (as defined
 35 in IC 29-3-1-6); or
 - 36 (C) a member of the person's household;

37 in the presence of a voter whom the person knows possesses an
 38 absentee ballot provided to the voter in accordance with Indiana
 39 law;

40 commits a Class A misdemeanor.

41 SECTION 16. **An emergency is declared for this act.**

