

# SENATE BILL No. 135

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 3-5-2-11.3; IC 3-7; IC 3-10-8-9; IC 3-11; IC 3-11.7-2-1; IC 3-12-4-6; IC 9-24-2.5.

**Synopsis:** Voter registration and other voting matters. Provides that a county election board (board) may adopt a resolution by a vote of a majority of the members of the board to provide that the polls close at any time after 6 p.m. and not later than 8 p.m. on election day. Allows a board to adopt a resolution by the majority vote of the board's entire membership in order to establish satellite locations for early voting. (Currently, a resolution to establish satellite voting locations must be adopted unanimously by the board.) Provides that a voter may apply for permanent absentee voter status. Permits a voter to register at the polls by completing a voter registration form and an affirmation that the person has not voted elsewhere in the election and by providing proof of residence. Provides that an application to obtain or renew a motor vehicle driver's license or permit or an identification card serves as a voter registration application unless the applicant expressly declines on the application to register to vote. Provides that a voter becomes registered to vote when the county voter registration office determines the voter appears to be eligible to vote at the address on the voter's voter registration application. Requires a county voter registration office to note that a voter is in inactive status if the notice of voter registration is returned by the United States Postal Service due to an unknown or insufficient address. Eliminates the seven day period during which a voter's voter registration application is considered pending. Urges the legislative council to assign to the appropriate study committee the topic of offsite electronic voting.

**Effective:** Upon passage; July 1, 2016; January 1, 2017.

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January 5, 2016, read first time and referred to Committee on Elections.

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Second Regular Session 119th General Assembly (2016)

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 2015 Regular Session of the General Assembly.

# SENATE BILL No. 135

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 3-5-2-11.3 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE  
3 JANUARY 1, 2017]: **Sec. 11.3. "Close of the polls" refers to the**  
4 **time that the polls are set to close under IC 3-11-8-8.**

5 SECTION 2. IC 3-7-13-10.5 IS ADDED TO THE INDIANA CODE  
6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE  
7 JANUARY 1, 2017]: **Sec. 10.5. Notwithstanding section 10 of this**  
8 **chapter, an individual may register or transfer registration on the**  
9 **day of a primary, general, municipal, school district, or special**  
10 **election as provided in IC 3-7-49.**

11 SECTION 3. IC 3-7-13-11 IS AMENDED TO READ AS  
12 FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 11. A person  
13 desiring to register or transfer a registration may do so:

- 14 (1) at the office of the circuit court clerk or board of registration  
15 through the close of business on the twenty-ninth day before the  
16 election is scheduled to occur; **or**
- 17 (2) **on the day of a primary, general, municipal, school**



1           **district, or special election as provided in IC 3-7-49 or**  
 2           **IC 3-10-11.**

3           SECTION 4. IC 3-7-13-12, AS AMENDED BY P.L.169-2015,  
 4           SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 5           JANUARY 1, 2017]: Sec. 12. Except as otherwise provided in this  
 6           article, if a county voter registration office receives a properly  
 7           completed registration application during a time other than the  
 8           registration period described in section 10 **or 10.5** of this chapter, the  
 9           county voter registration office may enter the data from the application  
 10          into the computerized list and designate the application as incomplete.  
 11          The county voter registration office shall ensure that

12           ~~(1) the notice required under IC 3-7-33-5 is not mailed to the~~  
 13           ~~applicant before the first day that the registration period reopens;~~  
 14           ~~and~~

15           ~~(2) the registration information provided by the applicant does not~~  
 16           ~~appear on any certified list of voters or certificate of error issued~~  
 17           ~~under this article.~~

18          SECTION 5. IC 3-7-14-2 IS AMENDED TO READ AS FOLLOWS  
 19          [EFFECTIVE JANUARY 1, 2017]: Sec. 2. (a) Except as provided in  
 20          subsection (b) **and (c)**, the definitions in IC 9-13-2 apply to this  
 21          chapter.

22           **(b) A reference to an "application" in this chapter is a reference**  
 23           **to an application to obtain or renew a motor vehicle driver's**  
 24           **license or permit or an identification card unless otherwise stated.**

25           ~~(b) (c)~~ A reference to the "commission" in this chapter is a reference  
 26           to the Indiana election commission unless otherwise stated.

27          SECTION 6. IC 3-7-14-4, AS AMENDED BY P.L.128-2015,  
 28          SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 29          JANUARY 1, 2017]: Sec. 4. ~~(a) An application to obtain or renew a~~  
 30          ~~motor vehicle driver's license, permit, or identification card serves as~~  
 31          an application for voter registration:

32           (1) under this article; and

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

35           **(b) An individual's signature on an application is considered the**  
 36           **individual's signature for the individual's voter registration**  
 37           **application.**

38          SECTION 7. IC 3-7-14-5, AS AMENDED BY P.L.128-2015,  
 39          SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40          JANUARY 1, 2017]: Sec. 5. ~~As provided in 52 U.S.C. 20504(c)(1);~~  
 41          The bureau of motor vehicles commission shall **design each**  
 42          **application form to include the information required for a voter**



1 registration application form as a part of the application for a driver's  
2 license prescribed under ~~IC 9-24~~; **required by Indiana law.**

3 SECTION 8. IC 3-7-14-6, AS AMENDED BY P.L.169-2015,  
4 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JANUARY 1, 2017]: Sec. 6. The **bureau of motor vehicles**  
6 **commission and the election division** shall ~~prescribe the jointly~~  
7 ~~design of the registration application~~ form required under section 5 of  
8 this chapter.

9 SECTION 9. IC 3-7-14-7 IS REPEALED [EFFECTIVE JANUARY  
10 1, 2017]. Sec. 7. As provided in 52 U.S.C. 20504(c)(2), the registration  
11 form described in section 5 of this chapter must meet the following  
12 requirements:

13 (1) The form may not require information that duplicates  
14 information required in the driver's license application part of the  
15 form, except as set forth in subdivision (3):

16 (2) The form may require only the minimum amount of  
17 information necessary to do the following:

18 (A) Prevent duplication of voter registrations.

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

20 (i) assess the eligibility of the applicant; and

21 (ii) administer the election and voter registration system.

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

23 (A) Sets forth each eligibility requirement for registration  
24 (including citizenship):

25 (B) Contains an attestation that the applicant meets each of the  
26 eligibility requirements:

27 (C) Requires the signature of the applicant, under penalty of  
28 perjury:

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

31 (A) Information setting forth the penalties provided by law for  
32 submission of a false voter registration application:

33 (B) A statement that, if an applicant declines to register to  
34 vote, the fact that the applicant has declined to register will  
35 remain confidential and will be used only for voter registration  
36 purposes:

37 (C) A statement that if an applicant does register to vote, the  
38 office at which the applicant submits a voter registration  
39 application will remain confidential and will be used only for  
40 voter registration purposes:

41 SECTION 10. IC 3-7-14-7.1 IS ADDED TO THE INDIANA CODE  
42 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE



1 JANUARY 1, 2017]: Sec. 7.1. The application form described in  
 2 section 5 of this chapter must meet the following requirements:

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

5 (2) The form may require only the minimum amount of  
 6 information necessary to do the following:

7 (A) Prevent duplication of voter registrations.

8 (B) Permit the circuit court clerk or board of registration  
 9 to:

10 (i) assess the eligibility of the applicant; and

11 (ii) administer the election and voter registration system.

12 (3) The form must set forth each eligibility requirement for  
 13 voter registration, including citizenship.

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

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

16 (A) The applicant meets the eligibility requirements for  
 17 voter registration and wishes to register to vote or to  
 18 update the applicant's voter registration record.

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

21 (5) The form must inform the applicant that if the applicant  
 22 does not select an option set forth under subdivision (4), the  
 23 applicant will be considered to have chosen the option that the  
 24 applicant:

25 (A) meets the eligibility requirements for voter  
 26 registration; and

27 (B) wishes to register to vote or to update the applicant's  
 28 voter registration record.

29 (6) The form must require the signature of the applicant,  
 30 under the penalties for perjury.

31 (7) The form must include the following, in print that is  
 32 identical to the print used in the attestation part of the  
 33 application:

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

36 (B) A statement that, regardless of the applicant's decision  
 37 regarding registration to vote or updating the applicant's  
 38 voter registration record, that fact will remain confidential  
 39 and will be used only for voter registration purposes.

40 SECTION 11. IC 3-7-14-8 IS REPEALED [EFFECTIVE  
 41 JANUARY 1, 2017]. Sec. 8. To register under this chapter, an  
 42 individual must do the following while on the premises of the license



1 branch:

2 (1) Complete the voter registration application under section 4 of  
3 this chapter.

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

5 SECTION 12. IC 3-7-14-9, AS AMENDED BY P.L.164-2006,  
6 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
7 JANUARY 1, 2017]: Sec. 9. (a) An employee of the bureau of motor  
8 vehicles commission who provides an individual with a driver's license  
9 or identification card an application shall do the following:

10 (1) Inform each individual who applies for a driver's license or an  
11 identification card seeks to complete an application that the  
12 information the individual provides on the individual's application  
13 will be used to register the individual to vote unless **any of the**  
14 **following applies:**

15 (A) The individual is not eligible to vote.

16 (B) The individual declines to register to vote. or fails to  
17 complete the voter registration part of the application; or **The**  
18 **employee must explain to the individual that if the**  
19 **individual does not select an option set forth under section**  
20 **7.1(4) of this chapter, the individual will be considered to**  
21 **have selected the option that the individual:**

22 (i) meets the eligibility requirements for voter  
23 registration; and

24 (ii) wishes to register to vote or to update the individual's  
25 voter registration record.

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

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

31 (3) Check the completed voter registration form for legibility and  
32 completeness.

33 (4) Inform the individual that the individual will receive a mailing  
34 from the county voter registration office of the county where the  
35 individual resides concerning the disposition of the voter  
36 registration application.

37 (5) Inform each individual who submits a change of address for  
38 a driver's license or identification card that the information serves  
39 as notice of a change of address for voter registration unless the  
40 applicant states in writing indicates on the form that the change  
41 of address is not for voter registration purposes.

42 (b) The bureau of motor vehicles commission shall transmit a voter



1 registration ~~form information~~ to the election division for transmittal  
 2 to the appropriate county voter registration office in accordance with  
 3 IC 3-7-26.3.

4 SECTION 13. IC 3-7-14-10 IS AMENDED TO READ AS  
 5 FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 10. If an  
 6 individual is ~~registering to vote~~ **completes an application** after the  
 7 twenty-ninth day before the date that a primary, general, municipal, or  
 8 special election is scheduled in the precinct where the ~~voter individual~~  
 9 resides, the employee of the bureau of motor vehicles commission who  
 10 provides an individual with a ~~driver's license or an identification card~~  
 11 application shall do the following:

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

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

16 SECTION 14. IC 3-7-14-11, AS AMENDED BY P.L.164-2006,  
 17 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JANUARY 1, 2017]: Sec. 11. **Unless the applicant declines to**  
 19 **register under section 7.1 of this chapter**, whenever an applicant  
 20 completes a ~~voter registration~~ **an** application under section 4 of this  
 21 chapter, the bureau of motor vehicles commission shall provide the  
 22 applicant with a written acknowledgment that the applicant has  
 23 completed a voter registration application at a license branch. The  
 24 acknowledgment:

25 (1) may be:

26 (A) a detachable part; or

27 (B) an electronic version;

28 of the ~~registration application~~ **form prescribed designed** under  
 29 section ~~4 5~~ of this chapter; and

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

32 SECTION 15. IC 3-7-14-12, AS AMENDED BY P.L.128-2015,  
 33 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 34 JANUARY 1, 2017]: Sec. 12. (a) An applicant who completes a ~~voter~~  
 35 ~~registration~~ **an** application under section 4 of this chapter is not  
 36 required to submit the application to a county voter registration office.

37 (b) The bureau of motor vehicles commission shall forward the  
 38 voter registration ~~part of information on~~ the application to the election  
 39 division for transmittal to the appropriate county voter registration  
 40 office on an expedited basis in accordance with IC 3-7-26.3,  
 41 IC 9-24-2.5, and 52 U.S.C. 20504(c)(2)(E).

42 SECTION 16. IC 3-7-14-14, AS AMENDED BY P.L.128-2015,



1 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
2 JANUARY 1, 2017]: Sec. 14. Except as provided in section 15 of this  
3 chapter, an application under section 4 of this chapter authorizes a  
4 county voter registration office to update the voter registration record  
5 of the applicant:

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

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

10 SECTION 17. IC 3-7-14-15, AS AMENDED BY P.L.128-2015,  
11 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
12 JANUARY 1, 2017]: Sec. 15. As provided in 52 U.S.C. 20504(d), a  
13 circuit court clerk or board of registration may update the address in the  
14 voter registration of an applicant, unless the applicant indicates on an  
15 application to ~~obtain or renew a motor vehicle driver's license~~ or any  
16 other change of address form submitted to the clerk or board by the  
17 bureau of motor vehicles commission that the change of address of the  
18 applicant is not for voter registration purposes.

19 SECTION 18. IC 3-7-33-3, AS AMENDED BY P.L.128-2015,  
20 SECTION 112, IS AMENDED TO READ AS FOLLOWS  
21 [EFFECTIVE JANUARY 1, 2017]: Sec. 3. (a) This section applies to  
22 a voter registration application that is:

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

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

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

30 SECTION 19. IC 3-7-33-5, AS AMENDED BY P.L.169-2015,  
31 SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
32 JANUARY 1, 2017]: Sec. 5. (a) When the county voter registration  
33 office receives an application for a new registration or an application  
34 with information that revises or adds information to the applicant's  
35 current voter registration record, the county voter registration office  
36 shall determine if the applicant appears to be eligible to register to vote  
37 based on the information in the application.

38 (b) This subsection does not apply to a voter who indicates:

39 (1) under IC 3-7-39-7 or on an absentee application submitted  
40 under IC 3-11-4 that the voter has changed the voter's residence  
41 to an address within the same precinct where the voter's former  
42 address was located; or





1 (2) under IC 3-7-41 or an absentee application submitted under  
 2 IC 3-11-4 that the voter has changed the voter's name.

3 As required under 52 U.S.C. 20507(a)(2), the county voter registration  
 4 office shall send a notice to each person from whom the county voter  
 5 registration office receives a voter registration application. The county  
 6 voter registration office shall send a notice to the applicant at the  
 7 mailing address provided in the application.

8 (c) The notice required by subsection (b) must set forth the  
 9 following:

10 (1) A statement that the application has been received.

11 (2) The disposition of the application by the county voter  
 12 registration office.

13 (3) If the county voter registration office determines that the  
 14 applicant appears to be eligible, the notice must state the  
 15 following:

16 (A) ~~Except as provided under subsection (g),~~ The applicant is  
 17 registered to vote under the residence address when the  
 18 applicant receives the notice. ~~An applicant is presumed to~~  
 19 ~~have received the notice unless the notice is returned by the~~  
 20 ~~United States Postal Service due to an unknown or insufficient~~  
 21 ~~address and received by the county voter registration office not~~  
 22 ~~later than seven (7) days after the notice is mailed to the~~  
 23 ~~applicant.~~

24 (B) The name of the precinct in which the voter is registered.

25 (C) The address of the polling place for the precinct in which  
 26 the voter is registered.

27 (4) In accordance with 52 U.S.C. 20302(d), if the county voter  
 28 registration office has denied the application, the notice must  
 29 include the reasons for the denial.

30 (d) The notice required by subsection (b) may not include a voter  
 31 identification number.

32 (e) The notice required by subsection (b) may include a voter  
 33 registration card.

34 (f) If the notice is returned by the United States Postal Service due  
 35 to an unknown or insufficient address, the county voter registration  
 36 office shall ~~determine~~ **indicate on the computerized list maintained**  
 37 **under IC 3-7-26.3** that the applicant is ineligible and deny the  
 38 application. **applicant's registration is inactive.**

39 (g) ~~During the seven (7) days following the mailing of the notice to~~  
 40 ~~the voter under this section, the county voter registration office shall~~  
 41 ~~indicate in the computerized list maintained under IC 3-7-26.3 that the~~  
 42 ~~application is pending. If the notice:~~



1 (1) is not returned by the United States Postal Service and  
2 received by the county voter registration office at; or

3 (2) is received by the applicant by United States Postal Service  
4 delivery and presented in person by the applicant to the county  
5 voter registration office before;

6 the expiration of the seven (7) day period under subsection (c); the  
7 county voter registration office shall indicate in the computerized list  
8 that the applicant is a registered voter.

9 (h) This subsection applies if the notice is mailed by the county  
10 voter registration office after the certified list is prepared under  
11 IC 3-7-29. If:

12 (1) the seven (7) day period under subsection (c) expires before  
13 election day;

14 (2) the applicant has not presented the notice mailed under  
15 subsection (b) to the county voter registration office as provided  
16 under subsection (g); and

17 (3) the applicant would otherwise have been included on the  
18 certified list;

19 the county voter registration office shall prepare a certificate of error  
20 under IC 3-7-48 to note the addition of the voter to the certified list.

21 (i) This subsection applies if the notice is mailed by the county voter  
22 registration office after the certified list is prepared under IC 3-7-29. If:

23 (1) the seven (7) day period has not expired before election day;  
24 and

25 (2) the applicant has not presented the notice mailed under  
26 subsection (b) to the county voter registration office as provided  
27 under subsection (g);

28 the county voter registration office shall notify the county election  
29 board. The county election board shall certify to the inspector of the  
30 precinct where the applicant resides that the applicant's voter  
31 registration application is pending; and that the voter, subject to  
32 fulfilling the requirements of IC 3-11-7, is entitled to cast a provisional  
33 ballot.

34 SECTION 20. IC 3-7-36-14, AS AMENDED BY P.L.76-2014,  
35 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
36 JANUARY 1, 2017]: Sec. 14. (a) This section applies to a person  
37 described in subsection (b) who applies to register to vote during the  
38 period:

39 (1) beginning on the seventh day before election day; and

40 (2) ending at noon election day.

41 (b) An absent uniformed services voter who is absent from Indiana  
42 during the registration period applicable to the voter under this chapter



1 and who otherwise would be entitled to register to vote under Indiana  
 2 law may, upon returning to Indiana during the period described in  
 3 subsection (a) following discharge from service or reassignment,  
 4 register to vote by doing the following:

5 (1) Showing either of the following to the county voter  
 6 registration office:

7 (A) A discharge from service, dated not earlier than the  
 8 beginning of the registration period that ended on the eighth  
 9 day before election day, of:

10 (i) the voter;

11 (ii) the voter's spouse; or

12 (iii) the individual of whom the voter is a dependent.

13 (B) A copy of the government movement orders, with a  
 14 reporting date not earlier than the beginning of the registration  
 15 period that ended on the eighth day before election day, of:

16 (i) the voter;

17 (ii) the voter's spouse; or

18 (iii) the individual of whom the voter is a dependent.

19 (2) Completing a registration affidavit.

20 (c) **Except as provided in subsection (g)**, a voter who registers  
 21 under this section may vote at the upcoming election only by absentee  
 22 ballot at the office of the circuit court clerk at the time the voter  
 23 registers under this section or at any time after the voter registers under  
 24 this section and before noon on election day. A voter who wants to vote  
 25 under this subsection must do both of the following:

26 (1) Complete an application for an absentee ballot.

27 (2) Sign an affidavit that the voter has not voted at any other  
 28 precinct in the election.

29 The voter may vote at subsequent elections as otherwise provided in  
 30 this title.

31 (d) If the voter votes by absentee ballot under this section, the  
 32 circuit court clerk shall do the following:

33 (1) Certify in writing that the voter registered under this section.

34 (2) Attach the certification to the voter's absentee ballot envelope.

35 (e) If the county has a board of registration, the board of registration  
 36 shall promptly deliver the voter's registration affidavit to the circuit  
 37 court clerk to permit the voter to vote under subsection (c).

38 (f) If the voter chooses not to vote under subsection (c), the county  
 39 voter registration office shall register the voter on the first day of the  
 40 next registration period.

41 **(g) A person described in subsection (c) may register and vote**  
 42 **on the day of a primary, general, municipal, school district, or**



1 **special election as provided in IC 3-7-49.**

2 SECTION 21. IC 3-7-48-1, AS AMENDED BY P.L.271-2013,  
3 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JANUARY 1, 2017]: Sec. 1. (a) Except as otherwise provided by  
5 NVRA or in this chapter, a person whose name does not appear on the  
6 registration record may not vote, unless:

7 (1) the county voter registration office issues a signed certificate  
8 of error immediately available for inspection in the county voter  
9 registration office showing that the voter is legally registered in  
10 the precinct where the voter resides; **or**

11 (2) **the voter has registered as provided in IC 3-7-49.**

12 (b) A person:

13 (1) whose name does not appear on the registration record; **and**

14 (2) **who does not register as provided in IC 3-7-49;**

15 may cast a provisional ballot as provided in IC 3-11.7.

16 SECTION 22. IC 3-7-49 IS ADDED TO THE INDIANA CODE AS  
17 A **NEW CHAPTER TO READ AS FOLLOWS** [EFFECTIVE  
18 JANUARY 1, 2017]:

19 **Chapter 49. Election Day Registration**

20 **Sec. 1. (a) A person who is not registered to vote but is otherwise**  
21 **qualified to vote shall be allowed to vote at the polls in a primary,**  
22 **general, municipal, school district, or special election if the person**  
23 **registers at the polls under this chapter.**

24 (b) **In order to register to vote at a precinct under this chapter,**  
25 **a person:**

26 (1) **must be a resident of the precinct;**

27 (2) **must be otherwise legally qualified to vote under**  
28 **IC 3-7-13-1;**

29 (3) **may not be registered to vote under IC 3-7-14 through**  
30 **IC 3-7-22;**

31 (4) **may not be qualified to vote under IC 3-7-39-7,**  
32 **IC 3-7-39-8, IC 3-7-48, IC 3-10-10, IC 3-10-11, or IC 3-10-12;**  
33 **and**

34 (5) **may not have already voted in the election.**

35 (c) **Before allowing a person to vote under this chapter, the poll**  
36 **clerk or other precinct election officer shall require the person to**  
37 **do the following:**

38 (1) **Complete a voter registration form prescribed by**  
39 **IC 3-7-18, along with the affirmation described in section 3 of**  
40 **this chapter, and sign the form in the presence of two (2)**  
41 **precinct election officers who must be from different political**  
42 **parties. If the county election board has not appointed**



1           precinct election officers from more than one (1) political  
2           party to the precinct election board, the inspector for the  
3           precinct shall sign the form as the second precinct election  
4           officer.

5           (2) Provide acceptable proof of residence.

6           **Sec. 2. (a) For purposes of this chapter, one (1) of the following**  
7           **forms of identification is acceptable as proof of residence:**

8           (1) A current and valid photo identification.

9           (2) A current utility bill, bank statement, government check,  
10          paycheck, or government document that shows the name and  
11          address of the person registering to vote.

12          (3) A statement signed by any other voter in the precinct that  
13          corroborates the information on the voter's registration form  
14          concerning the residency of the person registering to vote. The  
15          corroborator must provide the identification listed in  
16          subdivision (1) or (2) as proof of the corroborator's residence  
17          and must sign the statement in the presence of two (2)  
18          precinct election officers who must be from different political  
19          parties. If the county election board has not appointed  
20          precinct election officers from more than one (1) political  
21          party to the precinct election board, the inspector for the  
22          precinct shall sign the form as the second precinct election  
23          officer. The commission shall prescribe the form of the  
24          statement.

25          (b) If a person presents a document under subsection (a), the  
26          poll clerk shall add a notation to the poll list indicating the type of  
27          document presented by the person. The election division shall  
28          prescribe a standardized coding system to classify documents  
29          presented under subsection (a) for entry into the county voter  
30          registration system.

31          (c) If a person is unable to present the documentation required  
32          under subsection (a) to the poll clerk while present in the polls, the  
33          poll clerk shall notify the precinct election board. The board shall  
34          provide a provisional ballot to the person under IC 3-11.7-2.

35          (d) The precinct election board shall advise the person that the  
36          person must file a copy of the documentation required under  
37          subsection (a) with:

38               (1) the county voter registration office; or

39               (2) the precinct election board in the voter's precinct;

40          to permit the provisional ballot to be counted under IC 3-11.7.

41          **Sec. 3. The commission shall prescribe the affirmation required**  
42          **under section 1(c)(1) of this chapter. The affirmation must include**



1 a statement that the person has not already voted at the election for  
2 which the person is registering to vote.

3 **Sec. 4. A person who registers to vote under this chapter:**

4 (1) may not be challenged on the grounds that the person's  
5 registration does not appear in the precinct registration book  
6 or poll list; and

7 (2) is not required to obtain a certificate of error under  
8 IC 3-7-48 to vote.

9 **Sec. 5. Before each primary, general, municipal, school district,  
10 or special election, the county election board shall provide each  
11 precinct election board with a sufficient number of registration  
12 forms, affirmations, and statements to meet the reasonable need  
13 for the forms, affirmations, and statements under this chapter.**

14 **Sec. 6. The precinct election board shall attach the completed  
15 registration forms, affirmations, and statements to the poll list for  
16 processing by the county voter registration office under  
17 IC 3-10-1-31.1.**

18 **Sec. 7. (a) The precinct election board shall add to the poll list  
19 of the precinct the name and address of a person who registers to  
20 vote under this chapter.**

21 **(b) The county voter registration office shall add to the  
22 registration record of the county the name of a person who  
23 registers to vote under this chapter.**

24 **Sec. 8. The county voter registration office shall process under  
25 IC 3-7-33-5 the voter registration forms completed under section  
26 1 of this chapter.**

27 **Sec. 9. If a notice mailed under IC 3-7-33-5 to a person who  
28 registered under this chapter is returned as undeliverable, the  
29 county voter registration office shall initiate steps under  
30 IC 3-7-33-6 to remove the person from the registration rolls.**

31 **Sec. 10. A registration completed under this chapter for which  
32 the notice mailed under IC 3-7-33-5 is not returned is effective to  
33 the same extent as if the registration had been completed under  
34 IC 3-7-14 through IC 3-7-22.**

35 **SECTION 23. IC 3-10-8-9, AS AMENDED BY P.L.10-2010,  
36 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
37 JANUARY 1, 2017]: Sec. 9. (a) If the special election occurs during  
38 the period when registration is open under IC 3-7-13, the registration  
39 period continues through the twenty-ninth day before the special  
40 election occurs and resumes on the date specified by IC 3-7-13-10(d),  
41 except that a person may register or transfer registration on the  
42 day of a special election as provided in IC 3-7-49.**



1 (b) The election board conducting the special election shall provide  
 2 poll lists for use at the precincts that include the names of voters in the  
 3 precinct who:

- 4 (1) have registered through the twenty-ninth day before the  
 5 special election is to be conducted; or  
 6 (2) are absent uniformed services voters or overseas voters  
 7 registered under IC 3-7-36.

8 (c) This subsection applies when a special election is ordered by a  
 9 court under IC 3-12-8-17 or the state recount commission under  
 10 IC 3-12-11-18. A candidate may not be placed on the special election  
 11 ballot unless the candidate was on the ballot or was a declared write-in  
 12 candidate for the office at the general election preceding the special  
 13 election.

14 SECTION 24. IC 3-11-4-3, AS AMENDED BY P.L.169-2015,  
 15 SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 JANUARY 1, 2017]: Sec. 3. (a) Except as provided in section 6 of this  
 17 chapter **or IC 3-11-4.3**, an application for an absentee ballot must be  
 18 received by the circuit court clerk (or, in a county subject to IC 3-6-5.2,  
 19 the director of the board of elections and registration) not earlier than  
 20 the date the registration period resumes under IC 3-7-13-10 nor later  
 21 than the following:

- 22 (1) Noon on election day if the voter registers to vote under  
 23 IC 3-7-36-14.  
 24 (2) Noon on the day before election day if the voter:  
 25 (A) completes the application in the office of the circuit court  
 26 clerk under IC 3-11-10-26; or  
 27 (B) is an absent uniformed services voter or overseas voter  
 28 who requests that the ballot be transmitted by electronic mail  
 29 or fax under section 6(h) of this chapter.  
 30 (3) Noon on the day before election day if:  
 31 (A) the application is a mailed, transmitted by fax, or hand  
 32 delivered application from a confined voter or voter caring for  
 33 a confined person; and  
 34 (B) the applicant requests that the absentee ballots be  
 35 delivered to the applicant by an absentee voter board under  
 36 IC 3-11-10-25.  
 37 (4) 11:59 p.m. on the eighth day before election day if the  
 38 application is:  
 39 (A) a mailed application;  
 40 (B) transmitted by electronic mail;  
 41 (C) transmitted by fax; or  
 42 (D) hand delivered;



- 1 from other voters who request to vote by mail under  
2 IC 3-11-10-24.
- 3 (b) An application for an absentee ballot received by the election  
4 division by the time and date specified by subsection (a)(2)(B), (a)(3),  
5 or (a)(4) is considered to have been timely received for purposes of  
6 processing by the county. The election division shall immediately  
7 transmit the application to the circuit court clerk, or the director of the  
8 board of elections and registration, of the county where the applicant  
9 resides. The election division is not required to complete or file the  
10 affidavit required under section 2(h) of this chapter whenever the  
11 election division transmits an application under this subsection.
- 12 (c) This subsection applies whenever a special election is conducted  
13 during a year in which a general or municipal election is not scheduled.  
14 An application for an absentee ballot for a primary being conducted in  
15 the following year may not be received by the circuit court clerk (or, in  
16 a county subject to IC 3-6-5.2, the director of the board of elections and  
17 registration) earlier than the date the registration period resumes under  
18 IC 3-7-13-10.
- 19 SECTION 25. IC 3-11-4-18, AS AMENDED BY P.L.169-2015,  
20 SECTION 102, IS AMENDED TO READ AS FOLLOWS  
21 [EFFECTIVE JANUARY 1, 2017]: Sec. 18. (a) If a voter satisfies any  
22 of the qualifications described in IC 3-11-10-24 that entitle a voter to  
23 cast an absentee ballot by mail, the county election board shall, at the  
24 request of the voter, mail the official ballot, postage fully prepaid, to  
25 the voter at the address stated in the application.
- 26 (b) If the county election board mails an absentee ballot to a voter  
27 required to file additional documentation with the county voter  
28 registration office before voting by absentee ballot under this chapter,  
29 the board shall include a notice to the voter in the envelope mailed to  
30 the voter under section 20 of this chapter. The notice must inform the  
31 voter that the voter must file the additional documentation required  
32 under IC 3-7-33-4.5 with the county voter registration office not later  
33 than noon on election day for the absentee ballot to be counted as an  
34 absentee ballot, and that, if the documentation required under  
35 IC 3-7-33-4.5 is filed after noon and before ~~6 p.m.~~ **the close of the**  
36 **polls** on election day, the ballot will be processed as a provisional  
37 ballot. The election division shall prescribe the form of this notice  
38 under IC 3-5-4-8.
- 39 (c) Except as provided in this subsection, section 18.5 of this  
40 chapter, or IC 3-11-10-26.5, the ballot shall be transmitted:  
41 (1) on the day of the receipt of the voter's application; or  
42 (2) not more than five (5) days after the date of delivery of the





1 ballots under section 15 of this chapter;  
 2 whichever is later. If the election board determines that the county  
 3 voter registration office has received an application from the applicant  
 4 for registration at an address within the precinct indicated on the  
 5 application, and the election board determines that this application is  
 6 pending under IC 3-7-33, the ballot shall be mailed on the date the  
 7 county voter registration office indicates under ~~IC 3-7-33-5(f)~~  
 8 **IC 3-7-33-5** that the applicant is a registered voter.

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

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

- 16 (1) information concerning the effect of casting multiple votes for  
 17 an office; and
- 18 (2) instructions on how to correct the ballot before the ballot is  
 19 cast and counted, including the issuance of replacement ballots.

20 SECTION 26. IC 3-11-4.3 IS ADDED TO THE INDIANA CODE  
 21 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 22 JULY 1, 2016]:

23 **Chapter 4.3. Permanent Absentee Voter Status**

24 **Sec. 1. This chapter applies after December 31, 2016.**

25 **Sec. 2. A voter may apply for permanent absentee voter status**  
 26 **under this chapter.**

27 **Sec. 3. (a) A voter who wants to apply for permanent absentee**  
 28 **voter status must apply for an absentee ballot under this chapter.**

29 **(b) Except as provided in this chapter, the information required**  
 30 **and the procedures for applying for permanent absentee voter**  
 31 **status are the same as required for a voter applying for an absentee**  
 32 **ballot under IC 3-11-4.**

33 **(c) Notwithstanding IC 3-11-4-18, a voter applying for**  
 34 **permanent absentee voter status is not required to satisfy any of**  
 35 **the qualifications described in IC 3-11-10-24 for the voter to be**  
 36 **entitled to:**

- 37 (1) permanent absentee voter status; and
- 38 (2) cast an absentee ballot by mail.

39 **(d) Except as provided in this chapter, the following apply:**

- 40 (1) A voter with permanent absentee voter status has the same  
 41 rights and is subject to the same procedures and standards as  
 42 other absentee voters.



1           (2) The absentee ballots cast by a voter with permanent  
2           absentee voter status shall be treated the same as other  
3           absentee ballots.

4           Sec. 4. (a) Upon receiving an application for permanent absentee  
5           voter status, the county election board (or the absentee voter board  
6           in the office of the circuit court clerk) shall determine whether the  
7           voter is entitled to permanent absentee voter status under this  
8           chapter, using the procedures described in IC 3-11-4.

9           (b) If the voter qualifies for permanent absentee voter status  
10           under this chapter and IC 3-11-4, the circuit court clerk shall do  
11           the following:

12           (1) Place the voter's name on a list of all voters in the county  
13           who have permanent absentee voter status under this chapter.

14           (2) Send absentee ballots to the voter each time there is an  
15           election held in the precinct of the voter's residence.

16           (3) Include in all absentee ballot mailings to the voter an  
17           explanation of the absentee voting procedure and an  
18           explanation of section 7 of this chapter.

19           Sec. 5. Absentee ballots sent to and received from a voter who  
20           has permanent absentee voter status:

21           (1) are subject to the same procedures and deadlines; and

22           (2) shall be processed and counted in the same manner;

23           as all other absentee ballots.

24           Sec. 6. (a) Before each primary election, the circuit court clerk  
25           shall mail to every voter on the list of voters who have permanent  
26           absentee voter status a notice and an application regarding voting  
27           in the primary election. The notice must inform the voter that the  
28           voter may request an absentee ballot for a particular political  
29           party for the primary election.

30           (b) If a voter requests an absentee ballot for a primary election  
31           for a particular political party, the circuit court clerk shall send the  
32           voter an absentee ballot for the specified political party for that  
33           primary election.

34           Sec. 7. If a voter on the permanent absentee voter list fails to  
35           return an executed absentee ballot for three (3) consecutive  
36           statewide general elections, the circuit court clerk may delete the  
37           voter's name from the list of voters with permanent absentee voter  
38           status.

39           SECTION 27. IC 3-11-8-8 IS AMENDED TO READ AS  
40           FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 8. (a) Except as  
41           provided in subsection (b), the polls in each precinct open at 6 a.m.  
42           and close at 6 p.m. on election day.



1           **(b) Notwithstanding subsection (a), the county election board**  
 2 **may adopt a resolution by a vote of a majority of the members of**  
 3 **the board to provide that the polls close at a time:**

- 4           **(1) after 6 p.m. and not later than 8 p.m. on election day; and**  
 5           **(2) specified in the board's resolution.**

6           **(c) A resolution adopted under subsection (b) must be adopted**  
 7 **before January 1 of an election year for the resolution to apply to**  
 8 **that election year.**

9           SECTION 28. IC 3-11-8-15, AS AMENDED BY P.L.194-2013,  
 10 SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JANUARY 1, 2017]: Sec. 15. (a) Only the following persons are  
 12 permitted in the polls during an election:

- 13           (1) Members of a precinct election board.  
 14           (2) Poll clerks and assistant poll clerks.  
 15           (3) Election sheriffs.  
 16           (4) Deputy election commissioners.  
 17           (5) Pollbook holders and challengers.  
 18           (6) Watchers.  
 19           (7) Voters for the purposes of:  
 20                **(A) voting; or**  
 21                **(B) for voters registering to vote on election day under**  
 22                **IC 3-7-49, filing a copy of the documentation required by**  
 23                **IC 3-7-49-2(a) with the precinct election board in the**  
 24                **voter's precinct so that the voter's provisional ballot may**  
 25                **be counted under IC 3-11.7.**  
 26           (8) Minor children accompanying voters as provided under  
 27 IC 3-11-11-8.  
 28           (9) An assistant to a precinct election officer appointed under  
 29 IC 3-6-6-39.  
 30           (10) An individual authorized to assist a voter in accordance with  
 31 IC 3-11-9.  
 32           (11) A member of a county election board, acting on behalf of the  
 33 board.  
 34           (12) A mechanic authorized to act on behalf of a county election  
 35 board to repair a voting system (if the mechanic bears credentials  
 36 signed by each member of the board).  
 37           (13) Either of the following who have been issued credentials  
 38 signed by the members of the county election board:  
 39                (A) The county chairman of a political party.  
 40                (B) The county vice chairman of a political party.

41           However, a county chairman or a county vice chairman who is a  
 42 candidate for nomination or election to office at the election may



1 not enter the polls under this subdivision.

2 (14) The secretary of state, as chief election officer of the state,  
3 unless the individual serving as secretary of state is a candidate  
4 for nomination or election to an office at the election.

5 (b) This subsection applies to a simulated election for minors  
6 conducted with the authorization of the county election board. An  
7 individual participating in the simulated election may be in the polls for  
8 the purpose of voting. A person supervising the simulated election may  
9 be in the polls to perform the supervision.

10 (c) The inspector of a precinct has authority over all simulated  
11 election activities conducted under subsection (b) and shall ensure that  
12 the simulated election activities do not interfere with the election  
13 conducted in that polling place.

14 SECTION 29. IC 3-11-8-16, AS AMENDED BY P.L.230-2005,  
15 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
16 JANUARY 1, 2017]: Sec. 16. A person may not remain within a  
17 distance equal to the length of the chute (as defined in IC 3-5-2-10) of  
18 the entrance to the polls except for the purpose of:

19 (1) offering to vote; or

20 (2) **for voters registering to vote on election day under**  
21 **IC 3-7-49, filing a copy of the documentation required by**  
22 **IC 3-7-49-2(a) with the precinct election board in the voter's**  
23 **precinct so that the voter's provisional ballot may be counted**  
24 **under IC 3-11.7.**

25 SECTION 30. IC 3-11-8-25.1, AS AMENDED BY P.L.169-2015,  
26 SECTION 115, IS AMENDED TO READ AS FOLLOWS  
27 [EFFECTIVE JANUARY 1, 2017]: Sec. 25.1. (a) Except as provided  
28 in subsection (e), a voter who desires to vote an official ballot at an  
29 election shall provide proof of identification.

30 (b) Except as provided in subsection (e), before the voter proceeds  
31 to vote in the election, a precinct election officer shall ask the voter to  
32 provide proof of identification. One (1) of each of the precinct election  
33 officers nominated by each county chairman of a major political party  
34 of the county under IC 3-6-6-8 or IC 3-6-6-9 is entitled to ask the voter  
35 to provide proof of identification. The voter shall produce the proof of  
36 identification to each precinct officer requesting the proof of  
37 identification before being permitted to sign the poll list.

38 (c) If:

39 (1) the voter is unable or declines to present the proof of  
40 identification; or

41 (2) a member of the precinct election board determines that the  
42 proof of identification provided by the voter does not qualify as



1 proof of identification under IC 3-5-2-40.5;  
 2 a member of the precinct election board shall challenge the voter as  
 3 prescribed by this chapter.

4 (d) If the voter executes a challenged voter's affidavit under section  
 5 22.1 of this chapter, the voter may:

6 (1) sign the poll list; and

7 (2) receive a provisional ballot.

8 (e) A voter who votes in person at a precinct polling place that is  
 9 located at a state licensed care facility where the voter resides is not  
 10 required to provide proof of identification before voting in an election.

11 (f) After a voter has passed the challengers or has been sworn in, the  
 12 voter shall be instructed by a member of the precinct election board to  
 13 proceed to the location where the poll clerks are stationed. In a vote  
 14 center county using an electronic poll list, two (2) election officers who  
 15 are not members of the same political party must be present when a  
 16 voter signs in on the electronic poll list. The voter shall announce ~~the~~  
 17 ~~voter's name~~ to the poll clerks or assistant poll clerks **the voter's name**  
 18 **and whether the voter wants to register to vote at the polls. If the**  
 19 **voter wants to register and meets the conditions set forth in**  
 20 **IC 3-7-49, the poll clerk or other precinct election officer shall**  
 21 **register the voter in accordance with IC 3-7-49. If the voter is**  
 22 **already registered**, a poll clerk, an assistant poll clerk, or a member  
 23 of the precinct election board shall require the voter to write the  
 24 following on the poll list or to provide the following information for  
 25 entry into the electronic poll list:

26 (1) The voter's name.

27 (2) Except as provided in subsection (k), the voter's current  
 28 residence address.

29 (g) The poll clerk, an assistant poll clerk, or a member of the  
 30 precinct election board shall:

31 (1) ask the voter to provide or update the voter's voter  
 32 identification number;

33 (2) tell the voter the number the voter may use as a voter  
 34 identification number; and

35 (3) explain to the voter that the voter is not required to provide or  
 36 update a voter identification number at the polls.

37 (h) The poll clerk, an assistant poll clerk, or a member of the  
 38 precinct election board shall ask the voter to provide proof of  
 39 identification.

40 (i) In case of doubt concerning a voter's identity, the precinct  
 41 election board shall compare the voter's signature with the signature on  
 42 the voter's registration record provided by the county voter registration



1 office under IC 3-7-29. If the board determines that the voter's  
 2 signature is authentic, the voter may then vote. If either poll clerk  
 3 doubts the voter's identity following comparison of the signatures, the  
 4 poll clerk shall challenge the voter in the manner prescribed by section  
 5 21 of this chapter.

6 (j) If:

- 7 (1) the poll clerk does not execute a challenger's affidavit; or
- 8 (2) the voter executes a challenged voter's affidavit under section  
 9 22.1 of this chapter or executed the affidavit before signing the  
 10 poll list;

11 the voter may then vote.

12 (k) The electronic poll book (or each line on a poll list sheet  
 13 provided to take a voter's current address) must include a box under the  
 14 heading "Address Unchanged" so that the voter may check the box  
 15 instead of writing the voter's current address on the poll list, or if an  
 16 electronic poll book is used, the poll clerk may check the box after  
 17 stating to the voter the address shown on the electronic poll book and  
 18 receiving an oral affirmation from the voter that the voter's residence  
 19 address shown on the poll list is the voter's current residence address  
 20 instead of writing the voter's current residence address on the poll list  
 21 or reentering the address in the electronic poll book.

22 (l) If the voter indicates that the voter's current residence is located  
 23 within another county in Indiana, the voter is considered to have  
 24 directed the county voter registration office of the county where the  
 25 precinct is located to cancel the voter registration record within the  
 26 county. The precinct election board shall provide the voter with a voter  
 27 registration application for the voter to complete and file with the  
 28 county voter registration office of the county where the voter's current  
 29 residence address is located.

30 (m) If the voter indicates that the voter's current residence is located  
 31 outside Indiana, the voter is considered to have directed the county  
 32 voter registration office of the county where the precinct is located to  
 33 cancel the voter registration record within the county.

34 SECTION 31. IC 3-11-8-25.5, AS AMENDED BY P.L.271-2013,  
 35 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JANUARY 1, 2017]: Sec. 25.5. (a) If an individual signs the  
 37 individual's name and either:

- 38 (1) signs the individual's address; or
- 39 (2) checks the "Address Unchanged" box;

40 on the poll list or provides the information for entry by the poll clerk  
 41 into the electronic poll list under section 25.1 of this chapter and then  
 42 leaves the polls without casting a ballot or after casting a provisional



1 ballot, the voter may not be permitted to reenter the polls, ~~to cast a~~  
 2 ~~ballot at the election.~~ **except as provided by subsection (b).**

3 **(b) An individual who:**

4 **(1) registers to vote on election day under IC 3-7-49; and**

5 **(2) casts a provisional ballot under IC 3-11.7 because the**  
 6 **individual is unable to present the documentation required**  
 7 **under IC 3-7-49-2(a);**

8 **is entitled to reenter the polls solely to file a copy of the**  
 9 **documentation required under IC 3-7-49-2(a) with the precinct**  
 10 **election board in the individual's precinct so that the individual's**  
 11 **provisional ballot may be counted under IC 3-11.7.**

12 SECTION 32. IC 3-11-10-11, AS AMENDED BY P.L.221-2005,  
 13 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 14 JANUARY 1, 2017]: Sec. 11. (a) On election day each circuit court  
 15 clerk (or an agent of the clerk) shall visit the appropriate post office to  
 16 accept delivery of absentee envelopes at the latest possible time that  
 17 will permit delivery of the ballots to the appropriate precinct election  
 18 boards before ~~6 p.m.~~ **the close of the polls.**

19 (b) Not later than noon on election day, the county voter registration  
 20 office shall visit the appropriate post office to accept delivery of mail  
 21 containing documentation submitted by a voter to comply with  
 22 IC 3-7-33-4.5. The office shall immediately notify the county election  
 23 board regarding the filing of this documentation to permit the board to  
 24 provide certification of this filing to the appropriate precinct election  
 25 boards before ~~6 p.m.~~ **the close of the polls.**

26 SECTION 33. IC 3-11-10-26.3, AS AMENDED BY P.L.169-2015,  
 27 SECTION 123, IS AMENDED TO READ AS FOLLOWS  
 28 [EFFECTIVE JANUARY 1, 2017]: Sec. 26.3. (a) A county election  
 29 board may adopt a resolution to authorize the circuit court clerk to  
 30 establish satellite offices in the county where voters may cast absentee  
 31 ballots before an absentee voter board.

32 (b) To be adopted under this section, a resolution must be adopted  
 33 by the ~~unanimous~~ **majority** vote of the board's entire membership.

34 (c) A resolution adopted under this section must do the following:

35 (1) State the locations of the satellite offices.

36 (2) State the hours at which absentee voting may occur at the  
 37 satellite offices.

38 (d) The resolution may contain other provisions the board considers  
 39 useful.

40 (e) If a resolution is adopted under this section for a primary  
 41 election, the locations of the satellite offices and the hours at which  
 42 absentee voting may occur at the satellite offices established for the



1 primary election must be used for the subsequent general or municipal  
2 election.

3 (f) If a resolution is adopted under this section, the procedure for  
4 casting an absentee ballot at a satellite office must, except as provided  
5 in this section, be substantially the same as the procedure for casting an  
6 absentee ballot in the office of the circuit court clerk under section 26  
7 of this chapter.

8 (g) A voter casting an absentee ballot under this section is entitled  
9 to cast the voter's ballot in accordance with IC 3-11-9.

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

13 (i) A resolution adopted under this section expires January 1 of the  
14 year immediately after the year in which the resolution is adopted.

15 SECTION 34. IC 3-11-14-19 IS AMENDED TO READ AS  
16 FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 19. Each county  
17 election board shall be at its office from 5 a.m. until ~~6 p.m.~~ **the close of**  
18 **the polls** on election day. Upon notice that an electronic voting system  
19 is out of order or fails to work, the board shall be ready between those  
20 hours to deliver to any precinct in the county:

- 21 (1) necessary paper ballots;
- 22 (2) election booths with an adequate number of stalls;
- 23 (3) ballot boxes; and
- 24 (4) all necessary supplies and equipment as required by law.

25 SECTION 35. IC 3-11.7-2-1, AS AMENDED BY P.L.128-2015,  
26 SECTION 201, IS AMENDED TO READ AS FOLLOWS  
27 [EFFECTIVE JANUARY 1, 2017]: Sec. 1. (a) ~~As provided by 52~~  
28 ~~U.S.C. 21082~~; This section applies to the following individuals:

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

40 **(4) An individual who is registering to vote at the polls but has**  
41 **not presented identification required under IC 3-7-49-2.**

42 (b) ~~As required by 52 U.S.C. 21083~~; A voter who has registered to





1 vote but has not:

2 (1) presented identification required under 52 U.S.C. 21083 to the  
 3 poll clerk before voting in person under IC 3-11-8-25.1; ~~or~~  
 4 (2) filed a copy of the identification required under 52 U.S.C.  
 5 21083 to the county voter registration office before the voter's  
 6 absentee ballot is cast; ~~or~~

7 **(3) presented identification required under IC 3-7-49-2 to the**  
 8 **poll clerk before voting in person under IC 3-11-8-25.1;**

9 is entitled to vote a provisional ballot under this article.

10 (c) A precinct election officer shall inform an individual described  
 11 by subsection (a)(1) or (a)(2) that the individual may cast a provisional  
 12 ballot if the individual:

13 (1) is eligible to vote under IC 3-7-13-1;

14 (2) submitted a voter registration application during the  
 15 registration period described by IC 3-7-13-10; and

16 (3) executes an affidavit described in IC 3-10-1-9 or IC 3-11-8-23.

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

19 SECTION 36. IC 3-12-4-6 IS AMENDED TO READ AS  
 20 FOLLOWS [EFFECTIVE JANUARY 1, 2017]: Sec. 6. (a) ~~At 6 p.m.~~  
 21 **the close of the polls** on each election day, the county election board  
 22 shall assemble in a room to canvass the certificates, poll lists, and tally  
 23 papers returned by each inspector in the county and to declare the  
 24 results of the election as provided in this chapter.

25 (b) The canvassing must be performed in public under IC 5-14-1.5.  
 26 However, the board may restrict access to parts of the room where  
 27 election material is being handled or transported to safeguard the  
 28 material.

29 (c) Except as provided in section 7 of this chapter, the county  
 30 executive shall provide a room in the courthouse that contains adequate  
 31 space to permit members of the public to witness the canvassing of  
 32 votes.

33 SECTION 37. IC 9-24-2.5-4, AS AMENDED BY P.L.128-2015,  
 34 SECTION 223, IS AMENDED TO READ AS FOLLOWS  
 35 [EFFECTIVE JANUARY 1, 2017]: Sec. 4. (a) As required under 52  
 36 U.S.C. 20504(e)(1), the manager or designated license branch  
 37 employee shall transmit a copy of the ~~completed~~ voter registration  
 38 **portion of information from** each application **or renewal** for a driver's  
 39 license or an identification card for nondrivers issued under this article  
 40 to the county voter registration office of the county in which the  
 41 individual's residential address (as indicated on the application) is  
 42 located.



1 (b) The voter registration ~~application~~ **information** shall be  
 2 transmitted to the county voter registration office in an electronic  
 3 format and on an expedited basis (as defined by IC 3-5-2-23.2) using  
 4 the computerized list established under IC 3-7-26.3. ~~Except in the case~~  
 5 ~~of applications submitted online under IC 3-7-26.7;~~ the paper copy of  
 6 the application shall be transmitted under subsection (a) to the county  
 7 voter registration office not later than five (5) days after the application  
 8 is accepted at the license branch.

9 SECTION 38. IC 9-24-2.5-6, AS AMENDED BY P.L.64-2014,  
 10 SECTION 74, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 11 JANUARY 1, 2017]: Sec. 6. (a) A manager or an employee may use  
 12 any of the following methods to transmit paper copies of voter  
 13 registration applications under section 4 of this chapter:

14 (1) Hand delivery to the county voter registration office.

15 (2) Delivery by the United States Postal Service, using first class  
 16 mail.

17 (b) A county voter registration office

18 ~~(1)~~ shall process a voter registration ~~application~~ **information**  
 19 transmitted in electronic format from a license branch. ~~and~~

20 ~~(2)~~ is not required to receive the paper copy of a voter registration  
 21 application from a license branch before:

22 ~~(A)~~ approving or denying the application; and

23 ~~(B)~~ mailing a notice of approval or denial to the applicant.

24 (c) After January 1, 2015, a county voter registration office shall  
 25 scan an image of the paper copy of the registration application form  
 26 into the computerized list established under IC 3-7-26.3.

27 SECTION 39. [EFFECTIVE UPON PASSAGE] (a) **As used in this**  
 28 **SECTION, "legislative council" refers to the legislative council**  
 29 **created by IC 2-5-1.1-1.**

30 (b) **As used in this SECTION, "study committee" means either**  
 31 **of the following:**

32 (1) **A statutory committee established under IC 2-5.**

33 (2) **An interim study committee.**

34 (c) **The legislative council is urged to assign to the appropriate**  
 35 **study committee the topic of offsite electronic voting.**

36 (d) **If the topic described in subsection (c) is assigned to a study**  
 37 **committee, the study committee shall issue a final report on the**  
 38 **topic to the legislative council in an electronic format under**  
 39 **IC 5-14-6 not later than November 1, 2016.**

40 (e) **This SECTION expires December 31, 2016.**

41 SECTION 40. **An emergency is declared for this act.**

