



January 18, 2024

HOUSE BILL No. 1264

DIGEST OF HB 1264 (Updated January 17, 2024 11:43 am - DI 144)

Citations Affected: IC 3-5; IC 3-7; IC 3-11.

Synopsis: Election security. Provides that a political subdivision that conducts or administers an election may not join the membership of, or participate in a program offered by, a person who has directly financed certain elections activities. Specifies proof of residency requirements that apply to certain individuals who register to vote in person at a registration agency. Requires the statewide voter registration system (SVRS) to contain a feature that identifies voter registrations that list a potential nonresidential address. Specifies a process that a county voter registration official must follow if this feature identifies a voter registration that lists a potential nonresidential address. Allows the secretary of state to contract with a company to receive commercially available data. Requires the National Voter Registration Act (NVRA) official or a contractor to use this information to identify a voter whose residence may have changed. Requires the election division to compare residential addresses received from agencies to the residential addresses in the SVRS. Requires the NVRA official to compare the SVRS with the bureau of motor vehicles list of temporary credentials. Specifies a process that must be followed if evidence exists that a registered voter is not a citizen of the United States. Requires the state to provide to each county voter registration office information concerning a voter who is disqualified or potentially disqualified as a prospective juror from jury service because the voter is not a United States citizen. Specifies the actions a county voter registration office must take concerning certain juror information.

Effective: July 1, 2024; January 1, 2025; July 1, 2025.

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January 9, 2024, read first time and referred to Committee on Elections and Apportionment.
January 18, 2024, amended, reported — Do Pass.

HB 1264—LS 6963/DI 144



January 18, 2024

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

HOUSE BILL No. 1264

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 3-5-3-1, AS AMENDED BY THE TECHNICAL
2 CORRECTIONS BILL OF THE 2024 GENERAL ASSEMBLY, IS
3 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]:
4 Sec. 1. (a) Except as provided in sections 7 through 10 of this chapter,
5 the county auditor shall pay the expenses of voter registration and for
6 all election supplies, equipment, and expenses out of the county
7 treasury in the manner provided by law. The county fiscal body shall
8 make the necessary appropriations for these purposes.
9 (b) The county executive shall pay to the circuit court clerk or board
10 of registration the expenses of:
11 (1) removing voters from the registration record under IC 3-7-43,
12 IC 3-7-45, or IC 3-7-46; and
13 (2) performing voter list maintenance programs under IC 3-7;
14 out of the county treasury without appropriation.
15 (c) Registration expenses incurred by a circuit court clerk or board
16 of registration for:
17 (1) the salaries of members of a board of registration appointed

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1 under IC 3-7-12-9;

2 (2) the salaries of chief clerks appointed under IC 3-7-12-17; and

3 (3) the salaries of assistants employed under IC 3-7-12-19;

4 may not be charged to a municipality. However, the municipality may
5 be charged for wages of extra persons employed to provide additional
6 assistance reasonably related to the municipal election.

7 (d) A political subdivision that conducts or administers an election
8 may not:

9 (1) accept private money donations; or

10 (2) receive **funds** or expend funds received;

11 from a person for preparing, administering, or conducting elections or
12 employing individuals on a temporary basis for the purpose of
13 preparing, administering, or conducting elections, including registering
14 voters. This subsection does not prohibit a political subdivision from
15 receiving or expending funds from the state or from the federal
16 government to prepare for, administer, or conduct an election.

17 (e) **A political subdivision that conducts or administers an
18 election may not join the membership of, or participate in a
19 program offered by, a person who has directly financed:**

20 (1) **preparing, administrating, or conducting elections; or**

21 (2) **employing individuals on a temporary basis for the
22 purpose of preparing, administering, or conducting elections,
23 including registering voters.**

24 **For purposes of this subsection, a person does not include the local,
25 state, or federal government.**

26 SECTION 2. IC 3-7-13-14 IS ADDED TO THE INDIANA CODE
27 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
28 1, 2024]: **Sec. 14. (a) The requirements of this section:**

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

30 (A) **a general election in Indiana (or a special election for
31 federal office in Indiana); or**

32 (B) **a general election (or a special election for federal
33 office) in the county where the individual has submitted a
34 registration application if the application was received by
35 the county voter registration office after December 31,
36 2002, and before January 1, 2006; and**

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

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

39 (i) **individual's Indiana driver's license number; or**

40 (ii) **last four (4) digits of the individual's Social Security
41 number;**

42 **and the county voter registration office or election division**



- 1 matches the information submitted by the applicant with
 2 an existing Indiana identification record bearing the same
 3 identification number, name, and date of birth set forth in
 4 the voter registration application;
 5 (B) is an absent uniformed services voter or overseas
 6 voter;
 7 (C) is entitled to vote other than in person under the
 8 federal Voting Accessibility for the Elderly and
 9 Handicapped Act (52 U.S.C. 20102(b)(2)(B)(ii)) due to a
 10 determination by the election division that a permanent or
 11 temporarily accessible polling place cannot be provided for
 12 the individual; or
 13 (D) is entitled to vote other than in person under any other
 14 federal law.

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

- 18 (1) a current and valid photo identification; or
 19 (2) a current utility bill, bank statement, government check,
 20 paycheck, or government document;

21 that shows the name and residence address of the voter stated on
 22 the voter registration application.

23 (c) The requirements of this section must be administered in a
 24 uniform and nondiscriminatory manner.

25 SECTION 3. IC 3-7-33-5, AS AMENDED BY P.L.278-2019,
 26 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 27 JULY 1, 2024]: Sec. 5. (a) When the county voter registration office
 28 receives an application for a new registration or an application with
 29 information that revises or adds information to the applicant's current
 30 voter registration record, the county voter registration office shall
 31 determine if the applicant appears to be eligible to register to vote
 32 based on the information in the application.

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

- 34 (1) under IC 3-7-39-7 or on an absentee application submitted
 35 under IC 3-11-4 that the voter has changed the voter's residence
 36 to an address within the same precinct where the voter's former
 37 address was located; or
 38 (2) under IC 3-7-41 or an absentee application submitted under
 39 IC 3-11-4 that the voter has changed the voter's name.

40 As required under 52 U.S.C. 20507(a)(2), the county voter registration
 41 office shall send a notice to each person from whom the county voter
 42 registration office receives a voter registration application. The county



1 voter registration office shall send a notice to the applicant at the
2 mailing address provided in the application.

3 (c) The notice required by subsection (b) must set forth the
4 following:

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

6 (2) The disposition of the application by the county voter
7 registration office.

8 (3) If the county voter registration office determines that the
9 applicant appears to be eligible, the notice must state the
10 following:

11 (A) Except as provided under ~~subsection~~ **subsections (g) and**
12 **(I)**, the applicant is registered to vote under the residence
13 address when the applicant receives the notice. An applicant
14 is presumed to have received the notice unless the notice is
15 returned by the United States Postal Service due to an
16 unknown or insufficient address and received by the county
17 voter registration office not later than seven (7) days after the
18 notice is mailed to the applicant.

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

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

22 **(4) If the county voter registration office determines that the**
23 **applicant appears to be eligible, but also determines that the**
24 **applicant has not complied with the proof of residence**
25 **requirements under IC 3-7-13-14, the notice must include the**
26 **following:**

27 **(A) A list of documents that the applicant may submit to**
28 **comply with the requirements under IC 3-7-13-14.**

29 **(B) A statement that the applicant may submit a document**
30 **under clause (A) to the county voter registration office in**
31 **person or by mail.**

32 **(4) (5)** In accordance with 52 U.S.C. 20302(d), if the county voter
33 registration office has denied the application, the notice must
34 include the reasons for the denial.

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

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

39 (f) If the notice is returned by the United States Postal Service due
40 to an unknown or insufficient address, the county voter registration
41 office shall determine that the applicant is ineligible and deny the
42 application.



1 **(g) This subsection does not apply if the notice mailed under this**
 2 **section includes the information described in subsection (c)(4).**

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

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

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

12 the expiration of the seven (7) day period under subsection (c), the
 13 county voter registration office shall indicate in the computerized list
 14 that the applicant is a registered voter at the address set forth by the
 15 applicant as the applicant's current address.

16 (h) If:

17 (1) the application for a new registration or an application with
 18 information that revises or adds information to the applicant's
 19 current registration record states that the applicant formerly
 20 resided or was registered at an address outside the precinct where
 21 the address set forth in the application is located; and

22 (2) the application is denied by the county voter registration office
 23 under subsection (f);

24 the county voter registration office shall cancel any registration record
 25 of the voter at the address which the applicant stated is no longer the
 26 legal residence of the applicant. If a registration record is canceled
 27 under this subsection, the voter may nonetheless vote a regular official
 28 ballot at the previous address if the voter makes an oral or written
 29 affirmation under IC 3-7-48-5(b) that the voter continues to reside at
 30 the previous address.

31 (i) If the county voter registration office cancels a voter's registration
 32 record at an address that the applicant has stated is no longer the legal
 33 residence of the applicant under subsection (h), the county voter
 34 registration office shall send the voter a notice prescribed by the
 35 election division and generated from the computerized list maintained
 36 under IC 3-7-26.3 by forwardable mail to the voter's residence address
 37 that was canceled. The notice must state the following:

38 (1) That the voter's registration application was denied under
 39 subsection (f).

40 (2) That the voter's registration record at the address that the
 41 applicant has stated is no longer the legal residence of the
 42 applicant has been canceled under subsection (h).



1 (3) That if the voter wants to register to vote at the voter's current
 2 residence address, the voter must complete and submit a new
 3 application before the end of the next registration period
 4 described in IC 3-7-13-10.

5 A voter registration application must be sent with the notice required
 6 under this subsection.

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

9 (1) the seven (7) day period under subsection (c) expires before
 10 election day;

11 (2) the applicant has not presented the notice mailed under
 12 subsection (b) to the county voter registration office as provided
 13 under subsection (g); and

14 (3) the applicant would otherwise have been included on the
 15 certified list;

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

18 (k) **This subsection does not apply if the notice mailed under this**
 19 **section includes the information described in subsection (c)(4).** This
 20 subsection applies if the notice is mailed by the county voter
 21 registration office after the certified list is prepared under IC 3-7-29. If:

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

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

27 the county voter registration office shall notify the county election
 28 board. The county election board shall certify to the inspector of the
 29 precinct where the applicant resides that the applicant's voter
 30 registration application is pending, and that the voter, subject to
 31 fulfilling the requirements of IC 3-11.7, is entitled to cast a provisional
 32 ballot.

33 (l) **The following apply if the notice mailed under this section**
 34 **includes the information described in subsection (c)(4):**

35 (1) **At the time the notice is mailed, the county voter**
 36 **registration office shall indicate in the computerized list that**
 37 **the application is pending.**

38 (2) **Subject to subsection (f), if:**

39 (A) **the county voter registration office finds that the**
 40 **applicant has complied with the proof of residence**
 41 **requirements under IC 3-7-13-14; and**

42 (B) **the notice mailed under this section is:**



1 **(i) not returned by the United States Postal Service and**
 2 **received by the county voter registration office at; or**
 3 **(ii) received by the applicant by United States Postal**
 4 **Service delivery and presented in person by the**
 5 **applicant to the county voter registration office before;**
 6 **the expiration of the seven (7) day period under subsection**
 7 **(c);**
 8 **the county voter registration office shall indicate in the**
 9 **computerized list that the applicant is a registered voter at the**
 10 **address set forth by the applicant as the applicant's current**
 11 **address.**

12 SECTION 4. IC 3-7-33-5.7, AS ADDED BY P.L.227-2023,
 13 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2024]: Sec. 5.7. (a) The statewide voter registration system
 15 must contain a feature that identifies:

16 (1) potential nonresidential addresses submitted on voter
 17 registration applications; **and**
 18 (2) **voter registrations in the statewide voter registration**
 19 **system that list a potential nonresidential address.**

20 (b) This subsection applies to an application with a residence
 21 address that the statewide voter registration system identifies as a
 22 potential nonresidential address. Before the county voter registration
 23 official makes a determination on the application under section 5 of
 24 this chapter, the official shall conduct research on the application to
 25 determine if:

26 (1) an individual could reside at the address stated on the
 27 application; or
 28 (2) the applicant resides at a nontraditional address described in
 29 IC 3-5-5-18.

30 SECTION 5. IC 3-7-38.2-2, AS AMENDED BY P.L.141-2020,
 31 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 32 JANUARY 1, 2025]: Sec. 2. (a) Except as provided in subsection (b)
 33 or (c), a voter list maintenance program conducted under this chapter
 34 must:

35 (1) be uniform, nondiscriminatory, and in compliance with the
 36 Voting Rights Act of 1965 (52 U.S.C. 10101);
 37 (2) not result in the removal of the name of a person from the
 38 official list of voters solely due to the person's failure to vote; and
 39 (3) be completed not later than ninety (90) days before a primary
 40 or general election.

41 (b) A voter list maintenance program conducted under this chapter
 42 in a year other than a year in which a general election is conducted



- 1 must:
- 2 (1) comply with the requirements set forth in subsection (a)(1)
- 3 and (a)(2); and
- 4 (2) be completed not later than twenty-nine (29) days before a
- 5 municipal election or special election (other than for a federal
- 6 office) is conducted.
- 7 (c) If a special election is required for a vacancy in a federal office
- 8 in a year in which a general election is not conducted, the voter list
- 9 maintenance program conducted under this chapter must:
- 10 (1) comply with the requirements of subsection (a)(1) and (a)(2);
- 11 and
- 12 (2) be completed not later than ninety (90) days before the date
- 13 that the special election is conducted.
- 14 A voter list maintenance program may also be conducted under this
- 15 section in a calendar year following the date of the special election if
- 16 the program is completed no later than the deadline set forth in
- 17 subsection (a).
- 18 (d) A county voter registration office may conduct a voter list
- 19 maintenance program that complies with subsection (a). In conducting
- 20 a voter list maintenance program, the county voter registration office
- 21 shall mail a notice described in subsection (f) to each voter whose
- 22 registration has not previously been canceled or designated as inactive
- 23 under this chapter at the mailing address:
- 24 (1) listed in the voter's registration record; and
- 25 (2) determined by the county voter registration office not to be the
- 26 voter's current residence address.
- 27 (e) A county voter registration office may use information only from
- 28 the following sources to make the determination under subsection
- 29 (d)(2):
- 30 (1) The United States Postal Service National Change of Address
- 31 Service.
- 32 (2) A court regarding jury duty notices returned because of an
- 33 unknown or insufficient address.
- 34 (3) The return of a mailing sent by the county voter registration
- 35 office to all active voters (as defined in IC 3-11-18.1-2) in the
- 36 county because of an unknown or insufficient address.
- 37 (4) The bureau of motor vehicles concerning the surrender of a
- 38 voter's Indiana license for the operation of a motor vehicle to
- 39 another jurisdiction.
- 40 (5) The return by the United States Postal Service after the
- 41 expiration of the seven (7) day pending period of a notice
- 42 regarding the disposition of a voter registration application under



- 1 IC 3-7-33-5 because of an unknown or insufficient address.
- 2 (6) The return of a mailing sent to voters of a precinct advising
- 3 voters of a change of precinct boundary or the precinct polling
- 4 place because of an unknown or insufficient address, if the county
- 5 sends a similar mailing to the voters of each precinct when a
- 6 boundary or polling place is changed.
- 7 (7) Information received from the election division under section
- 8 5 of this chapter or section 16 of this chapter.
- 9 (8) A declination to register by the voter stating that the voter
- 10 resides at an address different from the address on the voter's
- 11 registration record.
- 12 **(9) Information received from the election division as a result**
- 13 **of a comparison between:**
- 14 **(A) a voter registration address; and**
- 15 **(B) commercially available data, such as data from a credit**
- 16 **agency.**
- 17 (f) The notice described in subsection (d) must:
- 18 (1) be sent by first class United States mail, postage prepaid, by
- 19 a method that requires the notice to be forwarded to the voter; and
- 20 (2) include a postage prepaid return card that:
- 21 (A) is addressed to the county voter registration office;
- 22 (B) states a date (which must be at least thirty (30) days after
- 23 the date the notice is mailed) by which the card must be
- 24 returned or the voter's registration will become inactive until
- 25 the information is provided to the county voter registration
- 26 office; and
- 27 (C) permits the voter to provide the voter's current residence
- 28 address.
- 29 (g) If a voter returns the card described in subsection (f)(2) and
- 30 provides a current residence address that establishes that the voter
- 31 resides:
- 32 (1) in the county, the county voter registration office shall update
- 33 the voter's registration record; or
- 34 (2) outside the county, the county voter registration office shall
- 35 cancel the voter's registration.
- 36 (h) If a card is returned as undeliverable due to an unknown or
- 37 insufficient address by the United States Postal Service after the date
- 38 specified in subsection (f)(2)(B), the county voter registration office
- 39 shall, when registration reopens after the next primary, general, or
- 40 municipal election, determine whether the voter voted or appeared to
- 41 vote from the address set forth in the registration record at any election
- 42 occurring after the final day for completing voter list maintenance



1 activities, and if not, then designate the voter as inactive.

2 (i) If a voter does not return the card described in subsection (f)(2)
3 by the date specified in subsection (f)(2)(B), the county voter
4 registration office shall indicate in the voter's registration record that
5 the voter's registration is inactive.

6 (j) A voter's registration that becomes inactive under subsection (h)
7 or (i) remains in inactive status from the date described in subsection
8 (f)(2)(B) until the earlier of the following:

9 (1) The date the county voter registration office updates or
10 cancels the voter's registration under subsection (g) after the voter
11 provides a current residence address.

12 (2) The day after the second general election in which the voter
13 has not voted or appeared to vote.

14 (k) After the date described in subsection (j)(2), the county voter
15 registration office shall remove the voter's registration from the voter
16 registration records.

17 SECTION 6. IC 3-7-38.2-7.1 IS ADDED TO THE INDIANA
18 CODE AS A NEW SECTION TO READ AS FOLLOWS
19 [EFFECTIVE JULY 1, 2024]: **Sec. 7.1. (a) The secretary of state may
20 contract with a company to receive commercially available data,
21 such as data from a credit agency.**

22 **(b) The secretary of state shall transmit to the NVRA official the
23 information received under subsection (a).**

24 **(c) The NVRA official (or a contractor retained by the election
25 division under this chapter) shall use the information supplied by
26 the secretary of state under this section to identify a voter whose
27 residence may have changed.**

28 SECTION 7. IC 3-7-38.2-7.3 IS ADDED TO THE INDIANA
29 CODE AS A NEW SECTION TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2025]: **Sec. 7.3. (a) For purposes of this
31 section, "proof of citizenship" means one (1) or more of the
32 following:**

33 **(1) The voter's birth certificate or a legible photocopy of the
34 voter's birth certificate.**

35 **(2) The voter's United States passport or a legible photocopy
36 of the pages of the passport that identify the voter and show
37 the passport number.**

38 **(3) The voter's United States naturalization documentation, a
39 legible photocopy of the voter's naturalization documentation,
40 or the voter's certificate of naturalization number. A voter
41 who provides a certificate of naturalization number in lieu of
42 the naturalization documentation is not deemed to have**



1 provided proof of citizenship until the county voter
2 registration office verifies the number with the United States
3 Citizenship and Immigration Services or a successor agency.

4 (4) A document or method of proof of citizenship established
5 under the Immigration Reform and Control Act of 1986 (8
6 U.S.C. 1101 et seq.).

7 (b) The NVRA official shall compare the statewide voter
8 registration system with the bureau of motor vehicles list of
9 temporary credentials issued under IC 9-24-11-5(c) or
10 IC 9-24-16-3(f). If evidence exists that a registered voter is not a
11 citizen of the United States, the NVRA official shall notify the
12 county voter registration office of the county in which the
13 individual is registered to vote that the registered voter may not be
14 a citizen of the United States.

15 (c) After receiving a notice under subsection (b), the county
16 voter registration office shall send a notice to the registered voter
17 inquiring whether the individual is eligible to be registered to vote.
18 An individual who receives a notice under this subsection shall,
19 within thirty (30) days of receiving the notice, provide proof of
20 citizenship to the county voter registration office in person or by
21 mail.

22 (d) If the individual does not provide proof of citizenship within
23 thirty (30) days of receipt of the notice under subsection (c), the
24 county voter registration office that issued the notice shall cancel
25 the individual's registration.

26 (e) An individual who is unable to provide documentation as
27 proof of citizenship under this section may appeal in person or by
28 mail to the county election board of the county in which the person
29 was registered to vote. After receiving an appeal, the county
30 election board shall:

31 (1) conduct a hearing;

32 (2) make a finding concerning the individual's citizenship
33 status; and

34 (3) send a copy of its decision to the county voter registration
35 office of the county in which the individual resides.

36 A county voter registration office that receives a decision under
37 subdivision (3) shall change the voter registration records to
38 accurately reflect the decision of the county election board with
39 respect to the individual.

40 (f) Documentation provided to show proof of citizenship under
41 this section is confidential and is not available for inspection by the
42 public.



1 SECTION 8. IC 3-7-38.2-7.4 IS ADDED TO THE INDIANA
 2 CODE AS A NEW SECTION TO READ AS FOLLOWS
 3 [EFFECTIVE JULY 1, 2024]: Sec. 7.4. **(a) This section applies when**
 4 **the feature within the statewide voter registration system described**
 5 **in IC 3-7-33-5.7(a)(2) identifies a voter registration that lists a**
 6 **potential nonresidential address.**

7 **(b) The county voter registration official shall conduct research**
 8 **on the registration described in subsection (a) to determine if:**

9 **(1) an individual could reside at the address stated on the**
 10 **registration; or**

11 **(2) the individual resides at a nontraditional residence**
 12 **described in IC 3-5-5-18.**

13 **(c) If the county voter registration official determines, following**
 14 **research under subsection (b), that:**

15 **(1) an individual could not reside at the address; or**

16 **(2) the individual does not reside at a nontraditional residence**
 17 **described in IC 3-5-5-18;**

18 **the county voter registration official may perform the voter list**
 19 **maintenance procedures under this chapter.**

20 SECTION 9. IC 3-7-38.2-16, AS AMENDED BY P.L.201-2017,
 21 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 22 JULY 1, 2024]: Sec. 16. **(a) The NVRA official shall, not later than**
 23 **January 31 of each ~~even numbered~~ even-numbered year, request**
 24 **information from the**

25 **(+) United States District Court for the Northern District of**
 26 **Indiana and the**

27 **(-) United States District Court for the Southern District of**
 28 **Indiana**

29 **concerning:**

30 **(1) the return of U.S. mail sent by the court for jury selection**
 31 **purposes; and**

32 **(2) individuals disqualified from jury service due to**
 33 **citizenship status.**

34 **(b) Not later than twenty-eight (28) days following the primary**
 35 **election conducted in that year, the state shall provide each county**
 36 **voter registration office with information concerning any registered**
 37 **voter who:**

38 **(1) appears to no longer reside at the address set forth in the**
 39 **voter's registration record due to a mailing returned to the courts;**
 40 **and**

41 **(2) is disqualified or potentially disqualified as a prospective**
 42 **juror from jury service because the registered voter is not a**



- 1 **United States citizen.**
- 2 (c) Not later than forty-two (42) days following the primary election
- 3 conducted in that year, the county voter registration office shall:
- 4 (1) send an address confirmation notice to the voter described by
- 5 this subsection (b) at the voter's mailing address; or
- 6 (2) follow the procedures prescribed by section 7.3 of this
- 7 chapter.
- 8 SECTION 10. IC 3-7-48-4.5 IS ADDED TO THE INDIANA CODE
- 9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 10 1, 2024]: **Sec. 4.5. (a) This section applies when:**
- 11 **(1) an individual:**
- 12 (A) has applied to register to vote in person at a
- 13 registration agency; and
- 14 (B) did not comply with the proof of residence
- 15 requirements under IC 3-7-13-14 at the time the individual
- 16 applied to register to vote under clause (A);
- 17 (2) the county voter registration office sent a notice to the
- 18 individual described in subdivision (1) under IC 3-7-33-5(b)
- 19 that included the information described in IC 3-7-33-5(c)(4);
- 20 and
- 21 (3) the individual described in subdivision (1) did not comply
- 22 with the proof of residence requirements under IC 3-7-13-14
- 23 by the time the certified list was prepared under IC 3-7-29 for
- 24 the next election following the individual's application under
- 25 subdivision (1)(A).
- 26 (b) The county voter registration office shall provide to the
- 27 county election board the name of each individual described in
- 28 subsection (a). The county election board shall certify to the
- 29 inspector of the precinct where the applicant resides that the
- 30 applicant's voter registration application is pending, and that the
- 31 applicant, subject to fulfilling the requirements under
- 32 IC 3-7-13-14, is entitled to cast a provisional ballot. For purposes
- 33 of this subsection, the county election board shall consider the
- 34 precinct listed in the voter registration application as the precinct
- 35 where the applicant resides.
- 36 (c) An individual described under subsection (a) is entitled to
- 37 cast a provisional ballot.
- 38 (d) The following apply to a provisional ballot cast under
- 39 subsection (c):
- 40 (1) The provisional ballot must be counted if the county
- 41 election board determines that the individual:
- 42 (A) complied with the proof of residence requirements



- 1 under IC 3-7-13-14 before the closing of the polls on
2 election day; and
3 **(B) is otherwise eligible to vote.**
4 **(2) The provisional ballot may not be counted if the county**
5 **election board determines that the individual:**
6 **(A) did not comply with the proof of residence**
7 **requirements under IC 3-7-13-14 before the closing of the**
8 **polls on election day; or**
9 **(B) is otherwise ineligible to vote.**
- 10 SECTION 11. IC 3-11-4-18, AS AMENDED BY P.L.227-2023,
11 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2024]: Sec. 18. (a) If a voter satisfies any of the qualifications
13 described in IC 3-11-10-24 that entitle a voter to cast an absentee ballot
14 by mail, the county election board shall, at the request of the voter, mail
15 the official ballot, postage fully prepaid, to the voter at the address
16 stated in the application. Each ballot may be assigned a unique tracking
17 number as prescribed by the election division using IMb Tracing or a
18 similar automated tracking method to provide real-time tracking
19 information for the envelope containing the ballot. As used in this
20 subsection, "IMb Tracing" refers to a real-time mail tracking service
21 offered through the United States Postal Service.
- 22 (b) If the county election board mails an absentee ballot to a voter
23 required to file additional documentation with the county voter
24 registration office before voting by absentee ballot under this chapter,
25 the board shall include a notice to the voter in the envelope mailed to
26 the voter under section 20 of this chapter. The notice must inform the
27 voter that the voter must file the additional documentation required
28 under IC 3-7-33-4.5 with the county voter registration office before 6
29 p.m. on election day.
- 30 (c) Except as provided in this subsection, section 18.5 of this
31 chapter, or IC 3-11-10-26.5, the ballot shall be transmitted:
32 (1) on the day of the receipt of the voter's application; or
33 (2) not more than five (5) days after the date of delivery of the
34 ballots under section 15 of this chapter;
35 whichever is later. If the election board determines that the county
36 voter registration office has received an application from the applicant
37 for registration at an address within the precinct indicated on the
38 application, and the election board determines that this application is
39 pending under IC 3-7-33, the ballot shall be mailed on the date the
40 county voter registration office indicates under IC 3-7-33-5(g) **or**
41 **IC 3-7-33-5(l)** that the applicant is a registered voter.
- 42 (d) As required by 52 U.S.C. 21081, an election board shall



1 establish a voter education program (specific to a paper ballot or
2 optical scan ballot card provided as an absentee ballot under this
3 chapter) to notify a voter of the effect of casting multiple votes for a
4 single office.
5 (e) As provided by 52 U.S.C. 21081, when an absentee ballot is
6 transmitted under this section, the mailing must include:
7 (1) information concerning the effect of casting multiple votes for
8 an office; and
9 (2) instructions on how to correct the ballot before the ballot is
10 cast and counted, including the issuance of replacement ballots.



COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1264, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 17 through 26, begin a new paragraph and insert:

"(e) A political subdivision that conducts or administers an election may not join the membership of, or participate in a program offered by, a person who has directly financed:

- (1) preparing, administering, or conducting elections; or**
- (2) employing individuals on a temporary basis for the purpose of preparing, administering, or conducting elections, including registering voters.**

For purposes of this subsection, a person does not include the local, state, or federal government."

Page 2, delete lines 38 through 42, begin a new line block indented and insert:

"(2) do not apply to an individual who:

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

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

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

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

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

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

Page 3, delete lines 1 through 5.

Page 10, line 41, delete "systematic alien verification for" and insert **"bureau of motor vehicles list of temporary credentials issued under IC 9-24-11-5(c) or IC 9-24-16-3(f)."**

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Page 10, line 42, delete "entitlements (SAVE) program data base."
and when so amended that said bill do pass.

(Reference is to HB 1264 as introduced.)

WESCO

Committee Vote: yeas 8, nays 4.

