

HOUSE BILL No. 1116

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-11.

Synopsis: Electronic voting machines. Changes the date by which a county must provide a voter verifiable paper audit trail for electronic voting systems from December 31, 2029, to July 1, 2024. Requires that before November 8, 2022, a county that has received state funds for use on a voter verifiable paper audit trail shall use the funds in the manner prescribed.

Effective: July 1, 2022.

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January 4, 2022, read first time and referred to Committee on Elections and Apportionment.



Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

HOUSE BILL No. 1116

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 3-11-14-2, AS AMENDED BY P.L.109-2021,
2 SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2022]: Sec. 2. (a) Except as provided in subsection (c), a
4 county election board may use an approved electronic voting system:
5 (1) in any election;
6 (2) in all or in some of the precincts within a political subdivision
7 holding an election; and
8 (3) instead of or in combination with any other voting method.
9 (b) A county election board may use an electronic voting system
10 which includes a voter verifiable paper audit trail if the voting system:
11 (1) otherwise complies with this chapter and IC 3-11-15; and
12 (2) is certified by the Indiana election commission.
13 (c) A county election board may not use an approved electronic
14 voting system purchased, leased, or otherwise acquired by the county
15 after December 31, 2019, unless the system:
16 (1) is certified by the Indiana election commission; and
17 (2) includes a voter-verifiable paper audit trail.



1 This subsection does not prohibit a county election board from having
 2 maintenance performed on an electronic voting system purchased,
 3 leased, or otherwise acquired by the county before January 1, 2020.

4 (d) The voter verifiable paper audit trail must contain all of the
 5 following:

6 (1) The name or code of the election as provided by the voting
 7 system.

8 (2) The date of the election.

9 (3) The date the voter verifiable paper audit trail was printed.

10 (4) A security code and record number specific to each paper
 11 receipt assigned by the voting system.

12 (5) The name or designation of the voter's precinct.

13 (6) The name or designation of each office on the voter's ballot.

14 (7) The name of the candidate and the designation of the
 15 candidate's political party selected by the voter.

16 (8) If the voter selects a straight party ticket, the name of the
 17 political party ticket the voter selected.

18 (9) The following information:

19 (A) A description of the text of any public question or judicial
 20 retention question on the voter's ballot that:

21 (i) contains not more than thirty (30) characters; and

22 (ii) the county election board determines reasonably conveys
 23 the content of the public question or judicial retention
 24 question.

25 (B) The response the voter selected for each question.

26 (e) The voter verifiable paper audit trail may contain additional
 27 information and instructions determined to be useful to the voter by the
 28 county election board subject to the design capabilities of the voter
 29 verifiable paper audit trail.

30 **(f) Before November 8, 2022, a county that has received state**
 31 **funds for use on a voter verifiable paper audit trail shall use the**
 32 **funds in the manner prescribed.**

33 SECTION 2. IC 3-11-15-13.3, AS AMENDED BY P.L.193-2021,
 34 SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2022]: Sec. 13.3. (a) To be approved by the commission for
 36 use in Indiana, a voting system must meet one (1) of the following:

37 (1) The Voting System Standards adopted by the Federal Election
 38 Commission on April 30, 2002.

39 (2) The Voluntary Voting System Guidelines adopted by the
 40 United States Election Assistance Commission on December 13,
 41 2005.

42 (3) The Voluntary Voting System Guidelines adopted by the



1 United States Election Assistance Commission, as amended on
2 March 31, 2015.

3 (b) Except as provided in subsection (c), a county may continue to
4 use an optical scan ballot card voting system or an electronic voting
5 system whose approval or certification expired on or before October 1,
6 2021, if the voting system:

- 7 (1) was:
8 (A) approved by the commission for use in elections in Indiana
9 before October 1, 2021; and
10 (B) purchased or leased by the county before October 1, 2021;
11 and
12 (2) otherwise complies with the applicable provisions of HAVA
13 and this article.

14 However, a voting system vendor may not market, sell, lease, or install
15 a voting system described in this subsection.

16 (c) A county may not continue to use an electronic voting system
17 after ~~December 31, 2029~~, **July 1, 2024**, unless the:

- 18 (1) system includes a voter verifiable paper audit trail; and
19 (2) certification of that system by the commission has not expired.
20 (d) As provided by 52 U.S.C. 21081, to be used in an election in
21 Indiana, a voting system must be accessible for individuals with
22 disabilities, including nonvisual accessibility for the blind and visually
23 impaired, in a manner that provides the same opportunity for access
24 and participation (including privacy and independence) as for other
25 voters.

26 (e) As provided by 52 U.S.C. 21081, an election board conducting
27 an election satisfies the requirements of subsection (d) if the election
28 board provides at least one (1) electronic voting system or other voting
29 system equipped for individuals with disabilities at each polling place.

30 (f) If a voter who is otherwise qualified to cast a ballot in a precinct
31 chooses to cast the voter's ballot on the voting system provided under
32 subsection (e), the voter must be allowed to cast the voter's ballot on
33 that voting system, whether or not the voter is an individual with
34 disabilities.

