

# HOUSE BILL No. 1220

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 3-11.

**Synopsis:** Absentee voting. Requires all absentee ballot applications sent by an entity other than the county clerk's office to have a disclaimer that the application was sent unsolicited and to list the organization responsible for sending the application. Provides that an agency of the state or a political subdivision may not provide an individual with an application for an absentee ballot unless requested by the individual. Provides that an absentee ballot application must request that the applicant include: (1) the last four digits of the applicant's Social Security number; and (2) one of the following: (A) The applicant's Indiana driver's license number. (B) The applicant's Indiana identification card number for nondrivers. (C) The unique identifying number assigned to the applicant's voter registration record in the computerized list. Requires a county election board to deny an absentee ballot application if the county election board cannot match at least one of the numbers with the applicant's voter's registration record. Provides that under certain circumstances, a person is entitled to vote by absentee ballot by mail if the person is unable to vote: (1) during the period of time a voter may vote by absentee ballot in person before the absentee voter board; (2) on election day; or (3) on election day during the entire 12 hours that the polls are open. (Current law provides that under certain circumstances, a person is entitled to vote by absentee ballot by mail if the person is unable to vote on election day or on election day during the entire 12 hours that the polls are open.) Requires that voting before an absentee voter board at the circuit court clerk's office or at a satellite office be referred to as "early voting" on all forms prescribed by the election division and in all communications with voters. Makes conforming changes.

**Effective:** July 1, 2022.

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January 6, 2022, read first time and referred to Committee on Elections and Apportionment.

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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. 1220

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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 3-11-4-2, AS AMENDED BY P.L.278-2019,  
2 SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2022]: Sec. 2. (a) A voter who wants to vote by absentee  
4 ballot must apply to the county election board for an official absentee  
5 ballot. Except as provided in subsection (b), the voter must sign the  
6 absentee ballot application.

7 (b) If a voter with disabilities is unable to sign the absentee ballot  
8 application and the voter has not designated an individual to serve as  
9 attorney in fact for the voter, the voter may designate an individual  
10 eligible to assist the voter under IC 3-11-9-2(a) to sign the application  
11 on behalf of the voter and add the individual's name to the application.  
12 If an individual applies for an absentee ballot as the properly  
13 authorized attorney in fact for a voter, the attorney in fact must attach  
14 a copy of the power of attorney to the application and comply with  
15 subsection (d).

16 (c) A person may provide an individual with an application for an  
17 absentee ballot with the following information already printed or



- 1 otherwise set forth on the application when provided to the individual:  
 2 (1) The name of the individual.  
 3 (2) The voter registration address of the individual.  
 4 (3) The mailing address of the individual.  
 5 (4) The date of birth of the individual.  
 6 (d) A person may not provide an individual with an application for  
 7 an absentee ballot with the following information already printed or  
 8 otherwise set forth on the application when provided to the individual:  
 9 (1) The address to which the absentee ballot would be mailed, if  
 10 different from the voter registration address of the individual.  
 11 (2) In a primary election, the major political party ballot requested  
 12 by the individual.  
 13 (3) In a primary or general election, the types of absentee ballots  
 14 requested by the individual.  
 15 (4) The reason why the individual is entitled to vote an absentee  
 16 ballot:  
 17 (A) by mail; or  
 18 (B) before an absentee voter board (other than an absentee  
 19 voter board located in the office of the circuit court clerk or a  
 20 satellite office);  
 21 in accordance with IC 3-11-4-18, IC 3-11-10-24, or  
 22 IC 3-11-10-25.  
 23 (5) The voter identification number of the individual.  
 24 (e) If the county election board determines that an absentee ballot  
 25 application does not comply with subsection (d), the board shall deny  
 26 the application under section 17.5 of this chapter.  
 27 **(f) The following statement shall be printed on the envelope of**  
 28 **the absentee ballot application that a person sends to an individual**  
 29 **in underlined and clearly legible print in at least 16 point font:**  
 30 **"(Name of person sending the absentee ballot application) has**  
 31 **sent you the enclosed application. This is unsolicited and is not**  
 32 **sent by a state or local elections official."**  
 33 **(g) This subsection:**  
 34 **(1) applies only to an application to be mailed to an**  
 35 **individual; and**  
 36 **(2) does not apply to an application provided to an individual**  
 37 **online.**  
 38 **An agency of the state or a political subdivision may not provide an**  
 39 **individual with an application for an absentee ballot unless**  
 40 **requested by the individual.**  
 41 **(h) An absentee ballot application must request that the**  
 42 **individual include both of the following on the individual's**



1 **absentee ballot application:**

2 **(1) One (1) of the following:**

3 **(A) The individual's ten (10) digit Indiana driver's license**  
 4 **number issued under IC 9-24-11.**

5 **(B) The individual's ten (10) digit Indiana identification**  
 6 **card number for nondrivers issued under IC 9-24-16.**

7 **(C) The unique identifying number assigned to the voter's**  
 8 **registration record in the computerized list.**

9 **(2) The last four (4) digits of the voter's Social Security**  
 10 **number.**

11 **The application form must state that the application will be denied**  
 12 **if the county election board cannot match at least one (1) of the**  
 13 **numbers described in this subsection with the voter's registration**  
 14 **record.**

15 **(i) The county election board shall deny an absentee ballot**  
 16 **application if the county election board cannot match at least one**  
 17 **(1) of the numbers described in subsection (h) with the voter's**  
 18 **registration record.**

19 ~~(f)~~ **(j)** A person who assists an individual in completing any  
 20 information described in subsection (d) on an absentee ballot  
 21 application shall state under the penalties for perjury the following  
 22 information on the application:

23 (1) The full name, residence and mailing address, and daytime  
 24 and evening telephone numbers (if any) of the person providing  
 25 the assistance.

26 (2) The date this assistance was provided.

27 (3) That the person providing the assistance has complied with  
 28 Indiana laws governing the submission of absentee ballot  
 29 applications.

30 (4) That the person has no knowledge or reason to believe that the  
 31 individual submitting the application:

32 (A) is ineligible to vote or to cast an absentee ballot; or

33 (B) did not properly complete and sign the application.

34 When providing assistance to an individual, the person must, in the  
 35 individual's presence and with the individual's consent, provide the  
 36 information listed in subsection (d) if the individual is unable to do so.

37 ~~(g)~~ **(k)** This subsection does not apply to an employee of the United  
 38 States Postal Service or a bonded courier company acting in the  
 39 individual's capacity as an employee of the United States Postal Service  
 40 or a bonded courier company. A person who receives a completed  
 41 absentee ballot application from the individual who has applied for the  
 42 absentee ballot shall indicate on the application the date the person



1 received the application, and file the application with the appropriate  
2 county election board or election division not later than:

- 3 (1) noon ten (10) days after the person receives the application;  
4 or  
5 (2) the deadline set by Indiana law for filing the application with  
6 the board;

7 whichever occurs first. The election division, a county election board,  
8 or a board of elections and registration shall forward an absentee ballot  
9 application to the county election board or board of elections and  
10 registration of the county where the individual resides.

11 ~~(h)~~ **(l)** This subsection does not apply to an employee of the United  
12 States Postal Service or a bonded courier company acting in the  
13 individual's capacity as an employee of the United States Postal Service  
14 or a bonded courier company, or to the election division, a county  
15 election board, or a board of elections and registration. A person filing  
16 an absentee ballot application, other than the person's own absentee  
17 ballot application, must include an affidavit with the application. The  
18 affidavit must be signed by the individual who received the completed  
19 application from the applicant. The affidavit must be in a form  
20 prescribed by the election division. The form must include the  
21 following:

- 22 (1) A statement of the full name, residence and mailing address,  
23 and daytime and evening telephone numbers (if any) of the person  
24 submitting the application.  
25 (2) A statement that the person filing the affidavit has complied  
26 with Indiana laws governing the submission of absentee ballot  
27 applications.  
28 (3) The date (or dates) that the absentee ballot applications  
29 attached to the affidavit were received.  
30 (4) A statement that the person has no knowledge or reason to  
31 believe that the individual whose application is to be filed:  
32 (A) is ineligible to vote or to cast an absentee ballot; or  
33 (B) did not properly complete and sign the application.  
34 (5) A statement that the person is executing the affidavit under the  
35 penalties of perjury.  
36 (6) A statement setting forth the penalties for perjury.

37 ~~(i)~~ **(m)** The county election board shall record the date and time of  
38 the filing of the affidavit.

39 SECTION 2. IC 3-11-4-3, AS AMENDED BY P.L.109-2021,  
40 SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
41 JULY 1, 2022]: Sec. 3. (a) Except as provided in subsection (c) and  
42 section 6 of this chapter, an application for an absentee ballot must be



1 received by the circuit court clerk (or, in a county subject to IC 3-6-5.2  
 2 or IC 3-6-5.6, the director of the board of elections and registration) not  
 3 earlier than the date the registration period resumes under IC 3-7-13-10  
 4 nor later than the following:

5 (1) Noon on election day if the voter registers to vote under  
 6 IC 3-7-36-14.

7 (2) Noon on the day before election day if the voter:

8 (A) completes the application in the office of the circuit court  
 9 clerk under IC 3-11-10-26; or

10 (B) is an absent uniformed services voter or overseas voter  
 11 who requests that the ballot be transmitted by electronic mail  
 12 or fax under section 6(h) of this chapter.

13 (3) Noon on the day before election day if:

14 (A) the application is a mailed, transmitted by electronic mail  
 15 or fax, or hand delivered application from a confined voter or  
 16 voter caring for a confined person; and

17 (B) the applicant requests that the absentee ballots be  
 18 delivered to the applicant by an absentee voter board under  
 19 IC 3-11-10-25.

20 (4) 11:59 p.m. twelve (12) days before election day if the  
 21 application is:

22 (A) a mailed application;

23 (B) transmitted by electronic mail;

24 (C) transmitted by fax; or

25 (D) hand delivered;

26 from other voters who request to vote by mail under  
 27 IC 3-11-10-24.

28 (b) An application for an absentee ballot received by the election  
 29 division by the time and date specified by subsection (a)(2)(B), (a)(3),  
 30 or (a)(4) is considered to have been timely received for purposes of  
 31 processing by the county. The election division shall immediately  
 32 transmit the application to the circuit court clerk, or the director of the  
 33 board of elections and registration, of the county where the applicant  
 34 resides. The election division is not required to complete or file the  
 35 affidavit required under section ~~2(h)~~ **2(i)** of this chapter whenever the  
 36 election division transmits an application under this subsection.

37 (c) An application for an absentee ballot for the election may not be  
 38 received by the circuit court clerk (or, in a county subject to IC 3-6-5.2  
 39 or IC 3-6-5.6, the director of the board of elections and registration)  
 40 earlier than December 1 of the year before the election.

41 SECTION 3. IC 3-11-4-5.1, AS AMENDED BY P.L.193-2021,  
 42 SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE



1 JULY 1, 2022]: Sec. 5.1. (a) The election division shall prescribe the  
2 form of an application for an absentee ballot.

3 (b) This subsection does not apply to the form for an absentee ballot  
4 application to be submitted by an absent uniformed services voter or  
5 overseas voter that contains a standardized oath for those voters. The  
6 form of the application for an absentee ballot must do all of the  
7 following:

8 (1) Require the applicant to swear to or affirm under the penalties  
9 of perjury that all of the information set forth on the application  
10 is true to the best of the applicant's knowledge and belief.

11 (2) Require a person who assisted with the completion of the  
12 application to swear to or affirm under the penalties of perjury the  
13 statements set forth in section ~~2(f)~~ **2(j)** of this chapter.

14 (3) Serve as a verified statement for a voter to indicate a change  
15 of name under IC 3-7-41. The form must require the applicant to  
16 indicate the applicant's previous name.

17 (4) Set forth the penalties for perjury.

18 (c) The form prescribed by the election division shall require that a  
19 voter who:

20 (1) requests an absentee ballot; and

21 (2) is eligible to vote in the precinct under IC 3-10-11 or  
22 IC 3-10-12;

23 must include the affidavit required by IC 3-10-11 or a written  
24 affirmation described in IC 3-10-12.

25 (d) The election division shall approve absentee ballot application  
26 forms that comply with ~~this subsection and section 2(g) 2~~ of this  
27 chapter and permit the applicant to indicate a change of name under  
28 subsection (b). ~~The form prescribed by the election division must~~  
29 ~~request that a voter who requests an absentee ballot:~~

30 ~~(1) provide the last four (4) digits of the voter's Social Security~~  
31 ~~number; or~~

32 ~~(2) state that the voter does not have a Social Security number.~~

33 ~~The form must indicate that the voter's compliance with this request is~~  
34 ~~optional.~~

35 ~~(e) An application form submitted by a voter must comply with~~  
36 ~~subsection (d).~~

37 ~~(f)~~ (e) The form prescribed by the election division must include a  
38 statement that permits an applicant to indicate whether:

39 (1) the applicant has been certified and is currently a participant  
40 in the address confidentiality program under IC 5-26.5-2; and

41 (2) the applicant's legal address is the address set forth in the  
42 applicant's voter registration.



1 If the applicant confirms these statements, the applicant may indicate  
 2 the address of the office of the attorney general as the address to which  
 3 the absentee ballot is to be mailed.

4 ~~(g)~~ **(f)** This subsection applies to an application to receive an  
 5 absentee ballot:

6 (1) by mail under IC 3-11-10-24; or

7 (2) in the form of an application to vote before an absentee voter  
 8 board under IC 3-11-10-25 at the voter's place of confinement or  
 9 the residence of the voter.

10 If the voter wishes to submit an application under this section in an  
 11 electronic format using a module of the statewide voter registration  
 12 system, the voter must include a telephone number at which the voter  
 13 can be reached to submit the application.

14 ~~(h)~~ **(g)** The application form for an absentee ballot must enable the  
 15 applicant to provide the applicant's electronic mail address. However,  
 16 an applicant's failure to provide an electronic mail address is not a  
 17 reason for denial of the absentee ballot application.

18 SECTION 4. IC 3-11-4-17, AS AMENDED BY P.L.13-2013,  
 19 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JULY 1, 2022]: Sec. 17. Upon receipt of an application for an absentee  
 21 ballot, a circuit court clerk shall file the application in the clerk's office  
 22 and record all of the following in the statewide voter registration list  
 23 maintained under IC 3-7-26.3:

24 (1) The voter's name.

25 (2) The date the application is received.

26 (3) The information provided by the voter under section ~~5-1(d)~~ **5.1**  
 27 of this chapter.

28 (4) The date the ballot is sent to the voter.

29 (5) If mailed, the address to which the ballot is sent.

30 (6) If transmitted by fax, the fax number to which the ballot is  
 31 faxed.

32 (7) The date the ballot is marked before the clerk or otherwise  
 33 received from the voter.

34 (8) The combined total number of absentee ballots sent by the  
 35 county to absent uniformed services voters and overseas voters.

36 (9) The total number of absentee ballots returned by voters  
 37 described in subdivision (8) in time to be counted.

38 (10) The total number of absentee ballots described in subdivision  
 39 (8) that were counted in whole or in part.

40 (11) Any other information that is necessary or advisable.

41 SECTION 5. IC 3-11-4-17.5, AS AMENDED BY P.L.193-2021,  
 42 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE





1 JULY 1, 2022]: Sec. 17.5. (a) Upon receiving an application for an  
 2 absentee ballot, the county election board (or the absentee voter board  
 3 in the office of the circuit court clerk) shall determine if:

- 4 (1) the applicant is a voter of the precinct in which the applicant  
 5 resides, according to the records of the county voter registration  
 6 office;  
 7 (2) the information set forth on the application appears to be true;  
 8 (3) the signature of the voter on the application substantially  
 9 conforms with the signature of the voter on the voter registration  
 10 record, or that any substantial difference between the signatures  
 11 can be accounted for by age or disability of the voter or the  
 12 execution of the affidavit by an individual acting under section  
 13 2(b) of this chapter; and  
 14 (4) the application has been completed and filed in accordance  
 15 with Indiana and federal law.

16 If the members of the absentee voter board are unable to agree about  
 17 any of the determinations described in subdivisions (1) through (4), the  
 18 issue shall be referred to the county election board for determination.  
 19 If the application is submitted by a voter wanting to cast an absentee  
 20 ballot under IC 3-11-10-26, IC 3-11-10-26.2, or IC 3-11-10-26.3, the  
 21 voter shall be permitted to cast a provisional ballot, which the county  
 22 election board shall retain.

23 (b) If:

- 24 (1) the applicant is not a voter of the precinct according to the  
 25 registration record; or  
 26 (2) the application as completed and filed:  
 27 (A) contains a false statement; or  
 28 (B) does not otherwise comply with Indiana or federal law;

29 as alleged under section 18.5 of this chapter, the county election board  
 30 shall deny the application.

31 (c) A voter's failure to provide the information requested under  
 32 section ~~5.1(d)~~ 5.1 of this chapter does not affect a voter's ability to  
 33 receive an absentee ballot. A county election board may not deny an  
 34 application because the voter has not provided the information  
 35 requested under section ~~5.1(d)~~ 5.1 of this chapter as a part of the voter's  
 36 application for an absentee ballot.

37 (d) If the application is denied, the county election board shall  
 38 provide the voter with the reasons for the denial of the application.  
 39 Unless the voter is present when the board denies the application, the  
 40 board shall send a written notice stating the reasons for the denial to the  
 41 voter. The notice must be sent:

- 42 (1) not later than forty-eight (48) hours after the application is



1 denied; and

2 (2) to the voter:

3 (A) at the address at which the voter requested that the  
4 absentee ballot be mailed;

5 (B) to the voter's electronic mail address, if the voter has  
6 provided an electronic mail address on the voter's absentee  
7 ballot application; or

8 (C) by personal delivery of the notice.

9 (e) If the county election board determines that the applicant is a  
10 voter of the precinct under subsection (a), the board shall then  
11 determine whether:

12 (1) the applicant was required to file any additional  
13 documentation under IC 3-7-33-4.5; and

14 (2) the applicant has filed this documentation according to the  
15 records of the county voter registration office.

16 If the applicant has not filed the required documentation, the county  
17 election board shall approve the application if the application otherwise  
18 complies with this chapter. The board shall add a notation to the  
19 application and to the record compiled under section 17 of this chapter  
20 indicating that the applicant will be required to provide additional  
21 documentation to the county voter registration office under  
22 IC 3-7-33-4.5 before the absentee ballot may be counted.

23 (f) If the applicant:

24 (1) is a voter of the precinct according to the registration record;  
25 and

26 (2) states on the application that the applicant resides at an  
27 address that is within the same precinct but is not the same  
28 address shown on the registration record;

29 the county election board shall direct the county voter registration  
30 office to transfer the applicant's voter registration address to the  
31 address within the precinct shown on the application. The applicant's  
32 application for an absentee ballot shall be approved if the applicant is  
33 otherwise eligible to receive the ballot under this chapter.

34 SECTION 6. IC 3-11-10-24, AS AMENDED BY P.L.109-2021,  
35 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
36 JULY 1, 2022]: Sec. 24. (a) Except as provided in subsection (b), a  
37 voter who satisfies any of the following is entitled to vote by mail:

38 (1) The voter has a specific, reasonable expectation of being  
39 absent from the county **during the period of time a voter may**  
40 **vote by absentee ballot before the board (as described in**  
41 **section 26 of this chapter) and** on election day during the entire  
42 twelve (12) hours that the polls are open.



- 1 (2) The voter will be absent from the precinct of the voter's  
 2 residence **during the period of time a voter may vote by**  
 3 **absentee ballot before the board (as described in section 26 of**  
 4 **this chapter) and** on election day, because of service as:  
 5 (A) a precinct election officer under IC 3-6-6;  
 6 (B) a watcher under IC 3-6-8, IC 3-6-9, or IC 3-6-10;  
 7 (C) a challenger or pollbook holder under IC 3-6-7; or  
 8 (D) a person employed by an election board to administer the  
 9 election for which the absentee ballot is requested.
- 10 (3) The voter will be confined **during the period of time a voter**  
 11 **may vote by absentee ballot before the board (as described in**  
 12 **section 26 of this chapter) and** on election day **during the**  
 13 **entire twelve (12) hours that the polls are open** to the voter's  
 14 residence, to a health care facility, or to a hospital because of an  
 15 illness or injury. ~~during the entire twelve (12) hours that the polls~~  
 16 ~~are open.~~
- 17 (4) The voter is a voter with disabilities.
- 18 (5) The voter is an elderly voter.
- 19 (6) The voter is prevented from voting due to the voter's care of  
 20 an individual confined to a private residence because of illness or  
 21 injury **during the period of time a voter may vote by absentee**  
 22 **ballot before the board (as described in section 26 of this**  
 23 **chapter) and** during the entire twelve (12) hours that the polls are  
 24 open.
- 25 (7) The voter is scheduled to work at the person's regular place of  
 26 employment **during the period of time a voter may vote by**  
 27 **absentee ballot before the board (as described in section 26 of**  
 28 **this chapter) and** during the entire twelve (12) hours that the  
 29 polls are open.
- 30 (8) The voter is eligible to vote under IC 3-10-11 or IC 3-10-12.
- 31 (9) The voter is prevented from voting due to observance of a  
 32 religious discipline or religious holiday **during the period of**  
 33 **time a voter may vote by absentee ballot before the board (as**  
 34 **described in section 26 of this chapter) and** during the entire  
 35 twelve (12) hours that the polls are open.
- 36 (10) The voter is an address confidentiality program participant  
 37 (as defined in IC 5-26.5-1-6).
- 38 (11) The voter is a member of the Indiana National Guard  
 39 deployed or on assignment inside Indiana or a public safety  
 40 officer.
- 41 (12) The voter is a serious sex offender (as defined in  
 42 IC 35-42-4-14(a)).



- 1 (13) The voter is prevented from voting due to the unavailability  
 2 of transportation to the polls.
- 3 (b) An absent uniformed services voter or overseas voter is entitled  
 4 to vote by mail using the combined absentee registration form and  
 5 absentee ballot request approved under 52 U.S.C. 20301(b)(2).
- 6 (c) A county shall mail an absentee ballot to a voter under this  
 7 section by nonforwardable United States Postal Service mail.
- 8 (d) Except as provided in subsection (l), a voter with disabilities  
 9 who:  
 10 (1) is unable to make a voting mark on the ballot or sign the  
 11 absentee ballot secrecy envelope; and  
 12 (2) requests that the absentee ballot be delivered to an address  
 13 within Indiana;  
 14 must vote before an absentee voter board under section 25(b) of this  
 15 chapter.
- 16 (e) If a voter receives an absentee ballot by mail, the voter shall  
 17 personally mark the ballot in secret and seal the marked ballot inside  
 18 the envelope provided by the county election board for that purpose.  
 19 The voter shall:  
 20 (1) deposit the sealed envelope in the United States mail for  
 21 delivery to the county election board; or  
 22 (2) authorize a member of the voter's household, family listed in  
 23 IC 3-6-6-7(a)(4), or the individual designated as the voter's  
 24 attorney in fact to:  
 25 (A) deposit the sealed envelope in the United States mail; or  
 26 (B) deliver the sealed envelope in person to the county  
 27 election board at:  
 28 (i) the office of the circuit court clerk or the office of the  
 29 board of elections and registration under section 26 of this  
 30 chapter;  
 31 (ii) a satellite office of the circuit court clerk designated  
 32 under section 26.3 of this chapter; or  
 33 (iii) a satellite office of a vote center under IC 3-11-18.1-11.  
 34 A voter who delivers the sealed envelope under this clause  
 35 may request a replacement absentee ballot under IC 3-11.5-4-2  
 36 and cast a replacement absentee ballot at an office or vote  
 37 center described in items (i) through (iii).
- 38 (f) A county election board shall reject an absentee ballot deposited  
 39 in a drop box or other container or location that is not under the  
 40 physical control and supervision of the county election board when the  
 41 ballot is deposited.
- 42 (g) If a drop box or other container is located in a building under the



1 control of a political subdivision in which a document may be  
2 deposited for other purposes related to the office of the circuit court  
3 clerk or an office of any other political subdivision, the political  
4 subdivision in control of the drop box or container shall post a notice  
5 on or in a prominent location adjacent to the drop box or container  
6 saying substantially as follows: "Do not deposit a voted absentee ballot  
7 into this box or container. The absentee ballot will not be counted."

8 (h) If an absentee ballot is deposited into a box or container in  
9 violation of subsection (f) or (g), the county election board shall mark  
10 the absentee ballot security envelope as rejected and, if possible,  
11 promptly notify the individual whose name appears on the security  
12 envelope containing the absentee ballot.

13 (i) If a member of the voter's household, family listed in  
14 IC 3-6-6-7(a)(4), or the voter's attorney in fact delivers the sealed  
15 envelope containing a voter's absentee ballot to the county election  
16 board, the individual delivering the ballot shall complete an affidavit  
17 in a form prescribed by the election division. The affidavit must  
18 contain the following information:

19 (1) The name and residence address of the voter whose absentee  
20 ballot is being delivered.

21 (2) A statement of the full name, residence and mailing address,  
22 and daytime and evening telephone numbers (if any) of the  
23 individual delivering the absentee ballot.

24 (3) A statement indicating whether the individual delivering the  
25 absentee ballot is a member of the voter's household, family listed  
26 in IC 3-6-6-7(a)(4), or is the attorney in fact for the voter. If the  
27 individual is the attorney in fact for the voter, the individual must  
28 attach a copy of the power of attorney for the voter, unless a copy  
29 of this document has already been filed with the county election  
30 board.

31 (4) The date and location at which the absentee ballot was  
32 delivered by the voter to the individual delivering the ballot to the  
33 county election board.

34 (5) A statement that the individual delivering the absentee ballot  
35 has complied with Indiana laws governing absentee ballots.

36 (6) A statement that the individual delivering the absentee ballot  
37 is executing the affidavit under the penalties of perjury.

38 (7) A statement setting forth the penalties for perjury.

39 (j) The county election board shall record the date and time that the  
40 affidavit under subsection (i) was filed with the board.

41 (k) After a voter has mailed or delivered an absentee ballot to the  
42 office of the county election board, the voter may not recast a ballot,



1       except as provided in IC 3-11-4-17.7, IC 3-11.5-4-2, and  
2       IC 3-11.5-4-21.  
3       (l) A voter with print disabilities may vote by using the system  
4       developed by the secretary of state under IC 3-11-4-6(k).  
5       SECTION 7. IC 3-11-10-26.1 IS ADDED TO THE INDIANA  
6       CODE AS A NEW SECTION TO READ AS FOLLOWS  
7       [EFFECTIVE JULY 1, 2022]: **Sec. 26.1. Voting before an absentee**  
8       **voter board under section 26 of this chapter shall be referred to as**  
9       **"early voting" on all forms prescribed by the election division and**  
10       **in all communications with voters.**

