

# HOUSE BILL No. 1311

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 3-11-4-3.

**Synopsis:** Absentee ballots. Requires certain applications for an absentee ballot to be received not later than 11:59 p.m. 12 days before the date of an election. (Under current law, these applications must be received not later than 11:59 p.m. eight days before an election.)

**Effective:** January 1, 2020.

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## Saunders, Cherry

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January 14, 2019, read first time and referred to Committee on Elections and Apportionment.

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First Regular Session of the 121st General Assembly (2019)

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 2018 Regular and Special Session of the General Assembly.

## HOUSE BILL No. 1311

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 3-11-4-3, AS AMENDED BY P.L.201-2017,  
2 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JANUARY 1, 2020]: Sec. 3. (a) Except as provided in subsection (c)  
4 and section 6 of this chapter, an application for an absentee ballot must  
5 be received by the circuit court clerk (or, in a county subject to  
6 IC 3-6-5.2, the director of the board of elections and registration) not  
7 earlier than the date the registration period resumes under IC 3-7-13-10  
8 nor later than the following:  
9 (1) Noon on election day if the voter registers to vote under  
10 IC 3-7-36-14.  
11 (2) Noon on the day before election day if the voter:  
12 (A) completes the application in the office of the circuit court  
13 clerk under IC 3-11-10-26; or  
14 (B) is an absent uniformed services voter or overseas voter  
15 who requests that the ballot be transmitted by electronic mail  
16 or fax under section 6(h) of this chapter.  
17 (3) Noon on the day before election day if:



- 1 (A) the application is a mailed, transmitted by fax, or hand  
 2 delivered application from a confined voter or voter caring for  
 3 a confined person; and  
 4 (B) the applicant requests that the absentee ballots be  
 5 delivered to the applicant by an absentee voter board under  
 6 IC 3-11-10-25.
- 7 (4) 11:59 p.m. ~~on the eighth day~~ **twelve (12) days** before election  
 8 day if the application is:  
 9 (A) a mailed application;  
 10 (B) transmitted by electronic mail;  
 11 (C) transmitted by fax; or  
 12 (D) hand delivered;  
 13 from other voters who request to vote by mail under  
 14 IC 3-11-10-24.
- 15 (b) An application for an absentee ballot received by the election  
 16 division by the time and date specified by subsection (a)(2)(B), (a)(3),  
 17 or (a)(4) is considered to have been timely received for purposes of  
 18 processing by the county. The election division shall immediately  
 19 transmit the application to the circuit court clerk, or the director of the  
 20 board of elections and registration, of the county where the applicant  
 21 resides. The election division is not required to complete or file the  
 22 affidavit required under section 2(h) of this chapter whenever the  
 23 election division transmits an application under this subsection.
- 24 (c) This subsection applies to the primary election held before the  
 25 general election conducted in ~~2018~~ **2022** and every four (4) years  
 26 thereafter. An application for an absentee ballot for the primary  
 27 election may not be received by the circuit court clerk (or, in a county  
 28 subject to IC 3-6-5.2, the director of the board of elections and  
 29 registration) earlier than December 1 of the year before the primary  
 30 election.

