

# HOUSE BILL No. 1330

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 3-7; IC 9-24-2.5-4.

**Synopsis:** Automatic voter registration. 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.

**Effective:** July 1, 2021.

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## Johnson

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January 14, 2021, read first time and referred to Committee on Elections and Apportionment.

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First Regular Session of the 122nd General Assembly (2021)

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 2020 Regular Session of the General Assembly.

# HOUSE BILL No. 1330

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 3-7-14-2 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) Except as provided in  
3 subsection (b), the definitions in IC 9-13-2 apply to this chapter.  
4 (b) ~~A reference to the "commission" in this chapter is a reference to~~  
5 ~~the Indiana election commission unless otherwise stated.~~  
6 (b) **A reference to an "application" in this chapter is a reference**  
7 **to an application to obtain or renew a motor vehicle driver's**  
8 **license or permit or an identification card unless otherwise stated.**  
9 SECTION 2. IC 3-7-14-4, AS AMENDED BY P.L.128-2015,  
10 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11 JULY 1, 2021]: Sec. 4. (a) An application to ~~obtain or renew a motor~~  
12 ~~vehicle driver's license, permit, or identification card~~ serves as an  
13 application for voter registration:  
14 (1) under this article; and  
15 (2) as provided in 52 U.S.C. 20504(a)(1). ~~unless the applicant~~  
16 ~~fails to sign~~  
17 (b) **An individual's signature on an application is considered the**



1 **individual's signature for the individual's** voter registration  
2 application.

3 SECTION 3. IC 3-7-14-5, AS AMENDED BY P.L.128-2015,  
4 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
5 JULY 1, 2021]: Sec. 5. As provided in 52 U.S.C. 20504(c)(1); The  
6 bureau of motor vehicles commission shall **design each application**  
7 **form to include the information required for** a voter registration  
8 application form as a part of the application for a driver's license  
9 prescribed under IC 9-24: **required by Indiana law.**

10 SECTION 4. IC 3-7-14-6, AS AMENDED BY P.L.169-2015,  
11 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
12 JULY 1, 2021]: Sec. 6. The **bureau of motor vehicles commission**  
13 **and the** election division shall ~~prescribe the jointly~~ design of the  
14 **registration application** form required under section 5 of this chapter.

15 SECTION 5. IC 3-7-14-7 IS REPEALED [EFFECTIVE JULY 1,  
16 2021]. Sec. 7: As provided in 52 U.S.C. 20504(c)(2); the registration  
17 form described in section 5 of this chapter must meet the following  
18 requirements:

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

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

24 (A) Prevent duplication of voter registrations:

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

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

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

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

29 (A) Sets forth each eligibility requirement for registration  
30 (including citizenship):

31 (B) Contains an attestation that the applicant meets each of the  
32 eligibility requirements:

33 (C) Requires the signature of the applicant; under penalty of  
34 perjury:

35 (4) The form must include the following; in print that is identical  
36 to the print used in the attestation part of the application:

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

39 (B) A statement that, if an applicant declines to register to  
40 vote, the fact that the applicant has declined to register will  
41 remain confidential and will be used only for voter registration  
42 purposes:



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

SECTION 6. IC 3-7-14-7.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 7.1. The application form described in section 5 of this chapter must meet the following requirements:**

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

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

(A) Prevent duplication of voter registrations.

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

(i) assess the eligibility of the applicant; and

(ii) administer the election and voter registration system.

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

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

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

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

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

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

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

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

(6) The form must require the signature of the applicant under the penalties of perjury.

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

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

(B) A statement that, regardless of the applicant's decision



1 **regarding registering to vote or updating the applicant's**  
 2 **voter registration record, that fact will remain confidential**  
 3 **and will be used only for voter registration purposes.**

4 SECTION 7. IC 3-7-14-8 IS REPEALED [EFFECTIVE JULY 1,  
 5 2021]. Sec. 8: ~~To register under this chapter, an individual must do the~~  
 6 ~~following while on the premises of the license branch:~~

7 ~~(1) Complete the voter registration application under section 4 of~~  
 8 ~~this chapter.~~

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

10 SECTION 8. IC 3-7-14-9, AS AMENDED BY P.L.164-2006,  
 11 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 12 JULY 1, 2021]: Sec. 9. (a) An employee of the bureau of motor  
 13 vehicles commission who provides an individual with a ~~driver's license~~  
 14 ~~or identification card~~ **an application shall do the following:**

15 (1) Inform each individual who ~~applies for a driver's license or an~~  
 16 ~~identification card~~ **seeks to complete an application** that the  
 17 information the individual provides on the individual's application  
 18 will be used to register the individual to vote unless **any of the**  
 19 **following apply:**

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

21 (B) The individual declines to register to vote. ~~or fails to~~  
 22 ~~complete the voter registration part of the application;~~ **or The**  
 23 **employee shall explain to the individual that if the**  
 24 **individual does not select an option set forth under section**  
 25 **7.1(4) of this chapter, the individual will be considered to**  
 26 **have selected the option that the individual:**

27 **(i) meets the eligibility requirements for voter**  
 28 **registration; and**

29 **(ii) wishes to register to vote or to update the individual's**  
 30 **voter registration record.**

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

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

36 (3) Check the completed ~~voter registration~~ form for legibility and  
 37 completeness.

38 (4) Inform the individual that the individual will receive a mailing  
 39 from the county voter registration office of the county where the  
 40 individual resides concerning the disposition of the voter  
 41 registration application.

42 (5) Inform each individual who submits a change of address for



1 a driver's license or identification card that the information serves  
 2 as notice of a change of address for voter registration unless the  
 3 applicant ~~states in writing~~ **indicates** on the form that the change  
 4 of address is not for voter registration purposes.

5 (b) The bureau of motor vehicles commission shall transmit a voter  
 6 registration ~~form~~ **information** to the election division for transmittal  
 7 to the appropriate county voter registration office in accordance with  
 8 IC 3-7-26.3.

9 SECTION 9. IC 3-7-14-10 IS AMENDED TO READ AS  
 10 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 10. If an individual is  
 11 ~~registering to vote~~ **completes an application** after the twenty-ninth day  
 12 before the date that a primary, general, municipal, or special election  
 13 is scheduled in the precinct where the ~~voter individual~~ resides, the  
 14 employee of the bureau of motor vehicles commission who provides an  
 15 individual with a ~~driver's license or an identification card~~ application  
 16 shall do the following:

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

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

21 SECTION 10. IC 3-7-14-11, AS AMENDED BY P.L.164-2006,  
 22 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 23 JULY 1, 2021]: Sec. 11. **Unless the applicant declines to register**  
 24 **under section 7.1 of this chapter**, whenever an applicant completes  
 25 a ~~voter registration~~ **an** application under section 4 of this chapter, the  
 26 bureau of motor vehicles commission shall provide the applicant with  
 27 a written acknowledgment that the applicant has completed a voter  
 28 registration application at a license branch. The acknowledgment:

29 (1) may be:

30 (A) a detachable part; or

31 (B) an electronic version;

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

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

36 SECTION 11. IC 3-7-14-12, AS AMENDED BY P.L.128-2015,  
 37 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2021]: Sec. 12. (a) An applicant who completes a ~~voter~~  
 39 ~~registration~~ **an** application under section 4 of this chapter is not  
 40 required to submit the application to a county voter registration office.

41 (b) The bureau of motor vehicles commission shall forward the  
 42 voter registration ~~part of information on~~ the application to the election



1 division for transmittal to the appropriate county voter registration  
 2 office on an expedited basis in accordance with IC 3-7-26.3,  
 3 IC 9-24-2.5, and 52 U.S.C. 20504(c)(2)(E).

4 SECTION 12. IC 3-7-14-14, AS AMENDED BY P.L.128-2015,  
 5 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 6 JULY 1, 2021]: Sec. 14. Except as provided in section 15 of this  
 7 chapter, an application under section 4 of this chapter authorizes a  
 8 county voter registration office to update the voter registration record  
 9 of the applicant:

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

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

14 SECTION 13. IC 3-7-14-15, AS AMENDED BY P.L.128-2015,  
 15 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 JULY 1, 2021]: Sec. 15. As provided in 52 U.S.C. 20504(d), a circuit  
 17 court clerk or board of registration may update the address in the voter  
 18 registration of an applicant, unless the applicant indicates on an  
 19 application to ~~obtain or renew a motor vehicle driver's license~~ or any  
 20 other change of address form submitted to the clerk or board by the  
 21 bureau of motor vehicles commission that the change of address of the  
 22 applicant is not for voter registration purposes.

23 SECTION 14. IC 3-7-33-3, AS AMENDED BY P.L.128-2015,  
 24 SECTION 112, IS AMENDED TO READ AS FOLLOWS  
 25 [EFFECTIVE JULY 1, 2021]: Sec. 3. (a) This section applies to a voter  
 26 registration application that is:

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

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

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

34 SECTION 15. IC 9-24-2.5-4, AS AMENDED BY P.L.71-2019,  
 35 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 36 JULY 1, 2021]: Sec. 4. (a) As required under 52 U.S.C. 20504(e)(1),  
 37 the manager or designated license branch employee shall transmit an  
 38 electronic version of the ~~completed~~ voter registration ~~portion of~~  
 39 **information from** each application **or renewal** for a driver's license  
 40 or an identification card for nondrivers issued under this article to the  
 41 county voter registration office of the county in which the individual's  
 42 residential address (as indicated on the application) is 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.

