

# HOUSE BILL No. 1383

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 3-5-7-6; IC 3-11; IC 3-14-2-19; IC 9-13-2-138.3; IC 9-24.

**Synopsis:** Documents and procedures concerning elections. Requires that when an individual withdraws as a candidate, that withdrawal shall be used to update the individual's voter registration address. Permits the use of an electronic device at a precinct or vote center to display a sample ballot or provisional ballot. Provides that when a person provides an individual with an absentee ballot application, the required disclosure must be printed on the back of the application. (Under current law, the disclosure must be printed on the envelope in which the application was sent.) Provides that a person may not provide an individual with more than one absentee ballot application. Requires that if a driver's license, learner's permit, or identification card is issued to an individual who is not a citizen of the United States, the letter "A" must precede the driver's license number, learner's permit number, or identification card number. Provides that an individual renewing a driver's license, learner's permit, or identification card must submit proof of current address with the renewal application.

**Effective:** July 1, 2023.

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## Hostettler

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January 17, 2023, read first time and referred to Committee on Elections and Apportionment.

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First Regular Session of the 123rd General Assembly (2023)

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 2022 Regular Session of the General Assembly.

## HOUSE BILL No. 1383

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 3-5-7-6 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2023]: Sec. 6. (a) This section does not apply  
3 to any of the following:  
4 (1) A candidate in a presidential primary election under IC 3-8-3.  
5 (2) A candidate for President of the United States.  
6 (3) A candidate for Vice President of the United States.  
7 (b) As used in this section, "candidacy document" refers to any of  
8 the following:  
9 (1) A declaration of intent to be a write-in candidate.  
10 (2) A declaration of candidacy.  
11 (3) A consent to the nomination.  
12 (4) A consent to become a candidate.  
13 (5) A certificate of candidate selection.  
14 (6) A consent filed under IC 3-13-2-7.  
15 (7) A statement filed under IC 33-24-2 or IC 33-25-2.  
16 **(8) A withdrawal of a candidacy document under any of the**  
17 **following:**



- 1 (A) IC 3-8-2-2.7.  
 2 (B) IC 3-8-2-20.  
 3 (C) IC 3-8-2.5-4.  
 4 (D) IC 3-8-3-7.5.  
 5 (E) IC 3-8-5-10.5.  
 6 (F) IC 3-8-5-14.5.  
 7 (G) IC 3-8-6-13.5.  
 8 (H) IC 3-8-7-28.  
 9 (I) IC 3-10-8-7.5.
- 10 (c) Whenever a candidate files a candidacy document on which the  
 11 candidate uses a name that is different from the name set forth on the  
 12 candidate's voter registration record, the candidate's signature on the  
 13 candidacy document constitutes a request to the county voter  
 14 registration office that the name on the candidate's voter registration  
 15 record be the same as the name the candidate uses on the candidacy  
 16 document.
- 17 (d) A request by a candidate under this section is considered filed  
 18 with the county voter registration office when the candidacy document  
 19 is filed with the election division or the county election board.
- 20 (e) The election division or the county election board shall forward  
 21 a request filed under this section to the county voter registration office  
 22 not later than seven (7) days after receiving the request.
- 23 **(f) If a candidate withdraws the individual's candidacy, that**  
 24 **withdrawal shall be used to update that individual's voter**  
 25 **registration address.**
- 26 SECTION 2. IC 3-11-3-11, AS AMENDED BY P.L.193-2021,  
 27 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2023]: Sec. 11. (a) Except as provided in subsection (b), the  
 29 county election board shall deliver the following to each inspector or  
 30 the inspector's representative:
- 31 (1) The supplies provided for the inspector's precinct by the  
 32 election division.
- 33 (2) The sample ballots, the ballot labels, if any, and all poll lists,  
 34 registration lists, and other supplies considered necessary to  
 35 conduct the election in the inspector's precinct.
- 36 (3) The ballots printed under the direction of the county election  
 37 board as follows:
- 38 (A) In those precincts where ballot card voting systems are to  
 39 be used, the number of ballots at least equal to one hundred  
 40 percent (100%) of the number of voters in the inspector's  
 41 precinct, according to the poll list.
- 42 (B) In those precincts where electronic voting systems are to



- 1 be used, the number of ballots that will be required to be  
 2 printed and furnished to the precincts for emergency purposes  
 3 only.  
 4 (C) Provisional ballots in the number considered necessary by  
 5 the county election board.  
 6 (4) Twenty (20) ink pens suitable for printing the names of  
 7 write-in candidates on the ballot or ballot envelope.  
 8 (5) Copies of the voter's bill of rights for posting as required by 52  
 9 U.S.C. 21082.  
 10 (6) Copies of the instructions for a provisional voter required by  
 11 52 U.S.C. 21082 and IC 3-11.7-2-2. The county election board  
 12 shall provide at least the number of copies of the instructions as  
 13 the number of provisional ballots provided under subdivision (3).  
 14 (7) Copies of the notice for posting as required by IC 3-7-29-1(f).  
 15 (8) The blank voter registration applications required to be  
 16 provided under IC 3-7-48-7(b).  
 17 **(9) An electronic form of the sample ballot and provisional**  
 18 **ballot, if required under IC 3-11-11-1.7, IC 3-11-13-9, or**  
 19 **IC 3-11-14-7.**  
 20 (b) This subsection applies to a county that:  
 21 (1) has adopted an order under IC 3-7-29-6(a)(1); or  
 22 (2) is a vote center county under IC 3-11-18.1.  
 23 The county election board shall deliver and install the hardware,  
 24 firmware, and software necessary to use an electronic poll book in each  
 25 precinct or vote center.  
 26 SECTION 3. IC 3-11-3-25, AS AMENDED BY P.L.128-2015,  
 27 SECTION 155, IS AMENDED TO READ AS FOLLOWS  
 28 [EFFECTIVE JULY 1, 2023]: Sec. 25. (a) As required by 52 U.S.C.  
 29 21082, the inspector of each precinct shall post the samples of each of  
 30 the state and local ballots provided by the county election board under  
 31 this article in and about the polls. **Except as provided in subsection**  
 32 **(b), the sample ballots shall be printed on different paper than the**  
 33 **genuine ballots.**  
 34 **(b) For purposes of subsection (a), an electronic device may be**  
 35 **used at a precinct or vote center to display a sample ballot or**  
 36 **provisional ballot. For purposes of certification of voting systems**  
 37 **under this article, an electronic device, the only function of which**  
 38 **is the display of sample ballots and provisional ballots, is not**  
 39 **considered to be a voting system or part of a voting system.**  
 40 SECTION 4. IC 3-11-4-2, AS AMENDED BY THE TECHNICAL  
 41 CORRECTIONS BILL OF THE 2023 GENERAL ASSEMBLY, IS  
 42 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2023]:



1 Sec. 2. (a) A voter who wants to vote by absentee ballot must apply to  
 2 the county election board for an official absentee ballot. Except as  
 3 provided in subsection (b), the voter must sign the absentee ballot  
 4 application.

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

14 (c) A person may provide an individual with an application for an  
 15 absentee ballot with the following information already printed or  
 16 otherwise set forth on the application when provided to the individual:

- 17 (1) The name of the individual.
- 18 (2) The voter registration address of the individual.
- 19 (3) The mailing address of the individual.
- 20 (4) The date of birth of the individual.

21 (d) A person may not provide an individual with an application for  
 22 an absentee ballot with the following information already printed or  
 23 otherwise set forth on the application when provided to the individual:

- 24 (1) The address to which the absentee ballot would be mailed, if  
 25 different from the voter registration address of the individual.
- 26 (2) In a primary election, the major political party ballot requested  
 27 by the individual.
- 28 (3) In a primary or general election, the types of absentee ballots  
 29 requested by the individual.
- 30 (4) The reason why the individual is entitled to vote an absentee  
 31 ballot:

32 (A) by mail; or

33 (B) before an absentee voter board (other than an absentee  
 34 voter board located in the office of the circuit court clerk or a  
 35 satellite office);

36 in accordance with ~~IC 3-11-4-18~~ **section 18 of this chapter**,  
 37 IC 3-11-10-24, or IC 3-11-10-25.

- 38 (5) The voter identification number of the individual.

39 (e) If the county election board determines that an absentee ballot  
 40 application does not comply with subsection (d), the board shall deny  
 41 the application under section 17.5 of this chapter.

42 (f) The following statement must be printed in at least 16 point font



1 size, underlined, and clearly legible print on the ~~envelope~~ **back** of an  
2 absentee ballot application that a person sends to an individual:

3 "(Name of person sending the absentee ballot application) has  
4 sent you the enclosed application. This is unsolicited and is not  
5 sent by a state or local ~~elections~~ **election** official."

6 **(g) A person may not provide an individual with more than one**  
7 **(1) absentee ballot application under subsections (c) and (d).**

8 ~~(g)~~ **(h)** This subsection applies only to an absentee ballot application  
9 submitted in an electronic format using a module of the computerized  
10 list under IC 3-7-26.3. In order for an individual to access the absentee  
11 ballot application, the individual shall provide either of the following:

- 12 (1) The individual's ten (10) digit Indiana driver's license number.  
13 (2) The last four (4) digits of the individual's Social Security  
14 number.

15 ~~(h)~~ **(i)** A person who assists an individual in completing any  
16 information described in subsection (d) on an absentee ballot  
17 application shall state under the penalties for perjury the following  
18 information on the application:

- 19 (1) The full name, residence and mailing address, and daytime  
20 and evening telephone numbers (if any) of the person providing  
21 the assistance.  
22 (2) The date this assistance was provided.  
23 (3) That the person providing the assistance has complied with  
24 Indiana laws governing the submission of absentee ballot  
25 applications.  
26 (4) That the person has no knowledge or reason to believe that the  
27 individual submitting the application:  
28 (A) is ineligible to vote or to cast an absentee ballot; or  
29 (B) did not properly complete and sign the application.

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

33 ~~(i)~~ **(j)** This subsection does not apply to an employee of the United  
34 States Postal Service or a bonded courier company acting in the  
35 individual's capacity as an employee of the United States Postal Service  
36 or a bonded courier company. A person who receives a completed  
37 absentee ballot application from the individual who has applied for the  
38 absentee ballot shall indicate on the application the date the person  
39 received the application, and file the application with the appropriate  
40 county election board or election division not later than:

- 41 (1) noon ten (10) days after the person receives the application;  
42 or



- 1 (2) the deadline set by Indiana law for filing the application with  
 2 the board;  
 3 whichever occurs first. The election division, a county election board,  
 4 or a board of elections and registration shall forward an absentee ballot  
 5 application to the county election board or board of elections and  
 6 registration of the county where the individual resides.
- 7 ~~(j)~~ **(k)** This subsection does not apply to an employee of the United  
 8 States Postal Service or a bonded courier company acting in the  
 9 individual's capacity as an employee of the United States Postal Service  
 10 or a bonded courier company, or to the election division, a county  
 11 election board, or a board of elections and registration. A person filing  
 12 an absentee ballot application, other than the person's own absentee  
 13 ballot application, must include an affidavit with the application. The  
 14 affidavit must be signed by the individual who received the completed  
 15 application from the applicant. The affidavit must be in a form  
 16 prescribed by the election division. The form must include the  
 17 following:
- 18 (1) A statement of the full name, residence and mailing address,  
 19 and daytime and evening telephone numbers (if any) of the person  
 20 submitting the application.
  - 21 (2) A statement that the person filing the affidavit has complied  
 22 with Indiana laws governing the submission of absentee ballot  
 23 applications.
  - 24 (3) The date (or dates) that the absentee ballot applications  
 25 attached to the affidavit were received.
  - 26 (4) A statement that the person has no knowledge or reason to  
 27 believe that the individual whose application is to be filed:  
 28 (A) is ineligible to vote or to cast an absentee ballot; or  
 29 (B) did not properly complete and sign the application.
  - 30 (5) A statement that the person is executing the affidavit under the  
 31 penalties of perjury.
  - 32 (6) A statement setting forth the penalties for perjury.
- 33 ~~(k)~~ **(l)** The county election board shall record the date and time of  
 34 the filing of the affidavit.
- 35 SECTION 5. IC 3-11-4-3, AS AMENDED BY P.L.131-2022,  
 36 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2023]: Sec. 3. (a) Except as provided in subsection (c) and  
 38 section 6 of this chapter, an application for an absentee ballot must be  
 39 received by the circuit court clerk (or, in a county subject to IC 3-6-5.2  
 40 or IC 3-6-5.6, the director of the board of elections and registration) not  
 41 earlier than the date the registration period resumes under IC 3-7-13-10  
 42 nor later than the following:



- 1 (1) Noon on election day if the voter registers to vote under  
 2 IC 3-7-36-14.
- 3 (2) Noon on the day before election day if the voter:  
 4 (A) completes the application in the office of the circuit court  
 5 clerk under IC 3-11-10-26; or  
 6 (B) is an absent uniformed services voter or overseas voter  
 7 who requests that the ballot be transmitted by electronic mail  
 8 or fax under section 6(h) of this chapter.
- 9 (3) Noon on the day before election day if:  
 10 (A) the application is a mailed, transmitted by electronic mail  
 11 or fax, or hand delivered application from a confined voter or  
 12 voter caring for a confined person; and  
 13 (B) the applicant requests that the absentee ballots be  
 14 delivered to the applicant by an absentee voter board under  
 15 IC 3-11-10-25.
- 16 (4) 11:59 p.m. twelve (12) days before election day if the  
 17 application is:  
 18 (A) a mailed application;  
 19 (B) transmitted by electronic mail;  
 20 (C) transmitted by fax; or  
 21 (D) hand delivered;  
 22 from other voters who request to vote by mail under  
 23 IC 3-11-10-24 or for a voter with print disabilities to vote by  
 24 electronic mail or fax under section 6(h) of this chapter.
- 25 (b) An application for an absentee ballot received by the election  
 26 division by the time and date specified by subsection (a)(2)(B), (a)(3),  
 27 or (a)(4) is considered to have been timely received for purposes of  
 28 processing by the county. The election division shall immediately  
 29 transmit the application to the circuit court clerk, or the director of the  
 30 board of elections and registration, of the county where the applicant  
 31 resides. The election division is not required to complete or file the  
 32 affidavit required under section ~~2(j)~~ **2(k)** of this chapter whenever the  
 33 election division transmits an application under this subsection.
- 34 (c) An application for an absentee ballot for the election may not be  
 35 received by the circuit court clerk (or, in a county subject to IC 3-6-5.2  
 36 or IC 3-6-5.6, the director of the board of elections and registration)  
 37 earlier than December 1 of the year before the election.
- 38 SECTION 6. IC 3-11-4-5.1, AS AMENDED BY P.L.115-2022,  
 39 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 40 JULY 1, 2023]: Sec. 5.1. (a) The election division shall prescribe the  
 41 form of an application for an absentee ballot.  
 42 (b) This subsection does not apply to the form for an absentee ballot





1 application to be submitted by an absent uniformed services voter or  
 2 overseas voter that contains a standardized oath for those voters. The  
 3 form of the application for an absentee ballot must do all of the  
 4 following:

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

8 (2) Require a person who assisted with the completion of the  
 9 application to swear to or affirm under the penalties of perjury the  
 10 statements set forth in section ~~2(h)~~ **2(i)** of this chapter.

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

14 (4) Set forth the penalties for perjury.

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

17 (1) requests an absentee ballot; and

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

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

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

27 (1) provide the last four (4) digits of the voter's Social Security  
 28 number; or

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

30 The form must indicate that the voter's compliance with this request is  
 31 optional.

32 (e) An application form submitted by a voter must comply with  
 33 subsection (d).

34 (f) The form prescribed by the election division must include a  
 35 statement that permits an applicant to indicate whether:

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

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

40 If the applicant confirms these statements, the applicant may indicate  
 41 the address of the office of the attorney general as the address to which  
 42 the absentee ballot is to be mailed.



1 (g) This subsection applies to an application to receive an absentee  
2 ballot:

- 3 (1) by mail under IC 3-11-10-24; or  
4 (2) in the form of an application to vote before an absentee voter  
5 board under IC 3-11-10-25 at the voter's place of confinement or  
6 the residence of the voter.

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

11 (h) The application form for an absentee ballot must enable the  
12 applicant to provide the applicant's electronic mail address. However,  
13 an applicant's failure to provide an electronic mail address is not a  
14 reason for denial of the absentee ballot application.

15 SECTION 7. IC 3-11-11-1.3 IS ADDED TO THE INDIANA CODE  
16 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
17 1, 2023]: **Sec. 1.3. For purposes of this chapter, an electronic device  
18 may be used at a precinct or vote center to display a sample ballot  
19 or provisional ballot. For purposes of certification of voting  
20 systems under this article, an electronic device, the only function  
21 of which is the display of sample ballots and provisional ballots, is  
22 not considered to be a voting system or part of a voting system.**

23 SECTION 8. IC 3-11-11-1.7, AS AMENDED BY THE  
24 TECHNICAL CORRECTIONS BILL OF THE 2023 GENERAL  
25 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
26 JULY 1, 2023]: Sec. 1.7. (a) ~~Each county election board shall provide  
27 an adequate number of sample ballots for each precinct of the county.~~  
28 The county election board shall arrange ~~the~~ sample ballots in the form  
29 of a diagram showing:

- 30 (1) the political party and independent tickets;  
31 (2) the offices to be filled;  
32 (3) the names of the candidates; and  
33 (4) the public questions;

34 in the same order in which they will occur on the official ballots printed  
35 under the jurisdiction of the election division and the county election  
36 board. However, if presidential electors are to be voted for at an  
37 election, then the ballot of each party or independent ticket must be in  
38 the form prescribed by IC 3-10-4-1.

39 (b) **Each county election board shall provide for each precinct  
40 in the county:**

- 41 (1) **an adequate number of sample ballots; and**  
42 (2) **an electronic form of the:**



1           **(A) sample ballot arranged under subsection (a), if the**  
 2           **county election board requires display of sample ballots**  
 3           **using an electronic device under section 1.3 of this chapter;**  
 4           **and**  
 5           **(B) provisional ballot, if the county election board requires**  
 6           **display of provisional ballots using an electronic device**  
 7           **under section 1.3 of this chapter.**

8           ~~(b)~~ **(c)** This subsection applies to a county having a population of  
 9           more than four hundred thousand (400,000) ~~but~~ **and** less than seven  
 10          hundred thousand (700,000). At least ten (10) days before an election,  
 11          each county election board shall duplicate, distribute, and cause to be  
 12          posted copies of official sample ballots:

- 13                 (1) received from the election division; and  
 14                 (2) prepared by the county election board;  
 15          to schools, fire stations, county courthouses, and other public buildings  
 16          in the county.

17          SECTION 9. IC 3-11-13-9, AS AMENDED BY P.L.190-2011,  
 18          SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19          JULY 1, 2023]: Sec. 9. **(a)** The public officials charged with the duty  
 20          of providing ballot cards or ballot labels shall also provide:

- 21                 **(1) sample ballots; and**  
 22                 **(2) an electronic form of the:**  
 23                         **(A) sample ballot arranged under subsection (b), if the**  
 24                         **county election board requires display of sample ballots**  
 25                         **using an electronic device under section 10.5 of this**  
 26                         **chapter; and**  
 27                         **(B) provisional ballot, if the county election board requires**  
 28                         **display of provisional ballots using an electronic device**  
 29                         **under section 10.5 of this chapter.**

- 30          **(b)** A sample ballot must be:  
 31                 (1) a copy of the official ballot cards or ballot labels;  
 32                 (2) arranged in the form of a diagram showing the front of the  
 33                 marking device as it will appear at the election; and  
 34                 (3) altered so marks on the sample ballot cannot be counted as  
 35                 votes.

36          SECTION 10. IC 3-11-13-10.5 IS ADDED TO THE INDIANA  
 37          CODE AS A NEW SECTION TO READ AS FOLLOWS  
 38          [EFFECTIVE JULY 1, 2023]: **Sec. 10.5. For purposes of this**  
 39          **chapter, an electronic device may be used at a precinct or vote**  
 40          **center to display a sample ballot or provisional ballot. For**  
 41          **purposes of certification of voting systems under this article, an**  
 42          **electronic device, the only function of which is the display of**



1 **sample ballots and provisional ballots, is not considered to be a**  
 2 **voting system or part of a voting system.**

3 SECTION 11. IC 3-11-14-7, AS AMENDED BY P.L.194-2013,  
 4 SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 5 JULY 1, 2023]: Sec. 7. (a) ~~Each county election board shall provide the~~  
 6 ~~number of sample ballots the county election board considers adequate~~  
 7 ~~for each precinct of the county.~~ The county election board shall arrange  
 8 the sample ballots in the form of a diagram showing the entire front of  
 9 an electronic voting system as it will appear on the official ballots  
 10 printed under the jurisdiction of the county election board. However,  
 11 if presidential electors are to be voted for at an election, then the ballot  
 12 label of each political party or independent ticket must be in the form  
 13 prescribed by IC 3-10-4-1.

14 (b) **Each county election board shall provide for each precinct**  
 15 **of the county:**

16 (1) **the number of sample ballots the county election board**  
 17 **considers adequate for each precinct; and**

18 (2) **an electronic form of the:**

19 (A) **sample ballot arranged under subsection (a), if the**  
 20 **county election board requires display of sample ballots**  
 21 **using an electronic device under section 18.5 of this**  
 22 **chapter; and**

23 (B) **provisional ballot, if the county election board requires**  
 24 **display of provisional ballots using an electronic device**  
 25 **under section 18.5 of this chapter.**

26 SECTION 12. IC 3-11-14-18.5 IS ADDED TO THE INDIANA  
 27 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 28 [EFFECTIVE JULY 1, 2023]: **Sec. 18.5. For purposes of this**  
 29 **chapter, an electronic device may be used at a precinct or vote**  
 30 **center to display a sample ballot or provisional ballot. For**  
 31 **purposes of certification of voting systems under this article, an**  
 32 **electronic device, the only function of which is the display of**  
 33 **sample ballots and provisional ballots, is not considered to be a**  
 34 **voting system or part of a voting system.**

35 SECTION 13. IC 3-14-2-19, AS AMENDED BY P.L.158-2013,  
 36 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 37 JULY 1, 2023]: Sec. 19. (a) A person who knowingly:

38 (1) forges or falsely makes the official endorsement of a ballot; or

39 (2) prints or circulates an imitation ballot;

40 commits a Level 6 felony.

41 (b) This section does not prohibit the:

42 (1) printing or circulation of a sample ballot or a reproduction of



1 an official ballot if the sample or reproduction complies with  
 2 IC 3-9-3-2.5 and the printing or circulation does not violate  
 3 IC 3-14-1-2; and

4 **(2) display of a sample ballot or provisional ballot under**  
 5 **IC 3-11-3-25, IC 3-11-11-1.3, IC 3-11-13-10.5, or**  
 6 **IC 3-11-14-18.5.**

7 SECTION 14. IC 9-13-2-138.3 IS ADDED TO THE INDIANA  
 8 CODE AS A NEW SECTION TO READ AS FOLLOWS  
 9 [EFFECTIVE JULY 1, 2023]: **Sec. 138.3. "Proof of current address"**  
 10 **refers to any of the following that contains the current name and**  
 11 **current address of the individual submitting the document:**

12 **(1) A current utility bill.**

13 **(2) A current bank statement.**

14 **(3) A current government check.**

15 **(4) A current paycheck.**

16 **(5) A current government document.**

17 SECTION 15. IC 9-24-11-5, AS AMENDED BY P.L.120-2020,  
 18 SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2023]: Sec. 5. (a) Except as provided in subsection (d), a  
 20 learner's permit or driver's license issued under this article must contain  
 21 the following information:

22 (1) The full legal name of the permittee or licensee.

23 (2) The date of birth of the permittee or licensee.

24 (3) The address of the principal residence of the permittee or  
 25 licensee.

26 (4) The hair color and eye color of the permittee or licensee.

27 (5) The date of issue and expiration date of the permit or license.

28 (6) The gender of the permittee or licensee.

29 (7) The unique identifying number of the permit or license. **If the**  
 30 **permittee or licensee is not a citizen of the United States, the**  
 31 **letter "A" must precede the unique identifying number.**

32 (8) The weight of the permittee or licensee.

33 (9) The height of the permittee or licensee.

34 (10) A reproduction of the signature of the permittee or licensee.

35 (11) If the permittee or licensee is less than eighteen (18) years of  
 36 age at the time of issuance, the dates, notated prominently, on  
 37 which the permittee or licensee will become:

38 (A) eighteen (18) years of age; and

39 (B) twenty-one (21) years of age.

40 (12) If the permittee or licensee is at least eighteen (18) years of  
 41 age but less than twenty-one (21) years of age at the time of  
 42 issuance, the date, notated prominently, on which the permittee or



- 1 licensee will become twenty-one (21) years of age.  
 2 (13) Except as provided in subsection (b), a digital photograph of  
 3 the permittee or licensee.  
 4 (b) The bureau may provide for the omission of a photograph or  
 5 computerized image from any driver's license or learner's permit if  
 6 there is good cause for the omission. However, a driver's license or  
 7 learner's permit issued without a digital photograph must include a  
 8 statement that indicates that the driver's license or learner's permit may  
 9 not be accepted by a federal agency for federal identification or any  
 10 other federal purpose.  
 11 (c) A driver's license or learner's permit issued to an individual who:  
 12 (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant  
 13 visa status for entry in the United States;  
 14 (2) has a pending application for asylum in the United States;  
 15 (3) has a pending or approved application for temporary protected  
 16 status in the United States;  
 17 (4) has approved deferred action status; or  
 18 (5) has a pending application for adjustment of status to that of an  
 19 alien lawfully admitted for permanent residence in the United  
 20 States or conditional permanent residence status in the United  
 21 States;  
 22 must be clearly identified as a temporary driver's license or learner's  
 23 permit. A temporary driver's license or learner's permit issued under  
 24 this subsection may not be renewed without the presentation of valid  
 25 documentary evidence proving that the licensee's or permittee's  
 26 temporary status has been extended.  
 27 (d) For purposes of subsection (a), an individual certified as a  
 28 program participant in the address confidentiality program under  
 29 IC 5-26.5 is not required to provide the address of the individual's  
 30 principal residence, but may provide an address designated by the  
 31 office of the attorney general under IC 5-26.5 as the address of the  
 32 individual's principal residence.  
 33 (e) Notwithstanding the July 1, 2021, effective date in HEA  
 34 1506-2019, SECTION 49 (P.L.178-2019), this section takes effect July  
 35 1, 2020 (rather than July 1, 2021).  
 36 SECTION 16. IC 9-24-12-5, AS AMENDED BY P.L.111-2021,  
 37 SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 38 JULY 1, 2023]: Sec. 5. (a) Except as provided in subsection (b), and  
 39 subject to subsection (d), an individual applying for renewal of a  
 40 driver's license (issued under IC 9-24-3), or a chauffeur's or a public  
 41 passenger chauffeur's license, including any endorsements in effect  
 42 with respect to the license, must apply in person at a license branch and



- 1 do the following:
- 2 (1) Pass an eyesight examination.
- 3 (2) Pass a written examination if:
- 4 (A) the applicant has at least six (6) active points on the
- 5 applicant's driving record maintained by the bureau;
- 6 (B) the applicant has not reached the applicant's twenty-first
- 7 birthday and has active points on the applicant's driving record
- 8 maintained by the bureau; or
- 9 (C) the applicant is in possession of a driver's license that is
- 10 expired beyond one hundred eighty (180) days.
- 11 **(3) Submit a proof of current address.**
- 12 (b) The holder of a driver's license (issued under IC 9-24-3), a
- 13 chauffeur's or a public passenger chauffeur's license, or a learner's
- 14 permit issued under IC 9-24-7 may renew the license, including any
- 15 endorsements in effect with respect to the license, by mail or by
- 16 electronic service, subject to the following conditions:
- 17 (1) A valid computerized image of the individual must exist
- 18 within the records of the bureau.
- 19 (2) The previous renewal of the individual's driver's license
- 20 (issued under IC 9-24-3), chauffeur's or public passenger
- 21 chauffeur's license, or a learner's permit issued under IC 9-24-7
- 22 must not have been by mail or by electronic service.
- 23 (3) The application for or previous renewal of the individual's
- 24 license or permit must have included a test of the individual's
- 25 eyesight approved by the bureau.
- 26 (4) If the individual were applying for the license or permit
- 27 renewal in person at a license branch, the individual would not be
- 28 required under subsection (a)(2) to submit to a written
- 29 examination.
- 30 (5) The individual must be a citizen of the United States, as
- 31 shown in the records of the bureau.
- 32 (6) There must not have been any change in the:
- 33 (A) address; or
- 34 (B) name;
- 35 of the individual since the issuance or previous renewal of the
- 36 individual's driver's license (issued under IC 9-24-3), chauffeur's
- 37 or public passenger chauffeur's license, or a learner's permit
- 38 issued under IC 9-24-7. **The individual must submit a proof of**
- 39 **current address. If the individual is renewing by mail, the**
- 40 **individual may submit a photocopy of the document. If the**
- 41 **individual is renewing by electronic service, the individual**
- 42 **may submit a copy of the document in portable document**



- 1           **format.**  
 2           (7) The driver's license (issued under IC 9-24-3), chauffeur's or  
 3           public passenger chauffeur's license, or a learner's permit issued  
 4           under IC 9-24-7 of the individual must not be:  
 5                 (A) suspended; or  
 6                 (B) expired more than one hundred eighty (180) days;  
 7           at the time of the application for renewal.  
 8           (8) If the individual is seventy-five (75) years of age or older at  
 9           the time of the application for renewal, the individual must  
 10          provide proof, on a form approved by the bureau, that the  
 11          individual has passed an eyesight examination within thirty (30)  
 12          days prior to the renewal application.  
 13          (c) An individual applying for the renewal of a driver's license  
 14          (issued under IC 9-24-3), a chauffeur's license or a public passenger  
 15          chauffeur's license, or a learner's permit issued under IC 9-24-7,  
 16          including any endorsements in effect with respect to the license, must  
 17          apply in person at a license branch under subsection (a) if the  
 18          individual is not entitled to apply by mail or by electronic service under  
 19          subsection (b).  
 20          (d) The bureau may not issue or renew a chauffeur's or a public  
 21          passenger chauffeur's license after December 31, 2016. If a holder of  
 22          a chauffeur's or a public passenger chauffeur's license applies after  
 23          December 31, 2016, for renewal of the chauffeur's or public passenger  
 24          chauffeur's license, the bureau shall issue to the holder a driver's  
 25          license under IC 9-24-3 with a for-hire endorsement if the holder:  
 26                 (1) applies in a form and manner prescribed by the bureau; and  
 27                 (2) satisfies the requirements for renewal of a driver's license  
 28                 issued under IC 9-24-3, including the fee and examination  
 29                 requirements under this section.  
 30          (e) An individual applying for the renewal of a driver's license  
 31          issued under IC 9-24-3 shall pay the following applicable fee:  
 32                 (1) If the individual is less than seventy-five (75) years of age,  
 33                 seventeen dollars and fifty cents (\$17.50). The fee shall be  
 34                 distributed as follows:  
 35                         (A) Fifty cents (\$0.50) to the state motor vehicle technology  
 36                         fund.  
 37                         (B) Two dollars (\$2) to the crossroads 2000 fund.  
 38                         (C) Four dollars and fifty cents (\$4.50) to the motor vehicle  
 39                         highway account.  
 40                         (D) One dollar and twenty-five cents (\$1.25) to the integrated  
 41                         public safety communications fund.  
 42                         (E) Nine dollars and twenty-five cents (\$9.25) to the





- 1 commission fund.
- 2 (2) If the individual is at least seventy-five (75) years of age and  
3 less than eighty-five (85) years of age, eleven dollars (\$11). The  
4 fee shall be distributed as follows:
- 5 (A) Fifty cents (\$0.50) to the state motor vehicle technology  
6 fund.
- 7 (B) One dollar and fifty cents (\$1.50) to the crossroads 2000  
8 fund.
- 9 (C) Three dollars (\$3) to the motor vehicle highway account.
- 10 (D) One dollar and twenty-five cents (\$1.25) to the integrated  
11 public safety communications fund.
- 12 (E) Four dollars and seventy-five cents (\$4.75) to the  
13 commission fund.
- 14 (3) If the individual is at least eighty-five (85) years of age, seven  
15 dollars (\$7). The fee shall be distributed as follows:
- 16 (A) Fifty cents (\$0.50) to the state motor vehicle technology  
17 fund.
- 18 (B) One dollar (\$1) to the crossroads 2000 fund.
- 19 (C) Two dollars (\$2) to the motor vehicle highway account.
- 20 (D) One dollar and twenty-five cents (\$1.25) to the integrated  
21 public safety communications fund.
- 22 (E) Two dollars and twenty-five cents (\$2.25) to the  
23 commission fund.
- 24 A fee paid under this subsection after December 31, 2016, includes the  
25 renewal of any endorsements that are in effect with respect to the  
26 driver's license issued under IC 9-24-3 at the time of renewal.
- 27 SECTION 17. IC 9-24-16-3, AS AMENDED BY P.L.111-2021,  
28 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
29 JULY 1, 2023]: Sec. 3. (a) An identification card:
- 30 (1) in physical form must have the same dimensions and shape as  
31 a driver's license; and
- 32 (2) in the form of a mobile credential must have the same format  
33 as a driver's license;
- 34 but the card must have markings sufficient to distinguish the card from  
35 a driver's license.
- 36 (b) Except as provided in subsection (g), the front side of a physical  
37 identification card or the top portion of an identification card in the  
38 format of a mobile credential must contain the expiration date of the  
39 identification card and the following information about the individual  
40 to whom the card is being issued:
- 41 (1) Full legal name.
- 42 (2) The address of the principal residence.



- 1 (3) Date of birth.  
 2 (4) Date of issue and date of expiration.  
 3 (5) Unique identification number. **If the individual is not a**  
 4 **citizen of the United States, the letter "A" must precede the**  
 5 **unique identifying number.**  
 6 (6) Gender.  
 7 (7) Weight.  
 8 (8) Height.  
 9 (9) Color of eyes and hair.  
 10 (10) Reproduction of the signature of the individual identified.  
 11 (11) Whether the individual is blind (as defined in  
 12 IC 12-7-2-21(1)).  
 13 (12) If the individual is less than eighteen (18) years of age at the  
 14 time of issuance, the dates on which the individual will become:  
 15 (A) eighteen (18) years of age; and  
 16 (B) twenty-one (21) years of age.  
 17 (13) If the individual is at least eighteen (18) years of age but less  
 18 than twenty-one (21) years of age at the time of issuance, the date  
 19 on which the individual will become twenty-one (21) years of age.  
 20 (14) Digital photograph of the individual.  
 21 (c) The information contained on the identification card as required  
 22 by subsection (b)(12) or (b)(13) for an individual who is less than  
 23 twenty-one (21) years of age at the time of issuance shall be notated  
 24 prominently on the identification card.  
 25 (d) If the individual complies with section 2(f) or 2(g) of this  
 26 chapter, an indication of the individual's veteran status or status as the  
 27 surviving spouse of a veteran of the armed forces of the United States,  
 28 as applicable, shall be shown on the identification card.  
 29 (e) If the applicant for an identification card submits information to  
 30 the bureau concerning the applicant's medical condition, the bureau  
 31 shall place an identifying symbol on the face of the identification card  
 32 to indicate that the applicant has a medical condition of note. The  
 33 bureau shall include information on the identification card that briefly  
 34 describes the medical condition of the holder of the card. The  
 35 information must be printed in a manner that alerts a person reading the  
 36 card to the existence of the medical condition. The applicant for an  
 37 identification card is responsible for the accuracy of the information  
 38 concerning the medical condition submitted under this subsection. The  
 39 bureau shall inform an applicant that submission of information under  
 40 this subsection is voluntary.  
 41 (f) An identification card issued by the state to an individual who:  
 42 (1) has a valid, unexpired nonimmigrant visa or has nonimmigrant



- 1 visa status for entry in the United States;  
 2 (2) has a pending application for asylum in the United States;  
 3 (3) has a pending or approved application for temporary protected  
 4 status in the United States;  
 5 (4) has approved deferred action status; or  
 6 (5) has a pending application for adjustment of status to that of an  
 7 alien lawfully admitted for permanent residence in the United  
 8 States or conditional permanent residence status in the United  
 9 States;

10 must be clearly identified as a temporary identification card. A  
 11 temporary identification card issued under this subsection may not be  
 12 renewed without the presentation of valid documentary evidence  
 13 proving that the holder of the identification card's temporary status has  
 14 been extended.

15 (g) For purposes of subsection (b), an individual certified as a  
 16 program participant in the address confidentiality program under  
 17 IC 5-26.5 is not required to provide the address of the individual's  
 18 principal residence, but may provide an address designated by the  
 19 office of the attorney general under IC 5-26.5 as the address of the  
 20 individual's principal residence.

21 (h) The bureau shall validate an identification card for motor driven  
 22 cycle operation upon a highway by endorsement to an individual who:

- 23 (1) applies for or has previously been issued an identification card  
 24 under this chapter;  
 25 (2) makes the appropriate application for endorsement; and  
 26 (3) satisfactorily completes the test required under section 3.6 of  
 27 this chapter.

28 The bureau shall place a designation on the face of the identification  
 29 card to indicate that the individual has received a motor driven cycle  
 30 endorsement.

31 SECTION 18. IC 9-24-16-4.5, AS AMENDED BY P.L.111-2021,  
 32 SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2023]: Sec. 4.5. (a) The bureau may adopt rules under  
 34 IC 4-22-2 concerning the ability of an individual to renew an  
 35 identification card under section 5 of this chapter, apply for a  
 36 replacement identification card under section 9 of this chapter, or apply  
 37 for a replacement identification card under section 6 of this chapter by  
 38 electronic service. If rules are adopted under this subsection, the rules  
 39 must provide that an individual's renewal, amendment, or replacement  
 40 of an identification card by electronic service is subject to the following  
 41 conditions:

- 42 (1) A valid computerized image or digital photograph of the



- 1 individual must exist within the records of the bureau.  
 2 (2) The individual must be a citizen of the United States, as  
 3 shown in the records of the bureau.  
 4 (3) There must not have been any change in the:  
 5 (A) legal address; or  
 6 (B) name;  
 7 of the individual since the issuance or previous renewal of the  
 8 identification card of the individual. **The individual must submit**  
 9 **a proof of current address. If the individual is renewing by**  
 10 **mail, the individual may submit a photocopy of the document.**  
 11 **If the individual is renewing by electronic service, the**  
 12 **individual may submit a copy of the document in portable**  
 13 **document format.**  
 14 (4) The identification card of the individual must not be expired  
 15 more than one hundred eighty (180) days at the time of the  
 16 application for renewal.  
 17 (b) An individual applying for:  
 18 (1) the renewal of an identification card; or  
 19 (2) a replacement identification card;  
 20 must apply in person if the individual is not entitled to apply by mail or  
 21 by electronic service under subsection (a).  
 22 SECTION 19. IC 9-24-16.5-3, AS ADDED BY P.L.197-2015,  
 23 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2023]: Sec. 3. (a) A photo exempt identification card must  
 25 have the same dimensions and shape as a driver's license and an  
 26 identification card issued under IC 9-24-16, but the photo exempt  
 27 identification card must have markings sufficient to distinguish the  
 28 card from a driver's license or an identification card.  
 29 (b) The front side of a photo exempt identification card must contain  
 30 the following information about the individual to whom the card is  
 31 being issued:  
 32 (1) Full legal name.  
 33 (2) The address of the principal residence.  
 34 (3) Date of birth.  
 35 (4) Date of issue and date of expiration.  
 36 (5) Unique identification number. **If the individual is not a**  
 37 **citizen of the United States, the letter "A" must precede the**  
 38 **unique identifying number.**  
 39 (6) Gender.  
 40 (7) Weight.  
 41 (8) Height.  
 42 (9) Color of eyes and hair.



- 1 (10) A reproduction of the signature of the individual identified.
- 2 (11) If the individual is less than eighteen (18) years of age at the
- 3 time of issuance, the dates on which the individual will become:
- 4 (A) eighteen (18) years of age; and
- 5 (B) twenty-one (21) years of age.
- 6 (12) If the individual is at least eighteen (18) years of age but less
- 7 than twenty-one (21) years of age at the time of issuance, the date
- 8 on which the individual will become twenty-one (21) years of age.
- 9 (c) The front side of a photo exempt identification card may not bear
- 10 an image of the holder of the photo exempt identification card.
- 11 (d) The information contained on the photo exempt identification
- 12 card as required by subsection (b)(11) or (b)(12) for an individual who
- 13 is less than twenty-one (21) years of age at the time of issuance must
- 14 be printed prominently on the photo exempt identification card.
- 15 SECTION 20. IC 9-24-16.5-5, AS AMENDED BY P.L.147-2018,
- 16 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 17 JULY 1, 2023]: Sec. 5. (a) A photo exempt identification card expires
- 18 at midnight on the birth date of the holder that occurs six (6) years
- 19 following the date of issuance.
- 20 (b) An application for renewal of a photo exempt identification card
- 21 may be made not more than twenty-four (24) months before the
- 22 expiration date of the card.
- 23 (c) A renewed photo exempt identification card is valid on the birth
- 24 date of the holder and remains valid for six (6) years.
- 25 (d) A photo exempt identification card may not be renewed if the
- 26 holder was issued a driver's license or an identification card after the
- 27 last issuance of a photo exempt identification card.
- 28 (e) An application for the renewal of a photo exempt identification
- 29 card may not be made by mail or by electronic service.
- 30 **(f) The applicant for renewal under this section must submit a**
- 31 **proof of current address.**

