

# HOUSE BILL No. 1512

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 3-11-8.

**Synopsis:** Notice of polling locations; voter access. Provides that a county election board shall do the following: (1) Give not less than 21 days notice of the place of voting in each precinct by publication on the county's Internet web site and in the local newspaper stating whether the polls are located in an accessible facility, the number of registered voters in the precinct, and the number of voting systems assigned to each facility. (2) Submit the place of voting in each precinct to the election division of the secretary of state's office not less than 29 days before an election. Provides that an elderly voter or a voter with a disability voting at an accessible facility shall be granted immediate access to a voting system.

**Effective:** July 1, 2021.

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## Austin

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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. 1512

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 3-11-8-3, AS AMENDED BY P.L.169-2015,  
2 SECTION 108, IS AMENDED TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2021]: Sec. 3. (a) This section does not apply  
4 to a county using vote centers under IC 3-11-18.1.

5 (b) Before each election each county executive shall secure for each  
6 precinct of the county an accessible facility in which to hold the  
7 election.

8 (c) Unless the county election board adopts an order under  
9 ~~IC 3-11-8-4.3~~, **section 4.3 of this chapter**, if an accessible facility is  
10 not available within the precinct, then the polls may be located in  
11 another precinct in the county if the polls are:

- 12 (1) either:  
13 (A) not more than five (5) miles from the closest boundary of  
14 the precinct for which it is the polls; or  
15 (B) located in the same township as the precinct that does not  
16 have an accessible facility available; and  
17 (2) located in an accessible facility.



1 (d) If the county election board, by a unanimous vote of its entire  
 2 membership, determines that an accessible facility is not available  
 3 under subsection (c), the board may locate the polls in the most  
 4 convenient available accessible facility in the county.

5 (e) If the county election board, by unanimous vote of its entire  
 6 membership, determines that:

7 (1) an accessible facility is not available under subsection (c) or  
 8 (d); and

9 (2) the most convenient accessible facility is located in an  
 10 adjoining county;

11 the board may locate the polls in the facility described in subdivision  
 12 (2) with the unanimous consent of the entire membership of the county  
 13 election board of the county in which the facility is located.

14 **(f) An elderly voter or a voter with a disability voting at an**  
 15 **accessible facility described in this section shall be granted**  
 16 **immediate access to a voting system.**

17 SECTION 2. IC 3-11-8-3.2, AS AMENDED BY P.L.278-2019,  
 18 SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 19 JULY 1, 2021]: Sec. 3.2. (a) A county election board shall **do the**  
 20 **following:**

21 **(1) Give not less than ten (10) twenty-one (21) days notice of the**  
 22 **place of voting in each precinct by publication on the county's**  
 23 **Internet web site and in the manner prescribed by IC 5-3-1-4.**

24 The notice must state:

25 **(A) whether the polls are located in an accessible facility;**

26 **(B) the number of registered voters in the precinct; and**

27 **(C) the number of voting systems assigned to each facility.**

28 **(2) Submit the place of voting in each precinct described in**  
 29 **subdivision (1) to the election division not less than**  
 30 **twenty-nine (29) days before an election.**

31 (b) If it is necessary to change a place for voting after giving notice,  
 32 notice of the change **and submission to the election division** shall be  
 33 given in the same manner **as described in subsection (a)**. However,  
 34 except as provided in subsection (c), a change may not be made within  
 35 two (2) days before an election.

36 (c) If the county election board determines by a unanimous vote of  
 37 the board's entire membership that the use of a polling place at an  
 38 election would be dangerous or impossible, the county election board  
 39 may order the relocation of the polling place during the final two (2)  
 40 days before an election. The county election board shall give the best  
 41 possible notice of this change to news media and the voters of the  
 42 precinct. If an order is adopted under this subsection, the order expires



1 after the election.

2 (d) The county election board shall enter the location of each polling  
3 place into the computerized system and update the information as  
4 promptly as practical after any change of location is made under this  
5 section.

6 SECTION 3. IC 3-11-8-25.1, AS AMENDED BY P.L.157-2019,  
7 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
8 JULY 1, 2021]: Sec. 25.1. (a) Except as provided in subsection (e), a  
9 voter who desires to vote an official ballot at an election shall provide  
10 proof of identification.

11 (b) Except as provided in subsection (e), before the voter proceeds  
12 to vote in the election, a precinct election officer shall ask the voter to  
13 provide proof of identification. One (1) of each of the precinct election  
14 officers nominated by each county chairman of a major political party  
15 of the county under IC 3-6-6-8 or IC 3-6-6-9 is entitled to ask the voter  
16 to provide proof of identification. The voter shall produce the proof of  
17 identification to each precinct officer requesting the proof of  
18 identification before being permitted to sign the poll list.

19 (c) If:

- 20 (1) the voter is unable or declines to present the proof of  
21 identification; or  
22 (2) a member of the precinct election board determines that the  
23 proof of identification provided by the voter does not qualify as  
24 proof of identification under IC 3-5-2-40.5;

25 a member of the precinct election board shall challenge the voter as  
26 prescribed by this chapter.

27 (d) If the voter executes a challenged voter's affidavit under section  
28 22.1 of this chapter, the voter shall:

- 29 (1) sign the poll list; and  
30 (2) receive a provisional ballot.

31 (e) A voter who votes in person at a precinct polling place, vote  
32 center, or satellite office established under IC 3-11-10-26.3 that is  
33 located at a state licensed care facility where the voter resides is not  
34 required to provide proof of identification before voting in an election.

35 (f) After a voter has passed the challengers or has been sworn in, the  
36 voter shall be instructed by a member of the precinct election board to  
37 proceed to the location where the poll clerks are stationed. In a vote  
38 center county using an electronic poll list, two (2) election officers who  
39 are not members of the same political party must be present when a  
40 voter signs in on the electronic poll list. The voter shall announce the  
41 voter's name to the poll clerks or assistant poll clerks. A poll clerk, an  
42 assistant poll clerk, or a member of the precinct election board shall



1 require the voter to write the following on the poll list or to provide the  
2 following information for entry into the electronic poll list:

3 (1) The voter's name.

4 (2) Except as provided in subsection (k), the voter's current  
5 residence address.

6 (g) The poll clerk, an assistant poll clerk, or a member of the  
7 precinct election board shall:

8 (1) ask the voter to provide or update the voter's voter  
9 identification number;

10 (2) tell the voter the number the voter may use as a voter  
11 identification number; and

12 (3) explain to the voter that the voter is not required to provide or  
13 update a voter identification number at the polls.

14 (h) The poll clerk, an assistant poll clerk, or a member of the  
15 precinct election board shall ask the voter to provide proof of  
16 identification.

17 (i) In case of doubt concerning a voter's identity, the precinct  
18 election board shall compare the voter's signature with the signature on  
19 the voter's registration record provided by the county voter registration  
20 office under IC 3-7-29. If the board determines that the voter's  
21 signature is authentic, the voter may then vote. If either poll clerk  
22 doubts the voter's identity following comparison of the signatures, the  
23 poll clerk shall challenge the voter in the manner prescribed by section  
24 21 of this chapter.

25 (j) If:

26 (1) the poll clerk does not execute a challenger's affidavit; or

27 (2) the voter executes a challenged voter's affidavit under section  
28 22.1 of this chapter or executed the affidavit before signing the  
29 poll list;

30 the voter may then vote.

31 (k) The electronic poll book (or each line on a poll list sheet  
32 provided to take a voter's current address) must include a box under the  
33 heading "Address Unchanged". A voter whose address is unchanged  
34 shall check the box instead of writing the voter's current address on the  
35 poll list, or if an electronic poll book is used, the poll clerk shall check  
36 the box after stating to the voter the address shown on the electronic  
37 poll book and receiving an oral affirmation from the voter that the  
38 voter's residence address shown on the poll list is the voter's current  
39 residence address instead of writing the voter's current residence  
40 address on the poll list or reentering the address in the electronic poll  
41 book.

42 (l) If the voter indicates that the voter's current residence is located



1 within another county in Indiana, the voter is considered to have  
2 directed the county voter registration office of the county where the  
3 precinct is located to cancel the voter registration record within the  
4 county. The precinct election board shall provide the voter with a voter  
5 registration application for the voter to complete and file with the  
6 county voter registration office of the county where the voter's current  
7 residence address is located.

8 (m) If the voter indicates that the voter's current residence is located  
9 outside Indiana, the voter is considered to have directed the county  
10 voter registration office of the county where the precinct is located to  
11 cancel the voter registration record within the county.

12 **(n) An elderly voter or a voter with a disability voting at an**  
13 **accessible facility described in section 3 of this chapter shall be**  
14 **granted immediate access to a voting system.**

