

HOUSE BILL No. 1684

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-5-2-11.3; IC 3-11; IC 3-12-4-6.

Synopsis: Voting hours. Provides that the polls open at 7 a.m. and close at 7 p.m. (Under current law, the polls must open at 6 a.m. and close at 6 p.m.)

Effective: January 1, 2020.

Forestal

January 24, 2019, read first time and referred to Committee on Elections and Apportionment.



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. 1684

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 3-5-2-11.3 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2020]: **Sec. 11.3. "Close of the polls" refers to the**
4 **time that the polls are set to close under IC 3-11-8-8.**

5 SECTION 2. IC 3-11-4-18, AS AMENDED BY P.L.100-2018,
6 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JANUARY 1, 2020]: Sec. 18. (a) If a voter satisfies any of the
8 qualifications described in IC 3-11-10-24 that entitle a voter to cast an
9 absentee ballot by mail, the county election board shall, at the request
10 of the voter, mail the official ballot, postage fully prepaid, to the voter
11 at the address stated in the application. Each ballot may be assigned a
12 unique tracking number as prescribed by the election division using
13 IMb Tracing or a similar automated tracking method to provide
14 real-time tracking information for the envelope containing the ballot.
15 As used in this subsection, "IMb Tracing" refers to a real-time mail
16 tracking service offered through the United States Postal Service.

17 (b) If the county election board mails an absentee ballot to a voter



1 required to file additional documentation with the county voter
 2 registration office before voting by absentee ballot under this chapter,
 3 the board shall include a notice to the voter in the envelope mailed to
 4 the voter under section 20 of this chapter. The notice must inform the
 5 voter that the voter must file the additional documentation required
 6 under IC 3-7-33-4.5 with the county voter registration office not later
 7 than noon on election day for the absentee ballot to be counted as an
 8 absentee ballot, and that, if the documentation required under
 9 IC 3-7-33-4.5 is filed after noon and before ~~6 p.m.~~ **the close of the**
 10 **polls** on election day, the ballot will be processed as a provisional
 11 ballot. The election division shall prescribe the form of this notice
 12 under IC 3-5-4-8.

13 (c) Except as provided in this subsection, section 18.5 of this
 14 chapter, or IC 3-11-10-26.5, the ballot shall be transmitted:

- 15 (1) on the day of the receipt of the voter's application; or
- 16 (2) not more than five (5) days after the date of delivery of the
- 17 ballots under section 15 of this chapter;

18 whichever is later. If the election board determines that the county
 19 voter registration office has received an application from the applicant
 20 for registration at an address within the precinct indicated on the
 21 application, and the election board determines that this application is
 22 pending under IC 3-7-33, the ballot shall be mailed on the date the
 23 county voter registration office indicates under IC 3-7-33-5(g) that the
 24 applicant is a registered voter.

25 (d) As required by 52 U.S.C. 21081, an election board shall
 26 establish a voter education program (specific to a paper ballot or
 27 optical scan ballot card provided as an absentee ballot under this
 28 chapter) to notify a voter of the effect of casting multiple votes for a
 29 single office.

30 (e) As provided by 52 U.S.C. 21081, when an absentee ballot is
 31 transmitted under this section, the mailing must include:

- 32 (1) information concerning the effect of casting multiple votes for
- 33 an office; and
- 34 (2) instructions on how to correct the ballot before the ballot is
- 35 cast and counted, including the issuance of replacement ballots.

36 SECTION 3. IC 3-11-8-8 IS AMENDED TO READ AS FOLLOWS
 37 [EFFECTIVE JANUARY 1, 2020]: Sec. 8. The polls in each precinct
 38 open at ~~6 7~~ a.m. and close at ~~6 7~~ p.m. on election day.

39 SECTION 4. IC 3-11-10-11, AS AMENDED BY P.L.221-2005,
 40 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JANUARY 1, 2020]: Sec. 11. (a) On election day each circuit court
 42 clerk (or an agent of the clerk) shall visit the appropriate post office to



1 accept delivery of absentee envelopes at the latest possible time that
 2 will permit delivery of the ballots to the appropriate precinct election
 3 boards before ~~6 p.m.~~ **the close of the polls.**

4 (b) Not later than noon on election day, the county voter registration
 5 office shall visit the appropriate post office to accept delivery of mail
 6 containing documentation submitted by a voter to comply with
 7 IC 3-7-33-4.5. The office shall immediately notify the county election
 8 board regarding the filing of this documentation to permit the board to
 9 provide certification of this filing to the appropriate precinct election
 10 boards before ~~6 p.m.~~ **the close of the polls.**

11 SECTION 5. IC 3-11-14-19 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JANUARY 1, 2020]: Sec. 19. Each county
 13 election board shall be at its office from ~~5~~ 6 a.m. until ~~6 p.m.~~ **the close**
 14 **of the polls** on election day. Upon notice that an electronic voting
 15 system is out of order or fails to work, the board shall be ready between
 16 those hours to deliver to any precinct in the county:

- 17 (1) necessary paper ballots;
- 18 (2) election booths with an adequate number of stalls;
- 19 (3) ballot boxes; and
- 20 (4) all necessary supplies and equipment as required by law.

21 SECTION 6. IC 3-12-4-6 IS AMENDED TO READ AS FOLLOWS
 22 [EFFECTIVE JANUARY 1, 2020]: Sec. 6. (a) At ~~6 p.m.~~ **the close of**
 23 **the polls** on each election day, the county election board shall assemble
 24 in a room to canvass the certificates, poll lists, and tally papers returned
 25 by each inspector in the county and to declare the results of the election
 26 as provided in this chapter.

27 (b) The canvassing must be performed in public under IC 5-14-1.5.
 28 However, the board may restrict access to parts of the room where
 29 election material is being handled or transported to safeguard the
 30 material.

31 (c) Except as provided in section 7 of this chapter, the county
 32 executive shall provide a room in the courthouse that contains adequate
 33 space to permit members of the public to witness the canvassing of
 34 votes.

