SENATE BILL No. 225

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-11.5-4-17.

Synopsis: Deceased voters. Requires that an absentee ballot marked and forwarded by a voter who subsequently dies be counted if the absentee ballot would otherwise be entitled to be counted if the voter had not died.

Effective: July 1, 2023.

Ford J.D.

January 10, 2023, read first time and referred to Committee on Elections.

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.

SENATE BILL No. 225

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 3-11.5-4-17 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2023]: Sec. 17. ~~(a) If proof is given~~
3 ~~to the absentee ballot counters that~~ **If** an absentee voter marked and
4 forwarded an absentee ballot but **subsequently** died before election
5 day, the ballot of the deceased voter shall be ~~rejected under section 13~~
6 ~~of this chapter and retained with the other rejected ballots under section~~
7 ~~14 of this chapter.~~ **counted if the absentee ballot would otherwise be**
8 **entitled to be counted if the voter had not died.**
9   ~~(b) The casting of an absentee ballot by a deceased voter does not~~
10 ~~invalidate an election.~~