



PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1264 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 3-5-2-11.3 IS ADDED TO THE INDIANA CODE
- 4 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
- 5 JANUARY 1, 2025]: **Sec. 11.3. "Close of the polls" refers to the**
- 6 **time that the polls are set to close under IC 3-11-8-8."**
- 7 Page 14, between lines 9 and 10, begin a new paragraph and insert:
- 8 "SECTION 12. IC 3-11-4-1, AS AMENDED BY P.L.193-2021,
- 9 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 10 JANUARY 1, 2025]: Sec. 1. (a) A voter who is otherwise qualified to
- 11 vote in person is entitled to vote by absentee ballot. Except as
- 12 otherwise provided in this article, a voter voting by absentee ballot
- 13 must vote in the office of the circuit court clerk (or board of elections
- 14 and registration in a county subject to IC 3-6-5.2 or IC 3-6-5.6) or at a
- 15 satellite office established under IC 3-11-10-26.3.
- 16 (b) A county election board, by unanimous vote of its entire
- 17 membership, may authorize a person who is otherwise qualified to vote
- 18 in person to vote by absentee ballot if the board determines that the
- 19 person has been hospitalized or suffered an injury following the final
- 20 date and hour for applying for an absentee ballot that would prevent the
- 21 person from voting in person at the polls.

1 (c) A county election board or board of elections and registration,
 2 by unanimous vote of its entire membership, may authorize an
 3 individual who is otherwise qualified to vote in person and wishes to
 4 vote by absentee ballot to file an application for an absentee ballot if
 5 the board determines that:

6 (1) during the last eleven (11) days before the election:

7 (A) the governor has declared a disaster emergency under
 8 IC 10-14-3-12; or

9 (B) the county has declared a local disaster emergency under
 10 IC 10-14-3-29;

11 (2) the disaster emergency prevents the individual from voting in
 12 person at a polling place; and

13 (3) an absentee voter board can receive the voter's absentee ballot
 14 not later than **6 8** p.m. on election day.

15 (d) The absentee ballots used in subsection (b) or (c) must be the
 16 same official absentee ballots as described in section 15 of this chapter.
 17 Taking into consideration the amount of time remaining before the
 18 election, the commission, the county election board, or the board of
 19 elections and registration shall determine whether the absentee ballots
 20 are transmitted to and from the voter by any of the following:

21 (1) Mail.

22 (2) Personal delivery.

23 An absentee ballot that is personally delivered shall comply with the
 24 requirements in sections 19, 20, and 21 of this chapter."

25 Page 14, line 28, strike "6."

26 Page 14, line 29, strike "p.m." and insert "**the close of the polls**".

27 Page 15, after line 10, begin a new paragraph and insert:

28 "SECTION 14. IC 3-11-8-8, AS AMENDED BY P.L.278-2019,
 29 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JANUARY 1, 2025]: Sec. 8. (a) The polls in each precinct open at 6
 31 a.m. and close at **6 8** p.m. on election day.

32 (b) A county election board or a board of elections and registration
 33 does not have the power to extend the hours that the polls are to be
 34 open in any precinct or vote center of the county.

35 SECTION 15. IC 3-11-14-19 IS AMENDED TO READ AS
 36 FOLLOWS [EFFECTIVE JANUARY 1, 2025]: Sec. 19. Each county
 37 election board shall be at its office from 5 a.m. until **6 p.m. the close of**
 38 **the polls** on election day. Upon notice that an electronic voting system
 39 is out of order or fails to work, the board shall be ready between those
 40 hours to deliver to any precinct in the county:

41 (1) necessary paper ballots;

42 (2) election booths with an adequate number of stalls;

43 (3) ballot boxes; and

44 (4) all necessary supplies and equipment as required by law.

45 SECTION 16. IC 3-11.5-4-7, AS AMENDED BY P.L.227-2023,
 46 SECTION 114, IS AMENDED TO READ AS FOLLOWS

1 [EFFECTIVE JANUARY 1, 2025]: Sec. 7. Not later than **6 8** p.m. on
2 election day each circuit court clerk, or an agent of the clerk, shall visit
3 the appropriate post office to accept delivery of absentee envelopes.

4 SECTION 17. IC 3-11.5-4-10, AS AMENDED BY P.L.109-2021,
5 SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 JANUARY 1, 2025]: Sec. 10. (a) This subsection applies to a county
7 that:

- 8 (1) uses a paper list of voters provided under IC 3-7-29-2;
- 9 (2) has not adopted an order to use an electronic poll book under
10 IC 3-7-29-6(a)(1); and
- 11 (3) is not a vote center county under IC 3-11-18.1.

12 Subject to IC 3-10-8-7.5, IC 3-12-1-17, and section 7 of this chapter,
13 absentee ballots received by mail (or by fax or electronic mail under
14 IC 3-11-4-6) after **6 8** p.m. on election day are considered as arriving
15 too late and may not be counted.

16 (b) This subsection applies to a county described in subsection (a).
17 An absentee ballot that is returned to the county election board between
18 noon and **6 8** p.m. on election day may not be reviewed or counted
19 under this article until all of the following have occurred:

- 20 (1) The polls in each precinct have closed.
- 21 (2) The poll list for the precinct with an absentee ballot that has
22 not been counted has been returned to the county election board.
- 23 (3) The county election board confirms whether the voter cast a
24 ballot at the polls on election day.

25 (c) This subsection applies to a county that:

- 26 (1) has adopted an order to use an electronic poll book under
27 IC 3-7-29-6(a)(1); or
- 28 (2) is a vote center county under IC 3-11-18.1.

29 Subject to IC 3-10-8-7.5 and IC 3-12-1-17, absentee ballots received
30 by mail or by fax or electronic mail under IC 3-11-4 after **6 8** p.m. on
31 election day are considered as arriving too late and may not be counted.

32 SECTION 18. IC 3-12-4-6 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JANUARY 1, 2025]: Sec. 6. (a) At ~~6 p.m.~~
34 **the close of the polls** on each election day, the county election board
35 shall assemble in a room to canvass the certificates, poll lists, and tally
36 papers returned by each inspector in the county and to declare the
37 results of the election as provided in this chapter.

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

1 (c) Except as provided in section 7 of this chapter, the county
2 executive shall provide a room in the courthouse that contains adequate
3 space to permit members of the public to witness the canvassing of
4 votes."

5 Renumber all SECTIONS consecutively.
 (Reference is to HB 1264 as printed January 18, 2024.)

Representative Hamilton