



# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed 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 IC 3-5-2-26.3 IS REPEALED [EFFECTIVE JULY 1,  
4 2024]. Sec. 26.3: "IDEA" refers to the Indiana data enhancement  
5 association established by IC 3-7-38.2-5.5."  
6           Page 8, between lines 36 and 37, begin a new paragraph and insert:  
7           "SECTION 12. IC 3-7-26.4-4, AS AMENDED BY P.L.193-2021,  
8 SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
9 JULY 1, 2024]: Sec. 4. (a) The election division may provide parts and  
10 reports from the voter registration information from the computerized  
11 list for the purposes specified under IC 3-7-26.3-29.  
12           (b) Except as otherwise provided in this section, the parts and  
13 reports provided under this section may not include information  
14 described under section 8 of this chapter.  
15           (c) The parts and reports may contain the information described in  
16 section 8 of this chapter if:  
17           (1) the part or report is to be provided to an entity that:  
18           (A) is described in section 6 of this chapter; and  
19           (B) has previously submitted an application to the election  
20 division and paid any required fee to obtain the complete  
21 compilation; or  
22           (2) the part or report is a purely statistical compilation that:  
23           (A) includes the information described in section 8 of this  
24 chapter; and  
25           (B) does not include any information:  
26           (i) concerning an individual voter; or  
27           (ii) that would permit the identification of an individual

- 1 voter as a result of providing the compilation.
- 2 (d) The parts and reports provided under this section may not  
3 include the complete Social Security number of any individual.
- 4 (e) The election division may provide the registration information  
5 described in section 8 of this chapter, including an individual's voting  
6 history, as follows:
- 7 (1) To states and local governments in states that are  
8 implementing any voter list maintenance program described in  
9 IC 3-7-38.2-5. ~~including a program implemented with information  
10 obtained from another state under IC 3-7-38.2-5.5.~~
- 11 (2) Upon written request, to law enforcement officials conducting  
12 an investigation. The election division shall determine the  
13 confidence factor score, according to ~~IC 3-7-38.2-5.5(c)(2),~~  
14 **IC 3-7-38.2-5.5(a)(2)**, of the voter registration information being  
15 provided to the law enforcement official and do the following:
- 16 (A) If the confidence score is seventy-five (75) points or more,  
17 provide the registration information and a statement regarding  
18 the score. The statement must state that the election division  
19 is not making a determination that the information is about the  
20 same individual the law enforcement official is inquiring  
21 about.
- 22 (B) If the confidence score is below seventy-five (75) points,  
23 provide the registration information and a statement regarding  
24 the low confidence score. The statement must state that the  
25 election division is not making a determination that the  
26 information is about the same individual the law enforcement  
27 official is inquiring about."
- 28 Page 15, between lines 20 and 21, begin a new paragraph and insert:  
29 "SECTION 18. IC 3-7-38.2-5, AS AMENDED BY P.L.141-2020,  
30 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
31 JULY 1, 2024]: Sec. 5. To assist in performing voter list maintenance  
32 under this chapter, the NVRA official shall, **at least once each month**,  
33 submit the names of all registered voters in Indiana to the United States  
34 Postal Service National Change of Address Service. The submission  
35 under this chapter shall be compiled from the county voter registration  
36 information submitted to the election division under IC 3-7-26.3.
- 37 SECTION 19. IC 3-7-38.2-5.1, AS ADDED BY P.L.141-2020,  
38 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
39 JULY 1, 2024]: Sec. 5.1. (a) The actions of the NVRA officials to  
40 execute a memorandum of understanding with the Kansas Secretary of  
41 State under section 5(d) of this chapter, before its amendment by the  
42 121st general assembly, are void.
- 43 (b) The secretary of state shall promptly notify the Kansas Secretary  
44 of State that Indiana is no longer a party to the memorandum of  
45 understanding.
- 46 (c) This section has no effect on any voter list maintenance activity

1 undertaken by the NVRA officials of a county voter registration office  
2 before the voiding of the memorandum of understanding under this  
3 section.

4 (d) The state shall not join or otherwise participate in the activities  
5 of any organization that requires:

6 (1) the payment of funds to obtain voter registration information  
7 from another state; or

8 (2) the expenditure of funds to engage in activities other than  
9 voter list maintenance as a condition for receiving voter  
10 registration information from another state:

11 SECTION 20. IC 3-7-38.2-5.5, AS AMENDED BY P.L.227-2023,  
12 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
13 JULY 1, 2024]: Sec. 5.5. (a) The Indiana data enhancement association  
14 (IDEA) is established. IDEA shall be administered by the NVRA  
15 official in accordance with IC 3-7-11-1.

16 (b) The NVRA official shall adopt an order for the administration  
17 of voter list maintenance programs to be performed by IDEA. The  
18 NVRA official may amend the order. If the NVRA official does not  
19 amend the order when necessary to perform voter list maintenance  
20 duties under this chapter, the secretary of state shall adopt or amend the  
21 order under section 18 of this chapter. The order establishing IDEA,  
22 and any amendments to the order subsequently issued, shall provide the  
23 following:

24 (1) The member states of IDEA are not required to pay to Indiana  
25 any fee for the processing of the data from the member state:

26 (2) The member states of IDEA are not required to engage in any  
27 activity other than actions necessary to comply with standards for  
28 voter list maintenance set forth in the order as a condition for  
29 obtaining data from Indiana or other member states:

30 (3) The method for a state to join or withdraw from IDEA:

31 (4) The tenure of the membership of each state and duration of the  
32 order:

33 (5) Indiana shall:

34 (A) use the confidence factors set forth in subsection (c) to  
35 determine whether the name of an individual registered in that  
36 member state appears to be the same as an individual  
37 registered to vote in Indiana or any other member state; and

38 (B) only forward potential matches of the names of individuals  
39 in a state who meet or exceed the confidence factor threshold  
40 under subsection (c):

41 (6) Any registration data provided to Indiana by another state  
42 member:

43 (A) is confidential under Indiana law;

44 (B) must be safely secured by Indiana for the duration of a  
45 particular instance of a voter list maintenance activity; and

46 (C) shall be destroyed immediately following the provision of

- 1 data concerning potential duplicate voter registrations to IDEA  
 2 member states.
- 3 ~~(7)~~ Any other provisions necessary for the proper and effective  
 4 administration of IDEA.
- 5 ~~(e)~~ (a) Not later than thirty (30) days following the receipt of  
 6 information ~~under subsection (b)~~ indicating that a voter of Indiana may  
 7 also be registered to vote in another state, the NVRA official shall  
 8 provide the appropriate county voter registration office with the name  
 9 of and any other information obtained under this subsection concerning  
 10 that voter, if both of the following apply:
- 11 (1) The first name, last name, and date of birth of the Indiana  
 12 voter is identical to the first name, last name, and date of birth of  
 13 the voter registered in the other state.
- 14 (2) A comparison of the records indicates that there is a  
 15 confidence factor that the records are for the same individual  
 16 resulting from the accumulation of at least seventy-five (75)  
 17 points based on the following criteria:
- 18 (A) Full Social Security number: 40 points.  
 19 (B) Last four (4) digits of Social Security number: 10 points.  
 20 (C) Indiana driver's license or identification card number: 50  
 21 points.  
 22 (D) Date of birth: 25 points.  
 23 (E) Last Name: 15 points.  
 24 (F) First Name: 15 points.  
 25 (G) Middle Name: 5 points.  
 26 (H) Suffix: 5 points.  
 27 (I) Street Address 1: 10 points.  
 28 (J) Zip Code (first five (5) digits): 5 points.
- 29 ~~(d)~~ (b) The county voter registration office shall determine whether  
 30 the individual:
- 31 (1) identified in the report provided by the NVRA official under  
 32 subsection ~~(e)~~ (a) is the same individual who is a registered voter  
 33 of the county;
- 34 (2) registered to vote in another state on a date following the date  
 35 that voter registered in Indiana; and
- 36 (3) authorized the cancellation of any previous registration by the  
 37 voter when the voter registered in another state.
- 38 ~~(e)~~ (c) If the county voter registration office determines that the  
 39 voter is described by subsection ~~(d)~~; (b), the county voter registration  
 40 office shall cancel the voter registration of that voter. If the county  
 41 voter registration office determines that the voter is described by  
 42 subsection ~~(d)(1)~~ (b)(1) and ~~(d)(2)~~; (b)(2), but has not authorized the  
 43 cancellation of any previous registration, the county voter registration  
 44 office shall send an address confirmation notice to the Indiana address  
 45 of the voter.
- 46 ~~(f)~~ (d) The county voter registration office may rely on written

1 information provided either directly by a voter registration office in  
 2 another state or forwarded from the election division from the office in  
 3 the other state. Information:

4 (1) provided from the other state to the Indiana county voter  
 5 registration official; or

6 (2) forwarded by the election division;

7 must include a copy of the voter's signed voter registration application  
 8 which indicates the individual authorizes cancellation of the  
 9 individual's previous registration. County voter registration officials  
 10 shall review the date the individual registered out of state and the date  
 11 the individual registered in Indiana to confirm which registration is  
 12 more recent when performing the officials' analysis under this  
 13 subsection.

14 SECTION 21. IC 3-7-38.2-6, AS AMENDED BY P.L.258-2013,  
 15 SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16 JULY 1, 2024]: Sec. 6. **(a)** When the names of voters are submitted  
 17 under section 5 of this chapter, the NVRA official shall, **at least once**  
 18 **each month**, request that the United States Postal Service indicate the  
 19 voters who no longer reside at the ~~submitted voter's residence~~ address.

20 However, the NVRA official shall also request that a voter who:

21 (1) has a temporary forwarding order in effect;

22 (2) is an absent uniformed services voter; or

23 (3) is an overseas voter;

24 not be included in the list of voters who no longer reside at the  
 25 ~~submitted voter's residence~~ address.

26 **(b) Not later than thirty (30) days after receiving a report under**  
 27 **subsection (a), the election division shall provide to each county**  
 28 **voter registration office a report identifying the voters who may**  
 29 **have moved from their address."**

30 Renumber all SECTIONS consecutively.

(Reference is to EHB 1264 as printed February 21, 2024.)

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Senator FORD J.D.