

HOUSE BILL No. 1151

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-7; IC 9-24-2.5-4.

Synopsis: Automatic voter registration. Provides that an application to obtain or renew a motor vehicle driver's license or permit or an identification card serves as a voter registration application unless the applicant expressly declines on the application to register to vote. Provides that a voter becomes registered to vote when the county voter registration office determines the voter appears to be eligible to vote at the address on the voter's voter registration application.

Effective: January 1, 2023.

Johnson

January 6, 2022, read first time and referred to Committee on Elections and Apportionment.



Second Regular Session of the 122nd General Assembly (2022)

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 2021 Regular Session of the General Assembly.

HOUSE BILL No. 1151

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 3-7-14-2 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JANUARY 1, 2023]: Sec. 2. (a) Except as provided in
3 subsection (b), the definitions in IC 9-13-2 apply to this chapter.
4 ~~(b) A reference to the "commission" in this chapter is a reference to~~
5 ~~the Indiana election commission unless otherwise stated.~~
6 **(b) A reference to an "application" in this chapter is a reference**
7 **to an application to obtain or renew a motor vehicle driver's**
8 **license or permit or an identification card unless otherwise stated.**
9 SECTION 2. IC 3-7-14-4, AS AMENDED BY P.L.128-2015,
10 SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
11 JANUARY 1, 2023]: Sec. 4. ~~(a) An application to obtain or renew a~~
12 ~~motor vehicle driver's license, permit, or identification card serves as~~
13 ~~an application for voter registration:~~
14 (1) under this article; and
15 (2) as provided in 52 U.S.C. 20504(a)(1). ~~unless the applicant~~
16 ~~fails to sign~~
17 **(b) An individual's signature on an application is considered the**



- 1 **individual's signature for the individual's** voter registration
 2 application.
- 3 SECTION 3. IC 3-7-14-5, AS AMENDED BY P.L.128-2015,
 4 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JANUARY 1, 2023]: Sec. 5. ~~As provided in 52 U.S.C. 20504(c)(1);~~
 6 The bureau of motor vehicles commission shall **design each**
 7 **application form to include the information required for** a voter
 8 registration application form as a part of the application for a driver's
 9 license ~~prescribed under IC 9-24;~~ **required by Indiana law.**
- 10 SECTION 4. IC 3-7-14-6, AS AMENDED BY P.L.169-2015,
 11 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JANUARY 1, 2023]: Sec. 6. The **bureau of motor vehicles**
 13 **commission and the** election division shall ~~prescribe the jointly~~
 14 ~~design of the registration application~~ form required under section 5 of
 15 this chapter.
- 16 SECTION 5. IC 3-7-14-7 IS REPEALED [EFFECTIVE JANUARY
 17 1, 2023]. Sec. 7. ~~As provided in 52 U.S.C. 20504(c)(2), the registration~~
 18 ~~form described in section 5 of this chapter must meet the following~~
 19 ~~requirements:~~
- 20 (1) ~~The form may not require information that duplicates~~
 21 ~~information required in the driver's license application part of the~~
 22 ~~form, except as set forth in subdivision (3).~~
- 23 (2) ~~The form may require only the minimum amount of~~
 24 ~~information necessary to do the following:~~
- 25 (A) ~~Prevent duplication of voter registrations:~~
- 26 (B) ~~Permit the circuit court clerk or board of registration to:~~
- 27 (i) ~~assess the eligibility of the applicant; and~~
- 28 (ii) ~~administer the election and voter registration system:~~
- 29 (3) ~~The form must include a statement that does the following:~~
- 30 (A) ~~Sets forth each eligibility requirement for registration~~
 31 ~~(including citizenship):~~
- 32 (B) ~~Contains an attestation that the applicant meets each of the~~
 33 ~~eligibility requirements:~~
- 34 (C) ~~Requires the signature of the applicant, under penalty of~~
 35 ~~perjury:~~
- 36 (4) ~~The form must include the following, in print that is identical~~
 37 ~~to the print used in the attestation part of the application:~~
- 38 (A) ~~Information setting forth the penalties provided by law for~~
 39 ~~submission of a false voter registration application:~~
- 40 (B) ~~A statement that, if an applicant declines to register to~~
 41 ~~vote, the fact that the applicant has declined to register will~~
 42 ~~remain confidential and will be used only for voter registration~~



1 purposes:

2 (C) A statement that if an applicant does register to vote, the
3 office at which the applicant submits a voter registration
4 application will remain confidential and will be used only for
5 voter registration purposes.

6 SECTION 6. IC 3-7-14-7.1 IS ADDED TO THE INDIANA CODE
7 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
8 JANUARY 1, 2023]: **Sec. 7.1. The application form described in
9 section 5 of this chapter must meet the following requirements:**

10 (1) The form must obtain all information required for a
11 driver's license or permit or an identification card.

12 (2) The form may require only the minimum amount of
13 information necessary to do the following:

14 (A) Prevent duplication of voter registrations.

15 (B) Permit the circuit court clerk or board of registration
16 to:

17 (i) assess the eligibility of the applicant; and

18 (ii) administer the election and voter registration system.

19 (3) The form must set forth each eligibility requirement for
20 voter registration, including citizenship.

21 (4) The form must contain each of the following options, one
22 (1) of which an applicant may select as provided on the form:

23 (A) The applicant meets the eligibility requirements for
24 voter registration and wishes to register to vote or to
25 update the applicant's voter registration record.

26 (B) The applicant does not wish to register to vote or to
27 update the applicant's voter registration record.

28 (5) The form must inform the applicant that if the applicant
29 does not select an option set forth under subdivision (4), the
30 applicant will be considered to have chosen the option that the
31 applicant:

32 (A) meets the eligibility requirements for voter
33 registration; and

34 (B) wishes to register to vote or to update the applicant's
35 voter registration record.

36 (6) The form must require the signature of the applicant
37 under the penalties of perjury.

38 (7) The form must include the following in print that is
39 identical to the print used in the attestation part of the
40 application:

41 (A) Information setting forth the penalties provided by law
42 for submission of a false voter registration application.



1 **(B) A statement that, regardless of the applicant's decision**
 2 **regarding registering to vote or updating the applicant's**
 3 **voter registration record, that fact will remain confidential**
 4 **and will be used only for voter registration purposes.**

5 SECTION 7. IC 3-7-14-8 IS REPEALED [EFFECTIVE JANUARY
 6 1, 2023]. Sec. 8. To register under this chapter, an individual must do
 7 the following while on the premises of the license branch:

8 (1) Complete the voter registration application under section 4 of
 9 this chapter.

10 (2) Present the application to an employee of the license branch.

11 SECTION 8. IC 3-7-14-9, AS AMENDED BY P.L.164-2006,
 12 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 13 JANUARY 1, 2023]: Sec. 9. (a) An employee of the bureau of motor
 14 vehicles commission who provides an individual with a ~~driver's license~~
 15 or ~~identification card~~ an application shall do the following:

16 (1) Inform each individual who ~~applies for a driver's license or an~~
 17 ~~identification card~~ **seeks to complete an application** that the
 18 information the individual provides on the individual's application
 19 will be used to register the individual to vote unless **any of the**
 20 **following apply:**

21 (A) The individual is not eligible to vote.

22 (B) The individual declines to register to vote. ~~or fails to~~
 23 ~~complete the voter registration part of the application;~~ **or The**
 24 **employee shall explain to the individual that if the**
 25 **individual does not select an option set forth under section**
 26 **7.1(4) of this chapter, the individual will be considered to**
 27 **have selected the option that the individual:**

28 (i) **meets the eligibility requirements for voter**
 29 **registration; and**

30 (ii) **wishes to register to vote or to update the individual's**
 31 **voter registration record.**

32 (C) The individual answers "no" to either question described
 33 by IC 3-7-22-5(3) or IC 3-7-22-5(4).

34 (2) Provide each individual ~~who indicates a desire to register or~~
 35 ~~transfer registration~~ with assistance in filling out the ~~voter~~
 36 ~~registration~~ application if requested to do so by the individual.

37 (3) Check the completed ~~voter registration~~ form for legibility and
 38 completeness.

39 (4) Inform the individual that the individual will receive a mailing
 40 from the county voter registration office of the county where the
 41 individual resides concerning the disposition of the voter
 42 registration application.



1 (5) Inform each individual who submits a change of address for
 2 a driver's license or identification card that the information serves
 3 as notice of a change of address for voter registration unless the
 4 applicant ~~states in writing~~ **indicates** on the form that the change
 5 of address is not for voter registration purposes.

6 (b) The bureau of motor vehicles commission shall transmit a voter
 7 registration ~~form~~ **information** to the election division for transmittal
 8 to the appropriate county voter registration office in accordance with
 9 IC 3-7-26.3.

10 SECTION 9. IC 3-7-14-10 IS AMENDED TO READ AS
 11 FOLLOWS [EFFECTIVE JANUARY 1, 2023]: Sec. 10. If an
 12 individual is ~~registering to vote~~ **completes an application** after the
 13 twenty-ninth day before the date that a primary, general, municipal, or
 14 special election is scheduled in the precinct where the ~~voter~~ **individual**
 15 resides, the employee of the bureau of motor vehicles commission who
 16 provides an individual with a ~~driver's license or an identification card~~
 17 application shall do the following:

18 (1) Inform the individual that license branch registration will not
 19 permit the individual to vote in the next election.

20 (2) Inform the individual of other procedures the individual may
 21 follow to vote in the next election.

22 SECTION 10. IC 3-7-14-11, AS AMENDED BY P.L.164-2006,
 23 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JANUARY 1, 2023]: Sec. 11. **Unless the applicant declines to**
 25 **register under section 7.1 of this chapter**, whenever an applicant
 26 completes a ~~voter registration~~ **an application** under section 4 of this
 27 chapter, the bureau of motor vehicles commission shall provide the
 28 applicant with a written acknowledgment that the applicant has
 29 completed a voter registration application at a license branch. The
 30 acknowledgment:

31 (1) may be:

32 (A) a detachable part; or

33 (B) an electronic version;

34 of the ~~registration application~~ **form prescribed designed** under
 35 section ~~4~~ **5** of this chapter; and

36 (2) must set forth the name and residential address of the
 37 applicant and the date that the application was completed.

38 SECTION 11. IC 3-7-14-12, AS AMENDED BY P.L.128-2015,
 39 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JANUARY 1, 2023]: Sec. 12. (a) An applicant who completes a ~~voter~~
 41 ~~registration~~ **an application** under section 4 of this chapter is not
 42 required to submit the application to a county voter registration office.



1 (b) The bureau of motor vehicles commission shall forward the
 2 voter registration ~~part of information on~~ the application to the election
 3 division for transmittal to the appropriate county voter registration
 4 office on an expedited basis in accordance with IC 3-7-26.3,
 5 IC 9-24-2.5, and 52 U.S.C. 20504(c)(2)(E).

6 SECTION 12. IC 3-7-14-14, AS AMENDED BY P.L.128-2015,
 7 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JANUARY 1, 2023]: Sec. 14. Except as provided in section 15 of this
 9 chapter, an application under section 4 of this chapter authorizes a
 10 county voter registration office to update the voter registration record
 11 of the applicant:

12 (1) under 52 U.S.C. 20504(a)(2) unless the applicant ~~fails to sign~~
 13 **declines** the voter registration application **as provided under**
 14 **section 7.1 of this chapter;** or

15 (2) in a manner authorized under IC 3-7-26.3.

16 SECTION 13. IC 3-7-14-15, AS AMENDED BY P.L.128-2015,
 17 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JANUARY 1, 2023]: Sec. 15. As provided in 52 U.S.C. 20504(d), a
 19 circuit court clerk or board of registration may update the address in the
 20 voter registration of an applicant, unless the applicant indicates on an
 21 application to ~~obtain or renew a motor vehicle driver's license~~ or any
 22 other change of address form submitted to the clerk or board by the
 23 bureau of motor vehicles commission that the change of address of the
 24 applicant is not for voter registration purposes.

25 SECTION 14. IC 3-7-33-3, AS AMENDED BY P.L.128-2015,
 26 SECTION 112, IS AMENDED TO READ AS FOLLOWS
 27 [EFFECTIVE JANUARY 1, 2023]: Sec. 3. (a) This section applies to
 28 a voter registration application that is:

29 (1) completed as part of a ~~driver's license an~~ application under
 30 IC 3-7-14; or

31 (2) submitted at a voter registration agency under this article.

32 (b) As provided in 52 U.S.C. 20507(a)(1), an eligible applicant
 33 whose application is accepted by the bureau of motor vehicles or a
 34 voter registration agency not later than twenty-nine (29) days before the
 35 election shall be registered to vote in the election.

36 SECTION 15. IC 9-24-2.5-4, AS AMENDED BY P.L.71-2019,
 37 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 38 JANUARY 1, 2023]: Sec. 4. (a) As required under 52 U.S.C.
 39 20504(e)(1), the manager or designated license branch employee shall
 40 transmit an electronic version of the ~~completed~~ voter registration
 41 **portion of information from** each application **or renewal** for a driver's
 42 license or an identification card for nondrivers issued under this article



1 to the county voter registration office of the county in which the
2 individual's residential address (as indicated on the application) is
3 located.

4 (b) The voter registration ~~application~~ **information** shall be
5 transmitted to the county voter registration office in an electronic
6 format and on an expedited basis (as defined by IC 3-5-2-23.2) using
7 the computerized list established under IC 3-7-26.3.

