

HOUSE BILL No. 1247

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, 2024.

Johnson B

January 11, 2023, read first time and referred to Committee on Elections and Apportionment.



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.

HOUSE BILL No. 1247

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, 2024]: 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, 2024]: 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, 2024]: 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, 2024]: 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, 2024]. 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, 2024]: **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, the applicant's decision will**
 4 **remain confidential and will be used only for voter**
 5 **registration purposes.**

6 SECTION 7. IC 3-7-14-8 IS REPEALED [EFFECTIVE JANUARY
 7 1, 2024]. Sec. 8: ~~To register under this chapter, an individual must do~~
 8 ~~the following while on the premises of the license branch:~~

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

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

12 SECTION 8. IC 3-7-14-9, AS AMENDED BY P.L.164-2006,
 13 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JANUARY 1, 2024]: Sec. 9. (a) An employee of the bureau of motor
 15 vehicles commission who provides an individual with a ~~driver's license~~
 16 ~~or identification card~~ **an application shall do the following:**

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

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

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

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

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

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

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

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

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



1 registration application.

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

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

11 SECTION 9. IC 3-7-14-10 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JANUARY 1, 2024]: Sec. 10. If an
13 individual is **registering to vote completes an application** after the
14 twenty-ninth day before the date that a primary, general, municipal, or
15 special election is scheduled in the precinct where the **voter individual**
16 resides, the employee of the bureau of motor vehicles commission who
17 provides an individual with a **driver's license or an identification card**
18 application shall do the following:

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

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

23 SECTION 10. IC 3-7-14-11, AS AMENDED BY P.L.164-2006,
24 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
25 JANUARY 1, 2024]: Sec. 11. **Unless the applicant declines to**
26 **register under section 7.1 of this chapter**, whenever an applicant
27 completes a **voter registration an** application under section 4 of this
28 chapter, the bureau of motor vehicles commission shall provide the
29 applicant with a written acknowledgment that the applicant has
30 completed a voter registration application at a license branch. The
31 acknowledgment:

32 (1) may be:

33 (A) a detachable part; or

34 (B) an electronic version;

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

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

39 SECTION 11. IC 3-7-14-12, AS AMENDED BY P.L.128-2015,
40 SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
41 JANUARY 1, 2024]: Sec. 12. (a) An applicant who completes a **voter**
42 **registration an** application under section 4 of this chapter is not



1 required to submit the application to a county voter registration office.

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

7 SECTION 12. IC 3-7-14-14, AS AMENDED BY P.L.128-2015,
8 SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JANUARY 1, 2024]: Sec. 14. Except as provided in section 15 of this
10 chapter, an application under section 4 of this chapter authorizes a
11 county voter registration office to update the voter registration record
12 of the applicant:

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

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

17 SECTION 13. IC 3-7-14-15, AS AMENDED BY P.L.128-2015,
18 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
19 JANUARY 1, 2024]: Sec. 15. As provided in 52 U.S.C. 20504(d), a
20 circuit court clerk or board of registration may update the address in the
21 voter registration of an applicant, unless the applicant indicates on an
22 application to ~~obtain or renew a motor vehicle driver's license~~ (or any
23 other change of address form submitted to the clerk or board by the
24 bureau of motor vehicles commission) that the change of address of the
25 applicant is not for voter registration purposes.

26 SECTION 14. IC 3-7-33-3, AS AMENDED BY P.L.128-2015,
27 SECTION 112, IS AMENDED TO READ AS FOLLOWS
28 [EFFECTIVE JANUARY 1, 2024]: Sec. 3. (a) This section applies to
29 a voter registration application that is:

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

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

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

37 SECTION 15. IC 9-24-2.5-4, AS AMENDED BY P.L.71-2019,
38 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
39 JANUARY 1, 2024]: Sec. 4. (a) As required under 52 U.S.C.
40 20504(e)(1), the manager or designated license branch employee shall
41 transmit an electronic version of the ~~completed~~ voter registration
42 ~~portion of information from~~ each application **or renewal** for a driver's



1 license or an identification card for nondrivers issued under this article
2 to the county voter registration office of the county in which the
3 individual's residential address (as indicated on the application) is
4 located.

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

