

HOUSE BILL No. 1349

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-5-2-11.3; IC 3-7; IC 3-10-8-9; IC 3-11; IC 3-11.7-2-1; IC 3-12-4-6.

Synopsis: Poll hours; same day registration. Provides that the polls close at 8 p.m. (Under current law, the polls must close at 6 p.m.) Permits a voter to register at the polls by completing a voter registration form and an affirmation that the person has not voted elsewhere in the election and by providing proof of residence.

Effective: January 1, 2021.

Pfaff

January 14, 2020, read first time and referred to Committee on Elections and Apportionment.



Second Regular Session of the 121st General Assembly (2020)

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 2019 Regular Session of the General Assembly.

HOUSE BILL No. 1349

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 3-5-2-11.3 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
3 JANUARY 1, 2021]: **Sec. 11.3. "Close of the polls" refers to the**
4 **time that the polls are set to close under IC 3-11-8-8.**

5 SECTION 2. IC 3-7-13-10.5 IS ADDED TO THE INDIANA CODE
6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE
7 JANUARY 1, 2021]: **Sec. 10.5. Notwithstanding section 10 of this**
8 **chapter, an individual may register or transfer registration on the**
9 **day of a primary, general, municipal, school district, or special**
10 **election as provided in IC 3-7-49.**

11 SECTION 3. IC 3-7-13-11 IS AMENDED TO READ AS
12 FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 11. A person
13 desiring to register or transfer a registration may do so:

- 14 (1) at the office of the circuit court clerk or board of registration
15 through the close of business on the twenty-ninth day before the
16 election is scheduled to occur; **or**
- 17 (2) **on the day of a primary, general, municipal, school**



1 **district, or special election as provided in IC 3-7-49 or**
 2 **IC 3-10-11.**

3 SECTION 4. IC 3-7-36-14, AS AMENDED BY P.L.76-2014,
 4 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JANUARY 1, 2021]: Sec. 14. (a) This section applies to a person
 6 described in subsection (b) who applies to register to vote during the
 7 period:

- 8 (1) beginning on the seventh day before election day; and
 9 (2) ending at noon election day.

10 (b) An absent uniformed services voter who is absent from Indiana
 11 during the registration period applicable to the voter under this chapter
 12 and who otherwise would be entitled to register to vote under Indiana
 13 law may, upon returning to Indiana during the period described in
 14 subsection (a) following discharge from service or reassignment,
 15 register to vote by doing the following:

16 (1) Showing either of the following to the county voter
 17 registration office:

18 (A) A discharge from service, dated not earlier than the
 19 beginning of the registration period that ended on the eighth
 20 day before election day, of:

- 21 (i) the voter;
 22 (ii) the voter's spouse; or
 23 (iii) the individual of whom the voter is a dependent.

24 (B) A copy of the government movement orders, with a
 25 reporting date not earlier than the beginning of the registration
 26 period that ended on the eighth day before election day, of:

- 27 (i) the voter;
 28 (ii) the voter's spouse; or
 29 (iii) the individual of whom the voter is a dependent.

30 (2) Completing a registration affidavit.

31 (c) **Except as provided in subsection (g)**, a voter who registers
 32 under this section may vote at the upcoming election only by absentee
 33 ballot at the office of the circuit court clerk at the time the voter
 34 registers under this section or at any time after the voter registers under
 35 this section and before noon on election day. A voter who wants to vote
 36 under this subsection must do both of the following:

- 37 (1) Complete an application for an absentee ballot.
 38 (2) Sign an affidavit that the voter has not voted at any other
 39 precinct in the election.

40 The voter may vote at subsequent elections as otherwise provided in
 41 this title.

42 (d) If the voter votes by absentee ballot under this section, the



1 circuit court clerk shall do the following:

2 (1) Certify in writing that the voter registered under this section.

3 (2) Attach the certification to the voter's absentee ballot envelope.

4 (e) If the county has a board of registration, the board of registration
5 shall promptly deliver the voter's registration affidavit to the circuit
6 court clerk to permit the voter to vote under subsection (c).

7 (f) If the voter chooses not to vote under subsection (c), the county
8 voter registration office shall register the voter on the first day of the
9 next registration period.

10 **(g) A person described in subsection (c) may register and vote**
11 **on the day of a primary, general, municipal, school district, or**
12 **special election as provided in IC 3-7-49.**

13 SECTION 5. IC 3-7-48-1, AS AMENDED BY P.L.271-2013,
14 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JANUARY 1, 2021]: Sec. 1. (a) Except as otherwise provided by
16 NVRA or in this chapter, a person whose name does not appear on the
17 registration record may not vote, unless:

18 **(1) the county voter registration office issues a signed certificate**
19 **of error immediately available for inspection in the county voter**
20 **registration office showing that the voter is legally registered in**
21 **the precinct where the voter resides; or**

22 **(2) the voter has registered as provided in IC 3-7-49.**

23 (b) A person:

24 **(1) whose name does not appear on the registration record; and**

25 **(2) who does not register as provided in IC 3-7-49;**

26 may cast a provisional ballot as provided in IC 3-11.7.

27 SECTION 6. IC 3-7-49 IS ADDED TO THE INDIANA CODE AS
28 A **NEW CHAPTER TO READ AS FOLLOWS** [EFFECTIVE
29 JANUARY 1, 2021]:

30 **Chapter 49. Election Day Registration**

31 **Sec. 1. (a) A person who is not registered to vote but is otherwise**
32 **qualified to vote shall be allowed to vote at the polls in a primary,**
33 **general, municipal, school district, or special election if the person**
34 **registers at the polls under this chapter.**

35 **(b) In order to register to vote at a precinct under this chapter,**
36 **a person:**

37 **(1) must be a resident of the precinct;**

38 **(2) must be otherwise legally qualified to vote under**
39 **IC 3-7-13-1;**

40 **(3) may not be registered to vote under IC 3-7-14 through**
41 **IC 3-7-22;**

42 **(4) may not be qualified to vote under IC 3-7-39-7,**



1 **IC 3-7-39-8, IC 3-7-48, IC 3-10-10, IC 3-10-11, or IC 3-10-12;**
 2 **and**
 3 **(5) may not have already voted in the election.**
 4 **(c) Before allowing a person to vote under this chapter, the poll**
 5 **clerk or other precinct election officer shall require the person to**
 6 **do the following:**
 7 **(1) Complete a voter registration form prescribed by**
 8 **IC 3-7-18, along with the affirmation described in section 3 of**
 9 **this chapter, and sign the form in the presence of two (2)**
 10 **precinct election officers who must be from different political**
 11 **parties. If the county election board has not appointed**
 12 **precinct election officers from more than one (1) political**
 13 **party to the precinct election board, the inspector for the**
 14 **precinct shall sign the form as the second precinct election**
 15 **officer.**
 16 **(2) Provide acceptable proof of residence.**
 17 **Sec. 2. (a) For purposes of this chapter, one (1) of the**
 18 **following forms of identification is acceptable as proof of**
 19 **residence:**
 20 **(1) A current and valid photo identification.**
 21 **(2) A current utility bill, bank statement, government check,**
 22 **paycheck, or government document that shows the name and**
 23 **address of the person registering to vote.**
 24 **(3) A statement signed by any other voter in the precinct that**
 25 **corroborates the information on the voter's registration form**
 26 **concerning the residency of the person registering to vote. The**
 27 **corroborator must provide the identification listed in**
 28 **subdivision (1) or (2) as proof of the corroborator's residence**
 29 **and must sign the statement in the presence of two (2)**
 30 **precinct election officers who must be from different political**
 31 **parties. If the county election board has not appointed**
 32 **precinct election officers from more than one (1) political**
 33 **party to the precinct election board, the inspector for the**
 34 **precinct shall sign the form as the second precinct election**
 35 **officer. The commission shall prescribe the form of the**
 36 **statement.**
 37 **(b) If a person presents a document under subsection (a), the**
 38 **poll clerk shall add a notation to the poll list indicating the type of**
 39 **document presented by the person. The election division shall**
 40 **prescribe a standardized coding system to classify documents**
 41 **presented under subsection (a) for entry into the county voter**
 42 **registration system.**



1 (c) If a person is unable to present the documentation required
 2 under subsection (a) to the poll clerk while present at the polls, the
 3 poll clerk shall notify the precinct election board. The board shall
 4 provide a provisional ballot to the person under IC 3-11.7-2.

5 (d) The precinct election board shall advise the person that the
 6 person must file a copy of the documentation required under
 7 subsection (a) with:

8 (1) the county voter registration office; or

9 (2) the precinct election board in the voter's precinct;

10 to permit the provisional ballot to be counted under IC 3-11.7.

11 Sec. 3. The commission shall prescribe the affirmation required
 12 under section 1(c)(1) of this chapter. The affirmation must include
 13 a statement that the person has not already voted at the election for
 14 which the person is registering to vote.

15 Sec. 4. A person who registers to vote under this chapter:

16 (1) may not be challenged on the grounds that the person's
 17 registration does not appear in the precinct registration book
 18 or poll list; and

19 (2) is not required to obtain a certificate of error under
 20 IC 3-7-48 to vote.

21 Sec. 5. Before each primary, general, municipal, school district,
 22 or special election, the county election board shall provide each
 23 precinct election board with a sufficient number of registration
 24 forms, affirmations, and statements to meet the reasonable need
 25 for the forms, affirmations, and statements under this chapter.

26 Sec. 6. The precinct election board shall attach the completed
 27 registration forms, affirmations, and statements to the poll list for
 28 processing by the county voter registration office under
 29 IC 3-10-1-31.1.

30 Sec. 7. (a) The precinct election board shall add to the poll list
 31 of the precinct the name and address of a person who registers to
 32 vote under this chapter.

33 (b) The county voter registration office shall add to the
 34 registration record of the county the name of a person who
 35 registers to vote under this chapter.

36 Sec. 8. The county voter registration office shall process under
 37 IC 3-7-33-5 the voter registration forms completed under section
 38 1 of this chapter.

39 Sec. 9. If a notice mailed under IC 3-7-33-5 to a person who
 40 registered under this chapter is returned as undeliverable, the
 41 county voter registration office shall initiate steps under
 42 IC 3-7-33-6 to remove the person from the registration rolls.



1 **Sec. 10. A registration completed under this chapter for which**
 2 **the notice mailed under IC 3-7-33-5 is not returned is effective to**
 3 **the same extent as if the registration had been completed under**
 4 **IC 3-7-14 through IC 3-7-22.**

5 SECTION 7. IC 3-10-8-9, AS AMENDED BY P.L.10-2010,
 6 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 7 JANUARY 1, 2021]: Sec. 9. (a) If the special election occurs during
 8 the period when registration is open under IC 3-7-13, the registration
 9 period continues through the twenty-ninth day before the special
 10 election occurs and resumes on the date specified by IC 3-7-13-10(d),
 11 **except that a person may register or transfer registration on the**
 12 **day of a special election as provided in IC 3-7-49.**

13 (b) The election board conducting the special election shall provide
 14 poll lists for use at the precincts that include the names of voters in the
 15 precinct who:

- 16 (1) have registered through the twenty-ninth day before the
 17 special election is to be conducted; or
 18 (2) are absent uniformed services voters or overseas voters
 19 registered under IC 3-7-36.

20 (c) This subsection applies when a special election is ordered by a
 21 court under IC 3-12-8-17 or the state recount commission under
 22 IC 3-12-11-18. A candidate may not be placed on the special election
 23 ballot unless the candidate was on the ballot or was a declared write-in
 24 candidate for the office at the general election preceding the special
 25 election.

26 SECTION 8. IC 3-11-4-18, AS AMENDED BY P.L.100-2018,
 27 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JANUARY 1, 2021]: Sec. 18. (a) If a voter satisfies any of the
 29 qualifications described in IC 3-11-10-24 that entitle a voter to cast an
 30 absentee ballot by mail, the county election board shall, at the request
 31 of the voter, mail the official ballot, postage fully prepaid, to the voter
 32 at the address stated in the application. Each ballot may be assigned a
 33 unique tracking number as prescribed by the election division using
 34 IMb Tracing or a similar automated tracking method to provide
 35 real-time tracking information for the envelope containing the ballot.
 36 As used in this subsection, "IMb Tracing" refers to a real-time mail
 37 tracking service offered through the United States Postal Service.

38 (b) If the county election board mails an absentee ballot to a voter
 39 required to file additional documentation with the county voter
 40 registration office before voting by absentee ballot under this chapter,
 41 the board shall include a notice to the voter in the envelope mailed to
 42 the voter under section 20 of this chapter. The notice must inform the



1 voter that the voter must file the additional documentation required
 2 under IC 3-7-33-4.5 with the county voter registration office not later
 3 than noon on election day for the absentee ballot to be counted as an
 4 absentee ballot, and that, if the documentation required under
 5 IC 3-7-33-4.5 is filed after noon and before ~~6 p.m.~~ **the close of the**
 6 **polls** on election day, the ballot will be processed as a provisional
 7 ballot. The election division shall prescribe the form of this notice
 8 under IC 3-5-4-8.

9 (c) Except as provided in this subsection, section 18.5 of this
 10 chapter, or IC 3-11-10-26.5, the ballot shall be transmitted:

11 (1) on the day of the receipt of the voter's application; or

12 (2) not more than five (5) days after the date of delivery of the
 13 ballots under section 15 of this chapter;

14 whichever is later. If the election board determines that the county
 15 voter registration office has received an application from the applicant
 16 for registration at an address within the precinct indicated on the
 17 application, and the election board determines that this application is
 18 pending under IC 3-7-33, the ballot shall be mailed on the date the
 19 county voter registration office indicates under IC 3-7-33-5(g) that the
 20 applicant is a registered voter.

21 (d) As required by 52 U.S.C. 21081, an election board shall
 22 establish a voter education program (specific to a paper ballot or
 23 optical scan ballot card provided as an absentee ballot under this
 24 chapter) to notify a voter of the effect of casting multiple votes for a
 25 single office.

26 (e) As provided by 52 U.S.C. 21081, when an absentee ballot is
 27 transmitted under this section, the mailing must include:

28 (1) information concerning the effect of casting multiple votes for
 29 an office; and

30 (2) instructions on how to correct the ballot before the ballot is
 31 cast and counted, including the issuance of replacement ballots.

32 SECTION 9. IC 3-11-8-8, AS AMENDED BY P.L.278-2019,
 33 SECTION 70, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 34 JANUARY 1, 2021]: Sec. 8. (a) The polls in each precinct open at 6
 35 a.m. and close at ~~6~~ **8** p.m. on election day.

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

39 SECTION 10. IC 3-11-8-15, AS AMENDED BY P.L.194-2013,
 40 SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 41 JANUARY 1, 2021]: Sec. 15. (a) Only the following persons are
 42 permitted in the polls during an election:



- 1 (1) Members of a precinct election board.
 2 (2) Poll clerks and assistant poll clerks.
 3 (3) Election sheriffs.
 4 (4) Deputy election commissioners.
 5 (5) Pollbook holders and challengers.
 6 (6) Watchers.
 7 (7) Voters for the purposes of:
 8 (A) voting; **or**
 9 (B) **for voters registering to vote on election day under**
 10 **IC 3-7-49, filing a copy of the documentation required by**
 11 **IC 3-7-49-2(a) with the precinct election board in the**
 12 **voter's precinct so that the voter's provisional ballot may**
 13 **be counted under IC 3-11.7.**
 14 (8) Minor children accompanying voters as provided under
 15 IC 3-11-11-8.
 16 (9) An assistant to a precinct election officer appointed under
 17 IC 3-6-6-39.
 18 (10) An individual authorized to assist a voter in accordance with
 19 IC 3-11-9.
 20 (11) A member of a county election board, acting on behalf of the
 21 board.
 22 (12) A mechanic authorized to act on behalf of a county election
 23 board to repair a voting system (if the mechanic bears credentials
 24 signed by each member of the board).
 25 (13) Either of the following who have been issued credentials
 26 signed by the members of the county election board:
 27 (A) The county chairman of a political party.
 28 (B) The county vice chairman of a political party.
 29 However, a county chairman or a county vice chairman who is a
 30 candidate for nomination or election to office at the election may
 31 not enter the polls under this subdivision.
 32 (14) The secretary of state, as chief election officer of the state,
 33 unless the individual serving as secretary of state is a candidate
 34 for nomination or election to an office at the election.
 35 (b) This subsection applies to a simulated election for minors
 36 conducted with the authorization of the county election board. An
 37 individual participating in the simulated election may be in the polls for
 38 the purpose of voting. A person supervising the simulated election may
 39 be in the polls to perform the supervision.
 40 (c) The inspector of a precinct has authority over all simulated
 41 election activities conducted under subsection (b) and shall ensure that
 42 the simulated election activities do not interfere with the election



1 conducted in that polling place.

2 SECTION 11. IC 3-11-8-16, AS AMENDED BY P.L.230-2005,
3 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JANUARY 1, 2021]: Sec. 16. A person may not remain within a
5 distance equal to the length of the chute (as defined in IC 3-5-2-10) of
6 the entrance to the polls except for the purpose of:

7 (1) offering to vote; or

8 (2) **for voters registering to vote on election day under**
9 **IC 3-7-49, filing a copy of the documentation required by**
10 **IC 3-7-49-2(a) with the precinct election board in the voter's**
11 **precinct so that the voter's provisional ballot may be counted**
12 **under IC 3-11.7.**

13 SECTION 12. IC 3-11-8-25.1, AS AMENDED BY P.L.157-2019,
14 SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
15 JANUARY 1, 2021]: Sec. 25.1. (a) Except as provided in subsection
16 (e), a voter who desires to vote an official ballot at an election shall
17 provide proof of identification.

18 (b) Except as provided in subsection (e), before the voter proceeds
19 to vote in the election, a precinct election officer shall ask the voter to
20 provide proof of identification. One (1) of each of the precinct election
21 officers nominated by each county chairman of a major political party
22 of the county under IC 3-6-6-8 or IC 3-6-6-9 is entitled to ask the voter
23 to provide proof of identification. The voter shall produce the proof of
24 identification to each precinct officer requesting the proof of
25 identification before being permitted to sign the poll list.

26 (c) If:

27 (1) the voter is unable or declines to present the proof of
28 identification; or

29 (2) a member of the precinct election board determines that the
30 proof of identification provided by the voter does not qualify as
31 proof of identification under IC 3-5-2-40.5;

32 a member of the precinct election board shall challenge the voter as
33 prescribed by this chapter.

34 (d) If the voter executes a challenged voter's affidavit under section
35 22.1 of this chapter, the voter shall:

36 (1) sign the poll list; and

37 (2) receive a provisional ballot.

38 (e) A voter who votes in person at a precinct polling place, vote
39 center, or satellite office established under IC 3-11-10-26.3 that is
40 located at a state licensed care facility where the voter resides is not
41 required to provide proof of identification before voting in an election.

42 (f) After a voter has passed the challengers or has been sworn in, the



1 voter shall be instructed by a member of the precinct election board to
 2 proceed to the location where the poll clerks are stationed. In a vote
 3 center county using an electronic poll list, two (2) election officers who
 4 are not members of the same political party must be present when a
 5 voter signs in on the electronic poll list. The voter shall announce ~~the~~
 6 ~~voter's name~~ to the poll clerks or assistant poll clerks **the voter's name**
 7 **and whether the voter wants to register to vote at the polls. If the**
 8 **voter wants to register and meets the conditions set forth in**
 9 **IC 3-7-49, the poll clerk or other precinct election officer shall**
 10 **register the voter in accordance with IC 3-7-49. If the voter is**
 11 **already registered,** a poll clerk, an assistant poll clerk, or a member
 12 of the precinct election board shall require the voter to write the
 13 following on the poll list or to provide the following information for
 14 entry into the electronic poll list:

15 (1) The voter's name.

16 (2) Except as provided in subsection (k), the voter's current
 17 residence address.

18 (g) The poll clerk, an assistant poll clerk, or a member of the
 19 precinct election board shall:

20 (1) ask the voter to provide or update the voter's voter
 21 identification number;

22 (2) tell the voter the number the voter may use as a voter
 23 identification number; and

24 (3) explain to the voter that the voter is not required to provide or
 25 update a voter identification number at the polls.

26 (h) The poll clerk, an assistant poll clerk, or a member of the
 27 precinct election board shall ask the voter to provide proof of
 28 identification.

29 (i) In case of doubt concerning a voter's identity, the precinct
 30 election board shall compare the voter's signature with the signature on
 31 the voter's registration record provided by the county voter registration
 32 office under IC 3-7-29. If the board determines that the voter's
 33 signature is authentic, the voter may then vote. If either poll clerk
 34 doubts the voter's identity following comparison of the signatures, the
 35 poll clerk shall challenge the voter in the manner prescribed by section
 36 21 of this chapter.

37 (j) If:

38 (1) the poll clerk does not execute a challenger's affidavit; or

39 (2) the voter executes a challenged voter's affidavit under section
 40 22.1 of this chapter or executed the affidavit before signing the
 41 poll list;

42 the voter may then vote.



1 (k) The electronic poll book (or each line on a poll list sheet
 2 provided to take a voter's current address) must include a box under the
 3 heading "Address Unchanged". A voter whose address is unchanged
 4 shall check the box instead of writing the voter's current address on the
 5 poll list, or if an electronic poll book is used, the poll clerk shall check
 6 the box after stating to the voter the address shown on the electronic
 7 poll book and receiving an oral affirmation from the voter that the
 8 voter's residence address shown on the poll list is the voter's current
 9 residence address instead of writing the voter's current residence
 10 address on the poll list or reentering the address in the electronic poll
 11 book.

12 (l) If the voter indicates that the voter's current residence is located
 13 within another county in Indiana, the voter is considered to have
 14 directed the county voter registration office of the county where the
 15 precinct is located to cancel the voter registration record within the
 16 county. The precinct election board shall provide the voter with a voter
 17 registration application for the voter to complete and file with the
 18 county voter registration office of the county where the voter's current
 19 residence address is located.

20 (m) If the voter indicates that the voter's current residence is located
 21 outside Indiana, the voter is considered to have directed the county
 22 voter registration office of the county where the precinct is located to
 23 cancel the voter registration record within the county.

24 SECTION 13. IC 3-11-8-25.5, AS AMENDED BY P.L.271-2013,
 25 SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JANUARY 1, 2021]: Sec. 25.5. (a) If an individual signs the
 27 individual's name and either:

28 (1) signs the individual's address; or

29 (2) checks the "Address Unchanged" box;

30 on the poll list or provides the information for entry by the poll clerk
 31 into the electronic poll list under section 25.1 of this chapter and then
 32 leaves the polls without casting a ballot or after casting a provisional
 33 ballot, the voter may not be permitted to reenter the polls to cast a
 34 ballot at the election: **except as provided by subsection (b).**

35 **(b) An individual who:**

36 **(1) registers to vote on election day under IC 3-7-49; and**

37 **(2) casts a provisional ballot under IC 3-11.7 because the**
 38 **individual is unable to present the documentation required**
 39 **under IC 3-7-49-2(a);**

40 **is entitled to reenter the polls solely to file a copy of the**
 41 **documentation required under IC 3-7-49-2(a) with the precinct**
 42 **election board in the individual's precinct so that the individual's**



1 **provisional ballot may be counted under IC 3-11.7.**

2 SECTION 14. IC 3-11-14-19 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 19. Each county
4 election board shall be at its office from 5 a.m. until ~~6 p.m.~~ **the close of**
5 **the polls** on election day. Upon notice that an electronic voting system
6 is out of order or fails to work, the board shall be ready between those
7 hours to deliver to any precinct in the county:

- 8 (1) necessary paper ballots;
9 (2) election booths with an adequate number of stalls;
10 (3) ballot boxes; and
11 (4) all necessary supplies and equipment as required by law.

12 SECTION 15. IC 3-11.7-2-1, AS AMENDED BY P.L.128-2015,
13 SECTION 201, IS AMENDED TO READ AS FOLLOWS
14 [EFFECTIVE JANUARY 1, 2021]: Sec. 1. (a) ~~As provided by 52~~
15 ~~U.S.C. 21082~~; This section applies to the following individuals:

- 16 (1) An individual:
17 (A) whose name does not appear on the registration list; and
18 (B) who is challenged under IC 3-10-1 or IC 3-11-8 after the
19 voter makes an oral or a written affirmation under IC 3-7-48-5
20 or IC 3-7-48-7 or after the voter produces a certificate of error
21 under IC 3-7-48-1.
22 (2) An individual described by IC 3-10-1-10.5, IC 3-11-8-23.5, or
23 IC 3-11-8-27.5 who is challenged as not eligible to vote.
24 (3) An individual who seeks to vote in an election as a result of a
25 court order (or any other order) extending the time established for
26 closing the polls under IC 3-11-8-8.
27 **(4) An individual who is registering to vote at the polls but has**
28 **not presented identification required under IC 3-7-49-2.**

29 (b) ~~As required by 52 U.S.C. 21083~~; A voter who has registered to
30 vote but has not:

- 31 (1) presented identification required under 52 U.S.C. 21083 to the
32 poll clerk before voting in person under IC 3-11-8-25.1; ~~or~~
33 (2) filed a copy of the identification required under 52 U.S.C.
34 21083 to the county voter registration office before the voter's
35 absentee ballot is cast; ~~or~~
36 **(3) presented identification required under IC 3-7-49-2 to the**
37 **poll clerk before voting in person under IC 3-11-8-25.1;**

38 is entitled to vote a provisional ballot under this article.

39 (c) A precinct election officer shall inform an individual described
40 by subsection (a)(1) or (a)(2) that the individual may cast a provisional
41 ballot if the individual:

- 42 (1) is eligible to vote under IC 3-7-13-1;



- 1 (2) submitted a voter registration application during the
2 registration period described by IC 3-7-13-10; and
3 (3) executes an affidavit described in IC 3-10-1-9 or IC 3-11-8-23.
4 (d) A precinct election officer shall inform an individual described
5 by subsection (a)(3) that the individual may cast a provisional ballot.
6 SECTION 16. IC 3-12-4-6 IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 6. (a) At ~~6 p.m.~~
8 **the close of the polls** on each election day, the county election board
9 shall assemble in a room to canvass the certificates, poll lists, and tally
10 papers returned by each inspector in the county and to declare the
11 results of the election as provided in this chapter.
12 (b) The canvassing must be performed in public under IC 5-14-1.5.
13 However, the board may restrict access to parts of the room where
14 election material is being handled or transported to safeguard the
15 material.
16 (c) Except as provided in section 7 of this chapter, the county
17 executive shall provide a room in the courthouse that contains adequate
18 space to permit members of the public to witness the canvassing of
19 votes.

