



February 17, 2017

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## HOUSE BILL No. 1472

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DIGEST OF HB 1472 (Updated February 16, 2017 7:55 am - DI 75)

**Citations Affected:** IC 3-11; IC 3-11.5.

**Synopsis:** Vote centers. Provides that the adoption, rescission, or amendment of a vote center plan may be taken by a majority vote of all members of a county election board. (Current law requires such action to be taken by the unanimous vote of a county election board.) Provides that if all of the members of a county election board do not agree on the location of the vote centers, each member of the county election board (or board of elections and registration) is entitled to designate an equal number of locations of the vote centers.

**Effective:** July 1, 2017.

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## Wesco, Soliday

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January 18, 2017, read first time and referred to Committee on Elections and Apportionment.  
February 16, 2017, amended, reported — Do Pass.

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HB 1472—LS 7466/DI 75





February 17, 2017

First Regular Session of the 120th General Assembly (2017)

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 2016 Regular Session of the General Assembly.

## HOUSE BILL No. 1472

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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 3-11-18.1-3, AS ADDED BY P.L.1-2011,  
2 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2017]: Sec. 3. (a) A county must comply with this section to  
4 become a vote center county.  
5 (b) As used in this section, "board" refers to any of the following:  
6 (1) The county election board.  
7 (2) The board of elections and registration established under  
8 IC 3-6-5.2 or IC 3-6-5.4.  
9 (c) The board shall hold a public hearing to present a draft plan for  
10 administration of vote centers in the county.  
11 (d) After presentation of the draft plan under subsection (c), the  
12 board shall accept written public comments on the draft plan.  
13 (e) At least thirty (30) days after the hearing held under subsection  
14 (c), the board shall hold a public hearing to consider the following:  
15 (1) The draft plan.  
16 (2) The written public comments.  
17 (3) Any other public comment that the board may permit on the

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- 1 draft plan.
- 2 (f) After consideration of the draft plan and the public comments,
- 3 the board may do the following:
- 4 (1) Adopt an order approving the draft plan.
- 5 (2) Amend the draft plan and adopt an order approving the
- 6 amended draft plan.
- 7 The board may adopt the order to approve a plan only by ~~unanimous a~~
- 8 **majority** vote of the entire membership of the board.
- 9 ~~(g) All members of the board must sign the order adopting the plan.~~
- 10 ~~(h)~~ (g) The order and the adopted plan must be filed with the
- 11 election division and must include a copy of:
- 12 (1) a resolution adopted by the county executive; and
- 13 (2) a resolution adopted by the county fiscal body;
- 14 approving the designation of the county as a vote center county.
- 15 SECTION 2. IC 3-11-18.1-4, AS AMENDED BY P.L.76-2014,
- 16 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 17 JULY 1, 2017]: Sec. 4. The plan required by section 3 of this chapter
- 18 must include at least the following:
- 19 (1) The total number of vote centers to be established.
- 20 (2) The location of each vote center. **If the board does not agree**
- 21 **by unanimous vote of the entire membership of the board**
- 22 **regarding the location of each vote center, the following**
- 23 **apply:**
- 24 (A) **Consistent with section 6 of this chapter, the number of**
- 25 **vote centers established in the county must be equally**
- 26 **divisible by the number of the board members of the entire**
- 27 **board.**
- 28 (B) **Each board member is entitled to designate the same**
- 29 **number of locations of vote centers.**
- 30 (3) The effective date of the order.
- 31 (4) The following information according to the computerized list
- 32 (as defined in IC 3-7-26.3-2) as of the date of the order:
- 33 (A) The total number of voters within the county.
- 34 (B) The number of active voters within the county.
- 35 (C) The number of inactive voters within the county.
- 36 (5) For each vote center designated under subdivision (2), a list
- 37 of the precincts whose polls will be located at the vote center
- 38 consistent with section 13 of this chapter for an election that is not
- 39 being held in each precinct of the county.
- 40 (6) For each vote center designated under subdivision (2), the
- 41 number of precinct election boards that will be appointed to
- 42 administer an election at the vote center.



- 1 (7) For each precinct election board designated under subdivision  
2 (6), the number and name of each precinct the precinct election  
3 board will administer consistent with section 13 of this chapter for  
4 an election that is not being held in each precinct of the county.  
5 (8) For each vote center designated under subdivision (2), the  
6 number and title of the precinct election officers who will be  
7 appointed to serve at the vote center.  
8 (9) For each vote center designated under subdivision (2):  
9 (A) the number and type of ballot variations that will be  
10 provided at the vote center; and  
11 (B) whether these ballots will be:  
12 (i) delivered to the vote center before the opening of the  
13 polls; or  
14 (ii) printed on demand for a voter's use.  
15 (10) A detailed description of any hardware, firmware, or  
16 software used:  
17 (A) to create an electronic poll list for each precinct whose  
18 polls are to be located at a vote center; or  
19 (B) to manage data in an electronic poll book through a secure  
20 electronic connection between the county election board and  
21 the precinct election officials administering a vote center.  
22 (11) A description of the equipment and procedures to be used to  
23 ensure that information concerning a voter entered into any  
24 electronic poll book used by precinct election officers at a vote  
25 center is immediately accessible to:  
26 (A) the county election board; and  
27 (B) the electronic poll books used by precinct election officers  
28 at all other vote centers in the county.  
29 (12) For each precinct designated under subdivision (5), the  
30 number of electronic poll books to be provided for the precinct.  
31 (13) This subdivision applies to a county in which ballot cards are  
32 used at a vote center. For each vote center designated under  
33 subdivision (2), whether each ballot card printed will have the  
34 printed initials of the poll clerks captured through the electronic  
35 signature pad or tablet at the time the poll clerks log into the  
36 electronic poll book system printed on the back of the ballot card  
37 immediately before the ballot card is delivered to a voter.  
38 (14) The security and contingency plans to be implemented by the  
39 county to do all of the following:  
40 (A) Prevent a disruption of the vote center process.  
41 (B) Ensure that the election is properly conducted if a  
42 disruption occurs.



- 1 (C) Prevent access to an electronic poll book without the  
 2 coordinated action of two (2) precinct election officers who are  
 3 not members of the same political party.
- 4 (15) A certification that the vote center complies with the  
 5 accessibility requirements applicable to polling places under  
 6 IC 3-11-8.
- 7 (16) A sketch depicting the planned layout of the vote center,  
 8 indicating the location of:  
 9 (A) equipment; and  
 10 (B) precinct election officers;  
 11 within the vote center.
- 12 (17) The total number and locations of satellite offices to be  
 13 established under IC 3-11-10-26.3 at vote center locations  
 14 designated under subdivision (2) to allow voters to cast absentee  
 15 ballots in accordance with IC 3-11. However, a plan must provide  
 16 for at least one (1) vote center to be established as a satellite  
 17 office under IC 3-11-10-26.3 on the two (2) Saturdays  
 18 immediately preceding an election day.
- 19 (18) The method and timing of providing voter data to persons  
 20 who are entitled to receive the data under this title. Data shall be  
 21 provided to all persons entitled to the data without unreasonable  
 22 delay.
- 23 (19) That the county election board shall adopt a resolution under  
 24 IC 3-11.5-5-1 or IC 3-11.5-6-1 to make the central counting of  
 25 absentee ballots applicable to the county (if the board has not  
 26 already done so).
- 27 (20) For a plan adopted after July 1, 2014, in a county in which a  
 28 majority of votes are cast on optical scan ballot cards, any  
 29 additional procedures to provide for efficient and secure voting at  
 30 each vote center, including ballot on demand printing.
- 31 SECTION 3. IC 3-11-18.1-8, AS AMENDED BY P.L.258-2013,  
 32 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 33 JULY 1, 2017]: Sec. 8. (a) Except as provided in subsection (b), the  
 34 designation of a county as a vote center county takes effect  
 35 immediately upon the filing of the order with the election division,  
 36 unless otherwise specified by the county election board.
- 37 (b) An order filed with the election division during the final sixty  
 38 (60) days before an election becomes effective on the day following the  
 39 election.
- 40 (c) The designation of a county as a vote center county remains in  
 41 effect until the county election board, by ~~unanimous~~ a **majority** vote  
 42 of its entire membership:



- 1 (1) rescinds the order designating the county as a vote center  
 2 county; and  
 3 (2) files a copy of the document rescinding the order with the  
 4 election division.
- 5 SECTION 4. IC 3-11-18.1-15, AS ADDED BY P.L.225-2011,  
 6 SECTION 71, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 7 JULY 1, 2017]: Sec. 15. (a) A county may amend a plan adopted with  
 8 a county election board's order under section 3 of this chapter.
- 9 (b) For a county to amend its plan, **the following must occur:**
- 10 (1) The county election board (or board of elections and  
 11 registration established under IC 3-6-5.2 or IC 3-6-5.4), by  
 12 ~~unanimous~~ **a majority** vote of the entire membership of the  
 13 board, must approve the plan amendment. **If the amendment**  
 14 **includes an amendment of the location of the vote centers,**  
 15 **section 4(2) of this chapter applies to the amended location of**  
 16 **the vote centers.**
- 17 ~~(2) all members of the board must sign the amendment; and~~  
 18 ~~(3)~~ **(2)** The amendment must be filed with the election division.
- 19 (c) A plan amendment takes effect immediately upon filing with the  
 20 election division, unless otherwise specified by the county election  
 21 board.
- 22 SECTION 5. IC 3-11.5-1-1.1, AS AMENDED BY P.L.266-2013,  
 23 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 24 JULY 1, 2017]: Sec. 1.1. This article applies to **the following counties:**
- 25 (1) A county subject to IC 3-11.5-4-0.5. ~~or~~  
 26 (2) A county whose county election board, by unanimous vote of  
 27 the board's entire membership, has adopted a resolution under  
 28 IC 3-11.5-5-1 or IC 3-11.5-6-1.  
 29 **(3) A county that has adopted vote centers under IC 3-11-18.1.**



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1472, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 15.

Page 16, delete lines 1 through 24.

Page 17, between lines 13 and 14, begin a new paragraph and insert: "SECTION 2. IC 3-11-18.1-4, AS AMENDED BY P.L.76-2014, SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 4. The plan required by section 3 of this chapter must include at least the following:

- (1) The total number of vote centers to be established.
- (2) The location of each vote center. **If the board does not agree by unanimous vote of the entire membership of the board regarding the location of each vote center, the following apply:**
  - (A) **Consistent with section 6 of this chapter, the number of vote centers established in the county must be equally divisible by the number of the board members of the entire board.**
  - (B) **Each board member is entitled to designate the same number of locations of vote centers.**
- (3) The effective date of the order.
- (4) The following information according to the computerized list (as defined in IC 3-7-26.3-2) as of the date of the order:
  - (A) The total number of voters within the county.
  - (B) The number of active voters within the county.
  - (C) The number of inactive voters within the county.
- (5) For each vote center designated under subdivision (2), a list of the precincts whose polls will be located at the vote center consistent with section 13 of this chapter for an election that is not being held in each precinct of the county.
- (6) For each vote center designated under subdivision (2), the number of precinct election boards that will be appointed to administer an election at the vote center.
- (7) For each precinct election board designated under subdivision (6), the number and name of each precinct the precinct election board will administer consistent with section 13 of this chapter for an election that is not being held in each precinct of the county.
- (8) For each vote center designated under subdivision (2), the

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number and title of the precinct election officers who will be appointed to serve at the vote center.

(9) For each vote center designated under subdivision (2):

(A) the number and type of ballot variations that will be provided at the vote center; and

(B) whether these ballots will be:

(i) delivered to the vote center before the opening of the polls; or

(ii) printed on demand for a voter's use.

(10) A detailed description of any hardware, firmware, or software used:

(A) to create an electronic poll list for each precinct whose polls are to be located at a vote center; or

(B) to manage data in an electronic poll book through a secure electronic connection between the county election board and the precinct election officials administering a vote center.

(11) A description of the equipment and procedures to be used to ensure that information concerning a voter entered into any electronic poll book used by precinct election officers at a vote center is immediately accessible to:

(A) the county election board; and

(B) the electronic poll books used by precinct election officers at all other vote centers in the county.

(12) For each precinct designated under subdivision (5), the number of electronic poll books to be provided for the precinct.

(13) This subdivision applies to a county in which ballot cards are used at a vote center. For each vote center designated under subdivision (2), whether each ballot card printed will have the printed initials of the poll clerks captured through the electronic signature pad or tablet at the time the poll clerks log into the electronic poll book system printed on the back of the ballot card immediately before the ballot card is delivered to a voter.

(14) The security and contingency plans to be implemented by the county to do all of the following:

(A) Prevent a disruption of the vote center process.

(B) Ensure that the election is properly conducted if a disruption occurs.

(C) Prevent access to an electronic poll book without the coordinated action of two (2) precinct election officers who are not members of the same political party.

(15) A certification that the vote center complies with the accessibility requirements applicable to polling places under



IC 3-11-8.

(16) A sketch depicting the planned layout of the vote center, indicating the location of:

(A) equipment; and

(B) precinct election officers;

within the vote center.

(17) The total number and locations of satellite offices to be established under IC 3-11-10-26.3 at vote center locations designated under subdivision (2) to allow voters to cast absentee ballots in accordance with IC 3-11. However, a plan must provide for at least one (1) vote center to be established as a satellite office under IC 3-11-10-26.3 on the two (2) Saturdays immediately preceding an election day.

(18) The method and timing of providing voter data to persons who are entitled to receive the data under this title. Data shall be provided to all persons entitled to the data without unreasonable delay.

(19) That the county election board shall adopt a resolution under IC 3-11.5-5-1 or IC 3-11.5-6-1 to make the central counting of absentee ballots applicable to the county (if the board has not already done so).

(20) For a plan adopted after July 1, 2014, in a county in which a majority of votes are cast on optical scan ballot cards, any additional procedures to provide for efficient and secure voting at each vote center, including ballot on demand printing."

Page 17, line 34, delete ":" and insert ", **the following must occur:**".

Page 17, line 35, delete "the" and insert "The".

Page 17, line 38, delete "; and" and insert ". **If the amendment includes an amendment of the location of the vote centers, section 4(2) of this chapter applies to the amended location of the vote centers.**".

Page 17, line 40, delete "(2) the" and insert "(2) The".

Page 18, delete lines 2 through 42, begin a new paragraph and insert:

"SECTION 5. IC 3-11.5-1-1.1, AS AMENDED BY P.L.266-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1.1. This article applies to **the following counties:**

(1) A county subject to IC 3-11.5-4-0.5. **or**

(2) A county whose county election board, by unanimous vote of the board's entire membership, has adopted a resolution under IC 3-11.5-5-1 or IC 3-11.5-6-1.

(3) **A county that has adopted vote centers under**



**IC 3-11-18.1."**

Delete pages 19 through 26.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1472 as introduced.)

SMITH M

Committee Vote: yeas 8, nays 5.

