

Second Regular Session of the 123rd General Assembly (2024)

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 2023 Regular Session of the General Assembly.

## SENATE ENROLLED ACT No. 170

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AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

SECTION 1. IC 3-14-3-4, AS AMENDED BY P.L.158-2013, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. **(a) This section does not apply to an offense that occurs at a health facility (as defined in IC 16-18-2-167).**

**(b) For purposes of this section, "election worker" means an individual who serves as:**

- (1) a precinct election officer, including an individual who serves as a precinct election officer at a vote center using a different title under IC 3-6-6-5.5;**
- (2) a member of a county election board;**
- (3) a member of a county board of elections and registration;**
- (4) a member of a board of registration established under IC 3-7-12;**
- (5) a circuit court clerk;**
- (6) an employee of the office of a circuit court clerk;**
- (7) a member of a town election board;**
- (8) an individual who serves under IC 3-6-6-39;**
- (9) a challenger or pollbook holder under IC 3-6-7;**
- (10) a watcher under IC 3-6-8, IC 3-6-9, or IC 3-6-10; or**
- (11) an individual appointed under IC 3-11.5-4:**

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- (A) to an absentee voter board;
- (B) as an absentee ballot counter; or
- (C) as a courier.

~~(a)~~ (c) A person who, **with the intent to obstruct or interfere with an election worker or a voter in the chute**, ~~(+)~~ knowingly or intentionally:

- (1) obstructs or interferes with:
  - (A) an election ~~officer~~ **worker** in the discharge of the ~~officer's~~ **election worker's** duty; or
  - ~~(2) (B) knowingly obstructs or interferes with~~ a voter within the chute; **and**
- (2) **engages in the obstruction or interference on:**
  - (A) **election day; or**
  - (B) **a day on which voting is permitted to occur before an absentee voter board;**

commits a Level 6 felony.

~~(b)~~ (d) A person who knowingly or intentionally injures an election ~~officer~~ **worker** or a voter:

- (1) in the exercise of the ~~officer's~~ **election worker's** or voter's rights or duties; or
- (2) because the ~~officer~~ **election worker** or voter has exercised the ~~officer's~~ **election worker's** or voter's rights or duties;

commits a Level 6 felony.

~~(c)~~ (e) A person called as a witness to testify against another for a violation of this section is a competent witness to prove the offense even though the person may have been a party to the violation. The person shall be compelled to testify as other witnesses. However, the person's evidence may not be used against the person in a prosecution growing out of matters about which the person testifies, and the person is not liable to indictment or information for the offense.

SECTION 2. IC 3-14-3-18, AS AMENDED BY P.L.158-2013, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. (a) As used in this section, "candidate" includes an individual whom the person knows is considering becoming a candidate.

**(b) As used in this section, "election worker" has the meaning set forth in section 4(b) of this chapter.**

~~(b)~~ (c) A person who, for the purpose of influencing a voter or candidate, does any of the following commits a Level 6 felony:

- (1) Seeks to enforce the payment of a debt by force or threat of force.
- (2) Ejects or threatens to eject the voter or candidate from a house



the voter or candidate occupies.

(3) Begins a criminal prosecution.

(4) Damages the business or trade of the voter or candidate.

(5) Communicates a threat to commit a forcible felony (as defined in IC 35-31.5-2-138) against a voter or candidate with the intent that the voter or candidate:

(A) engage in conduct against the voter's or candidate's will;

or

(B) be placed in fear of retaliation for a prior lawful act as a voter or candidate.

**(d) This subsection does not apply to an offense that occurs at a health facility (as defined in IC 16-18-2-167). A person who communicates a threat (as defined in IC 35-45-2-1) to an election worker with the intent that the election worker:**

**(1) engage in conduct against the election worker's will; or**

**(2) be placed in fear of retaliation for a prior lawful act relating to an election;**

**commits threatening an election worker, a Level 6 felony.**

**SECTION 3. An emergency is declared for this act.**



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President of the Senate

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President Pro Tempore

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Speaker of the House of Representatives

\_\_\_\_\_  
Governor of the State of Indiana

Date: \_\_\_\_\_ Time: \_\_\_\_\_

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