

HOUSE BILL No. 1264

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-5-3-1; IC 3-7; IC 3-11-4-18.

Synopsis: Election security. Provides that a political subdivision that conducts or administers an election may not join the membership of, participate in a program offered by, or purchase a service from a person who meets a specified description. Specifies proof of residency requirements that apply to certain individuals who register to vote in person at a registration agency. Requires the statewide voter registration system (SVRS) to contain a feature that identifies voter registrations that list a potential nonresidential address. Specifies a process that a county voter registration official must follow if this feature identifies a voter registration that lists a potential nonresidential address. Allows the secretary of state to contract with a company to receive commercially available data. Requires the National Voter Registration Act (NVRA) official or a contractor to use this information to identify a voter whose residence may have changed. Requires the election division to compare residential addresses received from agencies to the residential addresses in the SVRS. Requires the NVRA official to compare the SVRS with the Systematic Alien Verification for Entitlements (SAVE) program data base. Specifies a process that must be followed if evidence exists that a registered voter is not a citizen of the United States. Requires the state to provide to each county voter registration office information concerning a voter who is disqualified or potentially disqualified as a prospective juror from jury service because the voter is not a United States citizen. Specifies the actions a county voter registration office must take concerning certain juror information.

Effective: July 1, 2024; January 1, 2025; July 1, 2025.

Wesco

January 9, 2024, read first time and referred to Committee on Elections and Apportionment.



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.

HOUSE BILL No. 1264



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 3-5-3-1, AS AMENDED BY THE TECHNICAL
2 CORRECTIONS BILL OF THE 2024 GENERAL ASSEMBLY, IS
3 AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2024]:
4 Sec. 1. (a) Except as provided in sections 7 through 10 of this chapter,
5 the county auditor shall pay the expenses of voter registration and for
6 all election supplies, equipment, and expenses out of the county
7 treasury in the manner provided by law. The county fiscal body shall
8 make the necessary appropriations for these purposes.
9 (b) The county executive shall pay to the circuit court clerk or board
10 of registration the expenses of:
11 (1) removing voters from the registration record under IC 3-7-43,
12 IC 3-7-45, or IC 3-7-46; and
13 (2) performing voter list maintenance programs under IC 3-7;
14 out of the county treasury without appropriation.
15 (c) Registration expenses incurred by a circuit court clerk or board
16 of registration for:
17 (1) the salaries of members of a board of registration appointed



1 under IC 3-7-12-9;

2 (2) the salaries of chief clerks appointed under IC 3-7-12-17; and

3 (3) the salaries of assistants employed under IC 3-7-12-19;

4 may not be charged to a municipality. However, the municipality may
5 be charged for wages of extra persons employed to provide additional
6 assistance reasonably related to the municipal election.

7 (d) A political subdivision that conducts or administers an election
8 may not:

9 (1) accept private money donations; or

10 (2) receive **funds** or expend funds received;

11 from a person for preparing, administering, or conducting elections or
12 employing individuals on a temporary basis for the purpose of
13 preparing, administering, or conducting elections, including registering
14 voters. This subsection does not prohibit a political subdivision from
15 receiving or expending funds from the state or from the federal
16 government to prepare for, administer, or conduct an election.

17 (e) **A political subdivision that conducts or administers an
18 election may not join the membership of, participate in a program
19 offered by, or purchase a service from a person who has directly or
20 indirectly financed:**

21 **(1) preparing, administrating, or conducting elections; or**

22 **(2) employing individuals on a temporary basis for the
23 purpose of preparing, administering, or conducting elections,
24 including registering voters.**

25 **For purposes of this subsection, a person does not include the state
26 or federal government.**

27 SECTION 2. IC 3-7-13-14 IS ADDED TO THE INDIANA CODE
28 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
29 1, 2024]: **Sec. 14. (a) The requirements of this section:**

30 **(1) apply to an individual who has not previously voted in:**

31 **(A) a general election in Indiana (or a special election for
32 federal office in Indiana); or**

33 **(B) a general election (or a special election for federal
34 office) in the county where the individual has submitted a
35 registration application if the application was received by
36 the county voter registration office after December 31,
37 2002, and before January 1, 2006; and**

38 **(2) do not apply to an individual who submits with the
39 individual's application the:**

40 **(1) individual's Indiana driver's license number; or**

41 **(2) last four (4) digits of the individual's Social Security
42 number;**



1 **and the county voter registration office or election division**
 2 **matches the information submitted by the applicant with an**
 3 **existing Indiana identification record bearing the same**
 4 **identification number, name, and date of birth set forth in the**
 5 **voter registration application.**

6 **(b) Subject to subsection (c), an individual who applies to**
 7 **register to vote in person at a registration agency shall present with**
 8 **the individual's application:**

9 **(1) a current and valid photo identification; or**

10 **(2) a current utility bill, bank statement, government check,**
 11 **paycheck, or government document;**

12 **that shows the name and residence address of the voter stated on**
 13 **the voter registration application.**

14 **(c) The requirements of this section must be administered in a**
 15 **uniform and nondiscriminatory manner.**

16 SECTION 3. IC 3-7-33-5, AS AMENDED BY P.L.278-2019,
 17 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2024]: Sec. 5. (a) When the county voter registration office
 19 receives an application for a new registration or an application with
 20 information that revises or adds information to the applicant's current
 21 voter registration record, the county voter registration office shall
 22 determine if the applicant appears to be eligible to register to vote
 23 based on the information in the application.

24 (b) This subsection does not apply to a voter who indicates:

25 (1) under IC 3-7-39-7 or on an absentee application submitted
 26 under IC 3-11-4 that the voter has changed the voter's residence
 27 to an address within the same precinct where the voter's former
 28 address was located; or

29 (2) under IC 3-7-41 or an absentee application submitted under
 30 IC 3-11-4 that the voter has changed the voter's name.

31 As required under 52 U.S.C. 20507(a)(2), the county voter registration
 32 office shall send a notice to each person from whom the county voter
 33 registration office receives a voter registration application. The county
 34 voter registration office shall send a notice to the applicant at the
 35 mailing address provided in the application.

36 (c) The notice required by subsection (b) must set forth the
 37 following:

38 (1) A statement that the application has been received.

39 (2) The disposition of the application by the county voter
 40 registration office.

41 (3) If the county voter registration office determines that the
 42 applicant appears to be eligible, the notice must state the



1 following:

2 (A) Except as provided under ~~subsection~~ **subsections (g) and**
 3 **(l)**, the applicant is registered to vote under the residence
 4 address when the applicant receives the notice. An applicant
 5 is presumed to have received the notice unless the notice is
 6 returned by the United States Postal Service due to an
 7 unknown or insufficient address and received by the county
 8 voter registration office not later than seven (7) days after the
 9 notice is mailed to the applicant.

10 (B) The name of the precinct in which the voter is registered.

11 (C) The address of the polling place for the precinct in which
 12 the voter is registered.

13 **(4) If the county voter registration office determines that the**
 14 **applicant appears to be eligible, but also determines that the**
 15 **applicant has not complied with the proof of residence**
 16 **requirements under IC 3-7-13-14, the notice must include the**
 17 **following:**

18 (A) **A list of documents that the applicant may submit to**
 19 **comply with the requirements under IC 3-7-13-14.**

20 (B) **A statement that the applicant may submit a document**
 21 **under clause (A) to the county voter registration office in**
 22 **person or by mail.**

23 **(4) (5)** In accordance with 52 U.S.C. 20302(d), if the county voter
 24 registration office has denied the application, the notice must
 25 include the reasons for the denial.

26 (d) The notice required by subsection (b) may not include a voter
 27 identification number.

28 (e) The notice required by subsection (b) may include a voter
 29 registration card.

30 (f) If the notice is returned by the United States Postal Service due
 31 to an unknown or insufficient address, the county voter registration
 32 office shall determine that the applicant is ineligible and deny the
 33 application.

34 **(g) This subsection does not apply if the notice mailed under this**
 35 **section includes the information described in subsection (c)(4).**
 36 During the seven (7) days following the mailing of the notice to the
 37 voter under this section, the county voter registration office shall
 38 indicate in the computerized list maintained under IC 3-7-26.3 that the
 39 application is pending. If the notice:

40 (1) is not returned by the United States Postal Service and
 41 received by the county voter registration office at; or

42 (2) is received by the applicant by United States Postal Service



1 delivery and presented in person by the applicant to the county
 2 voter registration office before;
 3 the expiration of the seven (7) day period under subsection (c), the
 4 county voter registration office shall indicate in the computerized list
 5 that the applicant is a registered voter at the address set forth by the
 6 applicant as the applicant's current address.

7 (h) If:

8 (1) the application for a new registration or an application with
 9 information that revises or adds information to the applicant's
 10 current registration record states that the applicant formerly
 11 resided or was registered at an address outside the precinct where
 12 the address set forth in the application is located; and

13 (2) the application is denied by the county voter registration office
 14 under subsection (f);

15 the county voter registration office shall cancel any registration record
 16 of the voter at the address which the applicant stated is no longer the
 17 legal residence of the applicant. If a registration record is canceled
 18 under this subsection, the voter may nonetheless vote a regular official
 19 ballot at the previous address if the voter makes an oral or written
 20 affirmation under IC 3-7-48-5(b) that the voter continues to reside at
 21 the previous address.

22 (i) If the county voter registration office cancels a voter's registration
 23 record at an address that the applicant has stated is no longer the legal
 24 residence of the applicant under subsection (h), the county voter
 25 registration office shall send the voter a notice prescribed by the
 26 election division and generated from the computerized list maintained
 27 under IC 3-7-26.3 by forwardable mail to the voter's residence address
 28 that was canceled. The notice must state the following:

29 (1) That the voter's registration application was denied under
 30 subsection (f).

31 (2) That the voter's registration record at the address that the
 32 applicant has stated is no longer the legal residence of the
 33 applicant has been canceled under subsection (h).

34 (3) That if the voter wants to register to vote at the voter's current
 35 residence address, the voter must complete and submit a new
 36 application before the end of the next registration period
 37 described in IC 3-7-13-10.

38 A voter registration application must be sent with the notice required
 39 under this subsection.

40 (j) This subsection applies if the notice is mailed by the county voter
 41 registration office after the certified list is prepared under IC 3-7-29. If:

42 (1) the seven (7) day period under subsection (c) expires before



- 1 election day;
- 2 (2) the applicant has not presented the notice mailed under
- 3 subsection (b) to the county voter registration office as provided
- 4 under subsection (g); and
- 5 (3) the applicant would otherwise have been included on the
- 6 certified list;
- 7 the county voter registration office shall prepare a certificate of error
- 8 under IC 3-7-48 to note the addition of the voter to the certified list.
- 9 **(k) This subsection does not apply if the notice mailed under this**
- 10 **section includes the information described in subsection (c)(4).** This
- 11 subsection applies if the notice is mailed by the county voter
- 12 registration office after the certified list is prepared under IC 3-7-29. If:
- 13 (1) the seven (7) day period has not expired before election day;
- 14 and
- 15 (2) the applicant has not presented the notice mailed under
- 16 subsection (b) to the county voter registration office as provided
- 17 under subsection (g);
- 18 the county voter registration office shall notify the county election
- 19 board. The county election board shall certify to the inspector of the
- 20 precinct where the applicant resides that the applicant's voter
- 21 registration application is pending, and that the voter, subject to
- 22 fulfilling the requirements of IC 3-11.7, is entitled to cast a provisional
- 23 ballot.
- 24 **(l) The following apply if the notice mailed under this section**
- 25 **includes the information described in subsection (c)(4):**
- 26 **(1) At the time the notice is mailed, the county voter**
- 27 **registration office shall indicate in the computerized list that**
- 28 **the application is pending.**
- 29 **(2) Subject to subsection (f), if:**
- 30 **(A) the county voter registration office finds that the**
- 31 **applicant has complied with the proof of residence**
- 32 **requirements under IC 3-7-13-14; and**
- 33 **(B) the notice mailed under this section is:**
- 34 **(i) not returned by the United States Postal Service and**
- 35 **received by the county voter registration office at; or**
- 36 **(ii) received by the applicant by United States Postal**
- 37 **Service delivery and presented in person by the**
- 38 **applicant to the county voter registration office before;**
- 39 **the expiration of the seven (7) day period under subsection**
- 40 **(c);**
- 41 **the county voter registration office shall indicate in the**
- 42 **computerized list that the applicant is a registered voter at the**



- 1 **address set forth by the applicant as the applicant's current**
 2 **address.**
- 3 SECTION 4. IC 3-7-33-5.7, AS ADDED BY P.L.227-2023,
 4 SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2024]: Sec. 5.7. (a) The statewide voter registration system
 6 must contain a feature that identifies:
- 7 (1) potential nonresidential addresses submitted on voter
 8 registration applications; **and**
 9 (2) **voter registrations in the statewide voter registration**
 10 **system that list a potential nonresidential address.**
- 11 (b) This subsection applies to an application with a residence
 12 address that the statewide voter registration system identifies as a
 13 potential nonresidential address. Before the county voter registration
 14 official makes a determination on the application under section 5 of
 15 this chapter, the official shall conduct research on the application to
 16 determine if:
- 17 (1) an individual could reside at the address stated on the
 18 application; or
 19 (2) the applicant resides at a nontraditional address described in
 20 IC 3-5-5-18.
- 21 SECTION 5. IC 3-7-38.2-2, AS AMENDED BY P.L.141-2020,
 22 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 23 JANUARY 1, 2025]: Sec. 2. (a) Except as provided in subsection (b)
 24 or (c), a voter list maintenance program conducted under this chapter
 25 must:
- 26 (1) be uniform, nondiscriminatory, and in compliance with the
 27 Voting Rights Act of 1965 (52 U.S.C. 10101);
 28 (2) not result in the removal of the name of a person from the
 29 official list of voters solely due to the person's failure to vote; and
 30 (3) be completed not later than ninety (90) days before a primary
 31 or general election.
- 32 (b) A voter list maintenance program conducted under this chapter
 33 in a year other than a year in which a general election is conducted
 34 must:
- 35 (1) comply with the requirements set forth in subsection (a)(1)
 36 and (a)(2); and
 37 (2) be completed not later than twenty-nine (29) days before a
 38 municipal election or special election (other than for a federal
 39 office) is conducted.
- 40 (c) If a special election is required for a vacancy in a federal office
 41 in a year in which a general election is not conducted, the voter list
 42 maintenance program conducted under this chapter must:



- 1 (1) comply with the requirements of subsection (a)(1) and (a)(2);
 2 and
 3 (2) be completed not later than ninety (90) days before the date
 4 that the special election is conducted.
- 5 A voter list maintenance program may also be conducted under this
 6 section in a calendar year following the date of the special election if
 7 the program is completed no later than the deadline set forth in
 8 subsection (a).
- 9 (d) A county voter registration office may conduct a voter list
 10 maintenance program that complies with subsection (a). In conducting
 11 a voter list maintenance program, the county voter registration office
 12 shall mail a notice described in subsection (f) to each voter whose
 13 registration has not previously been canceled or designated as inactive
 14 under this chapter at the mailing address:
- 15 (1) listed in the voter's registration record; and
 16 (2) determined by the county voter registration office not to be the
 17 voter's current residence address.
- 18 (e) A county voter registration office may use information only from
 19 the following sources to make the determination under subsection
 20 (d)(2):
- 21 (1) The United States Postal Service National Change of Address
 22 Service.
 23 (2) A court regarding jury duty notices returned because of an
 24 unknown or insufficient address.
 25 (3) The return of a mailing sent by the county voter registration
 26 office to all active voters (as defined in IC 3-11-18.1-2) in the
 27 county because of an unknown or insufficient address.
 28 (4) The bureau of motor vehicles concerning the surrender of a
 29 voter's Indiana license for the operation of a motor vehicle to
 30 another jurisdiction.
 31 (5) The return by the United States Postal Service after the
 32 expiration of the seven (7) day pending period of a notice
 33 regarding the disposition of a voter registration application under
 34 IC 3-7-33-5 because of an unknown or insufficient address.
 35 (6) The return of a mailing sent to voters of a precinct advising
 36 voters of a change of precinct boundary or the precinct polling
 37 place because of an unknown or insufficient address, if the county
 38 sends a similar mailing to the voters of each precinct when a
 39 boundary or polling place is changed.
 40 (7) Information received from the election division under section
 41 5 of this chapter or section 16 of this chapter.
 42 (8) A declination to register by the voter stating that the voter



1 resides at an address different from the address on the voter's
2 registration record.

3 **(9) Information received from the election division as a result**
4 **of a comparison between:**

5 **(A) a voter registration address; and**

6 **(B) commercially available data, such as data from a credit**
7 **agency.**

8 (f) The notice described in subsection (d) must:

9 (1) be sent by first class United States mail, postage prepaid, by
10 a method that requires the notice to be forwarded to the voter; and

11 (2) include a postage prepaid return card that:

12 (A) is addressed to the county voter registration office;

13 (B) states a date (which must be at least thirty (30) days after
14 the date the notice is mailed) by which the card must be
15 returned or the voter's registration will become inactive until
16 the information is provided to the county voter registration
17 office; and

18 (C) permits the voter to provide the voter's current residence
19 address.

20 (g) If a voter returns the card described in subsection (f)(2) and
21 provides a current residence address that establishes that the voter
22 resides:

23 (1) in the county, the county voter registration office shall update
24 the voter's registration record; or

25 (2) outside the county, the county voter registration office shall
26 cancel the voter's registration.

27 (h) If a card is returned as undeliverable due to an unknown or
28 insufficient address by the United States Postal Service after the date
29 specified in subsection (f)(2)(B), the county voter registration office
30 shall, when registration reopens after the next primary, general, or
31 municipal election, determine whether the voter voted or appeared to
32 vote from the address set forth in the registration record at any election
33 occurring after the final day for completing voter list maintenance
34 activities, and if not, then designate the voter as inactive.

35 (i) If a voter does not return the card described in subsection (f)(2)
36 by the date specified in subsection (f)(2)(B), the county voter
37 registration office shall indicate in the voter's registration record that
38 the voter's registration is inactive.

39 (j) A voter's registration that becomes inactive under subsection (h)
40 or (i) remains in inactive status from the date described in subsection
41 (f)(2)(B) until the earlier of the following:

42 (1) The date the county voter registration office updates or



1 cancels the voter's registration under subsection (g) after the voter
2 provides a current residence address.

3 (2) The day after the second general election in which the voter
4 has not voted or appeared to vote.

5 (k) After the date described in subsection (j)(2), the county voter
6 registration office shall remove the voter's registration from the voter
7 registration records.

8 SECTION 6. IC 3-7-38.2-7.1 IS ADDED TO THE INDIANA
9 CODE AS A NEW SECTION TO READ AS FOLLOWS
10 [EFFECTIVE JULY 1, 2024]: **Sec. 7.1. (a) The secretary of state may**
11 **contract with a company to receive commercially available data,**
12 **such as data from a credit agency.**

13 **(b) The secretary of state shall transmit to the NVRA official the**
14 **information received under subsection (a).**

15 **(c) The NVRA official (or a contractor retained by the election**
16 **division under this chapter) shall use the information supplied by**
17 **the secretary of state under this section to identify a voter whose**
18 **residence may have changed.**

19 SECTION 7. IC 3-7-38.2-7.3 IS ADDED TO THE INDIANA
20 CODE AS A NEW SECTION TO READ AS FOLLOWS
21 [EFFECTIVE JULY 1, 2025]: **Sec. 7.3. (a) For purposes of this**
22 **section, "proof of citizenship" means one (1) or more of the**
23 **following:**

24 **(1) The voter's birth certificate or a legible photocopy of the**
25 **voter's birth certificate.**

26 **(2) The voter's United States passport or a legible photocopy**
27 **of the pages of the passport that identify the voter and show**
28 **the passport number.**

29 **(3) The voter's United States naturalization documentation, a**
30 **legible photocopy of the voter's naturalization documentation,**
31 **or the voter's certificate of naturalization number. A voter**
32 **who provides a certificate of naturalization number in lieu of**
33 **the naturalization documentation is not deemed to have**
34 **provided proof of citizenship until the county voter**
35 **registration office verifies the number with the United States**
36 **Citizenship and Immigration Services or a successor agency.**

37 **(4) A document or method of proof of citizenship established**
38 **under the Immigration Reform and Control Act of 1986 (8**
39 **U.S.C. 1101 et seq.).**

40 **(b) The NVRA official shall compare the statewide voter**
41 **registration system with the systematic alien verification for**
42 **entitlements (SAVE) program data base. If evidence exists that a**



1 registered voter is not a citizen of the United States, the NVRA
 2 official shall notify the county voter registration office of the
 3 county in which the individual is registered to vote that the
 4 registered voter may not be a citizen of the United States.

5 (c) After receiving a notice under subsection (b), the county
 6 voter registration office shall send a notice to the registered voter
 7 inquiring whether the individual is eligible to be registered to vote.
 8 An individual who receives a notice under this subsection shall,
 9 within thirty (30) days of receiving the notice, provide proof of
 10 citizenship to the county voter registration office in person or by
 11 mail.

12 (d) If the individual does not provide proof of citizenship within
 13 thirty (30) days of receipt of the notice under subsection (c), the
 14 county voter registration office that issued the notice shall cancel
 15 the individual's registration.

16 (e) An individual who is unable to provide documentation as
 17 proof of citizenship under this section may appeal in person or by
 18 mail to the county election board of the county in which the person
 19 was registered to vote. After receiving an appeal, the county
 20 election board shall:

21 (1) conduct a hearing;

22 (2) make a finding concerning the individual's citizenship
 23 status; and

24 (3) send a copy of its decision to the county voter registration
 25 office of the county in which the individual resides.

26 A county voter registration office that receives a decision under
 27 subdivision (3) shall change the voter registration records to
 28 accurately reflect the decision of the county election board with
 29 respect to the individual.

30 (f) Documentation provided to show proof of citizenship under
 31 this section is confidential and is not available for inspection by the
 32 public.

33 SECTION 8. IC 3-7-38.2-7.4 IS ADDED TO THE INDIANA
 34 CODE AS A NEW SECTION TO READ AS FOLLOWS
 35 [EFFECTIVE JULY 1, 2024]: Sec. 7.4. (a) This section applies when
 36 the feature within the statewide voter registration system described
 37 in IC 3-7-33-5.7(a)(2) identifies a voter registration that lists a
 38 potential nonresidential address.

39 (b) The county voter registration official shall conduct research
 40 on the registration described in subsection (a) to determine if:

41 (1) an individual could reside at the address stated on the
 42 registration; or



1 **(2) the individual resides at a nontraditional residence**
 2 **described in IC 3-5-5-18.**
 3 **(c) If the county voter registration official determines, following**
 4 **research under subsection (b), that:**
 5 **(1) an individual could not reside at the address; or**
 6 **(2) the individual does not reside at a nontraditional residence**
 7 **described in IC 3-5-5-18;**
 8 **the county voter registration official may perform the voter list**
 9 **maintenance procedures under this chapter.**
 10 SECTION 9. IC 3-7-38.2-16, AS AMENDED BY P.L.201-2017,
 11 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2024]: Sec. 16. **(a)** The NVRA official shall, not later than
 13 January 31 of each ~~even numbered~~ **even-numbered** year, request
 14 information from the
 15 ~~(+)~~ United States District Court for the Northern District of
 16 Indiana and ~~the~~
 17 ~~(-)~~ United States District Court for the Southern District of
 18 Indiana
 19 concerning:
 20 **(1) the return of U.S. mail sent by the court for jury selection**
 21 **purposes; and**
 22 **(2) individuals disqualified from jury service due to**
 23 **citizenship status.**
 24 **(b)** Not later than twenty-eight (28) days following the primary
 25 election conducted in that year, the state shall provide each county
 26 voter registration office with information concerning any registered
 27 voter who:
 28 **(1) appears to no longer reside at the address set forth in the**
 29 **voter's registration record due to a mailing returned to the courts;**
 30 **and**
 31 **(2) is disqualified or potentially disqualified as a prospective**
 32 **juror from jury service because the registered voter is not a**
 33 **United States citizen.**
 34 **(c)** Not later than forty-two (42) days following the primary election
 35 conducted in that year, the county voter registration office shall:
 36 **(1) send an address confirmation notice to the voter described by**
 37 ~~this~~ **subsection (b) at the voter's mailing address; or**
 38 **(2) follow the procedures prescribed by section 7.3 of this**
 39 **chapter.**
 40 SECTION 10. IC 3-7-48-4.5 IS ADDED TO THE INDIANA CODE
 41 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 42 1, 2024]: **Sec. 4.5. (a) This section applies when:**



- 1 **(1) an individual:**
 2 **(A) has applied to register to vote in person at a**
 3 **registration agency; and**
 4 **(B) did not comply with the proof of residence**
 5 **requirements under IC 3-7-13-14 at the time the individual**
 6 **applied to register to vote under clause (A);**
 7 **(2) the county voter registration office sent a notice to the**
 8 **individual described in subdivision (1) under IC 3-7-33-5(b)**
 9 **that included the information described in IC 3-7-33-5(c)(4);**
 10 **and**
 11 **(3) the individual described in subdivision (1) did not comply**
 12 **with the proof of residence requirements under IC 3-7-13-14**
 13 **by the time the certified list was prepared under IC 3-7-29 for**
 14 **the next election following the individual's application under**
 15 **subdivision (1)(A).**
- 16 **(b) The county voter registration office shall provide to the**
 17 **county election board the name of each individual described in**
 18 **subsection (a). The county election board shall certify to the**
 19 **inspector of the precinct where the applicant resides that the**
 20 **applicant's voter registration application is pending, and that the**
 21 **applicant, subject to fulfilling the requirements under**
 22 **IC 3-7-13-14, is entitled to cast a provisional ballot. For purposes**
 23 **of this subsection, the county election board shall consider the**
 24 **precinct listed in the voter registration application as the precinct**
 25 **where the applicant resides.**
- 26 **(c) An individual described under subsection (a) is entitled to**
 27 **cast a provisional ballot.**
- 28 **(d) The following apply to a provisional ballot cast under**
 29 **subsection (c):**
- 30 **(1) The provisional ballot must be counted if the county**
 31 **election board determines that the individual:**
 32 **(A) complied with the proof of residence requirements**
 33 **under IC 3-7-13-14 before the closing of the polls on**
 34 **election day; and**
 35 **(B) is otherwise eligible to vote.**
- 36 **(2) The provisional ballot may not be counted if the county**
 37 **election board determines that the individual:**
 38 **(A) did not comply with the proof of residence**
 39 **requirements under IC 3-7-13-14 before the closing of the**
 40 **polls on election day; or**
 41 **(B) is otherwise ineligible to vote.**
 42 **SECTION 11. IC 3-11-4-18, AS AMENDED BY P.L.227-2023,**



1 SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 2 JULY 1, 2024]: Sec. 18. (a) If a voter satisfies any of the qualifications
 3 described in IC 3-11-10-24 that entitle a voter to cast an absentee ballot
 4 by mail, the county election board shall, at the request of the voter, mail
 5 the official ballot, postage fully prepaid, to the voter at the address
 6 stated in the application. Each ballot may be assigned a unique tracking
 7 number as prescribed by the election division using IMb Tracing or a
 8 similar automated tracking method to provide real-time tracking
 9 information for the envelope containing the ballot. As used in this
 10 subsection, "IMb Tracing" refers to a real-time mail tracking service
 11 offered through the United States Postal Service.

12 (b) If the county election board mails an absentee ballot to a voter
 13 required to file additional documentation with the county voter
 14 registration office before voting by absentee ballot under this chapter,
 15 the board shall include a notice to the voter in the envelope mailed to
 16 the voter under section 20 of this chapter. The notice must inform the
 17 voter that the voter must file the additional documentation required
 18 under IC 3-7-33-4.5 with the county voter registration office before 6
 19 p.m. on election day.

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

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

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

25 whichever is later. If the election board determines that the county
 26 voter registration office has received an application from the applicant
 27 for registration at an address within the precinct indicated on the
 28 application, and the election board determines that this application is
 29 pending under IC 3-7-33, the ballot shall be mailed on the date the
 30 county voter registration office indicates under IC 3-7-33-5(g) **or**
 31 **IC 3-7-33-5(l)** that the applicant is a registered voter.

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

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

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

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

