

SENATE BILL No. 353

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-11; IC 3-11.5-4-16.

Synopsis: Absentee voter proof of identification. Requires an individual submitting an absentee ballot application, except an individual voting in the office of the circuit court clerk or at a satellite office, an absent uniformed services voter, or an overseas voter, to provide proof of identification to a notary public and submit a copy of the proof of identification with the absentee ballot application. Requires the notary public to certify that the proof of identification provided to the notary public is proof of identification for the individual signing the absentee ballot application. Repeals a provision that exempts an absentee voter from providing proof of identification.

Effective: July 1, 2015.

Steele

January 8, 2015, read first time and referred to Committee on Elections.



First Regular Session 119th General Assembly (2015)

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 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 353



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 3-11-4-2, AS AMENDED BY P.L.64-2014,
2 SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2015]: Sec. 2. (a) A voter who wants to vote by absentee
4 ballot must apply to the county election board for an official absentee
5 ballot **and provide proof of identification required under section 2.5**
6 **of this chapter.** Except as provided in subsection (b), the voter must
7 sign the absentee ballot application.
8 (b) If a voter with disabilities is unable to sign the absentee ballot
9 application and the voter has not designated an individual to serve as
10 attorney in fact for the voter, the county election board may designate
11 an individual to sign the application on behalf of the voter. If an
12 individual applies for an absentee ballot as the properly authorized
13 attorney in fact for a voter, the attorney in fact must attach a copy of the
14 power of attorney to the application and comply with subsection (d).
15 (c) A person may provide an individual with an application for an
16 absentee ballot with the following information already printed or



- 1 otherwise set forth on the application when provided to the individual:
 2 (1) The name of the individual.
 3 (2) The voter registration address of the individual.
 4 (3) The mailing address of the individual.
 5 (4) The date of birth of the individual.
 6 (d) A person may not provide an individual with an application for
 7 an absentee ballot with the following information already printed or
 8 otherwise set forth on the application when provided to the individual:
 9 (1) The address to which the absentee ballot would be mailed, if
 10 different from the voter registration address of the individual.
 11 (2) In a primary election, the major political party ballot requested
 12 by the individual.
 13 (3) In a primary or general election, the types of absentee ballots
 14 requested by the individual.
 15 (4) The reason why the individual is entitled to vote an absentee
 16 ballot:
 17 (A) by mail; or
 18 (B) before an absentee voter board (other than an absentee
 19 voter board located in the office of the circuit court clerk or a
 20 satellite office);
 21 in accordance with IC 3-11-4-18, IC 3-11-10-24, or
 22 IC 3-11-10-25.
 23 (5) The voter identification number of the individual.
 24 (e) If the county election board determines that an absentee ballot
 25 application does not comply with subsection (d), the board shall deny
 26 the application under section 17.5 of this chapter.
 27 (f) A person who assists an individual in completing any
 28 information described in subsection (d) on an absentee ballot
 29 application shall state under the penalties for perjury the following
 30 information on the application:
 31 (1) The full name, residence and mailing address, and daytime
 32 and evening telephone numbers (if any) of the person providing
 33 the assistance.
 34 (2) The date this assistance was provided.
 35 (3) That the person providing the assistance has complied with
 36 Indiana laws governing the submission of absentee ballot
 37 applications.
 38 (4) That the person has no knowledge or reason to believe that the
 39 individual submitting the application:
 40 (A) is ineligible to vote or to cast an absentee ballot; or
 41 (B) did not properly complete and sign the application.
 42 When providing assistance to an individual, the person must, in the



1 individual's presence and with the individual's consent, provide the
2 information listed in subsection (d) if the individual is unable to do so.

3 (g) This subsection does not apply to an employee of the United
4 States Postal Service or a bonded courier company acting in the
5 individual's capacity as an employee of the United States Postal Service
6 or a bonded courier company. A person who receives a completed
7 absentee ballot application **and proof of identification required**
8 **under section 2.5 of this chapter** from the individual who has applied
9 for the absentee ballot shall indicate on the application the date the
10 person received the application, **including proof of identification**, and
11 file the application, **including proof of identification**, with the
12 appropriate county election board not later than:

13 (1) noon ten (10) days after the person receives the application;

14 or

15 (2) the deadline set by Indiana law for filing the application with
16 the board;

17 whichever occurs first. The election division, a county election board,
18 or a board of elections and registration shall forward an absentee ballot
19 application **and proof of identification** to the county election board or
20 board of elections and registration of the county where the individual
21 resides.

22 (h) This subsection does not apply to an employee of the United
23 States Postal Service or a bonded courier company acting in the
24 individual's capacity as an employee of the United States Postal Service
25 or a bonded courier company, or to the election division, a county
26 election board, or a board of elections and registration. A person filing
27 an absentee ballot application, other than the person's own absentee
28 ballot application, must sign an affidavit at the time of filing the
29 application. The affidavit must be in a form prescribed by the
30 commission. The form must include the following:

31 (1) A statement of the full name, residence and mailing address,
32 and daytime and evening telephone numbers (if any) of the person
33 submitting the application.

34 (2) A statement that the person filing the affidavit has complied
35 with Indiana laws governing the submission of absentee ballot
36 applications.

37 (3) Beginning January 1, 2015, the date (or dates) that the
38 absentee ballot applications **and proofs of identification** attached
39 to the affidavit were received.

40 (4) A statement that the person has no knowledge or reason to
41 believe that the individual whose application is to be filed:

42 (A) is ineligible to vote or to cast an absentee ballot; or



- 1 (B) did not properly complete and sign the application.
 2 (5) A statement that the person is executing the affidavit under the
 3 penalties of perjury.
 4 (6) A statement setting forth the penalties for perjury.
 5 (i) The county election board shall record the date and time of the
 6 filing of the affidavit.
 7 SECTION 2. IC 3-11-4-2.5 IS ADDED TO THE INDIANA CODE
 8 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 9 1, 2015]: **Sec. 2.5. (a) This section does not apply to:**
 10 **(1) an absent uniformed services voter;**
 11 **(2) an overseas voter; or**
 12 **(3) an individual voting an absentee ballot at:**
 13 **(A) the office of the circuit court clerk under**
 14 **IC 3-11-10-26; or**
 15 **(B) a satellite office established under IC 3-11-10-26.3.**
 16 **(b) An individual completing an absentee ballot application shall**
 17 **provide proof of identification to a notary public.**
 18 **(c) A notary public to whom proof of identification is provided**
 19 **under subsection (b) shall certify that:**
 20 **(1) the individual completing the absentee ballot application**
 21 **provided proof of identification to the notary public; and**
 22 **(2) the proof of identification provided under subdivision (1)**
 23 **is proof of identification for the individual completing the**
 24 **application.**
 25 **(d) An individual completing an absentee ballot application shall**
 26 **submit with the individual's application a copy of the proof of**
 27 **identification provided under subsection (b).**
 28 SECTION 3. IC 3-11-4-3, AS AMENDED BY P.L.219-2013,
 29 SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2015]: **Sec. 3. (a) Except as provided in section 6 of this**
 31 **chapter, an application for an absentee ballot and proof of**
 32 **identification required under section 2.5 of this chapter** must be
 33 received by the circuit court clerk (or, in a county subject to IC 3-6-5.2,
 34 the director of the board of elections and registration) not earlier than
 35 the date the registration period resumes under IC 3-7-13-10 nor later
 36 than the following:
 37 (1) Noon on election day if the voter registers to vote under
 38 IC 3-7-36-14.
 39 (2) Noon on the day before election day if the voter:
 40 (A) completes the application in the office of the circuit court
 41 clerk under IC 3-11-10-26; or
 42 (B) is an absent uniformed services voter or overseas voter



- 1 who requests that the ballot be transmitted by electronic mail
 2 or fax under section 6(h) of this chapter.
- 3 (3) Noon on the day before election day if:
- 4 (A) the application is a mailed, transmitted by fax, or hand
 5 delivered application from a confined voter or voter caring for
 6 a confined person; and
- 7 (B) the applicant requests that the absentee ballots be
 8 delivered to the applicant by an absentee voter board under
 9 IC 3-11-10-25.
- 10 (4) 11:59 p.m. on the eighth day before election day if the
 11 application:
- 12 (A) is a mailed application;
- 13 (B) was transmitted by fax; or
- 14 (C) was hand delivered;
- 15 from other voters who request to vote by mail under
 16 IC 3-11-10-24.
- 17 (b) An application for an absentee ballot, **including proof of**
 18 **identification required under section 2.5 of this chapter**, received
 19 by the election division by the time and date specified by subsection
 20 (a)(2)(B), (a)(3), or (a)(4) is considered to have been timely received
 21 for purposes of processing by the county. The election division shall
 22 immediately transmit the application **and proof of identification** to the
 23 circuit court clerk, or the director of the board of elections and
 24 registration, of the county where the applicant resides. The election
 25 division is not required to complete or file the affidavit required under
 26 section 2(h) of this chapter whenever the election division transmits an
 27 application under this subsection.
- 28 SECTION 4. IC 3-11-4-5.1, AS AMENDED BY P.L.64-2014,
 29 SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2015]: Sec. 5.1. (a) The commission shall prescribe the form
 31 of an application for an absentee ballot.
- 32 (b) This subsection does not apply to the form for an absentee ballot
 33 application to be submitted by an absent uniformed services voter or
 34 overseas voter that contains a standardized oath for those voters. The
 35 form of the application for an absentee ballot must do all of the
 36 following:
- 37 (1) Require the applicant to swear to or affirm under the penalties
 38 of perjury that all of the information set forth on the application
 39 is true to the best of the applicant's knowledge and belief.
- 40 (2) Require a person who assisted with the completion of the
 41 application to swear to or affirm under the penalties of perjury the
 42 statements set forth in section 2(f) of this chapter.



1 **(3) Require a notary public to whom the applicant provided**
 2 **proof of identification as required under section 2.5 of this**
 3 **chapter to certify that:**

4 **(A) the applicant provided proof of identification to the**
 5 **notary public; and**

6 **(B) the proof of identification provided under clause (A)**
 7 **was the applicant's proof of identification.**

8 ~~(3)~~ **(4)** Serve as a verified statement for a voter to indicate a
 9 change of name under IC 3-7-41. The form must require the
 10 applicant to indicate the applicant's previous name.

11 ~~(4)~~ **(5)** Set forth the penalties for perjury.

12 (c) The form prescribed by the commission shall require that a voter
 13 who:

14 (1) requests an absentee ballot; and

15 (2) is eligible to vote in the precinct under IC 3-10-11 or
 16 IC 3-10-12;

17 must include the affidavit required by IC 3-10-11 or a written
 18 affirmation described in IC 3-10-12.

19 (d) The commission shall approve absentee ballot application forms
 20 that comply with this subsection and section 2(g) of this chapter and
 21 permit the applicant to indicate a change of name under subsection (b).
 22 The form prescribed by the commission must request that a voter who
 23 requests an absentee ballot:

24 (1) provide the last four (4) digits of the voter's Social Security
 25 number; or

26 (2) state that the voter does not have a Social Security number.

27 The form must indicate that the voter's compliance with this request is
 28 optional.

29 (e) An application form submitted by a voter must:

30 (1) comply with subsection (d); or

31 (2) be an earlier approved version of an application form
 32 authorized for use on June 30, 2013.

33 (f) The form prescribed by the commission must include a statement
 34 that permits an applicant to indicate whether:

35 (1) the applicant has been certified and is currently a participant
 36 in the address confidentiality program under IC 5-26.5-2; and

37 (2) the applicant's legal residence is at the address set forth in the
 38 applicant's voter registration.

39 If the applicant confirms these statements, the applicant may indicate
 40 the address of the office of the attorney general as the address to which
 41 the absentee ballot is to be mailed.

42 SECTION 5. IC 3-11-4-6, AS AMENDED BY P.L.219-2013,



1 SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 JULY 1, 2015]: Sec. 6. (a) This section applies, notwithstanding any
3 other provision of this title, to absentee ballot applications for the
4 following:

5 (1) An absent uniformed services voter.

6 (2) An address confidentiality program participant (as defined in
7 IC 5-26.5-1-6).

8 (3) An overseas voter.

9 (b) A county election board shall make blank absentee ballot
10 applications available for persons covered by this section. A person
11 may apply for an absentee ballot at any time after the registration
12 period resumes under IC 3-7-13-10.

13 (c) A person covered by this section may apply for an absentee
14 ballot for the next scheduled primary, general, or special election at any
15 time by filing either of the following:

16 (1) A combined absentee registration form and absentee ballot
17 request approved under 42 U.S.C. 1973ff(b)(2).

18 (2) A form prescribed under IC 3-5-4-8 that identifies the
19 applicant as an absent uniformed services voter or an overseas
20 voter. A form prescribed under this subdivision must permit the
21 applicant to designate whether the applicant wishes to receive the
22 absentee ballot by electronic mail, fax, or United States mail.

23 (d) If the county election board receives an absentee ballot
24 application from a person described by subsection (c), the circuit court
25 clerk shall mail to the person, free of postage as provided by 39 U.S.C.
26 3406, all ballots for the election immediately upon receipt of the ballots
27 under section 15 of this chapter, unless the person has indicated under
28 subsection (c) that the person wishes to receive the absentee ballot by
29 electronic mail or fax.

30 (e) Whenever a voter files an application for an absentee ballot and
31 indicates on the application that the voter is an absent uniformed
32 services voter or an overseas voter, the application is an adequate
33 application for an absentee ballot for an election conducted during the
34 period that ends on December 31 following the date the application is
35 filed, unless an absentee ballot mailed to the voter at the address set
36 forth in the application is returned to the county election board during
37 that period as undeliverable. The circuit court clerk and county election
38 board shall process this application and send general election absentee
39 ballots to the voter in the same manner as other general election and
40 special election absentee ballot applications and ballots are processed
41 and sent under this chapter. If a voter entitled to receive an absentee
42 ballot under this subsection subsequently files a voter registration



1 application for a change of address within the same county or for a
2 change of name or other information set forth in the voter's registration
3 record, the previously approved absentee ballot application remains
4 effective for the same period, unless the acknowledgment notice sent
5 to the voter at that address is returned by the United States Postal
6 Service due to an unknown or insufficient address in accordance with
7 IC 3-7-33-5. If a voter entitled to receive an absentee ballot under this
8 subsection subsequently files a voter registration application for an
9 address that is not located in the same county, the voter must file a new
10 absentee ballot application under this section with the appropriate
11 county election board.

12 (f) Whenever a voter described in subsection (a)(2) files an
13 application for a primary election absentee ballot, **including proof of**
14 **identification required under section 2.5 of this chapter**, and
15 indicates on the application that the voter is an address confidentiality
16 program participant, the application is an adequate application for a
17 general election absentee ballot under this chapter and an absentee
18 ballot for a special election conducted during the period that ends on
19 December 31 following the date the application is filed. The circuit
20 court clerk and county election board shall process this application and
21 send general election and special election absentee ballots to the voter
22 in the same manner as other general election and special election
23 absentee ballot applications and ballots are processed and sent under
24 this chapter.

25 (g) The name, address, telephone number, and any other identifying
26 information relating to a program participant (as defined in
27 IC 5-26.5-1-6) in the address confidentiality program, as contained in
28 a voting registration record, **is are** declared confidential for purposes
29 of IC 5-14-3-4(a)(1). The county voter registration office may not
30 disclose for public inspection or copying a name, an address, a
31 telephone number, or any other information described in this
32 subsection, as contained in a voting registration record, except as
33 follows:

- 34 (1) To a law enforcement agency, upon request.
35 (2) As directed by a court order.

36 (h) The county election board shall by fax or electronic mail
37 transmit an absentee ballot to and receive an absentee ballot from an
38 absent uniformed services voter or an overseas voter by electronic mail
39 or fax at the request of the voter indicated in the application filed under
40 this section. If the voter wants to submit absentee ballots by fax or
41 electronic mail, the voter must separately sign and date a statement
42 submitted with the electronic mail or the fax transmission that states



1 substantively the following: "I understand that by faxing or e-mailing
2 my voted ballot I am voluntarily waiving my right to a secret ballot."

3 (i) The county election board shall send confirmation to a voter
4 described in subsection (h) that the voter's absentee ballot has been
5 received as follows:

6 (1) If the voter provides a fax number to which a confirmation
7 may be sent, the county election board shall send the confirmation
8 to the voter at the fax number provided by the voter.

9 (2) If the voter provides an electronic mail address to which a
10 confirmation may be sent, the county election board shall send the
11 confirmation to the voter at the electronic mail address provided
12 by the voter.

13 (3) If:

14 (A) the voter does not provide a fax number or an electronic
15 mail address; or

16 (B) the number or address provided does not permit the board
17 to send the confirmation not later than the end of the first
18 business day after the board receives the voter's absentee
19 ballot;

20 the county election board shall send the confirmation by United
21 States mail.

22 The county election board shall send the confirmation required by this
23 subsection not later than the end of the first business day after the
24 county election board receives the voter's absentee ballot.

25 (j) Upon approval of the voter's absentee ballot application, a county
26 election board shall transmit an absentee ballot to an absent uniformed
27 services voter or an overseas voter by electronic mail under a program
28 authorized and administered by the Federal Voting Assistance Program
29 of the United States Department of Defense or directly to the voter at
30 the voter's electronic mail address, if requested to do so by the voter. A
31 voter described by this section may transmit the voted absentee ballot
32 to a county election board by electronic mail. If a voter described in
33 this section transmits the voted absentee ballot through the United
34 States Department of Defense program, the ballot must be transmitted
35 in accordance with the procedures established under that program. An
36 electronic mail message transmitting a voted absentee ballot under this
37 subsection must include a digital image of the voter's signature on the
38 statement required under subsection (h).

39 SECTION 6. IC 3-11-4-7 IS AMENDED TO READ AS FOLLOWS
40 [EFFECTIVE JULY 1, 2015]: Sec. 7. (a) An absentee ballot
41 application under section 6 of this chapter must be made on a standard
42 form approved under 42 U.S.C. 1973ff(b) or on the form prescribed by



1 the commission under section 5.1 of this chapter.

2 (b) An absentee ballot application under section 6 of this chapter
3 from an

4 ~~(1)~~ absent uniformed services voter ~~or~~

5 ~~(2)~~ address confidentiality program participant (as defined in
6 ~~IC 5-26.5-1-6~~);

7 must show that the voter ~~or program participant~~ is a resident otherwise
8 qualified to vote in the precinct.

9 **(c) An absentee ballot application under section 6 of this chapter**
10 **from an address confidentiality program participant (as defined in**
11 **IC 5-26.5-1-6) must:**

12 **(1) show that the program participant is a resident otherwise**
13 **qualified to vote in the precinct; and**

14 **(2) include proof of identification required under section 2.5**
15 **of this chapter.**

16 ~~(c)~~ **(d)** An absentee ballot application under section 6 of this chapter
17 from an overseas voter must show that the overseas voter was a
18 resident and otherwise qualified to vote in the precinct where the voter
19 resided before leaving the United States.

20 SECTION 7. IC 3-11-4-17, AS AMENDED BY P.L.13-2013,
21 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2015]: Sec. 17. Upon receipt of an application for an absentee
23 ballot, a circuit court clerk shall file the application in the clerk's office
24 and record all of the following in the statewide voter registration list
25 maintained under IC 3-7-26.3:

26 (1) The voter's name.

27 (2) The date the application is received.

28 **(3) A description of the proof of identification provided by the**
29 **voter under section 2.5 of this chapter.**

30 ~~(3)~~ **(4)** The information provided by the voter under section 5.1(d)
31 of this chapter.

32 ~~(4)~~ **(5)** The date the ballot is sent to the voter.

33 ~~(5)~~ **(6)** If mailed, the address to which the ballot is sent.

34 ~~(6)~~ **(7)** If transmitted by fax, the fax number to which the ballot is
35 faxed.

36 ~~(7)~~ **(8)** The date the ballot is marked before the clerk or otherwise
37 received from the voter.

38 ~~(8)~~ **(9)** The combined total number of absentee ballots sent by the
39 county to absent uniformed services voters and overseas voters.

40 ~~(9)~~ **(10)** The total number of absentee ballots returned by voters
41 described in subdivision ~~(8)~~ **(9)** in time to be counted.

42 ~~(10)~~ **(11)** The total number of absentee ballots described in



1 subdivision ~~(8)~~ **(9)** that were counted in whole or in part.
2 ~~(H)~~ **(12)** Any other information that is necessary or advisable.
3 SECTION 8. IC 3-11-4-17.5, AS AMENDED BY P.L.64-2014,
4 SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2015]: Sec. 17.5. (a) Upon receiving an application for an
6 absentee ballot, the county election board (or the absentee voter board
7 in the office of the circuit court clerk) shall determine if:
8 (1) the applicant is a voter of the precinct in which the applicant
9 resides, according to the records of the county voter registration
10 office;
11 (2) the information set forth on the application appears to be true;
12 **(3) the applicant provided proof of identification required**
13 **under section 2.5 of this chapter;**
14 ~~(3)~~ **(4)** the signature of the voter on the application substantially
15 conforms with the signature of the voter on the voter registration
16 record, or that any substantial difference between the signatures
17 can be accounted for by age or disability of the voter or the
18 execution of the affidavit by an individual acting under section
19 2(b) of this chapter; and
20 ~~(4)~~ **(5)** the application has been completed and filed in accordance
21 with Indiana and federal law.
22 If the members of the absentee voter board are unable to agree about
23 any of the determinations described in subdivisions (1) through ~~(4)~~; **(5)**,
24 the issue shall be referred to the county election board for
25 determination. If the application is submitted by a voter wanting to cast
26 an absentee ballot under IC 3-11-10-26, the voter shall be permitted to
27 cast a provisional ballot, which the county election board shall retain
28 and not transmit to the voter's precinct.
29 (b) If:
30 (1) the applicant is not a voter of the precinct according to the
31 registration record; or
32 (2) the application as completed and filed:
33 (A) contains a false statement; or
34 (B) does not otherwise comply with Indiana or federal law;
35 as alleged under section 18.5 of this chapter, the county election board
36 shall deny the application.
37 **(c) If the applicant has not provided proof of identification**
38 **required under section 2.5 of this chapter, the county election**
39 **board shall deny the application.**
40 ~~(e)~~ **(d)** A voter's failure to provide the information requested under
41 section 5.1(d) of this chapter does not affect a voter's ability to receive
42 an absentee ballot. A county election board may not deny an



1 application because the voter has not provided the information
 2 requested under section 5.1(d) of this chapter as a part of the voter's
 3 application for an absentee ballot.

4 ~~(d)~~ (e) This subsection applies to an absentee ballot application
 5 submitted by an absent uniformed services voter or an overseas voter.
 6 In accordance with 42 U.S.C. 1973ff-1(d), if the application is denied,
 7 the county election board shall provide the voter with the reasons for
 8 the denial of the application. Unless the voter is present when the board
 9 denies the application, the board shall send a written notice stating the
 10 reasons for the denial to the voter. The notice must be sent:

11 (1) not later than forty-eight (48) hours after the application is
 12 denied; and

13 (2) to the voter at the address at which the voter requested that the
 14 absentee ballot be mailed.

15 ~~(e)~~ (f) If the county election board determines that the applicant is
 16 a voter of the precinct under subsection (a), the board shall then
 17 determine whether:

18 (1) the applicant was required to file any additional
 19 documentation under IC 3-7-33-4.5; and

20 (2) the applicant has filed this documentation according to the
 21 records of the county voter registration office.

22 If the applicant has not filed the required documentation, the county
 23 election board shall approve the application if the application otherwise
 24 complies with this chapter. The board shall add a notation to the
 25 application and to the record compiled under section 17 of this chapter
 26 indicating that the applicant will be required to provide additional
 27 documentation to the county voter registration office under
 28 IC 3-7-33-4.5 before the absentee ballot may be counted.

29 ~~(f)~~ (g) If the applicant:

30 (1) is a voter of the precinct according to the registration record;
 31 and

32 (2) states on the application that the applicant resides at an
 33 address that is within the same precinct but is not the same
 34 address shown on the registration record;

35 the county election board shall direct the county voter registration
 36 office to transfer the applicant's voter registration address to the
 37 address within the precinct shown on the application. The applicant's
 38 application for an absentee ballot shall be approved if the applicant is
 39 otherwise eligible to receive the ballot under this chapter.

40 SECTION 9. IC 3-11-4-18, AS AMENDED BY P.L.194-2013,
 41 SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2015]: Sec. 18. (a) If a voter satisfies any of the qualifications



1 described in IC 3-11-10-24 that entitle a voter to cast an absentee ballot
 2 by mail **and has provided proof of identification required under**
 3 **section 2.5 of this chapter**, the county election board shall, at the
 4 request of the voter, mail the official ballot, postage fully prepaid, to
 5 the voter at the address stated in the application.

6 (b) If the county election board mails an absentee ballot to a voter
 7 required to file additional documentation with the county voter
 8 registration office before voting by absentee ballot under this chapter,
 9 the board shall include a notice to the voter in the envelope mailed to
 10 the voter under section 20 of this chapter. The notice must inform the
 11 voter that the voter must file the additional documentation required
 12 under IC 3-7-33-4.5 with the county voter registration office not later
 13 than noon on election day for the absentee ballot to be counted as an
 14 absentee ballot, and that, if the documentation required under
 15 IC 3-7-33-4.5 is filed after noon and before 6 p.m. on election day, the
 16 ballot will be processed as a provisional ballot. The commission shall
 17 prescribe the form of this notice under IC 3-5-4-8.

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

- 20 (1) on the day of the receipt of the voter's application; or
 21 (2) not more than five (5) days after the date of delivery of the
 22 ballots under section 15 of this chapter;

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

30 (d) As required by 42 U.S.C. 15481, an election board shall
 31 establish a voter education program (specific to a paper ballot or
 32 optical scan ballot card provided as an absentee ballot under this
 33 chapter) to notify a voter of the effect of casting multiple votes for a
 34 single office.

35 (e) As provided by 42 U.S.C. 15481, when an absentee ballot is
 36 mailed under this section, the mailing must include:

- 37 (1) information concerning the effect of casting multiple votes for
 38 an office; and
 39 (2) instructions on how to correct the ballot before the ballot is
 40 cast and counted, including the issuance of replacement ballots.

41 SECTION 10. IC 3-11-10-1.2 IS REPEALED [EFFECTIVE JULY
 42 1, 2015]. ~~Sec. 1.2: An absentee voter is not required to provide proof~~



1 of identification when:
 2 (1) mailing, delivering, or transmitting an absentee ballot under
 3 section 1 of this chapter; or
 4 (2) voting before an absentee board under section 25 of this
 5 chapter.
 6 SECTION 11. IC 3-11-10-22, AS AMENDED BY P.L.64-2014,
 7 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2015]: Sec. 22. (a) If an absentee ballot is challenged under
 9 section 21 of this chapter, the absentee voter's application for an
 10 absentee ballot shall be considered as the affidavit required to be made
 11 by a voter when challenged at the polls while voting in person.
 12 (b) ~~Except as provided in subsection (e);~~ The challenge procedure
 13 under this section is the same as though the ballot was cast by the voter
 14 in person.
 15 (c) ~~An absentee voter is not required to provide proof of~~
 16 ~~identification.~~
 17 (d) (c) If a proper affidavit is made that would entitle the absentee
 18 voter to vote if the absentee voter had personally appeared, then the
 19 absentee ballot envelope must be marked to indicate that a provisional
 20 ballot is enclosed, and the envelope shall be placed with the other
 21 provisional ballot envelopes for transmittal to the county election
 22 board.
 23 SECTION 12. IC 3-11.5-4-16, AS AMENDED BY P.L.76-2014,
 24 SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 25 JULY 1, 2015]: Sec. 16. (a) If an absentee ballot is challenged under
 26 section 15 of this chapter, the absentee voter's application for an
 27 absentee ballot shall be considered as the affidavit required to be made
 28 by a voter when challenged at the polls while voting in person.
 29 (b) ~~Except as provided in subsection (e);~~ The challenge procedure
 30 under this section is the same as though the ballot was cast by the voter
 31 in person.
 32 (c) ~~An absentee voter is not required to provide proof of~~
 33 ~~identification.~~
 34 (d) (c) The absentee ballot cast by the challenged voter shall be
 35 counted if the county election board makes the findings required under
 36 IC 3-11.7-5.

