



Reprinted
February 6, 2001

HOUSE BILL No. 1118

DIGEST OF HB 1118 (Updated February 5, 2001 3:56 PM - DI 75)

Citations Affected: IC 3-6; IC 3-11; IC 3-11.5; IC 3-12.

Synopsis: Extension of voting hours. Requires the polls in each precinct in a county to open at 6 a.m. and close at 8 p.m., instead of 6 p.m., on election day. Provides that the time that half-day precinct election officers change is 1 p.m. rather than noon election day. Makes conforming amendments.

Effective: July 1, 2001.

Day, Ayres, Kruzan

January 9, 2001, read first time and referred to Committee on Elections and Apportionment.
January 31, 2001, reported — Do Pass.
February 5, 2001, read second time, amended, ordered engrossed.

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HB 1118—LS 6638/DI 101+



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First Regular Session 112th General Assembly (2001)

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 *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2000 General Assembly.

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HOUSE BILL No. 1118

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 3-6-6-10, AS AMENDED BY P.L.176-1999,
2 SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2001]: Sec. 10. (a) A county chairman may make nominations
4 for precinct election offices by filing the nominations in writing with
5 the circuit court clerk no later than noon fourteen (14) days before the
6 election.

7 (b) This subsection does not apply to the office of precinct
8 inspector. A county chairman may specify in the nomination of an
9 individual for a precinct election office that the individual is nominated
10 to serve until ~~noon 1 p.m.~~ on election day and that another individual
11 is nominated to serve in the same precinct election office beginning at
12 ~~noon 1 p.m.~~ on election day until the expiration of the term of the
13 office under section 37(b) of this chapter.

14 SECTION 2. IC 3-6-6-11, AS AMENDED BY P.L.176-1999,
15 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
16 JULY 1, 2001]: Sec. 11. (a) A county election board shall appoint the
17 voters who are nominated for precinct election offices by the county

HB 1118—LS 6638/DI 101+



1 chairmen.

2 (b) This subsection does not apply to the office of precinct
3 inspector. This subsection applies to an appointment to a precinct
4 election office made following a nomination by a county chairman
5 under this chapter. The county election board shall provide that an
6 appointment of an individual to a precinct election office:

- 7 (1) expires at ~~noon~~ **1 p.m.** on election day; or
8 (2) begins at ~~noon~~ **1 p.m.** on election day and expires under
9 section 37(b) of this chapter;

10 if the nomination made by the county chairman specifies that the
11 nomination is made for a term that begins or expires at those times.

12 (c) This subsection does not apply to the office of precinct inspector.
13 This subsection applies to an appointment to a precinct election office
14 made by a county election board under section 13(b) of this chapter.
15 The county election board may appoint an individual to a precinct
16 election office for a term that:

- 17 (1) expires at ~~noon~~ **1 p.m.** on election day; or
18 (2) begins at ~~noon~~ **1 p.m.** on election day and expires under
19 section 37(b) of this chapter.

20 SECTION 3. IC 3-11-8-8 IS AMENDED TO READ AS FOLLOWS
21 [EFFECTIVE JULY 1, 2001]: Sec. 8. The polls in each precinct open
22 at 6 a.m. and close at ~~6~~ **8** p.m. on election day.

23 SECTION 4. IC 3-11-10-11 IS AMENDED TO READ AS
24 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 11. On election day
25 each circuit court clerk (or an agent of the clerk) shall visit the
26 appropriate post office to accept delivery of absentee envelopes at the
27 latest possible time that will permit delivery of the ballots to the
28 appropriate precinct election boards before ~~6~~ **8** p.m.

29 SECTION 5. IC 3-11-12-26 IS AMENDED TO READ AS
30 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 26. Each county
31 election board shall be at its office from 5 a.m. until ~~6~~ **8** p.m. on
32 election day. Upon notice that a voting machine is out of order or fails
33 to work, the board shall be ready between those hours to deliver to any
34 precinct in the county:

- 35 (1) necessary ballots;
36 (2) election booths with an adequate number of stalls;
37 (3) ballot boxes; and
38 (4) all necessary supplies and equipment as required by law.

39 SECTION 6. IC 3-11-14-19 IS AMENDED TO READ AS
40 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 19. Each county
41 election board shall be at its office from 5 a.m. until ~~6~~ **8** p.m. on
42 election day. Upon notice that an electronic voting system is out of

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1 order or fails to work, the board shall be ready between those hours to
2 deliver to any precinct in the county:

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

7 SECTION 7. IC 3-11.5-4-13, AS AMENDED BY P.L.38-1999,
8 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
9 JULY 1, 2001]: Sec. 13. (a) If the absentee ballot counters find under
10 section 11 of this chapter that:

11 (1) the affidavit is insufficient or that the ballot has not been
12 endorsed with the initials of:

13 (A) the two (2) members of the absentee voter board in the
14 office of the clerk of the circuit court under IC 3-11-4-19 or
15 IC 3-11-10-26;

16 (B) the two (2) members of the absentee voter board visiting
17 the voter under IC 3-11-10-25; or

18 (C) the two (2) appointed members of the county election
19 board or their designated representatives under IC 3-11-4-19;

20 (2) the signatures do not correspond or there is no signature;

21 (3) the absentee voter is not a qualified voter in the precinct;

22 (4) the absentee voter has voted in person at the election;

23 (5) the absentee voter has not registered;

24 (6) the ballot is open, or has been opened and resealed;

25 (7) the ballot envelope contains more than one (1) ballot of any
26 kind;

27 (8) in case of a primary election, if the absentee voter has not
28 previously voted, the voter failed to execute the proper
29 declaration relative to age and qualifications and the political
30 party with which the voter intends to affiliate; or

31 (9) the ballot has been challenged and not supported;

32 the ballots shall be rejected.

33 (b) If the absentee ballot counters are unable to agree on a finding
34 described under this section or section 12 of this chapter, the county
35 election board shall make the finding.

36 (c) The absentee ballot counters or county election board shall issue
37 a certificate to a voter whose ballot has been rejected under this section
38 if the voter appears in person before the board not later than 5 7 p.m.
39 on election day. The certificate must state that the voter's absentee
40 ballot has been rejected and that the voter may vote in person under
41 section 21 of this chapter if otherwise qualified to vote.

42 SECTION 8. IC 3-12-4-6 IS AMENDED TO READ AS FOLLOWS

HB 1118—LS 6638/DI 101+



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1 [EFFECTIVE JULY 1, 2001]: Sec. 6. (a) At ~~6~~ **8** p.m. on each election
2 day, the county election board shall assemble in a room to canvass the
3 certificates, poll lists, and tally papers returned by each inspector in the
4 county and to declare the results of the election as provided in this
5 chapter.
6 (b) The canvassing must be performed in public under IC 5-14-1.5.
7 However, the board may restrict access to parts of the room where
8 election material is being handled or transported to safeguard the
9 material.
10 (c) Except as provided in section 7 of this chapter, the county
11 executive shall provide a room in the courthouse that contains adequate
12 space to permit members of the public to witness the canvassing of
13 votes.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1118, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

KROMKOWSKI, Chair

Committee Vote: yeas 7, nays 6.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1118 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 3-6-6-10, AS AMENDED BY P.L.176-1999, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 10. (a) A county chairman may make nominations for precinct election offices by filing the nominations in writing with the circuit court clerk no later than noon fourteen (14) days before the election.

(b) This subsection does not apply to the office of precinct inspector. A county chairman may specify in the nomination of an individual for a precinct election office that the individual is nominated to serve until ~~noon~~ **1 p.m.** on election day and that another individual is nominated to serve in the same precinct election office beginning at ~~noon~~ **1 p.m.** on election day until the expiration of the term of the office under section 37(b) of this chapter.

SECTION 2. IC 3-6-6-11, AS AMENDED BY P.L.176-1999, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 11. (a) A county election board shall appoint the voters who are nominated for precinct election offices by the county chairmen.

(b) This subsection does not apply to the office of precinct inspector. This subsection applies to an appointment to a precinct election office made following a nomination by a county chairman under this chapter. The county election board shall provide that an appointment of an individual to a precinct election office:

- (1) expires at ~~noon~~ **1 p.m.** on election day; or
- (2) begins at ~~noon~~ **1 p.m.** on election day and expires under section 37(b) of this chapter;

if the nomination made by the county chairman specifies that the nomination is made for a term that begins or expires at those times.

(c) This subsection does not apply to the office of precinct inspector. This subsection applies to an appointment to a precinct election office made by a county election board under section 13(b) of this chapter. The county election board may appoint an individual to a precinct election office for a term that:

- (1) expires at ~~noon~~ **1 p.m.** on election day; or
- (2) begins at ~~noon~~ **1 p.m.** on election day and expires under section 37(b) of this chapter."



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Renumber all SECTIONS consecutively.

(Reference is to HB 1118 as printed February 1, 2001.)

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