

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1011 be amended to read as follows:

- 1           Page 72, between lines 31 and 32, begin a new paragraph and insert:  
2           "SECTION 124. IC 3-12-1-17 IS ADDED TO THE INDIANA  
3           CODE AS A **NEW SECTION TO READ AS FOLLOWS**  
4           [EFFECTIVE UPON PASSAGE]: **Sec. 17. (a) This section applies**  
5           **only to an absentee ballot sent by mail.**  
6           **(b) Notwithstanding IC 3-11-10-14 and IC 3-11.5-4-10, an**  
7           **absentee ballot received from an overseas voter is not considered**  
8           **as arriving too late if both of the following apply:**  
9                 **(1) The absentee ballot envelope is postmarked not later than**  
10                **the date of the election.**  
11                **(2) The absentee ballot is received not later than the deadline**  
12                **for counting provisional ballots under IC 3-11.7-5-1.**  
13           **(c) If the postmark on the absentee ballot envelope is unclear,**  
14           **the county election board, by unanimous vote of the entire**  
15           **membership of the board, determines the postmark date. If the**  
16           **board is unable to determine the postmark date, the absentee**  
17           **ballot may not be counted."**  
18           Renumber all SECTIONS consecutively.  
              (Reference is to EHB 1011 as printed February 15, 2006.)

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Senator LAWSON C