

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.)

Senator LAWSON C