



# 2025 Indiana Election Legislation Summary

*Prepared by the Indiana Election Division*

This document summarizes the election-related legislation that passed the Indiana General Assembly and became law in 2025. Bills may be obtained by contacting the Legislative Information Center at 200 West Washington Street, Room 230, Indianapolis, Indiana 46204-2731; (317) 232-9856, or by downloading documents from the General Assembly's website at [www.iga.in.gov](http://www.iga.in.gov).

This document is intended to serve as an overview of information concerning Indiana election laws. Although the Election Division makes every effort to ensure the accuracy of the information in this document, **where your legal rights are involved, do not rely on this document. Instead, review the law yourself or consult with your attorney.**

**The 2025 Regular Session of the Indiana General Assembly enacted the following election-related bills and joint resolutions:**

Public Law 11-2025 (Senate Enrolled Act 199): Conduct of Primary Elections; Watchers  
Public Law 40-2025 (Senate Enrolled Act 221): State Comptroller  
Public Law 64-2025 (House Enrolled Act 1467): Campaign Finance  
Public Law 68-2025 (Senate Enrolled Act 1): Local Government Finance  
Public Law 70-2025 (Senate Enrolled Act 10): Voter Registration  
Public Law 72-2025 (Senate Enrolled Act 137): Voter Registration  
Public Law 108-2025 (House Enrolled Act 1633): Study of Election Issues  
Public Law 159-2025 (House Enrolled Act 1197): Election Matters  
Public Law 195-2025 (Senate Enrolled Act 287): School Board Matters  
Public Law 212-2025 (Senate Enrolled Act 526): Absentee Ballot Retraction  
Public Law 240-2025 (House Enrolled Act 1679): Various Election Matters  
Public Law 241-2025 (House Enrolled Act 1680): Various Election Matters  
Public Law 244-2025 (House Joint Resolution 1): Town and City Court Judges  
Public Law 245-2025 (Senate Joint Resolution 17): State Comptroller

**The following bills made other amendments (generally technical, but some substantive) to election statutes or areas that affect election law:**

Public Law 1-2025 (House Enrolled Act 1050): Code Publications  
Public Law 135-2025 (Senate Enrolled Act 366): Education Matters  
Public Law 158-2025 (House Enrolled Act 1134): Executive Sessions  
Public Law 181-2025 (House Enrolled Act 1641): County Government Matters  
Public Law 186-2025 (Senate Enrolled Act 80): Code Publications  
Public Law 213-2025 (House Enrolled Act 1001): Budget  
Public Law 214-2025 (House Enrolled Act 1002): School Board Member Age Requirement  
Public Law 224-2025 (House Enrolled Act 1144): Courts

Public Law 230-2025 (House Enrolled Act 1427): Department of Local Government Finance  
Public Law 232-2025 (House Enrolled Act 1515): Education  
Public Law 238-2025 (House Enrolled Act 1637): School and Public Safety Matters

## **ABSENTEE BALLOTS**

### **Absentee Ballot Application Mailing Disclaimer**

A person, other than a state or local election official, who mails an absentee ballot application to another individual without a disclaimer identifying the person who sent the application and stating that the application was not solicited by the person who received it and was not sent by a state or local official, violating IC 3-11-4-2(f), commits a Class A misdemeanor.

(HEA 1680 § 22; Effective Date: July 1, 2025; Citations affected IC 3-14-1-3)

### **Absentee Ballot Activity Report**

Requires that a county must provide absentee activity reports produced by the statewide voter registration system (SVRS) and other election day reports not later than 10 a.m., noon, 2 p.m., and 4 p.m. local time on election day. However, the county election board may adopt a policy by unanimous vote to provide the reports at alternative times on election day.

(HEA 1679 § 11; Effective Date: July 1, 2025; Citations affected IC 3-7-27-6.5[NEW])

### **Dated Signatures on Absentee Ballot Envelopes**

Absentee ballots where the absentee ballot counters find the voter's affidavit does not contain an accurate date of their signature must be rejected. This applies to any absentee ballot using a ballot security envelope, whether to vote by mail, travel board, or during in-person early voting.

(HEA 1680 § 18; Effective Date: July 1, 2025; Citations affected IC 3-11.5-4-13)

### **Marking Primary Ballot Choice on Electronic Poll Book During Early Voting**

A voter casting an absentee ballot in a primary election before an absentee voter board during early voting shall mark the voter's political party ballot selection on the electronic poll book instead of communicating the selection to the poll clerks. This requirement already applies to election day voting.

(HEA 1679 § 27; Effective Date: July 1, 2025; Citations affected IC 3-11-10-26)

### **Replacement Absentee Ballot**

A voter may request a replacement ballot by submitting the ABS-5 form (Statement Concerning a Defective, Lost, Destroyed, or Spoiled Absentee Ballot) to a county election board by email. Previously the ABS-5 could only be returned by mail or hand-delivery.

(HEA 1679 § 25, 29; Effective Date: July 1, 2025; Citations affected IC 3-11-4-17.7, IC 3-11.5-4-2)

### **Voters with Print Disabilities**

A voter with print disabilities may no longer use a fax to request a voter registration application or an absentee ballot application. They may continue to request a voter registration application or an absentee ballot application in-person, by phone, by mail, or online.

(HEA 1679 § 24; Effective Date: July 1, 2025; Citations affected IC 3-11-4-5.8)

## AUDITS

### **Election Procedure Audits**

The Secretary of State may conduct a procedure audit for a primary or general election after the election occurs. The Secretary shall select the counties in which a procedure audit is to be performed.

The Secretary of State shall issue orders to implement procedure audits. The Secretary must consult with statistical experts, equipment vendors, the election division, and county election officials and consider best practices for the procedure audits.

Primary election procedure audits must be completed by August 31 of the year in which the primary was held. General election procedure audits must be completed by June 30 of the year following the election. A procedure audit of the 2024 general election must be completed by August 31, 2026.

(HEA 1680 § 19-21; Effective Date: July 1, 2025; Citations affected IC 3-12-14-3, IC 3-12-14-8[NEW], IC 3-12-14-9[NEW])

## **BALLOTS, FORMS, AND ELECTION MATERIALS**

### **Elected Office Vacancy Caucus Property**

Ballots, poll lists, and other documents or material generated for or used by a political party caucus or direct appointment made by the state or county party chairman to fill an elected office vacancy under IC 3-13 are the property of the political party.

(HEA 1679 § 2; Effective Date: July 1, 2025; Citations affected IC 3-5-4-10)

### **Use of Bound Materials for Election Materials**

When a county election board is distributing ballots and supplies for an election, and the law requires the use of a strong or stout paper envelope or bag, the county election board may, by unanimous vote of its entire membership, use bound materials instead. The bound materials may not contain provisional ballot materials.

(HEA 1679 § 23; Effective Date: July 1, 2025; Citations affected IC 3-11-3-12.5[NEW])

## **CAMPAIGN FINANCE**

### **Candidate Claiming to be Incumbent in Political Advertising**

A candidate does not falsely claim to be an incumbent for the elected office they are running for if the candidate's paid political advertising and campaign materials only contains the candidate's name and the office they seek without the words: "elect", "vote", or "for".

(HEA 1680 § 15; Effective Date: July 1, 2025; Citations affected IC 3-9-3-5)

### **Foreign National Contributions Prohibited to Support or Oppose Public Questions**

A foreign national may not make a contribution in connection with a public question authorized or required by state law.

A political action committee (PAC) may not knowingly or willfully, directly or indirectly, accept a contribution or expenditure from a foreign national to influence the outcome of a public question.

The treasurer of the PAC must confirm in each of the PAC's campaign finance reports (CFA-4) that the PAC has not knowingly or willfully received, solicited, or accepted, either directly or indirectly, contributions or expenditures from a foreign national that exceed \$50,000 in total within the four (4) years immediately preceding the date of the contribution.

A report filed by the treasurer of a PAC must include an affirmation by the treasurer that the person making a contribution of any amount is not a foreign national.

A foreign national may not direct, dictate, or control the decision-making process of a person's activity to influence a public question such as making a contribution or expenditure to influence a public question. A foreign national may not directly or indirectly solicit another person to make a contribution or expenditure to influence an election on a public question.

Current Indiana state law does not permit a foreign national to contribute to any candidate's committee, political action committee, or regular party committee.

(HEA 1467 § 9-12; Effective Date: July 1, 2025; Citations affected IC 3-9-2-11, IC 3-9-2-11.5[NEW], IC 3-9-5-14, IC 3-9-5-18)

(SEA 80 § 287; Effective Date: July 1, 2025; Citations affected IC 3-9-5-14)

### **Independent Expenditures on Public Questions**

A person making an independent expenditure that exceeds \$5,000 regarding a public question shall file a report within forty-eight (48) hours certifying and affirming that: 1) there are no contributions from a foreign national; 2) the person has not accepted contributions that exceed \$50,000 in total from a foreign national within four (4) years prior to the date of the independent

expenditure and; 3) that the person will not receive contributions or have expenditures made by a foreign national during the remainder of the calendar year in which the public question will appear on the ballot. The report form will be prescribed by the Indiana Election Division.

A determination from the county election board or Indiana Election Commission that a person has accepted funds from a foreign national, in excess of \$50,000 in total within four (4) years previously or during the calendar year in which the public question appears on the ballot creates a presumption that the prohibition described above has been violated.

(HEA 1467 § 13; Effective Date: July 1, 2025; Citations affected IC 3-9-9[NEW])

### **PAC Contributions on Public Questions**

Before accepting a contribution to influence an election on a public question, a treasurer of a political action committee (PAC) shall obtain from the person offering the contribution certification that the person is not a foreign national and has not knowingly or willfully accepted contributions that exceed \$50,000 in total from one or more prohibited source within four (4) years prior to date the contribution is offered.

A PAC supporting or opposing a public question must certify, on the PAC's statement of organization (CFA-2), that no preliminary activity was funded by a prohibited source before the committee filed the CFA-2.

(HEA 1467 § 6, 8; Effective Date: July 1, 2025; Citations affected IC 3-9-1-4, IC 3-9-1-25)

### **Campaign Contributions Through Third-Party Electronic Payment Platforms**

A committee who receives a contribution made through a third-party electronic payment platform (for example, contributions made by credit cards) must report the total amount received before fees or charges from the payment platform are applied in the contribution sections of the committee's campaign finance report (Schedule A of the CFA-4 Report of Receipts and Expenditures or CFA-11 Supplemental Large Contribution Report). Any fees or charges from the payment platform must be reported as an expenditure by the committee on Schedule B of their CFA-4 Report of Receipts and Expenditures.

(HEA 1680 § 16; Effective Date: July 1, 2025; Citations affected IC 3-9-5-14)

### **Internal Campaign Finance Records Retention**

A political action committee (PAC) that makes a contribution or expenditure and a person who makes an independent expenditure to influence an election on a public question must obtain and keep receipted bills, cancelled checks, or other proof of payment, stating the particulars for each expenditure made by or on behalf of a committee or person.



The treasurer of any PAC or a person who makes an independent expenditure shall preserve all receipts and accounts for three (3) years or one (1) year after the date of dissolution of the committee; whichever occurs first.

(HEA 1467 § 7; Effective Date: July 1, 2025; Citations affected IC 3-9-1-24)

**School Board Campaign Finance Filings with County Election Board**

Candidates and committees for school board candidates, when required to file campaign finance statements and reports, must file with the county election board of each county in the school district.

(HEA 1679 § 20; Effective Date: July 1, 2025; Citations affected IC 3-9-5-4)

## **CANDIDATES AND ELECTED OFFICIALS**

### **Elected Office Vacancy Candidate Requirements**

A candidate for a state legislative, judicial, circuit, county, city, town, or township elected office vacancy to be filled by a Democratic or Republican political party caucus (or by direct appointment by the county party chairman, if applicable) must meet the primary election candidate party affiliation requirement.

A candidate to fill an elected office vacancy meets the political affiliation requirement by either:

1. in the last two Indiana primary elections the candidate voted in, having voted in the political party primary that is holding the elected office vacancy caucus; or
2. attaching to their declaration of candidacy (CEB-2 for legislative office vacancies or CEB-5 for local office vacancies) a certification from the political party county chair that the candidate is affiliated with the political party.

The chair of the caucus (or other entity conducting the caucus) or the individuals participating in the caucus may remove a candidate from consideration who does not meet the political party affiliation requirement or does not comply with the candidate qualification requirements for the office provided in IC 3-8-1.

NOTE: These requirements do not apply to Democratic or Republican political party caucuses (or direct appointment by the county chairman, if applicable) to fill a ballot vacancy on the November ballot should no candidate run in the primary election or if a candidate nominated in the primary election withdraws or is otherwise removed from the November ballot.

(HEA 1197 § 1; Effective Date: July 1, 2025; Citations affected IC 3-8-1-5.7)

### **Candidates for Presidential Electors and Alternate Presidential Electors**

The Democratic, Libertarian, and Republican parties must certify their list of candidates for presidential electors, alternate presidential electors, and their candidates for President and Vice President of the United States by noon, September 1 in the year the office of President is on the ballot (2028, 2032, etc.)

(HEA 1679 § 21; Effective Date: July 1, 2025; Citations affected IC 3-10-4-5)

### **Chairman Certification**

If a primary election candidate cast a nonpartisan ballot at an election held at **either** of the two (2) most recent Indiana primary elections in which the candidate voted, a certification by the county chairman is required to be attached to the primary election candidate's declaration of candidacy in order to comply with the political affiliation requirement.

(HEA 1679 § 18; Effective Date: July 1, 2025; Citations affected IC 3-8-2-7)

## **Department of Homeland Security Employees Prohibited from Being Candidates**

A person who is a full-time employee of the Indiana Department of Homeland Security is prohibited from participating in political activities under IC 10-14-3-26 and is not qualified to be a candidate for statewide, state legislative, judicial, or local office. This prohibition does not apply to party offices such as precinct committeeman and state convention delegate.

(HEA 1679 § 16; Effective Date: July 1, 2025; Citations affected IC 3-8-1-5)

## **School Board Candidates and School Board Member Salary**

On the school board candidate petition of nomination, a candidate must indicate one of the following:

- the candidate's political party affiliation,
- that they are an independent,
- that they elect not to disclose any affiliation with a political party, or
- that they do not identify as an independent candidate.

The candidate's selection must be indicated on the ballot next to the candidate's name. If a candidate claims affiliation with a major party, the candidate must have voted in that party's primary in the two (2) most recent Indiana primary elections that the candidate voted in or have certification from the county political party chairman that is attached to the petition of nomination. A Democratic or Republican Party school board candidate who claims party affiliation without the two primary vote history or a certification from the party chairman can be challenged and removed from the ballot by the county election board.

A school board candidate's claimed affiliation with a minor political party, claim as an independent candidate, or selection not to disclose a party affiliation may not be challenged based on party affiliation.

Straight party voting continues to not apply to school board offices and a voter's straight party selection cannot be counted as a vote for a school board office. A voter must make an individual voting mark for individual school board candidates, which is consistent with previous law when the office was considered non-partisan.

If a school board member who was identified on the ballot as the candidate of a major political party resigns or otherwise vacates the office, the vacancy shall be filled by the party in a caucus. If the vacating member did not affiliate with a major political party, the remaining members of the school board shall fill the vacancy.

School board members shall be paid an amount not to exceed ten (10) percent of the lowest starting salary of a teacher employed by the school corporation.

An individual who is at least 18 years of age (formerly 21 years of age) is eligible to be a member of a school board.

(SEA 287 § 2-40; Effective Date: July 1, 2025; Citations affected IC 3-8-2.5-2.5, IC 3-8-2.5-7, IC 3-11-2-9, IC 3-11-2-10, IC 3-11-2-12.9, IC 3-11-7-4, IC 3-11-7-6, IC 3-11-7.5-10, IC 3-11-13-11, IC 3-11-13-14, IC 3-11-14-3.5, IC 3-11-14-14.5, IC 3-12-1-5, IC 3-12-1-7.1[NEW], IC 3-12-1-8, IC 3-12-1-15, IC 3-13-11-1, IC 3-13-11-8, IC 3-13-11-9, IC 3-13-11-11, IC 20-23-4-29.1, IC 20-23-4-30, IC 20-23-4-35, IC 20-23-4-44, IC 20-23-7-8.1, IC 20-23-13-12.1, IC 20-23-14-3, IC 20-23-14-5, IC 20-23-14-10, IC 20-23-15-6, IC 20-23-15-12, IC 20-23-17-3, IC 20-23-17-6, IC 20-23-17.2-3.1, IC 20-23-17.2-5, IC 20-23-17.2-10, IC 20-25-3-4, IC 20-26-4-4, IC 20-26-4-4.5, IC 20-26-4-7)

(SEA 366 § 3-4; Effective Date: July 1, 2025; Citations affected IC 20-26-4-4[REPEALED], IC 20-26-4-4.5)

(HEA 1515 § 8; Effective Date: July 1, 2025; Citations affected IC 20-26-4-4.5)

(HEA 1002 § 79; Effective Date: July 1, 2025; Citations affected IC 20-26-4-6)

### **Write-in Candidates for School Board**

A person who desires to be a write-in candidate for school board must file a declaration of intent to be a write-in candidate with the county election board.

(HEA 1679 § 17; Effective Date: July 1, 2025; Citations affected IC 3-8-2-2.5)

### **Elected Officials Not Performing Duties**

If an accusation under oath and in writing or a resolution adopted by the county executive and county fiscal body in accordance with IC 36-2-8.7 (for certain county officers) or IC 36-6-4.5 (for township trustee) is presented to a circuit, superior, or probate court judge alleging that a local office elected official is unable to perform the official duties of the office or if a member of the county executive (board of county commissioners) fails, refuses, or is unable to participate in four (4) consecutive regular county executive meetings, the court must order the accused elected official to appear in court and order a hearing. If the accused official does not appear for the hearing, the court may proceed to conduct the hearing and determine if the accusation should be sustained.

The county executive and county fiscal body resolution and hearing procedure to file an accusation in court under IC 5-8-1-35 will now cover a member of the county executive in all counties but Marion County. Currently, the procedure only covers county auditors, county treasurers, county recorders, county surveyors, and county assessors. The county executive and county fiscal body may adopt a resolution alleging that a county officer has violated IC 5-8-1-35(a)(3), IC 5-8-1-35(a)(4), and IC 5-8-1-35(a)(5).

A county executive (except in Marion County) is not required to be in the county office for regular business hours.

The Marion County City-County Council, by a two-thirds vote, may declare a city-county council seat vacant if the member holding the seat fails to perform the duties of the member's office.

(HEA 1197 § 2-7; Effective Date: July 1, 2025; Citations affected IC 5-8-1-35, IC 36-2-8.7-1, IC 36-2-8.7-2, IC 36-2-8.7-6, IC 36-2-8.7-7, IC 36-3-4-4)

### **Abolished Superior Court in Blackford County**

The Blackford Superior Court is abolished on December 31, 2028.

(HEA 1144 § 3-5; Effective Date: July 1, 2025; Citations affected IC 33-33-5-2, IC 33-33-5-3, IC 33-33-5-4)

### **New Superior Courts in Hamilton County**

Two new courts, Hamilton Superior Court No. 8 and Hamilton Superior Court No. 9, are added in Hamilton County effective January 1, 2027. The judges for Hamilton Superior Court No. 8 and Hamilton Superior Court No. 9 shall be elected at the November 2026 general election.

(HEA 1144 § 7-8; Effective Date: July 1, 2025; Citations affected IC 33-33-29-2, IC 33-33-29-2.3[NEW])

### **Abolished Circuit Court in Monroe County**

The Monroe Circuit Court Division 2, Seat 6 is to be abolished on December 31, 2026.

(HEA 1144 § 12; Effective Date: July 1, 2025; Citations affected IC 33-33-53-1)

### **Fraudulent Petition for Nomination**

If a person receives a completed petition for nomination that the person has reason to believe is false, fictitious, or fraudulent, the person must deliver it to the county election board within ten (10) days after receiving the petition along with a statement setting forth the reasons why the person believes the petition is fraudulent. The county election board shall hold a hearing and determine if an election law violation has occurred under IC 3-6-5-31.

(HEA 1680 § 13; Effective Date: July 1, 2025; Citations affected IC 3-8-2-24[NEW])

### **Impeachment**

All elected officials, (with the exception of justices of the Indiana Supreme Court, judges of the court of appeals and judges of the Indiana tax court), are liable to impeachment for crimes, incapacity, or negligence in office, the grounds set forth in Article 6, Section 7 and 8 of the Indiana Constitution; previously, statute only referenced committing any misdemeanor in office.

(HEA 1679 § 35-37; Effective Date: July 1, 2025; Citations affected IC 5-8-1-1, IC 5-8-1-3, IC 5-8-1-30)

## **CANDIDATE AND OFFICE VACANCIES**

### **Caucus to Fill a General Election Ballot Vacancy When No Democratic or Republican Candidate Filed to Run in the Primary Election**

The Democratic or Republican parties may begin filling any ballot vacancy on the November general or municipal election ballot created when no candidate filed to run for an office in the primary election on or after May 8 of that year.

(HEA 1679 § 33; Effective Date: July 1, 2025; Citations affected IC 3-13-1-7)

### **Procedure to Fill an Elected Office Vacancy for Local Offices Where Only One Candidate Files by Deadline**

If only one person files a CEB-5 declaration of candidacy to fill a Democratic or Republican Party elected local office vacancy with the chair of the caucus not later than 72-hours before the caucus is held the caucus is not required to vote. The county chairman may make a direct appointment of that person to fill the vacancy. In this instance, the county chairman will use the CEB-3 form.

(HEA 1679 § 34; Effective Date: July 1, 2025; Citations affected IC 3-13-11-10)

### **Authorization for County Party Chairman or County Party Officers to Fill Ballot Vacancies**

An authorization given to a Democratic or Republican Party county chairman or the major party county officers to make direct appointments to fill early candidate vacancies expires at the time of the next election for precinct committeemen for the party with which the county chairman or county party officers is affiliated.

Previously, the authorization adopted by the party organization granting authority to the county chairman or party officers to fill a ballot vacancy did not need to have an expiration date. This change in law still permits the party organization to adopt this authorization with an earlier end date but the authorization must expire on the date of the primary election in 2026, 2030, 2034, and so on for the Democratic Party and the date of the primary election in 2028, 2032, 2036, and so on for the Republican Party.

(HEA 1679 § 32; Effective Date: July 1, 2025; Citations affected IC 3-13-1-6.5[NEW])

## DEFINITIONS

NOTE: In the 2025 legislative session, the Indiana General Assembly recodified the general definitions used throughout the Indiana Election Code (Title 3). Previously, those definitions were found in IC 3-5-2, generally. This chapter was repealed and replaced with IC 3-5-2.1. In most cases, the language was not changed but most definitions will have a new section number as part of its citation.

### **“Auxiliary Party”**

The definition of auxiliary party organization is revised to state that an organization is an auxiliary party organization if the organization has made annual expenditures of less than \$10,000 in one of the last two (2) years. Previously, the definition noted a committee had to have a budget of less than \$5,000 in one of the last two (2) years in order to be defined as an auxiliary party committee. All other qualifications for an auxiliary party organization are unchanged.

(HEA 1680 § 1; Effective Date: July 1, 2025; Citations affected IC 3-5-2-2.5)

(SEA 80 § 286; Effective Date: July 1, 2025; Citations affected IC 3-5-2-2.5[REPEALED])

(SEA 80 § 6; Effective Date: July 1, 2025; Citations affected IC 3-5-2.1-6 [NEW])

### **“Candidate”**

Clarifies how the defined term of “candidate” is used in different ways to enforce parts of the election code. For campaign finance purposes, the definition of “candidate” is expanded to include:

- when the individual is required to designate a campaign finance committee,
- is subject to campaign contribution and expense restrictions,
- is subject to the requirements for campaign communications using fabricated media, or
- is a current officeholder, ensuring all officeholders keep campaign finance committees open for the duration of their time in office.

For laws governing the crime of unlawful influence of a voter or candidate, the term “candidate” includes an individual whom the person knows is considering becoming a candidate.

(HEA 1679 § 1; Effective Date: July 1, 2025; Citations affected IC 3-5-2-6)

(SEA 80 § 293; Effective Date: July 1, 2025; Citations affected IC 3-5-2-6 [REPEALED])

(SEA 80 § 6; Effective Date: July 1, 2025; Citations affected IC 3-5-2.1-16 [(NEW)])

### **Reference to State Comptroller in Elections**

The Auditor of State is now the State Comptroller in the state election code. For the 2026 general election, the office of State Comptroller shall be listed as “State Comptroller (Auditor of State).”

NOTE: The Indiana Constitution must be amended to permanently change references in the Indiana Constitution to the Auditor of State to State Comptroller.



(SEA 221 § 1-5; Effective Date: July 1, 2025; Citations affected IC 3-5-2-48, IC 3-8-1-33, IC 3-8-4-2, IC 3-10-2-7, IC 3-11-2-12)

(SEA 80 § 6; Effective Date: July 1, 2025; Citations affected IC 3-5-2.1-97[NEW])

### **“Contribution”**

The definition of contribution is expanded to include a donation of funds and other property to influence an election on a public question and a donation of property through a third-party electronic payment platform that acts as a conduit.

(HEA 1467 § 1; Effective Date: July 1, 2025; Citations affected IC 3-5-2-15)

(HEA 1680 § 2, 14; Effective Date: July 1, 2025; Citations affected IC 3-5-2-15, IC 3-9-2-5)

(SEA 80 § 260-261; Effective Date: July 1, 2025; Citations affected IC 3-5-2-15[REPEALED])

(SEA 80 § 6; Effective Date: July 1, 2025; Citations affected IC 3-5-2.1-27[NEW])

### **“Foreign National”**

For purposes of IC 3-9-2-11.5 (the prohibition on accepting contributions from foreign nationals), "foreign national" has the meaning set forth in 52 U.S.C. 30121(b):

1. a foreign principal, as such term is defined by section 611(b) of title 22, except that the term “foreign national” does not include any individual who is a citizen of the United States; or
2. an individual who is not a citizen of the United States or a national of the United States (as defined in section 1101(a)(22) of title 8) and who is not lawfully admitted for permanent residence, as defined by section 1101(a)(20) of title 8.

(HEA 1467 § 2; Effective Date: July 1, 2025; Citations affected IC 3-5-2-25.5[NEW])

(SEA 80 § 262; Effective Date: July 1, 2025; Citations affected IC 3-5-2-25.5[REPEALED])

(SEA 80 § 2; Effective Date: July 1, 2025; Citations affected IC 3-5-2-49.6[NEW])

### **“Independent Expenditure”**

Independent expenditure means an expenditure by a person expressly advocating the approval or rejection of a public question.

(HEA 1467 § 3; Effective Date: July 1, 2025; Citations affected IC 3-5-2-27.1[NEW])

(SEA 80 § 263; Effective Date: July 1, 2025; Citations affected IC 3-5-2-27.1[REPEALED])

(SEA 80 § 6; Effective Date: July 1, 2025; Citations affected IC 3-5-2.1-53.3[NEW])

### **“Preliminary Activity”**

For purposes of IC 3-9-2-11.5 (the prohibition on accepting contributions from foreign nationals), "preliminary activity" includes conducting a poll, drafting language for a public question, the planning and use of a focus group, a telephone call, or engaging in travel.

(HEA 1467 § 4; Effective Date: July 1, 2025; Citations affected IC 3-5-2-40.2[NEW])

(SEA 80 § 264; Effective Date: July 1, 2025; Citations affected IC 3-5-2-40.2[REPEALED])  
(SEA 80 § 6; Effective Date: July 1, 2025; Citations affected IC 3-5-2.1-82.4[NEW])

### **“Prohibited Source”**

"Prohibited source" refers to a foreign national.

(HEA 1467 § 5; Effective Date: July 1, 2025; Citations affected IC 3-5-2-40.4[NEW])  
(SEA 80 § 265; Effective Date: July 1, 2025; Citations affected IC 3-5-2-40.4[REPEALED])  
(SEA 80 § 6; Effective Date: July 1, 2025; Citations affected IC 3-5-2.1-83.6[NEW])

### **“Proof of Citizenship”**

Proof of citizenship documentation is expanded to include a consular report of birth abroad (CRBA).

(SEA 10 § 5; Effective Date: July 1, 2025; Citations affected IC 3-7-38.2-7.3)

### **“Proof of Identification”**

“Proof of identification” no longer includes a document issued by a state educational institution such as an Indiana college or university identification card that also included the voter’s name, photograph, and expiration date.

(SEA 10 § 1; Effective Date: July 1, 2025; Citations affected IC 3-5-2-40.5)  
(SEA 80 § 266; Effective Date: July 1, 2025; Citations affected IC 3-5-2-40.5[REPEALED])  
(SEA 80 § 6; Effective Date: July 1, 2025; Citations affected IC 3-5-2.1-84)

### **“School Board”**

“School board” means the governing body of a school corporation as defined in IC 20-18-2-5.

(SEA 287 § 1; Effective Date: July 1, 2025; Citations affected IC 3-5-2-44)  
(SEA 80 § 288; Effective Date: July 1, 2025; Citations affected IC 3-5-2-44[REPEALED])  
(SEA 80 § 6; Effective Date: July 1, 2025; Citations affected IC 3-5-2.1-92[NEW])

### **“Retraction”**

“Retraction”, with respect to a ballot, means: (1) the removal of votes on the ballot from the memory or the document onto which the votes were recorded; or (2) the exclusion or subtraction of votes on the ballot from the final total on the memory or tabulation system on the document on which the votes were recorded.

(SEA 526 § 1; Effective Date: July 1, 2025; Citations affected IC 3-5-2-42.7[NEW])  
(SEA 80 § 289; Effective Date: July 1, 2025; Citations affected IC 3-5-2-42.7[REPEALED])  
(SEA 80 § 6; Effective Date: July 1, 2025; Citations affected IC 3-5-2.1-90.3[NEW])

### **“Tabulated”**

“Tabulated” means, with respect to ballots, the process of cumulating into totals the votes on the ballot in a precinct, a county, or the election district for each office and each public question after accounting for ballots that must be retracted.

(SEA 526 § 2; Effective Date: July 1, 2025; Citations affected IC 3-5-2-48.2[NEW])

(SEA 80 § 290; Effective Date: July 1, 2025; Citations affected IC 3-5-2-48.2[REPEALED])

(SEA 80 § 6; Effective Date: July 1, 2025; Citations affected IC 3-5-2.1-97.5(NEW))

### **“Uniformed Services”**

The election code definition of “uniformed services” is updated to place “United States” before the name of each branch of the military.

(HEA 1637 § 2; Effective Date: July 1, 2025; Citations affected IC 3-5-2-49.3)

## **ELECTION STUDY**

### **Study of Municipal Elections and Move to Vote Centers Statewide**

The Secretary of State shall conduct a study to analyze and estimate any cost savings if:

1. all local elections were to be conducted during the year before a presidential election (2027, 2031);
2. moving municipal elections to the even numbered presidential year and non-presidential year; and
3. requiring all counties to use vote centers.

The study must analyze the potential impact on voter turnout. The Secretary of State must conduct at least three (3) regional public meetings in the northern, central and southern regions of Indiana as part of this study.

The results of the study shall be reported to the legislative council in an electronic format before November 1, 2025.

(HEA 1633 § 1; Effective Date: April 22, 2025)

## **LOCAL ELECTION ADMINISTRATION**

### **Office of the Circuit Court Clerk Hours on Election Day**

The office of the circuit court clerk must remain closed on primary election day and general election day. The clerk shall perform the duties required to conduct elections on primary and general election day but is not required to perform a duty other than conducting elections.

(HEA 1679 § 3; Effective Date: July 1, 2025; Citations affected IC 3-5-4-14[NEW])

### **County Election Board Chairman**

If the chairman of the county election board vacates the office, the circuit court clerk will serve as acting chairman until the vacancy is filled. The clerk will notify the political party chairman of the member who served as chairman of the vacancy. To select a new election board chairman, the clerk will call a meeting of the county election board who shall select one of the appointed members to serve as chairman. The term of a county election board chairman ends January 1, following the election of the county circuit court clerk.

(HEA 1679 § 9; Effective Date: July 1, 2025; Citations affected IC 3-6-5-8)

### **Public Notice of an Election**

Addresses for candidates are no longer to be printed by a county election board on the public notice of a primary or special election (CAN-9 for a primary election and CAN-39 for a special election). This does not change the public notice of a general election (CAN-39), as candidate addresses already were not included

The county election board is not required to list precinct committeemen or state convention delegates in the primary election public notice.

(HEA 1679 § 19, 22; Effective Date: July 1, 2025; Citations affected IC 3-8-2-19, IC 3-10-8-4)

## **MISCELLANEOUS**

### **Ballot Selfies**

The prohibition against taking or distributing a ballot “selfie” that was declared unconstitutional by a federal court is repealed.

(HEA 1679 § 26; Effective Date: July 1, 2025; Citations affected IC 3-11-8-17.5)

### **County Information Technology (IT) Provider Information**

Each county shall submit the name and contact information of the county’s IT provider to the Secretary of State and shall notify the Secretary of any changes.

(HEA 1680 § 3; Effective Date: July 1, 2025; Citations affected IC 3-5-4-12.5[NEW])

### **Executive Sessions**

A governing body subject to the Open Door Law (IC 5-14-1.5) may hold an executive session only for reasons specified under state law to do the following:

1. Discuss an employee’s specific compensation or an employment matter of an individual employee.
2. Discuss employee health care options with respect to special exceptions for coverage and employee handbook changes.
3. To review negotiations on the performance of publicly bid contracts when public knowledge regarding the review would cause a likelihood of increased costs.
4. Discuss soliciting proposals for the purpose of awarding contracts for goods and services when:
  - a. proprietary data, trade secrets, or other information is contained in the bidder’s proposal relating to the bidder’s unique methods of conducting business or determining prices or premium rates to be charged for services under the terms of the proposal; or
  - b. public knowledge regarding the discussion would reasonably be expected to result in private loss to the providers of the information in (a).
5. To have communications with an attorney that is subject to the attorney client privilege.

(HEA 1134 § 1; Effective Date: July 1, 2025; Citations affected IC 5-14-1.5-6.1)

(HEA 1641 § 1; Effective Date: July 1, 2025; Citations affected IC 5-14-1.5-6.1)

(SEA 80 § 80; Effective Date: July 1, 2025; Citations affected IC 5-14-1.5-6.1)

### **Lake County Designation in County Executive Statutes**

The population description for Lake County in the county executive (board of county commissioners) district statute, county executive qualification statute, and county division of

powers statute is changed to be described as a county with a population of more 450,000 (formerly 400,000) and less than 700,000.

(HEA 1427 § 139-141; Effective Date: July 1, 2025; Citations affected IC 36-2-2-4, IC 36-2-2-5, IC 36-2-3.5-1)

#### **Notarial Act by Space Force Officer**

A notarial act performed under federal law by a second lieutenant or higher ranked officer in the active service of the United States Space Force is presumed valid and has the same effect as a notarial act performed by a notarial officer in Indiana.

(HEA 1637 § 84; Effective Date: July 1, 2025; Citations affected IC 33-42-9-10)

#### **Local Government Redistricting for 2030 Decennial Census**

Requires a local government redistricting authority (such as a board of county commissioners or county council, a city or town council, Marion County township board, or a school corporation board) to redistrict election districts or certify that the existing election districts comply with all applicable legal requirements, not later than December 31, 2031, (or December 31, 2032, in certain cases) based on the 2030 decennial census.

If the local government redistricting authority fails to do so, a member of the redistricting authority is not entitled to receive a salary or fees prescribed by law, until the redistricting authority complies with the redistricting requirement.

(HEA 1679 § 5; Effective Date: July 1, 2025; Citations affected IC 3-5-10-7)

## **POLLING PLACES, POLL WORKERS, AND PARTISAN WORKERS**

### **Applicability of Nepotism Laws on Certain Appointed Election Positions**

Working as a member of an absentee voter board, an absentee ballot counter, a provisional ballot counter, or an absentee ballot courier is not considered “employment” for purposes of the state nepotism law.

(HEA 1679 § 38; Effective Date: July 1, 2025; Citations affected IC 36-1-20.2-3)

### **Paid Leave for Local Government Employees Working the Polls**

A county, city, town, township, or school corporation employee is entitled to a day of paid leave from their employer if the employee requests leave to serve as a precinct election officer (that is, a poll worker such as an Inspector, clerk, or judge) on election day. Specifies that an employee receiving this paid leave is also entitled to receive poll worker pay by the county for their work at the polls. Specifies that the paid leave requirement does not apply to an employee who is performing public safety duties or duties necessary for election day operations. This does not apply to other election administrative positions such as absentee voter board members, absentee ballot counters, provisional ballot counters, party appointed watchers, challengers, and poll book holders.

(HEA 1679 § 4; Effective Date: July 1, 2025; Citations affected IC 3-5-4-15[NEW])

### **Appointing Election Day Watchers in a Primary or School Board Election**

Two or more candidates for an elected office or precinct committeemen on the same political party ballot at the primary election, or any candidate running for election as a member of a school board at a general election, may appoint Election Day watchers by filing a written statement with the circuit court clerk. If two or more candidates of the same party at the primary election do not sign a statement indicating their desire for watchers, the county chairman may appoint a watcher in each precinct where the political party has a candidate on the ballot.

NOTE: This change does not otherwise impact how political party chairman (state or county, depending on the position) appoint watchers. Instead, it expands the universe of individuals who may appoint Election Day watchers in a primary or school board election.

(SEA 199 § 1-2; Effective Date: July 1, 2025; Citations affected IC 3-6-9-1, IC 3-6-9-1.5[NEW])

### **Primary Election Challenges by Voter**

A voter of any precinct in the county may challenge another voter in the same polling location or vote center, alleging the voter is not qualified to vote in the party primary the voter requests to vote (PRE-6 Affidavit to Challenge a Person/ Affidavit of a Person Challenged at a Primary Election Due to Party Affiliation).



Previously a voter could only challenge another voter in the same precinct on these grounds.

(HEA 1680 § 17; Effective Date: July 1, 2025; Citations affected IC 3-10-1-9)

**Challengers, Pollbook Holders or Watcher Entry to Polls**

A challenger, pollbook holder, or watcher for a political party or certain candidates may enter, leave, and reenter multiple polling places at any time on election day. While a challenger, pollbook holder, or watcher could enter and leave throughout the day previously, this change further clarifies this ability.

(HEA 1680 § 6-8; Effective Date: July 1, 2025; Citations affected IC 3-6-7-5, IC 3-6-8-4, IC 3-6-8-5)

## **PUBLIC QUESTIONS/REFERENDUMS**

### **Public Questions Must be on General Election Ballot**

A referendum or local public question under IC 20-46-1 (school tax levy referendum), IC 20-46-9 (school safety tax levy referendum), IC 6-1.1-20 (controlled project referendum) may only be placed on the ballot at a general election held in an even-numbered year. Certification of a local public question under this subsection must occur not later than noon August 1.

(SEA 1 § 1; Effective Date: July 1, 2025; Citations affected IC 3-10-9-3)

### **2025 General Election Public Question Exemption**

The governing body of a school corporation that adopts a resolution to place a school tax levy referendum on the ballot on or before June 30, 2025, is eligible to place the referendum question on the ballot in the fall of 2025.

(HEA 1427 § 133; Effective Date: May 6, 2025; Citations affected IC 20-46-1-23[NEW])

### **Controlled Project Referendum Public Question Language**

The public question language for a controlled project referendum is amended to read:

“Shall \_\_\_\_\_ (insert the name of the political subdivision) increase property taxes paid to the \_\_\_\_\_ (insert the type of political subdivision) for no more than \_\_\_\_\_ (insert the number of years immediately following the holding of the referendum) years for the purpose of funding \_\_\_\_\_ (insert a brief description of the project use or purpose) for which the principal debt amount for the project will cost no more than \_\_\_\_\_ (insert the total cost of the project principal amount) and the financing cost including interest and fees will cost no more than an additional \_\_\_\_\_ (insert the total financing costs including interest and fees) and is estimated to increase the property taxes paid to the \_\_\_\_\_ (insert the type of political subdivision) by imposing a property tax rate that results in a maximum annual amount that does not exceed \_\_\_\_\_ (insert maximum amount of annual levy). If this capital referendum public question is approved by the voters, for a median residence of \_\_\_\_\_ (insert the political subdivision's median household assessed value, rounded up to the next fifty thousand dollars (\$50,000)), the property's annual property tax bill would increase by \_\_\_\_\_ (insert dollar amount, rounded up to the next whole dollar) per year.”

(SEA 1 § 68; Effective Date: July 1, 2025; Citations affected IC 6-1.1-20-3.6)

### **School Tax Levy Referendum Public Question Language**

The public question language for a school tax levy referendum is amended to read:

“Shall \_\_\_\_\_ (insert the name of the school corporation) increase property taxes paid to the school corporation for no more than \_\_\_\_\_ (insert the number of years immediately following

the holding of the referendum) years for the purpose of funding \_\_\_\_\_ (insert a brief description of the purposes) by imposing a property tax rate that does not exceed \_\_\_\_\_ (insert property tax rate) and results in a maximum annual amount that does not exceed \_\_\_\_\_ (insert maximum amount of annual levy). If this operating referendum public question is approved by the voters, for a median residence of \_\_\_\_\_ (insert the school corporation's median household assessed value, rounded up to the next fifty thousand dollars (\$50,000)), the property's annual property tax bill would increase by \_\_\_\_\_ (insert dollar amount, rounded up to the next whole dollar) per year. (If, in the previous five (5) years, the school corporation has conducted an operating referendum public question, the following shall also be included in the ballot language.) The most recent operating referendum public question proposed by the school corporation was held in \_\_\_\_\_ (insert year) and \_\_\_\_\_ (insert whether the measure passed or failed).”

(SEA 1 § 217; Effective Date: July 1, 2025; Citations affected IC 20-46-1-10)

### **School Tax Levy Extension Referendum Public Question Language**

The public question language for a school tax levy extension referendum is amended to read:

“Shall \_\_\_\_\_ (insert the name of the school corporation) continue to increase property taxes paid to the school corporation for no more than \_\_\_\_\_ (insert the number of years immediately following the holding of the referendum) years for the purpose of funding \_\_\_\_\_ (insert brief description of the purposes) by imposing a property tax rate that does not exceed \_\_\_\_\_ (insert property tax rate) and results in a maximum annual amount that does not exceed \_\_\_\_\_ (insert maximum amount of annual levy). If this operating referendum public question is NOT approved by the voters, for a median residence of \_\_\_\_\_ (insert the school corporation's median household assessed value, rounded up to the next fifty thousand dollars (\$50,000)), the property's annual tax bill would decrease by \_\_\_\_\_ (insert dollar amount, rounded up to the next whole dollar) per year. If this operating referendum public question is approved by the voters, it would be a renewal of the most recent operating referendum public question passed in \_\_\_\_\_ (insert year the original operating referendum public question passed) with a property tax rate of \_\_\_\_\_ (insert property tax rate of the original operating referendum public question).”

(SEA 1 § 218; Effective Date: July 1, 2025; Citations affected IC 20-46-1-10.1)

### **School Safety Tax Levy Referendum Public Question Language**

The public question language for a school safety tax levy referendum is amended to read:

“Shall \_\_\_\_\_ (insert the name of the school corporation) increase property taxes paid to the school corporation for no more than \_\_\_\_\_ (insert the number of years immediately following the holding of the referendum) years for the purpose of funding \_\_\_\_\_ (insert a brief description of the purposes) by imposing a property tax rate that does not exceed \_\_\_\_\_ (insert property tax rate) and results in a maximum annual amount that does not exceed \_\_\_\_\_ (insert maximum amount of annual levy). If this school safety referendum public question is approved

by the voters, for a median residence of \_\_\_\_\_ (insert the school corporation's median household assessed value, rounded up to the next fifty thousand dollars (\$50,000)), the property's annual property tax bill would increase by \_\_\_\_\_ (insert dollar amount, rounded up to the next whole dollar) per year. (If, in the previous five (5) years, the school corporation has conducted a school safety referendum public question, the following shall also be included in the ballot language.) The most recent school safety referendum public question proposed by the school corporation was held in \_\_\_\_\_ (insert year) and \_\_\_\_\_ (insert whether the measure passed or failed).”

(SEA 1 § 228; Effective Date: July 1, 2025; Citations affected IC 20-46-9-9)

### **School Safety Tax Levy Extension Referendum Public Question Language**

The public question language for a school safety tax levy extension referendum is amended to read:

“Shall \_\_\_\_\_ (insert the name of the school corporation) continue to increase property taxes paid to the school corporation for no more than \_\_\_\_\_ (insert the number of years immediately following the holding of the referendum) years for the purpose of funding \_\_\_\_\_ (insert brief description of the purposes) by imposing a property tax rate that does not exceed \_\_\_\_\_ (insert property tax rate) and results in a maximum annual amount that does not exceed \_\_\_\_\_ (insert maximum amount of annual levy). If this school safety referendum public question is NOT approved by the voters, for a median residence of \_\_\_\_\_ (insert the school corporation's median household assessed value, rounded up to the next fifty thousand dollars (\$50,000)), the property's annual tax bill would decrease by \_\_\_\_\_ (insert dollar amount, rounded up to the next whole dollar) per year. If this school safety referendum public question is approved by the voters, it would be a renewal of the most recent school safety referendum public question passed in \_\_\_\_\_ (insert year the original operating referendum public question passed) with a property tax rate of \_\_\_\_\_ (insert property tax rate of the original school safety referendum public question).”

(SEA 1 § 229; Effective Date: July 1, 2025; Citations affected IC 20-46-9-10)

## **RECOUNTS AND CONTESTS**

### **State Recount Procedures**

A request for a recount conducted by the state recount commission cannot be filed earlier than ten (10) days after the election.

If a candidate or other petitioner who requested a recount loses by more than ten percent (10%) of the total votes cast, the petitioner is responsible for the costs of the recount otherwise charged to another candidate or cross-petitioner.

(HEA 1679 § 30-31; Effective Date: July 1, 2025; Citations affected IC 3-12-10-13, IC 3-12-11-2)

## **STATE ELECTION ADMINISTRATION**

### **Indiana Election Commission Advisory Opinions**

Repeals the Indiana Election Commission's authority to issue advisory opinions. Each advisory opinion issued by the Indiana Election Commission before July 1, 2025, is void. Advisory Opinion 2022-8 adopted by the Indiana Election Commission on March 25, 2022, is void.

(SEA 526 § 11; Effective Date: July 1, 2025; Citations affected IC 3-11.5-1-5[NEW])  
(HEA 1680 § 4-5; Effective Date: July 1, 2025; Citations affected IC 3-6-4.1-25. IC 3-6-4.1-26[NEW])

### **Complaints Filed with Election Commission**

The election division shall promptly forward a copy of the complaint regarding the Help American Vote Act to the person identified in the complaint by first class mail. The election division shall keep a copy on file for the members of the Indiana Election Commission.

(HEA 1679 § 8; Effective Date: July 1, 2025; Citations affected IC 3-6-4.5-9)

### **Election Division Fees**

The election division will charge:

1. \$400 to each person to attend the Election Administrators' Conference. There is a \$50 fee for late registrations.
2. \$70 for the packet of election administration publications provided at the conference.
3. \$20 for the Indiana Election Codebook produced by the election division.
4. \$10 for maps showing election districts or precincts.

The election division may waive fees. All fees will be deposited in the election administrator's conference fund. The election division must annually prepare a plan for the expenditure of the money in the conference fund.

(HEA 1679 § 6-7; Effective Date: May 6, 2025; Citations affected IC 3-6-4.2-15[NEW], IC 3-6-4.2-16[NEW])

### **Administration of Certain Election Funds**

Money in the voter education outreach fund, the election administration assistance fund, the voting system technical oversight program fund, and the state recount fund that are administered by the Secretary of State is subject to appropriation by the Indiana General Assembly. The funds may be augmented after budget committee review.

(HEA 1001 § 38-41; Effective Date: July 1, 2025; Citations affected IC 3-6-3.7-4, IC 3-11-6.5-2, IC 3-11-17-6, IC 3-12-10-2.2)

## **UPDATING OR CORRECTING REFERENCES IN STATE LAW**

### **Recodification of Election Code Definitions**

Establishes a new chapter (IC 3-5-2.1) in state law for election term definitions. The old chapter of election code definitions (IC 3-5-2) is repealed. References to IC 3-5-2 throughout the state code are updated to reference IC 3-5-2.1.

(SEA 80 § 1-28,31-44, 47-55, 57, 59-60, 63-64, 67, 77-80, 83-84, 92, 114-115, 120, 149, 158-163, 167, 172-174, 239, 252-253, 256-257, 280, 287; Effective Date: July 1, 2025; Citations affected IC 2-2.1-1-7.5, IC 2-5-1.1-12.2, IC 2-7-1-4, IC 2-7-3-3.5, IC 3-5-2[REPEALED], IC 3-5-2.1[NEW], IC 3-5-5-0.2, IC 3-5-5-0.3, IC 3-5-5-18, IC 3-6-1-15, IC 3-6-2-10.5, IC 3-6-4.2-14, IC 3-7-26.-32, IC 3-8-2-11, IC 3-9-2-5, IC 3-9-4-4, IC 3-9-5-7, IC 3-9-8-2, IC 3-10-1-7.2, IC 3-11-4-2, IC 3-11-4-8, IC 3-11-8-7, IC 3-11-8-10.3, IC 3-11-8-16, IC 3-11-8-23, IC 3-11-8-25.1, IC 3-11-10-26, IC 3-12-11-25, IC 4-15-17-1, IC 4-15-17-3, IC 4-20.5-21-4, IC 4-29.5-10-5, IC 4-30-3-19, IC 4-30-3-19.5, IC 4-30-3-19.7, IC 4-31-13-3.5, IC 4-31-13-9, IC 4-32.3-2-10, IC 4-32.3-4-12, IC 4-33-10-2.1, IC 4-33-10-2.5, IC 5-3-5-3, IC 5-8-1-38, IC 5-8-6-2, IC 5-8-6-3, IC 5-8-6-4, IC 5-8-6-5, IC 5-9-4-1, IC 5-9-4-5, IC 5-10-8-7, IC 5-14-1.5-2, IC 5-14-1.5-6.1, IC 5-26.5-2-5, IC 5-28-4-2, 6-1.1-20-1.8, IC 6-1.5-1-2, IC 6-3-4-8, IC 7.1-5-12-5, IC 8-1-2-102, IC 8-15.5-13-1, IC 8-15.7-16-1, IC 9-14.1-2-5, IC 9-24-2.5-4, IC 10-13-3-7.5, IC 20-23-4-44, IC 20-26-4-4.5, IC 22-4-8-3, IC 28-9-2-7, IC 31-26-5-3, IC 31-34-4-2, IC 31-34-4-2, IC 31-34-18-6.1, IC 31-34-20-1.5, IC 31-37-17-6.1, IC 31-37-19-6.5, IC 32-21-13-1, IC 33-33-2-11, IC 33-33-49-13.1, IC 33-42-9-7, IC 35-43-2-2, IC 36-1-20.2-3, IC 36-1.5-2-1, IC 36-7-4-216, IC 36-7-4-905)

### **Technical Corrections**

Corrects spelling and grammar errors.

(HEA 1050 § 3-5, 40, 47, 51-52, 80-81, 195-196; Effective Date: July 1, 2025; Citations affected IC 3-5-3-1, IC 3-14-5-2, IC 4-2-6-9, IC 5-3-1-1.6, IC 5-4-1-5.1, IC 5-14-1.5-3.6, IC 5-14-1.5-5, IC 6-1.1-20-3.6, IC 6-1.1-20-10, IC 20-46-1-8, IC 20-46-9-6)

### **Armed Forces Reference**

Updates reference to components of “Armed Forces of the United States” in the elected official leave of absence for military service law.

(HEA 1637 § 8; Effective Date: July 1, 2025; Citations affected IC 5-9-4-3)

## VOTING SYSTEMS AND ELECTRONIC POLL BOOKS

### **Absentee Ballot Retraction Features on Voting Systems**

Optical scan voting systems *may* include a retraction feature that allows an absentee ballot to be retracted from a voting system if the absentee ballot is rejected for counting after being scanned. All direct record electronic (DRE) Voting Systems *must* have such a feature. Currently, the Indiana Election Commission has certified ES&S, Unisyn, and Hart Intercivic optical scan voting systems and the MicroVote system, which has an optical scan component for absentee ballots and a DRE component for Election Day and early absentee voting. The retraction feature must assign a unique identifier to each absentee ballot.

The retraction number assigned to an absentee ballot may not include the name, residence or mailing address, telephone number, social security number, date of birth date the voter registered, or the voter's Indiana driver's license or state ID number assigned by the BMV. The unique identifier is confidential under the public records law. The county election board must implement a procedure to keep the retraction unique identification number secured from unauthorized access.

During the pre-election public test of the voting machines, the county election board must test the retraction of an absentee ballot card to ascertain whether the voting system will correctly retract an absentee ballot cast by a voter later found to be disqualified or which must otherwise be rejected under state law, and that the absentee ballot cast by the disqualified voter will not be counted. The test must determine if the voting system will reject and void the absentee ballot before tabulation. The test must confirm the rejected or voided ballot was not included. The county election board must use at least one ballot to test the retraction components during the public test

If the county election board determines that an absentee ballot cast on a *direct record electronic voting system* must be rejected, the county election board must void the ballot by retracting it from the voting system.

Advisory Opinion 2022-8 adopted by the Indiana Election Commission on March 25, 2022, concerning retraction before the voter's ballot is tabulated is void.

NOTE: This change in state law does not otherwise permit a voter to cast their absentee ballot card on a tabulator prior to Election Day. Voters must place their absentee ballot card into a ballot security envelope (ABS-7) and sign and date the affidavit found on it, whether it is at home when voting by mail or before an absentee voter board during early voting or travel board.

If a county election board decides to begin their central count of absentee ballots up to three (3) days before Election Day as permitted under IC 3-11.5-4-11.5, then the absentee ballot cards can be scanned and not tabulated by precinct as required by state law, since the absentee counters must perform their necessary bi-partisan review and the county election board is permitted to effectuate challenges.



(SEA 526 § 3-7; 10-12; Effective Date: July 1, 2025; Citations affected IC 3-11-13-22, IC 3-11-13-24, IC 3-11-13-24.5, IC 3-11-14.5-5, IC 3-11-14.5-8, IC 3-11-15-26, IC 3-11.5-1-5[NEW], IC 3-11.5-8-1)

### **Voting System Disposal**

A vendor may dispose of a voting system or an electronic poll book by transferring possession to a state or county historical society in Indiana, in addition to the other methods found in current state law.

(HEA 1679 § 28; Effective Date: July 1, 2025; Citations affected IC 3-11-15-60)

### **Voting System Certification**

A county may continue to use a voting system where the voting system's certification expired on or before October 1, 2025, so long as the voting system was approved by the Indiana Election Commission and purchased or leased by a county on or before October 1, 2025, and the voting system continues to comply with all voting system requirements in state law and the federal Help America Vote Act (HAVA).

Each voting system to be certified for use in Indiana must meet one of three federal voluntary voting system guidelines including the Voluntary Voting Systems Guidelines adopted by the U.S. Election Assistance Commission on February 10, 2021, instead of the Voluntary Voting System Guidelines amended by the U.S. Election Assistance Commission on March 31, 2015.

(SEA 526 § 8-9; Effective Date: July 1, 2025; Citations affected IC 3-11-15-13.3, IC 3-11-15-20)

## **VOTER REGISTRATION**

### **Death Information from Local Health Departments**

The local health officer shall, not later than January 31, April 30, July 31, and October 31 of each year, furnish to the county auditor and the county voter registration office the records of all deaths that occurred during the previous three (3) months.

Repeals requirement for voter registration to request copies of death records from the local health officer.

(SEA 10 § 7-8; Effective Date: July 1, 2025; Citations affected IC 3-7-45-2.1, 16-37-3-9)

### **Obsolete Kansas List Comparison Program Repeal**

Repeals an obsolete and completed requirement for the Secretary of State to end the MOU with Kansas to share voter list data with other states; that was completed in 2020.

(SEA 10 § 4; Effective Date: July 1, 2025; Citations affected IC 3-7-38.2-5.1)

### **Military Spouse Residence**

A military service member's spouse (as defined in federal law) may elect to use the same residence as the service member regardless of the date on which the marriage occurred and notwithstanding the residency requirements for registering to vote.

(HEA 1679 § 13; Effective Date: July 1, 2025; Citations affected IC 3-7-36-15[NEW])

### **Prefilled Voter Registration Applications**

An individual may not print or prefill any part of a voter registration form that will be mailed to another individual. The registration application is "incomplete" if the county voter registration office determines that this requirement has been violated. This does not affect an individual assisting an applicant in completing a voter registration application when the applicant is physically unable to do so.

(HEA 1680 § 11-12; Effective Date: July 1, 2025; Citations affected IC 3-7-32-7.5[NEW], IC 3-7-34-1.5)

### **Secretary of State Voter Registration List Comparison Program**

Not later than January 1, 2026, the Secretary of State shall send a communication to each state to request the state or a group of states execute an agreement with Indiana to share voter registration information for the purpose of: (1) maintaining the statewide voter registration list; and (2) identifying whether a voter of Indiana may also be registered to vote in another state. Any personally identifiable information concerning an Indiana voter shared through an

agreement shall not be shared with or sold to any person other than an election official for the jurisdiction. The shared information is to remain confidential. Beginning in 2027, the Secretary of State shall send a request to each state that has not entered into the agreement to execute an agreement to do so.

If the information indicates a voter may also be registered to vote in another state, the secretary of state shall do the following:

1. Enter the information received about the voter of Indiana into the computerized list.
2. Send a written or electronic communication to the Indiana county voter registration office where the voter is registered to:
  - a. notify the county voter registration office that the voter's registered address may not be the voter's current residence address; and
  - b. direct the county voter registration office to conduct a voter list maintenance program on the voter's registration, as authorized by law.

The county voter registration official must send an address confirmation notice (SAMC) to the voter.

(SEA 10 § 3, 6; Effective Date: July 1, 2025; Citations affected IC 3-7-38.2-2, IC 3-7-38.2-19[NEW])

### **Proof of Citizenship Notice for Certain Voter Registration Applicants**

If a voter registration applicant at the BMV has a temporary credential, the BMV must transmit that information to the Election Division.

The county voter registration office must send a proof of citizenship notice prescribed by the Election Division to each voter registration applicant who included their Indiana driver's license number or state identification card number on their voter registration application that is also a temporary credential issued by the BMV asking the individual to provide proof of citizenship within thirty (30) days of receiving notice. If the individual does not provide proof of citizenship within that 30-day period, the voter registration application is rejected.

(SEA 137 § 1; Effective Date: July 1, 2025; Citations affected IC 3-7-14-9)  
(HEA 1680 § 9; Effective Date: July 1, 2025; Citations affected IC 3-7-26.3-37[NEW])

### **County Voter List Maintenance**

A county voter registration office must conduct voter list maintenance activity within forty-eight (48) hours of receiving information that a voter has died, moved outside the county, or failed to respond to voter list maintenance mailings, was disfranchised due to imprisonment following criminal conviction, or did not reply to a proof of citizenship notice.

A county voter registration office may send an address confirmation notice (SAMC card) to a registered voter in the county if the office receives information indicating that a voter has moved

to another state or if an absentee ballot sent to a voter is returned to the county election board because of an unknown or insufficient address.

A county voter registration office that receives information indicating a voter has moved to another state shall mail a voter cancellation authorization form (VRG-14) to the voter at any other mailing address set forth in the information received in addition to the SAMC notice.

A county voter registration office shall conduct a voter list maintenance program for each voter who has not cast a vote in the two (2) most recent general elections. The county voter registration office shall mail a notice to the mailing address listed in the voter's registration record.

(SEA 10 § 2-3; Effective Date: July 1, 2025; Citations affected IC 3-7-26.3-11, IC 3-7-38.2-2)  
(HEA 1679 § 14-15; Effective Date: July 1, 2025; Citations affected IC 3-7-38.2-2, IC 3-7-38.2-2.4[NEW])

### **Voter Registration Qualification**

To qualify to register to vote, a person must:

1. Be at least 18 years of age at the next general, municipal, or special election;
2. Be a U.S. citizen;
3. Reside in a precinct continuously for at least 30 days before the election to register to vote in that precinct.

This amendment does not substantially change the qualifications to register to vote in Indiana.

(HEA 1679 § 10; Effective Date: July 1, 2025; Citations affected IC 3-7-13-1)

### **Nonresidential Addresses**

Voter registration applicants may not list a post office box or commercially available mailing address as a residence address on a voter registration application. The voter registration application is incomplete under IC 3-7-34 if an application lists a post office box or commercial mailing address as the residence address.

Not later than August 1 of each year, the county voter registration official must identify potential nonresidential addresses submitted on voter registration applications and potential nonresidential addresses in SVRS.

The county voter registration official may not enter a nonresidential address in SVRS as a voter's registration address.

NOTE: This does not otherwise change procedures that require a county voter registration to investigate whether a non-residential address as identified by the statewide voter registration system could be a non-traditional residence address or an error in the information returned by SVRS.

(HEA 1680 § 10, 12; Effective Date: July 1, 2025; Citations affected IC 3-7-32-2.5[NEW], IC 3-7-34-1.5)

(HEA 1679 § 12; Effective Date: July 1, 2025; Citations affected IC 3-7-33-5.7)

## **INDIANA CONSTITUTIONAL AMENDMENTS**

### **Changing the Name of the Auditor of State to State Comptroller**

The General Assembly adopted a joint resolution proposing to amend Article 5, Section 10, Article 6, Section 1, and Article 6, Section 5 of the Constitution of the State of Indiana to repeal references to the Auditor of State and replace that reference with State Comptroller. Provides that an individual serving as the Auditor of State after June 30, 2023, and until December 31, 2030, is considered to be serving as State Comptroller.

NOTE: This proposed amendment has not been previously agreed to by the General Assembly. Before the amendment can be made to the state constitution, the joint resolution must be approved by the 125<sup>th</sup> General Assembly in 2027 or 2028 and ratified by a majority of the state's voters voting on the amendment as a public question on the ballot at the November 2028 general election.

(SEJR 17; P.L. 254-2025)

### **Residence for Town and City Court Judges**

The General Assembly adopted a joint resolution proposing to amend Article 6, Section 6 of the Constitution of the State of Indiana to allow a judge of a city or town court to live in the county where the court is located or the bordering Indiana county that is the closest Indiana county to the city or town in which the court is located, calculated by measuring the shortest distance from the city or town limits to the county line.

NOTE: This proposed amendment has been agreed to by the 123<sup>rd</sup> and 124<sup>th</sup> General Assembly. Therefore, the next step to amend the state constitution is to submit the proposed amendment to the state's voters for ratification. The amendment will take effect if ratified by a majority of the state's voters voting on the amendment as a public question on the ballot at the November 3, 2026, general election.

(HEJR 6, P.L. 254-2023; HEJR 1; P.L. 244-2025)