

**I-866-OUR-VOTE
(1-866-687-8683)**

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VOTER REGISTRATION FORMS

1) Where can voter registration forms be obtained?

A person may apply to register to vote at the following locations, among others: 1) county voter registration office; 2) a Bureau of Motor Vehicles (“BMV”) license branch while applying for, or renewing, a driver’s license; 3) a public assistance office while applying for services; and 4) online at <http://indianavoters.com>. Ind. Code Ann. §§ 3-7-14, 3-7-15, 3-7-19, 3-7-26.7.

A person may also apply to register using a mail-in form which can be obtained at a number of places, including: public libraries, license branches, township trustee offices, city and town clerks’ offices, county voter registration office, schools and the election division. Mail-in registration applications are also included in Indiana tax booklets and may be downloaded from the Internet from the website of the Indiana Election Division, <http://www.in.gov/sos/elections>. Ind. Code Ann. §§ 3-7-23-2, 3-7-31-1. Mail-in registration applications may be mailed or hand-delivered by the voter or a person presenting the form on behalf of the voter. Ind. Code Ann. § 3-7-22-9.

2) Are there restrictions on copying voter registration forms?

No. The only requirement is that the most current voter registration form be used, and that the applicant provide an original signature (and not a copy of the signature). Ind. Code Ann. § 3-7-32-1.

3) Are there restrictions on the use of the National Voter Registration Form?

The National Voter Registration Form can be used in Indiana. If using the National Voter Registration Form in Indiana, the Political Party and Race/Ethnicity fields should be left blank.

4) Are there restrictions regarding the use of registration form information?

Yes. When the individual requesting the information is not the registered voter, the election commission **WILL NOT** provide the following information: (i) date of birth; (ii) gender; (iii) telephone number or email address; (iv) voting history; (v) voter ID numbers or other unique identifying information; and (vi) the date of registration. Ind. Code Ann. § 3-7-26.4-8. The information contained on the voter registration form may be provided to the following entities upon request: (i) the state committee of a major political party; (ii) the state committee of a bona fide political party

that is not a major political party if the party has at least two (2) candidates on the ballot; (iii) the committee of an independent candidate for federal or state office if the candidate is on the ballot in the next general election; (iv) a member of the media for publication in a news broadcast or newspaper; (v) the chief justice of the Supreme Court for the purpose of administering the state's jury management system; (vi) the speaker of the house of representatives; (vii) the minority leader of the house of representatives; (viii) the president pro tempore of the senate; and (ix) the minority leader of the senate. Ind. Code Ann. § 3-7-26.4-6.

5) Are there restrictions regarding pre-filling information on registration forms?

Except for voter registration applications transmitted from a BMV license branch to a county voter registration office by the statewide system, a voter is required to execute and file an original registration application. Ind. Code Ann. § 3-7-32-1. A copy of a voter registration application that contains a copy of the voter's signature is not acceptable. Ind. Code Ann. § 3-7-32-2.

COMPLETING VOTER REGISTRATION FORMS

6) How long must you live in a county before you are eligible to register to vote?

An individual must have lived continuously in a precinct in Indiana for at least 30 days before the next general election, to be eligible to register to vote. Ind. Code Ann. § 3-7-13-1.

7) Are there any restrictions on registering to vote using a P.O. Box, college campus, or dorm address?

Indiana requires a "residence address" for voter registration purposes, which excludes P.O. Boxes. Ind. Code Ann. §§ 3-5-2-42.5, 3-7-31-5.

8) Can a person register to vote at a college address that is not a permanent address?

A person must be a "resident" in an Indiana precinct in order to register to vote. Ind. Code Ann. § 3-7-13-1. Residence means the place: 1) where a person has the person's true, fixed, and permanent home and principal establishment; and 2) to which the person has, whenever absent, the intention of returning. Ind. Code Ann. § 3-5-2-42.5. In addition, the election code contains standards used to determine the residency of a voter, candidate or a person holding office. Ind. Code Ann. § 3-5-5.

If you are an Indiana resident attending college at a school in another state, you can register to vote in the county of your permanent Indiana residence; often your parents' home, for example. If you know you will be away at school during an election, you are eligible to vote absentee by mail.

Under Indiana law, each person who applies to register to vote must state the address of their "permanent residence." Permanent residence means where the person has their "permanent home and principal establishment" and where, when the person is away, the person has the "intention of returning." A person can only have one permanent residence under Indiana law. However, where a person's permanent residence is located will depend on the facts of their situation and their intentions. For some, but not all college students, their permanent residence will be the address from which they traveled to attend school. For other college students, who have no intention of returning

to that address, their permanent residence will be in the community where they are attending school.

9) Are there any identification requirements to register to vote?

If you have a Indiana state driver's license, you must provide your license number upon registration. If you do not have this license, you must provide the last four digits of your Social Security Number. If you do not have a Social Security Number, you may still register. Ind. Code Ann. § 3-7-13-13.

If you are registering to vote for the first time in Indiana and are returning a registration form through the mail, you must include a copy of a current valid photo ID, a current utility bill, bank statement, government check, paycheck, or other document. Whatever document you present must have your name and address printed thereon. Certain voters, e.g. military voters, are exempt from this requirement. Ind. Code Ann. § 3-7-33-4.5.

10) Are there any identification requirements in order to vote?

Yes. A voter must provide government-issued ID before casting a ballot. Ind. Code Ann. § 3-11-8-25.1. The ID must meet the following criteria: it must include a photo; the voter's name on the ID must conform with the voter registration record; the ID must contain an expiration date and either still be current or have expired sometime **after** the date of the last general election; and the ID must be issued by the State of Indiana or the US government. Ind. Code Ann. § 3-5-2-40.5.

11) What are the rules regarding missing or illegible information on registration forms?

Once your voter registration application is received, the county voter registration office will process the application and determine your eligibility. If you are eligible, the county office will send you a voter registration acknowledgement card. Once you receive the card, you will be officially registered. If you are not eligible, or if the application was incomplete, you will receive a notice denying the application or requesting the missing information. Ind. Code Ann. § 3-7-34. If you have not received a voter registration card or a notice from your county office within approximately 30 days of submitting the registration form, contact your county voter registration office.

12) Can a person whose name has changed since registering vote on Election Day?

A voter whose name is changed may vote at the election by filing a verified statement with the circuit court clerk or board of registration. Ind. Code Ann. § 3-5-2-40.5. A voter who wishes to indicate that the voter's name has changed may also write the necessary information concerning the name change on the poll list before the person receives a ballot. The person may then vote if otherwise qualified. Ind. Code Ann. § 3-7-41-2.

REGISTERING OTHERS TO VOTE

13) What are the laws regarding third-party registration?

There are no formal laws or regulations regarding third party registration. However, third parties are precluded from offering any sort of inducement, either monetary or non-monetary, in exchange for

having a voter register. Ind. Code Ann. § 3-14-2-1. In addition, the Indiana Election Division requests that the completed voter registration forms be hand-delivered to:

Indiana Election Division,
302 West Washington Street,
Indianapolis, IN 42604
(Tel: 317-232-3939 or 1-800-622-4941).

14) Are there any laws regarding submission of voter registration forms by individuals receiving compensation?

No. The only restriction is that voters cannot be offered any sort of inducement for completing a voter registration application. Ind. Code Ann. § 3-14-2-.

15) Is training required for voter registration drives?

No.

16) Are volunteers or staff of voter registration drives required to be county or state residents?

No.

REGISTRATION DEADLINES

17) What is the deadline to register to vote?

The deadline for registering is **29 days before** the general election, i.e. voters must register on or before **October 4, 2010**. Ind. Code Ann. § 3-7-13-11.

18) Is the registration form submission deadline different from the voter registration deadline?

The registration form must be postmarked on or before October 4, 2010. Ind. Code Ann. § 3-7-33-4.

19) Is Election Day registration allowed?

Individuals must be registered to vote in advance of the election. There is an exception for uniformed service members who were absent for the registration period. These voters may register until noon on Election Day but must complete an application for an absentee ballot and sign an affidavit that the voter has not voted at any other precinct in the election. Ind. Code Ann. § 3-7-36-14.

20) Does state election law allow for early or absentee voting?

Yes, Indiana allows for “absentee-in-person” voting beginning 29 days before Election Day; to use absentee-in-person voting the individual must already be registered to vote in Indiana. Ind. Code Ann. § 3-11-10-26.

To vote by absentee ballot, the voter must complete an application for absentee ballot, available on-line at <http://www.in.gov/sos/elections/files/abs-1.pdf>. If the voter will definitely be mailing in his/her absentee ballot, then he/she can use the application form available at: <http://www.in.gov/sos/elections/files/abs-2.pdf>. In general, a student seeking to vote by absentee ballot must be registered to vote in the state of Indiana, and must also have a permanent residence in Indiana.

One of the following **must** apply for a voter to cast an absentee ballot by mail:

- (1) the voter has a specific, reasonable expectation that he/she will be absent from the county on Election Day during the entire period (12 hours – from 6 A.M. to 6 P.M.) that the polls will be open;
- (2) the voter has a disability;
- (3) the voter is elderly;
- (4) the voter has official election duties outside his/her precinct;
- (5) the voter is scheduled to work at his/her regular place of employment during the entire 12 hours polls are open;
- (6) the voter will be confined because of illness or injury, or the voter will be caring for a person so confined during the entire 12 hours the polls are open;
- (7) the voter cannot vote because of a religious discipline or religious holiday during the entire 12 hours the polls are open; and
- (8) the voter is a participant in the state's address confidentiality program. Ind. Code Ann. § 3-11-10-24.

The deadline for absentee-by-mail applications to be received is October 25, 2010. Ind. Code Ann. § 3-11-4-3.

In addition to early voting and absentee by mail, Indiana also provides for absentee by traveling board, but only if the voter (a) has a disability or (b) will be confined due to illness or disability or will be caring for one so confined. If either circumstance is present, a ballot will be delivered to the voter by an individual who can assist in completing the ballot, if necessary. Ind. Code Ann. § 3-11-10-25.

VOTER REGISTRATION LEGISLATION

21) Is there any pending legislation that affects voter registration? If so, where is it in the legislative process?

No, however the Indiana law requiring government-issued photo identification to vote was the subject of a recent high-profile Supreme Court case, *Crawford v. Marion County Election Bd.* 128 S.Ct. 1610 (2008). The question in the case was whether Indiana's reasons for enacting the law were sufficient to justify its impact on voters. The Court upheld the law.

22) What applicable statutes are possibly affected?

See Ind. Code. Ann. § 3 for information concerning elections in the state of Indiana.

23) Are there any helpful elections official contacts?

For more information, contact the Secretary of State's Office at: (317) 232-6531.

For additional information, please contact the Indiana Election Division at (317) 232-3939 or (800) 622-4941.

24) What web resources are available?

Indiana Secretary of State:
www.in.gov/sos

Indiana Elections Division:
www.in.gov/sos/elections

Election Protection:
www.866ourvote.org/state?id=0035

6
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