



January 29, 2025

SENATE BILL No. 10

DIGEST OF SB 10 (Updated January 27, 2025 5:09 pm - DI 149)

Citations Affected: IC 3-5; IC 3-7; IC 16-37.

Synopsis: Voter registration. Specifies that proof of identification may not include a document issued by an educational institution. Clarifies the circumstances under which an individual may be removed from the computerized list. Requires a county voter registration office to conduct a voter list maintenance program concerning a voter whose registration record is in active status and who has not cast a vote in the two most recent general elections. Repeals obsolete provisions concerning a memorandum of understanding with the Kansas Secretary of State. Requires the NVRA official to contact each state to request that the state become a member state of IDEA. Requires a local health officer to share certain records concerning all deaths, including all death certificates, within that officer's jurisdiction with the county voter registration office on a quarterly basis.

Effective: July 1, 2025.

**Doriot, Garten, Gaskill, Donato,
Johnson T, Rogers**

January 14, 2025, read first time and referred to Committee on Elections.
January 28, 2025, amended, reported favorably — Do Pass.

SB 10—LS 6718/DI 149



January 29, 2025

First Regular Session of the 124th General Assembly (2025)

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 a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2024 Regular Session of the General Assembly.

SENATE BILL No. 10

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 3-5-2-40.5, AS AMENDED BY P.L.209-2021,
2 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2025]: Sec. 40.5. (a) Except as provided in subsection (b),
4 "proof of identification" refers to a document that satisfies all the
5 following:
6 (1) The document shows the name of the individual to whom the
7 document was issued, and the name conforms to the name in the
8 individual's voter registration record.
9 (2) The document shows a photograph of the individual to whom
10 the document was issued.
11 (3) The document includes an expiration date, and the document:
12 (A) is not expired; or
13 (B) expired after the date of the most recent general election.
14 (4) The document was issued by the United States or the state of
15 Indiana.
16 (b) Notwithstanding subsection (a)(3), a document issued by the
17 United States Department of Defense, the United States Department of

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Veterans Affairs (or its predecessor, the Veterans Administration), a branch of the uniformed services, the Merchant Marine, the Indiana National Guard, or a Native American Indian tribe or band recognized by the United States government that:

(1) otherwise complies with the requirements of subsection (a); and

(2) has no expiration date or states that the document has an indefinite expiration date;

is sufficient proof of identification for purposes of this title.

(c) The term does not include a document issued by an educational institution.

SECTION 2. IC 3-7-26.3-11, AS AMENDED BY P.L.128-2015, SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 11. As required under 52 U.S.C. 21083, the county voter registration office shall perform list maintenance with respect to the computerized list on a regular basis **and not less than two (2) times each year.** The list maintenance activity required under this section includes the removal of an individual from the list when required by this article and NVRA following:

(1) the death of the individual;

(2) the individual's confirmation that the individual resides outside the county in which the individual is registered; ~~or~~

(3) an inactive voter's failure to respond to a notice or otherwise act in accordance with 52 U.S.C. 20507 to require the voter's registration to be reclassified as active within the period prescribed by NVRA;

(4) disfranchisement of the individual under IC 3-7-46 due to a criminal conviction; or

(5) a notice issued by a county voter registration office under IC 3-7-38.2-7.3 that the individual has not provided proof of citizenship.

SECTION 3. IC 3-7-38.2-2, AS AMENDED BY P.L.65-2024, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2. (a) Except as provided in subsection (b) or (c), a voter list maintenance program conducted under this chapter must:

(1) be uniform, nondiscriminatory, and in compliance with the Voting Rights Act of 1965 (52 U.S.C. 10101);

(2) not result in the removal of the name of a person from the official list of voters solely due to the person's failure to vote; and

(3) be completed not later than ninety (90) days before a primary or general election.

(b) A voter list maintenance program conducted under this chapter



1 in a year other than a year in which a general election is conducted
2 must:

- 3 (1) comply with the requirements set forth in subsection (a)(1)
4 and (a)(2); and
5 (2) be completed not later than twenty-nine (29) days before a
6 municipal election or special election (other than for a federal
7 office) is conducted.

8 (c) If a special election is required for a vacancy in a federal office
9 in a year in which a general election is not conducted, the voter list
10 maintenance program conducted under this chapter must:

- 11 (1) comply with the requirements of subsection (a)(1) and (a)(2);
12 and
13 (2) be completed not later than ninety (90) days before the date
14 that the special election is conducted.

15 A voter list maintenance program may also be conducted under this
16 section in a calendar year following the date of the special election if
17 the program is completed no later than the deadline set forth in
18 subsection (a).

19 (d) **Notwithstanding section 2.5 of this chapter**, a county voter
20 registration office may conduct a voter list maintenance program that
21 complies with subsection (a). In conducting a voter list maintenance
22 program, the county voter registration office shall mail a notice
23 described in subsection (f) to each voter whose registration has not
24 previously been canceled or designated as inactive under this chapter
25 at the mailing address:

- 26 (1) listed in the voter's registration record; and
27 (2) determined by the county voter registration office not to be the
28 voter's current residence address.

29 (e) A county voter registration office may use information only from
30 the following sources to make the determination under subsection
31 (d)(2):

- 32 (1) The United States Postal Service National Change of Address
33 Service.
34 (2) A court regarding jury duty notices returned because of an
35 unknown or insufficient address.
36 (3) The return of a mailing sent by the county voter registration
37 office to all active voters (as defined in IC 3-11-18.1-2) in the
38 county because of an unknown or insufficient address.
39 (4) The bureau of motor vehicles concerning the surrender of a
40 voter's Indiana license for the operation of a motor vehicle to
41 another jurisdiction.
42 (5) The return by the United States Postal Service after the



1 expiration of the seven (7) day pending period of a notice
 2 regarding the disposition of a voter registration application under
 3 IC 3-7-33-5 because of an unknown or insufficient address.

4 (6) The return of a mailing sent to voters of a precinct advising
 5 voters of a change of precinct boundary or the precinct polling
 6 place because of an unknown or insufficient address, if the county
 7 sends a similar mailing to the voters of each precinct when a
 8 boundary or polling place is changed.

9 (7) Information received from the election division under section
 10 5 of this chapter or section 16 of this chapter.

11 (8) A declination to register by the voter stating that the voter
 12 resides at an address different from the address on the voter's
 13 registration record.

14 (9) Information received from the election division as a result of
 15 a comparison between:

16 (A) a voter registration address; and

17 (B) commercially available data, such as data from a credit
 18 agency.

19 (f) The notice described in subsection (d) must:

20 (1) be sent by first class United States mail, postage prepaid, by
 21 a method that requires the notice to be forwarded to the voter; and

22 (2) include a postage prepaid return card that:

23 (A) is addressed to the county voter registration office;

24 (B) states a date (which must be at least thirty (30) days after
 25 the date the notice is mailed) by which the card must be
 26 returned or the voter's registration will become inactive until
 27 the information is provided to the county voter registration
 28 office; and

29 (C) permits the voter to provide the voter's current residence
 30 address.

31 (g) If a voter returns the card described in subsection (f)(2) and
 32 provides a current residence address that establishes that the voter
 33 resides:

34 (1) in the county, the county voter registration office shall update
 35 the voter's registration record; or

36 (2) outside the county, the county voter registration office shall
 37 cancel the voter's registration.

38 (h) If a card is returned as undeliverable due to an unknown or
 39 insufficient address by the United States Postal Service after the date
 40 specified in subsection (f)(2)(B), the county voter registration office
 41 shall, when registration reopens after the next primary, general, or
 42 municipal election, determine whether the voter voted or appeared to



1 vote from the address set forth in the registration record at any election
 2 occurring after the final day for completing voter list maintenance
 3 activities, and if not, then designate the voter as inactive.

4 (i) If a voter does not return the card described in subsection (f)(2)
 5 by the date specified in subsection (f)(2)(B), the county voter
 6 registration office shall indicate in the voter's registration record that
 7 the voter's registration is inactive.

8 (j) A voter's registration that becomes inactive under subsection (h)
 9 or (i) remains in inactive status from the date described in subsection
 10 (f)(2)(B) until the earlier of the following:

11 (1) The date the county voter registration office updates or
 12 cancels the voter's registration under subsection (g) after the voter
 13 provides a current residence address.

14 (2) The day after the second general election in which the voter
 15 has not voted or appeared to vote.

16 (k) After the date described in subsection (j)(2), the county voter
 17 registration office shall remove the voter's registration from the voter
 18 registration records.

19 SECTION 4. IC 3-7-38.2-2.5, IS ADDED TO THE INDIANA
 20 CODE AS A NEW SECTION TO READ AS FOLLOWS
 21 [EFFECTIVE JULY 1, 2025]: **Sec. 2.5. (a) A county voter**
 22 **registration office shall conduct a voter list maintenance program**
 23 **under this section that complies with section 2(a) of this chapter. In**
 24 **conducting a voter list maintenance program under this section,**
 25 **the county voter registration office shall mail a notice described in**
 26 **section 2(f) of this chapter to each voter whose registration record**
 27 **is in active status and who has not cast a vote in the two (2) most**
 28 **recent general elections, at the mailing address:**

29 (1) **listed in the voter's registration record; and**

30 (2) **determined by the county voter registration office not to**
 31 **be the voter's current residence address.**

32 **A county voter registration office may use information described**
 33 **in section 2(e) of this chapter to make the determination under**
 34 **subdivision (2).**

35 (b) **The county voter registration office shall follow the**
 36 **procedure set forth in section 2 of this chapter to conduct the voter**
 37 **list maintenance program under this section.**

38 SECTION 5. IC 3-7-38.2-5.1, AS ADDED BY P.L.141-2020,
 39 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 40 JULY 1, 2025]: **Sec. 5.1. (a) The actions of the NVRA officials to**
 41 **execute a memorandum of understanding with the Kansas Secretary of**
 42 **State under section 5(d) of this chapter, before its amendment by the**



1 ~~121st general assembly; are void:~~

2 (b) ~~The secretary of state shall promptly notify the Kansas Secretary~~
 3 ~~of State that Indiana is no longer a party to the memorandum of~~
 4 ~~understanding.~~

5 (c) ~~This section has no effect on any voter list maintenance activity~~
 6 ~~undertaken by the NVRA officials of a county voter registration office~~
 7 ~~before the voiding of the memorandum of understanding under this~~
 8 ~~section.~~

9 (d) ~~The state shall not join or otherwise participate in the activities~~
 10 ~~of any organization that requires:~~

11 (1) ~~the payment of funds to obtain voter registration information~~
 12 ~~from another state; or~~

13 (2) ~~the expenditure of funds to engage in activities other than~~
 14 ~~voter list maintenance as a condition for receiving voter~~
 15 ~~registration information from another state.~~

16 SECTION 6. IC 3-7-38.2-5.5, AS AMENDED BY P.L.227-2023,
 17 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2025]: Sec. 5.5. (a) The Indiana data enhancement association
 19 (IDEA) is established. IDEA shall be administered by the NVRA
 20 official in accordance with IC 3-7-11-1.

21 (b) The NVRA official shall adopt an order for the administration
 22 of voter list maintenance programs to be performed by IDEA. The
 23 NVRA official may amend the order. If the NVRA official does not
 24 amend the order when necessary to perform voter list maintenance
 25 duties under this chapter, the secretary of state shall adopt or amend the
 26 order under section 18 of this chapter. The order establishing IDEA,
 27 and any amendments to the order subsequently issued, shall provide the
 28 following:

29 (1) The member states of IDEA are not required to pay to Indiana
 30 any fee for the processing of the data from the member state.

31 (2) The member states of IDEA are not required to engage in any
 32 activity other than actions necessary to comply with standards for
 33 voter list maintenance set forth in the order as a condition for
 34 obtaining data from Indiana or other member states.

35 (3) The method for a state to join or withdraw from IDEA.

36 (4) The tenure of the membership of each state and duration of the
 37 order.

38 (5) Indiana shall:

39 (A) use the confidence factors set forth in subsection (c) to
 40 determine whether the name of an individual registered in that
 41 member state appears to be the same as an individual
 42 registered to vote in Indiana or any other member state; and



- 1 (B) only forward potential matches of the names of individuals
- 2 in a state who meet or exceed the confidence factor threshold
- 3 under subsection (c).
- 4 (6) Any registration data provided to Indiana by another state
- 5 member:
- 6 (A) is confidential under Indiana law;
- 7 (B) must be safely secured by Indiana for the duration of a
- 8 particular instance of a voter list maintenance activity; and
- 9 (C) shall be destroyed immediately following the provision of
- 10 data concerning potential duplicate voter registrations to IDEA
- 11 member states.
- 12 (7) Any other provisions necessary for the proper and effective
- 13 administration of IDEA.
- 14 (c) Not later than thirty (30) days following the receipt of
- 15 information under subsection (b) indicating that a voter of Indiana may
- 16 also be registered to vote in another state, the NVRA official shall
- 17 provide the appropriate county voter registration office with the name
- 18 of and any other information obtained under this subsection concerning
- 19 that voter, if both of the following apply:
- 20 (1) The first name, last name, and date of birth of the Indiana
- 21 voter is identical to the first name, last name, and date of birth of
- 22 the voter registered in the other state.
- 23 (2) A comparison of the records indicates that there is a
- 24 confidence factor that the records are for the same individual
- 25 resulting from the accumulation of at least seventy-five (75)
- 26 points based on the following criteria:
- 27 (A) Full Social Security number: 40 points.
- 28 (B) Last four (4) digits of Social Security number: 10 points.
- 29 (C) Indiana driver's license or identification card number: 50
- 30 points.
- 31 (D) Date of birth: 25 points.
- 32 (E) Last Name: 15 points.
- 33 (F) First Name: 15 points.
- 34 (G) Middle Name: 5 points.
- 35 (H) Suffix: 5 points.
- 36 (I) Street Address 1: 10 points.
- 37 (J) Zip Code (first five (5) digits): 5 points.
- 38 (d) The county voter registration office shall determine whether the
- 39 individual:
- 40 (1) identified in the report provided by the NVRA official under
- 41 subsection (c) is the same individual who is a registered voter of
- 42 the county;



(2) registered to vote in another state on a date following the date that voter registered in Indiana; and

(3) authorized the cancellation of any previous registration by the voter when the voter registered in another state.

(e) If the county voter registration office determines that the voter is described by subsection (d), the county voter registration office shall cancel the voter registration of that voter. If the county voter registration office determines that the voter is described by subsection (d)(1) and (d)(2), but has not authorized the cancellation of any previous registration, the county voter registration office shall send an address confirmation notice to the Indiana address of the voter.

(f) The county voter registration office may rely on written information provided either directly by a voter registration office in another state or forwarded from the election division from the office in the other state. Information:

(1) provided from the other state to the Indiana county voter registration official; or

(2) forwarded by the election division;

must include a copy of the voter's signed voter registration application which indicates the individual authorizes cancellation of the individual's previous registration. County voter registration officials shall review the date the individual registered out of state and the date the individual registered in Indiana to confirm which registration is more recent when performing the officials' analysis under this subsection.

(g) Not later than September 1, 2025, the NVRA official shall send a written or electronic communication to the:

(1) chief state election official designated under 52 U.S.C. 20509; or

(2) highest election official of a state that has not designated a chief state election official designated under 52 U.S.C. 20509;

of each state to request that the state become a member state of IDEA.

(h) Starting in 2026, and each year thereafter, the NVRA official shall send an annual written or electronic communication described in subsection (g) to each state that is not a member state of IDEA to request that the state become a member state.

SECTION 7. IC 3-7-45-2.1, AS AMENDED BY P.L.56-2023, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 2.1. (a) As required under 52 U.S.C. 21083, the election division shall coordinate the computerized list generated by



the statewide voter registration system under IC 3-7-26.3 with the Indiana department of health to permit a county voter registration office to cancel the registration records of deceased individuals on an expedited basis.

(b) The Indiana department of health shall report to the election division, by county, the names, ages, and known residence addresses of all persons who:

- (1) died within Indiana but outside the county of residence; and
- (2) maintained a residence address within the county during the two (2) years preceding the date of death.

(c) Each county health officer and municipal health officer shall report to the Indiana department of health the names, ages, and known voting addresses in the county of all persons:

- (1) who have died within the jurisdiction of the officer; or
- (2) for whom burial permits have been issued by the officer.

The Indiana department of health shall report this information to the election division.

(d) The Indiana department of health shall report to the election division, by county, the names, ages, and known residence addresses of all persons:

- (1) who died outside Indiana;
- (2) who maintained a residence address within the county during the two (2) years preceding the date of death; and
- (3) whose names were supplied to the Indiana department of health under an agreement made under section 5 of this chapter.

(e) ~~The county voter registration office shall request a copy of the death records filed quarterly by the local health department officer~~ **shall provide a copy of the death certificate for each individual included in the death records filed quarterly with to the county auditor voter registration office** under IC 16-37-3-9(d). If a voter is identified as deceased in the death records, the county voter registration office shall cancel the voter registration record of that individual in conformity with section 3 of this chapter.

SECTION 8. IC 16-37-3-9, AS AMENDED BY P.L.138-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2025]: Sec. 9. (a) The local health officer shall, from the stillbirth and death certificates, make a permanent record of the:

- (1) name;
- (2) sex;
- (3) age;
- (4) place of death;
- (5) residence; and



(6) for a death certificate only:

(A) residence addresses of the deceased during the two (2) years before the death; and

(B) Social Security number; of the deceased.

(b) Except as provided in subsection (c), the records in subsection (a) shall be open to public inspection. Upon request by an individual, a paper copy of the permanent record in subsection (a) must be provided by the local health officer.

(c) Except as provided in this subsection, the Social Security number is confidential and may not be disclosed to the public. The Social Security number shall be disclosed to the secretary of state and election division for voter list maintenance purposes under IC 3-7-26.3 and IC 3-7-45.

(d) 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 within the officer's jurisdiction that occurred during the previous three (3) months.

(e) The local health officer may make records of other data in connection with deaths for statistical purposes or for the purpose of planning health programs. Records under this subsection are not public records.

(f) The permanent record of the information required under this section may be maintained in the Indiana death registration system (IDRS).



COMMITTEE REPORT

Mr. President: The Senate Committee on Elections, to which was referred Senate Bill No. 10, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 9, delete lines 34 through 42.

Page 10, delete lines 1 through 12.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 10 as introduced.)

GASKILL, Chairperson

Committee Vote: Yeas 6, Nays 3.

