



February 12, 2026

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# ENGROSSED

## SENATE BILL No. 113

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DIGEST OF SB 113 (Updated February 11, 2026 11:09 am - DI 144)

**Citations Affected:** IC 3-6; IC 3-10.

**Synopsis:** Elections matters. Requires each county election board to provide to the election division through a module of the computerized list, not later than 14 days after each election, the votes cast for each candidate and on each public question in each precinct at the last election. Requires the election division to promptly publish these election results on the website maintained by the election division. Specifies that starting on January 1, 2026, the period within which certain election material must be preserved is extended from 22 months to 34 months.

**Effective:** January 1, 2026 (retroactive); July 1, 2026.

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## Schmitt, Byrne

(HOUSE SPONSORS — CULP, PIERCE K)

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December 9, 2025, read first time and referred to Committee on Elections.  
January 12, 2026, amended, reported favorably — Do Pass.  
January 15, 2026, read second time, ordered engrossed. Engrossed.  
January 22, 2026, read third time, passed. Yeas 44, nays 0.

HOUSE ACTION

January 28, 2026, read first time and referred to Committee on Elections and Apportionment.  
February 12, 2026, amended, reported — Do Pass.

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February 12, 2026

Second Regular Session of the 124th General Assembly (2026)

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 2025 Regular Session of the General Assembly.

## ENGROSSED SENATE BILL No. 113

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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 3-6-5-17, AS AMENDED BY P.L.193-2021,  
2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2026]: Sec. 17. (a) Each county election board shall submit a  
4 report to the election division after each primary, special, municipal,  
5 and general election describing the activities of the board during the  
6 previous year. The board shall include the following in the report:  
7 (1) Information relating to the expenses of office maintenance and  
8 elections within the county or political subdivisions within the  
9 county.  
10 (2) A copy of the statement of the county election board  
11 containing the votes cast for each candidate and on each public  
12 question in each precinct at the last election preceding the  
13 submission of the report.  
14 (3) (2) Any additional information relating to elections that the  
15 commission prescribes.  
16 (b) The report described in subsection (a) must be transmitted to the  
17 election division using the computerized list under IC 3-7-26.3 not later

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1 than fourteen (14) days after each election.

2 (c) The election division shall send a copy of each report to the  
3 office not later than ten (10) days after receiving the report.

4 **(d) At the same time the county election board submits the**  
5 **report under subsection (a), the board shall provide to the election**  
6 **division through a module of the computerized list established**  
7 **under IC 3-7-26.3 the votes cast for each candidate and on each**  
8 **public question in each precinct at the last election preceding the**  
9 **submission of the report.**

10 (e) This subsection applies if the official election results of an  
11 election are revised following a recount or election contest  
12 conducted under IC 3-12. Each county election board shall provide  
13 to the election division through a module of the computerized list  
14 established under IC 3-7-26.3 the revised votes cast for each  
15 candidate and on each public question in each precinct not later  
16 than fourteen (14) days after the certification of the revised  
17 election results by a court or the state recount commission.

18 (f) The election division shall promptly publish election results  
19 provided under subsection (d) or (e) on the website maintained by  
20 the election division. The election results published under this  
21 subsection must be downloadable in a format that can be imported  
22 into standard spreadsheet computer software.

23 SECTION 2. IC 3-10-1-31.1, AS AMENDED BY P.L.153-2024,  
24 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
25 JANUARY 1, 2026 (RETROACTIVE)]: Sec. 31.1. (a) The inspector  
26 of each precinct shall deliver the bags required by section 30(a) and  
27 30(c) of this chapter in good condition, together with poll lists, tally  
28 sheets, and other forms, to the circuit court clerk when making returns.

29 (b) Except for unused ballots disposed of under IC 3-11-3-31 or the  
30 copies of the affidavits received by the county election board under  
31 IC 3-14-5-2 for delivery to the prosecuting attorney, the circuit court  
32 clerk shall seal the ballots (including provisional ballots) and other  
33 material (including election material related to provisional ballots)  
34 during the time allowed to file a verified petition or cross-petition for  
35 a recount of votes or to contest the election. Except as provided in  
36 subsection (c) and notwithstanding any other provision of state law,  
37 after the recount or contest filing period, the election material,  
38 including election material related to provisional ballots (except for  
39 ballots and provisional ballots, which remain confidential) shall be  
40 made available for copying and inspection under IC 5-14-3. The circuit  
41 court clerk shall carefully preserve the sealed ballots and other material  
42 for ~~twenty-two (22)~~ **thirty-four (34)** months, as required by ~~52 U.S.C.~~



1 ~~20701~~, after which the sealed ballots and other material are subject to  
 2 IC 5-15-6 unless an order issued under:

- 3 (1) IC 3-12-6-19 or IC 3-12-11-16; or  
 4 (2) 52 U.S.C. 10301;

5 requires the continued preservation of the ballots or other material.

6 (c) If a petition for a recount or contest is filed, the material for that  
 7 election remains confidential until completion of the recount or contest.

8 (d) Upon delivery of the poll lists, the county voter registration  
 9 office shall unseal the envelopes containing the poll lists, inspect the  
 10 poll lists, and update the registration records of the county. The county  
 11 voter registration office shall use the poll lists and information on  
 12 affidavits executed under IC 3-10-10, IC 3-10-11, or IC 3-10-12 to  
 13 update the registration record to include the voter's voter identification  
 14 number if the voter's voter identification number is not already  
 15 included in the registration record. Upon completion of the inspection,  
 16 the poll list and affidavits shall be preserved with the ballots and other  
 17 materials in the manner prescribed by subsection (b) for the period  
 18 prescribed by subsections (b) and (c).

19 (e) In addition to the poll lists described in subsection (d), the  
 20 county voter registration office shall use the affidavits described by  
 21 IC 3-10-10-7, IC 3-10-11-4, and IC 3-10-12-3.4 to update the  
 22 registration records of the county as soon as the affidavits are delivered  
 23 to the county voter registration office.

24 (f) The county voter registration office shall retain a voter's paper  
 25 registration records associated with the address at which the voter is  
 26 registered to vote until all of the following are satisfied:

- 27 (1) The voter's registration at the address stated in the voter's  
 28 registration application has been canceled.  
 29 (2) The general election immediately following the cancellation  
 30 of the voter's registration under subdivision (1) has occurred.  
 31 (3) Twenty-four (24) months have elapsed following the general  
 32 election described in subdivision (2).

33 (g) This subsection does not apply to ballots, including provisional  
 34 ballots. Notwithstanding subsection (b), if a county voter registration  
 35 office determines that the inspection and copying of precinct election  
 36 material would reveal the political parties, candidates, and public  
 37 questions for which an individual cast an absentee ballot, the county  
 38 voter registration office shall keep confidential only that part of the  
 39 election material necessary to protect the secrecy of the voter's ballot.  
 40 In addition, the county voter registration office shall keep confidential  
 41 information contained in material related to provisional ballots that  
 42 identifies an individual, except for the individual's name, address, and



- 1 birth date.
- 2 (h) After the expiration of the period described in subsection (b) or  
 3 (c), the ballots may be destroyed in the manner provided by  
 4 IC 3-11-3-31 or transferred to a state educational institution as  
 5 provided by IC 3-12-2-12.
- 6 (i) This subsection applies to a detachable recording unit or  
 7 compartment used to record a ballot cast on a direct record electronic  
 8 voting system. After the time allowed to file a verified petition or  
 9 cross-petition for a recount of votes or to contest the election, the  
 10 circuit court clerk shall transfer the data contained in the unit or  
 11 compartment to a disc or other recording medium. After transferring  
 12 the data, the clerk may clear or erase the unit or compartment. The  
 13 circuit court clerk shall carefully preserve the disc or medium used to  
 14 record the data for ~~twenty-two (22)~~ **thirty-four (34)** months, ~~as~~  
 15 ~~required by 52 U.S.C. 20701~~; after which time the disc or medium may  
 16 be erased or destroyed, subject to IC 5-15-6, unless an order requiring  
 17 the continued preservation of the disc or medium is issued under the  
 18 following:
- 19 (1) IC 3-12-6-19.  
 20 (2) IC 3-12-11-16.  
 21 (3) 52 U.S.C. 10301.
- 22 (j) This subsection applies to a county using an electronic poll book.  
 23 After each election, the county shall save all data recorded on the  
 24 electronic poll book and any information stored on the dedicated,  
 25 private server required under IC 3-11-8-10.3(b)(4). The circuit court  
 26 clerk shall carefully preserve the disc or medium used to record the  
 27 data for ~~twenty-two (22)~~ **thirty-four (34)** months, ~~as required by 52~~  
 28 ~~U.S.C. 20701~~; after which time the data may be erased or destroyed,  
 29 subject to IC 5-15-6, unless an order requiring the continued  
 30 preservation of the data is issued under the following:
- 31 (1) IC 3-12-6-19.  
 32 (2) IC 3-12-11-16.  
 33 (3) 52 U.S.C. 10301.
- 34 (k) This section does not prohibit county election officials from  
 35 performing post-election audits, as authorized by statute.
- 36 (l) This section does not prohibit county election officials from  
 37 performing a duty under IC 3-11.7.
- 38 **SECTION 3. An emergency is declared for this act.**



## COMMITTEE REPORT

Mr. President: The Senate Committee on Elections, to which was referred Senate Bill No. 113, 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:

Replace the effective date in SECTION 1 with "[EFFECTIVE JANUARY 1, 2026 (RETROACTIVE)]".

Page 3, after line 40, begin a new paragraph and insert:

"SECTION 2. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 113 as introduced.)

GASKILL, Chairperson

Committee Vote: Yeas 9, Nays 0.

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 COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred Senate Bill 113, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 3-6-5-17, AS AMENDED BY P.L.193-2021, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2026]: Sec. 17. (a) Each county election board shall submit a report to the election division after each primary, special, municipal, and general election describing the activities of the board during the previous year. The board shall include the following in the report:

(1) Information relating to the expenses of office maintenance and elections within the county or political subdivisions within the county.

(2) A copy of the statement of the county election board containing the votes cast for each candidate and on each public question in each precinct at the last election preceding the submission of the report.

(3) (2) Any additional information relating to elections that the

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commission prescribes.

(b) The report described in subsection (a) must be transmitted to the election division using the computerized list under IC 3-7-26.3 not later than fourteen (14) days after each election.

(c) The election division shall send a copy of each report to the office not later than ten (10) days after receiving the report.

**(d) At the same time the county election board submits the report under subsection (a), the board shall provide to the election division through a module of the computerized list established under IC 3-7-26.3 the votes cast for each candidate and on each public question in each precinct at the last election preceding the submission of the report.**

**(e) This subsection applies if the official election results of an election are revised following a recount or election contest conducted under IC 3-12. Each county election board shall provide to the election division through a module of the computerized list established under IC 3-7-26.3 the revised votes cast for each candidate and on each public question in each precinct not later than fourteen (14) days after the certification of the revised election results by a court or the state recount commission.**

**(f) The election division shall promptly publish election results provided under subsection (d) or (e) on the website maintained by the election division. The election results published under this subsection must be downloadable in a format that can be imported into standard spreadsheet computer software."**

Page 2, line 3, delete "sixty (60)" and insert "**thirty-four (34)**".

Page 3, line 17, delete "sixty (60)" and insert "**thirty-four (34)**".

Page 3, line 30, delete "sixty (60)" and insert "**thirty-four (34)**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 113 as printed January 13, 2026.)

WESCO

Committee Vote: yeas 10, nays 0.

