
SENATE BILL No. 113

AM011305 has been incorporated into January 13, 2026 printing.

Synopsis: Preservation of election material.

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January 13, 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.

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SENATE BILL No. 113

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
8 and elections within the county or political subdivisions within
9 the 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
17 the election division using the computerized list under IC 3-7-26.3 not

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1 later 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) **The election division shall promptly publish election results**
 11 **provided under subsection (d) on the website maintained by the**
 12 **election division. The election results published under this**
 13 **subsection must be downloadable in a format that can be imported**
 14 **into standard spreadsheet computer software.**
 15 SECTION 2. IC 3-10-1-31.1, AS AMENDED BY P.L.153-2024,
 16 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JANUARY 1, 2026 (RETROACTIVE)]: Sec. 31.1. (a) The inspector
 18 of each precinct shall deliver the bags required by section 30(a) and
 19 30(c) of this chapter in good condition, together with poll lists, tally
 20 sheets, and other forms, to the circuit court clerk when making returns.
 21 (b) Except for unused ballots disposed of under IC 3-11-3-31 or
 22 the copies of the affidavits received by the county election board under
 23 IC 3-14-5-2 for delivery to the prosecuting attorney, the circuit court
 24 clerk shall seal the ballots (including provisional ballots) and other
 25 material (including election material related to provisional ballots)
 26 during the time allowed to file a verified petition or cross-petition for
 27 a recount of votes or to contest the election. Except as provided in
 28 subsection (c) and notwithstanding any other provision of state law,
 29 after the recount or contest filing period, the election material,
 30 including election material related to provisional ballots (except for
 31 ballots and provisional ballots, which remain confidential) shall be
 32 made available for copying and inspection under IC 5-14-3. The circuit
 33 court clerk shall carefully preserve the sealed ballots and other material
 34 for ~~twenty-two (22)~~ **sixty (60)** months, ~~as required by 52 U.S.C. 20701,~~
 35 after which the sealed ballots and other material are subject to
 36 IC 5-15-6 unless an order issued under:
 37 (1) IC 3-12-6-19 or IC 3-12-11-16; or
 38 (2) 52 U.S.C. 10301;
 39 requires the continued preservation of the ballots or other material.
 40 (c) If a petition for a recount or contest is filed, the material for
 41 that election remains confidential until completion of the recount or
 42 contest.

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

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

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

20 (1) The voter's registration at the address stated in the voter's
21 registration application has been canceled.

22 (2) The general election immediately following the cancellation
23 of the voter's registration under subdivision (1) has occurred.

24 (3) Twenty-four (24) months have elapsed following the general
25 election described in subdivision (2).

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

37 (h) After the expiration of the period described in subsection (b)
38 or (c), the ballots may be destroyed in the manner provided by
39 IC 3-11-3-31 or transferred to a state educational institution as
40 provided by IC 3-12-2-12.

41 (i) This subsection applies to a detachable recording unit or

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1 compartment used to record a ballot cast on a direct record electronic
 2 voting system. After the time allowed to file a verified petition or
 3 cross-petition for a recount of votes or to contest the election, the
 4 circuit court clerk shall transfer the data contained in the unit or
 5 compartment to a disc or other recording medium. After transferring
 6 the data, the clerk may clear or erase the unit or compartment. The
 7 circuit court clerk shall carefully preserve the disc or medium used to
 8 record the data for ~~twenty-two (22)~~ **sixty (60)** months, as required by
 9 ~~52 U.S.C. 20701~~, after which time the disc or medium may be erased
 10 or destroyed, subject to IC 5-15-6, unless an order requiring the
 11 continued preservation of the disc or medium is issued under the
 12 following:

- 13 (1) IC 3-12-6-19.
- 14 (2) IC 3-12-11-16.
- 15 (3) 52 U.S.C. 10301.

16 (j) This subsection applies to a county using an electronic poll
 17 book. After each election, the county shall save all data recorded on the
 18 electronic poll book and any information stored on the dedicated,
 19 private server required under IC 3-11-8-10.3(b)(4). The circuit court
 20 clerk shall carefully preserve the disc or medium used to record the
 21 data for ~~twenty-two (22)~~ **sixty (60)** months, as required by ~~52 U.S.C.~~
 22 ~~20701~~, after which time the data may be erased or destroyed, subject
 23 to IC 5-15-6, unless an order requiring the continued preservation of
 24 the data is issued under the following:

- 25 (1) IC 3-12-6-19.
- 26 (2) IC 3-12-11-16.
- 27 (3) 52 U.S.C. 10301.

28 (k) This section does not prohibit county election officials from
 29 performing post-election audits, as authorized by statute.

30 (l) This section does not prohibit county election officials from
 31 performing a duty under IC 3-11.7.

32 **SECTION 3. An emergency is declared for this act.**

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