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SENATE BILL No. 113

Proposed Changes to January 13, 2026 printing by AM011305

DIGEST OF PROPOSED AMENDMENT

Publication of election results. 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 the election results must be downloadable in a format that can be imported into standard spreadsheet computer software.

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

SB 113—LS 6325/DI 144



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1 the election division using the computerized list under IC 3-7-26.3 not
 2 later than fourteen (14) days after each election.

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

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

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

16] SECTION ~~<=>~~[2]. IC 3-10-1-31.1, AS AMENDED BY
 17 P.L.153-2024, SECTION 9, IS AMENDED TO READ AS FOLLOWS
 18 [EFFECTIVE JANUARY 1, 2026 (RETROACTIVE)]; Sec. 31.1. (a)
 19 The inspector of each precinct shall deliver the bags required by
 20 section 30(a) and 30(c) of this chapter in good condition, together with
 21 poll lists, tally sheets, and other forms, to the circuit court clerk when
 22 making returns.

23 (b) Except for unused ballots disposed of under IC 3-11-3-31 or
 24 the copies of the affidavits received by the county election board under
 25 IC 3-14-5-2 for delivery to the prosecuting attorney, the circuit court
 26 clerk shall seal the ballots (including provisional ballots) and other
 27 material (including election material related to provisional ballots)
 28 during the time allowed to file a verified petition or cross-petition for
 29 a recount of votes or to contest the election. Except as provided in
 30 subsection (c) and notwithstanding any other provision of state law,
 31 after the recount or contest filing period, the election material,
 32 including election material related to provisional ballots (except for
 33 ballots and provisional ballots, which remain confidential) shall be
 34 made available for copying and inspection under IC 5-14-3. The circuit
 35 court clerk shall carefully preserve the sealed ballots and other material
 36 for ~~twenty-two (22)~~ **sixty (60)** months, as required by ~~52 U.S.C. 20701,~~
 37 after which the sealed ballots and other material are subject to
 38 IC 5-15-6 unless an order issued under:

39 (1) IC 3-12-6-19 or IC 3-12-11-16; or

40 (2) 52 U.S.C. 10301;

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

42 (c) If a petition for a recount or contest is filed, the material for

SB 113—LS 6325/DI 144



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1 that election remains confidential until completion of the recount or
2 contest.

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

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

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

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

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

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

SB 113—LS 6325/DI 144



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

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

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

- 26 (1) IC 3-12-6-19.
 27 (2) IC 3-12-11-16.
 28 (3) 52 U.S.C. 10301.

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

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

33 SECTION ~~↔~~ [\[3\]](#). **An emergency is declared for this act.**

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SB 113—LS 6325/DI 144



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