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SENATE BILL No. 113

Proposed Changes to January 13, 2026 printing by AM011306

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

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

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

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

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

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1 court clerk shall carefully preserve the sealed ballots and other material
 2 for ~~twenty-two (22)~~ **sixty (60)** months, ~~as required by 52 U.S.C. 20701,~~
 3 after which the sealed ballots and other material are subject to
 4 IC 5-15-6 unless an order issued under:

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

6 (2) 52 U.S.C. 10301;

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

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

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

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

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

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

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

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

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

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1 In addition, the county voter registration office shall keep confidential
2 information contained in material related to provisional ballots that
3 identifies an individual, except for the individual's name, address, and
4 birth date.

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

9 (i) This subsection applies to a detachable recording unit or
10 compartment used to record a ballot cast on a direct record electronic
11 voting system. After the time allowed to file a verified petition or
12 cross-petition for a recount of votes or to contest the election, the
13 circuit court clerk shall transfer the data contained in the unit or
14 compartment to a disc or other recording medium. After transferring
15 the data, the clerk may clear or erase the unit or compartment. The
16 circuit court clerk shall carefully preserve the disc or medium used to
17 record the data for ~~twenty-two (22)~~ **sixty (60)** months, as required by
18 ~~52 U.S.C. 20701~~, after which time the disc or medium may be erased
19 or destroyed, subject to IC 5-15-6, unless an order requiring the
20 continued preservation of the disc or medium is issued under the
21 following:

- 22 (1) IC 3-12-6-19.
- 23 (2) IC 3-12-11-16.
- 24 (3) 52 U.S.C. 10301.

25 (j) This subsection applies to a county using an electronic poll
26 book. After each election, the county shall save all data recorded on the
27 electronic poll book and any information stored on the dedicated,
28 private server required under IC 3-11-8-10.3(b)(4). The circuit court
29 clerk shall carefully preserve the disc or medium used to record the
30 data for ~~twenty-two (22)~~ **sixty (60)** months, as required by ~~52 U.S.C.~~
31 ~~20701~~, after which time the data may be erased or destroyed, subject
32 to IC 5-15-6, unless an order requiring the continued preservation of
33 the data is issued under the following:

- 34 (1) IC 3-12-6-19.
- 35 (2) IC 3-12-11-16.
- 36 (3) 52 U.S.C. 10301.

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

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

41 SECTION ~~↔~~ [3]. **An emergency is declared for this act.**

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