

# Indiana

## *Voter Registration & Voter List Maintenance Guide*

*Provided by*



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The statutes/codes cited in this guide may not be the most recent version. States may have more current or accurate information. We make no warranties or guarantees about the accuracy, completeness, or adequacy of the information contained in this guide or the information linked to on the state site.

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## Who can I contact with election related questions?

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**CHIEF STATE ELECTION OFFICER:**  
SECRETARY OF STATE

**Physical Address:**

Indiana Election Division  
302 West Washington Street  
Room E-204  
Indianapolis, IN 46204

**Mailing Address:**

Elections Division  
302 West Washington Street  
Room E-204  
Indianapolis, IN 46204

**Phone Number:**

317-232-3939

**Email Address:**

[ConstituentServices@sos.IN.gov](mailto:ConstituentServices@sos.IN.gov)

**Website:**

<https://www.in.gov/sos/elections/>

## How do I register to vote?

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### [Link to register to vote](#)

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#### [IC 3-7-13-1 Persons eligible to vote](#)

Sec. 1. A person who:

(1) will be at least eighteen (18) years of age at the next general, municipal, or special election;

(2) is a United States citizen; and

(3) resides in a precinct continuously before a general, municipal, or special election for at least thirty (30) days;

may, upon making a proper application under this article, register to vote in that precinct.

## How do I cancel my voter registration?

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### [Link to voter registration cancelation form](#)

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#### [IC 3-7-43 Chapter 43. Removal From Registration Records Due to Request of Voter](#)

Sec. 1. As provided by 52 U.S.C. 20507(a)(3)(A), a circuit court clerk or board of registration may remove the name of a voter from the official list of registered voters at the voter's request.

Sec. 2. A request from a voter under this chapter must be in writing and may be on a form prescribed by the election division or other forms provided by the circuit court clerk or board of registration (including jury notices) if the voter signs the request for removal.

## How is voter list maintenance handled?

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### IC 3-7-38.2-1 Removal of ineligible voters from lists due to change of residence

Sec. 1. As required under 52 U.S.C. 20507(a)(4), the NVRA official and each county voter registration office shall conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters due to a change of residence of the voter.

### IC 3-7-38.2-2 Requirements for voter list maintenance programs; county voter registration office voter list maintenance programs; inactive voters, criteria for determining; removal of voter registration record

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

(1) comply with the requirements set forth in subsection (a)(1) and (a)(2); and

(2) be completed not later than twenty-nine (29) days before a municipal election or special election (other than for a federal office) is conducted.

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

(1) comply with the requirements of subsection (a)(1) and (a)(2); and

(2) be completed not later than ninety (90) days before the date that the special election is conducted.

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

(d) A county voter registration office may conduct a voter list maintenance program that complies with subsection (a). In conducting a voter list maintenance program, the county voter registration office shall mail a notice described in subsection (f) to each voter whose registration has not previously been canceled or designated as inactive under this chapter at the mailing address:

### IC 3-7-38.2-2 CONTINUED

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

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

(1) The United States Postal Service National Change of Address Service.

(2) A court regarding jury duty notices returned because of an unknown or insufficient address.

(3) The return of a mailing sent by the county voter registration office to all active voters (as defined in IC 3-11-18.1-2) in the county because of an unknown or insufficient address.

(4) The bureau of motor vehicles concerning the surrender of a voter's Indiana license for the operation of a motor vehicle to another jurisdiction.

(5) The return by the United States Postal Service after the expiration of the seven (7) day pending period of a notice regarding the disposition of a voter registration application under IC 3-7-33-5 because of an unknown or insufficient address.

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

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

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

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

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

(2) include a postage prepaid return card that: (A) is addressed to the county voter registration office; (B) states a date (which must be at least thirty (30) days after the date the notice is mailed) by which the card must be returned or the voter's registration will become inactive until the information is provided to the county voter registration office; and (C) permits the voter to provide the voter's current residence address.

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

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

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

### IC 3-7-38.2-2 CONTINUED

(h) If a card is returned as undeliverable due to an unknown or insufficient address by the United States Postal Service after the date specified in subsection (f)(2)(B), the county voter registration office shall, when registration reopens after the next primary, general, or municipal election, determine whether the voter voted or appeared to vote from the address set forth in the registration record at any election occurring after the final day for completing voter list maintenance activities, and if not, then designate the voter as inactive.

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

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

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

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

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

### IC 3-7-38.2-3 Removal of name from registration record during 90 day period before election

As provided under 52 U.S.C. 20507(c)(2)(B)(i), this chapter does not prevent the removal of a voter's name from the voter registration record during the final ninety (90) day period before a primary, general, or municipal election due to any of the following in accordance with this article:

(1) The written request of the voter.

(2) Disenfranchisement due to criminal conviction and incarceration.

(3) The death of the voter.

### IC 3-7-38.2-4 Correction of registration records; date of birth

(a) As provided under 52 U.S.C. 20507(c)(2)(B)(ii), this chapter does not prevent the correction of voter registration records under this article.

(b) This subsection applies to a voter registration record that does not contain a date of birth or contains a date of birth that is at least one hundred fifteen (115) years or more before the date of the request. The election division shall request that the bureau of motor vehicles provide the election division with any information kept by the bureau of motor vehicles that sets forth the date of birth of the voter.

#### IC 3-7-38.2-4 CONTINUED

If the election division receives date of birth information under this subsection, the election division shall forward the information to the appropriate county voter registration office. The county voter registration office shall:

- (1) determine if the information applies to the voter registration record that does not contain a date of birth or contains a date of birth that is at least one hundred fifteen (115) years or more before the date of the request; and
- (2) if the information applies, amend the voter registration record to contain the correct date of birth and document the source of the information in the computerized list.

#### IC 3-7-38.2-5 Submission of names to change of address service

To assist in performing voter list maintenance under this chapter, the NVRA official shall submit the names of all registered voters in Indiana to the United States Postal Service National Change of Address Service. The submission under this chapter shall be compiled from the county voter registration information submitted to the election division under 3-7-26.3.

#### IC 3-7-38.2-5.1 Memorandum of understanding void

(a) The actions of the NVRA officials to execute a memorandum of understanding with the Kansas Secretary of State under section 5(d) of this chapter, before its amendment by the 121st general assembly, are void.

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

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

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

- (1) the payment of funds to obtain voter registration information from another state; or
- (2) the expenditure of funds to engage in activities other than voter list maintenance as a condition for receiving voter registration information from another state.

#### IC 3-7-38.2-5.5 IDEA established; requirements; receiving voter registration information from other states; confidence factor; cancellation of duplicate registrations

(a) The Indiana data enhancement association (IDEA) is established. IDEA shall be administered by the NVRA official in accordance with 3-7-11-1.

(b) The NVRA official shall adopt an order for the administration of voter list maintenance programs to be performed by IDEA.

### IC 3-7-38.2-5.5 CONTINUED

The NVRA official may amend the order. If the NVRA official does not amend the order when necessary to perform voter list maintenance duties under this chapter, the secretary of state shall adopt or amend the order under section 18 of this chapter. The order establishing IDEA, and any amendments to the order subsequently issued, shall provide the following:

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

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

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

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

(5) Indiana shall: (A) use the confidence factors set forth in subsection (c) to determine whether the name of an individual registered in that member state appears to be the same as an individual registered to vote in Indiana or any other member state; and (B) only forward potential matches of the names of individuals in a state who meet or exceed the confidence factor threshold under subsection (c).

(6) Any registration data provided to Indiana by another state member: (A) is confidential under Indiana law; (B) must be safely secured by Indiana for the duration of a particular instance of a voter list maintenance activity; and (C) shall be destroyed immediately following the provision of data concerning potential duplicate voter registrations to IDEA member states.

(7) Any other provisions necessary for the proper and effective administration of IDEA.

(c) Not later than thirty (30) days following the receipt of information under subsection (b) indicating that a voter of Indiana may also be registered to vote in another state, the NVRA official shall provide the appropriate county voter registration office with the name of and any other information obtained under this subsection concerning that voter, if both of the following apply:

(1) The first name, last name, and date of birth of the Indiana voter is identical to the first name, last name, and date of birth of the voter registered in the other state.

(1) A comparison of the records indicates that there is a confidence factor that the records are for the same individual resulting from the accumulation of at least seventy-five (75) points based on the following criteria: (A) Full Social Security number: 40 points. (B) Last four (4) digits of Social Security number: 10 points. (C) Indiana driver's license or identification card number: 50 points. (D) Date of birth: 25 points. (E) Last Name: 15 points. (F) First Name: 15 points. (G) Middle Name: 5 points. (H) Suffix: 5 points. (I) Street Address 1: 10 points. (J) Zip Code (first five (5) digits): 5 points.

(d) The county voter registration office shall determine whether the individual:

### **IC 3-7-38.2-5.5 CONTINUED**

(1) identified in the report provided by the NVRA official under subsection (c) is the same individual who is a registered voter of 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.

### **IC 3-7-38.2-6 Voters who no longer reside at submitted address**

When the names of voters are submitted under section 5 of this chapter, the NVRA official shall request that the United States Postal Service indicate the voters who no longer reside at the submitted address. However, the NVRA official shall also request that a voter who:

(1) has a temporary forwarding order in effect;

(2) is an absent uniformed services voter; or

(3) is an overseas voter;

not be included in the list of voters who no longer reside at the submitted address.

### **IC 3-7-38.2-7 Use of postal service's change of address information**

As permitted under 52 U.S.C. 20507(c)(1), the NVRA official (or a contractor retained by the election division under this chapter) shall use change of address information supplied by the United States Postal Service through the Postal Service's licensee to identify a voter whose residence may have changed.

### IC 3-7-38.2-7.5 Identification of voters registered in more than one state; provision of information to county voter registration offices

The NVRA official shall do both of the following:

- (1) Compare the lists of voters provided by another state with the list of registered voters in Indiana to identify any individuals who may be registered to vote in more than one (1) state.
- (2) Provide each county voter registration office with a list of potential duplicate registrations not later than thirty (30) days after receipt of a list of voters of a state.

### IC 3-7-38.2-8 Notice to county voter registration offices of changes in residence of voters

At least once each month, the NVRA official shall notify each county voter registration office of voters within the county whose residences may have changed according to information supplied under this chapter.

### IC 3-7-38.2-9 Registration records for overseas or uniformed services voters

(a) This section applies to an absent uniformed services voter or an overseas voter with an address in the county's voter registration record that does not include an "APO" or "FPO" designation.

(b) If a county voter registration office:

- (1) is advised under this chapter that the voter's residence may have changed; and
- (2) determines that the voter is subject to this section;

the voter registration office may disregard the notification of change of residence and is not required to act under this chapter concerning the voter's registration.

### IC 3-7-38.2-10 Voter moves from current registration address; change in registration record

(a) As provided in 52 U.S.C. 20507(c)(1)(B)(i), if the county voter registration office determines from information provided under this chapter that a voter has moved to an address different from the address where voter is currently registered, the voter registration office shall:

- (1) change the registration record to show the new address; and
- (2) send the voter a notice of the change;

if the information provided under this chapter includes a forwarding address.

(b) If the information provided under this chapter:

- (1) indicates that a voter has moved to an address different from the address where the voter is currently registered; and
- (2) does not include a forwarding address;

### **IC 3-7-38.2-10 CONTINUED**

the county voter registration office shall indicate on the registration record that the voter is an inactive voter at that address and shall remove the voter's name from the registration rolls under the procedures of this chapter if the voter has not voted, appeared to vote, or has failed to correct the voter registration record within the period described in section 14(2)(B) of this chapter.

### **IC 3-7-38.2-11 Notice to county voter registration offices of change in residence; requirements**

The notice under section 8 of this chapter must be:

- (1) a postage prepaid pre-addressed return form that permits the voter to verify or correct the address information; and
- (2) sent by forwardable mail.

### **IC 3-7-38.2-12 Change of address to residence outside county**

As provided in 52 U.S.C. 20507(c)(1)(B)(ii), if the county voter registration office determines from information provided under this chapter that a voter has moved to a different residence address that is not located in the same county in which the voter is currently registered, the voter registration office shall cancel the voter's registration if the change of address to a residence outside the county is confirmed.

### **IC 3-7-38.2-13 Notice to voter after change in residence**

After the county voter registration office has determined under this chapter that a voter's residence may have changed, the election division shall send a notice to the voter that sets forth substantially the following statements as provided in 52 U.S.C. 20507(d)(2):

- (1) If the voter did not change the voter's residence or changed the residence but remained in the same county where the voter was listed on the voter registration record, the voter must return the card enclosed with the notice in person to the county voter registration office not later than twenty-nine (29) days before the election or by regular United States mail: (A) with a postmark not later than twenty-nine (29) days before the election; or (B) if a postmark is missing or illegible, to the county voter registration office not later than twenty-one (21) days before the election.
- (2) If the card is not returned under subdivision (1), the voter must affirm or confirm the voter's address before the voter is permitted to vote in an election during the period: (A) beginning on the date of the notice; and (B) ending on the day after the date of the second general election scheduled to occur after the date of the notice.
- (3) If the voter does not vote in an election described in subdivision (2), the voter's name will be removed from the voter registration list.

### IC 3-7-38.2-13 CONTINUED

(4) If the voter changed residence to a place outside the county in which the voter is included on the voter registration list, information concerning how the voter can continue to be eligible to vote in the county where the voter currently resides.

### IC 3-7-38.2-14 Removal of name from registration records due to change in address, failure to vote, or respond to notice

As required under 52 U.S.C. 20507(d)(1), a county voter registration office shall not remove the name of a voter from the voter registration records due to the voter's change of residence unless the voter:

- (1) confirms in writing that the voter has changed residence to a location outside the county in which the voter is currently registered; or
- (2) has: (A) failed to respond to a notice sent under section 13 of this chapter; and (B) not voted (or appeared to vote or to correct the registration record stating the voter's address) in an election during the period: (i) beginning on the date of the notice; and (ii) ending on the day after the date of the second general election that occurs after the date of the notice.

### IC 3-7-38.2-15 Cancellation of registration

At the expiration of the period ending thirty (30) days after the second general election following the date on which notices are mailed to a voter described in section 14(2) of this chapter, the county voter registration office shall cancel the registration of a voter who has not responded to the notice sent under section 13 of this chapter.

### IC 3-7-38.2-16 Request of information from federal courts regarding returned mail; provision of information to county voter registration offices; sending address confirmation notices

The NVRA official shall, not later than January 31 of each even numbered year, request information from the:

- (1) United States District Court for the Northern District of Indiana; and
  - (2) United States District Court for the Southern District of Indiana;
- concerning the return of U.S. mail sent by the court for jury selection purposes. Not later than twenty-eight (28) days following the primary election conducted in that year, the state shall provide each county voter registration office with information concerning any registered voter who appears to no longer reside at the address set forth in the voter's registration record due to a mailing returned to the courts. Not later than forty-two (42) days following the primary election conducted in that year, the county voter registration office shall send an address confirmation notice to the voter described by this subsection at the voter's mailing address.

### IC 3-7-38.2-16.1 Residency confirmation and outreach procedure

During each odd-numbered year, the NVRA official shall conduct a residency confirmation and outreach procedure under this chapter. The NVRA official (or a contractor acting on behalf of the NVRA official) shall send a nonforwardable mailing by U.S. mail, postage prepaid, to each active voter (as defined in IC 3-11-18.1-2) in Indiana at the voter's mailing address.

### IC 3-7-38.2-17 Residency confirmation and outreach procedure; second mailing; inactive voters, criteria for determining; removal of voter registration record from registration records

(a) If the mailing to a voter sent under section 16.1 of this chapter is returned by the United States Postal Service because of an unknown or insufficient address, the NVRA official shall mail a second notice to the voter. The notice must meet the following requirements:

(1) Be sent by first class, United States mail, postage prepaid, by a method that requires the notice to be forwarded to the voter.

(2) Include a postage prepaid return card that: (A) is addressed to the NVRA official; (B) states a date (which must be at least thirty (30) days after the date the notice was mailed) by which the card must be returned or the voter's registration will become inactive until the information is provided to the county voter registration office; and (C) permits the voter to provide the voter's current residence address.

(b) If a voter returns the card described in subsection (a)(2) and provides a current residence address that establishes that the voter resides:

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

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

(c) If a voter returns the card described in subsection (a)(2) with a request that the voter's registration record at an address be canceled, the county voter registration office shall proceed to cancel the registration under section 3 of this chapter.

(d) If a card is returned not later than the date specified in subsection (a)(2)(B) as undeliverable because of an unknown or insufficient address, the county voter registration office shall designate the voter as inactive.

## IC 3-7-38.2-17 CONTINUED

(e) If a card is returned by the United States Postal Service after the date specified in subsection (a)(2)(B) as undeliverable because of an unknown or insufficient address, the county voter registration office shall, when registration reopens after the next primary, general, or municipal election, determine whether the voter voted or appeared to vote from the address set forth in the registration record at any election occurring after the final day for completing voter list maintenance activities, and if not, designate the voter as inactive.

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

(g) A voter's registration that becomes inactive under subsections (d) through (f) remains in inactive status from the date described in subsection (a)(2)(B) until the earlier of the following:

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

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

(h) After the day described in subsection (g)(2), the county voter registration office shall remove the voter's registration from the voter registration records not later than thirty (30) days after the second general election following the date on which notices are mailed to a voter under section 16.1 of this chapter.

### 3-7-43-1 Removal of name at voter's request

As provided by 52 U.S.C. 20507(a)(3)(A), a circuit court clerk or board of registration may remove the name of a voter from the official list of registered voters at the voter's request.

### 3-7-43-2 Written request required

A request from a voter under this chapter must be in writing and may be on a form prescribed by the election division or other forms provided by the circuit court clerk or board of registration (including jury notices) if the voter signs the request for removal.

### 3-7-43-3 Time for request; cancellation of previous registrations; forwarding notices to appropriate county voter registration office

(a) A request from a voter under this chapter may be made when the voter registers in another county in Indiana or in a jurisdiction outside of Indiana.

### **3-7-43-3 CONTINUED**

A registration form under this section must be signed by the voter or, if not signed by the voter, after the NVRA official notifies the county voter registration office that the jurisdiction where the voter has registered has provided the election division with written notice of the voter's registration in the jurisdiction and request for cancellation of previous registrations.

(b) The election division shall forward a copy of the notice to the appropriate county voter registration office.

### **3-7-43-4 Cancellation of registration; move to another county**

(a) This section applies only to a person who has:

(1) moved from the county where the person is registered to another county in Indiana; and

(2) executed an affidavit under IC 3-10-11.

(b) Execution by a person of the affidavit constitutes authorization by the person to cancel the person's registration in the county of the person's former residence.

(c) The circuit court clerk or the board of registration of the county of the person's former residence shall mail the original affidavit of registration and the affidavit executed under IC 3-10-11 within thirty (30) days after the beginning of the next registration period to the clerk or board in the county in which the person currently resides, as shown by the affidavit.

(d) Upon receiving the affidavits sent under subsection (c), the clerk or board of the county in which the person currently resides shall transfer the person's registration to the proper precinct registration record in the county.

(e) Upon mailing the person's affidavits to another county under this section, the person's registration in the county of the person's former residence shall be canceled.

### **IC 3-7-43-5 Cancellation of registration; move to another state**

(a) This section applies only to a person who has:

(1) moved from Indiana to another state; and

(2) executed an affidavit under IC 3-10-10.

(b) Execution by a person of the affidavit under IC 3-10-10 constitutes authorization by the person to cancel the person's registration in the county of the person's former residence.

### **IC 3-7-43-6 Cancellation of registration at voter's request; time to process request; transmittal of request; retention of records**

(a) This section applies to a voter who requests a cancellation of voter registration under IC 3-7-39-6.

### **IC 3-7-43-6 CONTINUED**

(b) The county voter registration office of the county in which a voter registers shall send the authorization of cancellation to the county voter registration office using the computerized list, on an expedited basis, as required by IC 3-7-26.3. A county voter registration office is not required to forward a paper copy of the request for cancellation of registration to another county voter registration office if the authorization of cancellation has been transmitted to the other county voter registration office using the computerized list. The county voter registration office shall retain the paper copy of the request for cancellation for the two (2) year period required under 52 U.S.C. 20701.

### **IC 3-7-43-7 Removal and cancellation of affidavit**

The county voter registration office shall cancel the affidavit of registration and enter the date and other information concerning the cancellation in the computerized list under IC 3-7-26.3.

### **IC 3-7-43-8 Cancellation to be sent to proper jurisdiction if registration contains out-of-state address**

(a) If either of the addresses given by a person under IC 3-7-39 is outside Indiana, the county voter registration office shall send the authorization of cancellation to the election division on an expedited basis.

(b) The election division shall promptly send the authorization to the voter registration office of the political subdivision that has jurisdiction over the address.

### **IC 3-7-45-1 Removal of name**

The name of a voter who dies shall be removed from the registration records as provided in this chapter.

### **IC 3-7-45-2.1 Coordination of statewide voter registration list with Indiana department of health to remove names of deceased voters; cancellation of voter registration of deceased voters**

(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.

### **IC 3-7-45-2.1 CONTINUED**

(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 with the county auditor 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.

### **IC 3-7-45-2.2 Cancellation of voter registration based on information from bureau of motor vehicles**

The election division shall coordinate the computerized list described in section 2.1 of this chapter with the bureau of motor vehicles to permit a county voter registration office to cancel on an expedited basis the registration record of an individual who is reported deceased by the bureau of motor vehicles.

### **IC 3-7-45-3 Cancellation of registration**

As required by 52 U.S.C. 21083, after receipt of the reports required by section 2.1 or 2.2 of this chapter, each county voter registration office shall cancel the registration of each deceased person listed in the reports.

### **IC 3-7-45-4 Cancellation after receipt of death certificate or certain other information**

(a) Except as provided in subsection (c), a county voter registration office shall cancel the registration of a deceased person after receiving a copy of the deceased person's death certificate on an expedited basis, as required under 52 U.S.C. 21083. The county voter registration office shall enter the date and other information regarding the cancellation into the computerized list under IC 3-7-26.3.

### IC 3-7-45-4 CONTINUED

(b) Except as provided in subsection (c), a county voter registration office shall cancel the registration of a deceased person after receiving a copy of an obituary, notice of estate administration, or other notice of death of that person published:

- (1) in a newspaper in which a legal notice may be published under IC 5-3-1; or
- (2) on an Internet web site by a person licensed under IC 25-15.

(c) A county voter registration office may require additional written information before canceling the registration of a person under subsection (a) or (b) if the information contained in the death certificate or notice of death is insufficient to identify the person whose registration is to be canceled. If:

- (1) additional written information is not given to the county voter registration office; or
- (2) the additional written information is insufficient to identify the person whose registration is to be canceled;

the county voter registration office is not required to cancel the person's registration.

### IC 3-7-45-5 Acquiring information from other states, STEVE, and EVVE

(a) The Indiana department of health shall acquire information regarding the deaths of Indiana residents occurring in each of the other states from those states or from the State and Territorial Exchange of Vital Events (STEVE) System and Electronic Verification of Vital Events (EVVE) System, administered by the National Association for Public Health Statistics and Information Systems. The Indiana department of health may offer to share with each other state information regarding the deaths of the other state's residents in Indiana.

(b) At least once each month, the Indiana department of health shall forward that information as provided in section 2.1 of this chapter.

### IC 3-7-45-6.1 Information regarding deceased voters from Social Security Administration; cancellation of registrations

(a) At least once each month, the election division shall obtain information regarding Indiana residents identified as deceased by the federal Social Security Administration as required by 52 U.S.C. 21083 and in conformity with IC 3-7-26.3.

(b) Not later than thirty (30) days after receiving a report obtained under subsection (a), the election division shall provide each county voter registration office with a report identifying the deceased individuals who are shown as residing in the county.

(c) Except as provided in section 7 of this chapter, the county voter registration office shall cancel the registration of each deceased person listed in the report provided under subsection (b).

(d) If the election division does not perform a duty in accordance with this section, the secretary of state shall perform the duty.

### IC 3-7-45-7 Voter erroneously identified as deceased

(a) If a county voter registration office determines that:

(1) a voter has been identified as deceased in a list or report described by this chapter; and

(2) the identification is in error;

the voter registration office may decline to cancel the registration and shall note the apparent error on the voter registration record.

(b) If a county voter registration office determines that a registration has been previously canceled in error due to a report that the voter is deceased, the voter registration office shall reinstate the registration by:

(1) correcting the registration record before a certified list of voters is prepared under IC 3-7-29-1; or

(2) issuing a certificate of error under IC 3-7-48.

### IC 3-7-45-8 Notice of names of deceased voters

(a) At least once each month, the NVRA official shall notify each county voter registration office of the names of deceased persons obtained under this chapter.

(b) If the NVRA official does not perform a duty in accordance with this section, the secretary of state shall perform the duty.

### IC 3-7-46-1 Removal of disfranchised voters

As permitted under 52 U.S.C. 20507(a)(3)(B) and in the manner required under 52 U.S.C. 21083, a county voter registration office shall remove from the official list of registered voters the name of a voter who is disfranchised under this chapter due to a criminal conviction.

### IC 3-7-46-2 Imprisoned voter disfranchised

A person imprisoned following conviction of a crime is disfranchised during the person's imprisonment.

### IC 3-7-46-3 Removal of name if disfranchisement due to felony conviction

(a) This section applies to a person convicted of a felony in a district court of the United States.

(b) As required by 52 U.S.C. 20507(g)(5), the NVRA official shall notify the county voter registration office of the county in Indiana in which the person resides of the information provided by the United States attorney under 52 U.S.C. 20507(g)(2), 52 U.S.C. 20507(g)(3), and 52 U.S.C. 20507(g)(4).

### IC 3-7-46-3 CONTINUED

(c) If the information provided under subsection (b) indicates that the person is disfranchised under section 2 of this chapter, the county voter registration office shall remove the name of the person from the voter registration records on an expedited basis as required by 52 U.S.C. 21083.

#### IC 3-7-46-3.5 Receipt of information from out-of-state correctional department regarding imprisonment of Indiana resident; notification of resident's county of residence

(a) As used in this section, "correctional department" refers to an agency of the government of a state other than Indiana that has responsibility for the imprisonment of individuals who have been convicted of a crime.

(b) If the NVRA official receives information from a correctional department that an Indiana resident is currently imprisoned by the correctional department for conviction of a crime, the NVRA official shall notify the county voter registration office of the Indiana county in which the imprisoned individual is a resident of the information.

(c) If the information provided under subsection (b) indicates that the imprisoned individual is disfranchised under section 2 of this chapter, the county voter registration officer shall:

- (1) remove the name of the individual from the voter registration records; and
- (2) enter the date and other information regarding the cancellation into the computerized list under IC 3-7-26.3 on an expedited basis.

#### IC 3-7-46-4.1 Coordination of statewide voter registration list with department of correction

(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 department of correction to permit a county voter registration office to cancel the registration records of disfranchised individuals on an expedited basis.

(b) The department of correction shall provide the NVRA official with a list identifying each person who:

- (1) is a resident of Indiana;
- (2) has been convicted of a crime; and
- (3) has been placed in a department of correction facility during the previous month.

(c) The department of correction shall provide the information required by this section electronically in a format prescribed by the election division.

### IC 3-7-46-5 Notice by NVRA official

The NVRA official shall notify the county voter registration office of each county where a person on the report resides for processing under section 8 of this chapter.

### IC 3-7-46-6 County sheriff to provide report of incarcerated residents; contents of report

(a) At least once a quarter, and not later than:

- (1) January 31;
- (2) April 30;
- (3) July 31; and
- (4) October 31;

of each year, a county sheriff shall provide the county voter registration office with a report containing the information set forth in subsection (b) for processing under section 8 of this chapter.

(b) The report required by subsection (a) must identify each person who:

- (1) is a resident of Indiana;
- (2) has been convicted of a crime; and
- (3) has been placed in a county correctional facility after the last date the sheriff prepared a report required by subsection (a).

(c) The report must be in the form prescribed by the election division under IC 3-5-4-8 and state:

- (1) whether the person remains in lawful custody in a county correctional facility as of the date of the report; and
- (2) if the person remains in lawful custody, the date that the person is scheduled to be released from the county correctional facility.

### IC 3-7-46-7 Notice by county voter registration office

The county voter registration office shall notify the county voter registration office of each county where a person on the list resides that a voter registered in that county has been listed on the report described in section 6 of this chapter.

### IC 3-7-46-7.5 Cancellation of registration of disfranchised person

If the information provided under section 5 or 6 of this chapter indicates that the person is disfranchised under section 2 of this chapter, the county voter registration office shall:

- (1) remove the name of the person from the voter registration records; and
- (2) enter the date and other information regarding the cancellation into the computerized list under IC 3-7-26.3;

on an expedited basis, as required under 52 U.S.C. 21083.

### IC 3-7-46-8 Notice to disfranchised persons

Each county voter registration office shall prepare a notice to be mailed to the names and last known addresses of all persons within the county who have been disfranchised.

### IC 3-7-46-9 Notice to disfranchised person; procedure

After preparation of the notice under section 8 of this chapter, the county voter registration office shall mail the notice to the alleged disfranchised person not later than the day following the day that the voter's registration has been canceled under this chapter. The notice must be mailed to each alleged disfranchised person at the person's last known address using a form prescribed by the election division under this article.

## The National Voter Registration Act of 1993

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Congress enacted the National Voter Registration Act of 1993 (also known as the "NVRA" and the "Motor Voter Act"), to enhance voting opportunities for every American. The Act has made it easier for all Americans to register to vote and to maintain their registration. Section 8 of the NVRA contains requirements with respect to the administration of voter registration by States and requires States to implement procedures to maintain accurate and current voter registration lists.

For more information about the NVRA, please visit the [Department of Justice website](#).

## List of voter registration statuses and their definitions

Registration Status	Statute
<p><b>Active</b> - means the following:</p> <p>(1) For purposes of IC 3-11-1.5, refers to a voter who satisfies either of the following:</p> <p>(A) The voter has registered or voted in any election during the preceding four (4) years at the address indicated on the voter's registration record.</p> <p>(B) The voter has not voted in any election during the preceding four (4) years at the address indicated on the voter's registration record and has responded in writing to an address confirmation notice sent under IC 3-7 not later than thirty (30) days after the notice was sent.</p> <p>(2) For purposes of IC 3-11-18.1, has the meaning set forth in IC 3-11-18.1-2.</p>	<p><a href="#">IC 3-5-2-1.7</a></p>
<p><b>Inactive</b> - If a card is returned as undeliverable due to an unknown or insufficient address by the United States Postal Service after the date specified in subsection (f)(2)(B), the county voter registration office shall, when registration reopens after the next primary, general, or municipal election, determine whether the voter voted or appeared to vote from the address set forth in the registration record at any election occurring after the final day for completing voter list maintenance activities, and if not, then designate the voter as inactive. If a voter does not return the card described in subsection (f)(2) by the date specified in subsection (f)(2)(B), the county voter registration office shall indicate in the voter's registration record that the voter's registration is inactive.</p>	<p><a href="#">IC 3-7-38.2-2</a></p>

## How do I file a HAVA complaint?

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[Link to HAVA Complaint Process](#)

[Link to HAVA Complaint Form](#)

A person who believes there is a violation of any provision of Title III of the Help America Vote Act of 2002 (HAVA), 52 U.S.C. § 21081 through 52 U.S.C. § 21085, including a violation that has occurred, is occurring, or is about to occur, may file a complaint with the Indiana Election Division using HAVA Title III Violation [complaint form](#) (IEC-24).

Title III of HAVA establishes requirements for the use of uniform and nondiscriminatory election technology and administration by states when conducting a federal election.

## How do I file a non-HAVA election complaint?

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[Link to non-HAVA Election Complaint Process](#)

[Link to non-HAVA Election Complaint Form](#)

A person who believes they have been aggrieved by a violation of any provision of National Voter Registration Act of 1993 (NVRA), 52 U.S.C. § 20501 et. seq., or any Indiana voter registration law (IC 3-7) may file a complaint with the co-directors of the Indiana Election Division (Indiana NVRA officials) using the [NVRA & State Voter Registration Violation Complaint form](#) (VRG-25).

If your complaint does not allege a violation of the NVRA or Indiana voter registration law, do not file your complaint on this form. Instead, if you have a complaint regarding an election law violation, please file a separate written statement and file it with either the county election board in the county where the alleged incident occurred or with the Indiana Election Commission.

## Who can I contact regarding an election related complaint?

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### **Indiana Election Division**

**Physical/Mailing Address:**

302 West Washington Street, Room E-204  
Indianapolis, IN 46204

**Phone Number:**

317-232-3939

**Email Address:**

[elections@iec.in.gov](mailto:elections@iec.in.gov)

**Website:**

<https://www.in.gov/sos/elections/>

### **Office of the Attorney General**

**Physical/Mailing Address:**

Administrative & Regulatory Enforcement Litigation  
302 West Washington Street, 5th Floor  
Indianapolis, IN 46204

**Phone Number:**

317-232-6204

**Email Address:**

<https://www.in.gov/attorneygeneral/contact-us/general-comments-questions-and-concerns/>

**Online Address:**

<https://www.in.gov/attorneygeneral/about-the-office/litigation/>