

IC 3-11-17

Chapter 17. Voting System Violations

IC 3-11-17-1

Application

Sec. 1. This chapter applies to a voting system or an electronic poll book vendor who markets, sells, leases, installs, implements, or permits the use of a voting system or an electronic poll book in an election conducted in Indiana.

As added by P.L.221-2005, SEC.96. Amended by P.L.271-2013, SEC.23; P.L.258-2013, SEC.79.

IC 3-11-17-2

Marketing, sale, lease, installation, implementation, or permission for use of voting system in violation of election law; civil penalty

Sec. 2. In addition to any other penalty imposed, a vendor who knowingly, recklessly, or negligently markets, sells, leases, installs, implements, or permits the use of a voting system or an electronic poll book in an election conducted in Indiana in violation of this title is subject to a civil penalty under this chapter.

As added by P.L.221-2005, SEC.96. Amended by P.L.219-2013, SEC.57.

IC 3-11-17-3

Civil penalty assessed by secretary of state; maximum penalty

Sec. 3. If the secretary of state determines that a vendor is subject to a civil penalty under section 2 of this chapter, the secretary of state may assess a civil penalty. The civil penalty assessed under this section may not exceed three hundred thousand dollars (\$300,000), plus any investigative costs incurred and documented by the secretary of state.

As added by P.L.221-2005, SEC.96.

IC 3-11-17-4

Imposition of civil penalty requires administrative adjudication

Sec. 4. The secretary of state is subject to IC 4-21.5 in imposing a civil penalty under this chapter.

As added by P.L.221-2005, SEC.96.

IC 3-11-17-5

Deposit of civil penalties

Sec. 5. All civil penalties collected under this chapter shall be deposited with the treasurer of state in the voting system technical oversight program account established by section 6 of this chapter.

As added by P.L.221-2005, SEC.96.

IC 3-11-17-6

Voting system technical oversight program account; source and use of money; expenses

Sec. 6. (a) The voting system technical oversight program account

is established with the state general fund to provide money for administering and enforcing IC 3-11-7, IC 3-11-7.5, IC 3-11-15, IC 3-11-16, and this chapter.

(b) The election division shall administer the account. With the approval of the budget agency, funds in the account are available to augment and supplement the funds appropriated to the election division for the purposes described in this section.

(c) The expenses of administering the account shall be paid from the money in the account.

(d) The account consists of the following:

(1) All civil penalties collected under this chapter.

(2) Fees collected under IC 3-11-15-4.

(3) Contributions to the account made in accordance with a settlement agreement executed with a voting system vendor.

(e) Money in the account at the end of a state fiscal year does not revert to the state general fund.

As added by P.L.221-2005, SEC.96. Amended by P.L.3-2008, SEC.3; P.L.120-2009, SEC.11.