



Election Division Dispatch

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NEWS & UPDATES

Vote History & Get Winners

Unless a county is involved in a recount, vote history must be posted not later than 60-days after the primary election, or July 8, 2024. The state has to pull “winners” from the primary election but has to wait until recounts are concluded at the state level. This means counties may not see those offices and judicial retention questions listed correctly on reports until later this summer. Additionally, US Senate Class I and Class III are “new” offices in SVRS to reflect the two seats are usually elected in different election cycles. This is intentional. The “old office” will appear along with the two “new” offices and should clear up once federal and state offices are pulled over to the November election in SVRS.

May Primary Election Local Office Recounts

After the May primary, several counties reported to IED that a recount lawsuit was filed. A judge will appoint a local Recount Commission to review materials along with candidates and their representatives. Their findings to the judge, who has until the final Friday in June (or June 28, 2024) to finalize the recount. The judge may extend this deadline if there is good cause to do so. (IC 3-12-6-21.9) If the recount certificate changes the certified results, then the clerk will file a CAF in SVRS to unlock the reporting module to make those updates. Additionally, a revised copy of the election results will need to be filed with the CEB minutes at a future meeting. (IC 3-12-6-30; IC 3-6-12-31)

Campaign Finance & Ballot Vacancy Reports

Candidates who fill a ballot vacancy have the same requirements to file a statement of organization as those who ran in the primary. That is, if the office pays more than \$5000 in a calendar year, then a candidate’s committee must be opened not later than noon, 7-days after the filing deadline OR, if they’ve raised or spent more than \$100 toward running for office, then the CFA-1 is filed not later than noon, 10-days after this threshold amount is met, whichever comes sooner.

This group of candidates also has a special ballot vacancy report that is due not later than noon, three weeks after the CAN-29 statement of candidate selection is filed. The reporting period is the date the person became a candidate and ends two weeks after the CAN-29 is filed. The report is then due by noon, at the end of the third week. For example, Sally becomes a candidate on July 3, 2024. Her reporting period is July 3 through July 17, 2024, and the CFA-4 report is due by noon, July 24. Her CFA-1 to form the committee would be due not later than noon, July 10, 2024. Sally then will file the pre-election report with a reporting period of July 18, 2024, through October 11, 2024. The pre-election report is due the same as all other candidate committees—noon, October 18, 2024.

If a candidate is running for an office paying less than \$5000 in a calendar year OR the person is a school board candidate, a CFA-1 only needs to be filed when the candidate raises or spends more than \$500 toward running for office.

JUNE WEB TRAINING

June 4 & 6 | How to Access the County Portal

June 11 & 13 | Election, Office, Candidate & Referendum set-up

June 18 & 20 | Processing VR Records Overview

June 27 & July 2 | June Build Placeholder

2024 Calendar is posted to the INSVRS County Portal but is subject to revision.

CALENDAR

June 18, 2024: Deadline to send SAMC cards to voters in the US District Court Data spreadsheet

June 20, 2024 (noon): Deadline for school board candidates to file CAN-34 & CAN-12

June 23, 2024: Deadline for party to mail CAN-30 notice to all eligible PCs within the election district to fill a ballot vacancy for local office where no one ran in the primary, for a caucus that is being held not later than noon, July 3, 2024

June 24, 2024 (NOON): Deadline for party to file CAN-30 notice with clerk to fill a ballot vacancy for local office where no one ran in the primary, for a caucus that is being held not later than noon, July 3, 2024

June 24, 2024 (noon): Deadline for L Party to file their intent to fill a ballot vacancy not later than noon, July 3, 2024

June 28, 2024: Deadline for local recount commission to complete its recount unless the court extends the deadline for good cause

July 1, 2024 (NOON): Deadline for CAN-19 or CAN-21 petition of nomination to be filed with county VR official for review & certification (CAN-12 for local offices filed at the same time, unless county has separate VR Board)

July 3, 2024 (NOON): Deadline to fill ballot vacancy where no candidate ran in the D or R primary election OR no candidate was nominated at the L Party convention, AND deadline to file applicable paperwork

July 3, 2024 (NOON): Deadline for CAN-3 & statement of economic interests to be filed for declared write-in candidate for local office

July 4, 2024: IED Closed (Independent Day)

July 8, 2024: Deadline to add vote history from the May 7, 2024 primary election, unless a recount is being conducted

July 15, 2024 (NOON): Deadline for D/R state parties to file with IED their nominees for Gov, Lt. Gov, & Attorney General

July 15, 2024 (NOON): Deadline for a candidate nominated at the primary election to withdraw for any reason; candidates can still withdraw after this deadline but only for limited reasons (CAN-24)

July 15, 2024 (NOON): Deadline for candidate nominated by petition to file CAN-20

August 1, 2024 (NOON): Deadline for local public question to be certified to CEB

August 1, 2024 (NOON): Deadline for a D, R, and L candidate in a “small” town (less than 3500 pop) to file CAN-16 & CAN-12, if no primary election was held to nominate candidates for town council

August 8, 2024: “Freeze” period begins; counties cannot move a voter’s registration to inactive status until after the November election

August 20, 2024: Deadline for counties to file VRG-21 affidavit concerning VLM activities with IED

IN FOCUS: New Election Laws Effective By July 1, 2024

Last month, IED emailed counties the *2024 Legislative Summary*, which summarized changes made to state law through a variety of bills passed and signed into law earlier this year. Updates are made to the statutes found online on the General Assembly's web page (iga.in.gov) on or around July 1, the effective date of many code changes. Here are a few highlights:

1/ First time voters who register to vote in-person at any voter registration agency will need to provide proof of residency, if their VR application does not include an Indiana credential number or last 4 of their Social Security Number that can be validated by SVRS. Counties will follow the same procedures with this group of first time voters as they do with those first time voters who register to vote by mail. Several forms like the ABS-12, PRO-9 & VRG-7 will be updated as a result.

2/ The "sore loser" law, effective now, clarified that a candidate who ran for an office in the primary election cannot run for the same or different office for the

opposite political party. However, the "losing" candidate can continue to fill a ballot vacancy for any office within their own political party.

3/ Early voting locations used in the primary election can be changed for the general or municipal election conducted later in the year. This requires unanimous consent of the CEB, whether in the county's vote center plan or resolution adopted under IC 3-11-10-26.3. The county clerk continues to designate one location of the clerk's office for early voting under IC 3-11-10-26.

4/ The definition of "chute" in IC 3-5-2-10 now includes early voting locations and clarifies the area extends as a radius from the entrance of the area or room where voting occurs rather than a line or pathway from the door.

5/ Effective on March 13, 2024, it is a level 6 felony to threaten an election worker, which includes a member of the CEB, poll workers, and absentee board members, among others.

6/ Indiana Protection and Advocacy Services Commission is entitled to be present at early voting and Election Day polling locations related to voting access program authorized under federal law. IPAS must provide these individuals with credentials.

7/ The CEB of non-vote center counties must establish a method and timing for providing ABS reports to persons entitled to receive them under state law. (Vote center counties already must include this in their vote center plan.)

8/ Previously, a CEB was required to adopt a uniform, non-discriminatory policy permitting access to the full countywide registration list. Now, state law has added to that policy all records in SVRS, including election administration records and ABS activity reports. This policy does not apply to individual VR records or other reports required by law to be provided to the political parties.

VR CORNER

SAMC Reminders

With the US District Court Data Project underway, counties have asked IED a few questions about the Statewide Address Mailing Confirmation (SAMC) notice created by SVRS:

1/ Do we need to include return postage on the SAMC? Yes - return postage must be provided. (IC 3-7-38.2-2(f))

2/ Do we send a SAMC to a voter on the list if we cannot confirm the address or name on the VLM list against a VR record? No. If you cannot match a voter's name or address between the list and SVRS, then there is no way to generate a SAMC and attach it to a voter's record in SVRS.

3/ Can we send a SAMC to the address on the District Court data list in cases where it does not match? No. State law requires the SAMC to be sent to the voter's mailing address on file, though the form is to be sent by forwardable mail to the voter. (IC 3-7-38.2-2(d)& (f) & IC 3-7-38.2-16)

4/ Should we send a SAMC to a voter already in inactive status? No. Doing so will "reset the clock" on the process to move to the voter to cancelled if he or she fails to vote or update their registration over two federal election cycles.

QUESTIONS OF THE MONTH

Q. Is there a requirement to send copies of the PRE-4/PRO-2 and PRE-6 affidavits to the SOS office after the election?

A. Yes. A county must give one set of copies to the grand jury of the county and send another set to the SOS office after each election. (IC 3-14-5-2) Copies should be made of all PRE-4/PRO-2 affidavits, whether the ballot was counted or not, and any PRE-6 filed in a primary election. However, you cannot send the copies until after the recount or contest period expires as provisional balloting information is confidential. If involved in a recount, counties are advised to wait on sending copies until it is concluded. These procedures will change in some ways after July 1, 2024. See the *2024 Legislative Summary* for more info.

Q. When a caucus is called to fill a ballot vacancy, does a CAN-12 (statement of economic interests) need to be filed at the same time as the CAN-31 (declaration of candidacy) to fill a ballot vacancy?

A. No. The CAN-12 does not need to be filed with the CAN-31 when a candidate comes to file their declaration with the clerk's office 72-hours before the caucus. Instead, the CAN-12 is filed with the CAN-29 (certificate of candidate selection to fill ballot vacancy).

Q. Can a party chair fill a ballot vacancy by direct appointment without their party organization's consent through a resolution or motion?

A. Yes but only if there are fewer than two (that is, one or no) eligible PCs to vote in a caucus to fill the ballot vacancy. The CAN-29 form includes a check box on it for this scenario. Otherwise, a ballot vacancy can be filled by direct appointment only if the party has given the chair or central committee the ability to do so. A resolution or meeting minutes must be attached to each ballot vacancy filing in this scenario.

Q. Do we enforce deadlines to file paperwork concerning ballot vacancies?

A. Yes. For example, if a CAN-30 notice to fill a ballot vacancy is not filed with the clerk not later than noon, ten-days before the caucus is held, then it must be rejected pursuant to state law. (IC 3-5-4-1.9)

Indiana Officials Win EAC Clearinghouse Awards!

Congratulations to the Lake County Board of Elections and Registration and the Knox County Clerk's office on being recognized by the US Election Assistance Commission for their work to improve local elections. To read more about all the winners, visit www.eac.gov/election-officials/eac-clearinghouse-award-winners-2023#HAVA

Lake County Board of Elections and Registration, Indiana

Election Education and Quick Guide

Election integrity has taken center stage in America and confidence in the electoral process is of critical importance. Often, there is a lack of accurate information for voters and insufficient training for election staff. This erodes voter confidence and increases the chance of human error by election officials. To address this need, the Board of Elections developed the Voter Education Module to provide accurate and vetted information from subject matter experts in the form of a quick guide booklet. The Poll Worker Quick Guide has a lay-flat design, index, and uncovered tabs to provide fast answers to the most popular questions. The guide works with the county's existing Poll Worker Quick Guide and contains information to help election employees respond to voter and poll worker questions. A HAVA grant covered professional printing. QR surveys provide feedback loops for quantifiable results. This branded bipartisan project improves public sector engagement through educational components specifically designed for four target audiences: voters, poll workers, election officials, and election administrators. Both guides can be easily adapted for use in other jurisdictions.

Knox County Clerk, Indiana

Electronic Sample Ballots

Before July 2023, all Indiana Counties were required to post paper sample ballots at every voting location. In Vote Center Counties, this could mean thousands of pages of sample ballots. Knox County received permission from the Indiana Election Division to test the use of electronic sample ballots for the November 2022 General Election. By using electronic sample ballots, voters had every ballot at their fingertips in an accessible format to review prior to voting. Images and content in the electronic sample ballots could be enlarged to assist voters with vision impairment. The feedback from the 2022 general election was extremely positive. A legislative proposal was created for the 2023 General Session, which was approved, making it the only Clerk-related bill to pass in that session. The bill also permitted, for the first time, the use of repurposed e-poll books for this program. This has decreased e-waste, printing costs, and paper consumption throughout Indiana. The state law that allowed the use of electronic sample ballots can be found under Indiana Code 3-11-3-25.

Knox County Clerk, Indiana

ePoll Book Encoder Stabilizer Bracket

The County Clerk's Office created and produced an ePoll Book Encoder Stabilizer Bracket to respond to a known election administration need. With KNOWiNK ePoll Books, an encoder is used to pre-program a vote card to pull up the correct ballot for a voter. The connection point of the encoder was not stable, causing encoding errors and diminishing the public confidence in our elections. Weaknesses identified included both the connection point of the encoder into the ePoll book, as well as the power connection to the encoder itself. The stabilizer bracket eliminated the connectivity issues and encoding errors. An Indiana company, Shelton Specialties, LLC, was created to produce, market, and sell the brackets, initially in Indiana. The Shelton Specialties Encoder Stabilizer Bracket is patent pending. The Stabilizer Bracket was used in two Indiana counties in 2023 and has been utilized by 15 counties across the state.

QUESTIONS OF THE MONTH, con't

Q. Can a candidate sign their own petition, such as a school board candidate signing their CAN-34?

A. Yes. The signature would be counted, assuming the individual is a registered voter at the address on the petition and their residence is within the election district.

Q. Can a power of attorney execute a voter registration form?

A. If the voter is a person with a disability and needs assistance completing their VR form or signing their name, then anyone, including their POA, can assist them with completing it and, if necessary, print the voter's name on the signature line. (IC 3-7-32-7) The affidavit of assistance must be completed. However, a POA does not have the authority to execute a VR form on a voter's behalf without unless requested by the voter. (IC 30-5-5-14(a)(6))