



Election Division Dispatch

Brad King & Angie Nussmeyer, Co-Directors | July 2025

NEWS & UPDATES

New Title 3 Chapter (IC 3-5-2.1) for Definitions

During the 2025 legislative session, some clean-up work was made to our election law definitions, formerly under IC 3-5-2. Those definitions have moved to IC 3-5-2.1 and are reorganized. Now, each definition will have a clean section number, until more definitions are added in the future. Since we rely on these definitions on a nearly daily basis, we wanted to call this out to look up IC 3-5-2.1 when visiting iga.in.gov. After July 1, 2025, the General Assembly's website (iga.in.gov) is updated with the new statutes. Click the magnifying glass in the upper right corner to pop up the search bar. Then click "Search Indiana Code" in the bottom right of the bar. This allows you to enter the Title (T), Article (A), Chapter (C), and Section (S) you want to review.

Voting System Recertification

State law requires all voting systems to go through recertification in the year after the presidential election, meaning the voting system certifications expire on Oct. 1, 2025. If the vendor applies to have the certification issued for the next four year period, then IEC will hold a hearing to consider recertifying existing systems. If the vendor chooses not to, counties can continue to use the "legacy" systems but the vendor cannot market, sell, or lease those voting systems anymore.

EAVS: Election Administration & Voting Survey 2024 Report

Remember completing the CEB-9 Section II last winter? Well, the answers your county provided were shared with the US Election Assistance Commission and compiled into the bi-annual report to Congress that is now available here: <https://www.eac.gov/research-and-data/studies-and-reports>

Disclosure of Appointing Authorities

HEA 1509 took effect on July 1, 2025, which requires the disclosure of the term and appointing authority for certain boards and commissions. This requirement applies to the County Election Board. State law is clear under IC 3-6-5-4 that in most counties, the county clerk appoints the individual to serve on the CEB after receiving nominations from the party chair. For Lake and Porter counties, however, IC 3-6-5.2-4, IC 3-6-5.4-4, and IC 3-6-5.6-4 require the county chair to make the direct appointment.

State law is also changing to note that the appointed CEB member elected to serve as chair of the CEB has a term that ends on January 1 of the year immediately following the election of the county clerk. For example, if the Cardinal County clerk's term of office ends on January 1, 2027, then the chair's term also ends and a new election for CEB chair will need to be conducted at the next CEB meeting after the new clerk's term of office begins.

CALENDAR

Note: This calendar includes dates to assist counties who have a special election on November 4, 2025. These dates do not apply to a county if no election is being conducted.

- June 20, 2025:** First wave of card 2's (voter response cards) mailed to voters whose card 1 was returned as undeliverable
- June 30, 2025:** Deadline for a school corporation to adopt a resolution under IC 20-46-1-8 to place a school operating referendum on the ballot as a special election on Nov. 4, 2025
- July 4, 2025:** Independence Day, IED Closed
- July 11, 2025:** Last wave of card 2's (voter response cards) mailed to voters whose card 1 was returned as undeliverable
- August 1, 2025 (NOON):** Deadline for school corporation to certify to the CEB a school tax levy referendum for November 2025 special election (one-time opportunity under HEA 1427)
- August 22, 2025:** Suggested deadline for voter receiving card 2 to drop it in the mail
- August 27, 2025 (noon):** Deadline to submit proposed precinct changes (IEC-8 & attachments) to IED for processing
- August 29, 2025:** Deadline for IED to receive card 2 for it to be processed and include it in the first VLM hopper load
- Sept. 1, 2025:** Labor Day, IED Closed
- Sept. 20, 2025:** Deadline to send an absentee ballot to a voter with a filed and approved application on file
- Oct. 6, 2025:** Voter Registration Deadline (for counties with a special election only); last day for counties holding a special election to move a registration to "inactive" as "freeze" period starts the next day
- Oct. 7, 2025:** Early voting begins (for counties with a special election only) unless CEB reduces hours under IC 3-11-10-26.5
- Oct. 13, 2025:** Columbus Day, IED Closed
- Oct. 16, 2025:** Travel Board begins (for counties with a special election only)
- Oct. 23, 2025:** ABS-Mail, ABS-VPD deadline to request an absentee ballot for special election
- Oct. 25, 2025:** First of two early voting Saturdays, unless CEB adopts resolution under IC 3-11-10-26.5
- Nov. 1, 2025:** Second of two early voting Saturdays, unless CEB adopts resolution under IC 3-11-10-26.5
- Nov. 4, 2025:** Special Election Day
- Dec. 15-17, 2025:** IED Election Administrators' Conference

JULY WEB TRAINING

- July 2, 3 & 9 |** New Citizenship Review Hoppers
- July 8 & 10 |** GIS Geocode Placeholder
- July 22 & 24 |** Processing VR Records Overview

2025 Calendar is posted to the [INSVRS County Portal](https://www.insvrs.org) and subject to change.

IN FOCUS: Highlights of Some Legislative Changes Effective July 1, 2025

In early June, IED completed the 2025 Legislative Summary and shared it with county election and voter registration officials. This document, along with slide decks covering this topic at the summer Clerk's Association meeting, are available on the Election Administrator's Portal at in.gov/sos/elections. Below are a few noteworthy changes:

Candidate Committees Required for Elected Officials: All elected officials in an office paying more than \$5000 a year must open and maintain a candidate committee until such a time the official no longer holds office or is not a candidate for election. If an elected official does NOT have a CFA-1 on file with the CEB (or, if required, IED) already, then a CFA-1 must be filed not later than noon, July 11, 2025. Failure to file by this deadline results in a \$50 per calendar day fine, up to \$1,000. If the official does not file a CFA-1 after the maximum fine is reached, the CEB must administratively open a campaign finance committee, making the elected official the chair and treasurer of the committee.

There is an exception to this rule, of course. If an elected official holds an office paying a salary of less than \$5,000 a calendar year OR if the person holds a school board office, then a candidate committee does NOT need to be opened until such a time the committee raises or spends more than \$500 toward running for the office.

Below are some commonly asked questions our office is receiving related to this change:

- Under state law, a separate bank account must be opened when the committee spends or raises more than \$200 (IC 3-9-2-9 (c)); therefore, a candidate's committee that does not intend to raise or spend any money would not need to open a bank account unless they exceeded this threshold and can leave this blank on the CFA-1.
- Some currently elected officials plan to seek another elected office and already have a CFA-1 on file. There is no need to open a second candidate's committee, if the candidate is seeking another local office.
- Judges and Prosecuting Attorneys are included in this change of law, and their CFA-1 is filed with the CEB (not IED!). There is no need to file a courtesy copy with IED. In three counties (Lake, Marion, St. Joseph), some or all of their judges face retention instead of election. In these limited circumstances only, this subset of officeholders do not file a CFA-1. Instead, if they "face opposition" then a PAC (CFA-2) can be created. IED recommends that judges review the Code of Judicial Conduct, specifically Canon 4.4, to determine the best way to handle this requirement.
- At minimum at the local level, all candidate committees will have an annual report due. The 2025 Annual CFA-4 report for candidate committees is due at noon, January 21, 2026. If the officeholder is a candidate on the ballot for local office, then the pre-primary and pre-election CFA-4 report or CFA-11 large contribution report may be due, if applicable.

New Direct Appointment Authority for Filling Elected Office Vacancies. Beginning July 1, 2025, if only one candidate filed a CEB-5 to fill an elected office vacancy, the caucus must be held but the chair may choose to make a direct appointment instead of holding a vote at the caucus. The CEB-3 form will be used in the case of a direct appointment, and not the CEB-4 form. Remember, an elected office vacancy caucus is called when a currently elected official has resigned from office or passed away, for example. This rule does NOT apply to ballot vacancy caucuses. Updated versions of the CEB-3 and CEB-5 are available as of July 1.

Two Primary Rule Requirement for Candidates Filling Elected Office Vacancies. Beginning July 1, 2025, any person seeking to fill an elected office vacancy (NOT a ballot vacancy!) must meet the primary voting history requirement (the last two primary elections in Indiana in which the candidate voted must be of the same party the person is seeking to affiliate with on the ballot) OR attach the chair's certification to the CEB-5 form filed with the chair of the caucus. As a result, the CEB-5 form is being updated.

Updates to Party Delegation of Direct Appointment Authority to Fill Ballot Vacancies. Under state law, a county party organization **may** delegate direct appointment authority to the county chair or central committee to fill ballot vacancies (for example, when no one filed to run for an office in the primary election or withdraws ahead of the November election). The resolution or motion adopted for these purposes will expire on primary election day in 2026 (May 5, 2026) for the Democratic Party and for the Republican Party, on primary election day in 2028 (May 2, 2028). Each county party organization will then need to adopt a new resolution or motion, which will expire the next time the parties elect their precinct committeemen in 2030 (Ds) and 2032 (Rs). Of course, the parties can shorten the length of time to apply to one election, for example, but it cannot extend beyond the four-year period.

School Board Candidates & Party Affiliation. Starting in the 2026 election cycle, school board candidates can affiliate with a political party (D/R/L or other minor party), or be an Independent candidate, or leave the affiliation box blank. The CAN-34 will be updated to reflect these changes. No other part of the process changes for school board candidates - petition signature requirements are the same, any D/R school board candidate is NOT on the May primary ballot, the straight party device still does not apply to this office. Counties will want to work with the voting system vendors to ensure the party affiliation/Independent/Blank box is added to this office. Additionally, there is no limit on the number of D/R/L candidates who can file for school board, meaning it is possible for 4 Ds, 5 Rs, and 3 Ls to file for a school board seat where voters can only vote for one person. Please make sure your voting system vendor is aware of this possibility.

Ballot Retraction. Like their DRE counterparts, optical scan voting systems may use a ballot retraction feature on ballot cards. No optical scan voting system in Indiana is certified to use this feature, though it is expected to be reviewed this fall when all voting systems must be re-certified for the next four-year period.

VR CORNER

Proof of Citizenship

Beginning July 1, 2025, voters identified as receiving a temporary credential from the BMV (that is, temporary credential = T or true, as displayed in SVRS) must be sent the VRG-26, a notice generated out of SVRS to inform the voter that they must provide the VR official with one of five types of citizenship documentation before their application can be reviewed. The notice lists the five types of documentation that can be accepted under state law (See IC 3-7-38.2-7.3). This documentation must be received by the county not later than 30-days after the person receives the VRG-26.

There will be two different data sets provided to counties—potential matches against existing registration records where temporary credential = true (as required by HEA 1264 from 2024) and ongoing matches as new applications or updates are filed (as required by HEA 1680 from 2025).

The “one-time” file review records will go into a hopper called “Citizenship Maintenance.” All work will be processed out of this one hopper. However, “ongoing” work will have two distinct hoppers.

The “Citizenship Validation” hopper will be loaded with electronically received records from the BMV and indianavoters.com (OVR, ABS-VPD) where temporary credential = T. (Registrations where temporary credential = F will load into current hoppers (BMV, OVR) for the usual processing.)

When the VRG-26 is printed and sent to the voter, the electronically received record will move into a “Citizenship 30-Day Hold” hopper. For paper VR applications, counties will do their manual review with the first step to validate whether the individual has a temporary credential or not. If temporary credential = T, then the VRG-26 must be sent and the record moves into the “Citizenship 30-Day Hold” hopper.

The voter must provide the proof of citizenship to the county VR official not later than 30-days after receiving the VRG-26. If the voter does meet this deadline and provides acceptable documentation, then the county continues its usual review of the application. However, if the voter fails to respond to the notice or the notice is returned as undeliverable as defined by state law, then the voter’s registration status is moved to cancelled, if the voter is currently registered, OR their registration application is rejected, if a new registrant, after more than 30-days has lapsed from sending the VRG-26.

Functionality for these new workflows was released on July 1, 2025, with training to be provided by Civix on July 2, 3, and 9, 2025, on these new tools and reporting features. Counties are strongly encouraged to attend.

A voter whose registration was cancelled or rejected by this process can appeal the decision by requesting a hearing, which the CEB must honor and determine if the voter’s registration should be reinstated. SVRS tools, including a new hearing notice (VRG-27) and scheduling module is expected in August. Updates to indianavoters.com will be made at that time to provide hearing details to the voter.

NEW FORMS & COUNTY UPDATES

A number of legislative changes require updates to existing forms and even a few completely new forms for 2025. A forms order is expected to be released on or around July 1, 2025, with more detailed information about the changes, along with an updated Forms Master List.

A few notable changes to existing forms include:

- CFA-2 (Statement of Organization for PACs)
- CFA-4 (Report of Receipts & Expenditures)
- CEB-3 (Chair’s Appointment to Fill Elected Office Vacancy)
- CEB-5 (Declaration of Candidacy to Fill Elected Office Vacancy)
- IEC-9 & IEC-10 (Public Test Certification Forms)

Several candidate forms, including the petitions of nomination for independent, minor party, and school board candidates, will be part of this release and then updated online under the Candidate’s Information and Election Administrator’s portal.

To help facilitate changes on the county contact information found on the ABS-Mail and VRG-7 forms, **IED is asking for your help.** A survey has been sent to counties to confirm if the contact information on the back of these forms is accurate or not. Changes can then be shared through this survey so that IED can make the necessary updates.

A reminder that forms can be found online on forms.in.gov or in.gov/sos/elections OR on the SVRS County Portal. Using the portal allows you to download all forms directly from the folder, including the Word and .pdf versions. Lastly, please review the forms order closely, as not all versions of “old” forms are grandfathered. Any outdated version must be rejected, so make sure to download and update the new versions.

QUESTIONS OF THE MONTH

Q. Can we restrict the public’s ability to film or record a CEB meeting?

A. No. From the state’s Public Access Counselor’s Handbook:

A person has the right under the ODL (Open Door Law) to be present at a public meeting, other than an executive session, and to record the meeting by videotape, shorthand, or any other method of recording, subject to reasonable restrictions as to equipment and use that may be imposed by the governing body. Rules and regulations prohibiting the use of cameras, tape recorders or other recognized means of recording a meeting are void.

Q. Are we required to live stream (or record and post the video online) CEB meetings on or after July 1, 2025?

A. Generally speaking, no. However, if your CEB is holding its meeting in a room with equipment available to livestream or record, then your CEB is required to do so. In the end, it depends on the room your board books to hold its meeting.