

Election Division Dispatch

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NEWS & UPDATES

Voter Information Project (VIP)

IED is again partnering with Democracy Works, a non-partisan non-profit organization, to increase visibility of early voting and polling place information. Please make sure your Election Day locations are up to date in SVRS on or before April 8 as our election information will be shared via gettothepolls.com as well as our own indianavoters.com. Remember to update your polling locations in SVRS promptly if they change after that day.

Election Night Reporting

Last year, the election night reporting module in SVRS was rolled out to county and state users. Instead of emailing, faxing or directing us to your county websites, IED is asking county users to input their municipal election night results through this module in May 2019.

By entering this information in SVRS on May 7, your voters and local media can access this data in near real-time at indianavoters.com/electionresults. Also, IED asks that you use SVRS to enter information for the other election reports your county is required to file with IED, like the CEB-11 or CEB-25.

If your county would also like to upload your *precinct* results directly into SVRS this May, please contact the Help Desk to confirm your voting system is compatible with the file upload to SVRS. We are working toward a solution to make uploading precinct results to SVRS feasible for all counties this November, so stay tuned!

APRIL WEB TRAINING

Apr. 10 & 16 | Certificate of Error Processing

Apr. 18 & 23 | County ENR Data Entry

Dates are subject to change; check the 2018 INSVRS Training Schedule on the county portal to confirm.

CALENDAR

April 8, 2019:

Statewide voter registration deadline for 2019
Primary Election

April 8, 2019:

Deadline for CEB to perform public test of voting systems

April 9, 2019:

First day of in-person “early voting” at the Clerk’s Office, unless hours reduced under IC 3-11-10-26.5

April 12, 2019:

End of the pre-primary reporting period for candidate committees, PACs & regular party committees

April 16, 2019 (NOON):

Deadline for county chair to file poll worker nominations with CEB

April 18, 2019:

First day of traveling board

April 19, 2019:

Good Friday—IED CLOSED

April 22, 2019 (NOON):

Deadline to file pre-primary CFA-4 reports

April 27, 2019:

Clerk’s office must be open for early voting (unless hours reduced under IC 3-11-10-26.5); in vote center counties, one vote center must be open

April 29, 2019:

Deadline to receive ABS-Mail applications

May 4, 2019:

Clerk’s office must be open for early voting (unless hours reduced under IC 3-11-10-26.5); in vote center counties, one vote center must be open

May 6, 2019:

In-person “early” voting ends at noon

May 7, 2019:

Primary Election Day in Cities, “Large” Towns, and, if a primary ordinance was passed, some “Small” Towns
Check yellow Election Calendar for full list of E-Day activities to follow!

QUESTIONS OF THE MONTH

Q. Can an absentee voter requesting a Democratic ballot in the primary change their mind and re-file an application or otherwise request a Republican ballot (or vice versa)?

A. No, a voter may not change their mind and request a different partisan absentee ballot to replace the one they've already requested.

Q. My newspaper failed to publish my notice for a public test. Do I have to reschedule it?

A. Not necessarily. State law permits a county where the newspaper failed to timely publish a notice to allow the county to either 1) display the notice prominently in three locations in the county or 2) post on the county's website (IC 5-3-1-2(k)).

Q. What am I required to publish on the CAN-9? Do I need to do anything more with it besides publishing in the newspaper?

A. The CAN-9 should include the names, addresses, political party, and office sought for each candidate filing a CAN-42 with your office. If the county is not conducting a primary for one or both political parties, then it is not necessary to publish the Attachment "A" (Democratic Party candidates) or Attachment "B" (Republican Party candidates) unless your county election board chooses to do so. Attachment "C" of the CAN-9 would include any text of a public question, if a special election were called to vote on a referendum question. As a reminder, there is a report in the SVRS library that will create your CAN-9 (and in the fall, CAN-39). The CAN-9 does need to be published in the newspaper not later than April 27, 2019, and a copy filed with the Indiana Election Division and in the minutes of a county election board meeting. (IC 3-8-2-19)

Q. Can a candidate withdraw before the primary election?

A. Yes, but only if the person moves out of their election district or is convicted of a felony. Otherwise, a candidate who is seeking their party's nomination in May must remain on the ballot. If nominated, the person may file a CAN-46 to withdraw for any reason on or after May 8 and up to noon, July 15. If a candidate withdraws after the primary, the party may fill the vacancy and has up until 30-days from the date of the vacancy to do so.

IN FOCUS: Independent & Minor Party Candidate Filings

Independent and minor party candidates have two ways to access the ballot—through the petition process or to be a write-in candidate.

If an independent or minor party candidate wants to have their name printed on the ballot, then they must go through the petition process. The candidate must collect signatures of registered voters within the election district totaling at least 2% of the total votes cast in the 2018 Secretary of State race in the precincts of the election district. This means county election officials will need to pull out the November 2018 precinct level results and calculate the signature threshold for local offices to be elected in 2019.

CAN-44 petitions must be filed with the county VR official not earlier than January 9, 2019, and not later than noon, July 1, 2019, in order to be reviewed and certified. The candidate must also submit, along with their certified CAN-44 petitions, a CAN-45 consent and CAN-12 statement of economic interest to the county election board not later than noon, July 15, 2019, to complete their filing.

The county clerk must send, by certified mail, a letter to the candidate if their filing is not approved. A candidate may file a CAN-1 challenge no later than noon, Friday, August 23, 2019, to contest the decision to reject a petition of nomination. If the candidate's filing is approved, then there is no need to notify the individual. Pages 59-66 of the *2019 Voter Registration Guidebook* go into great detail on petition review, including the petition carrier affidavit requirement and completion of the certification found on the back of the CAN-44 form.

Some individuals want to be a write-in candidate. **WRITE-IN CANDIDATES ARE NOT PRINTED ON THE BALLOT!** Instead, a write-in line must be printed on the ballot, and poll workers canvass to determine and count a write-in vote based on the list of declared write-in candidates provided by the CEB. To be a declared write-in candidate, the person must submit the CAN-3 not earlier than January 9 2019, and not later than noon, July 3, 2019, along with the CAN-12 statement of economic interest.

Conducting Elections for Municipalities in more than One County

There was a recent change in law that may impact those counties where boundaries of a municipality are in more than one county. IC 3-6-5-15 states that the county containing the greatest percentage of the population may designate the polling places for the election, which may be located in any county in which the political subdivision is located, and shall appoint poll workers to conduct the election upon nomination by the county chair of the county where the precinct is located or by filling a vacancy if a nomination is not timely made.

However, each county election board must provide poll lists, receive and approve absentee ballot applications, issue certificates of error or other documents for the voters of that county, print ballots, and canvass results.

For example, “Indiana City” has 5 precincts in Wayne County and 3 precincts in Randolph County, where the greatest population is in Wayne County. The Wayne County CEB can establish polling places exclusively in Wayne County or in both counties. The Wayne and Randolph county party chairs would nominate their poll workers to the Wayne County Election Board. However, each CEB would conduct poll worker training, produce poll lists, build ballots, code voting systems, and manage Election Day for their specific precincts. After canvassing the results, Randolph County would certify their results to Wayne County, who would then determine the winners and issue certificates of election, if required.

Randolph County would need to determine their costs to conduct the election as would Wayne County, and “Indiana City” would need to reimburse both counties for the apportioned costs.

Ballot Vacancies Several counties have asked about the process for the Democratic or Republican parties to fill a ballot vacancy, if the party did not have a candidate file a CAN-42 to seek nomination in a primary election. Details about the process to fill ballot vacancies are found on pages 25-28 of the *2019 Election Administrator’s Manual*. NOTE: These procedures **do not** apply to a candidate filing a CAN-16 to become the nominee for the Democratic & Republican parties in a “small” town office, as the nominating conventions (if needed) are held in August 2019.

VR CORNER

VR in Municipal Elections

A few counties do not have municipal elections in 2019, and therefore, statewide voter registration deadlines would not apply to their voters. In this case, the county VR official will review and process voter registration forms year-round.

However, most counties will conduct elections within their municipalities this year, which means the statewide voter registration deadline would only apply to some voters. For those individuals living in the unincorporated portions of the county (in other words, not in a municipality), there likely will be no registration deadline in 2019. The statewide VR deadline would only apply to voters living within the municipality.

In some cities and “large” towns (and “small” towns, if the town council passed an ordinance for the CEB to hold a primary election) the CEB may not be holding a primary election for the Democratic and Republican parties under IC 3-10-6-4. If no primary is being held for both political parties within a municipality, then county VR officials do not need to enforce the April 8, 2019, statewide voter registration deadline within this specific municipality

where no election is held.

VR Applications & Postmarks

The statewide voter registration deadline for the May primary election is Monday, April 8, 2019 for voters living within a municipality. Before your team delays processing a VR application received by mail after this deadline, please be sure to check the postmark on the envelope. The postmark is a critical piece of information to determine whether or not a VR form can be processed for the May election.


If a VR form is mailed to your office and received after April 8, 2019, and includes a legible postmark dated on or before April 8, 2019, then your county must process the form. (IC 3-7-33-4) If a VR form is mailed to your office, includes an illegible or NO postmark, and is received after April 8, 2019, but on or before Monday, April 15, 2019, then your county must to process the forms. (IC 3-7-33-4; IC 3-7-33-3.7)

These same rules apply to VR forms received by the Indiana Election Division, and forwarded to your county. Review pages 10-11 of the *2019 Indiana Voter Registration Guidebook* for more details, including the deadlines for online voter registration and hand-delivery.

FEDERAL POST CARD APPLICATION (FPCA)

The Federal Post card Application (FPCA) is used by military and overseas voters to 1) register to vote and 2) request an absentee ballot. An FPCA is good for one calendar year (January 1 to December 31). This means if a military or overseas voters submits an FPCA on March 1, 2019, then an absentee ballot is sent to the individual for the May primary election and November municipal election. While the absentee application expires after December 31, the voter's registration remains on the voter rolls and can be updated in a future election via the FPCA or a state or federal voter registration form.

To use the FPCA in Indiana, the voter must mark one of these four reasons:



Voter Registration and Absentee Ballot Request
Federal Post Card Application (FPCA)
Print clearly in blue or black ink.

1. Who are you? Pick one.

I request an absentee ballot for an election in which I am eligible to vote AND:

- ☐ I am on active duty in the Uniformed Services or Merchant Marine -OR- ☐ I am an eligible spouse or dependent.
- ☐ I am an activated National Guard member on State orders.
- ☐ I am a U.S. citizen living outside the country, and I intend to return.
- ☐ I am a U.S. citizen living outside the country, and my return is uncertain.
- ☐ I am a U.S. citizen living outside the country, and I have never lived in the United States.

Pick one.

- ☐ I am on active duty in the Uniformed Services or Merchant Marine -OR- ☐ I am an eligible spouse or dependent.
- ☐ I am an activated National Guard member on State orders.
- ☐ I am a U.S. citizen living outside the country, and I intend to return.
- ☐ I am a U.S. citizen living outside the country, and my return is uncertain.
- ☐ I am a U.S. citizen living outside the country, and I have never lived in the United States.

- If a voter marks boxes 1, 2, or 3, then a regular ballot is sent.
- If a voter marks box 4, a federal only ballot is sent AND the voter is registered to vote at the address of the VR office. (NOTE: there are no federal only ballots in 2019; a voter should not receive a ballot in 2019)
- If a voter marks box 5, the FPCA is rejected.

4. What is your contact information? This is so election officials can reach you about your request.
Provide the country code and area code with your phone and fax number. Do not use a Defense Switched Network (DSN) number.


Email: _____ Phone: _____
Alternate email: _____ Fax: _____

5. What is your voting preference? Select One.

How do you want to receive voting materials? ☐ Mail ☐ Email or online ☐ Fax
What is your political party for primary elections? _____

6. What additional information must you provide?
The following need more information: Alaska, Arizona, Puerto Rico, Vermont, and Virginia. (Ex. Proof of residency, employer, etc.)
You may also use this space to clarify your voter information. See the Voting Assistance Guide at FVAP.gov.

7. You must read and sign this statement.
I swear or affirm, under penalty of perjury, that:
• The information on this form is true, accurate, and complete to the best of my knowledge. I understand that a material misstatement of fact in completion of this document may constitute grounds for conviction of perjury.
• I am a U.S. citizen, at least 18 years of age (or will be by the day of the election), eligible to vote in the requested jurisdiction, and
• I am not disqualified to vote due to having been convicted of a felony or other disqualifying offense, nor have I been adjudicated mentally incompetent; or if so, my voting rights have been reinstated; and
• I am not registering, requesting a ballot, or voting in any other jurisdiction in the United States, except the jurisdiction cited in this voting form.

Sign here  **Today's date** (MM/DD/YYYY) ____/____/____

This information is for official use only. Any unauthorized release may be punishable by law. Previous editions are obsolete. Standard Form 76 (Rev. 09-2017), OMB No. 0704-0003

The FPCA is the only absentee application that allows a military or overseas voter to vote by fax or email. If a military or overseas voter wants to vote by fax or email, then they must be sent an ABS-9 along with their ballot to waive their right to secret ballot. An email or faxed ballot is then remade by a bi-partisan team on Election Day, paying careful attention to serialize the original ballot AND remade ballot with the same set of numbers in the event a recount is ordered.

What about the FWAB?

The Federal Write-In Absentee Ballot (FWAB) looks very similar to an FPCA, but it includes a separate "ballot" that allows a military or overseas voter to write their candidate selections and submit to county election officials. BUT, in Indiana, the FWAB does NOT replace the FPCA. Instead, the voter must submit an FPCA first and then the county can accept the FWAB. Think of the FWAB as the back-up absentee ballot that is only used if the ballot sent from the original request (FPCA) does not arrive by the appropriate deadline (noon, Election Day for email/fax ballots; noon, ten days after Election Day for overseas or overseas military ballots that are postmarked on or before the date of the election). If the original ballot is NOT received, then the FWAB can be opened and a ballot can be remade according to the text written by the voter on the FWAB.

Federal and state law have a number of "special" rules for military and overseas voters.
The 2019 Military & Overseas Voters' Guide is a terrific resource for more details.