



# Election Division Dispatch

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## NEWS & UPDATES

### Census Data Update III

The US Census Bureau recently reported their team may be able to release “old format” 2020 census data for purposes of redrawing Congressional and state legislative districts by Aug. 2021. However, the “new format” file is still expected to be released in late Sept. 2021. Since county activities to re-precinct and redraw local office boundaries will start later than usual (but likely to maintain current deadlines), here are some ways to prepare:

- Share news of the redistricting data delay with county and municipal leadership
- Gather annexations that may be part of reprecincting
- Look at reprecincting plans and commissioner minutes from previous years for familiarity with both the process and the purpose behind the current precinct boundaries
- Review current Indiana reprecincting laws, but anticipate changes in pending legislation (IC 3-11-1.5)

### Public Comment on FPCA & FWAB

In the near future, the Federal Voter Assistance Program (FVAP) will be submitting a draft version of proposed updates to the Federal Post Card Application (FPCA) and the Federal Write-In Absentee Ballot (FWAB) to the Federal Register for a public comment period. Their March newsletter notes that only comments made through the OMB website will be considered by the FVAP staff.

For those not familiar yet, the FPCA is a dual VR and absentee application form for military and overseas voters and in Indiana, the FWAB is the voter’s back-up absentee ballot if the FPCA is returned. If adopted, the improved FPCA and FWAB will be likely be used beginning in 2022.

### 2022 Elections & Candidate Filing

Ordinarily, everyone would be busy with the current election but in an off-year like 2021, candidates eager for the new cycle are looking for information. IED traditionally releases our manuals, guides, and forms after the November election and in time for the Dec. Election Administrators’ Conference. Petitions for certain candidates and the calendar brochure for the next cycle are released in July. Since it may be a while for updated materials to be released, you can put on your calendar the following 2022 dates:

- January 5, 2022: First day of candidate filing for D/R primary
- NOON, February 4, 2022: Deadline to file for D/R primary
- May 3, 2022: Primary Election

## ALPHABET SOUP: VLM

### VLM = Voter List Maintenance

Federal and state law sets forth voter list maintenance rules and procedures. In federal law, you’ll find the VLM statutes in 52 USC sec. 20507; in state law, these requirements are found, generally, in IC 3-7-38.2.

VLM is continual work, using resources from the Department of Health, Social Security Administration, Department of Correction, and other valid sources like the statewide postcard mailer.

Before each election in even-numbered years, VLM work to move registrations to “inactive” status must “freeze” 90-days before the election. In odd-numbered years, the “freeze” 29-days before the election. Unless your county has a special election in 2021, there is no “freeze” period this year.

Certain list maintenance tasks to move registrations to “cancelled” may occur at any time, like cancellation due to death or incarceration following conviction of a crime.

## CALENDAR

**April 5, 2021:** Voter Registration deadline ONLY for those precincts holding a special public question election (Otherwise, this does NOT apply!)

**April 29, 2021:** Sine Die for Indiana General Assembly (may be sooner, but last day contemplated in state law)

**May 4, 2021:** Election Day, if jurisdiction holding special public question election

**May 17, 2021:** First mailer for statewide postcard mailer dropped to “active” Indiana voters

**June 1, 2021:** Second mailer start date for those first cards returned as undeliverable

## APRIL WEB TRAINING

| No SVRS Web Trainings Scheduled

2021 Calendar now posted to INSVRS County Portal. Dates/times subject to change. Please verify against the calendar.

# IN FOCUS: Statewide VLM Postcard Mailing

State law requires the Indiana Election Division to manage a statewide voter list maintenance project in each odd-numbered year. In accordance with state and federal law, specifically IC 3-7-38.2-16.1, this project consists of two mailers:

**Card 1:** Sent to the mailing address of every active voter in Indiana via USPS non-forwardable mail. If the card is returned undeliverable pursuant to IC 3-5-2-49.7, then card 2 is sent to the voter.

**Card 2:** Sent by USPS forwardable mail to the mailing address of a person whose card 1 is returned undeliverable as defined by state law. Card 2 allows the person to return a postage paid response card to:

- a) confirm their residence address is their registration address;
- b) update their registration within the county; or
- c) cancel their registration if they've moved out of county.

The card templates are being drafted now, and IED will share examples of the

cards with counties and Hoosier voters before the project launches.

Card 2 is the main focus for county VR officials. Our vendor will scan the 2nd mailer or "response card" and enter the update from the voter for county review. County VR officials will review the update in the respective VLM hopper and make decision to approve, reject, or research the change.

If the response from the voter is unclear, then the county VR official makes the determination. The records in the VLM Exceptions hopper allow a county user to approve, reject, or research.

Voters who do not respond to Card 2 by the August 27, 2021 deadline are loaded into an SVRS hopper to move the all of these records to "inactive" status in batch.

Please note, there is a 29-day freeze period in those precincts that may have a special election on Nov. 2, 2021, meaning a county cannot move a VR record to "inactive" during this time. The county user can continue this work after the elections but before the 90-day freeze

deadline ahead of the May 2022 primary.

## TRAINING

Training on using SVRS & its integrated VLM Image Viewer will be held in May. The sessions will be recorded and posted to the county portal along with the step-by-step instructions on using the modules within SVRS.

## KEY DATES

May 17, 2021: Card 1 mailed by state

June 1 to July 13, 2021: Card 2 mailed, if Card 1 is returned as undeliverable

July 13, 2021: Last day for state to mail out Card 2 to provide voter with at least 30-days notice to respond

August 27, 2021: Deadline for voter to return the Card 2 response card

October 4, 2021: Deadline for counties to move registrations to "inactive," if there is a special election in your county

February 2, 2022: Deadline for counties to move registration to "inactive," before the 2022 Indiana primary election

## VR CORNER

### "Inactive" Voters

In Indiana, a voter is moved to "inactive" status ONLY if the voter fails to respond to specific notice required by law. For counties, the notice is the SAMC (Statewide Address Mailing Confirmation Notice) generated in SVRS; for our statewide mailing, it's Card 2 or the "response" card. (To learn which items may be used to create a SAMC, see IC 3-7-38.2-2.)

VR officials are required to give voters at least 30-days to respond to the notice, which allows the voter to update their registration, cancel it, or confirm their address on the notice. Failure to respond within 30-days means the voter can then be moved into "inactive" status, if outside the "freeze" period.

An inactive voter IS a registered voter and eligible to vote in an election. In fact, voting in any election over a two federal election cycle is one way to move back to "active" status. For example, a voter is marked "inactive" in August 2019. Assuming the voter continues to reside at the registration address, she can vote in any of the following elections and move back to "active" status: Nov 2019, May 2020, Nov 2020, special election in 2021, May 2022, OR Nov 2022.

If an inactive voter does not vote in a qualifying election, then their registration shall be moved to "cancelled" status. If the voter votes absentee or on Election Day and indicates a move,

then the fail-safe options may allow them to vote one last time in their "old" precinct. The VRG 4/12 will serve as an update and move their registration to "active" status again.

Finally, VR officials cannot move an "active" voter's record to "cancelled" status for simply failing to vote. Instead, specific VLM procedures must be followed to move the registration from "active" to "inactive," which may lead to cancellation after a period of time previously noted.

## QUESTION OF THE MONTH

**Q. Do county parties need to file their CFA-3 and campaign finance reports with the county election board?**

A. It depends. Indiana's campaign finance act requires political action committees and regular party committees to file with the Indiana Election Division IF the PAC or party committee financially supports state legislative or statewide candidates. If their committee only financially supports local candidates, then campaign finance docs are filed with the county election board.

To confirm if the PAC or regular party committee is filed with IED, go to [campaignfinance.in.gov](http://campaignfinance.in.gov). **A PAC or regular party is NOT required to file courtesy copies!** It's best they don't do so to avoid confusion over which body enforces defective or delinquent reports, for example.