



# Election Division Dispatch

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## NEWS & UPDATES

### August Build

Targeted for the week of August 20th, the Build will include a number of enhancements to the Online Absentee module. Thank you for the great suggestions to help us improve its functionality now and in future builds. Items that will be included in this project include :

- 1) Updating the confirmation message voters see indicating their ABS app has been submitted to the county and voter does not need to take further action (i.e. do not print/sign/mail electronic submission).
- 2) Adding a warning message to the Online ABS Hopper when there is already a ballot issued for the voter.
- 3) Removing the "Public Question" option on the ABS app in the primary election for counties who do not have a Public Question only ballot (not applicable for November).
- 4) Adding an alert message indicating to voters that an ABS deadline has passed and they should check in person voting times (if applicable).
- 5) Pinging the BMV for an updated signature on the back-end of the process, if the voter indicates there is a name change on the ABS app.

Also, a county preference was added in June to allow users to switch between Avery and Dymo labels. This is set with the County Preference of Batch Online ABS Label Type. If Dymo is selected labels will print in Dymo. If it is not, then they will print in Avery. Please double check your settings before ABS season ramps up!

### VSTOP Public Test Lists

By August 21, 2020, VSTOP is to provide counties with a list of voting systems to pull for the public test of voting systems. **Please be certain your equipment list is up to date in the VSTOP database!** If you need assistance, please contact [vstop@bsu.edu](mailto:vstop@bsu.edu). A reminder: the public test law was modified, and counties will receive one list for opScan systems and, if applicable, one list for DRE systems. For each list, the county will need to test at least 5% of the machines on the list, starting at the top and skipping those machines that might be in the database but not pulled for this election.

## AUGUST WEB TRAINING

Aug 4 & 6 | Preparing for 2020 General

Aug 12 & 13 | Absentee Overview

TBD | August Build

*Dates are subject to change; check the 2020 INSVRS Training Schedule on the county portal to confirm.*

## CALENDAR

- August 3, 2020 (NOON):** Deadline for a D, R, or L candidate in a "small" town (less than 3500 persons) to file CAN-16 & CAN-12 where no primary was held
- August 3, 2020 (NOON):** Deadline for a D, R, or L candidate in a "small" town to file CAN-24 to withdraw
- August 3, 2020 (NOON):** Deadline for a public question to be certified to a county election board for fall election
- August 3, 2020:** Deadline to update voting history from the June 2, 2020, primary election, unless county has a local recount or contest action
- August 5, 2020:** First day to file as a write-in candidate for school board (CAN-26; CAN-12)
- August 5, 2020:** Deadline to complete VLM work to move a voter's registration status to "inactive"
- August 18, 2020:** Deadline for counties to file VRG-21 (VLM Compliance) with IED
- August 21, 2020 (NOON):** Deadline for school board candidates to file CAN-34/CAN-12 with CEB
- August 21, 2020 (NOON):** Deadline to file CAN-26/CAN-12 as write-in candidate for school board
- August 21, 2020 (NOON):** Various CAN-1 challenge deadlines; consult yellow Calendar Guide
- August 21, 2020 (NOON):** Deadline for IED to certify candidate names & judicial retention questions (NOTE: Pres/VP ticket certified by noon, Sept. 10)
- August 21, 2020:** Deadline for a "small" town to conduct a town convention, if it's necessary to do so
- August 21, 2020:** Deadline for VSTOP to supply counties with their public test lists
- August 28, 2020 (NOON):** Deadline for town party chair to file CAN-18 with county clerk to certify who won the town party convention, if applicable
- August 28, 2020 (NOON):** Deadline to file CAN-1 candidate challenge in school board elections
- September 1, 2020 (NOON):** Deadline for entity to withdraw a local public question
- September 3, 2020:** Deadline for counties to file vote center plan to establish the voting model in their county (This does not apply to vote center plan amendments)
- September 4, 2020 (NOON):** Deadline for CEB to determine validity of CAN-1 challenges for most offices
- September 4, 2020:** Deadline for clerk or boards of election/registration to estimate number of ABS ballots
- September 7, 2020:** Labor Day - IED Closed
- September 10, 2020 (NOON):** Deadline for CEB to determine validity of school board CAN-1 challenges
- September 10, 2020 (NOON):** Deadline for IED to certify Pres./VP candidates to counties
- September 19, 2020:** Deadline for counties receiving ABS ballots on Sept 14 to mail ABS ballots to voters with approved FPCA & ABS-Mail apps

# IN FOCUS: ABSENTEE VOTER BOARDS & ABS-Mail PRINTING DEADLINES

With the election just around the corner, county election officials are ramping up their absentee operations. Critical to its success are absentee voter boards.

Each county election board must notify the D/R county chairs of the number of absentee voter boards needed to support absentee operations—mail, travel board, and in-person voting—not later than 50-days before the election, or September 14, 2020. (IC 3-11.5-4-23)

The D/R county chairs have until noon, 46-days before the election (Sept. 18) to file, in writing, their nominations for those absentee voter board positions. Of course, CEBs can request ABS voter boards more than 50-days out and county chairs can file nominations before their noon deadline, but these dates are the very latest to make the request or nominate folks.

Individuals serving as ABS voter board members must meet the qualifications under IC 3-11.5-4-22. While contested and uncontested candidates cannot work in this capacity, it may be possible to assign their family members to work with ABS ballots in those precincts where their “candidate” family member is not on the ballot.

State law requires the CEB or the ABS voter board to review and approve all ABS applications. (IC 3-11-4-17.5) After the clerk’s office enters the apps into the system, the D/R appointed members of the CEB or the ABS voter board must affix their initials to the back of the ABS ballot. (IC 3-11-4-19)

ABS voter boards OR the CEB also perform the first absentee signature review, comparing the signature on the voter’s ABS application against the ABS ballot security envelope. This work must be performed before Election Day and then the apps/ ballots (sealed in the ballot envelope) are filed by precinct in a cabinet/office/ receptacle with a bi-partisan lock. The D/R CEB member or their designee is to maintain custody of their key at all times.

In-person absentee voting is voting that occurs before an absentee voter board, much like traveling board. ABS voter boards are to be present during in-person absentee voting at the clerk’s office or other satellite locations to perform work like approving applications, checking a voter’s ID, or assisting voters with the voting equipment or ballot.

Traveling board is a specific function of the ABS voter board, where a two-person

team travels to the voter to assist them with completing a ballot or to bring a DRE unit to allow the voter to vote privately and independently. (The DRE resolution has to be approved by the CEB first; see | IC 3-11-10-26.2)

**ABS Ballot Printing.** Not later than 60-days before the election, the clerk or the board of elections & registration in Lake, Porter, and Tippecanoe counties must estimate the number of absentee ballots needed for the election.

Those absentee ballots must be delivered not later than 50-days before the election. And not later than 5-days after receiving the printed ballots, counties must begin mailing ABS ballots to those voters with approved applications.

Using 50-days as the rule of thumb, counties receiving their ABS ballots on day 50 have until Saturday, September 19, 2020 (or 45-days before the election) to begin mailing ABS ballots. However, if your county receives ballots on day 55, then your deadline to begin mailing ballots is day 50 to comply with the “5-day” rule found in IC 3-11-4-18(c). More information can be found in the blue *Election Administrator’s Manual*.

## HOLDOVERS & UNCONTESTED RACES ON THE NOV. BALLOT

**HOLDOVERS.** On occasion, no one files to run for an office on the November ballot. In these cases, the current officeholder “holds-over” for a new term of office pursuant to Article 15, Section 3 of the Indiana Constitution.

For example, County Auditor is on the ballot in November 2020. Mia is the currently elected county auditor, who is serving her second four-year term\*. No one—not even Mia—filed for the office. Therefore, Mia will continue serving as the county auditor for another four-year term, until her successor is elected and qualified. Because she is a “holdover” under state law, Mia does not file a new oath of office and will not receive a Commission from the Governor.

Counties often ask what happens if Mia didn’t file because she doesn’t want to continue serving? Mia may resign from elected office by filing a written resignation with the governor (as she is a constitutional office holder), and the elected office vacancy would be filed according to statute. (IC 3-13-3 through IC 3-13-11, generally) The individual selected is a “pro-tem appointment” for the remainder of the term.

**UNCONTESTED RACES.** Unlike the odd-numbered municipal election years, ALL candidates appear on the November general election ballot, even if only one person files. Counties may use “No Candidate Filed” for races where no person filed to run OR for those parties that did not find a candidate to run for a specific office.

*\* Yes, even constitutional office holders that are “term-limited” will holdover. Think of the holdover as a continuation of her service rather than a “new” four-year term. She’ll serve until December 31, 2024, unless she resigns OR until her successor is elected and qualified in the 2024 election.*

## President/VP & Electors

On November 3, voters are not selecting their presidential and vice presidential candidates, who run as a ticket. Technically, voters are voting for the electors who will cast their vote for the ticket at a meeting of the electoral college held in December 2020. Political parties or minor party/independent candidates file the names and mailing addresses of their electors with IED. The electors of the state's winning ticket then cast their votes, which are recorded and are the official election results for the office of president and vice-president for our state. **Please remember your ballot instructions MUST include "electors" language found in IC 3-10-4-3 this year!**

## #Protect2020

CISA released the [Innovative Practices and New Solutions Guide](#) July 22. The guide is part of a series to advise election officials on adequate preparations for the General Election during the COVID-19 pandemic. Many of the practices highlighted in this guide may not be allowable under Indiana's elections laws, and should be viewed as sharing best practices from election officials around the country.

For more information about CISA and #Protect2020 efforts and guides, visit <https://www.cisa.gov/protect2020>.

## VR CORNER

### FPCA & Voter Residency

On the FPCA, military and overseas voters are asked to provide as much of their Indiana address where the individual person last lived in Indiana before moving overseas or being deployed. In some cases, the voter may not intend to return to this address. However, there are special allowances in state and federal law that permit the person's registration address to be reflective of the last location where they personally lived in Indiana.

In Indiana, an overseas voter may mark the "I am a US citizen, but my return is uncertain." These voters must have lived in Indiana for at least 30 consecutive days at some point in their life from birth to their current age. They may elect to enter the address of the VR office in the county, or preferably, include as much of their last Indiana residence address as they recall and then the county official registers the person to vote at their VR office address. Remember, overseas voters who mark "my return is uncertain" are provided the Federal Only ballot style.

## QUESTIONS OF THE MONTH

### Q. Do the new straight party instructions go to the right of the party devices on the ballot?

A. If your county is using hand-counted paper ballots, then yes, the new straight party instructions would go to the right of the straight party devices. (IC 3-11-2-10(b)) For optical scan balloting systems and direct recording electronic voting systems, the new straight party instructions can go with the other instructions at the top OR between the public question (if, applicable) and the straight party section of the ballot. However, for opScan these new instructions MUST be printed on the ballot. Counties may NOT print and post them in the voting booth, for example. (IC 3-11-13-11(l)) For DREs, these Instructions may still be posted inside the voting booth. (IC 3-11-14-3.5(l)).

### Q. Anything else special to include in the instructions in a presidential election year?

A. Yes. Every ballot must contain a statement in the instructions found at the top of the ballot that a vote for the presidential ticket is a vote for the electors. See IC 3-10-4-3 for specific details.

### Q. Do voter fail-safes apply to absentee voters?

A. Yes. Voter fail-safes apply to an absentee voter in the same way it would apply to an Election Day voter. The only difference is the VRG 4/12 would be filed at the same time as their ABS application or during in-person absentee voting before signing an ePollbook.

### Q. What is the presidential only ballot?

A. This ballot is ONLY used for voters who moved out of the state of Indiana on or after October 5, 2020, and did not register to vote in their new state. Federal and state law allow this specific voter to return to their old state and vote for president only one last time at their old polling place (or by absentee ballot). The voter is to complete the VRG-15 form at the polling place or, if requesting an absentee ballot, the VRG-15 form should be filed with their ABS application. The voter is then given the presidential only ballot to complete and return to election officials. After the election, the voter's registration is cancelled, as authorized by VRG-15 form. NOTE: Please do NOT instruct your poll workers or absentee voter boards to use this ballot for voters who express interest in only voting for president. This is not the proper use for this ballot!