



Election Division Dispatch

Brad King & Angie Nussmeyer, Co-Directors | December 2018 & January 2019

NEWS & UPDATES

Don't Forget the CAN-5!

When a Democratic or Republican candidate files a CAN-42 to run in the primary election, counties must hand-deliver, email or mail the CAN-5 (Candidacy Filing Confirmation for 2019) no later than one day after receiving the candidate's filing. You can use the form found in the shared documents folder of the SVRS County Portal or use SVRS to generate the document after creating the candidate's profile in the system. Questions? Contact the Quest Help Desk or visit the online training portal for a step-by-step guide. (NOTE: The CAN-5 is not used when a candidate files a CAN-16, CAN-44, CAN-45, or CAN-51.)

CAN-16 & Publication Updates

A few sharp eyes caught an error on the CAN-16 form. Instead of the CAN-19 & CAN-20, independent and minor party candidates filing petitions and consent forms use the CAN-44 & CAN-45 in 2019. A new version of the CAN-16 has a revision number of (R20/12-18), and can be found on the INSVRS county portal or the election forms webpage. Candidates required to use the CAN-16 to run in a small town convention may use the CAN-16 (R19/6-18) or the CAN-16 (R20/12-18).

At the December conference, we were alerted to an error on page 129 of the blue *Election Administrator's Manual* about the rules regarding the expiration date of a person's photo ID. An ID that is current or expired since the date of the November 6, 2018, general election may be used if the other three criteria are met.

In the orange *2019 Town Election Guidebook* on page 16, it notes the CAN-16 may be filed through noon February 8, 2019. This is incorrect. The period for a Democratic, Libertarian, or Republican candidate to file a CAN-16 is January 9, 2019, through noon, August 1, 2019.

Both publications have been updated and are available on the Indiana Election Division's website. The printed manuals have not been corrected, so please make those edits, if you are able.

JANUARY WEB TRAINING

Jan 8 & Jan 10 & Jan 21 | New User Overview

Jan 9 & Jan 10 | Petition Set-Up

Jan 9 & Jan 14 | Election, Office & Candidate Set-Up

Jan 16 & Jan 22 | ePollbook Acceptance Testing

Dates are subject to change; check the 2019 INSVRS Training Schedule on the county portal to confirm.

CALENDAR

January 9, 2019:

Candidate Filing Begins

January 16, 2018 (noon):

2018 CFA Annual Report Due (PACs, Candidates)

January 21, 2019:

IED Closed

February 8, 2019 (noon):

Candidate Filing ends for Democratic & Republican Party primary (cities, "large" towns, and, if a primary ordinance was passed, some "small" towns)

February 11, 2019 (noon):

Deadline for Democratic or Republican candidate to withdraw from primary election (CAN-10)

February 15, 2019 (noon):

Deadline to file candidate challenge for primary election (CAN-1)

February 19, 2019

Deadline for counties to file the VRG-21 with the Election Division

February 28, 2019:

Deadline for CEB to determine the validity of challenged candidate running in a primary election

March 1, 2019:

Deadline for regular party committees to file 2018 Annual Report

April 8, 2019:

Statewide voter registration deadline for 2019 Primary Election

May 7, 2019:

Primary Election Day in Cities, "Large" Towns, and, if a primary ordinance was passed, some "Small" Towns

IN FOCUS: 2019 CANDIDATE FILING

CANDIDATE QUALIFICATIONS

County election administrators are not the candidate police! Candidates must be fully and properly advised before running for office.

The red *2019 Candidate Guide* is an invaluable resource for candidates to better understand the requirements to run for a specific office. Requirements to run may include, but are not limited to, residency, voter registration status, felony conviction restriction, and other considerations such as how government employment may impact their ability to assume office and retain their job.

CITY & "LARGE" TOWN OFFICES

Candidate filing in cities and "large" towns (those with a population of more than 3,500 as of the 2010 census) in 2019 is similar to the process used in 2018. However, the form names are different and the municipalities pay for their elections.

Democratic and Republican party candidate filing for the 2019 primary election started January 9, 2019, and ends at noon, February 8, 2019. These candidates use the CAN-42 and CAN-12 with the county clerk.

Libertarian candidates in cities and large towns are nominated by convention in order for their candidates to appear on the November ballot.

In a future newsletter we'll address how the parties fill ballot vacancies when no candidate files or a candidate withdraws from the November ballot.

"SMALL" TOWN OFFICES

For election purposes, a "small" town has a population of less than 3,500 as of the 2010 decennial census. By default, a "small" town does not hold a May primary election. Instead, the Democratic, Republican, and Libertarian candidates are nominated at a town convention held in August if there is a contest within a party for a nomination. The voters attending the

town party's nominating convention will decide which candidate will appear on the November ballot to face other party and independent candidates running for the same office.

Candidate filing for the town party convention began January 9, 2019, and ends at noon, August 1, 2019. The forms to file are the CAN-16 and the CAN-12, and are filed with the county clerk. The orange *2019 Town Election Guide* is the best resource to better understand the small town nominating convention process.

Some town councils in a "small" town adopted an ordinance by January 1, 2019, for the county election board to conduct a primary election for the Democratic and Republican parties. If so, the Democratic and Republican candidates file the CAN-42 and CAN-12, and the filing period is January 9, 2019, through noon, February 8, 2019.

Under this scenario where a small town has a primary election, the Libertarian party will have a town convention to nominate their candidates, if there is a contest for that party's nomination.

In a future newsletter we'll address ballot vacancies and what happens when a town council of a "small" town adopts an ordinance for a town election board to conduct the November election.

INDEPENDENT & MINOR PARTY CANDIDATES

An independent or minor party candidate gains ballot access through the petition process (CAN-44) in order for their name to be printed on the ballot. Candidates must collect signatures of registered voters in precincts contained in their election district totaling at least 2% of the total votes cast in the 2018 Secretary of State's election.

The CAN-44 may be filed as early as January 9, 2019, and no later than noon, July 1, 2019. The county voter

registration official certifies the individuals are registered voters of the election district. The candidate then files the CAN-45 consent and CAN-12 no later than noon, July 15, 2019, to qualify for the ballot.

To be a declared write-in candidate where the person's name is NOT printed on the ballot, a candidate must file the CAN-51 and CAN-12 earlier than January 9, 2019, and no later than noon, July 3, 2019.

STATEMENT OF ECONOMIC INTERESTS (CAN-12)

The CAN-12 is required of every person running for a local office in 2019. The candidate should fill it out looking through the lens of 2018, and this should be the year the candidate includes near the top of the black box where the "20__" appears. You must reject a candidate filing if a CAN-12 is not attached to the CAN-16, CAN-42, CAN-45, CAN-49, CAN-50, or CAN-51.

FOUR REASONS TO REJECT A CANDIDATE FILING

County election officials are not the "candidate police" and may **ONLY** reject a candidate filing for these **FOUR** reasons, specified in state statute:

- 1) Candidate running for state office (federal, statewide, state legislative, judge, prosecutor) presents candidate filing incorrectly to county (Doesn't apply in 2019). IC 3-5-4-1.2
- 2) Form filed after the noon, prevailing local time of candidate filing deadline. IC 3-5-4-1.9
- 3) Filing made on a form NOT approved by the state. IC 3-5-4-8
- 4) Declaration of candidacy is not accompanied by the required statement of economic interest (CAN-12). IC 3-8-2-11; 3-8-9-6

Once a filing has been accepted, it may not be rejected. A qualified individual may file a CAN-1 challenge to bring the matter before the county election board, however.

EAC SURVEY

After each even-numbered November general election, the U.S. Election Assistance Commission asks states for specific data related to the federal election. While much of the data can be pulled from SVRS, our office does need input from county election administrators.

Many thanks to those counties that have completed the EAC surveys. **The deadline to submit responses to the survey is January 18, 2019.** If you have questions, please be in touch with Tom White, who is managing the project for us, at Thomas.white@bakertilly.com.

VR CORNER

Voter Registration Records Retention

IC 3-7-33-8 requires a county VR official to maintain the **active** voter's current registration, assuming it's a paper record, in perpetuity. This now includes scanning the paper record and attaching it to the voter's information in SVRS.

If at any point the voter moves within or out of your jurisdiction, paper forms corresponding to the cancelled registration address must be 1) scanned in to SVRS and 2) retained for at least 24-months following the next general election. After this 24-month period, the county may destroy the paper document by following the proper protocols.

For example, Jane moves within Tipton County from Main Street to First Avenue, and submits the update on a VRG-7 on January 10, 2019. Tipton County must scan the new record with the First Avenue address into SVRS. The paper VRG-7 form with the old Main Street address must also be scanned and stored in SVRS, and it becomes eligible for destruction on or after November 4, 2022, or 24-months after the November 3, 2020, general election. (Before this change, the county would need to maintain both of Jane's records until her voter status moved to cancelled in Tipton County.)

Paper documents include, but are not limited to, the VRG-7, VRG-11, federal VR form, VR forms submitted by full-service agencies, and the "paper chaser" BMV VR form. There is no requirement to print online voter registration forms or electronic submissions from the BMV. However, if your county creates a paper record for the electronic submission, then you must follow the retention schedule as noted above for the printed copy of the electronic record.

CAMPAIGN FINANCE REMINDERS

If an elected office pays **\$5,000 or more** in a calendar year, then a candidate must file a CFA-1:

- 1) no later than noon, ten days after raising or spending more than \$100 toward running for office; or
- 2) after filing a declaration of candidacy (for example, CAN-16, CAN-42) or consent (for example, CAN-45), no later than noon, ten days after filing the declaration or no later than noon, seven days after the filing deadline, whichever comes sooner.

As an example, Sally files for mayor on January 9, and the office pays more than \$5,000 a year. She needs to file the CFA-1 no later than noon, ten days after January 9 to comply with state law. Michael files for mayor on February 8, which is the candidate filing deadline. He has to file his committee's CFA-1 no later than noon, seven days, since February 8 is the filing deadline for the May primary election.

If an elected office pays **less than \$5,000** a calendar year, then the candidate files a CFA-1 no later than noon, ten days after raising or spending more than \$500 toward running for office. For example, Martin files to run for dogcatcher on January 10, 2019. He spends \$750 on t-shirts on June 1. He has to file a CFA-1 no later than noon, ten days after the June 1st expenditure.

QUESTIONS OF THE MONTH

Q. When I enter candidate names into SVRS, do I use all CAPS or mixed case? And how do we change the office titles?

A. To ensure consistency on reporting documents and on indianavoters.com, mixed case is preferred when entering candidate names in SVRS. We also updated SVRS a few years ago to ensure all office names in the 92-counties aligned with the statutory name of the office. SOP "EM04.4. Naming Standards in SVRS" was created to share these naming standards with counties. If you need an office name change to confirm with state law, please reach out to the HAVA Administrator (HAVAadministrator@sos.in.gov), who will need to make it for you; however, the name change must align with the office naming standards.

Q. I have an independent candidate running for a town council district, but the district is smaller than one precinct. How do I compute the 2% signature requirement?

A. Our best advice is to calculate the 2% against the total votes cast for 2018 SOS in the whole precinct, even though the election district might be smaller than the precinct itself. As a reminder, if the resulting number is a fraction like 2.67, then you round down the signature requirement to 2.

SVRS RESOURCES FOR NEW STAFF

SVRS “Start-Up” Checklist

- Do you have access to SVRS (or at least know which staff have access)?
- Do you know your SVRS county admins?
- Do you know how to access to the SVRS county portal?
- If you are a token county, do you have all of the tokens your staff needs to access the system?
(NOTE: All counties will be required to use tokens in 2019)

Quest Help Desk

Don't know the answers to the checklist questions? Contact the Quest Help Desk:

PHONE: 888 467 8771 EMAIL: helpdesk@Questis.com

New User Training for SVRS

Quest has scheduled a third new user online training on January 21, 2019. This training lasts about 2-hours, and will walk through the key features of the statewide voter registration system. The 2019 web training calendar is also posted to the county portal. The webinars highlight key processes and walk through the step-by-steps training materials.

On-Site SVRS Training

Want a hands-on experience? Reach out to the Quest Help Desk and ask for a county authorization form, which is submitted to the state for review. Once approved, Quest staff will visit your office to provide on-site SVRS training to your team.

OTHER KEY RESOURCES

2019 Election Forms

Forms can be found in two places:

- 1) SVRS County Portal. County SVRS users can find the 2019 forms in the “Shared Documents” folder on the portal. This folder can also be downloaded in its entirety and saved to your work computer. If you need assistance in learning how the portal works, please contact the Quest Help desk.
- 2) Indiana Election Division website: <https://www.in.gov/sos/elections/4564.htm>. The web page is public facing, and can be a resource to your candidates and other public and party officials.

Brochures & Publications

Counties can order additional printed guidebooks by submitting an IEC-7 form with the required payment. Those same publications can be access through the Election Division’s website under the “Election Administrator’s Portal.”

“Election Day” Outreach Materials

Materials produced by the Help America Vote Administrator (HAVA) like the 2019 Election Day Handbook often used by poll workers, Military & Overseas Voters Guide, and other materials like the Voters’ Bill of Rights can be found on the Election Division’s website in the Help America Vote Act Outreach Library. Printed versions of these materials will be available to county election administrators this spring. Please be sure to reach out to Brandon Kline (HAVAadministrator@sos.in.gov) to place your order for the primary election!