



Election Division Dispatch

Brad King & Angie Nussmeyer, Co-Directors | January 2020

NEWS & UPDATES

2020 Forms

The Forms Master List and all 2020 forms can be found on the INSVRS County Portal, found under the “calendar and links” section of the site. The forms on the portal replace the forms disc formerly given out at past annual conferences, as you’ll find the word and .pdf versions of each form there. Additionally, you can find forms on forms.in.gov or the IED website (in.gov/sos/elections). These forms are fillable .pdf, but are locked down to avoid tampering by the public.

Don’t Forget the CAN-5!

When a candidate files to run for office, counties must hand-deliver or mail the CAN-5 (Candidacy Filing Confirmation for 2020) not later than one day after receiving the candidate’s filing. You can use the form found on the INSVRS 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.

INSVRS Proficiency Standards

To comply with changes to state law, all SVRS users must complete proficiency standards approved by the Secretary of State. VSTOP & the Secretary’s office sent emails out around the holidays about VRAPSA and how to log-in to Ball State’s CANVAS system. All county users are expected to take module A for cybersecurity awareness; all county officials with VR duties must also take modules B&C. These are “open book” tests, and the 10-page study guide is a great resource for those who are new to SVRS and need assistance.

2019 Annual Report

ALL open candidate and political action committees are required to file a 2019 Annual Report not later than noon, January 15, 2020. Regular party committees are the exception to this deadline; these committees have until noon, March 2, 2020, to file the annual report.

JANUARY WEB TRAINING

Jan. 2 | Petition Processing

Jan. 6 | Election, Office & Candidate Set-Up

Jan. 2 & 7 | New User Overview

Jan. 14 & 16 | Preparing for 2020 Primary

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

CALENDAR

December 31, 2019: FPCA 2019 ABS application requests expire

January 1, 2019: First day to accept FPCA to log request for 2020 ABS ballot

January 8, 2020: Candidate Filing Begins

January 15, 2020 (noon): 2019 Annual CFA Report Due (PAC, Candidates)

January 20, 2019: IED Closed

January 28, 2020 (noon): Deadline for D&R Presidential Candidates to file CAN-8 petition with county VR officials for review

January 31, 2020: Deadline to file IEC-22 with SOS, VSTOP

February 4, 2020 (noon): Deadline to file D&R Governor Candidates to file CAN-25 petition with county VR officials for review

February 7, 2020 (noon): Candidate Filing ends

February 10, 2020 (noon): Deadline for candidate to withdraw (except for Presidential candidates)

February 14, 2020 (noon): Deadline to file candidate challenge

February 18, 2020: Deadline for counties to file the VRG-21 with IED

February 21, 2020: Deadline for IED to certify list of federal, state candidates to counties

February 27, 2020: Deadline to determine the validity of challenged declaration of candidacy

March 2, 2020 (noon): Deadline for regular party committees to file 2019 Annual CFA Report

March 16, 2020: Deadline for counties to receive ABS-Mail ballots from printer

March 21, 2020: Deadline to mail ABS ballots to comply with MOVE Act

IN FOCUS: FOUR REASONS TO REJECT A CANDIDATE FILING

In a few short days, county election officials will have a steady stream of candidates visiting their offices to file paperwork to run for office. Every Democratic and Republican candidate running for local office in the primary election must file a CAN-12 statement of economic interest and a CAN-2 declaration of candidacy.

(A reminder that for this purpose, candidates for judge are not running for “local office.” It is a judicial office and these candidates must file their candidate paperwork with the Election Division. However, campaign finance filings made by judicial candidates are managed by the county election board.)

County election officials are not “candidate police” and may not reject

a candidate filing except for these **FOUR** reasons specified in statute:

- 1) Candidate running for state office (federal, statewide, state legislative, judge, prosecutor) presents candidate filing incorrectly to a county election administrator instead of the state. IC 3-5-4-1.2
- 2) Candidate forms filed after the noon (prevailing local time) 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

Some candidates may fail to include

required information on their filing or jot down the wrong precinct, for example. Only a registered voter of the election district or the county party chair may file a challenge (CAN-1) with the county clerk by the noon, February 14, 2020, deadline to question the inaccuracy of a form or the candidate’s qualifications to run for elected office.

The County Election Board must hold a hearing inviting the challenged candidate and the challenger to present the facts of the case. The Board will review the facts, apply the law, and determine if the candidate will remain on the ballot (or not).

For more information, please review the 2020 Indiana Candidate Guide.

VR CORNER

VRC Cards from 2019 Statewide VLM Mailing

Several counties have inquired what, if anything, can be done with the “late” voter response cards from the 2019 statewide VLM mailing. All of these individuals should be in “inactive” status, as the card was not received by the August 8, 2019, notice deadline. (This assumes the county performed its hopper work before the freeze period hit.)

Before reviewing these cards, please be sure vote history from the November 2019 election is applied. A person in “inactive” status who voted at their registration address in November 2019 is moved back to “active” status in SVRS.

Next, take a moment to review the voter response card. If the person marked oval 1 to confirm they reside at the registration address, signed the card, and did not vote in the November 2019 election or otherwise make an address update to their registration record, then the voter must be manually moved from “inactive” to “active” status.

If the person marked oval 3 to note a move within the county AND the person answered the age & citizenship questions AND signed the card AND did not otherwise update their registration, then you should update the person’s registration at their written request. This update will move their status to “active” after the 7-day “pending” period.

If the person marked oval 2 to request cancellation of their Indiana voter registration in writing AND signed the card, then their registration status should be manually moved to “cancelled.” However, it’s important that this document be signed by the voter and not any other person.

QUESTIONS OF THE MONTH

Q. I’m the elected Clerk and plan to run for re-election or for another office in 2020. What, if any, special steps do I need to take to manage elections?

A. The only restriction you should be concerned about relates to absentee ballots. A county clerk running for re-election or another office on the ballot may not print their signature on the absentee ballot and must use the generic county seal on it. (Your county’s generic seal can be found on the SVRS county portal in the “Shared Documents” folder.) State law does not require the clerk’s signature or county seal be printed on election day ballots, but if the county does so, then it’s our best advice to apply the same ballot printing rule.

Q. Do candidates for U.S. House need to collect petition signatures?

It depends. Democratic, Libertarian, and Republican candidates do not, but Independent and minor party candidates who want their names printed on the ballot do. The independent and minor party candidates must collect signatures of registered voters within their Congressional district totaling 2% of ALL votes cast in the 2018 Secretary of State’s race.

Q. Does a Republican running for precinct committee-man need to file a separate CAN-37 to run for state convention delegate?

A. Yes. Because she is running for two different party offices, a Republican who wants to seek both positions must file two separate CAN-37 forms—one for each office.

State Convention Delegates

In 2020, the Democratic and Republican parties will have state convention delegates on the primary election ballot for their party office elections. (The Republican Party will also have precinct committeemen on the ballot in 2020; the Democratic Party will have PCs on the ballot in 2022.)

State law requires the state party chairs to file with IED the number of delegates to be elected in each county and how the county will elect their delegates, either at-large or by district. The plans from the state parties can be found under "Candidate Information" on the in.gov/sos/elections website.

At-large means the voter will vote for no more than the number of elected delegates in the filed plan. However, if the county chair wants to elect delegates by district, then the chair must file not later than December 31, 2019, a description of each district and the number of delegates to be elected from each district.

State law does not address how the districts are to be created; they can change every two years if the chair decides electing delegates by district is the way to go. BUT, if the chair fails to file their district

description by this deadline, the county election board must create the districts not later than the day candidate filing opens, or January 8, 2020.

County users may need to revisit the election set-up in SVRS to confirm the delegate districts are set up appropriately. If they are not, please submit a county authorization request to ensure those offices are created in time for candidate filing.

Creating the delegate offices and ensuring their accuracy will be important not just for producing the CAN-5 notice, but also to file post-primary paperwork since counties are now required to file the CEB-9 and other certified election results through SVRS. This includes a complete list of elected delegates with their name, address, and Congressional District, which is gathered through data entered by the county.

Finally, uncontested precinct committeemen and delegates are not required to be printed on the ballot UNLESS the appointed Democratic or Republican member of the CEB files, in writing, a request that the names of uncontested candidates for party offices be printed on the ballot. The deadline to file such a request is noon, local prevailing time, February 14, 2020. (IC 3-10-1-5)

Petition Review Reminders

Counties should expect 2020 to be a heavy petition filing year. You have a few options if you need a quick refresher before candidate filing begins. The purple VR guidebook includes a section on petition processing. Additionally, PCC hosted an online webinar to cover petition set-up, and the "Petition Processing" PowerPoint from the December conference will be on the IED website under "Election Administrator's Portal" soon.

Here are a few reminders based on questions our office is fielding from your colleagues:

- IC 3-5-6, generally, is the chapter in Indiana Code that sets forth the standards to certifying documents signed by registered voters, including substantial and minor variation in a person's name or address. Remember, IC 3-5-6-2 notes that resolution of reasonable doubt is to be in favor the registered voter.
- A person's residence address on the petition must conform to their registration address at the time the petition is processed by county VR officials. Substantial and minor variations in address are covered in IC 3-5-6-4 and IC 3-5-6-5.
- The master petition in SVRS for state and federal candidates will need to be set up by the HAVA administrator. When you get a petition and don't find it in SVRS, please email HAVAadministrator@sos.in.gov and Brandon Kline will get the office set up as soon as possible. (Have a local minor party or independent candidate file? If so, then the county user sets up the master petition.)
- With one exception related to school board offices, the county VR official may only review signatures of voters within their county.
- Please do NOT forget to complete the certification on the back of each candidate form. It's also important that the number of signatures out of each Congressional district be noted on the front and back of the form in the spaces provided. (The petitions filed with IED are the official count of signatures, not SVRS, so the county's certification plays a vital role in this process!)
- Please try not to mark through a signature line on the petition, if the signature is rejected. The Indiana Election Commission may need to review the forms if a challenge is filed, and marking through a name may prevent the commissioners from performing their due diligence.
- Petitions may be mailed to the county VR office for review and certification. However, you must receive and file stamp the petition form by the stated deadline. Any petition received after the noon deadline, even if it's postmarked before, must be rejected.
- Make sure the petition is on the current version of the form. You can find the Forms Master List in the INSVRS portal, which will note the current version of the form.
- Before a petition filer leaves the office, take a moment to review the affidavit of petition carrier. If the requested information of the petition carrier is missing or incomplete, the county VR official may not process the petition. BUT, the county VR official must attempt to reach out to the petition carrier to alert them of their omission. The person has until the filing deadline (noon, Jan. 28, 2020 for US Presidential candidates; noon, February 4, 2020 for Governor candidates) to correct the error. Failure to perfect the petition carrier affidavit by this deadline will result in the petition being rejected by the county VR official.

Publication Reminders

HAVA Publications

It's that time of year! Online ordering for the 2020 Election Publications (Election Day Handbook, Military and Overseas Voters Guide, Election Day posters, etc) is underway. These are provided by the state, free of charge.

These orders are only for the May primary. We'll place orders for the November General over the summer. There is a limit of 500 per publication. If more of any publication is needed, just let Brandon Kline know that an exception is being requested.

Please place your orders by the end of business on Friday, January 17, 2020. The publications will be delivered to you in early February. Let Brandon know if you have any questions or need help placing your order. You can reach him at brkline@sos.in.gov or at 317-234-8354.

Order link for HAVA publications: https://indianasecretaryofstate.formstack.com/forms/2020_election_publications_order_form

IED Publications

Need more code books, campaign finance manuals, candidate guides, or other guides produced by the Indiana Election Division? Counties may purchase additional materials by submitting an IEC-7 to Kimmy Hollowell-Williams at khollowell@iec.in.gov or sending a fax to (317) 233-6793. The books will be shipped to you once payment is received.

Candidate Resources

The "Candidate Information" tab of the IED website (in.gov/sos/elections) includes forms and publications for candidate's to use. Additionally, candidates and campaigns are encouraged to review the "Cybersecurity Playbook" published by the Belfer Center to help secure their IT systems.

Upcoming VLM Projects

County voter registration officials will have access to at least two pieces of information from other county officials to assist with voter list maintenance at the end of January.

At minimum, the county sheriff must file on a quarterly basis a list of each Indiana resident who has been convicted of a crime and placed in a county correctional facility during the previous quarter. The first list for 2020 is due to the county VR official not later than January 31, 2020. The VRG-1 cover sheet is to be attached to any list provided to the county from the sheriff's office.

Using the sheriff's list, the county VR official may move a person's registration status to "cancelled" if the person is currently imprisoned following conviction of a crime. If the individual is no longer imprisoned, then the person's registration is not to be moved to "cancelled" status. (IC 3-7-46-6; IC 3-7-46-1)

Additionally, the local health department files a copy of death records with the county Auditor pursuant to IC 16-37-3-9(d). Counties may request this list from the auditor and use it to move a registered voter's status to "cancelled" as the individual is certified as deceased. (IC 3-7-45-2.1(d); IC 3-7-45-1)

Later this spring counties will be hearing from IED about a project using data from the U.S. Northern and Southern District Courts. Stay tuned!

Annual Voting Systems & ePB Inventory Updates Due Jan. 31!

Each year county election boards must certify to SOS that the inventory the county enters and maintains in the VSTOP voting system inventory database is accurate. This review must be completed not later than January 31, 2020, which is the deadline to file the IEC-22 with the SOS office. Please send a signed copy to Brandon Kline—brkline@sos.in.gov—and, if possible, copy VSTOP@bsu.edu on the email.

If you have questions about the VSTOP inventory database, please email VSTOP@bsu.edu. Their team can assist counties with logging in to the system.