



Election Division Dispatch

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NEWS & UPDATES

Public Test of Voting Systems

Counties must begin the public test of voting systems not later than May 26, 2020. (The deadline is impacted by IEC Order 2020-40 and the Memorial Day holiday.) Please do not forget to file the IEC-9 (DRE) and IEC-10 (optical scan) when the test is completed. All counties will have an IEC-10 to file; counties using a DRE voting system are also required to file the IEC-9.

Candidate Lists & Polling Location Notices

Don't forget to publish the CAN-9 notice of the primary election in the newspaper at least 10-days before the June 2, 2020, election. A copy of the CAN-9 is to be filed with IED, too.

For non-vote center counties, the county election board must publish a list on polling locations not later than 10-days before the election. (IC 3-11-8-3.2) The county commissioners are required to publish notice in vote center counties at least 10-days before the election. (IC 3-11-18.1-9)

VR CORNER

Statewide VR Deadline Reminder

Monday, May 4, 2020, is the VR deadline for the June 2, 2020, primary election. As noted in the purple VR *Guidebook*:

1/ Voter registration forms are to be hand-delivered not later than the time your local VR office closes on Monday, May 4, 2020.

2/ If mailed, the envelope must be postmarked on or before May 4, 2020, for the county to review and process the application—even if it's received on June 1! If the postmark on the envelope containing the VR application is missing or illegible, then the county may process it if received by May 11, 2020.

3/ If received through INSVRS (i.e. BMV, OVR), then the date/time stamp must be before 11:59PM (local prevailing time), Monday, May 4, 2020. A reminder the time/date stamp in INSVRS is now reflective of your county's time zone.

MAY WEB TRAINING

May 12 & 14 | ENR Data Entry

May 19 & 21 | COE Processing

May 26 & 28 | Precinct Results Upload

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

CALENDAR

- May 8, 2020** Pre-Primary Campaign Finance filing period ends
- May 9, 2020** CFA-11 "Large Contribution" Supplemental Period begins for candidate committees
- May 12, 2020 (NOON)** Deadline for D&R chairs to nominate poll workers for the primary; after 12P local time, the CEB may begin filling vacancies (IC 3-6-6-10)
- May 14, 2020** Travel Board begins
- May 15, 2020 (NOON)** Pre-Primary CFA-4 Campaign Finance Report due for all candidate committees, PACs & regular party committees
- May 23, 2020** Deadline to publish polling place list, CAN-9 in newspaper
- May 25, 2020** Memorial Day; IED Closed
- May 26, 2020** Deadline to begin public test of voting systems
- May 26, 2020** First day of in-person early voting
- May 30, 2020** All counties must be open for in-person early voting; vote center counties must have the clerk's office AND one vote center used on Election Day open
- May 30, 2020** CFA-11 "Large Contribution" Supplemental filing period ends
- June 1, 2020 (NOON)** In-Person early voting ends
- June 2, 2020** Primary Election Day
- June 12, 2020 (3PM)** Deadline to certify primary election results
- June 30, 2020 (NOON)** Deadline to hold a caucus or make an appointment to fill a local office ballot vacancy where no D/R candidate ran in the primary

IN FOCUS: Election Day Poll Workers & Central Count Teams

County chairs are responsible for recruiting Election Day central count team members and poll workers. The deadline for the CEB to notify the chairs of the number of Election Day central count team members needed and the chair to nominate has passed.

Non-vote center AND vote center counties should have an Inspector and two judges (one Democrat and one Republican) working at each site. These three poll workers make up the precinct election board and make decisions on certain issues arising at the polling place.

In addition to having at least one precinct election board, vote center counties have additional support staff as outlined in the county's vote center plan. Non-vote center counties may also have poll clerks and sheriffs, one from each political party, and possibly assistant poll clerks, if a resolution is passed by the county election board.

Don't forget—vote center and non-vote center counties are able to have fewer workers, though one precinct board per location should be the baseline. Vote center counties can amend their plan to have fewer workers, though that plan has to be unanimously approved by the CEB. Non-vote center counties can turn to IC 3-11-8-4.3 to consolidate precinct boards; IC 3-6-6-38 to eliminate poll clerks or sheriffs; and IC 3-6-6-38.5 to allow one inspector to serve at the entire location.

The county chairs can nominate individuals to fill a poll worker positions until NOON (local prevailing time), Tuesday, May 12, 2020. After noon, the CEB is authorized to fill poll worker vacancies if the county chair fails to fill the positions. This deadline applies to vote center and non-vote

center counties.

Requirements to Serve as a Poll Worker or Central Count Team Member

Generally speaking, a voter of the county may serve as an Election Day poll worker or central count team member. For the June 2, 2020, IEC Order 40 relaxed this rule and will allow for any person who is registered to vote in Indiana to be nominated and appointed to be a poll worker. IC 3-6-6-7 sets forth the poll worker requirements; IC 3-11.5-4-22 sets for the central count team requirements. However, there are a few exceptions to this rule:

- An unopposed candidate for state convention delegate or precinct committeeman may serve as a poll worker or central count team member, even if their name appears on the ballot.

- In non-vote center counties, opposed candidates for state convention delegate or precinct committeeman may be appointed to serve in precincts where their name does not appear in the ballot. (See note below for vote center counties.)

- Candidates (opposed or unopposed) for local, state, and federal office may not serve as a poll worker in the precinct where their name appears on the ballot. In non-vote center counties, it is possible to reassign a candidate to a precinct outside of their election district to work on Election Day. Because a voter can vote anywhere in a vote center county, it is not possible to reassign a candidate to another precinct to serve on Election Day.

- Candidates may not serve as an Election Day central count team member, unless the candidate is

running for a non-county wide office and is assigned absentee work that avoids the precincts where the candidate's name appears on the ballot or is an unopposed candidate for delegate or PC. (IC 3-11-10-36(d); IC 3-11.5-4-22(d))

- Family members of candidates, as defined in IC 3-6-6-7, IC 3-11-10-36, and IC 3-11.5-4-22, generally may not serve as a poll worker or absentee voter board member, unless the candidate is unopposed on the ballot where their name appears. (IC 3-6-6-7 (a)(4); IC 3-11-10-36(c)(4); IC 3-11.5-4-22(c)(4))

Poll workers and central count team members must also be able to read, write, and speak the English language and cannot have any property bet or wagered on the result of the election. Individuals nominated to serve as Inspector must attend training, and may not be the chair or treasurer of a candidate's committee where the candidate appears on the ballot.

16 and 17 year old nonvoters may be appointed to serve as a poll worker (other than inspector) if allowed by a unanimous vote of the CEB. The 16 or 17 year old must be:

- a U.S. citizen and resident of the county;
- has a 3.0 out of 4.0 GPA;
- has written permission to serve from a parent or guardian; and
- meet all other poll worker qualifications and attends required training.

State law also allows a 16- or 17-year old to be a central count team member. (IC 3-11.5-4-23(d)) As a reminder, IEC Order 37 waived the requirement that the student's school principal has to give written approval if the school is not in session on primary election day.

ABS Election Day Troubleshooting

Did the voter complete their absentee ballot?

If yes, bring the completed ballot, which is sealed in their signed security envelope, to the county election board's central location by noon on Election Day for it to be processed and counted. (IC 3-11.5-4-3)

IEC Order 2020-37 allows for caregivers, family members, members of the immediate household, attorney-in-fact, USPS, or a bonded courier to deliver a completed ballot in the primary election. If it's not the voter, USPS, or a bonded courier returning the completed ballot, don't forget to provide the individual with the ABS-19 form.

Did the voter decide to not complete the absentee ballot?

A voter can bring the ballot to their Election Day polling place; surrender it to the Inspector, who will spoil the ballot and issue a regular ballot to the voter, if otherwise eligible. The absentee ballot **MUST** be surrendered, or else the voter will only be able to vote provisionally. (IC 3-11.5-4-18)

Did the voter not receive their absentee ballot?

The voter is to complete the PRE-5 affidavit at the polling place, which affirms the voter did not receive the ballot issued to them. After completing the affidavit, the voter may vote a regular ballot if otherwise eligible. (IC 3-11.5-4-18)

Was the voter's absentee ballot rejected or delivered after noon on Election Day?

The voter may appear before the CEB not later than 5PM (local prevailing time) on Election Day, and request an ABS-21. The ABS-21 will allow the voter to go to their Election Day polling location and vote a regular ballot before the polls close, if the voter is otherwise eligible. (IC 3-11.5-4-13 & 3-11.5-4-21)

While not required the CEB may inform a voter when their absentee ballot has been rejected and how they can cast a ballot on election day so long as the CEB does so in a uniform and nondiscriminatory way. Essentially if the CEB informs one voter, they must inform all similarly situated voters.

QUESTIONS OF THE MONTH

Q. Do the voter fail safe procedures apply to absentee voters?

A. Yes. An absentee application can serve as a voter registration document, even after the statewide voter registration deadline, for voters who move within their precinct **ONLY**. Voters who qualify for a voter fail safe and are able to vote in their old precinct one last time, the VRG 4/12 may be used but it should be filed at the same time as their absentee application. IC 3-11-10-4(a)(3). Counties should follow the "when did the voter move and where did the voter move" analysis found in the purple *2020 VR guidebook* in the appendix.

Q. Can we begin counting absentee ballots on Election Day at 6AM?

Under IEC Order 37, all counties may begin counting absentee ballots at 6AM for the June 2, 2020 election, but this order does not cover the November election. Counties will need to follow current state law, which is detailed in IC 3-11.5-4-11. Essentially, vote center counties or non-vote center counties using an ePb can begin counting at 6AM on Election Day, if the CEB unanimously agrees to it and the absentee voter data is pushed to ePBs not later than 12:01A on election day. Of course, counties may have absentee ballots delivered up until noon on Election Day, and the additional data would be pushed out to the polling sites as those ballots are received.

Q. Do we go to the post office on election day?

A. Yes. State law requires the clerk or her designee to go to the local post office at noon to confirm all ballots have been delivered. (IC 3-11.5-4-7)

Q. Has the deadline changed for the two major parties to fill ballot vacancies where no one ran in the primary? Or for minor party/independent candidates/Libertarian candidates to file for the November election?

No. Please see revised *2020 Calendar: Election Administrator's Guide* on the website.