



# Election Division Dispatch

Brad King & Angie Nussmeyer, Co-Directors | May 2026

## NEWS & UPDATES

### College Students & Photo ID

In mid-April there was some back and forth in the courts about whether a photo ID issued by a state college or university could be used for voting purposes. As a reminder, the federal Seventh Circuit Court of Appeals stayed a lower court's decision, meaning the current law is again in effect. This means a photo ID issued by a state college or university cannot be used for photo ID purposes to cast a ballot in-person.

This court decision does not impact the other parts of our state's photo ID law. To vote in person, an individual must present a valid photo ID issued by the state of Indiana or federal government where the ID includes a photo of the voter along with a name that conforms to their voter registration name. With exceptions for certain military IDs or those IDs issued by a Native American tribe or band recognized by the United States, the ID must be current or expired since the November 5, 2024, general election.

A reminder that state law prevents the challenge of a college student based on where they are registered to vote, as state law permits a college student to be registered to vote at home or at school.

### Primary Election—Party Affiliation Challenge

In primary elections only, a registered voter of the county may challenge another voter, if it is believed the voter does not affiliate with the party whose ballot the voter selected. The challenger would complete the PRE-6 affidavit, which all of your poll workers should have in their Election Day materials.

The voter can overcome the challenge, and vote a regular ballot if otherwise qualified, if the voter completes their portion of the affidavit which confirms one of the following choices:

- 1/ At the last general (November 2024) election, I voted for a majority of the nominees of the party the voter selected to vote in the primary election; OR
- 2/ I did not vote at the last general election, but I intend to vote at the next election (November 2026) for a majority of the regular nominees of the party the voter selected to vote in the primary election.

If the voter cannot select either option then they cannot vote on that party's ballot.

### ABS-18A & ABS-18B Affidavits

Don't forget! An absentee voter with a missing or mismatched signature may return their ABS-18A or ABS-18B affidavit to the Inspector at an Election Day site. The voter may also fax, email, hand-deliver, or mail the affidavit to the CEB so that is received by noon, May 13, 2026.

### ePollbook Reminders

- State law now requires the voter and **not** the ABS board or poll worker to select the voter's choice of party in the primary. Once this decision is made by the voter, they can no longer change their mind or request the other party's ballot. (This is also true for the voter's ballot selection on absentee applications!)
- Voters who qualify for any fail safe noted in the VR Guidebook must use the VRG 4/12 to serve as their oral or written affidavit. Please be sure your election officials review the paperwork for completeness. ABS Board members & poll workers do have notarial powers when serving in these roles, and it's important the notary section is completed.
- Be sure you have a procedure in place for an absentee voter who completes the PRE-5 (never received their ballot) or surrenders their ABS ballot to the Inspector at an Election Day voting site to allow for the voter to vote a regular ballot. Since final voter record data is pushed to ePollbooks before the polls open, these voters will be flagged as an absentee voter. The voter must still be able to sign a poll list, which may need to be a separate sheet of paper or other documentation created by the CEB.

## CALENDAR

**May 2, 2026:** Second of TWO Saturdays early voting must be offered at the clerk's office designated by the clerk or satellite office (All vote center counties must also have one additional vote center used on Election Day open for early voting.)

**May 2, 2026:** Earliest the central count of absentees may begin under IC 3-11.5-4-11.5

**May 2/3, 2026:** Inspector supply pick-up weekend, where inspector or other member of CEB authorized in writing may pick up ballots and election supplies, including a sealed ePollbook, for the Inspector's precinct or vote center

**May 4, 2026:** Multiple deadlines including the noon deadline for early voting or to receive a travel board application or a FPCA to vote by email or fax.

**May 5, 2026: Election Day!** Polls open from 6 am to 6 pm local prevailing time; most ABS ballots must be received by 6PM Election Day (see related entry on May 15, 2026)

**May 7, 2026:** Deadline for CEB to send ABS-18A/18B to a voter identified on Election Day to having a missing or mismatched signature on their ABS ballot-ing materials

**May 8, 2026:** First day the D/R parties can fill a ballot vacancy for November ballot

**May 13, 2026 (NOON):** Deadline for ABS voter to return ABS-18A, ABS-18B to cure mismatched or missing signature

**May 15, 2026 (NOON):** Deadline to receive an ABS ballot issued to an overseas or overseas military ballot by mail, which must be counted if the envelope is postmarked on or before May 5, 2026 (Faxed or emailed ballots must be received by 6PM on Election Day)

**May 15, 2026 (NOON):** Deadline for a provisional ballot voter with ID issues to bring their ID to the CEB or sign an affidavit the voter is indigent or has a religious objection regarding having their photo taken for an ID

**May 15, 2026 (3PM):** Deadline for CEB to count valid provisional ballots

**May 18, 2026 (NOON):** Deadline for CEB to certify office-level election results to IED; must be done in SVRS

**May 19, 2026 (NOON):** Deadline for CEB to file CEB-9 and final, certified precinct level results; must be done in SVRS

**May 19, 2026 (NOON):** Deadline for candidate to file recount/contest action following primary election

**May 19, 2026:** Voter Registration re-opens; first day an ABS app can be filed for November election

**May 19, 2026:** First day a candidate for school board can file a CAN-34 petition to appear on the ballot in November

**May 22, 2026 (NOON):** Deadline for state or county party chair to file recount/contest action following the primary election (Note: earliest a state or county chair, candidate, or voter in a precinct can file a recount or contest action against a federal, statewide, or state legislative candidate is noon, May 15, 2026; this "start date" does not apply to local offices that file with county.)

**May 25, 2026:** IED Closed (Memorial Day)

## MAY 2026 WEB TRAINING

**May 7 |** Post Election Processing

**May 12 & 14 |** CEB Form Generation Overview

**May 19 & 21 |** Petitions Overview

**May 26 & 28 |** Election, Office, Candidate & Referendum Setup  
*2026 Calendar is posted to the INSVRS County Portal and subject to change.*

## "HAPPY TRAILS TO YOU... UNTIL WE MEET AGAIN!"

My final full day at the Indiana Election Division will be on Tuesday, May 5, 2026 (with my official departure being at 8 am the following morning). I have thoroughly enjoyed serving counties, candidates, officeholders, interested voters (and of course, future voters!) as the Republican Co-Director of this office since February 2002.

I certainly treasure many wonderful memories of traveling to visit with you at meetings at beautiful and historic locations across Indiana. My first Circuit Court Clerk's election conference, which I attended as a guest speaker of the old State Election Board, was in 1987 at the OLD Weir Cook Airport terminal building as the Legislative Services Agency attorney assigned to the House and Senate Elections Committees.

The entire election code has just been recodified by LSA shortly after I

joined state government in 1985, and so many were struggling to "find that law" in the new Title 3. This meeting was my introduction to the small army of dedicated circuit court clerks, their deputies and election employees, county election board members, and many of their support staff who (somehow) "make Election Day happen" at least a couple of times in most years, and deserve more thanks than I can adequately convey.

Our offices, our laws, and our staff have changed in amazing ways since that meeting at the old Weir Cook terminal, but one thing remains constant: the dedication that you bring to election administration on behalf of your voters and citizens. I am confident that the future will bring new challenges, but that as a community, Indiana will continue to bring its uniquely Hoosier style and customs to find new ways to continue this important work for the next 250 years! - Brad King

## IN FOCUS: Libertarian & Minor Party, Independent & School Board Candidate Filings

### Libertarian Candidates

The Libertarian Party of Indiana generally nominates their candidates for federal, state, and local offices at a state or county convention. Instead of filing declarations of candidacy with the CEB, the LPIN state chair and secretary will certify the Party's nominees to the CEB using the CAN-22 certificate of nomination along with the candidate's CAN-12 statement of economic interests. If held, the LPIN county convention must be held not later than noon, July 3, 2026, and paperwork filed with the CEB not later than noon, July 6, 2026.

Should the LPIN not nominate candidates for all offices on the ballot in November, the party may fill its ballot vacancies not later than noon, July 3, 2026. The LPIN chair will file notice with the CEB of their party's intent to fill a ballot vacancy for local office, which must be filed not later than ten days before the ballot vacancy can be filled. No state form is prescribed for this notice; a list of offices on letterhead signed by the chair is sufficient.

If ballot vacancies are filled by LPIN, the CAN-32 and CAN-12 must then be filed with the CEB not later than noon, July 6, 2026.

### Independent & Minor Party Candidates

Independent and minor parties have two ballot access methods—through the petition process or to be a write-in candidate.

If an independent or minor party candidate wants their name printed on the ballot, then they must go through the petition process. Beginning January 7, 2026, candidates may file petition signatures using the CAN-19 or CAN-21 forms with the county VR office. The CAN-21 is used for local offices; the CAN-19 is used for federal, state, state legislative, and judicial offices, including prosecuting attorney.

To gain ballot access for the candidate's name to be printed on the ballot, the candidate must collect signatures totaling at least 2% of the total votes cast in the 2022 Secretary of State race in the precincts making up the election district. This means county election officials will need to pull out the Nov. 2022 precinct level results and calculate the signature threshold for local offices using the current office boundaries. (Countywide totals can be found in the back of the *2026 Candidate Guide*.) State legislative or federal candidates must contact IED.

CAN-19 or CAN-21 petitions must be filed with the county VR official by noon, June 30, 2026, for the county review and certification. If seeking a local office, the candidate must also submit their CAN-12 with the first petition filed with the clerk's office. However, a few counties have a separate VR office, so the CAN-12 is filed with the certified petitions when those are filed with the county clerk or election board. The CAN-20 consent form must be filed with the certified petitions by noon, July 15, 2026.

The county clerk must send by certified mail a letter to the candidate if the individual does NOT achieve the signature threshold for ballot access. If the candidate did collect enough signatures, then counties will send the candidate a CAN-5.

Some individuals want to be a write-in candidate. **WRITE-IN CANDIDATES ARE NOT PRINTED ON THE BALLOT!** The CAN-3 form may be submitted from January 7 through noon, July 6, 2026. For local offices, the CAN-12 must be filed with the CAN-3.

### School Board Candidates

Candidates for school board may file the CAN-34 petition and consent along with a CAN-12 beginning May 19, 2026, and not later than noon, June 18, 2026. There is no separate declaration of candidacy; instead, the consent of the candidate found on the back of the CAN-34 is used for this purpose. A candidate can file multiple CAN-34 forms, but only one needs to have a consent completed.

Recent changes to state law permit a school board candidate to affiliate with a political party, to be an Independent candidate, or leave the affiliation blank. There is no cap on how many candidates can affiliate with a political party, even in vote for one races.

For the petition signatures, most school board candidates will need to collect at least ten signatures of registered voters within the school corporation's boundaries. However, exceptions exist if the district is single member or subject to special legislation.

Additionally, some school corporation boundaries cross into more than one county. In these instances, the county with the largest population receives the CAN-34 & CAN-12, and then certifies the signatures on the petition. This means the larger county will use a statewide search to certify names in other counties. This process, where another county certifies another county's voters, is unique to the CAN-34.

Note: IED gave a presentation to the Indiana School Board Association (ISBA) earlier this spring, which can be found on the "Election Administrator's Portal" on [in.gov/sos/elections](http://in.gov/sos/elections).

### "Small" Town Offices

In even-numbered years, towns with a population of less than 3,500 are required to nominate their D & R candidates using the primary election procedures. However, the Libertarian Party can continue to nominate their candidates for "small town" offices using the town convention model. This requires a L candidate to file the CAN-16 and CAN-12 with the CEB not later than noon, Aug. 3, 2026.

If none of the offices for that particular party is contested, then no convention is held. If an office is contested within the political party, then the party will host a town convention. There are specific procedures to follow, and the CEB/clerk will need to provide info to the L party to conduct their convention properly. The 2026 Election Administrator's Manual covers this topic, though please reach out to IED if you need assistance. This type of nomination will be more common in 2027, our municipal election year.

### Petition Processing Reminders

The *2026 Voter Registration Guidebook* has an entire chapter on how to process candidate petitions.

The most frequently asked question is whether the voter's address on the petition needs to match with their registration address at the time the petition is processed. The answer is yes, the addresses need to conform. Counties can overlook minor variations, but need to take a closer look at substantial variations that may result in a rejected signature.

Please do your best to accurately confirm (or reject) petition signatures on the front page, using the Y/N checkbox on the form. (Avoid crossing through signatures in case of a challenge.)

The date of birth of the person signing the petition is NOT a required field. This would then not be a reason to reject a voter's signature if the information is missing or inaccurate.

The certification on the back of the petition is the most critical piece of information, as it is the official record of the number of signatures the county certified. Please make sure that box is completed on each document!

## D&R Ballot Vacancies

If a D or R did not file to run for an office in the primary election, the parties may fill those ballot vacancies not later than noon, July 3, 2026. Two options exist for filling a local office ballot vacancy under IC 3-13-1:

**1/ Direct appointment by the chair or central committee.** The party organization may authorize direct appointment authority to fill a ballot vacancy by the chair or central committee by passing a resolution or adopting a motion at a party meeting. There is no special state form and state law does not provide direction on what needs to be in the resolution with one exception: it must expire on the date of the primary election where the party elects its PCs. For the Ds, that is May 5, 2026; for the Rs, that is May 2, 2028. This means the resolution cannot exceed a 4 year period, but the party can opt for a shorter time frame in their resolution. Direct appointments to fill a ballot vacancy where no D/R ran in the primary must be made by noon, July 3, 2026. Paperwork (CAN-31, CAN-12, CAN-29 + copy of resolution/meeting minutes) must be filed not later than noon, July 6, 2026.

**2/ By holding a caucus of eligible PCs.** The caucus must be held not later than noon, July 3, 2026, to fill a ballot vacancy where no D/R candidate filed to run in the primary election. The CAN-30 notice to eligible PCs must be sent via first class mail not later than 10-days before the caucus is held AND the same notice must be filed with the county clerk not later than noon, 10-days before the caucus. The next step is for the candidate to file their CAN-31 declaration with the chair of the caucus AND with the county clerk not later than 72-hours before the caucus is held. (At this stage, the CAN-12 is not required.) After the caucus is held, the CAN-29 selection paperwork and the CAN-12 statement of economic interests must be filed with the county election board by noon, July 6, 2026. More information on this topic can be found in the *2026 Election Administrator's Manual*.

Alternatively, if a D/R candidate nominated at the primary election files a CAN-24 to withdraw from the November election between primary election day and Oct. 3, 2026 (the end of the "early ballot" vacancy period outlined in IC 3-13-1), the party has 30-days from the date the CAN-24 was filed to fill the vacancy and must file any remaining paperwork by noon, three days after the vacancy was filled.

*Note: Local offices include judicial office and prosecuting attorney; however, the paperwork noted in #1 and #2 for these two offices is filed with IED AND NOT with the county clerk. (These candidates must also file the court's version of the statement of economic interests—not the CAN-12—at the time their CAN-29 is filed with IED. State legislative vacancies are managed by state parties and filed with IED.*

## VR CORNER

### US District Court Data Project

After the primary election, the Indiana Election Division will be distributing information related to this voter list maintenance project, which centers on data provided by the Northern and Southern District Courts in cases where a jury notice was returned to the court.

State law (IC 3-7-38.2-16) requires county VR officials to send a SAMC mailer to those individuals on this list. However, our agency advises counties to first review the voters whose status shows "deceased" to confirm if that information has already been shared with you through hoppers or information gathered by your agency. If not, you may use the tools found in state law to confirm the person has passed, such as finding an obituary or estate notice, before sending the SAMC.

IED is working through the final timeline to share with counties. However, counties should expect data in mid-May soon after the primary election with training to follow. State law requires counties to complete this specific VLM project and send a SAMC to individuals noted on the list not later than June 16, 2026. More information to come!

## QUESTIONS OF THE MONTH

**Q. Do we process voters in line when our early voting sites close each day?**  
A. Yes. If there are voters in line waiting to vote early at the clerk's office or other satellite location, then those individuals are to be processed and receive an absentee ballot, if otherwise eligible. Much like Election Day, the absentee voter board will write down the names of all persons waiting in line, OR stamp the hand of each individual, OR put a staff person at the end of the line to mark it. (IC 3-11-10-29.2)

**Q. How do we remake a faxed or emailed ballot on election day?**  
A. When a county receives an absentee ballot returned by fax or email, the paper ballot is stored in the ABS-10B envelope and the county should include the voter's name on the envelope and attach the ABS-9 (military & overseas) or ABS-25 (VPD) secrecy waiver to the envelope. On election day, a bi-partisan remake team will use a blank ballot card for the voter's precinct and add their initials to it. The faxed/emailed ballot should be given a randomized serial number. The same randomized serial number must be written on the remake ballot card. The matching serial numbers are important in a recount to ensure the voter's choices on the faxed/emailed ballot were remake correctly on the ballot card. Once the remake team marks the ballot card, the ballot card is ready for tabulation.

**Q. Do candidates filling ballot vacancies need to file special campaign finance reports?**  
A. Yes, if the office pays more than \$5,000 in a calendar year or the candidate has an open committee already then a vacancy report will be required. Additionally, those candidates nominated at a convention are required to file a pre- or post-convention report. More info can be found in the *2026 Campaign Finance Manual*.

**Q. Do the parties need to fill their ballot vacancies by July 3 or July 6, 2026?**  
A. State law requires the political parties to take action to fill their ballot that exist because no candidate ran in the primary (or for the Libertarians, the office was not nominated at the convention) by NOON, July 3, 2026. However, because offices are closed on July 3 for the July 4 holiday, another statute (IC 3-5-4-1.5) mandates that any filing deadline with the clerk's office roll over to noon, the next day the office is open, or noon, July 6, 2026.

**Q. What happens if a candidate nominated at the primary election withdraws using the CAN-24 form. Can the party fill that vacancy?**  
A. Yes, the party can fill the ballot vacancy whenever a candidate withdraws from the November ballot. However, the county has 30-days from the date the CAN-24 is filed (assuming we're in the "early vacancy" period covered by IC 3-13-1, which ends on Oct. 3, 2026) to fill the vacancy. Any final paperwork must be filed not later than noon, three days after the appointment is made.

**Q. When is the resolution (or meeting minutes) giving the D/R county party chairs authority to fill a ballot vacancy required to be filed with our office?**  
A. This document must be filed with EACH ballot vacancy packet (CAN-31, CAN-29, CAN-12) the party submits to fill a ballot vacancy by direct appointment. The only exception to this rule is if the direct appointment was made due to only one or no eligible PC being able to vote in a caucus or there is a tie vote or no quorum at the caucus. Please review the checkboxes on the front of the CAN-29 form to know whether this document is required. Don't forget! The D Party resolutions will expire on May 5, 2026, due to a recent change in state law. The R Party resolutions expire on the date of the May 2028 primary election. Both parties can renew the direct appointment resolution, but it must expire the next time the respective party elects its PCs (2026 for the Ds; 2028 for the Rs; and so on).

**Q. Who signs the certification on the back of a petition (CAN-19, CAN-21)? And do we need to affix the county seal in the space provided?**  
A. The certification section of the CAN-19 & CAN-21 petitions is incredibly important, as it is the official signature count for that one petition sheet. County officials must be sure to record the correct number of valid signatures in this space along with the signature of the voter registration official of that county. In most counties, only one signature is required: the county voter registration official (county clerk) or a deputy clerk. In the few counties where there is a blended board of elections and registration or a separate board of voter registration (Allen, Lake, LaPorte, Madison, Marion, Porter, Tippecanoe, Vigo & Vanderburgh) then two signatures are required of their bi-partisan co-directors. IED created the form to include an area for the county seal, if the county chooses to affix one. However, there is no state law that requires the use of the county's official seal and the petition should not be rejected for lack of applying the seal.