



Election Division Dispatch

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NEWS & UPDATES

Provisional Ballot SVRS Module Updates

In October changes were made to SVRS to comply with changes to state law informing voters when the provisional ballot hearing is scheduled through a portal part on indianavoters.com. Those changes were reviewed during the Hotfix/Build training last month. Counties are encouraged to review these training materials regarding this new requirements to enter provisional balloting information into SVRS. IED is working with Civix to schedule a separate training on this topic to review again with counties ahead of Election Day.

ENR Summary or Precinct Results Selection Deadline

Counties have the option to enter summary level results or precinct level results (by hand or through upload) in SVRS, which is then used to display election results at indianavoters.com/electionresults and also is used to populate data in the statements of votes cast used to certify the election. Please make sure your county's preference is toggled to the method of reporting your county wants to use not later than 6PM (ET), Mon., Nov. 7, 2022. In order to avoid impacts with reporting, this toggle cannot be used after this deadline to switch to the other method.

Election Certification

Your county election board must process any provisional ballots or late arriving overseas ballots by 3PM (local time), Fri., Nov. 18, 2022. **Please be certain your election results in SVRS are updated to reflect these changes!** The CEB will then submit the canvassed results in SVRS using the CEB series of forms (except the CEB-9) not later than noon, Mon., Nov. 21, 2022. The CEB-9, Section I along with the county's precinct level results are to be filed in SVRS not later than noon, Tues., Nov. 22, 2022. Training materials on finalizing your election results reporting can be found on the INSVRS County Portal. The CEB-9, Section II reporting is due by December 16, 2022, which is information needed to complete the state's EAVS survey that is used in a report to the U.S. Congress.

BMV Open on Election Eve & Election Day

State law requires BMV branches that issue credentials like driver's licenses or state ID cards to be open from 8:30A to 8P, local prevailing time, Mon., Nov. 7, 2022, and from 6A to 6P, local prevailing time, Tues., Nov. 8, 2022, to assist individuals in getting ID required to vote. As a reminder, state law requires a photo ID to include a photo of the voter, be issued by the state or federal government, be current or expired since 11/3/20, and include the voter's name that conforms (not necessarily be exact!) to their registration record. (IC 3-5-2-40.5) Further, an address on a state ID does not need to match the person's registration record. Exceptions exist for military and veterans' IDs and IDs issued by Native American tribes recognized by the U.S. Government and state of Indiana.

CALENDAR

- November 4, 2022:** Conference registration sign-up deadline to avoid \$50 per person late fee
- November 5, 2022:** All counties open for "early" voting
- November 7, 2022 (NOON):** Multiple absentee deadlines; see yellow 2022 Calendar Guide book
- November 8, 2022:** Election Day
- November 8, 2022:** ABS Ballots **must** be received by CEB not later than 6P local time to be counted
- November 11, 2022:** Veterans Day (IED Closed)
- November 14, 2022:** Deadline to submit award nominations for December Conference
- November 16, 2022 (NOON):** Deadline for ABS voter with a mismatched/missing signature to return the ABS-18A or ABS-18B to the CEB
- November 18, 2022 (NOON):** Deadline for CEB to receive a mailed ABS ballot from an overseas or overseas military voter; CEB can count ABS ballot from these voters if postmark is on or before Election Day & voter is otherwise qualified
- November 18, 2022 (NOON):** Deadline for provisional voter to provide proof of identity to CEB
- November 18, 2022 (3PM):** Deadline for CEB to make a determination whether to count a provisional ballot
- November 18, 2022:** Deadline to cancel conference registration to receive refund
- November 21, 2022 (NOON):** Deadline for CEB to certify election results to IED via SVRS
- November 22, 2022 (NOON):** Deadline for CEB to file CEB-9 with IED via SVRS
- November 22, 2022 (NOON):** Deadline for candidate to file recount/contest action
- November 24 & 25, 2022:** Thanksgiving & Lincoln's Birthday (observed) (IED Closed)
- November 28, 2022 (NOON):** Deadline for county chair to file recount/contest action
- December 1, 2022:** Voter registration re-opens
- December 1, 2022:** First day a voter can file an ABS app for May 2023 primary (NOTE: Ongoing ABS applications for FPCA, ABS-VPD expire on 12/31/22 for current year)
- December 12-14, 2022:** Election Administrator's Conference
- December 16, 2022:** CEB-9, Section II due
- December 23:** Washington's Birthday (observed) (IED Closed)
- December 26, 2022:** Christmas Day (observed) (IED Closed)
- December 31, 2022:** Campaign finance reporting period ends

NOVEMBER WEB TRAINING

- Nov. 1 & 9 |** Post-Election Processing
- Nov. 1 & 3 |** Provisional Ballot Module
- Nov. 29 & Dec. 1 |** ABS Processing

The 2022 Calendar posted to INSVRS County Portal. Dates/times subject to change.

IN FOCUS: Military & Overseas Voter Deadlines + FWAB

Military and overseas voters are permitted to use the Federal Post Card Application (FPCA), which affords extra protections to our men and women in the military, their spouses and dependents, and US citizens living abroad.

When using the FPCA, a military or overseas voter can register or update their registration as late as eight (8) days before the election, or Monday, October 31, 2022. These voters can also request a faxed or emailed ballot by filing their FPCA as late as noon, November 7, 2022, or receive a mailed ballot if the FPCA was filed on or before October 27, 2022.

A faxed or emailed ballot must be received by the county election board not later than 6PM on Election Day, November 8, 2022. (Remember, state law has changed the noon deadline to receive absentees to 6PM when the polls close!)

For overseas military and overseas voters ONLY, a mailed absentee ballot can be postmarked on or before Nov. 8, 2022, and received as late as noon, Nov. 18, 2022, and be counted in the election, if the

voter is otherwise eligible. (Note: for all other absentee voters, the absentee-by-mail ballot must be received not later than 6PM on Election Day, November 8, 2022.)

Since overseas mail and internet connectivity is not always reliable, military and overseas voters that filed an FPCA with the county can also file the Federal Write-In Absentee Ballot (FWAB) to serve as the voter's "back-up" ballot in case their original absentee ballot sent by mail, fax, or email does not arrive by the deadlines noted above.

To be clear, a military and overseas voter cannot simply file a FWAB with the county to have the write-in ballot count. The voter must also have an FPCA on file. This can be confusing to voters since the first page of the FPCA and the FWAB look very similar.

If you have a military or overseas voter that has simply filed the FWAB with your office, it is recommended to reach out to the voter to make them aware of the FPCA requirement. If the FPCA filing deadline has not passed, then the FPCA can be

processed and an absentee ballot issued to the voter. And then the FWAB can be filed as a precaution in case the original absentee ballot is not returned.

If the military or overseas voter's original absentee ballot is NOT received by the appropriate deadline (6P on Election Day for faxed/emailed ballots or noon, Nov. 18, if ballot mailed and postmarked by Nov. 8, 2022 for an overseas or overseas military voter), then the CEB should confirm whether the voter filed a FWAB.

If the voter filed a FWAB for this election, then a bi-partisan remake team will determine the voter's intent from the FWAB and transcribe the voter's choices on an optical scan ballot card. Keep in mind that the voter does not have to spell the candidate's name correctly, or can simply write the political party the voter is choosing for their entire ballot or in one specific contest. (IC 3-12-1-19)

The *2022 Military & Overseas Voter's Handbook* has more information about the FWAB.

VR CORNER

Voter Fail-Safe: When & Where Voter Moved Analysis

Indiana election law has a number of fail-safes to assist voters in several scenarios. The most common is a voter forgetting to update a registration when they move. For the Nov. 2022 election, a voter can move anywhere in Indiana and vote one last time in their old precinct but ONLY IF the move occurred on or after Oct. 10, 2022.

If the voter moved on or before Oct. 9, 2022, then more detailed analysis is required. Only voters that move within the same county (and in a few counties, the same Congressional district, too) are eligible to go back to their old precinct one last time to vote.

For example, a voter moved from Randolph County to Wayne County on Sept. 1, 2022 and did not update their registration to Wayne County. In this scenario, the voter would not be able to go back to Randolph County to vote one last time in their former county and should be given a VR form to complete. But, if the voter moved on Oct. 15 to Wayne County, then the voter would be entitled to vote one last time in Randolph County because the move happened on or after Oct. 10. This is why the "when" is important to ask the voter to determine which fail safe applies.

Lastly, a voter can move within their precinct or change their name and capture that move or name change on the paper poll list or on a VRG-4/12 in ePB counties. "When" the move happened within the precinct or name change is not relevant here. The 2022 VR Guidebook and the 2022 Election Day Handbook have more information about voter fail-safes, including a chart to help navigate the work flow on the "when" and "where" analysis. Both books also discuss voter cancellations, BMV errors, and other clerical-type errors and how to troubleshoot to assist the voter.

CISA De-Escalation Techniques

If you were not able to attend one of the online webinars hosted by CISA to discuss non-confrontational techniques for election workers, their team has released a training video that is available to view on YouTube at the link below:

<https://www.youtube.com/watch?v=rCWt7gDwEPc>

Steve Broniarczyk, the Protective Security Advisor for CISA Region 5, is also available to host trainings for you and your team.

If you need Steve's contact information, please email elections@iec.in.gov and we can connect you!

Certificates of Election

County clerks may begin issuing certificates of election to newly elected officials after 12P local prevailing time on November 21, 2022. While IED was hopeful to add an SVRS module to generate certificates of election that you could issue to winning candidates upon their request would be “live” for this election, the project is delayed and its release expected for 2023.

As a result, the co-directors recently signed a forms order “reviving” the CEB forms that correspond to the certificates of election. Those can be found on the INSVRS County Portal to download and use. As a reminder, the certificates of election contain an oath of office in the packet. However, candidates are not required to use this oath form. Sample text for the oath of office can be found in the blue *Election Administrator’s Manual*, if you have newly elected officials that wish to have an oath of office put on letterhead or fancier paper at a swearing-in event organized by their party, for example.

Remember, constitutional officeholders (Prosecuting Attorney, Judge, Sheriff, Clerk, Auditor, Treasurer, Recorder, Coroner, Surveyor) will NOT receive a certificate of election from the county clerk. Instead, this group will receive a Commission from the governor, which also includes an oath form that can be used.

Except for prosecuting attorney and judges, who file their oath with the SOS, all other newly elected officials are to file their oath of office with the county clerk not later than January 31, 2023.

IED Dec. Conference Reminders

A reminder that county election administrators need to register for our annual conference by 5PM, Nov. 4, 2022, to avoid the \$50 per person late payment penalty to attend the 2023 Election Administrator’s Conference held Dec. 12-14, 2022, at the Westin Hotel in downtown Indianapolis.

You’ll also want to reserve your room with the Westin in our room block, if you plan to stay overnight: <https://book.passkey.com/go/IndianaElection2022>. NOTE: As of the date of this newsletter, the single King size rooms are sold out, but the queen size bed options remain.

IED also relies on counties to nominate staff and other key personnel for our recognition and awards ceremony held after lunch on Nov. 13. Nomination forms are included with this newsletter, but you can also find them in our conference registration packet. Nominations can be sent to elections@iec.in.gov by Nov. 14, 2022, to be considered.

QUESTIONS OF THE MONTH

Q. How should we manage voters who asked for an absentee ballot and now want to vote on Election Day?

A. Because all voters who asked for an absentee are to be flagged in the poll list, there are a couple of paths for the voter & CEB to address issues where an absentee voter appears in person at the polls:

1/ Complete the PRE-5 ONLY if the voter’s absentee ballot was mailed and not received by the voter. After completing the PRE-5, the voter votes a regular ballot if otherwise qualified.

2/ Before signing the poll list, voter surrenders their absentee ballot to the Inspector, who cancels it and issues a regular ballot to the voter, if otherwise qualified.

3/ Before signing the poll list, voter discloses they forgot their ballot or it was lost at home. Voter can go to CEB before 5P to request an ABS-21, which will allow them to vote at their polling location.

4/ If the voter signed the poll list, then offer a provisional ballot to the voter. The CEB will determine if the voter was a qualified voter of the precinct.

Q. Can I remake a faxed/mailed ballot on a MicroVote DRE?

A. No. A faxed/mailed ballot must be remade on a ballot card and tabulated on the optical scan voting system. (IC 3-12-3-5) Do not forget to serialize your remade ballots! The bi-partisan remake team must include a serial number of the voter’s original ballot and use the same number on the remade ballot. This is important in the event there is a recount. Those involved with the recount should be able to look at the original ballot and the remade ballot to ensure the remake team captured the voter’s intent appropriately.

Q. If we have a line at the end of the day during in-person absentee or “early” voting, are we required to allow individuals waiting in line to vote if our office is closed?

A. Much like election day, if there are voters in line waiting to vote during any day of “early” voting at the clerk’s office or satellite location, then those individuals are allowed to vote, if otherwise eligible. Staff should either write down each person’s name who is waiting, mark their hands with a stamp, or designate a staff person to wait at the end of the line when the polls close to mark the end. (IC 3-11-8-11 and IC 3-11-10-29.2)

Q. Does a voter’s ID need to have a matching address to their registration record?

A. No. The photo ID law does not require a matching address. Instead, the requirements are that it must be issued by the state of Indiana or federal government, be current or expired since the last general election (11/3/20), and include a photo and name that conforms with the registration. (IC 3-5-2-40.5)