

# Election Division Dispatch

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## NEWS & UPDATES

### Census Data Updates

The US Census Bureau recently reported 2020 census data for purposes of Congressional re-apportionment will be released in April 2021. More refined data to re-draw maps will be released around July 31, 2021. These deadlines are pushed back significantly, primarily due to litigation, and will impact how states draw Congressional and state legislative districts. This delay could also have an effect on any re-precincting work done by County Commissioners and redrawing of certain local offices on the ballot in 2022, such as County Commissioner and County Council.

### IU Incident Response Training & Resources

The IU team recorded an incident response training series, including general IRP plan requirements, best practices on working with the press/media, and performing asset management. Those resources can be found in the Shared Documents folder of the INSVRS County Portal under "Incident Response Plan." Please contact the IU team with any questions by emailing [election-security-l@indiana.edu](mailto:election-security-l@indiana.edu)

### Form Design Improvements for ABS Ballot Envelopes

Counties were recently emailed a survey with a number of questions about the absentee ballot outer envelope and the return absentee ballot security envelope for the absentee-by-mail program. We're looking to make improvements to the current form/layout and need your input! Please participate in the survey to tell us what works, what doesn't, and how you might like us to approach the redesign. Responses are due by Feb. 12.

### January Hotfix

In January, a few improvements to SVRS were made through the monthly hotfix:

- Refined password management
- Streamlined polling location updates in SVRS using ePB-approved data
- Increased card size on VLM Image Viewer
- Added GIS validation for international mailing addresses to reduce postal errors
- Added new VLM report to the SVRS Reports Library

More information about the January Hotfix can be found in the Build Notes in the SVRS County Portal.

## ALPHABET SOUP: EAC

### EAC = US Election Assistance Commission

Bi-partisan federal agency that supports voting system certification at the national level and compiles best practices in election administration. Visit [eac.gov](http://eac.gov) for more information

## CALENDAR

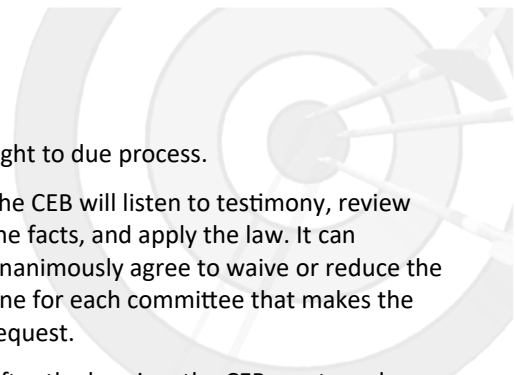
- **February 19, 2021 (NOON):** Deadline for a political subdivision to certify to the circuit court clerk a special election for a controlled project to be held on May 4, 2021
- **February 19, 2021:** Deadline for CEB to notify committees of delinquent Annual Campaign Finance Report (see green Campaign Finance Manual for Toolkit in Appendix)
- **March 1, 2021 (NOON):** Deadline for Regular Party Committees to file 2020 Annual Report
- **March 5, 2021 (NOON):** Deadline for a school corporation to certify to the circuit court clerk a special election for a school tax or school safety levy referendum to be held on May 4, 2021
- **April 5, 2021:** Voter Registration deadline ONLY for those jurisdictions holding a special public question election (Otherwise, this does NOT apply!)
- **April 29, 2021:** Sine Die for Indiana General Assembly (may be sooner, but last day contemplated in state law)
- **May 4, 2021:** Election Day, if jurisdiction holding special public question election

## FEB WEB TRAINING

**Feb. 9 & 11 | Auto Cancel**

**Feb. 23 & 25 | User Account Audit**

*2021 Calendar now posted to INSVRS County Portal. Dates/times subject to change. Please verify against the calendar.*



# IN FOCUS: Campaign Finance Enforcement

All OPEN candidate committees had an annual report due not later than noon, January 20, 2021. Every CEB must enforce the campaign finance act, which includes holding a hearing by the CEB to give late filers the chance to ask for a reduced penalty.

First, what's an **OPEN COMMITTEE**? An open committee is one that has not marked the final/disbands box on the CFA-4 Summary Sheet after spending down their funds to \$0 and has no debts owed to or by the committee. The committee is open until it meets these legal requirements.

Unlike other election-related filings, a campaign finance report is only rejected if it's on an old version of the form. You can use "Forms Master List" found on the SVRS County Portal to see which forms or current. If the report is late, it's considered delinquent.

A report received by the county election board after the noon deadline is

considered **DELINQUENT** and incurs a \$50 per calendar day fine, up to \$1,000. The first \$50 is assessed on the deadline date, if the committee did not file by noon. Let's say the committee filed the Monday after the Wednesday deadline. This would be a \$300 fine or \$50 times six days.

To file, the CFA-4 report must be received by the county clerk by mail, fax, email, or hand-delivery. In all cases, the report must be in the office. Mailing a CFA-4 report with a postmark date of 1/19 and received on 1/21 is late!

Not later than 30-days after the filing deadline (for 2020 Annual, this is Feb 19, 2021), the county election board must send notice to each committee that failed to file their required report. See IC 3-9-4-14 or see sample in the CFA Enforcement Toolkit in the green CFA Manual.

Next, the CEB **MUST** hold a campaign finance hearing. Notice of the hearing must be sent to all committees with a late report to be afforded the committee's

right to due process.

The CEB will listen to testimony, review the facts, and apply the law. It can unanimously agree to waive or reduce the fine for each committee that makes the request.

After the hearing, the CEB must send orders to each committee that was assessed a full fine or a waived or reduced fine. This is the document the committee should keep for its records and use to pay their fine, if applicable.

Fines associated with CFA reports go into a non-reverting fund that can be used by the CEB for election purposes. See IC 3-9-4-17(k) for those details.

More details are in the green 2020 CFA Manual, which includes a toolkit with sample letters and notices to assist CEBs with this process.

## VR CORNER

### Sheriff's Department Quarterly Reports

State law sets forth a requirement that your county sheriff provide a list of individuals who are currently imprisoned - following conviction of a crime. The VRG-1 should be attached to the report as well. The reports, at minimum, should be filed with your office on Jan. 31, April 30, July 31, Oct 31. See IC 3-7-46-6 for more details.

A person's name on the list is not an automatic move to a cancelled registration status! This is why it is important that the sheriff's report give the county VR official insight if the person is currently imprisoned following conviction of a crime.

For example, a person who was imprisoned and released before the date of the report would no longer meet the threshold requirement of being currently imprisoned to be disenfranchised under state law. Further, a person being held but not yet convicted also does not meet the threshold analysis of being imprisoned AND convicted of a crime.

### County Department of Heath Reports

Your county health department is likely filing quarterly reports with your county Auditor. You can request these quarterly reports and use this information to move deceased voters to cancelled status within SVRS, assuming the county VR official agrees the person on this list is the same on the registration record. See IC 3-7-45-2.1(e).

## QUESTIONS OF THE MONTH

### Q. Can we destroy 2018 election materials?

A. Yes. Be sure to review the retention schedule and related procedures found on the State Archives website under the "record management" tab!

### Q. An elected official resigned and the county party is holding a caucus to fill the vacancy. Does the candidate need to file the CEB-5 with the county clerk?

A. No. Unlike ballot vacancies, the candidate's declaration of candidacy (CEB-5) is **ONLY** filed with the chair of the caucus not later than 72-hours before a caucus is held.

### Q. What paperwork needs to be filed after a caucus is held for an elected office vacancy?

A. The CEB-3 or the CEB-4, depending on how the elected office was filled. The CEB-3 is **ONLY** used if there was only ONE eligible precinct committeeman to vote in a caucus or a tie vote at the caucus. (The ballot vacancy law has different rules on direct appointment!) The CEB-4 is filed if a caucus was held. The CEB-3 or CEB-4 is to be filed not later than noon, five days after the office vacancy is filled.

### Q. When is the CAN-12 due after a person fills a local elected office vacancy?

A. The CAN-12 is to be filed with the clerk not later than 60-days after the person assumes the elected office.