

Small Town Conventions

"Small" towns (with a population of less than 3,500) nominate candidates for the Democratic, Libertarian or Republican candidates at a town convention instead of a primary unless the town has adopted an ordinance to nominate Democratic and Republican candidates at a town convention by January 1 of the year of an election. Small towns generally elect town offices in 2019 but may pass an ordinance to schedule elections to occur in general election (even-numbered) years.

The Town Convention process can be broken down in to the following steps:

STEP 1: DECLARATIONS OF CANDIDACY- A person must file a "Town Office Declaration Of Candidacy By A Democratic, Libertarian, Or Republican Party Candidate When No Primary Is Conducted In 2019" (attached STATE FORM CAN-16) and a "Statement Of Economic Interests For Local And School Board Offices" (attached STATE FORM CAN-12) with the circuit court clerk between January 9, 2019, and noon (local prevailing time) August 1, 2019 to be a town convention candidate.

The same party affiliation requirement applicable to a primary candidate applies to a town convention candidate. A candidate's declaration of candidacy must state the basis for the candidate's party affiliation. A candidate may indicate their party affiliation in one of two ways: 1) The most recent primary election in Indiana in which the candidate voted was a primary election held by the party with which the candidate claims affiliation; or 2) The county chairman of the county where the candidate resides, and of the political party with which the candidate claims affiliation, certifies in writing that the candidate is a member of the political party. If a candidate claims party affiliation based on a county chairman's certification, the candidate must attach the written certification of the county chairman to the candidate's declaration. (IC 3-8-5-10.5)

If there is no competition within a political party for the nomination to a town office, then the candidate of that party who filed by the filing deadline will automatically appear on the November 5, 2019 town election ballot for that political party if an election is held in the town. If there is no competition within a political party for any town office then that party will not conduct a town convention and all the candidates who filed for that party will appear on the November 5, 2019 town election ballot if an election is held in the town. (IC 3-8-5-14.3)

STEP 2: ORGANIZE THE TOWN COMMITTEE – If a Town Convention is necessary because there is competition within the party for an office (4 Republican Party town council candidates for 4 seats or 2 Republican Party candidates for town clerk-treasurer, for example), the county chairman must appoint a registered voter of the town to serve as chairman of the town committee. There is no form required for this appointment but it is recommended that you provide something in writing to the person appointed. The chairman of the town committee may not be a person who also holds a town office for the town. (IC 3-8-5-3) The town chairman also appoints a registered voter of the town to serve as the secretary of the town committee.

STEP 3: CALLING THE TOWN CONVENTION- The town chairman is responsible for calling and conducting the convention. The convention should be held in the town but can be held elsewhere within the county if no suitable location exists in the town. (IC 3-8-5-10) The convention must be held no later than August 21, 2019. The town chairman must file the "Call of Town Convention" with the circuit court clerk of the county where the largest part of the town's population lives. The "Call of Town Convention" must also be posted in three prominent places in the town, including the town clerk-treasurer's office, for at least three days before the convention. The "Call of Town Convention" must state the date, time and place of the town convention. (attached STATE FORM CAN-15)

STEP 4: CONDUCTING THE TOWN CONVENTION- Prior to the town convention, the county election board shall furnish the secretary of the town convention with a list of all of the town's voters. (IC 3-8-5-11) The list must state the date that an individual became a voter of the town if the individual became a voter of the town the same year the town convention is held.

If the town chairman is unable or unwilling to participate in the convention, the secretary acts as chairman until the convention elects a chairman from among the eligible voters attending the convention. If the secretary is unable or unwilling to participate in the convention, a replacement for the secretary is selected from among the eligible voters attending the convention. (IC 3-8-5-12)

An individual who wants to vote in a Republican Town Convention must register with the secretary of the town convention and must comply with the Town Convention Rules of Procedure of the Republican Party (attached) which includes subscribing to a statement that the individual is affiliated with the Republican Party (Republican Party Form IRSC/CA-1) and being a registered voter of the town no later than 29 days before the date of the town convention. The secretary of the convention shall note on the list when an individual registers with the secretary. (IC 3-8-5-11(b)) The town chairman must make an initial determination regarding who is eligible to participate and vote at the convention. If an individual at the convention objects to the determination of the chairman, the matter shall be put to the vote of all those individuals whose eligibility to vote is not in dispute. (IC 3-8-5-12 (b))

A person may not attend and vote at more than one party's town convention. (IC 3-8-5-11(c)) A person who votes at more than one town convention commits a Class A misdemeanor and is subject to prosecution. (IC 3-14-2-30)

The chairman of the town convention must also propose Republican Party Town Convention Rules of Procedure for adoption by the town convention voters. (IC 3-8-5-12) Proxy or absentee voting is not allowed at a town convention. Only candidates who have previously filed a CAN-16 with the circuit court clerk may be nominated at a town convention. State law prohibits candidates from being nominated from the floor of a town convention.

To be nominated, candidates for an office for which only one person may be elected must receive a majority of votes cast by voters present and voting at the convention. When more than one candidate may be nominated to a town council at-large seat, the candidates who receive the highest number of votes at the convention, up to the total number to be elected in the November 5, 2019 town election, are considered the nominees of the convention. (IC 3-8-5-12)

STEP 5: CERTIFYING THE NOMINEES- Following the convention the chairman and secretary must complete in writing a "Town Convention Certificate of Nomination" (attached STATE FORM CAN-18). The certificate must be notarized and signed by the chairman and secretary of the convention and filed with the circuit court clerk of the appropriate county no later than noon (local prevailing time), August 28, 2019. The circuit court clerk must then file a copy of the certificate of nomination with the town clerk-treasurer no later than noon (local prevailing time), September 4, 2019. (IC 3-8-5-13)



**TOWN OFFICE DECLARATION OF CANDIDACY BY A
DEMOCRATIC, LIBERTARIAN, OR REPUBLICAN PARTY CANDIDATE
WHEN NO TOWN PRIMARY IS CONDUCTED IN 2019**

(CAN-16)

State Form 46422 (R19 / 6-18)
Indiana Election Division (IC 3-8-5-10.5)

INSTRUCTIONS: This form must be filed with the circuit court clerk of the county in which most of the town's population is located no earlier than **January 9, 2019** and no later than **NOON, August 1, 2019** before an election.
This form is to be used by a Democratic Party, Libertarian Party, or Republican Party candidate for a town office in a town that has a population of less than 3,500 in which no town primary will be conducted.
 A candidate of any other political party (or an independent candidate) must use the CAN-19 and CAN-20 forms.

STATE OF INDIANA

COUNTY OF _____

GENERAL INFORMATION

I, _____ the undersigned,
First Name of Candidate Middle Name of Candidate Last Name of Candidate

certify the following:

(1) I am a registered voter of Precinct _____ of the Township of _____,
 (or of *Ward, if applicable*, _____ of the City or Town of _____), County of _____, State of Indiana.

(2) I am a member of the *(check one box)* Democratic Party Libertarian Party OR Republican Party

(3) **I am claiming affiliation with the Democratic, Libertarian, or Republican Party.** I understand that my party affiliation is determined by which party I voted for in the last primary election in Indiana in which I voted. I understand that if I cannot meet this party affiliation requirement I must obtain and file with this declaration a certificate from the appropriate county chairman of the party indicating that I am a member of this political party.

I meet the requirement to be affiliated with the political party indicated because *(check one)*:
 The most recent primary election in Indiana in which I voted was the primary held by the party with which I claim affiliation above.
 The county chairman of the county in which I reside, and of the political party with which I claim affiliation above, has certified that I am a member of the political party. (I have attached a copy of the county chairman's certification to this form.)

(4) I am a candidate for the nomination to the office of _____, District _____ (if any) in the Town of _____.

(5) I comply with all requirements under the laws of the State of Indiana to be a candidate for this office *(including any applicable residency requirement)*, and I am not ineligible to be a candidate due to a criminal conviction that would prohibit me from serving in this office.

CANDIDATE ADDRESS INFORMATION

(6) My complete residence address is:
 _____, Indiana _____
Complete Residence Address Must Be Inserted City ZIP Code

(7) My mailing address is (if different from residence address):
 _____, Indiana _____
Mailing Address (Write "SAME" if both addresses are identical) City ZIP Code

↓ Please complete reverse of form ↓

CANDIDATE NAME INFORMATION

(8) I request that my name appear on the municipal election ballot in the following manner:

*(*Include any Nickname and/or Suffix. Jr Sr II III IV)*

I also request that my name on my voter registration record be the same as the name on this declaration of candidacy, and that a copy of this form be forwarded to the county voter registration office for any necessary change.

The candidate's name must comply with the requirements in Indiana Code 3-5-7. If a candidate's name does not comply with this state law, the declaration may be challenged under Indiana Code 3-8-1-2.

*A candidate may use a nickname on the ballot only if the nickname is a name by which the candidate is commonly known and does not exceed 20 characters.
EXAMPLE: John R. (Jack) Doe A candidate may not use a title or degree as a designation or a designation that implies a title or degree.

CANDIDATE CERTIFICATION

(9) By initialing, I acknowledge that I have attached a copy of the CAN-12 statement of economic interests, file stamped by the office of the appropriate circuit court clerk, or a receipt or photocopy of a receipt showing that this statement of economic interest has been filed. (initial here) _____

(10) By initialing, I acknowledge that I might be required to file a surety bond before serving in office. (initial here) _____

(11) By initialing, I acknowledge that I might be required to complete training or have attained certification related to service in office. (initial here) _____

(12) By initialing, I acknowledge that I am aware of the provisions of IC 3-9 regarding campaign finance and the reporting of campaign finance contributions and expenditures, and agree to comply with the provisions of IC 3-9. (initial here) _____

I, the undersigned, certify that the information in this Declaration of Candidacy is true and complete, and that I meet the specific requirements of this office.

_____/_____/_____(_____)_____(_____)_____
Signature Date Signed (MM/DD/YY) Telephone (Day) Telephone (Evening)

OPTIONAL INFORMATION: Candidate e-mail address: _____ Campaign website: _____

STATE OF _____)
COUNTY OF _____)

Subscribed and sworn to before me this _____ day of _____, 2019.



Notary Public or Other Official Administering Oath according to IC 33-42-9

My Commission expires (applies only to Notary Public): _____

County of Residence: _____

CAMPAIGN FINANCE NOTICE

A candidate's committee must file a pre-election campaign finance report no later than **NOON, October 18, 2019**, with the appropriate county election board.

The candidate's committee must also file a pre-election supplemental report no later than forty-eight (48) hours after the committee receives contributions from a person that total \$1,000 or more during the period beginning **October 12, 2019, and ending at 6 a.m. November 3, 2019**, with the appropriate county election board. If no such contribution is received, the candidate's committee is not required to file a supplemental report.

A person who fails to file a report with the county election board is subject to a civil penalty of \$50 for each day the report is late, with the afternoon of the final date for filing the report being calculated as the first day, for a maximum penalty of not more than \$1,000, plus any investigative costs incurred and documented by the county election board.



**STATEMENT OF ECONOMIC INTERESTS
FOR LOCAL AND SCHOOL BOARD OFFICES**

(CAN-12)

State Form 55128 (11-12)
Indiana Election Commission (IC 3-8-9)

INSTRUCTIONS: This statement must be filed with a candidate's: (1) declaration of candidacy for nomination at a primary or town party convention; (2) petition of nomination as a school board candidate; (3) petition of nomination as a minor party or independent candidate; (4) declaration of intent to be a write-in candidate; or (5) certificate of candidate selection to fill an early or late vacancy on a general or municipal election ballot. This statement must also be filed no later than noon 60 days after an individual assumes a vacant local office.

STATE OF INDIANA

COUNTY OF _____

INFORMATION FOR THE CALENDAR YEAR BEFORE THE DATE OF THIS FILING:

20__

NOTE: Insert "Not Applicable" where appropriate.

I, _____ the undersigned, certify the following:
Name of Candidate or Person Filling Vacant Office

(1) The elected office which I seek as a candidate, or to which I have been appointed to fill a vacancy is _____ (Include district, if applicable.)

(2) The name of my spouse is _____

(3) The name of my employer and the nature of its business is _____

(4) The name of the employer of my spouse and the nature of its business is _____

(5) If I own a sole proprietorship, the name of the sole proprietorship and the nature of its business is _____

(6) If I operate a professional practice, the name of the professional practice and the nature of its business is _____

(7) If I am a member of a partnership, the name of the partnership and the nature of its business is _____

(8) If my spouse is a member of a partnership, the name of the partnership and the nature of its business is _____

(9) If I am a member of a limited liability company, the name of the limited liability company and the nature of its business is _____

(10) If my spouse is a member of a limited liability company, the name of the limited liability company and the nature of its business is _____

(11) If I am an officer or a director of a corporation (other than a church), the name of the corporation and the nature of its business is _____

(12) If my spouse is an officer or a director of a corporation (other than a church), the name of the corporation and the nature of its business is _____

COMPLETE THE AFFIRMATION ON REVERSE SIDE OF THIS FORM.

I, the undersigned, affirm that the information set forth on this Statement of Economic Interests is true and complete.

Signed, this the ____ day of _____, 20__:

Signature

Printed Name

STATE OF _____)

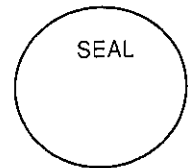
COUNTY OF _____)

Subscribed and affirmed to before me this ____ day of _____, 20__.

Notary Public or Other Official Administering Oath

My Commission expires (*applies only to Notary Public*): _____

County of Residence: _____





INSTRUCTIONS: The chairman of the town committee of the Democratic, Libertarian, or Republican Party must issue a call for a town convention, when required by state law. The chairman must file a copy of the notice of the call with the circuit court clerk of the county containing the greatest percentage of the population of the town. The chairman must also post the notice for at least three (3) days in three (3) prominent public places in the town. The notice must state the time, place, and purpose of the convention.

TO THE _____ COUNTY CIRCUIT COURT CLERK:

In accordance with Indiana Code 3-8-5-10, I certify the following:

I am the duly elected chairman of the town committee of the *(check one)* Democratic Libertarian Republican Party.

I have posted the following call for a town convention at least three (3) days before the convention is to be conducted, and in the following three (3) prominent places in the town:

1. Town clerk-treasurer's office;
- 2.
- 3.

The notice reads as follows:

**NOTICE OF *(check one)* DEMOCRATIC LIBERTARIAN REPUBLICAN
 PARTY CONVENTION**

As the duly elected chairman of the town committee of the Democratic Libertarian Republican Party, I call a town convention of the party. The convention will be held at _____ a.m./p.m., on August _____, 20____ at the following location: _____

which is located within the town (or if not in the town, is at the county seat or the nearest available location within the county). This convention must be held no later than August 21, 20____. The purpose of the convention is to select nominees for all town offices to be elected at the next town election for which more than one (1) declaration of candidacy has been filed by candidates of this political party namely:

List of Offices

DATED, THIS _____ DAY OF AUGUST, 20_____:

Signature	Printed Name
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(check one) DEMOCRATIC LIBERTARIAN REPUBLICAN TOWN CHAIRMAN



TOWN CONVENTION CERTIFICATE OF NOMINATION

(CAN-18)

State Form 46423 (R12 / 11-10)
 Indiana Election Commission (IC 3-8-5-13; IC 3-8-5-14)

INSTRUCTIONS: This form is to be used to certify candidates of the Democratic Party, Libertarian Party, or Republican Party who are nominated by a town convention to the circuit court clerk of the county having the greatest percentage of population of the town. After receiving this certification, the circuit court clerk (or Lake County Election Director) must forward a copy of this certificate to the appropriate town clerk-treasurer.

TO THE _____ COUNTY CIRCUIT COURT CLERK (or LAKE COUNTY ELECTION DIRECTOR):

The undersigned certify all of the following:

(1) A convention of the (check one) Democratic Party Libertarian Party OR Republican Party was duly held in the town on the _____ day of August, 20___, for the purpose of nominating candidates of the party for the election to be held on November __, 20__.

(2) At the convention the following candidates were nominated for the respective offices and the residence address of each candidate is as follows:

Candidate Name	Residence Address	Office Sought

- (3) If the town has council districts, each candidate for town council resides in the district for which the person is a candidate.
- (4) Each candidate is a registered voter of the town and legally qualified to hold the office for which the person is a candidate.
- (5) The title of the party that the candidates represent is the Democratic Libertarian OR Republican Party.

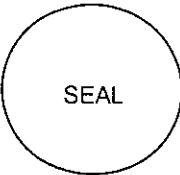
CERTIFICATION OF PRESIDING OFFICER AND SECRETARY OF TOWN CONVENTION

We, the undersigned, certify that we were respectively the presiding officer and secretary of the town convention and certify that the information in this Certificate of Nomination is true and complete.

Signature of Presiding Officer	Date Signed (MM/DD/YY)	Name of Town
Residence Address of Presiding Officer		
Signature of Secretary	Date Signed (MM/DD/YY)	Name of Town
Residence Address of Secretary		

STATE OF _____)
 COUNTY OF _____) SS:

Subscribed and sworn to before me this _____ day of _____, 20__.



 Notary Public or Other Official Administering Oath

My Commission expires (applies only to Notary Public): _____ County of Residence: _____

REPUBLICAN PARTY

2019 TOWN CONVENTION RULES OF PROCEDURE

These rules are adopted under Indiana Code 3-8-5-12 to establish procedures necessary for the town convention to conduct business.

Rule 1. The first item of convention business is to determine which individuals are eligible to vote at this convention. To be eligible to vote, an individual must comply with both of the following requirements:

(1) The individual must be a registered voter of this town no later than 29 days before the date of the town convention according to the list of voters supplied by the county voter registration office.

(2) The individual must sign a statement, under penalties of perjury, stating the following:

(a) The person is a member of the Republican Party and no other Party;

(b) The individual:

i. voted the Republican Party ballot at the 2018 primary election according to the records of the county registration office and supported a majority of the candidates nominated by the Republican Party in the 2018 general election OR;

ii. If the individual did not vote a Republican Party ballot in the 2018 primary election according to the records of the county voter registration office, that the individual intends to vote for a majority of the Republican Party's nominees in the 2019 municipal election. (REPUBLICAN PARTY FORM IRSC/CA-1)

Rule 2. The town chairman shall determine who is eligible to vote at the convention by comparing the list of registered voters with the signed statement by each individual who wishes to vote. The chairman shall then announce to the convention whether or not all persons who have signed a statement are eligible to vote at the convention. If the chairman determines that everyone who has signed the statement is eligible, the convention shall proceed to the next item of business.

Rule 3. If the town chairman determines that one or more persons who have signed the statements are not eligible, the chairman shall announce the names of those persons to the convention, and ask if there is any objection to the chairman's ruling. An objection is not required to be seconded. If any person objects to the chairman's ruling, the chairman shall put the following question to the voters whose eligibility is not in question: "Does _____ meet the requirements to participate as a Republican voter in this convention?" The voters shall stand to indicate "YES" or "NO". The Secretary of the convention shall count the numbers standing for both "YES" and "NO" and report the

results to the convention. The chairman shall repeat this process for each individual whose eligibility is in dispute.

Rule 4. After the chairman and convention make a determination under these rules as to who is eligible to vote, the convention shall proceed to the adoption of these rules. The chairman must submit copies of these proposed rules to the eligible members of the convention before a vote is taken to adopt the rules. The chairman shall ask if there is debate or question regarding the proposed rules. At the conclusion of debate, the chair shall entertain a motion for adoption of these rules, with any amendments agreed to by the convention. If seconded, this motion shall immediately be put to a vote without further debate.

Rule 5. The convention shall permit nonvoting observers, media representatives, and other interested individuals to attend the convention and observe it in action. However, the chair may restrict the access of such individual to the area where ballots are being processed or counted.

Rule 6. Each candidate for nomination by the convention may appoint one (1) individual to be a candidate watcher by notifying the chairman of this appointment before nomination and balloting for candidates. The chairman shall announce the names of the candidate watchers to the convention before proceeding to the nomination of candidates. A candidate watcher may witness any and all activities of the tellers and the chairman in conducting the business of the convention.

Rule 7. The chairman shall keep order at the convention, and may appoint one or more sergeants-at-arms to assist the chair in preserving order. If any individual, whether or not an eligible voter, disrupts or attempts to disrupt the work of the convention, the chairman shall first call that individual to order, and warn the individual that future disruption will result in the individual's expulsion from the convention. If an individual continues or resumes the disruptive actions, the chairman shall then order the person expelled from the convention, and if the person does not leave the convention promptly and voluntarily, shall call upon the sergeant-at arms or any available law enforcement officers to remove the person as a trespasser. The chairman is authorized on behalf of the Party to file any necessary complaint with the prosecuting attorney of the county to hold the individual responsible for the trespass or the disruption of the convention.

Rule 8. The third item of convention business shall be the certification of candidates. The chairman shall read the names of the candidates who have filed for nomination for each town office for which there is a contest, and the date on which each candidate filed with the circuit court clerk of the county. The chairman shall recognize each candidate, in order of filing, to speak to the convention for a total of five minutes. If the candidate is unable or unwilling to speak, the chairman may recognize one or more supporters of the candidate to speak, but for no more than five minutes in total.

Rule 9. In accordance with state law, the chairman shall decline to recognize any person for the purpose of nominating a candidate who has not previously filed a declaration of candidacy with the county clerk before the deadline set by statute.

Rule 10. At the end of the candidate presentations for this office, the chairman shall designate two persons to serve as tellers to conduct the election. The secretary of the convention may serve as one of the tellers.

Rule 11. If the convention is to nominate a Republican Party candidate for more than one contested office, the convention shall conduct the voting in the following order:

- (1) Town-Clerk Treasurer
- (2) Town Judge
- (3) Town Council Members

Rule 12. The chairman shall then direct the tellers to distribute one paper ballot to each eligible member of the convention. When each member has voted a ballot, the ballot must be placed in the ballot box provided by the chairman of the caucus. After all eligible voters have placed their ballots in the ballot box, the tellers shall count the ballots in an area in the convention room designated by the chairman (or in another location, subject to the approval of the candidate watchers). Candidate watchers may observe this count, but may not handle the ballots.

Rule 13. The tellers shall provide the chairman with a written report (tally sheet) specifying the number of votes cast for each candidate. The chairman shall announce the results of the ballot. If a candidate for Town-Clerk Treasurer or Town Judge has received a majority vote (more than 50%) of those casting a vote for a candidate, the chairman shall declare that the candidate has been nominated as the Republican Party candidate for this office. If no candidate receives a majority of the votes cast for a candidate on the first ballot, then a second ballot is conducted. However, the candidate who received the fewest number of votes on the first ballot is eliminated from further consideration by the convention. If no candidate receives a majority of the votes cast for a candidate on the second ballot, the candidate with the fewest number of votes on the second ballot is eliminated, beginning with the third ballot, and so forth on each following ballot, until a candidate receives a majority of more than 50% of the votes cast for a candidate.

Rule 14. If any ballot results in a tie vote between the candidates receiving the highest number of votes, the chairman may cast the deciding vote, or may call for another ballot.

Rule 15. In the case of a contest between candidates for the Republican Party for a district or ward seat, where only one candidate may be elected to the seat, voting for the seat should proceed as described in Rule 13 until a candidate receives a majority of more than 50% of the votes cast for that district or ward. In the case of multiple candidates for town council for multiple districts or wards, the vote for each district or ward may be done on one ballot that separately lists the candidates for each district or ward or on separate ballots for each district or ward. For example, if a town has three (3) district council seats,

one (1) ballot could be used for district one (1) and separate ballots could be used for districts two (2) and three (3).

Rule 16. If the town council has at-large seats where more than one person may be elected to the available at-large seats, one (1) ballot would list all the candidates for the at-large seats and the top vote getters for the number of seats up for election would be declared the winners. For example, if there are five (5) candidates for three (3) at-large seats up for election, the top three (3) vote getters will be declared the winners just as you would if you voted on a machine to select three (3) of five (5). In this case, all five (5) candidates would be listed on the ballot with the instruction "Vote for not more than 3 candidates."

Rule 17. These rules take effect immediately upon approval by the convention and are effective retroactively regarding the procedures used to determine the eligibility of persons to vote at the convention.

ADOPTED THIS _____ DAY OF AUGUST, 2019:

Printed Name of the Town Chairman:

Republican Party of the Town of _____

_____ County, Indiana

ATTEST:

Printed Name of the Town Secretary:

Republican Party of the Town of _____

_____ County, Indiana