

# 2016 Indiana Candidate Guide



Published by the  
Indiana Election Division  
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# Important Note about Using the 2016 Indiana Candidate Guide

This publication is not a legal document. It does not replace the Indiana Election Code. Every effort has been made to ensure the accuracy of the information contained in this publication. However, this Guide should be used only in conjunction with the election statutes.

**If any inconsistency exists between this publication and the election statutes, the statutory language governs.**

Most statements in this Guide are followed by a statutory cite, such as “IC 3-8-2-5.” The “IC” stands for Indiana Code and the numbers following “IC” refer to the title, article, chapter, and section of an Indiana statute (e.g. “IC 3-8-2-5” means Indiana Code title 3, article 8, chapter 2, section 5).

Consult the online version of the Indiana Code and the 2016 print edition of the Indiana Election Code to check for changes or updates to the election statutes. Become familiar with the laws governing your candidacy and the office you seek. The current version of the Indiana Code is available on the Internet at <http://iga.in.gov/legislative/laws/2015/ic>.

The information in this Guide reflects Indiana law as of October 27, 2015. However, since election laws may be changed each year, **consult with your personal attorney** to make certain you know and understand the most current version of the law.

**The Indiana Election Division cannot provide legal advice to you as a candidate. You must retain your own attorney. The Election Division cannot provide information concerning the specific duties or responsibilities of a local government office. For information on this subject, contact:**

Association of Indiana Counties  
101 West Ohio Street, # 1575  
Indianapolis, IN 46204-2986  
(317) 684-3710  
[www.indianacounties.org](http://www.indianacounties.org)

Indiana Association of Cities & Towns  
125 W Market Street, Suite 240  
Indianapolis, IN 46204  
(317) 237-6200  
[www.citiesandtowns.org](http://www.citiesandtowns.org)

Indiana Township Association  
9090 E 131 Street  
Fishers, IN 46038  
(317) 813-3240  
[www.indianatownshipassoc.org](http://www.indianatownshipassoc.org)

**Note about Lake County and Tippecanoe County Boards of Elections and Registration:** Each county, with the exception of Lake County and Tippecanoe County, has a county election board. In Lake and Tippecanoe Counties, separate state statutes govern the organization of the county board of elections and registration. (IC 3-6-5.2 (Lake County); IC 3-6-5.4 (Tippecanoe County)) For Lake and Tippecanoe Counties, references in this Guide to a “county election board” (for candidate filing purposes for example), refers to the boards of elections and registration in Lake County and Tippecanoe County. References to circuit court clerk refer to the Lake County election director and the office of the Tippecanoe County board of elections and registration.

Please feel free to contact the Indiana Election Division with any questions about this Guide or information concerning candidates.

**Indiana Election Division Staff**  
**317.232.3939 or 1.800.622.4941 in Indiana**  
**[www.in.gov/sos/elections](http://www.in.gov/sos/elections)**

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# GENERAL INFORMATION

All state offices that receive election-related filings are located within a short distance of the intersection of West Washington Street and Capitol Avenue (the southeast corner of the State House lot). This section includes a list of references containing addresses, telephone numbers, and e-mail addresses for various federal and state entities mentioned in this Candidate Guide.

The Indiana Election Division is located on the second floor of the Indiana Government Center South (IGCS) Building, 302 West Washington Street, Indianapolis, Indiana. The IGCS building is located directly west of the State House on West Washington Street. The Election Division is open from 8:00 a.m. until 5:00 p.m. each business day.

The office of the Clerk of the Indiana House of Representatives and the Secretary of the Indiana Senate are located on the third floor of the State House (one floor above street level). The Clerk's office is adjacent to the House chamber on the east side of the third floor. After entering the House offices, go up one flight of stairs to Level 3-A. The Secretary's office is adjacent to the Senate chamber on the west side of the third floor. The Clerk's office and Secretary's office are open from 8:30 a.m. until 4:30 p.m.

The Office of the Inspector General is located at 315 West Ohio Street, Room 104, Indianapolis, Indiana. This office is open from 8:00 a.m. until 4:30 p.m.

The office of State Court Administration is located at 30 South Meridian Street, Suite 500 (in the first block south of Washington Street). This office is open from 8:30 a.m. until 4:30 p.m. each business day.

## PARKING AND SECURITY

**On-street parking is available on West Washington Street directly south of the State House.** Cars parked in restricted spaces after 3:00 p.m. will be towed. Parking garages are also available.

Public access to the State House is on the north and west entrances. Public access to the Indiana Government Center South is on the Washington Street side. Weapons of any kind are prohibited.

## ELECTION FORMS

Several candidate-related election forms are included in this Guide. On December 14-16, 2015, the Election Division will provide a copy of all election related forms to each circuit court clerk. These forms will then be available from county election board offices. However, please allow time for the circuit court clerk to arrange for the printing and delivery of copies of these forms following the December distribution date.

This Candidate Guide along with the candidate forms will also be available from the Election Division's office and on the Division's website at [www.in.gov/sos/elections](http://www.in.gov/sos/elections).

Indiana Code 3-5-4-8 provides that a person must use the most recent version of any form approved by the Indiana Election Division to comply with the election statutes.

IC 3-5-4-8(c) states that the election division, an election board, a circuit court clerk, a county voter registration office, or any other official responsible for receiving an election filing **shall reject** a filing that is not on the most recent version of a state prescribed form.

**For this reason, it is CRITICALLY IMPORTANT to ensure that a candidate complies with Indiana Code 3-5-4-8 before filing a document required or permitted by the election code.**

Each state prescribed form contains a state form number and a revision date, usually in the upper left or upper right corner of the form, for example: "SF 46439 (R6;11-11)." This provides a method to quickly determine which version of a form has been provided. For more information concerning the current version of any state prescribed election form, contact the Election Division.

## IMPORTANT FILING DEADLINE INFORMATION

Indiana Code 3-5-4-1.9 provides that "Except as otherwise provided in [the state election laws, such as for campaign finance reports, for example]... an election board, a circuit court clerk... or any other official responsible for receiving a filing... **may not receive a filing** that is offered to be filed after a deadline for the filing..." This state law should be carefully noted when a filing is offered by, or on behalf of, a candidate.

## IMPORTANT VOTER REGISTRATION INFORMATION

**Candidates sometimes provide voter registration applications to potential voters. If the candidate accepts possession of a completed state or federal voter registration application, the candidate is responsible for completing the Certified Statement of Acceptance and ensuring that the completed application is received by the appropriate county voter registration office NO LATER THAN Noon the earlier of ten (10) days after acceptance or THE REGISTRATION DEADLINE for the PRIMARY ELECTION (close of business on April 4, 2016) or the GENERAL ELECTION (close of business on October 11, 2016). A candidate who recklessly fails to file the completed applications is subject to penalties under federal and state law.**

## STATE AND FEDERAL ELECTION REFERENCES

### State Offices

Indiana Election Division Office of the Secretary of State Indiana Government Center South, E-204 302 West Washington Street Indianapolis, IN 46204 (317) 232-3939 * (800) 622-4941 <a href="http://www.in.gov/sos/elections">www.in.gov/sos/elections</a>	Secretary of State Administrative Division 200 West Washington Street State House, Room 201 Indianapolis, IN 46204 (317) 232-6531 <a href="http://www.in.gov/sos">www.in.gov/sos</a>	Inspector General State Ethics Commission 315 West Ohio Street, Room 104 Indianapolis, IN 46202 (317) 232-3850 <a href="http://www.in.gov/ethics">www.in.gov/ethics</a>
Principal Clerk Indiana House of Representatives State House, Room 3A-8 200 West Washington Street Indianapolis, IN 46204 (317) 232-9974 <a href="http://iga.in.gov">iga.in.gov</a>	Principal Secretary Indiana State Senate State House, Room 3A-N 200 West Washington Street Indianapolis, IN 46204 (317) 232-9421 <a href="http://iga.in.gov">iga.in.gov</a>	State Court Administration 30 South Meridian Street, Suite 500 Indianapolis, IN 46204-3466 (317) 232-2542 <a href="http://www.in.gov/judiciary">www.in.gov/judiciary</a>

### Federal Offices

U. S. Election Assistance Commission 1335 East West Hwy, Suite 4300 Silver Springs, MD 20910 (301) 563-3913 * (866) 747-1471 <a href="http://www.eac.gov">www.eac.gov</a>	Federal Election Commission 999 E Street, N.W. Washington, D.C. 20463 (800) 424-9530 * (202) 694-1100 <a href="http://www.fec.gov">www.fec.gov</a>	House Standards of Official Conduct Committee 1015 Longworth HOB Washington, D.C. 20515 (202) 225-7103 <a href="http://ethics.house.gov">ethics.house.gov</a>	Secretary of the Senate Office of Public Records 220 Hart Office Building Washington, D.C. 20510
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### Political Parties

Democratic State Central Committee 115 West Washington Street, Suite 1165 Indianapolis, IN 46204 (317) 231-7100 or (800) 223-3387 <a href="http://www.indems.org">www.indems.org</a>	Libertarian Party of Indiana 1111 East 54 <sup>th</sup> Street, Suite 158 Indianapolis, IN 46220 (317) 920-1994 <a href="http://www.lpin.org">www.lpin.org</a>	Republican State Central Committee 101 W. Ohio Street, Suite 2200 Indianapolis, IN 46204 (317) 635-7561 <a href="http://www.indgop.org">www.indgop.org</a>
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# PLACEMENT ON THE BALLOT

## Candidate Challenges

The placement of any individual on the primary or general election ballot may be challenged if the individual has not complied with the requirements set forth for candidates under Indiana law.

Candidate challenges concerning individuals who file as candidates for federal, statewide, state legislative, or judicial offices, or the office of prosecuting attorney come before the Indiana Election Commission for resolution.

Candidate challenges concerning individuals who file as candidates for circuit court clerk, county offices, township offices, town offices, school board offices, precinct committeeman or state convention delegate come before the appropriate county election board for resolution.

Before the Indiana Election Commission or a county election board may consider a challenge to a candidate, a registered voter of the election district that the candidate seeks to represent or a county chairman of a major political party of a county in which any part of the election district is located must file a sworn statement with the Election Division or the county election board. The sworn statement must question the eligibility of the candidate to seek the office and set forth the facts known to the voter concerning this question. (IC 3-8-1-2) The CAN-1 form may be used for a candidate challenge. A CAN-1 is included under the *Candidate Forms* tab of this Guide.

There is one exception to the requirement that a registered voter or a county chairman of a major political party in the election district must file a candidate challenge. The secretary of state or a circuit court clerk must determine whether a sufficient number of valid signatures have been obtained to meet the requirements to nominate a candidate by petition. If the secretary of state or clerk determines, based on the certification of the signatures by the county voter registration office, that the petition does not have enough valid signatures to nominate the candidate(s) on the petition, the secretary of state or the clerk must deny the certification to the petitioners. An appeal of this denial can then be brought before the Commission or county election board by the candidate by filing the CAN-1 Form. (IC 3-8-1-2; IC 3-8-6-12)

The Indiana Election Commission or county election board must determine the validity of the candidate's filing. State law specifies the various deadlines before the primary election or general election by which a challenger must file a challenge with the Commission or board, and the deadlines by which the Commission or board must make this determination. (See IC 3-8-2-14 (primary candidates); IC 3-8-6-14 (independent and minor party candidates); IC 3-13-1-16.5 (candidates who fill "early ballot" vacancies); and IC 3-13-2-11 (candidates who fill "late ballot" vacancies); IC 3-8-2-14 (write-in candidates))

The Commission and county election boards will make every effort to notify candidates and other interested parties as promptly as possible when a challenge has been filed. However, due to the short period of time between the close of candidate filings and the printing of absentee ballots, the Commission or board may need to rely on informal methods such as telephone calls to give the best possible notice to these individuals. If a candidate appears before the Commission, and does not file a written objection concerning notice before the end of that meeting, any objection to notice is waived. (IC 3-8-2-18)

Except as described above for notice requirements, the Commission conducts its proceeding concerning candidate challenges in accordance with the State Administrative Orders and Procedures Act. (IC 4-21.5)

County election board meetings concerning candidate challenges are public meetings, for which notice must be given in accordance with the Open Door Law. (IC 5-14-1.5) Except for requirements set forth in the Open Door Law, county election boards are not required to follow specific procedures in conducting these meetings.

**The Election Division cannot give legal advice or assistance to candidates who are challenged before the Commission or a county election board. The candidate must seek the advice and representation of a personal attorney in these cases.**

If an attorney appears before the Election Commission regarding a candidate challenge, the Commission requests that the attorney file a notice of appearance with the Election Division prior to the meeting. The appearance form may be adapted from that used in judicial proceedings.

If a candidate or other interested party objects to the determination of the Commission or a county election board, the candidate or interested party may appeal the determination to an appropriate court for a decision in the same manner that other administrative decisions are appealed. An appeal from a decision of a county election board must be filed with the appropriate circuit court clerk not later than thirty (30) days after the election board makes the decision subject to the appeal (IC 3-6-5-34; 3-6-5.2-9; 3-6-5.4-10).

If a candidate selected to fill a ballot vacancy is subject to a candidate challenge, the candidate's name shall not be printed on the general election ballot until the Commission or a court resolves the challenge. (IC 3-13-1-16; IC 3-13-2-9)

## **Removal of Candidate for Statewide or State Legislative Office from the General Election Ballot**

A different law applies concerning the removal of a candidate for a statewide or state legislative office from the general election ballot. A registered voter of the relevant election district may challenge the qualifications of a candidate to remove the candidate from the ballot. The challenge must:

- (1) be filed with the Election Division not later than 74 days before the general election;
- (2) be a sworn statement questioning the qualifications of the candidate; and
- (3) set forth the facts known by the challenger concerning this question.

The Indiana Election Commission shall conduct and conclude its hearing on the challenge within 3 business days after the challenge is filed with the Election Division. The Commission shall announce its determination not later than one (1) business day after the conclusion of the hearing. If the Commission does not announce its determination by this deadline, the Commission is considered to have dismissed the challenge.

A candidate may not be challenged under this procedure if:

- (1) the candidate was previously challenged using this procedure;
- (2) the challenge under this procedure would be for the same reasons as the previous challenge to the candidate; and
- (3) the Indiana Election Commission already has conducted a hearing on the challenge and made a final determination in favor of the candidate.

After the Commission has made a final determination of the challenge, the challenged candidate or the challenger may appeal the Commission's determination, including a dismissal due to the Commission's failure to make a determination by the deadline. An appeal must be filed directly with the Indiana Court of Appeals under the same terms, conditions, and standards that apply to other civil appeals.

In any event, at noon, 60 days before the election, any challenge that is pending before the Commission or the Court of Appeals is dismissed and the name of the challenged candidate may not be removed from the general election ballot, and another individual may not be named to replace the challenged candidate on the ballot, and all votes cast for the challenged candidate must be counted and reported under the name of the challenged candidate. (IC 3-8-8)

This law also places a time limit on candidate withdrawal for reasons other than disqualification or moving outside the election district that the candidate seeks to represent. (IC 3-8-7-28(b) and (c); 3-8-8-7 If a candidate attempts to withdraw as a candidate later than noon 60 days before the general election

for any other reason, the candidate may not be removed from the ballot, or replaced by another individual on the ballot. All votes cast for a candidate who attempts to withdraw later than noon 60 days before the general election are counted and reported under the name of the candidate.

If a candidate who attempted to withdraw later than noon 60 days before the general election: (1) receives the most votes at the general election; and (2) is determined to be disqualified as a candidate, a vacancy in the office occurs. The resulting vacancy shall be filled as if an eligible candidate of the same political party as the disqualified candidate had been elected, and in the manner otherwise provide by law (a caucus of precinct committeemen under IC 3-13-5 for a state legislative candidate, for example.) (IC 3-8-8-8)

## Candidate Names and Nicknames

An individual filing as a primary election, convention, minor or independent, or write-in candidate must list the individual's name on the candidate filing **in the same form as the individual wants the name to appear on the ballot and the candidate's name is permitted to appear on the ballot under IC 3-5-7.** (IC 3-8-2-2.5; IC 3-8-2-7; IC 3-8-5-10.5; IC 3-8-6-5; IC 3-8-7-10; IC 3-10-2-15)

A candidate is only permitted to use certain "designations" for the form in which the candidate's legal name appears on the ballot.

To implement this requirement, a candidate's "designation" is defined as referring to the name, nickname, initial, abbreviation, or number used to identify the individual. However, a designation may not be a title or degree, or imply a title or degree. A candidate's "name" refers to any of the following: (1) the candidate's given name; (2) the candidate's surname; and (3) the candidate's middle name. (IC 3-5-7)

To determine a candidate's "legal name" for ballot placement purposes, the candidate's legal name is the name shown on the candidate's birth certificate. If a candidate takes another name through a judicial proceeding or uses a name after marriage in the manner described below, then the most recent name used after marriage or taken in the judicial proceeding is considered the candidate's legal name. If a candidate changes the candidate's legal name after a candidate is nominated, the candidate shall file a statement with the office where the candidate previously filed the declaration of candidacy or certificate of nomination setting forth: (1) the former legal name; (2) the current legal name; and (3) how the candidate's legal name was changed.

A candidate's legal name after marriage can be any one of the following: (1) the name appearing on the candidate's birth certificate (as in *Mary Jane Doe*, for example); (2) the name used by the candidate on the application for a marriage license, (as in *John Smith*, for example); or (3) any combination of the names that the candidate or the candidate's spouse used as applicants for the marriage license, (as in *Mary Jane Smith*, *Mary Doe Smith*, or *John Smith-Doe*, for example).

**First Designation:** Assume a candidate has the legal name of Judith Anne Smith with the nickname of Judy. The first designation used on the ballot may be any one of the following: (1) the candidate's legal given name (*Judith*); (2) the initial of the candidate's legal given name (*J*); (3) the candidate's legal middle name (*Anne*); (4) the initial of the candidate's legal middle name (*A*); or (5) the candidate's nickname (*Judy*).

**Second Designation:** The second designation used on the ballot may be any one of the following, *without repeating any designation used as the first designation*: (1) the candidate's legal middle name (*Anne*); (2) the initial of the candidate's legal middle name (*A*); (3) the candidate's nickname (*Judy*); or (4) the candidate's legal surname (*Smith*).

**Third Designation:** The third designation used on the ballot may be any one of the following, *without repeating any designation already used as the first or second designation*: (1) the candidate's nickname (*Judy*); or (2) the candidate's legal surname (*Smith*).

The following are examples of acceptable candidate name designations:

*Judith Anne Smith*  
*J. Anne Smith*  
*Judith A. Smith*  
*Judith Smith*  
*Anne Smith*  
*J.A. Smith*  
*J. Smith*  
*A. Smith*  
*Judith (Judy) Anne Smith*  
*Judy Smith*

A candidate can use the candidate's legal surname after the third designation if the candidate did not use the legal surname as the second or third designation. A candidate can also use *Sr.*, *Jr.*, or a numerical designation such as *II* or *III* after the candidate's legal surname.

A nickname used by a candidate on the ballot must:

- (1) be the nickname by which the candidate is commonly known;
- (2) not exceed twenty (20) characters in length; and
- (3) not imply a title or degree.

**Unless the candidate uses the nickname as the first designation, the nickname must appear in parentheses. For example, *Judith (Judy) Anne Smith*.**

*EXAMPLES: A ballot listing of "John R. (Doc) Doe" would not be permitted since the nickname implies a title or degree. Likewise, a ballot listing would not be permitted if the selected nickname was NOT one by which the candidate was COMMONLY known. However, unless the candidate's filing is properly challenged regarding the candidate's name, and this issue brought before the Commission or a county election board for determination, the candidate's name will be placed on the ballot in the form used in the candidate's filing or certification.*

Sometimes an individual may change his or her name after filing as a candidate. If the candidate wishes to change the candidate's legal name **before** absentee ballots are printed for the election, the candidate must file a statement with the office where the candidate's declaration of candidacy or certificate of nomination was filed. This statement must set forth the current and former name of the candidate, and indicate that the candidate has already filed a change of name request with the appropriate county voter registration office. After this statement is filed, the county election board will print ballots bearing the candidate's new name. (IC 3-8-7-25.5)

If a candidate's legal name is changed **after** absentee ballots are printed for an election and the candidate wishes the ballot changed to reflect the new name, the candidate must provide pasters to the county election board at the candidate's expense. If the candidate does not do so, the Election Division or county election board is not required to reprint ballots to reflect the new name. (IC 3-11-3-29)

## **Candidate Vacancies**

There are several reasons why a "candidate vacancy" may occur on a primary or general election ballot. However, the procedures and deadlines for filling these vacancies vary considerably.

### **If No Candidate Runs In a Major Party Primary**

On occasion, no candidate will file for the Democratic or Republican Party nomination to an office before a primary election. If this occurs, the vacancy may **not** be filled before the primary. (IC 3-13-1-2)

Immediately following the primary election, the political party may begin the process of filling the ballot vacancy. However, no political party is ever **required** to fill a ballot vacancy, even if an individual wishes to run as a candidate for the vacant nomination.

Candidate vacancies for U.S. Senate and statewide offices are filled by the state committee of the political party (IC 3-13-1-3). If a candidate vacancy exists for U.S. House or state legislative candidates, the state chairman of a political party calls a caucus of the precinct committeemen within the district. For judicial offices, the office of prosecuting attorney, county offices, township offices, or town offices, the county chairman calls a caucus of the precinct committeemen within the district. However, if the county committee has adopted a resolution to delegate this candidate vacancy filling authority to the county chairman (or to the chairman, vice-chairman, secretary, and treasurer of the county committee), then the candidate vacancy may be filled by direct appointment, without conducting a caucus. (IC 3-13-1-6; 3-13-1-7; 3-13-1-8)

If a chairman calls a caucus of the political party to fill a ballot vacancy, the chairman must employ a form (CAN-30) prescribed by the Indiana Election Division. Instructions are included on the form. A CAN-30 is available from the Election Division's office and each circuit court clerk's office.

A person who wishes to be selected by the caucus to fill a ballot vacancy for a federal, statewide, state legislative office, judicial office, or the office of prosecuting attorney must file a CAN-31 form with **both** the caucus chairman (or state committee chair for U.S. Senator or statewide offices) and the Election Division. A person who wishes to be selected by the caucus to fill a ballot vacancy for circuit court clerk, county offices, township offices, or town offices must file a CAN-31 form with **both** the caucus chairman and the county election board. (IC 3-13-1-10.5) A CAN-31 is available from the Election Division's office and each circuit court clerk's office, and included under the *Candidate Forms* tab of this Guide.

The deadline for the Democratic or Republican Party to conduct a political party caucus or to make a direct appointment to fill a vacancy existing on the general election ballot **resulting from a vacancy on the primary election ballot** is noon, Thursday June 30, 2016 (IC 3-13-1-2; IC 3-13-1-7)

After the political party fills this vacancy, the chairman must file a written certificate with the Election Division if the nomination is for a federal office (CAN-27 form), a state legislative office (CAN-28 form) or a judicial office, (CAN-29 form), or an office of prosecuting attorney (CAN-29 form). The chairman must file a certificate with the circuit court clerk if the nomination is for the office of circuit court clerk a county office, a township office or a town office. (CAN-29 form) The CAN-28 and CAN-29 forms are available from the Election Division's office or each circuit court clerk's office. The certificate must be filed **no later than 12:00 noon, prevailing local time Tuesday, July 5, 2016. (IC 3-13-1-2; IC 3-13-1-7; IC 3-13-1-15)**

### **Filling a Ballot Vacancy Due to the Death, Withdrawal or Disqualification of a Candidate**

When a candidate dies, withdraws, or is disqualified under Indiana Code 3-8-1-5 due to a criminal conviction, or a court order issued under IC 3-8-7-29(d), the political party is permitted to fill the resulting vacancy IF it does so no later than thirty (30) days after the vacancy occurs. (IC 3-13-1-7)

The requirements discussed above for calling a caucus and filing a declaration of candidacy apply to filling this type of candidate vacancy. However, the political party chairman must file the certificate of candidate selection (CAN-28 or CAN-29 form) no later than three days (excluding Saturdays and Sundays) after the party fills the candidate vacancy. (IC 3-13-1-15) Special restrictions apply to statewide or state legislative candidates. (IC 3-8-8)

## **Late Vacancy Special Procedures**

If a candidate dies, withdraws or is disqualified during the final 30 days before the election, state law provides special expedited procedures for filling the vacancy. In most cases, the state or county chairman of the political party of the county in which the greatest percentage of the population of the election district resides fills the candidate vacancy by direct appointment. (IC 3-13-2)

The same general procedures apply regarding the filing of a certificate of candidate selection in these cases. (IC 3-13-2-8)

If the political party fills a candidate vacancy during the final five (5) days before an election, state law does not require a county election board to reprint ballots or use pasters to include the name of the successor candidate on the ballot. (IC 3-11-3-29.5)

## **Libertarian Party Candidates**

If a candidate vacancy exists following a Libertarian Party state or county convention, the party's state committee may fill the vacancy.

The Libertarian Party must fill a vacancy existing on the general election ballot resulting from a vacancy for an office nominated by that party at a state or county convention by Thursday, June 30, 2016. (IC 3-13-1-20)

At least 10 days before filling the candidate vacancy, the state chairman of the Libertarian Party must file a notice of intent to fill the vacancy with the official who will receive the certificate of candidate selection filing (the Indiana election division or a circuit court clerk). (IC 3-13-1-20)

Once the Libertarian Party fills a vacancy for federal, statewide, state legislative, or judicial offices, or the office of prosecuting attorney, the state chair and secretary must file a certificate of nomination with the Election Division. **The Party must file the certificate no later than noon, Tuesday, July 5, 2016. (IC 3-13-1-20)**

Once the Libertarian Party fills a vacancy for the office of circuit court clerk, county offices, township offices, or town offices, the county chair and secretary must file a certificate of nomination and the candidate's Statement of Economic Interest for Local and School Board Offices (CAN-12) with the county election board. **The Party must file the certificate no later than noon, Tuesday, July 5, 2016. (IC 3-13-1-20)**

If a vacancy occurs for any other reason, the same procedure applies, but the certificate must be filed no later than three days (excluding Saturdays and Sundays) after the selection of the candidate. (IC 3-13-1-20) Special procedures apply to candidate vacancies occurring within the final 30 days before the election and to statewide or state legislative candidates. (IC 3-13-2-12; IC 3-8-8)

## **Candidate Vacancies on a Petition of Nomination**

If a candidate for federal, statewide, or state legislative offices does not affiliate with the Democratic Party, the Libertarian Party, or the Republican Party, and the candidate withdraws, dies, or is disqualified, the state chairman of the candidate's political party may fill the resulting candidate vacancy. The chairman can fill this vacancy at any time after a petition of nomination has been circulated or filed for certification by a county voter registration office by filing a statement with the Election Division. (IC 3-8-6-17) (CAN-40 form and CAN-20 form)

This statement must include the following:

- (1) The name of the individual who ceased to be a candidate.
- (2) The date and reason why the person ceased to be a candidate.
- (3) The name and written consent of the successor candidate.
- (4) If other individuals were also candidates on the same petition of nomination, the consent of each other candidate to the selection of the successor candidate.

For candidates nominated by petition for the office of circuit court clerk, county offices, township offices, or town offices, the county chairman must file the statement with the county election board. (IC 3-8-6-17)

**The state or county chairman must file the statement no later than noon, Tuesday, July 5, 2016.** The CAN-40 form and CAN-20 form are available from the Election Division's office or each circuit court clerk's office. (IC 3-8-6-17)

A similar procedure applies to filling candidate vacancies for individuals nominated by petition for "small" town offices with a population of less than 3,500. The town chairman of the party must file a certificate of candidate selection with the county election board no later than **12:00 noon, prevailing local time, Monday, August 29, 2016.** (IC 3-13-1-18)

### **Independent Candidates and Write-ins**

**An independent candidate may not include the name of any other candidate on the petition, unless the other candidate included on the petition is part of an independent ticket of candidates for President and Vice-President of the United States, or governor and lieutenant governor. (IC 3-8-6-4)**

If a petition of nomination is circulated or filed by an independent candidate, another candidate may not be substituted on the petition of nomination. (IC 3-8-6-17)

Indiana law has no procedure for the replacement of a write-in or independent candidate.

## **CAMPAIGN RELATED VIOLATIONS AND ENFORCEMENT**

**A county election board may investigate and rule on questions concerning reported election law violations. If the county election board has substantial reason to believe that an election violation has or will occur,** the board may conduct a hearing to resolve the issue. The county election board has the power to subpoena witnesses, and question those witnesses under oath. If, after affording due notice and an opportunity for a hearing, the county election board believes that an act constitutes or will constitute an election violation, the board may take whatever action it deems proper under the circumstances. This includes referring the matter to the attorney general for civil action or the county prosecuting attorney for criminal prosecution. (IC 3-6-5-31; 3-14-5-3)

**Indiana law also requires that a county election board forward all voter challenge affidavits (PRE-4 forms) returned by precinct election officers following the close of the polls to the foreman of the grand jury when the jury is next in session and to forward photocopies of the affidavits to the Secretary of State.** The grand jury is required to inquiry into the truth or falsity of the affidavits, and file a report of the results of its inquiry with the court. (IC 3-14-5-2) *Exception: This procedure does not apply to affidavits solely concerning an individual who failed to provide additional documentation as a "first time" voter under IC 3-7-33-4.5 but has since provided this documentation. (IC 3-14-5-1)*

Unless otherwise stated, Indiana election law provides that the following offenses are Level 6 felonies, which subject a person to up to two and one-half years of imprisonment, a \$10,000 fine, or both, upon conviction. The laws cited below should be studied carefully, since they may contain requirements or exemptions that are not set forth in detail in this summary.

- (1) Filing a declaration of candidacy or other similar document to place or remove a candidate from the ballot, knowing that any part of the document is falsely made. (IC 3-14-1-1)
- (2) Refusing to receive and record a declaration of candidacy or other similar document when presented in accordance with the election laws, or suppressing such a document that has been duly filed. (IC 3-14-1-1)
- (3) Using a government employer's property to solicit contributions, or advocate the election or defeat of a candidate or public question at any time, or to distribute campaign materials on government's real property during normal business hours. Class A misdemeanor for first offense. (IC 3-14-1-17)
- (4) Conspiring with a person to encourage an individual to submit a false registration application or to vote illegally. (IC 3-14-2-1)
- (5) Paying or accepting payment for applying for or casting an absentee ballot. (IC 3-14-2-1)
- (6) Paying or accepting payment for registering to vote or voting. (IC 3-14-2-1)
- (7) Soliciting a person known to be ineligible to vote to complete or submit an absentee ballot application. (IC 3-14-2-2.5)
- (8) Signing another person's name to an absentee ballot application that contains a false statement. (IC 3-14-2-3)
- (9) Signing another person's name to an absentee ballot application without writing on it the person's own name and address as an attesting witness. (IC 3-14-2-3)
- (10) Knowingly making a false statement regarding one's name, residence, or voter identification number when signing a poll book or making an oral affirmation to a poll worker. (IC 3-14-2-11)
- (11) Hiring or soliciting a person to go into a precinct for the purpose of voting when the person hired or solicited is not a voter of the precinct. (IC 3-14-2-13)
- (12) Receiving from a voter a ballot prepared for voting, except by an inspector, county election board member, absentee voter board member, or a member of the voter's household or an individual designated as the attorney in fact for the voter, or an employee of the United States Postal Service or a bonded courier company when delivering an envelope containing an absentee ballot. (IC 3-14-2-16)
- (13) Delivering an absentee ballot to an election official that is not the ballot cast by the voter. (IC 3-14-2-16)
- (14) Interfering with a watcher. (IC 3-14-3-3)
- (15) Obstructing, interfering, or injuring an election officer or a voter in the exercise of the election officer's or voter's rights or duties or because the officer or voter has exercised the officer's or voter's rights or duties. (IC 3-14-3-4)
- (16) Failing to receive the vote of a legal voter. (IC 3-14-3-9)
- (17) Interfering with the secrecy of voting. (IC 3-14-3-11)
- (18) Inducing or persuading a voter to vote for a candidate, while acting as a precinct election officer or absentee voter board member. (IC 3-14-3-17)
- (19) Inducing or procuring a person to apply for or cast an absentee ballot or vote or refrain from voting for or against a candidate by giving, offering, or promising money or other property. (IC 3-14-3-19)
- (20) Receiving, accepting, requesting or soliciting money or other property to induce a voter to apply for or cast an absentee ballot or to vote or refrain from voting for or against a candidate or public question. (IC 3-14-3-20)
- (21) Conspiring to obtain property an individual would be entitled to receive as compensation for serving as an elected official by securing false or fraudulent absentee ballot applications or voter registration applications and to transport fraudulent voter registration applications or absentee ballot applications by private or commercial carrier operating entirely within Indiana. (IC 3-14-3-20.5)

- (22) Intimidating, threatening, or coercing another person for voting or attempting to vote, urging or aiding another individual to vote or attempt to vote, or exercising any power or duty related to registration or voting. (IC 3-14-3-21.5)

See the *Election Administrator's Manual*, published by the Indiana Election Division, for information regarding other criminal violations of the election laws. See the *2016 Indiana Campaign Finance Manual*, published by the Indiana Election Division, for information regarding criminal violations of the campaign finance laws, and the county election board's authority to impose civil penalties for campaign finance related violations. See the *2016 Voter Registration Guidebook*, published by the Indiana Election Division, for information regarding criminal violations of the voter registration law.

## **CAMPAIGN FINANCE INFORMATION**

Candidates may access the *2016 Indiana Campaign Finance Manual* from the Indiana Election Division's office or the Division's website at [www.campaignfinance.in.gov](http://www.campaignfinance.in.gov), along with the forms required for campaign finance filings with the Election Division and County Election Boards.

### **UNITED STATES PRESIDENT AND VICE PRESIDENT**

Candidates for United States President and Vice President should contact the Federal Election Commission for information on campaign finance reporting requirements or visit [www.fec.gov](http://www.fec.gov).

### **UNITED STATES SENATOR**

Candidates for United States Senator should contact the Federal Election Commission for information on campaign finance reporting requirements or visit [www.fec.gov](http://www.fec.gov). Candidates should contact the Office of the Secretary of the Senate for information on economic interest statement reporting requirements.

### **UNITED STATES REPRESENTATIVE**

Candidates for United States Representative should contact the Federal Election Commission for information on campaign finance reporting requirements or visit [www.fec.gov](http://www.fec.gov). Candidates should contact the House Standards of Official Conduct for information on economic interest statement reporting requirements.

### **GOVERNOR, LIEUTENANT GOVERNOR, ATTORNEY GENERAL, AND SUPERINTENDENT OF PUBLIC INSTRUCTION**

Candidates for any of the statewide offices file campaign finance documents with the Indiana Election Division and should contact the division for information on campaign finance reporting requirements or visit the Division's campaign finance website at [www.campaignfinance.in.gov](http://www.campaignfinance.in.gov).

### **STATE LEGISLATIVE OFFICES**

Candidates for any of the state legislative offices file campaign finance documents with the Indiana Election Division. Candidates should contact the division for information on campaign finance reporting requirements or visit the Division's campaign finance website at [www.campaignfinance.in.gov](http://www.campaignfinance.in.gov).

### **JUDICIAL OFFICE AND PROSECUTING ATTORNEY**

Candidates for these offices file the campaign finance documents with the county election board, and should contact the county election board for information on campaign finance reporting requirements.

### **CIRCUIT COURT CLERK AND COUNTY OFFICES**

Candidates for these offices file the campaign finance documents with the county election board, and should contact the county election board for information on campaign finance reporting requirements.

### **TOWNSHIP OFFICES**

Candidates for these offices file the campaign finance documents with the county election board, and should contact the county election board for information on campaign finance reporting requirements.

## **SCHOOL BOARD OFFICES**

Candidates for these offices file the campaign finance documents with the county election board of the county where the greatest percentage of the school corporation resides, and should contact the county election board for information on campaign finance reporting requirements.

## **TOWN OFFICES**

Candidates for these offices file the campaign finance documents with the county election board and should contact the county election board for information on campaign finance reporting requirements.

## **PRECINCT COMMITTEEMAN AND STATE CONVENTION DELEGATE**

Indiana law does not require that precinct committeeman or state convention delegate candidates file campaign finance documents regardless of the amount of money candidates raise or spend.

# FEDERAL OFFICES

## PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES

### A. Qualifications

**Article 2, Section 1, Clause 5 of the United States Constitution provides that:**

“No person except a natural-born citizen . . . shall be eligible to the office of President; neither shall any person be eligible to that office who shall not have attained to the age of thirty-five years and been fourteen years a resident within the United States.”

### B. Democratic and Republican Party Candidates Nominated at the Primary Election

**A candidate may submit a declaration of candidacy and petition of nomination in person or by mail, and the declaration and petition are considered filed as of the DAY AND TIME THEY ARE FILED in the office of the Indiana Election Division. “Filing” occurs when the Election Division records the date and time the Division receives the document. (IC 3-5-2-24.5) A candidate may not submit a declaration or petition of nomination by facsimile transmission or electronic mail. (IC 3-5-4-1.7)**

#### 1. Declaration of Candidacy

Democratic and Republican Party candidates for the office of President will be placed on the ballot for a presidential preference vote at the primary election to be held on Tuesday, May 3, 2016. (IC 3-10-1-3)

A candidate for the nomination of President of the United States by the Democratic or Republican Party must file a declaration of candidacy with the Election Division or the office of the Secretary of State. (IC 3-8-3-1)

The declaration of candidacy form (CAN-7) is available from the Election Division’s office, on the Division’s website, and is included in this Guide under the *Candidate Forms* tab.

#### 2. Petition of Nomination

The declaration of candidacy must be accompanied by a certified petition of nomination signed by at least 4,500 registered voters of the state, including at least 500 registered voters from each of Indiana’s 9 congressional districts. (IC 3-8-3-2)

Each petition must request that the candidate’s name be placed on the ballot at the primary election and must contain the following: (a) signature of each petitioner, (b) name of each petitioner printed legibly, and (c) residence mailing address of each petitioner. (IC 3-8-3-2)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The county voter registration office in each county where a petitioner is registered must certify whether each petitioner is a registered voter in that county. This certification must accompany and be a part of the petition. If a county is a part of more than one congressional district, the certificate must indicate the number of petitioners from that county who reside in each congressional district. (IC 3-8-2-9)

The petition of nomination form (CAN-8) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter in the county.. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

### **3. Filing Requirements and Deadlines**

**A candidate may submit a petition of nomination for certification to the county voter registration office no earlier than Wednesday, January 6, 2016, and no later than 12:00 noon, local prevailing time, on Tuesday, January 26, 2016. (IC 3-8-3-4)**

The presidential primary candidate may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-7 form) with the Election Division to be placed on the primary election ballot. (IC 3-8-3-4)

The declaration of candidacy and certified petitions must be filed with the Election Division **no earlier than Wednesday, January 6, 2016, and no later than 12:00 noon, Indianapolis time, on Friday, February 5, 2016.** (IC 3-8-3-1 and IC 3-8-3-5) **A declaration of candidacy or certified petition presented after February 5, 2016 at 12:00 noon will not be accepted for filing.**

### **4. Candidate Withdrawal Requirements**

#### **Primary Election Candidate Withdrawal**

A candidate for President of the United States who filed with the Election Division a declaration of candidacy for the primary election may file written notice of candidate withdrawal with the Election Division certifying that the individual no longer wishes to be a candidate. A candidate must file this notice with the Election Division **no later than 12:00 noon, Indianapolis time, Monday, February 8, 2016.** (IC 3-8-2-20) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the primary election. (IC 3-8-2-21) **Notice of candidate withdrawal presented after February 8, 2016 at 12:00 noon will not be accepted for filing.**

The primary election candidate withdrawal form (CAN-10) is available from the Election Division's office, the Division's website, and is included in this Guide under the *Candidate Forms* tab.

**NOTE: Individuals are selected to serve as national convention delegates at the state conventions of the Democratic and Republican parties. Candidates for presidential electors and alternate electors are nominated at the Democratic and Republican state conventions or in another manner provided by state political party rules. (IC 3-8-4-2) The names of candidates for national convention delegate or presidential elector do not appear on the ballot.**

## **General Election Candidate Withdrawal or Other Vacancy**

If the nominee of the Democratic Party or the Republican Party for President of the United States or Vice-President of the United States ceases to be a candidate before the nominee's ticket is officially certified, then that fact and the name and state of residence of the nominee's successor must be certified to the Election Division in the same manner as the original nominee. The name of the successor nominee shall be printed on all ballots. If the nominee ceases to be a candidate after the nominee's ticket has been officially certified, then that fact and the name and state of residence of the nominee's successor, shall be certified to the Election Division in the same manner as the original nominee. However, the ballots must reflect the original nominee's name. Any vote cast in the election for the original nominee is considered a vote cast for the successor. (IC 3-10-4-6)

**NOTE: Individuals are selected to serve as national convention delegates at the state conventions of the Democratic and Republican parties. Candidates for presidential electors and alternate electors are nominated at the Democratic and Republican state conventions or in another manner provided by state political party rules. (IC 3-8-4-2) The names of candidates for national convention delegate or presidential elector do not appear on the ballot.**

## **C. Libertarian Party Candidates**

### **1. Filing Requirements**

Libertarian Party presidential candidates are not placed on the primary election ballot for a presidential preference vote.

The Libertarian Party will nominate candidates for the office of United States President and Vice President at the Party's national convention. Candidates for this office should contact the Libertarian Party's state committee for information concerning any candidate filing requirements.

Libertarian Party candidates for the office of United States President and Vice President are **not** required to file declarations of candidacy with the Election Division. Instead, the Libertarian Party state chair and secretary will certify the Party's nominees to the Election Division.

**NOTE: Individuals are selected to serve as national convention delegates at the state convention of the Libertarian Party. Candidates for presidential electors must be nominated at the Libertarian state convention or in another manner provided by state political party rules. (IC 3-8-4-2) The names of candidates for national convention delegate or presidential elector do not appear on the ballot.**

### **2. General Election Candidate Withdrawal or Other Vacancy**

If the nominee of the Libertarian Party for President of the United States or Vice-President of the United States ceases to be a candidate before the nominee's ticket is officially certified, then that fact and the name and state of residence of the nominee's successor must be certified to the election division in the same manner as the original nominee. The name of the successor nominee shall be printed on all ballots. If the nominee ceases to be a candidate after the nominee's ticket has been officially certified, then that fact and the name and state of residence of the nominee's successor, shall be certified to the Election Division in the same manner as the original nominee. However, the ballots must reflect the original nominee's name. Any vote cast in the election for the original nominee is considered a vote cast for the successor. (IC 3-10-4-6)

## D. Minor Party and Independent Candidates

### 1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate.

A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes to be a candidate for the office of United States President or Vice President at the general election, must file a written consent to become a candidate (CAN-20 form) and a petition of nomination (CAN-19 form) with the Election Division. (IC 3-8-6-12; IC 3-8-6-14(a))

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated. (IC 3-8-6-14(b))

The written consent form (CAN-20) and petition of nomination form (CAN-19) are available from the Election Division's office, on the Division's website, and are included in this Guide under the *Candidate Forms* tab.

To be placed on the general election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election **in the election district** the candidate seeks to represent. Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3) Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

**EXAMPLE:** A candidate for the office of President of the United States must obtain signatures of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election for the entire state or 26,699.

Circuit court clerks should have information on the votes cast in each precinct for the office of secretary of state in the 2014 general election to help determine the number of signatures required for a candidate seeking ballot placement by petition of nomination. A chart listing the 2% ballot access requirement for each county is included under the 2014 *Vote for Secretary of State* tab of this Guide.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence listed in the petition at the time the county processes the petition and in the election district the candidate seeks to represent. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-8; 3-8-6-10; 3-8-6-11)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The **first day** a candidate for the office of United States President and Vice President may submit the petition of nomination, accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Wednesday, January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, prevailing local time, Thursday, June 30, 2016**. (IC 3-8-6-10; IC 3-8-6-12)

For candidates for the office of United States President or Vice President, once the county voter registration office certifies the petitions of nomination, these certified petitions along with the candidate's consent (CAN-20 form) must be filed with the Election Division. The **DEADLINE** for filing the petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) with the Election Division is **12:00 noon, Indianapolis time, Friday, July 15, 2016**. (IC 3-8-6-10; IC 3-8-6-12) The county voter registration office must file the certified petitions of nomination with the Election Division. However, the candidate may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form) with the Election Division to be placed on the general election ballot. (IC 3-8-6-10)

## **2. Nominating Petition Requirements**

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter in the county. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

## **3. Political Party Names**

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition may be challenged, and shall be denied by the Indiana election commission, if the commission finds that the name is confusing. (IC 3-8-6-5.5)

## **4. General Election Candidate Withdrawal or Other Vacancy**

If the nominee of a minor political party for President of the United States or Vice-President of the United States ceases to be a candidate before the nominee's ticket is officially certified, then that fact and the name and state of residence of the nominee's successor must be certified to the Election Division in the same manner as the original nominee. The name of the successor nominee shall be printed on all ballots. If the nominee ceases to be a candidate after the nominee's ticket has been officially certified, then that fact and the name and state of residence of the nominee's successor, shall be certified to the election division in the same manner as the original nominee. However, the ballots must reflect the original nominee's name. Any vote cast in the election for the original nominee is considered a vote cast for the successor. (IC 3-10-4-6; 3-8-6-17)

If a petition of nomination is submitted for an independent candidate for President of the United States and Vice-President of the United States, and that candidate ceases to be a candidate, another candidate may not be substituted on the petition of nomination. (IC 3-8-6-17(e))

## E. Write-in Candidates

### 1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for the office of United States President or Vice President in the general election on Tuesday, November 8, 2016 must file a declaration of intent to be a write-in candidate (CAN-3 form) with the Election Division. (IC 3-8-2-2.5)

The CAN-3 form is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

The **first day** a write-in candidate may file the CAN-3 form with the Election Division is **Wednesday, January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, Indianapolis time, Tuesday, July 5, 2016**. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

### 2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for the office of United States President or Vice President to file a written notice of candidate withdrawal with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

### 3. Political Party Affiliation

If a write-in candidate for President of the United States or Vice-President of the United States claims affiliation with a political party: (1) that already has ballot access, (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2), then a registered voter of the election district may question the validity of the filing under IC 3-8-1-2. The Indiana Election Commission shall determine the validity of the questioned filing. If the Commission determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the Commission shall deny the filing. (IC 3-8-2-12.5)

# UNITED STATES SENATOR

## A. Qualifications

**Article 1, Section 3, Clause 3 of the United States Constitution provides that:**

“No person shall be a senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state for which he shall be chosen.”

## B. Democratic and Republican Party Candidates Nominated at the Primary Election

**A candidate may submit a declaration of candidacy and petition of nomination in person or by mail and they are considered filed as of the DAY AND TIME THEY ARE FILED in the office of the Indiana Election Division. “Filing” occurs when the Election Division records the date and time that the document was file stamped by the Division, not when the document is received in the mail. (IC 3-5-2-24.5) A declaration or petition of nomination may not be submitted by facsimile transmission or email. (IC 3-5-4-1.7; IC 3-8-2-11)**

Candidates for the office of United States Senator from the Democratic or Republican Party will be nominated at the primary election to be held on Tuesday, May 3, 2016. (IC 3-10-1-3)

### 1. Declaration of Candidacy

A candidate for the nomination of United States Senator by the Democratic or Republican Party must file a declaration of candidacy with the Election Division. (IC 3-8-2-5)

The declaration of candidacy form (CAN-2) is available from the Election Division's office, on the Division's website and is in this Guide under the *Candidate Forms* tab.

### 2. Petition of Nomination

The declaration of candidacy must be accompanied by a petition of nomination signed by at least 4,500 registered voters of the state, including at least 500 registered voters from each of Indiana's 9 congressional districts. (IC 3-8-2-8 and IC 3-8-2-9)

Each petition must request that the candidate's name be placed on the ballot at the primary election and must contain the following: (a) signature of each petitioner, (b) name of each petitioner printed legibly, and (c) residence mailing address of each petitioner. (IC 3-8-2-8 and IC 3-8-2-9)

The petition of nomination form (CAN-4) is available from the Election Division's office, on the Division's website, or in included in this Guide under the *Candidate Forms* tab.

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The county voter registration office in each county where a petitioner is registered must certify whether each petitioner is a registered voter in that county. This certification must accompany and be a part of the petition. If a county is a part of more than one congressional district, the certificate must indicate the number of petitioners from that county who reside in each congressional district. (IC 3-8-2-9)

**A candidate may submit a petition for certification to the county voter registration office no earlier than Wednesday, January 6, 2016, and no later than 12:00 noon, local prevailing time, on Tuesday, February 2, 2016. (IC 3-8-2-8 and IC 3-8-2-10)**

The candidate may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-2 form) with the Election Division to be placed on the primary election ballot. (IC 3-8-2-10)

### **3. Filing Requirements and Deadlines**

The declaration of candidacy and certified petitions must be filed with the Election Division **no earlier than Wednesday, January 6, 2016**, and no later than 12:00 noon, Indianapolis time, on **Friday, February 5, 2016**. (IC 3-8-2-4, IC 3-8-2-5 and IC 3-8-2-8) **A declaration of candidacy or certified petition filed after February 5, 2016 at 12:00 noon will not be considered valid.**

### **4. Political Party Affiliation**

Indiana Code 3-8-2-7 sets forth the standard for determining the political party affiliation of a candidate who files a declaration of candidacy for a primary election. The political party affiliation of the candidate is deemed to be:

- (1) the political party in whose primary in Indiana the candidate most recently voted; or
- (2) the political party of the county chair of the county in which the candidate resides who certifies that the candidate is a member of that political party.

### **5. Candidate Withdrawal Requirements**

#### **Primary Election Candidate Withdrawal**

A candidate for United States Senator who filed with the Election Division a declaration of candidacy for the primary election, may file written notice of candidate withdrawal with the Election Division certifying that the individual no longer wishes to be a candidate. This notice must be filed with the Election Division **no later than 12:00 noon, Indianapolis time, Monday, February 8, 2016**. (IC 3-8-2-20) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the primary election (IC 3-8-2-21). **Notice of candidate withdrawal filed after February 8, 2016 at 12:00 noon will not be considered valid.**

The primary election candidate withdrawal form (CAN-10) is available from the Election Division's office, the Division's website, and is included in this Guide under the *Candidate Forms* tab.

#### **General Election Candidate Withdrawal**

After the primary, if the nominee for United States Senator desires to withdraw from the ballot for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. This notice must be filed with the Election Division **no later than 12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy filed after July 15, 2016 at 12:00 noon will not be considered valid.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## C. Libertarian Party Candidates

### 1. Filing Requirements

Libertarian Party candidates are not nominated in a primary election, but are nominated by political party convention. (IC 3-8-4-10)

The Libertarian Party will nominate candidates for the office of United States Senator at the Party's state convention. Candidates for this office should contact the Libertarian Party's state committee for information concerning any candidate filing requirements.

Libertarian Party candidates for the office of United States Senator are **not** required to file declarations of candidacy with the Election Division. Instead, the Libertarian Party state chair and secretary must certify the Party's nominees to the Election Division no later than **12:00 noon, Indianapolis time, July 15, 2016.**

Following a state convention, the chairperson and secretary of the convention or the state chairperson and secretary of the Libertarian Party shall file a certificate of nomination (CAN-23) with the Election Division no later than noon, **July 15, 2016.**

### 2. Candidate Withdrawal Requirements

If a nominee for United States Senator wishes to withdraw from the Libertarian Party ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016.** (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy filed after July 15, 2016 at 12:00 noon will not be considered valid.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## D. Minor Party and Independent Candidates

### 1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate.

A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for the office of United States Senator at the general election, must file a written consent to become a candidate (CAN-20 form) and a petition of nomination (CAN-19 form) with the Election Division. (IC 3-8-6-12; IC 3-8-6-14(a))

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated. (IC 3-8-6-14(b))

The written consent form (CAN-20) and petition of nomination form (CAN-19) are available from the Election Division's office, on the Division's website, and are included in this Guide under the *Candidate Forms* tab.

To be placed on the general election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election **in the election district** the candidate seeks to represent. Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3)

Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

**EXAMPLE:** A candidate for the office of United States Senator must obtain signatures of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election for the entire state or 26,699.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence listed in the petition at the time the county processes the petition and in the election district the candidate seeks to represent. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-10; IC 3-8-6-11)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The **first day** a candidate for the office of United States Senator may submit the petition of nomination, accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Wednesday, January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, prevailing local time, Thursday, June 30, 2016**. (IC 3-8-6-12)

For candidates for the office of United States Senator, once the county voter registration office certifies the petitions of nomination, these certified petitions along with the candidate's consent (CAN-20 form) must be filed with the Election Division. The **DEADLINE** for filing the petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) with the Election Division is **12:00 noon, Indianapolis time, Friday, July 15, 2016**. (IC 3-8-6-10; IC 3-8-6-12) The county voter registration office must file the certified petitions of nomination with the Election Division. However, the candidate for the office of United States Senator may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form) with the Election Division to be placed on the general election ballot. (IC 3-8-6-10)

## **2. Nominating Petition Requirements**

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter in the county, or has changed the individual's address without notifying the county voter registration office. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

## **3. Political Party Names**

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition may be challenged, and shall be denied by the Indiana election commission, if the commission finds that the name is confusing. (IC 3-8-6-5.5) A candidate must indicate whether the candidate is affiliated with any other candidate or group of candidates filing a petition under the same political party name. (IC 3-8-6-5)

## 4. Candidate Withdrawal Requirements

The **DEADLINE** for a person nominated by petition for the office of United States Senator who wishes to withdraw from the general election ballot to file a written notice of candidate withdrawal with the Election Division is than **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy filed after July 15, 2016 at 12:00 noon will not be considered valid.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## E. Write-in Candidates

### 1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for the office of United States Senator in the general election on Tuesday, November 8, 2016 must file a declaration of intent to be a write-in candidate (CAN 3 form) with the Election Division. (IC 3-8-2-2.5)

The CAN-3 form is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

The **first day** a write-in candidate may file the CAN-3 form with the Election Division is **Wednesday, January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, Indianapolis time, Tuesday, July 5, 2016**. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

### 2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for the office of United States Representative to file a written notice of candidate withdrawal with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28; IC 3-8-2-2.7) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy filed after July 15, 2016 at 12:00 noon will not be considered valid.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

### 3. Political Party Affiliation

A write-in candidate for statewide office may claim, on the candidate's declaration, affiliation with a political party other than the Democratic Party, the Libertarian Party, or the Republican Party (the parties whose nominee for Secretary of State of Indiana received at least 2% of the total votes cast in the most recent election for the office of Secretary of State (November 2014)). (IC 3-8-2-2.5)

If a write-in candidate claims affiliation with a political party: (1) that already has ballot access, (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2), then a registered voter of the election district may question the validity of the filing under IC 3-8-1-2. The Indiana Election Commission shall determine the validity of the questioned filing.

If the Commission determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the Commission shall deny the filing. (IC 3-8-2-12.5)

# UNITED STATES REPRESENTATIVE

## A. Qualifications

**Article 1, Section 2, Clause 2 of the United States Constitution provides that:**

“No person shall be a representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen.”

**NOTE:** There is no requirement that a candidate for United States Representative must reside within the *district* the candidate seeks to represent.

## B. Democratic and Republican Party Candidates Nominated at the Primary Election

### 1. Filing Requirements

**A candidate may submit a declaration of candidacy in person or by mail, and it is considered filed as of the DAY AND TIME IT IS FILED in the office of the Indiana Election Division. “Filing” occurs when the Election Division records the date and time that the document was file stamped by the Division, not when the document is received in the mail. (IC 3-5-2-24.5) A declaration may not be submitted by facsimile transmission or email. (IC 3-5-4-1.7; IC 3-8-2-11)**

Candidates for the office of United States Representative from the Democratic or Republican Party will be nominated at the primary election to be held on Tuesday, May 3, 2016.

A candidate for the nomination for United States Representative by the Democratic or Republican Party must file a declaration of candidacy with the Election Division. (IC 3-8-2-5) (Petitions signed by registered voters are **NOT** required of Democratic or Republican Party candidates for United States Representative.)

The **first day** to submit a declaration of candidacy to the Election Division is **Wednesday, January 6, 2016**, and the **DEADLINE** to file is **12:00 noon, Indianapolis time, Friday, February 5, 2016**. (IC 3-8-2-4; IC 3-8-2-5) **A declaration of candidacy presented after February 5, 2016 at 12:00 noon will not be accepted for filing.**

The declaration of candidacy form (CAN-2) is available from the Election Division’s office, on the Division’s website, and is included in this Guide under the *Candidate Forms* tab.

### 2. Political Party Affiliation

Indiana Code 3-8-2-7 sets forth the standard for determining the political party affiliation of a candidate who files a declaration of candidacy for a primary election. The political party affiliation of the candidate is deemed to be:

- (1) the political party in whose primary in Indiana the candidate most recently voted; or
- (2) the political party of the county chair of the county in which the candidate resides who certifies that the candidate is a member of that political party.

### 3. Candidate Withdrawal Requirements

#### Primary Election Candidate Withdrawal

A candidate for United States Representative who filed with the Election Division a declaration of candidacy for the primary election may file written notice of candidate withdrawal with the Election Division certifying that the individual no longer wishes to be a candidate. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, Monday, February 8, 2016**. (IC 3-8-2-20) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the primary election. (IC 3-8-2-21) **Notice of candidate withdrawal presented after February 8, 2016 at 12:00 noon will not be accepted for filing.**

The primary election candidate withdrawal form (CAN-10) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

#### General Election Candidate Withdrawal

After the primary, if a nominee for United States Representative wishes to withdraw from the ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

### C. Libertarian Party Candidates

#### 1. Filing Requirements

Libertarian Party candidates are not nominated in a primary election, but are nominated by political party convention. (IC 3-8-4-10)

The Libertarian Party will nominate candidates for the office of United States Representative at the Party's state convention. Candidates for this office should contact the Libertarian Party's state committee for information concerning any candidate filing requirements.

Libertarian Party candidates for the office of United States Representative are **not** required to file declarations of candidacy with the Election Division. Instead, the Libertarian Party state chair and secretary must certify the Party's nominees to the Election Division no later than **12:00 noon, Indianapolis time, July 15, 2016**. (IC 3-8-7)

Following a state convention, the chairperson and secretary of the convention or the state chairperson and secretary of the Libertarian Party shall file a certificate of nomination (CAN-23) with the Election Division no later than noon, **July 15, 2016**.

## 2. Candidate Withdrawal Requirements

If a nominee for United States Representative wishes to withdraw from the Libertarian Party ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016.** (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## D. Minor Party and Independent Candidates

### 1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate.

A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for the office of United States Representative at the general election, must file a written consent to become a candidate (CAN-20 form) and a petition of nomination (CAN-19 form) with the Election Division. (IC 3-8-6-12; IC 3-8-6-14(a))

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated. (IC 3-8-6-14(b))

The written consent form (CAN-20) and petition of nomination form (CAN-19) are available from the Election Division's office, on the Division's website and are included in this Guide under the *Forms* tab.

To be placed on the general election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election **in the election district** the candidate seeks to represent. Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3) Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

**EXAMPLE:** A candidate for the office of United State Representative, District 2, must obtain signatures of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election in the precincts that make up District 2.

Circuit court clerks should have information on the precinct votes for the office of secretary of state in the 2014 general election to help determine the number of signatures required for a candidate seeking ballot placement by petition of nomination. A chart listing the 2% ballot access requirement for each county is included under the *2014 Vote for Secretary of State* tab of this Guide.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence listed in the petition at the time the county processes the petition and in the election district the candidate seeks to represent. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-10; IC 3-8-6-11)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The **first day** a candidate for the office of United States Representative may submit the petition of nomination, accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Monday, January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, prevailing local time, Thursday, June 30, 2016**. (IC 3-8-6-12)

For candidates for the office of United States Representative, once the county voter registration office certifies the petitions of nomination, these certified petitions along with the candidate's consent (CAN-20 form) must be filed with the Election Division. The **DEADLINE** for filing the petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) with the Election Division is **12:00 noon, Indianapolis time, Friday, July 15, 2016**. (IC 3-8-6-10; IC 3-8-6-12) The county voter registration office must file the certified petitions of nomination with the Election Division. However, the candidate for the office of United States Representative may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form) with the Election Division to be placed on the general election ballot. (IC 3-8-6-10)

## 2. Nominating Petition Requirements

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter of the election district of the office sought by the candidate or has changed the individual's address without notifying the county voter registration office. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

## 3. Political Party Names

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition may be challenged, and shall be denied by the Indiana Election Commission, if the commission finds the name is confusing. (IC 3-8-6-5.5) A candidate must indicate whether the candidate is affiliated with any other candidate or group of candidates filing a petition under the same political party name. (IC 3-8-6-5)

## 4. Candidate Withdrawal Requirements

The **DEADLINE** for a person nominated by petition for the office of United States Representative who wishes to withdraw from the general election ballot to file a written notice of candidate withdrawal with the Election Division is than **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## E. Write-in Candidates

### 1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for the office of United States Representative in the general election on Tuesday, November 8, 2016 must file a declaration of intent to be a write-in candidate (CAN 3 form) with the Election Division. (IC 3-8-2-2.5)

The CAN-3 form is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Forms* tab.

The **first day** a write-in candidate may file the CAN-3 form with the Election Division is **Wednesday, January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, Indianapolis time, Tuesday, July 5, 2016**. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

### 2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for the office of United States Representative to file a written notice of candidate withdrawal with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

### 3. Political Party Affiliation

A write-in candidate for statewide office may claim, on the candidate's declaration, affiliation with a political party other than the Democratic Party, the Libertarian Party, or the Republican Party (the parties whose nominee for Secretary of State of Indiana received at least 2% of the total votes cast in the most recent election for the office of Secretary of State (November 2014)). (IC 3-8-2-2.5)

If a write-in candidate claims affiliation with a political party: (1) that already has ballot access, (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2), then a registered voter of the election district may question the validity of the filing under IC 3-8-1-2. The Indiana Election Commission shall determine the validity of the questioned filing. If the Commission determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the Commission shall deny the filing. (IC 3-8-2-12.5)



# STATEWIDE OFFICES

## GOVERNOR

## LIEUTENANT GOVERNOR

### A. Qualifications for Governor and Lieutenant Governor

#### IC 3-8-1-9 provides that:

"A candidate for the office of governor or lieutenant governor:

- (1) must have been a United States citizen for at least five (5) years before the election;
- (2) must have resided in the state for at least five (5) years before the election;
- (3) must be thirty (30) years old upon taking office; and
- (4) may not hold any other office of the United States or of this state upon taking office;

as provided in Article 5, Sections 7 and 8 of the Constitution of the State of Indiana.

#### IC 3-8-1-1 provides that:

". . . (b) A person is not qualified to run for:

- (1) A state office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

#### IC 3-8-1-5 provides that:

Sec. 5. (a) This section does not apply to a candidate for federal office.

(b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:

- (1) for which the person has been pardoned; or
- (2) that has been:
  - (A) reversed;
  - (B) vacated;
  - (C) set aside;
  - (D) not entered because the trial court did not accept the person's guilty plea; or
  - (E) expunged under IC 35-38-9.

(c) A person is disqualified from assuming or being a candidate for an elected office if:

- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;
- (3) in a:
  - (A) jury trial, a jury publicly announces a verdict against the person for a felony;
  - (B) bench trial, the court publicly announces a verdict against the person for a felony; or
  - (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
  - (A) 5 U.S.C. 1502 (the Little Hatch Act); or
  - (B) 5 U.S.C. 7321-7326 (the Hatch Act);and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.
- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:

(1) jury has announced its verdict against the person for a felony;  
(2) court has announced its verdict against the person for a felony; or  
(3) person has pleaded guilty or nolo contendere to a felony;  
does not affect the operation of subsection (c).

## **B. Statement of Economic Interest**

Candidates for Governor and Lieutenant Governor are required to file a statement of economic interest. (IC 3-8-1-33) **Candidates for these offices must file a statement of economic interest:** (1) before filing for placement on the primary election ballot; (2) before a certificate of nomination is filed following the state convention of the Democratic, Libertarian, or Republican party, (3) before a petition of nomination is filed for an independent or minor party candidate, (4) before a declaration of intent to be a write-in candidate is filed, or (5) before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2.

A candidate for governor or lieutenant governor must file a statement of economic interest with the Office of the Inspector General. (IC 4-2-6-8)

A candidate will receive a Certificate of Filing from the Inspector General. The candidate must supply a copy of this certificate to the Election Division before the Division can accept a candidate's filing. (IC 3-8-2-11)

The statement of economic interest form is available from the Office of the Inspector General. The Inspector General's contact information is listed under the *General Information* tab of this Guide.

## **C. Democratic and Republican Party Candidates for Governor Nominated at the Primary Election**

**A candidate for governor may submit a declaration of candidacy and petition of nomination in person or by mail and they are considered filed as of the DAY AND TIME THEY ARE FILED in the office of the Indiana Election Division. "Filing" occurs when the Election Division records the date and time that the document was received. (IC 3-5-2-24.5) A declaration or petition of nomination may not be submitted by facsimile transmission or electronic mail. (IC 3-5-4-1.7)**

Candidates for the office of Governor from the Democratic or Republican Party will be nominated at the primary election to be held on Tuesday, May 3, 2016. (IC 3-10-1-3)

### **1. Declaration of Candidacy**

A candidate for the nomination of Governor by the Democratic or Republican Party must file a declaration of candidacy with the Election Division. (IC 3-8-2-5)

The declaration of candidacy form (CAN-2) is available from the Election Division's office, on the Division's website and is in this Guide under the *Candidate Forms* tab.

## 2. Petition of Nomination

The declaration of candidacy must be accompanied by a certified petition of nomination signed by at least 4,500 registered voters of the state, including at least 500 registered voters from each of Indiana's 9 congressional districts. (IC 3-8-2-8 and IC 3-8-2-9)

Each petition must request that the candidate's name be placed on the ballot at the primary election and must contain the following: (a) signature of each petitioner, (b) name of each petitioner printed legibly, and (c) residence mailing address of each petitioner. (IC 3-8-2-8 and IC 3-8-2-9)

The petition of nomination form (CAN-25) and a declaration of candidacy form (CAN-2) are available from the Election Division's office, on the Division's website, or included in this Guide under the *Candidate Forms* tab.

The county voter registration office in each county where a petitioner is registered must certify whether each petitioner is a registered voter in that county. This certification must accompany and be a part of the petition. If a county is a part of more than one congressional district, the certificate must indicate the number of petitioners from that county who reside in each congressional district. (IC 3-8-2-9)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

**A candidate for governor may submit a petition for certification to the county voter registration office no earlier than Wednesday, January 6, 2016, and no later than 12:00 noon, local prevailing time, on Tuesday, February 2, 2016. (IC 3-8-2-8 and IC 3-8-2-10)**

## 3. Filing Requirements and Deadlines

The declaration of candidacy and certified petitions must be filed with the Election Division **no earlier than Wednesday, January 6, 2016, and no later than 12:00 noon, Indianapolis time, on Friday, February 5, 2016.** (IC 3-8-2-4, IC 3-8-2-5 and IC 3-8-2-8) **A declaration of candidacy or certified petition filed after February 5, 2016 at 12:00 noon will not be accepted for filing.**

## 4. Candidate Withdrawal Requirements

### Primary Election Candidate Withdrawal

A candidate for governor, who filed with the Election Division a declaration of candidacy for the primary election, may file written notice of candidate withdrawal with the Election Division certifying that the individual no longer wishes to be a candidate. This notice must be filed with the Election Division **no later than 12:00 noon, Indianapolis time, Monday, February 8, 2016.** (IC 3-8-2-20) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the primary election (IC 3-8-2-21). **Notice of candidate withdrawal filed after February 8, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The primary election candidate withdrawal form (CAN-10) is available from the Election Division's office, the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## General Election Candidate Withdrawal

After the primary, if the nominee for governor desires to withdraw from the ballot for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. This notice must be filed with the Election Division **no later than 12:00 noon, Indianapolis time, on Friday, July 15, 2016.** (IC 3-8-7-28) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## D. Democratic and Republican Party Candidates for Lieutenant Governor

### 1. Filing Requirements

Candidates for the office of lieutenant governor from the Democratic or Republican Party will be nominated at their respective state conventions. (IC 3-8-4-2) A person wishing to become a candidate for the nomination to this office from the Democratic or Republican parties should contact their respective party's state headquarters concerning requirements for becoming a candidate.

### 2. Candidate Withdrawal Requirements

After the state convention, if a nominee for lieutenant governor desires to withdraw from the ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** for filing this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016.** (IC 3-8-7-28) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## E. Libertarian Party Candidates

### 1. Filing Requirements

The Libertarian Party will nominate candidates for the governor and lieutenant governor at the Party's state convention. (IC 3-8-4-10) A person wishing to become a candidate for the nomination to any of these offices should contact the Libertarian Party's state committee for information concerning any candidate filing requirements.

### 2. Candidate Withdrawal Requirements

If a nominee for a statewide office wishes to withdraw from the Libertarian Party ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016.** (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## F. Minor Party and Independent Candidates

### 1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate.

A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for governor or lieutenant governor at the general election, must file a written consent to become a candidate (CAN-20 form) and a certified petition of nomination (CAN-19 form) with the Election Division. (IC 3-8-6-12 and IC 3-8-6-14(a))

The petition of a candidate for governor who files a petition of nomination to be placed on the general election ballot must include the name of a candidate for lieutenant governor. (IC 3-8-1-9.5)

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated, including the filing of a statement of economic interest. (IC 3-8-6-14(b))

The written consent form (CAN-20) and petition of nomination form (CAN-19) are available from the Election Division's office, on the Division's website, and are included in this Guide under the *Candidate Forms* tab.

To be placed on the general election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election **in the election district** the candidate seeks to represent. Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3) Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

**EXAMPLE:** A candidate for the office of Governor must obtain signatures of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election for the entire state or 26,699.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence listed in the petition at the time the county processes the petition and in the election district the candidate seeks to represent. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-10; IC 3-8-6-11)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The **first day** a minor party or independent candidate for a governor or lieutenant governor may submit the petition of nomination, accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Wednesday, January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, prevailing local time, Thursday, June 30, 2016**. (IC 3-8-6-12)

Once the county voter registration office certifies the petitions of nomination, the minor party or independent candidate for governor or lieutenant governor must file these certified petitions along with the candidate's consent (CAN-20 form) and receipt of filing of the statement of economic interest (as required under IC 3-8-1-33) with the Election Division. The **DEADLINE** for filing the certified petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) with the Election Division is **12:00 noon, Indianapolis time, Friday, July 15, 2016**. (IC 3-8-6-10; IC 3-8-6-12) The county voter registration office must file the certified petitions of nomination with the Election Division. However, the candidate for a statewide office may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form) with the Election Division to be placed on the general election ballot. (IC 3-8-6-10)

## 2. Nominating Petition Requirements

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter in the county. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

## 3. Political Party Names

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition may be challenged, and shall be denied by the Indiana election commission if the commission finds that the name is confusing. (IC 3-8-6-5.5)

## 4. Candidate Withdrawal Requirements

The **DEADLINE** for a person nominated by petition for a statewide office who wishes to withdraw from the general election ballot to file a written notice of candidate withdrawal with the Election Division is than **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## G. Write-in Candidates

### 1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for a statewide office in the general election on Tuesday, November 8, 2016 must file a declaration of intent to be a write-in candidate (CAN 3 form) with the Election Division. (IC 3-8-2-2.5)

The declaration of intent to be a write-in candidate for governor must include the name of a candidate for lieutenant governor. (IC 3-8-1-9.5)

The CAN-3 form is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

The **first day** a write-in candidate may file the CAN-3 form with the Election Division is **Wednesday, January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, Indianapolis time, Tuesday, July 5, 2016**. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

## 2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for a statewide office to file a written notice of candidate withdrawal with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## 3. Political Party Affiliation

A write-in candidate for statewide office may claim, on the candidate's declaration, affiliation with a political party other than the Democratic Party, the Libertarian Party, or the Republican Party (the parties whose nominee for Secretary of State of Indiana received at least 2% of the total votes cast in the most recent election for the office of Secretary of State (November 2014)). (IC 3-8-2-2.5)

If a write-in candidate claims affiliation with a political party: (1) that already has ballot access, (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2), then a registered voter of the election district may question the validity of the filing under IC 3-8-1-2. The Indiana Election Commission shall determine the validity of the questioned filing. If the Commission determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the Commission shall deny the filing. (IC 3-8-2-12.5)

# STATEWIDE OFFICES

## ATTORNEY GENERAL

### SUPERINTENDENT OF PUBLIC INSTRUCTION

#### A. Qualifications for Attorney General and Superintendent of Public Instruction

##### IC 3-8-1-10 provides that:

"A candidate for the office of **attorney general** must:

- (1) have resided in Indiana for at least two (2) years before the election; and
- (2) have been admitted to the practice of law in Indiana for at least five (5) years upon taking office."

##### IC 3-8-1-10.5 provides that:

"A candidate for the office of **state superintendent of public instruction** must have resided in Indiana for at least two (2) years before the election."

##### IC 3-8-1-1 provides that:

". . . (b) A person is not qualified to run for:

- (1) A state office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

##### IC 3-8-1-5 provides that:

Sec. 5. (a) This section does not apply to a candidate for federal office.

(b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:

- (1) for which the person has been pardoned; or
- (2) that has been:
  - (A) reversed;
  - (B) vacated;
  - (C) set aside;
  - (D) not entered because the trial court did not accept the person's guilty plea; or
  - (E) expunged under IC 35-38-9.

(c) A person is disqualified from assuming or being a candidate for an elected office if:

- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;
- (3) in a:
  - (A) jury trial, a jury publicly announces a verdict against the person for a felony;
  - (B) bench trial, the court publicly announces a verdict against the person for a felony; or
  - (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
  - (A) 5 U.S.C. 1502 (the Little Hatch Act); or
  - (B) 5 U.S.C. 7321-7326 (the Hatch Act);and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.
- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-

38-1-1.5 after the:

- (1) jury has announced its verdict against the person for a felony;
- (2) court has announced its verdict against the person for a felony; or
- (3) person has pleaded guilty or nolo contendere to a felony;

does not affect the operation of subsection (c).

## B. Statement of Economic Interest

Candidates for statewide offices are required to file a statement of economic interest. (IC 3-8-1-33) **Candidates for these offices must file a statement of economic interest:** (1) before a certificate of nomination is filed following the state convention of the Democratic, Libertarian, or Republican party, (2) before a petition of nomination is filed for an independent or minor party candidate, (3) before a declaration of intent to be a write-in candidate is filed, or (4) before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2.

A candidate for attorney general or superintendent of public instruction must file a statement of economic interest with the Office of the Inspector General. (IC 4-2-6-8)

A candidate will receive a Certificate of Filing from the Inspector General. If you submit your statement online, you will receive an email confirmation. The candidate must supply a copy of this certificate or email confirmation to the Election Division before the Division can accept a candidate's filing. (IC 3-8-2-11)

The statement of economic interest form is available from the Office of the Inspector General. The Inspector General's contact information is listed under the *General Information* tab of this Guide.

## C. Democratic and Republican Party Candidates

### 1. Filing Requirements

Candidates for the office of attorney general and superintendent of public instruction from the Democratic or Republican Party will be nominated at their respective state conventions. (IC 3-8-4-2) A person wishing to become a candidate for the nomination to any of these offices from the Democratic or Republican parties should contact their respective party's state headquarters concerning requirements for becoming a candidate.

Following a state convention, the chairman and the secretary of the state convention or the state chairman and state secretary of the political party holding the state convention shall file a certificate of nomination (CAN-23) with the Secretary of State no later than **12:00 noon, Indianapolis time, July 15, 2016.**

### 2. Candidate Withdrawal Requirements

After the state convention, if a nominee for statewide office desires to withdraw from the ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** for filing this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016.** (IC 3-8-7-28) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## D. Libertarian Party Candidates

### 1. Filing Requirements

The Libertarian Party will nominate candidates for the statewide offices at the Party's state convention. (IC 3-8-4-10) A person wishing to become a candidate for the nomination to any of these offices should contact the Libertarian Party's state committee for information concerning any candidate filing requirements.

Following a state convention, the chairman or the secretary of the state convention or the state chairman and state secretary of the political party holding the state convention shall file a certificate of nomination (CAN-23) with the Secretary of State no later than **12:00 noon, Indianapolis time, July 15, 2016**.

### 2. Candidate Withdrawal Requirements

If a nominee for a statewide office wishes to withdraw from the Libertarian Party ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## E. Minor Party and Independent Candidates

### 1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate.

A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for a statewide office at the general election, must file a written consent to become a candidate (CAN-20 form) and a petition of nomination (CAN-19 form) with the Election Division. (IC 3-8-6-12 and IC 3-8-6-14(a))

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated, including the filing of a statement of economic interest. (IC 3-8-6-14(b))

The written consent form (CAN-20) and petition of nomination form (CAN-19) are available from the Election Division's office, on the Division's website, and are included in this Guide under the *Candidate Forms* tab.

To be placed on the general election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election **in the election district** the candidate seeks to represent.

Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3)  
Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

**EXAMPLE:** A candidate for the office of Attorney General must obtain signatures of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election for the entire state or 26,699.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence listed in the petition at the time the county processes the petition and in the election district the candidate seeks to represent. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-10; IC 3-8-6-11)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The **first day** a minor party or independent candidate for a statewide office may submit the petition of nomination, accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Wednesday, January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, prevailing local time, Thursday, June 30, 2016**. (IC 3-8-6-12)

For a candidate for a statewide office, once the county voter registration office certifies the petitions of nomination, these certified petitions along with the candidate's consent (CAN-20 form) and receipt of filing of the statement of economic interest (as required under IC 3-8-1-33), must be filed with the Election Division. The **DEADLINE** for filing the petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) with the Election Division is **12:00 noon, Indianapolis time, Friday, July 15, 2016**. (IC 3-8-6-10; IC 3-8-6-12) The county voter registration office must file the certified petitions of nomination with the Election Division. However, the candidate for a statewide office may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form) with the Election Division to be placed on the general election ballot. (IC 3-8-6-10)

## 2. Nominating Petition Requirements

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter in the county. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

## 3. Political Party Names

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition may be challenged, and the Indiana election commission shall deny the petition if the commission finds that the name is confusing. (IC 3-8-6-5.5)

## 4. Candidate Withdrawal Requirements

The **DEADLINE** for a person nominated by petition for a statewide office who wishes to withdraw from the general election ballot to file a written notice of candidate withdrawal with the Election Division is than **12:00 noon, Indianapolis time, on Friday, July 15, 2016.** (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## F. Write-in Candidates

### 1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for a statewide office in the general election on Tuesday, November 8, 2016 must file a declaration of intent to be a write-in candidate (CAN 3 form) with the Election Division. (IC 3-8-2-2.5)

The CAN-3 form is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

The **first day** a write-in candidate may file the CAN-3 form with the Election Division is **Wednesday, January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, Indianapolis time, Tuesday, July 5, 2016.** (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

### 2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for a statewide office to file a written notice of candidate withdrawal with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016.** (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office and on the Division's website. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

### 3. Political Party Affiliation

A write-in candidate for statewide office may claim, on the candidate's declaration, affiliation with a political party other than the Democratic Party, the Libertarian Party, or the Republican Party (the parties whose nominee for Secretary of State of Indiana received at least 2% of the total votes cast in the most recent election for the office of Secretary of State (November 2014)). (IC 3-8-2-2.5)

If a write-in candidate claims affiliation with a political party: (1) that already has ballot access, (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2), then a registered voter of the election district may question the validity of the filing under IC 3-8-1-2.

The Indiana Election Commission shall determine the validity of the questioned filing. If the Commission determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the Commission shall deny the filing. (IC 3-8-2-12.5)



# STATE LEGISLATIVE OFFICES

## INDIANA STATE SENATOR

## INDIANA STATE REPRESENTATIVE

### A. Qualifications

#### 1. Indiana State Senator

##### IC 3-8-1-13 provides that:

“A candidate for the office of senator in the General Assembly must:

- (1) Be a United States citizen at the time of election;
- (2) Have resided in the state for at least two (2) years and in the senate district for at least one (1) year before the election; and
- (3) Be at least twenty-five (25) years old upon taking office;

as provided in Article 4, Section 7 of the Constitution of the State of Indiana.”

##### IC 3-8-1-1 provides that:

“ . . . (b) A person is not qualified to run for: . . .

- (2) A legislative office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination.”

##### IC 3-8-1-5 provides that:

“Sec. 5. (a) This section does not apply to a candidate for federal office.

(b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:

- (1) for which the person has been pardoned; or
- (2) that has been:
  - (A) reversed;
  - (B) vacated;
  - (C) set aside;
  - (D) not entered because the trial court did not accept the person's guilty plea; or
  - (E) expunged under IC 35-38-9.

(c) A person is disqualified from assuming or being a candidate for an elected office if:

- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;
- (3) in a:
  - (A) jury trial, a jury publicly announces a verdict against the person for a felony;
  - (B) bench trial, the court publicly announces a verdict against the person for a felony; or
  - (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
  - (A) 5 U.S.C. 1502 (the Little Hatch Act); or
  - (B) 5 U.S.C. 7321-7326 (the Hatch Act);

and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

(d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:

- (1) jury has announced its verdict against the person for a felony;
  - (2) court has announced its verdict against the person for a felony; or
  - (3) person has pleaded guilty or nolo contendere to a felony;
- does not affect the operation of subsection (c).”

## 2. Indiana State Representative

### IC 3-8-1-14 provides that:

“A candidate for the office of representative in the General Assembly must:

- (1) Be a United States citizen at the time of the election;
- (2) Have resided in the state for at least two (2) years and in the house district for at least one (1) year before the election; and
- (3) Be at least twenty-one (21) years old upon taking office;

as provided in Article 4, Section 7 of the Constitution of the State of Indiana.”

### IC 3-8-1-1 provides that:

“ . . . (b) A person is not qualified to run for: . . .

- (2) A legislative office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination.”

### IC 3-8-1-5 provides that:

“Sec. 5. (a) This section does not apply to a candidate for federal office.

(b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:

- (1) for which the person has been pardoned; or
- (2) that has been:
  - (A) reversed;
  - (B) vacated;
  - (C) set aside;
  - (D) not entered because the trial court did not accept the person's guilty plea; or
  - (E) expunged under IC 35-38-9.

(c) A person is disqualified from assuming or being a candidate for an elected office if:

- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;
- (3) in a:
  - (A) jury trial, a jury publicly announces a verdict against the person for a felony;
  - (B) bench trial, the court publicly announces a verdict against the person for a felony; or
  - (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
  - (A) 5 U.S.C. 1502 (the Little Hatch Act); or
  - (B) 5 U.S.C. 7321-7326 (the Hatch Act);
 and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

(d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:

- (1) jury has announced its verdict against the person for a felony;
  - (2) court has announced its verdict against the person for a felony; or
  - (3) person has pleaded guilty or nolo contendere to a felony;
- does not affect the operation of subsection (c).”

## **B. Statement of Economic Interest**

Most copies of legislative candidate economic interest statements are available for public inspection and copying (subject to payment of a photocopying fee) at Legislative Information Center, 200 West Washington Street, Room 230, Indianapolis, Indiana 46204. The Secretary of the Senate and the Principal Clerk of the House of Representatives retain economic interest statement filings for the previous calendar year in their offices.

### **1. Indiana State Senator**

A candidate for state senator must file a statement of economic interest with the Principal Secretary of the Indiana State Senate. (IC 2-2.2-2-2)

The Statement covers the economic activity for the previous year. Therefore, state senate candidates running for office in 2016 must file a statement of economic interest covering their economic activity for 2015.

**State senate candidates must file an original statement of economic interest in person or by mail. The Principal Secretary will not accept faxed or photocopied statements of economic interest.**

The office hours for the Principal Secretary’s office are 8:30 a.m. - 4:30 p.m., Monday through Friday. The first date a state senate candidate may file a statement of economic interest is January 4, 2016. The statement of economic interest form is available from the Indiana State Senate.

**Before accepting a declaration of candidacy or other similar filings, the Election Division will require a receipt, photocopy of a receipt or a copy of the statement file stamped by the Office of the Secretary of the Senate verifying that the statement of economic interest and other prerequisite filings have been completed. (IC 3-8-2-11)**

### **2. Indiana State Representative**

A candidate for state representative must file a statement of economic interest with the Principal Clerk of the Indiana House of Representatives. (IC 2-2.2-2-2)

The Statement covers the economic activity for the previous year. Therefore, state representative candidates running for office in 2016 must file a statement of economic interest covering their economic activity for 2015.

**State representative candidates must file an original statement of economic interest in person or by mail. The Principal Clerk will not accept faxed or photocopied statements of economic interest.**

The office hours for Principal Clerk’s office are 8:30 a.m. - 4:30 p.m., Monday through Friday. The first date a state representative candidate may file a statement of economic interest is January 4, 2016. The statement of economic interest form is available from the Indiana House of Representatives.

The Election Division will require a receipt, photocopy of a receipt or a copy of the statement filed stamped by the Office of the Clerk of the House verifying that the statement of economic interest and other prerequisite filings have been completed. (IC 3-8-2-11)

## C. Democratic and Republican Party Candidates Nominated at the Primary Election

### 1. Filing Requirements

A candidate may submit a declaration of candidacy in person or by mail and is considered filed as of the DAY AND TIME IT IS FILED in the office of the Indiana Election Division. "Filing" occurs when the Election Division records the date and time that the document was file stamped by the Division, not when the document is received in the mail. (IC 3-5-2-24.5) A declaration may not be submitted by facsimile transmission or email. (IC 3-5-4-1.7)

Candidates for a state legislative office from the Democratic or Republican Party will be nominated at the primary election to be held on Tuesday, May 3, 2016.

A candidate for the nomination for a state legislative office by the Democratic or Republican Party must file a declaration of candidacy with the Election Division. (IC 3-8-2-5) (Petitions signed by registered voters are **NOT** required of Democratic or Republican Party candidates for state legislative offices.)

The **first day** to submit a declaration of candidacy to the Election Division is **Wednesday, January 6, 2016**, and the **DEADLINE** to file is **12:00 noon, Indianapolis time, Friday, February 5, 2016**. (IC 3-8-2-4; IC 3-8-2-5) **A declaration of candidacy presented after February 5, 2016 at 12:00 noon will not be accepted for filing.**

The declaration of candidacy form (CAN-2) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

### 2. Political Party Affiliation

Indiana Code 3-8-2-7 sets forth the standard for determining the political party affiliation of a candidate who files a declaration of candidacy for a primary election. The political party affiliation of the candidate is deemed to be:

- (1) the political party in whose primary in Indiana the candidate most recently voted; or
- (2) the political party of the county chair of the county in which the candidate resides who certifies that the candidate is a member of that political party.

### 3. Candidate Withdrawal Requirements

#### Primary Election Candidate Withdrawal

A candidate for a state legislative office who filed with the Election Division a declaration of candidacy for the primary election, may file written notice of candidate withdrawal with the Election Division certifying that the individual no longer wishes to be a candidate. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, Monday, February 8, 2016**. (IC 3-8-2-20) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the primary election (IC 3-8-2-21). **Notice of candidate withdrawal presented after February 8, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The primary election candidate withdrawal form (CAN-10) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## General Election Candidate Withdrawal

After the primary, if a nominee for a state legislative office wishes to withdraw from the ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016.** (IC 3-8-7-28) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or who has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## D. Libertarian Party Candidates

### 1. Filing Requirements

Libertarian Party candidates are not nominated in a primary election, but are nominated by political party convention. (IC 3-8-4-10)

The Libertarian Party will nominate candidates for state legislative offices at the Party's state convention. Candidates for these offices should contact the Libertarian Party's state committee for information concerning any candidate filing requirements.

Libertarian Party candidates for state legislative offices are **not** required to file declarations of candidacy with the Election Division. Instead, the Libertarian Party state chair and secretary shall certify the Party's nominees to the Election Division no later than **Noon, Indianapolis time, July 15, 2016. (IC 3-8-7-8)**

**Following a state convention, the chairperson and secretary of the convention or the state chairperson and secretary of the Libertarian Party must file a certificate of nomination (CAN-23) with the Election Division no later than Noon, Indianapolis time, July 15, 2016.**

### 2. Candidate Withdrawal Requirements

If a nominee for a state legislative office wishes to withdraw from the Libertarian Party ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016.** (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## E. Minor Party and Independent Candidates

### 1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate. A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for a state legislative office at the general election, must file a written consent to become a candidate (CAN-20 form) and a petition of nomination (CAN-19 form) with the Election Division. (IC 3-8-6-12 and IC 3-8-6-14(a))

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated, including the filing of a statement of economic interest. (IC 3-8-6-14(b))

The written consent form (CAN-20) and petition of nomination form (CAN-19) are available from the Election Division's office, on the Division's website, and are included in this Guide under the *Candidate Forms* tab.

To be placed on the general election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election **in the election district** the candidate seeks to represent. Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3) Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

**EXAMPLE:** A candidate for the office of State Representative, District 2, must obtain signatures of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election in the precincts that make up District 2.

Circuit court clerks should have information on the precinct votes for the office of secretary of state in the 2014 general election to help determine the number of signatures required for a candidate seeking ballot placement by petition of nomination. A chart listing the 2% ballot access requirement for each county is included under the *2014 Vote for Secretary of State* tab of this Guide.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence listed in the petition at the time the county processes the petition and in the election district the candidate seeks to represent. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-10; IC 3-8-6-11)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The **first day** a candidate for a state legislative office may submit the petition of nomination, accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Wednesday, January 8, 2016** and the **DEADLINE** for filing is **12:00 noon, prevailing local time, Thursday, June 30, 2016**. (IC 3-8-6-12)

For candidates for state legislative offices, once the county voter registration office certifies the petitions of nomination, these certified petitions along with the candidate's consent (CAN-20 form) and receipt or photocopy of a receipt of filing the statement of economic interest (as required under IC 3-8-1-33), must be filed with the Election Division.

The **DEADLINE** for filing the petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) with the Election Division is **12:00 noon, Indianapolis time, Friday, July 15, 2016**. (IC 3-8-6-10; IC 3-8-6-12) The county voter registration office must file the certified petitions of nomination with the Election Division. However, the candidate for a state legislative office may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form) with the Election Division to be placed on the general election ballot. (IC 3-8-6-10)

## 2. Nominating Petition Requirements

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter of the election district of the office sought by the candidate. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

## 3. Political Party Names

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition may be challenged, and shall be denied by the Indiana Election Commission if the commission finds that confusion would exist. (IC 3-8-6-5.5) A candidate must indicate whether the candidate is affiliated with any other candidate or group of candidates filing a petition under the same political party name. (IC 3-8-6-5)

## 4. Candidate Withdrawal Requirements

The **DEADLINE** for a person nominated by petition for a state legislative office who wishes to withdraw from the general election ballot to file a written notice of candidate withdrawal with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## F. Write-in Candidates

### 1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for a state legislative office in the general election on Tuesday, November 8, 2016 must file a declaration of intent to be a write-in candidate (CAN-3 form) with the Election Division. (IC 3-8-2-2.5)

The CAN-3 form is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

The **first day** a write-in candidate may file the CAN-3 form with the Election Division is **Wednesday, January 8, 2016** and the **DEADLINE** for filing is **12:00 noon, Indianapolis time, Tuesday, July 5, 2016**. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

## 2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for a state legislative office to file a written notice of candidate withdrawal with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## 3. Political Party Affiliation

A write-in candidate for statewide office may claim, on the candidate's declaration, affiliation with a political party other than the Democratic Party, the Libertarian Party, or the Republican Party (the parties whose nominee for Secretary of State of Indiana received at least 2% of the total votes cast in the most recent election for the office of Secretary of State (November 2014)). (IC 3-8-2-2.5)

If a write-in candidate claims affiliation with a political party:

- (1) that already has ballot access,
- (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or
- (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2),

then a registered voter of the election district may question the validity of the filing under IC 3-8-1-2. The Indiana Election Commission shall determine the validity of the questioned filing. If the Commission determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the Commission shall deny the filing. (IC 3-8-2-12.5)

# JUDICIAL OFFICES

## A. Qualifications

### 1. Circuit Court Judge

#### IC 3-8-1-16 provides that:

"A candidate for the office of judge of a circuit court must:

- (1) Reside in the circuit; and
- (2) Be admitted to the practice of law in the state upon taking office; as provided in Article 7, Section 7 of the Constitution of the State of Indiana."

#### IC 3-8-1-1 provides that:

". . . (b) A person is not qualified to run for: . . .

- (2) A local office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

#### IC 3-8-1-5 provides that:

"Sec. 5. (a) This section does not apply to a candidate for federal office.

(b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:

- (1) for which the person has been pardoned; or
- (2) that has been:
  - (A) reversed;
  - (B) vacated;
  - (C) set aside;
  - (D) not entered because the trial court did not accept the person's guilty plea; or
  - (E) expunged under IC 35-38-9.

(c) A person is disqualified from assuming or being a candidate for an elected office if:

- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;
- (3) in a:
  - (A) jury trial, a jury publicly announces a verdict against the person for a felony;
  - (B) bench trial, the court publicly announces a verdict against the person for a felony; or
  - (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
  - (A) 5 U.S.C. 1502 (the Little Hatch Act); or
  - (B) 5 U.S.C. 7321-7326 (the Hatch Act);

and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

(d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:

- (1) jury has announced its verdict against the person for a felony;
- (2) court has announced its verdict against the person for a felony; or

(3) person has pleaded guilty or nolo contendere to a felony; does not affect the operation of subsection (c).”

## 2. Superior Court Judge

### IC 3-8-1-17 provides that:

“A candidate for the office of judge of a superior or probate court must:

- (1) Be admitted to the practice of law in Indiana upon filing a declaration of candidacy or petition of nomination, or upon the filing of a certificate of candidate selection under IC 3-13-1-15 or IC 3-13-2-8; and
- (2) Comply with any other requirement for that office set forth in IC 33-29, IC 33-33, or IC 33-31.”

### IC 33-29-1-3 provides that:

”(a) A standard superior court judge is elected at the general election every six (6) years in the county in which the court is located. The judge's term begins January 1 following the election and ends December 31 following the election of the judge's successor.

(b) To be eligible to hold office as a judge of a standard superior court, a person must be:

- (1) a resident of the county in which the court is located; and
- (2) admitted to practice law in Indiana.”

### IC 3-8-1-1 provides that:

“ . . . (b) A person is not qualified to run for: . . .

- (2) A local office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination.”

### IC 3-8-1-5 provides that:

“Sec. 5. (a) This section does not apply to a candidate for federal office.

(b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:

- (1) for which the person has been pardoned; or
- (2) that has been:
  - (A) reversed;
  - (B) vacated;
  - (C) set aside;
  - (D) not entered because the trial court did not accept the person's guilty plea; or
  - (E) expunged under IC 35-38-9.

(c) A person is disqualified from assuming or being a candidate for an elected office if:

(1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;

(2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;

(3) in a:

- (A) jury trial, a jury publicly announces a verdict against the person for a felony;
- (B) bench trial, the court publicly announces a verdict against the person for a felony; or
- (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
  - (A) 5 U.S.C. 1502 (the Little Hatch Act); or

(B) 5 U.S.C. 7321-7326 (the Hatch Act);  
and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.  
(d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:  
(1) jury has announced its verdict against the person for a felony;  
(2) court has announced its verdict against the person for a felony; or  
(3) person has pleaded guilty or nolo contendere to a felony;  
does not affect the operation of subsection (c).”

## **B. Statement of Economic Interest**

A candidate for any of the following offices:

- judge of a circuit court,
- judge of a superior court,
- judge of the St. Joseph probate court, or
- prosecuting attorney

must file a statement of economic interest with the State Court Administration. (IC 33-23-11-14 & 15)

The statement of economic interest form is available from the State Court Administration Office.

**The Election Division will require a receipt, photocopy of a receipt or a copy of the statement file stamped by the State Court Administration Office verifying that the statement of economic interest and other prerequisite filings have been completed. (IC 3-8-2-11) A file stamped copy of this filing with State Court Administration (or a photocopy of that file-stamped document) serves as a receipt.**

## **C. Democratic and Republican Party Candidates Nominated at the Primary Election**

### **1. Filing Requirements**

**A candidate may submit a declaration of candidacy in person or by mail and is considered filed as of the DAY AND TIME IT IS FILED in the office of the Indiana Election Division. “Filing” occurs when the Election Division records the date and time that the document was file stamped by the Division, not when the document is received in the mail. (IC 3-5-2-24.5) A declaration may not be submitted by facsimile transmission or electronic mail. (IC 3-5-4-1.7; IC 3-8-2-11)**

Candidates for a judicial office from the Democratic or Republican Party will be nominated at the primary election to be held on Tuesday, May 3, 2016.

A candidate for the nomination to a judicial office by the Democratic or Republican Party must file a declaration of candidacy with the Election Division. (IC 3-8-2-5) (Petitions signed by registered voters are **NOT** required of Democratic or Republican Party candidates for these offices.)

The **first day** to submit a declaration of candidacy to the Election Division is **Wednesday, January 6, 2016**, and the **DEADLINE** to file is **12:00 noon, Indianapolis time, Friday, February 5, 2016**. (IC 3-8-2-4; IC 3-8-2-5) **A declaration of candidacy presented after February 5, 2016 at 12:00 noon will not be accepted for filing.**

The declaration of candidacy form (CAN-2) is available from the Election Division’s office, on the Division’s website, and is included in this Guide under the *Candidate Forms* tab.

## 2. Political Party Affiliation

Indiana Code 3-8-2-7 sets forth the standard for determining the political party affiliation of a candidate who files a declaration of candidacy for a primary election. The political party affiliation of the candidate is deemed to be:

- (1) the political party in whose primary in Indiana the candidate most recently voted; or
- (2) the political party of the county chair of the county in which the candidate resides who certifies that the candidate is a member of that political party.

## 3. Candidate Withdrawal Requirements

### Primary Election Candidate Withdrawal

A candidate for a judicial office who filed with the Election Division a declaration of candidacy for the primary election, may file written notice of candidate withdrawal with the Election Division certifying that the individual no longer wishes to be a candidate. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, Monday, February 8, 2016**. (IC 3-8-2-20) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the primary election. (IC 3-8-2-21) **Notice of candidate withdrawal presented after February 8, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The primary election candidate withdrawal form (CAN-10) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

### General Election Candidate Withdrawal

After the primary, if a nominee for judicial office wishes to withdraw from the ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will **not** certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## D. Libertarian Party Candidates

### 1. Filing Requirements

Libertarian Party candidates are not nominated in a primary election, but are nominated by political party convention. (IC 3-8-4-10) The Libertarian Party will nominate candidates for judicial offices and for prosecuting attorney at the Party's state convention. Candidates for these offices should contact the Libertarian Party's state committee for information concerning any candidate filing requirements.

Libertarian Party candidates for judicial offices or prosecuting attorney are **not** required to file declarations of candidacy with the Election Division. Instead, the Libertarian Party state chair and secretary shall certify the Party's nominees to the Election Division no later than **12:00 noon, Indianapolis time, July 15, 2016**. (IC 3-8-7-8)

**Following a state convention, the chairperson and secretary of the convention or the state chairperson and secretary of the Libertarian Party must file a certificate of nomination (CAN-23) with the Election Division no later than 12:00 noon, Indianapolis time, July 15, 2016.**

## 2. Candidate Withdrawal Requirements

If a nominee for a judicial office wishes to withdraw from the Libertarian Party ticket for the general election, the nominee must file a written notice of candidate withdrawal with the Election Division. The **DEADLINE** to file this notice with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## E. Minor Party and Independent Candidates

### 1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate.

A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for a judicial office or for prosecuting attorney at the general election, must file a written consent to become a candidate (CAN-20 form) and a certified petition of nomination (CAN-19 form) with the Election Division. (IC 3-8-6-12 and IC 3-8-6-14(a))

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated, including the filing of a statement of economic interest. (IC 3-8-6-14(b))

The written consent form (CAN-20) and petition of nomination form (CAN-19) are available from the Election Division's office, on the Division's website, and are included in this Guide under the *Candidate Forms* tab.

To be placed on the general election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election **in the election district** the candidate seeks to represent. Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3) Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

**EXAMPLE:** A candidate for the office of superior court judge must obtain signatures of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election in the county.

Circuit court clerks should have information on the precinct votes for the office of secretary of state in the 2014 general election to help determine the number of signatures required for a candidate seeking ballot placement by petition of nomination. A chart listing the 2% ballot access requirement for each county is included under the *2014 Vote for Secretary of State* tab of this Guide.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence listed in the petition at the time the county processes the petition and in the election district the candidate seeks to represent. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-10; IC 3-8-6-11)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The **first day** a candidate for a judicial office may submit the petition of nomination, accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Wednesday, January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, prevailing local time, Thursday, June 30, 2016**. (IC 3-8-6-12)

For candidates for judicial offices, once the county voter registration office certifies the petitions of nomination, these certified petitions along with the candidate's consent (CAN-20 form) and receipt of filing of the statement of economic interest (as required under IC 3-8-1-33), must be filed with the Election Division. The **DEADLINE** for filing the certified petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) with the Election Division is **12:00 noon, Indianapolis time, Friday, July 15, 2016**. (IC 3-8-6-10; IC 3-8-6-12) The county voter registration office must file the certified petitions of nomination with the Election Division. However, the candidate for a judicial office may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form) with the Election Division to be placed on the general election ballot. (IC 3-8-6-10)

## 2. Nominating Petition Requirements

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter of the election district of the office sought by the candidate. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

## 3. Political Party Names

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition may be challenged, and shall be denied if the Indiana election commission finds that confusion would exist. (IC 3-8-6-5.5) A candidate must indicate whether the candidate is affiliated with any other candidate or group of candidates filing a petition under the same political party name. (IC 3-8-6-5)

## 4. Candidate Withdrawal Requirements

The **DEADLINE** for a person nominated by petition for a judicial office or the office of prosecuting attorney who wishes to withdraw from the general election ballot to file a written notice of candidate withdrawal with the Election Division is than **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election.

**Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

## **F. Write-in Candidates**

### **1. Filing Requirements**

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for a judicial office in the general election on Tuesday, November 8, 2016 must file a declaration of intent to be a write-in candidate (CAN 3 form) with the Election Division. (IC 3-8-2-2.5)

The CAN-3 form is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

The **first day** a write-in candidate may file the CAN-3 form with the Election Division is **Wednesday, January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, Indianapolis time, Tuesday, July 5, 2016**. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

### **2. Candidate Withdrawal Requirements**

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for a judicial office or for prosecuting attorney to file a written notice of candidate withdrawal with the Election Division is **12:00 noon, Indianapolis time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the Election Division will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab.

### **3. Political Party Affiliation**

A write-in candidate for judicial office or for prosecuting attorney may claim, on the candidate's declaration, affiliation with a political party other than the Democratic Party, the Libertarian Party, or the Republican Party (the parties whose nominee for Secretary of State of Indiana received at least 2% of the total votes cast in the most recent election for the office of Secretary of State (November 2014)). (IC 3-8-2-2.5)

If a write-in candidate claims affiliation with a political party: (1) that already has ballot access, (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2), then a registered voter of the election district may question the validity of the filing under IC 3-8-1-2. The Indiana Election Commission shall determine the validity of the questioned filing. If the Commission determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the Commission shall deny the filing. (IC 3-8-2-12.5)

# NON-PARTISAN ELECTIONS FOR CERTAIN COUNTY JUDICIAL OFFICES AND OTHER SPECIAL PROCEDURES

## Allen County

The nine judges of the Allen County Superior Court are elected at the general election, but are placed on the general election ballot **without party designation**. (IC 33-33-2-9) A candidate for Allen County Superior Court judge must file a declaration of candidacy with the Election Division (CAN-41 form). The **first day** to file with the Election Division is **Wednesday, January 6, 2016**, and the **DEADLINE** to file is **12:00 noon, Indianapolis time, on Friday, February 5, 2016**. (IC 3-8-2-4; IC 3-8-2-5) **A declaration of candidacy presented after February 5, 2016 at 12:00 noon will not be accepted for filing.**

The declaration of candidacy form (CAN-41) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab. For the special candidate qualifications that apply to this office, see IC 33-33-2-10.

**NOTE:** If an individual who filed a declaration of candidacy for judge in the Allen County Superior Court ceases to be a candidate, the Election Division may accept the filing of additional declarations of candidacy for the seat not later than 12:00 noon, Indianapolis time, Monday, August 1, 2016. (IC 33-33-2-8(f))

## Lake County

The judges of the Lake County Superior Court are appointed by the governor, following nominations submitted by the Superior Court of Lake County Nominating Commission. Each judge is subject to a retention vote by the voters under IC 33-33-45-25.

## Marion County

The thirty-six judges of the Marion County Superior Court are elected at the general election, but none of these offices will be on the November 8, 2016 general election ballot.

Candidates for these offices are nominated by the political parties in the primary election using a special procedure set forth in IC 33-33-49-13.

However, the manner by which candidates for the thirty-six judges of the Marion County Superior Court are elected has been adjudged unconstitutional by the United States Court of Appeals for the Seventh Circuit. As of the publication date of this Manual, this ruling is subject to possible appeal to the United States Supreme Court.

## St. Joseph County

The eight judges of the St. Joseph County Superior Court are appointed by the governor, following nominations submitted by the Superior Court of St. Joseph County Nominating Commission. Each judge is subject to a retention vote by St. Joseph County voters under IC 33-33-71-42.

## Vanderburgh County

The seven judges of the Vanderburgh County Superior Court (and the judge of the Vanderburgh Circuit Court) are elected at the general election but are placed on the general election ballot **without party designation**. (IC 33-33-82-31) A candidate for Vanderburgh County Superior Court judge must file a declaration of candidacy with the Election Division (CAN-41 form). The **first day** to file with the Election Division is **Wednesday, January 6, 2016**, and the **DEADLINE** to file is **12:00 noon, Indianapolis time, on Friday, February 5, 2016**. (IC 3-8-2-4; IC 3-8-2-5) **A declaration of candidacy presented after February 5, 2016 at 12:00 noon will not be accepted for filing.**

The declaration of candidacy form (CAN-41) is available from the Election Division's office, on the Division's website, and is included in this Guide under the *Candidate Forms* tab. For the special candidate qualifications that apply to this office, see IC 33-33-82-31.

**NOTE:** If an individual who filed a declaration of candidacy for judge in the Vanderburgh County Superior Court ceases to be a candidate, the Election Division may accept the filing of additional declarations of candidacy for the seat not later than 12:00 noon, Indianapolis time, Monday, August 1, 2016. (IC 33-33-82-31(c))



**COUNTY OFFICES**  
**CLERK OF THE CIRCUIT COURT**  
**COUNTY AUDITOR**  
**COUNTY RECORDER**  
**COUNTY TREASURER**  
**COUNTY SHERIFF**  
**COUNTY CORONER**  
**COUNTY SURVEYOR**  
**COUNTY ASSESSOR**  
**COUNTY COMMISSIONER**  
**COUNTY COUNCIL MEMBER**

**NOTE:** Some (but not necessarily all) county offices will be elected in 2016. The election schedule for these offices varies from county to county according to when a county was originally organized by the state. All County Sheriffs will be elected in 2018.

**A. Qualifications**

**1. Clerk of the Circuit Court**

**Article 6, Section 2 of the Constitution of the State of Indiana provides that:**

“There shall be elected, in each county by the voters thereof, at the time of holding general elections, a Clerk of the Circuit Court, Auditor, Recorder, Treasurer, Sheriff, Coroner, and Surveyor, who shall, severally, hold their offices for four years; and no person shall be eligible to the office of Clerk, Auditor, Recorder, Treasurer, Sheriff, or Coroner more than eight years in any period of twelve years.”

**IC 3-8-1-1 provides that:**

“ . . . (b) A person is not qualified to run for: . . .

(2) A local office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination.”

**IC 3-8-1-5 provides that:**

“Sec. 5. (a) This section does not apply to a candidate for federal office.

(b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:

(1) for which the person has been pardoned; or

(2) that has been:

(A) reversed;

(B) vacated;

(C) set aside;

(D) not entered because the trial court did not accept the person's guilty plea; or

(E) expunged under IC 35-38-9.

(c) A person is disqualified from assuming or being a candidate for an elected office if:

(1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;

(2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;

- (3) in a:
- (A) jury trial, a jury publicly announces a verdict against the person for a felony;
  - (B) bench trial, the court publicly announces a verdict against the person for a felony; or
  - (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
- (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
- (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
- (6) the person is subject to:
- (A) 5 U.S.C. 1502 (the Little Hatch Act); or
  - (B) 5 U.S.C. 7321-7326 (the Hatch Act);
- and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.
- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:
- (1) jury has announced its verdict against the person for a felony;
  - (2) court has announced its verdict against the person for a felony; or
  - (3) person has pleaded guilty or nolo contendere to a felony;
- does not affect the operation of subsection (c).”

**IC 3-8-1-33 provides that:**

“Sec. 33. (a) A candidate for an office listed in subsection (b) must file a statement of economic interests.

(b) Whenever a candidate for any of the following offices is also required to file a declaration of candidacy or is nominated by petition, the candidate shall file a statement of economic interests before filing the declaration of candidacy or declaration of intent to be a write-in candidate, before the petition of nomination is filed, before the certificate of nomination is filed, or before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2:

\* \* \*

(4) A candidate for a local office..., in accordance with IC 3-8-9, except a candidate for a local office described in subdivision (3).” (Subdivision 3 requires certain judge and prosecutor candidates to already file statements of economic interest)

A candidate for local office (other than judge or prosecuting attorney) is required to file a statement of economic interest (CAN-12). The circuit court clerk must reject a declaration of candidacy that does not include the CAN-12 statement. This form is available from the Election Division’s office, on the Division’s website, and each circuit court clerk’s office. A CAN-12 form is included in this Guide under the *Candidate Forms* tab.

- 2. County Auditor**
- County Recorder**
- County Treasurer**
- County Sheriff**
- County Coroner**
- County Surveyor**

**Article 6, Section 2 of the Constitution of the State of Indiana provides that:**

“There shall be elected, in each county by the voters thereof, at the time of holding general elections, a Clerk of the Circuit Court, Auditor, Recorder, Treasurer, Sheriff, Coroner, and Surveyor, who shall, severally, hold their offices for four years; and no person shall be eligible to the office of Clerk, Auditor, Recorder, Treasurer, Sheriff, or Coroner more than eight years in any period of twelve years.”

**IC 3-8-1-20 provides that:**

“A candidate for the office of county auditor, recorder, treasurer, sheriff, coroner or surveyor must have resided in the county for at least one (1) year before the election, as provided in Article 6, Section 4 of the Constitution of the State of Indiana.”

**IC 3-8-1-1 provides that:**

“ . . . (b) A person is not qualified to run for: . . .

(2) A local office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination.”

**IC 3-8-1-5 provides that:**

“Sec. 5. (a) This section does not apply to a candidate for federal office.

(b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:

(1) for which the person has been pardoned; or

(2) that has been:

(A) reversed;

(B) vacated;

(C) set aside;

(D) not entered because the trial court did not accept the person's guilty plea; or

(E) expunged under IC 35-38-9.

(c) A person is disqualified from assuming or being a candidate for an elected office if:

(1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;

(2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;

(3) in a:

(A) jury trial, a jury publicly announces a verdict against the person for a felony;

(B) bench trial, the court publicly announces a verdict against the person for a felony; or

(C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;

(4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;

(5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or

(6) the person is subject to:

(A) 5 U.S.C. 1502 (the Little Hatch Act); or

(B) 5 U.S.C. 7321-7326 (the Hatch Act);

and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

(d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:

(1) jury has announced its verdict against the person for a felony;

(2) court has announced its verdict against the person for a felony; or

(3) person has pleaded guilty or nolo contendere to a felony;

does not affect the operation of subsection (c).”

**IC 3-8-1-33 provides that:**

“Sec. 33. (a) A candidate for an office listed in subsection (b) must file a statement of economic interests.

(b) Whenever a candidate for any of the following offices is also required to file a declaration of candidacy or is nominated by petition, the candidate shall file a statement of economic interests before filing the declaration of candidacy or declaration of intent to be a write-in candidate, before

the petition of nomination is filed, before the certificate of nomination is filed, or before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2:

\* \* \*

(4) A candidate for a local office..., in accordance with IC 3-8-9, except a candidate for a local office described in subdivision (3).” (Subdivision 3 requires certain judge and prosecutor candidates to already file statements of economic interest)

A candidate for local office (other than judge or prosecuting attorney) is required to file a statement of economic interest (CAN-12). The circuit court clerk must reject a declaration of candidacy that does not include the CAN-12 statement. This form is available from the Election Division’s office, on the Division’s website, and each circuit court clerk’s office. A CAN-12 form is included in this Guide under the *Candidate Forms* tab

### **3. County Assessor**

#### **IC 3-8-1-23 provides that:**

Sec. 23. (a) Subject to subsection (b), a candidate for the office of county assessor must:

(1) have resided in the county for at least one (1) year before the election, as provided in Article 6, Section 4 of the Constitution of the State of Indiana.

(2) The candidate must own real property located in the county upon taking office.

#### **IC 3-8-1-1 provides that:**

“ . . . (b) A person is not qualified to run for: . . .

(2) A local office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination.”

#### **IC 3-8-1-5 provides that:**

Sec. 5. (a) This section does not apply to a candidate for federal office.

(b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:

(1) for which the person has been pardoned; or

(2) that has been:

(A) reversed;

(B) vacated;

(C) set aside;

(D) not entered because the trial court did not accept the person's guilty plea; or

(E) expunged under IC 35-38-9.

(c) A person is disqualified from assuming or being a candidate for an elected office if:

(1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;

(2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;

(3) in a:

(A) jury trial, a jury publicly announces a verdict against the person for a felony;

(B) bench trial, the court publicly announces a verdict against the person for a felony; or

(C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;

(4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;

(5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or

(6) the person is subject to:

- (A) 5 U.S.C. 1502 (the Little Hatch Act); or
- (B) 5 U.S.C. 7321-7326 (the Hatch Act);

and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

(d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:

- (1) jury has announced its verdict against the person for a felony;
  - (2) court has announced its verdict against the person for a felony; or
  - (3) person has pleaded guilty or nolo contendere to a felony;
- does not affect the operation of subsection (c).

**IC 3-8-1-33 provides that:**

“Sec. 33. (a) A candidate for an office listed in subsection (b) must file a statement of economic interests.

(b) Whenever a candidate for any of the following offices is also required to file a declaration of candidacy or is nominated by petition, the candidate shall file a statement of economic interests before filing the declaration of candidacy or declaration of intent to be a write-in candidate, before the petition of nomination is filed, before the certificate of nomination is filed, or before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2:

\* \* \*

(4) A candidate for a local office . . . , in accordance with IC 3-8-9, except a candidate for a local office described in subdivision (3).” (Subdivision 3 requires certain judge and prosecutor candidates to already file statements of economic interest)

A candidate for local office (other than judge or prosecuting attorney) is required to file a statement of economic interest (CAN-12). The circuit court clerk must reject a declaration of candidacy that does not include the CAN-12 statement. This form is available from the Election Division’s office, on the Division’s website, and each circuit court clerk’s office. A CAN-12 form is included in this Guide under the *Candidate Forms* tab.

## **4. County Commissioner**

**IC 3-8-1-21 provides that:**

“A candidate for the office of county Commissioner must:

- (1) Have resided in the county for at least one (1) year before the election as provided in Article 6, Section 4 of the Constitution of the State of Indiana; and
- (2) Have resided in the district in which seeking election, if applicable, for at least six (6) months before the election.”

**IC 3-8-1-1 provides that:**

“ . . . (b) A person is not qualified to run for: . . .

- (2) A local office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination.”

**IC 3-8-1-5 provides that:**

Sec. 5. (a) This section does not apply to a candidate for federal office.

(b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:

- (1) for which the person has been pardoned; or
- (2) that has been:
  - (A) reversed;

- (B) vacated;
  - (C) set aside;
  - (D) not entered because the trial court did not accept the person's guilty plea; or
  - (E) expunged under IC 35-38-9.
- (c) A person is disqualified from assuming or being a candidate for an elected office if:
- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
  - (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;
  - (3) in a:
    - (A) jury trial, a jury publicly announces a verdict against the person for a felony;
    - (B) bench trial, the court publicly announces a verdict against the person for a felony; or
    - (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
  - (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
  - (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
  - (6) the person is subject to:
    - (A) 5 U.S.C. 1502 (the Little Hatch Act); or
    - (B) 5 U.S.C. 7321-7326 (the Hatch Act);
 and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.
  - (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:
    - (1) jury has announced its verdict against the person for a felony;
    - (2) court has announced its verdict against the person for a felony; or
    - (3) person has pleaded guilty or nolo contendere to a felony;
 does not affect the operation of subsection (c).

**IC 3-8-1-33 provides that:**

“Sec. 33. (a) A candidate for an office listed in subsection (b) must file a statement of economic interests.

(b) Whenever a candidate for any of the following offices is also required to file a declaration of candidacy or is nominated by petition, the candidate shall file a statement of economic interests before filing the declaration of candidacy or declaration of intent to be a write-in candidate, before the petition of nomination is filed, before the certificate of nomination is filed, or before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2:

\* \* \*

(4) A candidate for a local office..., in accordance with IC 3-8-9, except a candidate for a local office described in subdivision (3).” (Subdivision 3 requires certain judge and prosecutor candidates to already file statements of economic interest)

A candidate for local office (other than judge or prosecuting attorney) is required to file a statement of economic interest (CAN-12). **The circuit court clerk must reject a declaration of candidacy that does not include the CAN-12 statement.** This form is available from the Election Division’s office, on the Division’s website, and each circuit court clerk’s office. A CAN-12 form is included in this Guide under the *Candidate Forms* tab

## 5. County Council Member

### IC 3-8-1-22 provides that:

“A candidate for membership on the county council of a county must:

- (1) Have resided in the county for at least one (1) year before the election, as provided in Article 6, Section 4 of the Constitution of the State of Indiana; and
- (2) Have resided in the district in which seeking election, if applicable, for at least six (6) months before the election.”

### IC 3-8-1-1 provides that:

“. . . (b) A person is not qualified to run for: . . .

- (2) A local office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination.”

### IC 3-8-1-5 provides that:

Sec. 5. (a) This section does not apply to a candidate for federal office.

(b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:

- (1) for which the person has been pardoned; or
- (2) that has been:
  - (A) reversed;
  - (B) vacated;
  - (C) set aside;
  - (D) not entered because the trial court did not accept the person's guilty plea; or
  - (E) expunged under IC 35-38-9.

(c) A person is disqualified from assuming or being a candidate for an elected office if:

- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
  - (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;
  - (3) in a:
    - (A) jury trial, a jury publicly announces a verdict against the person for a felony;
    - (B) bench trial, the court publicly announces a verdict against the person for a felony; or
    - (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
  - (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
  - (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
  - (6) the person is subject to:
    - (A) 5 U.S.C. 1502 (the Little Hatch Act); or
    - (B) 5 U.S.C. 7321-7326 (the Hatch Act);and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.
- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:

- (1) jury has announced its verdict against the person for a felony;
  - (2) court has announced its verdict against the person for a felony; or
  - (3) person has pleaded guilty or nolo contendere to a felony;
- does not affect the operation of subsection (c).

### IC 3-8-1-33 provides that:

“Sec. 33. (a) A candidate for an office listed in subsection (b) must file a statement of economic interests.

(b) Whenever a candidate for any of the following offices is also required to file a declaration of candidacy or is nominated by petition, the candidate shall file a statement of economic interests before filing the declaration of candidacy or declaration of intent to be a write-in candidate, before the petition of nomination is filed, before the certificate of nomination is filed, or before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2:

\* \* \*

(4) A candidate for a local office..., in accordance with IC 3-8-9, except a candidate for a local office described in subdivision (3).” (Subdivision 3 requires certain judge and prosecutor candidates to already file statements of economic interest)

A candidate for local office (other than judge or prosecuting attorney) is required to file a statement of economic interest (CAN-12). **The circuit court clerk must reject a declaration of candidacy that does not include the CAN-12 statement.** This form is available from the Election Division’s office, on the Division’s website, and each circuit court clerk’s office. A CAN-12 form is included in this Guide under the *Candidate Forms* tab

## B. Democratic and Republican Party Candidates Nominated at the Primary Election

### 1. Filing Requirements

Candidates for the office of circuit court clerk and county offices from the Democratic or Republican Party will be nominated at the primary election to be held on Tuesday, May 3, 2016.

A candidate for the nomination for the office of circuit court clerk or a county office by the Democratic or Republican Party must file a declaration of candidacy with the county election board. (IC 3-8-2-6) (Petitions signed by registered voters are **NOT** required of Democratic or Republican Party candidates for the office of circuit court clerk and county offices.)

The **first day** to submit a declaration of candidacy to the county election board is **Wednesday, January 6, 2016**, and the **DEADLINE** to file is **12:00 noon, prevailing local time, Friday, February 5, 2016**. (IC 3-8-2-4; IC 3-8-2-5) **A declaration of candidacy presented after February 5, 2016 at 12:00 noon will not be accepted for filing.**

The declaration of candidacy form (CAN-2) and statement of economic interest (CAN-12) are available from the Election Division’s office, on the Division’s website, and each circuit court clerk’s office. A CAN-2 and CAN-12 are included in this Guide under the *Candidate Forms* tab.

### 2. Political Party Affiliation

Indiana Code 3-8-2-7 sets forth the standard for determining the political party affiliation of a candidate who files a declaration of candidacy for a primary election. The political party affiliation of the candidate is deemed to be:

- (1) the political party in whose primary in Indiana the candidate most recently voted; or
- (2) the political party of the county chair of the county in which the candidate resides who certifies that the candidate is a member of that political party.

### 3. Candidate Withdrawal Requirements

#### Primary Election Candidate Withdrawal

A candidate for the office of circuit court clerk or a county office who filed with the county election board a declaration of candidacy for the primary election, may file written notice of candidate withdrawal with the county election board certifying that the individual no longer wishes to be a candidate. The **DEADLINE** to file this notice with the county election board is **12:00 noon, prevailing local time, Monday, February 8, 2016**. (IC 3-8-2-20) Upon receipt of this notice, the county election board will **not** certify that individual's name as a candidate for the primary election. (IC 3-8-2-21) **Notice of candidate withdrawal filed after February 8, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The primary election candidate withdrawal form (CAN-10) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-10 is included in this Guide under the *Candidate Forms* tab.

#### General Election Candidate Withdrawal

After the primary, if a nominee for the office of circuit court clerk or a county office wishes to withdraw from the ticket for the general election, the nominee must file a written notice of candidate withdrawal with the county election board. The **DEADLINE** to file this notice with the county election board is **12:00 noon, prevailing local time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the county election board will **not** certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

## C. Libertarian Party Candidates

### 1. Filing Requirements

Libertarian Party candidates are not nominated in a primary election, but are nominated by political party convention. (IC 3-8-4-10)

The Libertarian Party will nominate candidates for the office of circuit court clerk or county offices at the Party's county conventions. Candidates for these offices should contact the Libertarian Party's state committee for information concerning any candidate filing requirements.

Libertarian Party candidates for the office of circuit court clerk or county offices are **not** required to file declarations of candidacy with the county election board. Instead, the Libertarian Party chair and secretary will certify the Party's nominees to the county election board (CAN-22)

Indiana law requires all Libertarian candidates for county office to file a statement of economic interests along with the certificate of nomination. (IC 3-8-9-5) The statement of economic interests (CAN-12) is available at each circuit court clerk's office and is included in the Guide under the *Candidate Forms* tab.

## 2. Candidate Withdrawal Requirements

If a nominee for the office of circuit court clerk or a county office wishes to withdraw from the Libertarian Party ticket for the general election, the nominee must file a written notice of candidate withdrawal with the county election board. The **DEADLINE** to file this notice with the county election board is **12:00 noon, prevailing local time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the county election board will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

## D. Minor Party and Independent Candidates

### 1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate.

A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for the office of circuit court clerk or a county office at the general election, must file a statement of economic interests (CAN-12 form), written consent to become a candidate (CAN-20 form) and a petition of nomination (CAN-19 form) with the county election board. (IC 3-8-6-12 and IC 3-8-6-14(a))

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated. (IC 3-8-6-14(b))

The statement of economic interest (CAN-12), written consent form (CAN-20), and petition of nomination form (CAN-19) are available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-12, CAN-19 and CAN-20 are included in this Guide under the *Candidate Forms* tab.

In order to be placed on the general election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election **in the election district** the candidate seeks to represent. Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3) Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

**EXAMPLE:** A candidate for the office of circuit court clerk must obtain signatures of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election in the county.

Circuit court clerks should have information on the precinct votes for the office of secretary of state in the 2014 general election to help determine the number of signatures required for a candidate seeking ballot placement by petition of nomination. A chart listing the 2% ballot access requirement for each county is included under the *2014 Vote for Secretary of State* tab of this Guide.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence listed in the petition at the time the county processes the petition and in the election district the candidate seeks to represent. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-10; IC 3-8-6-11)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The **first day** a candidate for the office of circuit court clerk or a county office may submit the petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Wednesday, January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, prevailing local time, Thursday, June 30, 2016**. (IC 3-8-6-12)

For candidates for the office of circuit court clerk or county offices, once the county voter registration office certifies the petitions of nomination, these certified petitions along with the candidate's consent (CAN-20 form) must be filed with the county election board. The **DEADLINE** for filing the statement of economic interest (CAN-12), certified petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) with the county election board is **12:00 noon, prevailing local time, Friday, July 15, 2016**. (IC 3-8-6-10; IC 3-8-6-12) The county is required to reject a declaration of candidacy that does not include a statement of economic interest. (IC 3-8-9-6) The county voter registration office must file the certified petitions of nomination with the county election board. However, the candidate for the office of circuit court clerk or a county office may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form) with the county election board to be placed on the general election ballot. (IC 3-8-6-10)

## **2. Nominating Petition Requirements**

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter of the election district of the office sought by the candidate. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

## **3. Political Party Names**

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition may be challenged, and shall be denied if the county election board finds that confusion would exist. (IC 3-8-6-5.5) A candidate must indicate whether the candidate is affiliated with any other candidate or group of candidates filing a petition under the same political party name. (IC 3-8-6-5)

## 4. Candidate Withdrawal Requirements

The **DEADLINE** for a person nominated by petition for the office of circuit court clerk or a county office who wishes to withdraw from the general election ballot to file a written notice of candidate withdrawal with the county election board is **12:00 noon, prevailing local time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the county election board will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

## E. Write-in Candidates

### 1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for the office of circuit court clerk or a county office in the general election on Tuesday, November 8, 2016 must file a statement of economic interest (CAN-12 form) and declaration of intent to be a write-in candidate (CAN 3 form) with the county election board. (IC 3-8-2-2.5) A county is required to reject a declaration that does not contain a statement of economic interests. (IC 3-8-9-6)

The CAN-12 and CAN-3 forms are available from the Election Division's office, on the Division's website, and each circuit court clerk's office. The CAN-12 and CAN-3 are included in this Guide under the *Candidate Forms* tab.

The **first day** a write-in candidate may file the CAN-3 and CAN-12 form with the county election board is **Wednesday, January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, prevailing local time, Tuesday, July 5, 2016**. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

### 2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for the office of circuit court clerk or a county office to file a written notice of candidate withdrawal with the county election board is **12:00 noon, prevailing local time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the county election board will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

### 3. Political Party Affiliation

A write-in candidate may claim affiliation with a political party other than the Democratic, Libertarian, or Republican Parties (the parties whose nominee for Secretary of State of Indiana received at least 2% of the total votes cast in the most recent election for the office of Secretary of State (November 2014)). IC 3-8-2-2.5

However, if a write-in candidate claims affiliation with a political party:

- (1) that already has ballot access,
- (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or
- (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2),

then a registered voter in the election district may question the validity of the filing under IC 3-8-1-2. The election board shall determine the validity of the questioned filing. If the election board determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the board shall deny the filing. (IC 3-8-2-12.5)



# TOWNSHIP OFFICES

## TOWNSHIP BOARD MEMBER

**NOTE:** The only township officials to be elected in 2016 are some township board members in Marion County.

### A. Qualifications

#### 1. Township Board Member

In Marion County, each township board has seven members. In Marion County, township board members are elected only by voters of the district. These candidates must be registered voters of the township board district. (IC 36-6-6-2.2)

##### **IC 3-8-1-1 provides that:**

“ . . . (b) A person is not qualified to run for: . . .

(2) A local office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination.”

##### **IC 3-8-1-5 provides that:**

“Sec. 5. (a) This section does not apply to a candidate for federal office.

(b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:

(1) for which the person has been pardoned; or

(2) that has been:

(A) reversed;

(B) vacated;

(C) set aside;

(D) not entered because the trial court did not accept the person's guilty plea; or

(E) expunged under IC 35-38-9.

(c) A person is disqualified from assuming or being a candidate for an elected office if:

(1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;

(2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;

(3) in a:

(A) jury trial, a jury publicly announces a verdict against the person for a felony;

(B) bench trial, the court publicly announces a verdict against the person for a felony; or

(C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;

(4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;

(5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or

(6) the person is subject to:

(A) 5 U.S.C. 1502 (the Little Hatch Act); or

(B) 5 U.S.C. 7321-7326 (the Hatch Act);

and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

(d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:

- (1) jury has announced its verdict against the person for a felony;
  - (2) court has announced its verdict against the person for a felony; or
  - (3) person has pleaded guilty or nolo contendere to a felony;
- does not affect the operation of subsection (c).”

**IC 3-8-1-33 provides that:**

“Sec. 33. (a) A candidate for an office listed in subsection (b) must file a statement of economic interests.

(b) Whenever a candidate for any of the following offices is also required to file a declaration of candidacy or is nominated by petition, the candidate shall file a statement of economic interests before filing the declaration of candidacy or declaration of intent to be a write-in candidate, before the petition of nomination is filed, before the certificate of nomination is filed, or before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2:

\* \* \*

(4) A candidate for a local office..., in accordance with IC 3-8-9, except a candidate for a local office described in subdivision (3).” (Subdivision 3 requires certain judge and prosecutor candidates to already file statements of economic interest)

A candidate for local office (other than judge or prosecuting attorney) is required to file a statement of economic interest (CAN-12). **The circuit court clerk must reject a declaration of candidacy that does not include the CAN-12 statement.** This form is available from the Election Division’s office, on the Division’s website, and each circuit court clerk’s office. A CAN-12 form is included in this Guide under the *Candidate Forms* tab

## **B. Democratic and Republican Party Candidates Nominated at the Primary Election**

### **1. Filing Requirements**

Candidates for a township office from the Democratic or Republican Party will be nominated at the primary election to be held on Tuesday, May 3, 2016.

A candidate for the nomination for a township office by the Democratic or Republican Party must file a statement of economic interest and declaration of candidacy with the county election board. (IC 3-8-2-6) The county is required to reject a declaration of candidacy that does not include a statement of economic interest. (IC 3-8-9-6) (Petitions signed by registered voters are **NOT** required of Democratic or Republican Party candidates for the office of circuit court clerk and county offices.)

The **first day** to submit a declaration of candidacy to the county election board is **Wednesday, January 6, 2016**, and the **DEADLINE** to file is **12:00 noon, prevailing local time, Friday, February 5, 2016**. (IC 3-8-2-4; IC 3-8-2-5) **A statement of economic interest or declaration of candidacy presented after February 5, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The statement of economic interest (CAN-12) and declaration of candidacy form (CAN-2) are available from the Election Division’s office, on the Division’s website, and each circuit court clerk’s office. A CAN-2 and CAN-12 are included in this Guide under the *Candidate Forms* tab.

## 2. Political Party Affiliation

Indiana Code 3-8-2-7 sets forth the standard for determining the political party affiliation of a candidate who files a declaration of candidacy for a primary election. The political party affiliation of the candidate is deemed to be:

- (1) the political party in whose primary in Indiana the candidate most recently voted; or
- (2) the political party of the county chair of the county in which the candidate resides who certifies that the candidate is a member of that political party.

## 3. Candidate Withdrawal Requirements

### Primary Election Candidate Withdrawal

A candidate for a township office who filed with the county election board a declaration of candidacy for the primary election, may file written notice of candidate withdrawal with the county election board certifying that the individual no longer wishes to be a candidate. The **DEADLINE** to file this notice with the county election board is **12:00 noon, prevailing local time, Monday, February 8, 2016**. (IC 3-8-2-20) Upon receipt of this notice, the county election board will **not** certify that individual's name as a candidate for the primary election. (IC 3-8-2-21) **Notice of candidate withdrawal filed after February 8, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The primary election candidate withdrawal form (CAN-10) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-10 is included in this Guide under the *Candidate Forms* tab.

### General Election Candidate Withdrawal

After the primary, if a nominee for a township office wishes to withdraw from the ticket for the general election, the nominee must file a written notice of candidate withdrawal with the county election board. The **DEADLINE** to file this notice with the county election board is **12:00 noon, prevailing local time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the county election board will **not** certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

## C. Libertarian Party Candidates

### 1. Filing Requirements

Libertarian Party candidates are not nominated in a primary election, but are nominated by political party convention. (IC 3-8-4-10)

The Libertarian Party will nominate candidates for township offices at the Party's county conventions. Candidates for these offices should contact the Libertarian Party's state committee for information concerning any candidate filing requirements.

Libertarian Party candidates for township offices are **not** required to file declarations of candidacy with the county election board. Instead, the Libertarian Party chair and secretary will certify the Party's nominees to the county election board. (CAN-22)

Indiana law now requires all Libertarian candidates for township offices to file a statement of economic interests along with the certificate of nomination. (IC 3-8-9-5) The statement of economic interests (CAN-12) is available at each circuit court clerk's office and is included in the Guide under the *Candidate Forms* tab.

## 2. Candidate Withdrawal Requirements

If a nominee for a township office wishes to withdraw from the Libertarian Party ticket for the general election, the nominee must file a written notice of candidate withdrawal with the county election board. The **DEADLINE** to file this notice with the county election board is **12:00 noon, prevailing local time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the county election board will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

## D. Minor Party and Independent Candidates

### 1. Filing Requirements

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate.

A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for a township office at the general election, must file a statement of economic interest (CAN-12), written consent to become a candidate (CAN-20 form) and a petition of nomination (CAN-19 form) with the county election board. (IC 3-8-6-12 and IC 3-8-6-14(a)) The county is required to reject a declaration of candidacy that does not include a statement of economic interest. (IC 3-8-9-6)

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated. (IC 3-8-6-14(b))

The statement of economic interest (CAN-12), written consent form (CAN-20) and petition of nomination form (CAN-19) are available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-12, CAN-19 and CAN-20 are included in this Guide under the *Candidate Forms* tab.

To be placed on the general election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election **in the election district** the candidate seeks to represent. Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3) Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

**EXAMPLE:** A candidate for the office of a Marion County township board member must obtain signatures of registered voters equal to 2% of the total votes cast for secretary of state in the 2014 general election in that township board election district.

The Marion County Circuit Court Clerk's office should have information on the precinct votes for the office of secretary of state in the 2014 general election to help determine the number of signatures required for a candidate seeking ballot placement as a township board member by petition of nomination.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence listed in the petition at the time the county processes the petition and in the election district the candidate seeks to represent. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-10; IC 3-8-6-11)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The **first day** a candidate for a township office may submit the petition of nomination, accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Wednesday, January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, prevailing local time, Thursday, June 30, 2016**. (IC 3-8-6-12)

For candidates for township offices, once the county voter registration office certifies the petitions of nomination, these certified petitions along with the candidate's consent (CAN-20 form) must be filed with the county election board. The **DEADLINE** for filing the statement of economic interest (CAN-12), petition of nomination (CAN-19), accompanied by the written consent form (CAN-20) with the county election board is **12:00 noon, prevailing local time, Friday, July 15, 2016**. (IC 3-8-6-10; IC 3-8-6-12) The county voter registration office must file the certified petitions of nomination with the county election board. However, the candidate for a township office may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form) with the county election board to be placed on the general election ballot. (IC 3-8-6-10)

## 2. Nominating Petition Requirements

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter of the election district of the office sought by the candidate.. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

## 3. Political Party Names

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition shall be denied. (IC 3-8-6-5.5) A candidate must indicate whether the candidate is affiliated with any other candidate or group of candidates filing a petition under the same political party name. (IC 3-8-6-5)

## 4. Candidate Withdrawal Requirements

The **DEADLINE** for a person nominated by petition for a township office who wishes to withdraw from the general election ballot to file a written notice of candidate withdrawal with the county election board is **12:00 noon, prevailing local time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the county election board will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

## E. Write-in Candidates

### 1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for a township office in the general election on Tuesday, November 8, 2016 must file a statement of economic interest (CAN-12 form) and declaration of intent to be a write-in candidate (CAN 3 form) with the county election board. (IC 3-8-1-33 and IC 3-8-2-2.5) **The county is required to reject a declaration of intent to be a write-in candidate that does not include a statement of economic interest. (IC 3-8-9-6)**

The CAN-12 and CAN-3 form are available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-12 and CAN-3 are included in this Guide under the *Candidate Forms* tab.

The **first day** a write-in candidate may file the CAN-12 and CAN-3 forms with the county election board is **Wednesday, January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, prevailing local time, Thursday, July 5, 2016**. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

### 2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for a township office to file a written notice of candidate withdrawal with the county election board is **12:00 noon, prevailing local time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the county election board will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, on the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

### 3. Political Party Affiliation

A write-in candidate may claim affiliation with a political party other than the Democratic, Libertarian, or Republican Parties (the parties whose nominee for Secretary of State of Indiana received at least 2% of the total votes cast in the most recent election for the office of Secretary of State (November 2014)). IC 3-8-2-2.5

However, if a write-in candidate claims affiliation with a political party: (1) that already has ballot access, (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2), then a registered voter in the election district may question the validity of the filing under IC 3-8-1-2. The election board shall determine the validity of the questioned filing. If the election board determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the board shall deny the filing. (IC 3-8-2-12.5)



# SCHOOL BOARD OFFICES

## SCHOOL BOARD MEMBER

### A. General Information

The procedures for selecting school board members are usually set forth in the “school corporation organization plan” adopted by the school corporation during the school consolidation process of the 1950s and 1960s, and as subsequently amended. (IC 20-23, IC 20-23-6 and IC 20-23-9)

In certain school corporations, all or some of the school board members are appointed rather than elected by the voters. (IC 20-23-4-28) All school corporations that elect school board members elect those members at the same time as the general election (November 8, 2016, or in certain cases, in November 2018). Some school board members are elected “at large” for the entire school corporation, while others are elected to represent specific **districts** that are only part of the school corporation territory.

**IN ALL CASES, CANDIDATES FOR SCHOOL BOARD APPEAR ON THE BALLOT WITHOUT A PARTY DESIGNATION. (IC 20-23-4-29(e))**

### B. Qualifications for Candidates and for Assuming Office

A few school corporations have school boards organized by state legislation. Candidates for school board in the following jurisdictions should consult the appropriate state statute for detailed information concerning candidate qualifications and election procedures:

Gary	IC 20-23-12
Hammond	IC 20-23-13 and IC 20-23-8-13
Indianapolis Public Schools	IC 20-25-3
Lake Station	IC 20-23-14
South Bend	IC 20-23-15
Mishawaka	IC 20-23-17
East Chicago	IC 20-23-17.2

#### **IC 3-8-1-34 provides that:**

“(a) A candidate for a school board office must have resided in the school corporation for at least one (1) year before the election, unless a longer period is required under IC 20.

(b) This subsection applies to a candidate for school board office seeking to represent an election district that consists of less than the entire school corporation. The candidate must have resided in the election district for at least one (1) year before the election.”

#### **IC 3-8-1-1 provides that:**

“. . . (b) A person is not qualified to run for: . . .

(2) A school board office; . . .

unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination.”

#### **IC 3-8-1-5 provides that:**

Sec. 5. (a) This section does not apply to a candidate for federal office.

(b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:

(1) for which the person has been pardoned; or

(2) that has been:

- (A) reversed;
  - (B) vacated;
  - (C) set aside;
  - (D) not entered because the trial court did not accept the person's guilty plea; or
  - (E) expunged under IC 35-38-9.
- (c) A person is disqualified from assuming or being a candidate for an elected office if:
- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
  - (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;
  - (3) in a:
    - (A) jury trial, a jury publicly announces a verdict against the person for a felony;
    - (B) bench trial, the court publicly announces a verdict against the person for a felony; or
    - (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
  - (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
  - (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
  - (6) the person is subject to:
    - (A) 5 U.S.C. 1502 (the Little Hatch Act); or
    - (B) 5 U.S.C. 7321-7326 (the Hatch Act);
 and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.
  - (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:
    - (1) jury has announced its verdict against the person for a felony;
    - (2) court has announced its verdict against the person for a felony; or
    - (3) person has pleaded guilty or nolo contendere to a felony;
 does not affect the operation of subsection (c).

**IC 3-8-1-33 provides that:**

“Sec. 33. (a) A candidate for an office listed in subsection (b) must file a statement of economic interests.

(b) Whenever a candidate for any of the following offices is also required to file a declaration of candidacy or is nominated by petition, the candidate shall file a statement of economic interests before filing the declaration of candidacy or declaration of intent to be a write-in candidate, before the petition of nomination is filed, before the certificate of nomination is filed, or before being appointed to fill a candidate vacancy under IC 3-13-1 or IC 3-13-2: . . .

(4) A candidate for a...school board office, in accordance with IC 3-8-9....”

**IC 20-26-4-9 provides that:**

“An individual who is at least twenty-one (21) years of age and is otherwise eligible to assume office as a member of a governing body may not be disqualified on the basis of age.”

**IC 20-26-4-11 provides that:**

“(A)n individual who is employed as a teacher or as a noncertified employee (as defined in IC 20-29-2-11) of the school corporation may not be a member of the governing body of the school corporation.”

## C. Filing Requirements

**A candidate for a school board office must file a statement of economic interest and petition of nomination. (IC 3-8-2.5-2)** The county is required to reject a declaration of candidacy that does not include a statement of economic interest. (IC 3-8-9-6) **The statement of economic interest (CAN-12) and petition form (CAN-34) are available from the Election Division, the Division's website, and each circuit court clerk's office. The CAN-12 and CAN-34 are included in this Guide under the Candidate Forms tab.**

In a metropolitan school corporation, the petition must be signed by ten (10) registered voters residing **in the same board member district** as the nominee. (IC 20-23-7-8.1)

In a community school corporation, the petition must be signed by ten (10) registered voters residing within the boundaries of the school corporation. (IC 20-23-4-29.1)

Additional petition requirements may apply in some school corporations. School board member candidates should consult a personal attorney if necessary.

### 1. General Election

Candidates for school board office on the general election ballot will be elected at the general election to be held on Tuesday, November 8, 2016.

A candidate for the election of school board office at the general election must file the petition of nomination with the county election board located in the county seat of the county containing the greatest percentage of population of the school corporation. (IC 3-8-2-6)

The **first day** for a candidate for a school board office to file a petition of nomination with the county election board is **Wednesday, July 27, 2016**, and the **DEADLINE** is **12:00 noon, prevailing local time, on Friday, August 26, 2016**. (IC 3-8-2.5-4; IC 20-23-4-29.1; IC 20-23-7-8.1; IC 20-23-12-5; IC 20-23-14-5; IC 20-23-17-3; and IC 20-23-17.2-5)

## D. Candidate Withdrawal

School board candidates may file a withdrawal of their candidacy not later than **noon, Monday, August 29, 2016**.

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

## E. Write-in Candidates

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

A person who desires to be a write-in candidate for a school board office at the general election on Tuesday, November 8, 2016 must file a statement of economic interest (CAN-12) and a declaration of intent to be a write-in candidate (CAN-3 form) with the county election board located in the county seat of the county containing the greatest percentage of population of the school corporation. (IC 3-8-2-2.5; IC 3-8-2-4; IC 20-4-1-26.4)) The county is required to reject a declaration of candidacy that does not include a statement of economic interest. (IC 3-8-9-6)

The CAN-12 and CAN-3 forms are available from the Election Division's office, on the Division's website, and each circuit court clerk's office. The CAN-12 and CAN-3 forms are included in this Guide under the *Candidate Forms* tab.

The **first day** a write-in candidate for a school board office may file the CAN-12 and CAN-3 forms with the county election board for the general election is **Wednesday, August 10, 2016** and the **DEADLINE** for filing is **12:00 noon, prevailing local time, Friday, August 26, 2016**. (IC 3-8-2-2.5; IC 3-8-2.5-4; IC 20-4-1-26.4)

### **Candidate Withdrawal Requirements**

Declared write-in candidates for school board may file a withdrawal of their candidacy not later than **noon, Monday, August 29, 2016**. (IC 3-8-2.5-4)

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office, the Division's website, and each circuit court clerk's office. A CAN-24 is included in this Guide under the Candidate's Forms tab.

# **“SMALL TOWN” OFFICES**

## **Town Council Member**

## **Town Clerk-Treasurer**

## **Town Judge**

Indiana has no elections to city offices (Mayor, Common Council, Judge of the City Court) in 2016. These offices were elected at the municipal election in 2015. Most town offices were also elected in 2015. However, some towns will elect officers in 2016. In these towns that elect officers in a general election year, state law requires the county election board to conduct the elections for the town. IC 3-10-7-2.

**The towns using the procedures described in this chapter will be referred to as “small towns.”**

### **Municipal Primaries**

A town with a population of less than 3,500 may adopt an ordinance to provide for a nomination of Democratic and Republican candidates for town office in a primary election (instead of by town convention). The town council must adopt the ordinance not later than January 1 of the year in which a municipal election is held (2015, for example), and the town clerk-treasurer shall file a copy of the ordinance with the circuit court clerk in the county that contains the greatest percentage of the town's population. (IC 3-8-5-2)

If the town council adopts such an ordinance, the county election board shall conduct the primary election for the town according to the statutes governing primary elections, including the times for filing a declaration of candidacy under IC 3-8-2-4. The town may not change the method of nominating candidates for town offices more than one time in any 12 year period. (IC 3-8-5-2(e))

## **A. Qualifications**

### **1. Town Council Member**

Each town is required to elect a town council. (IC 36-5-2)

#### **IC 3-8-1-1 provides that:**

“... (b) A person is not qualified to run for... (2) A local office... unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination.”

#### **IC 3-8-1-29 provides that:**

“A candidate for membership of a town council must reside in the district in which seeking election, if applicable.”

#### **IC 3-8-1-5 Disqualification of candidates provides that:**

Sec. 5. (a) This section does not apply to a candidate for federal office.

(b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:

- (1) for which the person has been pardoned; or
- (2) that has been:
  - (A) reversed;
  - (B) vacated;

- (C) set aside;
  - (D) not entered because the trial court did not accept the person's guilty plea;
- or
- (E) expunged under IC 35-38-9.
- (c) A person is disqualified from assuming or being a candidate for an elected office if:
- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
  - (2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;
  - (3) in a:
    - (A) jury trial, a jury publicly announces a verdict against the person for a felony;
    - (B) bench trial, the court publicly announces a verdict against the person for a felony; or
    - (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
  - (4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
  - (5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
  - (6) the person is subject to:
    - (A) 5 U.S.C. 1502 (the Little Hatch Act); or
    - (B) 5 U.S.C. 7321-7326 (the Hatch Act);
 and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.
- (d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:
- (1) jury has announced its verdict against the person for a felony;
  - (2) court has announced its verdict against the person for a felony; or
  - (3) person has pleaded guilty or nolo contendere to a felony;
- does not affect the operation of subsection (c).

### **Number of Town Council Members**

In a town, the town council consists of at least three (3) members, but no more than seven (7) members. The number of town council members in each town was originally set by the county commissioners when the commissioners incorporated the town under IC 36-5-1-10.1. The number of town council members can be increased or decreased within this range only after the voters of the town approve a proposal to do so at a referendum. (IC 36-5-2-4.2)

### **Election Schedule**

As a general rule, all town council members are elected for four year terms at each municipal election year (2015, 2019, etc.). (IC 3-10-7-6) However, a town can alter this election schedule by adopting one of several types of ordinances permitted under state law.

A town may adopt an ordinance to provide for "staggered terms" for town council members by providing that at the next municipal election, some council members will be elected for three year terms, and the other council members will be elected for four year terms. After the first "short terms" for town council members are over, this system results in the town electing some town council members in the "non-presidential general election year" (2018, 2022), and the other town council members in the ordinary municipal election years ( 2015, 2019). (IC 3-10-6-2.5)

Some towns adopted similar "staggered term" ordinances under state laws that have since been

repealed, or have expired (IC 18-3-1-16(b), repealed 1981; P.L. 13-1982, SECTION 3, expired 1988). These towns have the additional option of adopting an ordinance to move the election date for all town offices (including town council) to the “presidential general election year” (2012, 2016). (IC 3-10-6-3) This changeover is accomplished by electing all town officers to a “short term” of one year at the municipal election 2015, 2019), and then electing successors to a full four year term.

Consult with the town clerk-treasurer or town attorney for more information about any such ordinances.

### **Unopposed Candidates**

In some “small towns” there may be no more than one nominee for each office, and no declared write-in candidates for any town office. When this occurs, a municipal election may not be held for these offices in the municipal election year **if the entire membership of the county election board adopts a resolution NOT to hold an election in this situation.** (IC 3-10-7-6) The individuals currently serving in these town offices automatically serve another four year term as “holdovers” under Article 15, Section 3 of the Constitution of the State of Indiana. **However, if there is an election for any office of the town, all nominees for each town office must be on the municipal election ballot.**

**EXCEPTIONS:** The printing of all nominees on the town’s municipal election ballot is not required in certain cases: (1) if there is an election for at least one town council member, only the voters within that town council election district are eligible to vote for the town council seat, there is no election for an office to be voted on by all the voters of the town, and the county election board adopts, by unanimous vote of its members, a resolution to conduct an election only in the town council district; or (2) there is only one nominee for an office or only one declared write-in for an office, as a result there is no contest for a town office, and the county election board adopts, by a unanimous vote of its members a resolution not to conduct an election for a municipal office (IC 3-10-7-6).

### **Districts**

As a general rule, town council members in small towns must be elected from districts. The number and boundaries of these districts were originally set by the county commissioners when the town was incorporated by the commissioners and may be recorded in the minutes of the Commissioners’ meetings kept by the County Auditor.

In a town with a population of less than 3,500, the town council may adopt an ordinance to abolish town council districts. If this town has also adopted an ordinance to nominate major party candidates for town office by primary election, then all town council candidates in this town will run at large. (IC 36-5-2-4.1(h))

In other towns, the town council must adopt an ordinance to reestablish town council district boundaries in 2022 and each ten years after a U.S. census is conducted. (IC 36-5-2-4.1(g))

The town must specify by ordinance how town council members are to be elected from these districts. The ordinance may provide: (1) that all council members must reside in their districts, but are to be elected at large by all the voters of the town; (2) that all council members must reside in their districts, but to be elected only by the voters of that district; or (3) for some combination of (1) and (2) specified by the ordinance. (IC 36-5-2-5) Consult with the town clerk-treasurer or town attorney for more information about any such ordinances.

## 2. Town Clerk-Treasurer

Each town is required to elect a town clerk-treasurer. The town clerk-treasurer is elected by all the voters of the town. (IC 36-5-6-4)

### IC 3-8-1-1 provides that:

"... (b) A person is not qualified to run for... (2) A local office... unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination."

### IC 3-8-1-5 Disqualification of candidates provides that:

Sec. 5. (a) This section does not apply to a candidate for federal office.

(b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:

(1) for which the person has been pardoned; or

(2) that has been:

(A) reversed;

(B) vacated;

(C) set aside;

(D) not entered because the trial court did not accept the person's guilty plea;

or

(E) expunged under IC 35-38-9.

(c) A person is disqualified from assuming or being a candidate for an elected office if:

(1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;

(2) the person does not comply with IC 5-8-3 because of a conviction for a violation

of the

federal laws listed in that statute;

(3) in a:

(A) jury trial, a jury publicly announces a verdict against the person for a felony;

(B) bench trial, the court publicly announces a verdict against the person for a felony; or

(C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;

(4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;

(5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or

(6) the person is subject to:

(A) 5 U.S.C. 1502 (the Little Hatch Act); or

(B) 5 U.S.C. 7321-7326 (the Hatch Act);

and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

(d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:

(1) jury has announced its verdict against the person for a felony;

(2) court has announced its verdict against the person for a felony; or

(3) person has pleaded guilty or nolo contendere to a felony;

does not affect the operation of subsection (c).

### 3. Town Judge

Each town is required to elect a town judge if the town has created a town court by ordinance. (IC 33-35-1-1) The town judge is elected by all the voters of the town. (IC 33-35-1-3)

#### **IC 3-8-1-1 does not apply to a candidate for judge of a town court.**

#### **IC 3-8-1-1.5 provides that:**

“... (b) A person is not qualified to run for [town court judge] unless not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination, the person is registered to vote in a county in which the municipality is located.”

#### **IC 3-8-1-5 Disqualification of candidates** provides that:

Sec. 5. (a) This section does not apply to a candidate for federal office.

(b) As used in this section, "felony" means a conviction in any jurisdiction for which the convicted person might have been imprisoned for more than one (1) year. However, the term does not include a conviction:

- (1) for which the person has been pardoned; or
- (2) that has been:
  - (A) reversed;
  - (B) vacated;
  - (C) set aside;
  - (D) not entered because the trial court did not accept the person's guilty plea;

or

(E) expunged under IC 35-38-9.

(c) A person is disqualified from assuming or being a candidate for an elected office if:

- (1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
- (2) the person does not comply with IC 5-8-3 because of a conviction for a violation

of the

federal laws listed in that statute;

(3) in a:

- (A) jury trial, a jury publicly announces a verdict against the person for a felony;
- (B) bench trial, the court publicly announces a verdict against the person for a felony; or
- (C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;

(4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;

(5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or

(6) the person is subject to:

- (A) 5 U.S.C. 1502 (the Little Hatch Act); or
- (B) 5 U.S.C. 7321-7326 (the Hatch Act);

and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

(d) The subsequent reduction of a felony to a Class A misdemeanor under IC 35-50-2-7 or IC 35-38-1-1.5 after the:

- (1) jury has announced its verdict against the person for a felony;
- (2) court has announced its verdict against the person for a felony; or
- (3) person has pleaded guilty or nolo contendere to a felony;

does not affect the operation of subsection (c).

## **B. Democratic and Republican Candidates Nominated at Primary Elections**

A small town may adopt an ordinance to elect some or all of the town's officers in 2016. (IC 3-10-7-2.7; 3-10-7-2.9) A town may also adopt an ordinance providing for the nomination of Democratic and Republican candidates at a primary election. (IC 3-8-5-2). If major party candidates are to be nominated for election to a town office at a primary election to be held on May 3, 2016, the same filing, political party affiliation, and candidate withdrawal requirements apply that are applicable to such candidates for county offices.

## **C. Democratic, Libertarian, and Republican Party Candidates Nominated At Town Conventions**

### **1. Filing Requirements**

A candidate for nomination to a town office by the Democratic, Libertarian, or Republican Party must file a declaration of candidacy with the county election board. (IC 3-8-2-6)

Whenever the election district for a town office includes more than one county, the declaration of candidacy must be filed with the county election board located in the county seat of the county that contains the greatest percentage of population of the election district. (IC 3-8-2-6)

### **Candidate Filing Deadlines**

The **first day** to file a declaration of candidacy and statement of economic interest for office in a small town is **Wednesday, January 6, 2016**, and the **DEADLINE** to file is **12:00 noon, prevailing local time, on Monday, August 1, 2016**.

The Town Office Declaration of Candidacy by a Democratic, Libertarian, or Republican Candidate When No Town Primary is Conducted in 2016 form (CAN-16) and the Statement of Economic Interests for Local and School Board Offices forms (CAN-12) are available from the Election Division's office and each circuit court clerk's office. A CAN-16 and CAN-12 are included in this Guide under the Candidate's Forms tab.

### **Town Convention Candidate Filing Deadlines**

**Sunday, August 21, 2016** is the last day for the Democratic, Libertarian, and Republican parties to conduct a town convention to choose between competing candidates in the same party for the same town office. (IC 3-8-5-10; IC 3-8-5-17)

**Monday, August 29, 2016, by 12:00 noon**, prevailing local time, is the last day for the Democratic, Libertarian, and Republican party chairman and secretary of a town convention to file a certificate of candidate selection with the county election board setting forth the nominees of the Democratic, Libertarian, or Republican party town convention. (IC 3-8-5-13; IC 3-8-5-17)

### **2. Candidate Withdrawal Requirements**

**Monday, August 1, 2016, by 12:00 noon**, prevailing local time is the **DEADLINE** an individual may file a notice of withdrawal of a declaration of candidacy previously filed with the county election board to be the nominee of the Democratic, Libertarian, or Republican Party for town office in a small town. (IC 3-8-5-10.5; IC 3-8-5-17) **Notice to withdraw candidacy presented after August 1, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate's Forms* tab.

## **Town Convention Candidate Withdrawal**

A Democrat, Republican, or Libertarian candidate who wishes to withdraw from the race following nomination at the convention must file their written notice of withdrawal no later than NOON, prevailing time, 3 days after the adjournment of the convention. (IC 3-8-5-14.5; IC 3-8-5-17) **A notice to withdraw filed after NOON, 3 days following adjournment of the convention will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

There is no state-approved town office convention candidate withdrawal form. The CAN-24 form can be adapted for this purpose. A CAN-24 is included in this Guide under the *Candidate's Forms* tab.

## **C. Minor Party and Independent Candidates**

### **1. Filing Requirements**

This section addresses the filing and petition requirements for a person who does not intend to affiliate with the Democratic, Libertarian or Republican Party, and who does not intend to be a write-in candidate.

A person who wishes to become an independent candidate or a candidate of a minor party not qualified to nominate candidates in a primary election or by political party convention, and who wishes be a candidate for a town office at the municipal election, must file a written consent to become a candidate for the town office (CAN-20 form), a petition of nomination (CAN-19 form), and a Statement of Economic Interests for Local and School Board Offices form (CAN-12) with the county election board. (IC 3-8-6-12; 3-8-6-14(a) Indiana law requires the county to reject a petition that does not include a statement of economic interests. (IC 3-8-9-6)

More than one minor party candidate can be nominated on the same petition form if each of the candidates is seeking an office that serves the entire town (town clerk-treasurer and at large town council member, for example). If offices serve different legislative districts (such as town council members elected only by voters of a specific district), then the candidates for office must use separate petition forms.

**More than one *independent* candidate for town office cannot be nominated on the same petition form. (IC 3-8-6-4)**

Each candidate nominated by petition of nomination must satisfy all statutory eligibility requirements for the office for which the candidate is nominated. (IC 3-8-6-14)

A petition carrier is required to sign an affidavit at the bottom of each page of the petition prior to filing with the county voter registration office.

The written consent form (CAN-20), petition of nomination form (CAN-19), and statement of economic interests form (CAN-12) are available from the Election Division's office and each circuit court clerk's office. A CAN-20, CAN-19, and CAN-12 are included in this Guide under the *Candidate Forms* tab.

To be placed on the municipal election ballot, an independent or minor party candidate must obtain signatures of registered voters in the election district the candidate seeks to represent. A petition of nomination must be signed by the number of registered voters equal to 2% of the total votes cast for

secretary of state in the 2014 general election **in the election district** the candidate seeks to represent. Any fraction in excess of a whole number is disregarded in computing this figure. (IC 3-8-6-3) Signatures on any petition of nomination must be those of registered voters of the state who reside in the district the candidate seeks to represent. (IC 3-8-6-2)

**EXAMPLE:** A candidate for the office of town council member must obtain signatures of registered voters equal to 2% of the total votes cast for **all** candidates for secretary of state in the 2014 general election in that town council district.

Circuit court clerks should have information on the votes by precinct for the office of secretary of state in the 2014 general election to help determine the number of signatures required for a candidate seeking ballot placement by petition of nomination. However, the candidate may be required to make an initial calculation of the number of votes cast for secretary of state within the town council district, or the town as a whole. In some cases, there may not be an exact match between town council districts and precinct boundaries, so a precise minimum number of signatures necessary for ballot access may be impossible to calculate. Candidates seeking nomination by petition may wish to use a higher figure based on the votes cast for this office in all precincts **wholly or partially** within the town or town council district to ensure that the candidate has a sufficient number of valid signatures.

For a petition of nomination to be considered valid, the county voter registration office in the county where the individual signing the petition is registered must certify whether each person who signs the petition is a registered voter at the residence address listed in the petition at the time the county processes the petition. This certification must accompany and be a part of the petition of nomination. (This certification is on the reverse side of the CAN-19 form.) (IC 3-8-6-10; 3-8-6-11)

The **first day** a candidate for a town office may submit the petition of nomination, accompanied by the written consent form (CAN-20) to the county voter registration office for certification is **Wednesday, January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, prevailing local time, Thursday, June 30, 2016**. (IC 3-8-6-12)

For candidates for town offices, once the county voter registration office certifies the petitions of nomination, these certified petitions along with the candidate's consent (CAN-20 form) and statement of economic interests (CAN-12) must be filed with the county election board. The **DEADLINE** for filing the petition of nomination (CAN-19), accompanied by the written consent form (CAN-19) and the statement of economic interest form (CAN-12) with the county election board is **12:00 noon, prevailing local time, Friday, July 15, 2016**. (IC 3-8-6-10; IC 3-8-6-12) The county voter registration office must file the certified petitions of nomination with the county election board. However, the candidate for a town office may request that the county voter registration office return the original petitions to the candidate so that the candidate may file the certified petitions (along with the CAN-20 form and CAN-12 form) with the county election board to be placed on the municipal election ballot. (IC 3-8-6-10)

## **2. Nominating Petition Requirements**

Candidates or political party members may wish to contact county voter registration offices to coordinate the processing of nominating petitions. Some county offices prefer to process all petitions for a candidate at the same time, while others are willing to process partial submissions.

Sometimes a county voter registration office rejects a signature on a nominating petition because the individual who signed the petition is not a registered voter of the election district for the office sought by the candidate, or has changed the individual's address without notifying the county voter registration office. Although a minor variation between the name or address of a petition signer and the name or address on the county voter registration records does not invalidate the signature, a substantial variation renders the signature invalid. Reasonable doubts must be resolved in favor of the signer of the petition. (IC 3-5-6)

### 3. Political Party Names

A candidate may not submit a petition of nomination requesting ballot placement for a political party whose name would result in voter confusion due to its similarity with another party's name. If the candidate declines to amend the petition to remove this confusion, the petition may be challenged, and shall be denied by the county election board if the board finds that confusion would exist. (IC 3-8-6-5.5) A candidate must indicate whether the candidate is affiliated with any other candidate or group of candidates filing a petition under the same political party name. (IC 3-8-6-5)

### 4. Candidate Withdrawal Requirements

The **DEADLINE** for a person nominated by petition for a town office who wishes to withdraw from the general election ballot to file a written notice of candidate withdrawal with the county election board is **12:00 noon, prevailing local time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the county election board will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The municipal election candidate withdrawal form (CAN-24) is available from the Election Division's office and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

### Filling Candidate Vacancies

**Monday, August 29, 2016, by 12:00 noon**, prevailing local time, is the last day for a town chairman of a political party that submitted a petition of nomination for the election of candidates to town office to file a certificate of candidate selection to fill any candidate vacancy. The certificate must be accompanied by the candidate's written consent to the selection. (IC 3-13-1-18)

## E. Write-in Candidates

### 1. Filing Requirements

Indiana law provides that only votes for declared write-in candidates are counted. (IC 3-12-1-1.7(a))

**A person who desires to be a write-in candidate for a town office in the municipal election on Tuesday, November 8, 2016 must file a declaration of intent to be a write-in candidate (CAN-3 form) and Statement of Economic Interests for Local and School Board Offices (CAN-12) with the county election board. (IC 3-8-2-2.5)** Indiana law requires the county to reject a declaration that does not include a statement of economic interest. (IC 3-8-9-6)

The CAN-3 form and CAN-12 are available from the Election Division's office and each circuit court clerk's office. A CAN-3 and CAN-12 are included in this Guide under the *Candidate Forms* tab.

The **first day** a write-in candidate may file the CAN-3 form and CAN-12 form with the county election board is **Wednesday, January 6, 2016** and the **DEADLINE** for filing is **12:00 noon, prevailing local time, Tuesday, July 5, 2016**. (IC 3-8-2-2.5; IC 3-8-2-4; IC 3-8-2-5; IC 3-11-2-11.5)

## 2. Candidate Withdrawal Requirements

The **DEADLINE** for a person who files a declaration of intent to be a write-in candidate for a town office to file a written notice of candidate withdrawal with the county election board is **12:00 noon, prevailing local time, on Friday, July 15, 2016**. (IC 3-8-7-28) Upon receipt of this notice, the county election board will not certify that individual's name as a candidate for the general election. **Notice to withdraw candidacy presented after July 15, 2016 at 12:00 noon will not be accepted for filing unless the candidate is disqualified under IC 3-8-1-5 or has moved from the election district the candidate sought to represent.**

The general election candidate withdrawal form (CAN-24) is available from the Election Division's office and each circuit court clerk's office. A CAN-24 is included in this Guide under the *Candidate Forms* tab.

## 3. Political Party Affiliation

A write-in candidate may claim affiliation with a political party other than the Democratic, Libertarian, or Republican Parties (the parties whose nominee for Secretary of State of Indiana received at least 2% of the total votes cast in the most recent election for the office of Secretary of State (November 2014)). IC 3-8-2-2.5

However, if a write-in candidate claims affiliation with a political party: (1) that already has ballot access, (2) of a candidate who has previously filed a petition of nomination under IC 3-8-6, or (3) whose name would result in voter confusion due to its similarity with the name of the political party in (1) or (2), then a registered voter in the election district may question the validity of the filing under IC 3-8-1-2. The county election board shall determine the validity of the questioned filing. If the county election board determines that the candidate's stated party affiliation would result in voter confusion due to its similarity with another party's name, and the candidate declines to amend the declaration to remove this confusion, then the board shall deny the filing. (IC 3-8-2-12.5)

# PRECINCT COMMITTEEMEN AND STATE CONVENTION DELEGATES

## A. Qualifications

**NOTE:** Precinct committeemen and state convention delegates are considered “political offices” and not “elected offices.” (IC 3-5-2-17)

Although there is no *state law* requiring that a candidate for precinct committeeman or state convention delegate reside within the precinct or delegate district, *state political party rules* may restrict the ability of a political official who does not comply with a residency requirement to participate in party functions. Contact the Democratic State Committee or the Republican State Committee for more information on this point.

### **IC 3-8-1-32 provides that:**

“A candidate for:

- (1) Precinct committeeman; or
- (2) Delegate to a state convention;

of each political party in the state whose nominee received at least ten percent (10%) of the total vote cast for secretary of state at the last election must comply with any candidate requirement set by state party rules.”

## B. Filing Requirements For Republican Party Precinct Committeemen and Democratic and Republican State Convention Delegates Elected at the Primary Election

Candidates for Republican Party precinct committeeman and Democratic or Republican state convention delegate will be elected at the primary election to be held on Tuesday, May 3, 2016.

The Republican Party will elect its precinct committeemen at the May 3, 2016 primary (IC 3-10-1-4.6) The Democratic Party will not elect its precinct committeemen until the May 2018 primary election.

A candidate for Republican Party precinct committeeman or Democratic or Republican state convention delegate must file a declaration of candidacy (CAN-37 form) with the county election board. (IC 3-8-2-6)

The **first day** to submit a declaration of candidacy to the county election board is **Wednesday, January 6, 2016**, and the **DEADLINE** to file is **12:00 noon, prevailing local time, Friday, February 5, 2016**. (IC 3-8-2-4; IC 3-8-2-5) **A declaration of candidacy presented after February 5, 2016 at 12:00 noon will not be accepted for filing.**

The declaration of candidacy form (CAN-37) is available from the Election Division’s office, on the Division’s website, and each circuit court clerk’s office. A CAN-37 is included in this Guide under the *Candidate Forms* tab.

## C. Candidate Withdrawal Requirements

A candidate for precinct committeeman or state convention delegate may file written notice of candidate withdrawal with the county election board certifying that the individual no longer wishes to be a candidate. The **DEADLINE** to file this notice with the county election board is **12:00 noon, prevailing local time, Monday, February 8, 2016**. (IC 3-8-2-20) Upon receipt of this notice, the county election board will **not** certify that individual's name as a candidate for the primary election (IC 3-8-2-21). **Notice of candidate withdrawal presented after February 8, 2016 at 12:00 noon will not be accepted for filing.**

## 2014 Vote Totals for Indiana Secretary of State

<b>County</b>	<b>Total SOS Voters Cast</b>	<b>Number of Signatures Needed*</b>
Adams	7,480	149
Allen	72,873	1,457
Bartholomew	16,338	326
Benton	2,234	44
Blackford	2,669	53
Boone	13,754	275
Brown	5,231	104
Carroll	3,919	78
Cass	7,834	156
Clark	28,542	570
Clay	6,846	136
Clinton	5,867	117
Crawford	3,387	67
Daviess	6,298	125
Dearborn	10,321	206
Decatur	6,515	130
DeKalb	7,434	148
Delaware	22,348	446
Dubois	10,910	218
Elkhart	33,549	670
Fayette	5,493	109
Floyd	18,223	364
Fountain	3,893	77
Franklin	5,434	108
Fulton	5,066	101
Gibson	8,664	173
Grant	13,064	261
Greene	9,008	180
Hamilton	56,795	1,135
Hancock	14,221	284
Harrison	11,462	229
Hendricks	28,979	579
Henry	10,439	208
Howard	19,960	399
Huntington	7,308	146
Jackson	10,117	202
Jasper	6,785	135
Jay	4,867	97
Jefferson	8,863	177

<b>County</b>	<b>Total SOS Voters Cast</b>	<b>Number of Signatures Needed*</b>
Jennings	7,192	143
Johnson	23,299	465
Knox	10,074	201
Kosciusko	16,417	328
La Porte	24,036	480
LaGrange	5,335	106
Lake	89,437	1,788
Lawrence	9,339	186
Madison	28,685	573
Marion	158,757	3,175
Marshall	9,211	184
Martin	3,546	70
Miami	5,530	110
Monroe	26,501	530
Montgomery	8,560	171
Morgan	13,871	277
Newton	3,101	62
Noble	8,663	173
Ohio	2,094	41
Orange	5,104	102
Owen	4,835	96
Parke	4,572	91
Perry	5,622	112
Pike	4,131	82
Porter	39,528	790
Posey	7,234	144
Pulaski	3,502	70
Putnam	6,439	128
Randolph	5,746	114
Ripley	7,095	141
Rush	4,371	87
Scott	6,298	125
Shelby	8,859	177
Spencer	7,070	141
St. Joseph	57,116	1,142
Starke	5,698	113
Steuben	7,582	151
Sullivan	5,737	114
Switzerland	2,379	47

\*Pursuant to Indiana Code 3-8-6-3(b), the figures provided on this chart are rounded down in the case of a partial number. When an election district is larger than one county, the minimum number of signatures needed will be higher than the sum of the numbers on this chart. This does not apply to the given statewide figure, as that number is two percent of the total statewide votes cast in the state for Secretary of State.

## 2014 Vote Totals for Indiana Secretary of State

<b>County</b>	<b>Total SOS Voters Cast</b>	<b>Number of Signatures Needed*</b>
Tippecanoe	29,805	596
Tipton	4,820	96
Union	2,134	42
Vanderburgh	35,580	711
Vermillion	4,056	81
Vigo	20,945	418
Wabash	6,235	124
Warren	2,419	48
Warrick	15,518	310
Washington	6,904	138
Wayne	10,468	209
Wells	8,067	161
White	4,972	99
Whitley	7,516	150
STATEWIDE	1,334,995	26,699

\*Pursuant to Indiana Code 3-8-6-3(b), the figures provided on this chart are rounded down in the case of a partial number. When an election district is larger than one county, the minimum number of signatures needed will be higher than the sum of the numbers on this chart. This does not apply to the given statewide figure, as that number is two percent of the total statewide votes cast in the state for Secretary of State.

# Appendix

## Candidate Forms

CAN-1	Candidate Filing Challenge
CAN-2	Declaration of Candidacy for Primary Nomination in 2016
CAN-3	Declaration of Intent to be a Write-in Candidate in 2016
CAN-4	Indiana Petition for Primary Ballot Placement as a Candidate for United States Senator in 2016
CAN-7	Request for Presidential Primary Ballot Placement in 2016
CAN-8	Indiana Petition for Presidential Primary Ballot Placement in 2016
CAN-10	2016 Primary Election Candidate Withdrawal
CAN-12	Statement of Economic Interest for Local and School Board Offices
CAN-16	Town Office Declaration of Candidacy by a Democratic, Libertarian, or Republican Party Candidate when No Town Primary is Conducted in 2016
CAN-19	Petition of Nomination for Federal, State, State Legislature or Local Office in 2016
CAN-20	Consent of Independent or Minor Political Party Candidate Nominated by Petition for Election in 2016
CAN-24	2016 General Election Candidate Withdrawal
CAN-25	Petition for Primary Ballot Placement as a Candidate for Governor in 2016
CAN-26	Declaration of Intent to be a School Board Write-In Candidate in 2016
CAN-31	Declaration of Candidacy and Written Consent to Fill a Ballot Vacancy in 2016
CAN-34	Petition of Nomination for School Board Office Elected in 2016
CAN-37	Declaration of Candidacy for Precinct Committeeman or State Convention Delegate in 2016
CAN-41	Allen County / Vanderburgh County Superior Court Judge Declaration of Candidacy in 2016



# CANDIDATE FILING CHALLENGE

State Form 46437 (R10 / 9-15)  
Indiana Election Division (IC 3-8-1-2)

(CAN-1)

**INSTRUCTIONS:** This form is used by an individual seeking to challenge the following: the eligibility of a candidate, the declaration of candidacy, the declaration of intent to be a write-in candidate, a request for ballot placement, a petition or candidate's consent to nomination, a certificate of candidate selection, or by a candidate seeking to contest the denial of certification due to insufficient signatures by filing this form under IC 3-8-1-2 to request a hearing before the Indiana Election Commission, the county election board or the Lake or Tippecanoe County boards of elections and registration, or a town election board.

STATE OF INDIANA  
COUNTY OF \_\_\_\_\_

## GENERAL INFORMATION

I, \_\_\_\_\_, the undersigned, certify the following:

I am (*check one box*):

- a registered voter of Precinct \_\_\_\_\_ of the Township of \_\_\_\_\_,  
(or of Ward \_\_\_\_\_ of the City or Town of \_\_\_\_\_), County of \_\_\_\_\_, State of Indiana;
- A county chairman of a major political party in which any part of the election district of the office subject to this challenge is located; OR
- A candidate who submitted a petition of nomination under IC 3-8-6.

(2) My residence address is:

\_\_\_\_\_, Indiana \_\_\_\_\_  
Complete residence address must be inserted City ZIP Code

(3) My mailing address is (*if different from residence address*):

\_\_\_\_\_, Indiana \_\_\_\_\_  
Mailing address (*Write "SAME" if both addresses are identical*) City ZIP Code

(4) If I am filing this challenge as a registered voter, my voter registration address is located within the election district of the office listed below.

(5) If I am filing this challenge as a registered voter or a county political party chairman, I question the eligibility of the following individual, who is a candidate for the office:

\_\_\_\_\_  
Name of Candidate Office sought (*include District, if applicable*)

(6) The following facts are known to me and lead me to believe that the individual listed above is ineligible to be a candidate for this office (*attach additional sheets if necessary*):

(7) If I am filing this challenge as a candidate, the following facts are known to me and lead me to believe that the denial of certification of my petition of nomination due to insufficient signatures or the county voter registration office's failure to certify qualified petitioners is not in accordance with law, and I therefore request a hearing on this matter before the appropriate election authority under IC 3-8-1-2. (*attach additional sheets if necessary*):

## CHALLENGER OR CANDIDATE CERTIFICATION

I swear or affirm under the penalties for perjury that the foregoing statements are true, to the best of my knowledge and belief.

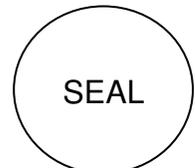
\_\_\_\_\_  
Signature Date signed (MM/DD/YY) Telephone (Day) Telephone (Evening)

COUNTY OF \_\_\_\_\_ STATE OF \_\_\_\_\_

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: \_\_\_\_\_







# DECLARATION OF CANDIDACY FOR PRIMARY NOMINATION IN 2016

# (CAN-2)

State Form 46439 (R17 / 11-15)  
Indiana Election Division (IC 3-8-2-7)

**INSTRUCTIONS:** This form is used by an individual who is seeking the Democratic or Republican party nomination to an elected office in a primary election. A declaration of candidacy must be filed no later than **NOON, February 5, 2016**, and no earlier than January 6, 2016. Please print or type all information on this form except all signatures. **SEE IMPORTANT INFORMATION ON BACK OF FORM.** Candidates seeking the office of U.S. Senator in a primary election also file a CAN-4 form. Candidates seeking the office of Governor in a primary election also file a CAN-25 form. All candidates seeking a primary nomination for a LOCAL office must also file the CAN-12 form WITH this form.

STATE OF INDIANA )  
 )  
COUNTY OF \_\_\_\_\_ )

### GENERAL INFORMATION

I, \_\_\_\_\_ the undersigned, certify the following:  
Name of Candidate

(1) I am a registered voter of Precinct \_\_\_\_\_ of the Township of \_\_\_\_\_,  
(or of Ward \_\_\_\_\_ of the City or Town of \_\_\_\_\_), County of \_\_\_\_\_, State of Indiana.

(2) I request that my name be placed on the official primary ballot of the party with which I am affiliated (check one box)  
 Democratic Party or the  Republican Party for the office of \_\_\_\_\_, District \_\_\_\_\_ (if any)  
to be voted on at the primary election to be held on May 3, 2016.

(3) **I am claiming affiliation with the Democratic 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) **(This paragraph does not apply to a candidate for federal office.)** 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. I am not ineligible to be a candidate due to a criminal conviction that would prohibit me from serving in this office.

### RESIDENCY INFORMATION

(5) My complete residence address is:

\_\_\_\_\_, IN (amend if other state) \_\_\_\_\_  
Complete residence address must be inserted City ZIP Code

(6) My mailing address is (Write address if mailing address is different from residence address; write "SAME" if both addresses are identical):

\_\_\_\_\_, IN (amend if other state) \_\_\_\_\_  
Mailing address City ZIP Code

### CANDIDATE NAME INFORMATION

I request that my name appear on the primary 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.

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.

**Please complete reverse of form**

CANDIDATE CERTIFICATION

(7) (This paragraph does not apply to federal offices.) By initialing, I acknowledge that I have attached a copy of the applicable statement of economic interest statement, file stamped by the office required to receive the statement, or a receipt or photocopy of a receipt showing that this statement of economic interest has been filed. (initial here) \_\_\_\_\_

(8) (This paragraph does not apply to a candidate for federal office or state legislative office) By initialing, I acknowledge that I might be required to file a surety bond before serving in office. (initial here) \_\_\_\_\_

(9) (This paragraph does not apply for candidates for federal office, state office, or state legislative office.) By initialing, I acknowledge that I might be required to complete training or have attained certification related to service in office. (initial here) \_\_\_\_\_

(10) (This paragraph does not apply to a candidate for federal office.)

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 provision of IC 3-9. (Initial here) \_\_\_\_\_

(11) I have been a candidate for state, state legislative, or local office in a previous primary, municipal, special, or general election:

Yes  No (Check one)

(If the answer to this question is no, skip paragraph 12 and proceed to paragraph 13.)

(12) I have filed all reports required by IC 3-9-5-10 for all previous candidacies:  Yes  No (Check one)

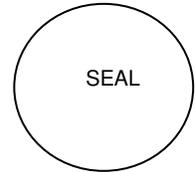
(13) (This paragraph only applies to a candidate for a local office if the local office receives compensation of at least \$5,000 per year, or to a local office if the local office receives compensation of less than \$5,000 but the candidate raises or spends more than \$500.) I have filed a campaign finance statement of organization for my principal candidate's committee with the appropriate county election board OR I am aware that I may be required to file the campaign finance statement of organization not later than noon, seven (7) days after the final date to file this declaration of candidacy. (initial here) \_\_\_\_\_

I 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)

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) SS:

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.



\_\_\_\_\_  
Notary Public or Other Official Administering Oath according to IC 33-42-4-1

My Commission expires (applies only to Notary Public): \_\_\_\_\_

County of Residence: \_\_\_\_\_

CAMPAIGN FINANCE NOTICE

-A candidate's committee must file a pre-primary campaign finance report no later than NOON, April 15, 2016, with the Indiana Election Division (if a candidate for a state legislative office) or with the appropriate county election board (if a candidate for a local office nominated in the primary).  
-The candidate's committee must also file a pre-primary supplemental report no later than forty-eight (48) hours after the committee receives any contribution of \$1,000 or more during the period beginning April 9, 2016 and ending at 6:00 a.m. on May 1, 2016, with the Indiana Election Division or appropriate county election board. If no such contribution is received, the candidate's committee is not required to file a supplemental report.  
A candidate's committee must file a pre-election campaign finance report no later than NOON, October 21, 2016, with the Indiana Election Division (if a candidate for a state legislative office) or with the appropriate county election board (if a candidate for a local office).  
-The candidate's committee must also file a pre-election supplemental report no later than forty-eight (48) hours after the committee receives any contribution of \$1,000 or more during the period beginning October 15, 2016 and ending at 6:00 a.m. November 6, 2016, with the Indiana Election Division or 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 Indiana Election Division or a 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 Election Division or county election board.

NOTE TO CANDIDATES FOR STATEWIDE OFFICE:

A candidate's committee must file "quarterly" campaign finance reports with the Indiana Election Division, according to the following schedule. These filings must be made electronically, and are subject to the same civil penalties set forth in the Campaign Finance Notice above. Contact the Campaign Finance Division of the Election Division for further information.

The committee must file quarterly reports no later than noon, Indianapolis time:

- (1) April 15, 2016, covering the period from January 1, 2016 through March 31, 2016.
- (2) July 15, 2016, covering the period from April 1, 2016 through June 30, 2016.
- (3) October 17, 2016, covering the period from July 1, 2016 through September 30, 2016.
- (4) November 1, 2016, covering the period from October 1, 2016 through October 24, 2016.
- (5) January 18, 2017, covering the period from October 25, 2016 through December 31, 2016.

The candidate's committee must also file supplemental reports with the Indiana Election Division no later than forty-eight (48) hours after the committee receives contributions from a person that total \$1,000 or more during the reporting periods listed below. If no such contribution is received, the candidate's committee is not required to file a supplemental report.

- (1) Supplemental Reporting Period: April 1, 2016, through NOON, April 15, 2016.
- (2) Supplemental Reporting Period: July 1, 2016, through NOON, July 15, 2016.
- (3) Supplemental Reporting Period: October 1, 2016, through NOON, October 17, 2016.
- (4) Supplemental Reporting Period: October 25, 2016, through NOON, November 1, 2016.



# DECLARATION OF INTENT TO BE A WRITE-IN CANDIDATE IN 2016

# (CAN-3)

State Form 46438 (R18 / 11-15)  
Indiana Election Division (IC 3-8-2-2.5; 3-8-2-4(b))

### INSTRUCTIONS:

A declaration of intent to be a write-in candidate in the general election must be filed:

- (1) not earlier than **January 6, 2016**; and
- (2) not later than **NOON, July 5, 2016**.

Please print or type all information on this form except all signatures.

**All declared write-in candidates for election to a LOCAL office must file the CAN-12 form WITH this form.**

**SEE IMPORTANT INFORMATION ON BACK OF FORM.**

STATE OF INDIANA )  
 )  
 COUNTY OF \_\_\_\_\_ )

### GENERAL INFORMATION

I, \_\_\_\_\_ the undersigned, certify the following:  
Name of Candidate

(1) I am a registered voter of Precinct \_\_\_\_\_ of the Township of \_\_\_\_\_,  
(or of Ward \_\_\_\_\_ of the City or Town of \_\_\_\_\_), County of \_\_\_\_\_, State of Indiana (*amend if other state*).

(2) I am (*check one box and enter name of any applicable party*)

an independent candidate (*not affiliated with any party*); **OR**

affiliated with a party **OTHER THAN** the Democratic Party, Libertarian Party, or Republican Party, namely the \_\_\_\_\_ Party.

(3) **I declare my intention to be a write-in candidate for the office of** \_\_\_\_\_, District \_\_\_\_\_ (*if any*)  
to be voted on at the general election to be held on November 8, 2016.

(4) (***This paragraph does not apply to a candidate for federal office.***) I comply with all requirements under the laws of the State of Indiana to be a candidate for this office, including any applicable residence requirements. I am not ineligible to be a candidate due to a criminal conviction that would prohibit me from serving in this office.

(5) (***This paragraph applies to a candidate for President or Vice-President of the United States.***) I have attached a statement declaring the names of the individuals who have consented and are eligible to be my candidates for presidential electors.

### RESIDENCY INFORMATION

(6) My complete residence address is:

\_\_\_\_\_, IN (*amend if other state*) \_\_\_\_\_  
Complete residence address must be inserted City ZIP Code

(7) My mailing address is (*Write address if mailing address is different from residence address; write "SAME" if both addresses are identical*):

\_\_\_\_\_, IN (*amend if other state*) \_\_\_\_\_  
Mailing address City ZIP Code

### CANDIDATE NAME INFORMATION

I request my name appear in the following manner: \_\_\_\_\_

I request that my name as set forth above appear on the certified list of write-in candidates. I also request that the 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.

**Please complete reverse of form.**

CANDIDATE CERTIFICATION

(8) (This paragraph does not apply to federal offices.) By initialing, I acknowledge that I have attached a copy of the applicable statement of economic interest statement, file stamped by the office required to receive the statement, or a receipt or photocopy of a receipt showing that this statement of economic interest has been filed. (initial here) \_\_\_\_\_

(9) (This paragraph does not apply to a candidate for federal office or state legislative office) By initialing, I acknowledge that I might be required to file a surety bond before serving in office. (initial here) \_\_\_\_\_

(10) (This paragraph does not apply for candidates for federal office, state office, or state legislative office.) By initialing, I acknowledge that I might be required to complete training or have attained certification related to service in office. (initial here) \_\_\_\_\_

(11) (This paragraph does not apply to a candidate for federal office.)

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 provision of IC 3-9. (Initial here) \_\_\_\_\_

(12) I have been a candidate for state, state legislative, or local office in a previous primary, municipal, special, or general election:

Yes  No (Check one)

(If the answer to this question is no, skip paragraph 13 and proceed to paragraph 14.)

(13) I have filed all reports required by IC 3-9-5-10 for all previous candidacies:  Yes  No (Check one)

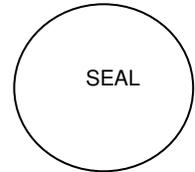
(14) (This paragraph applies only to a candidate for a local office if the local office receives compensation of at least \$5,000 per year, or to a local office if the local office receives compensation of less than \$5,000 but the candidate raises or spends more than \$500.) I have filed a campaign finance statement of organization for my principal candidate's committee with the appropriate county election board OR I am aware that I may be required to file the campaign finance statement of organization not later than noon, seven (7) days after the final date to file this declaration of candidacy. (initial here) \_\_\_\_\_

I 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)

STATE OF \_\_\_\_\_ )  
 ) SS:  
COUNTY OF \_\_\_\_\_ )

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.



\_\_\_\_\_  
Notary Public or Other Official Administering Oath according to IC 33-42-4-1

My Commission expires (applies only to Notary Public): \_\_\_\_\_

County of Residence: \_\_\_\_\_

CAMPAIGN FINANCE NOTICE

- A candidate's committee of a write-in candidate must file a campaign finance report no later than NOON, July 26, 2016, with the Indiana Election Division (if a candidate for a state legislative office) or with the appropriate county election board (if a candidate for a local office nominated in the primary).
- A candidate's committee must file a pre-election campaign finance report no later than NOON, October 21, 2016, with the Indiana Election Division (if a candidate for a state legislative office) or with the appropriate county election board (if a candidate for a local office nominated in the primary).
- The candidate's committee must also file a pre-election supplemental report no later than forty-eight (48) hours after the committee receives any contribution of \$1,000 or more during the period beginning October 15, 2016 and ending at 6:00 a.m. on November 6, 2016, with the Indiana Election Division or 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 Indiana Election Division or a 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 Election Division or county election board.

NOTE TO CANDIDATES FOR STATEWIDE OFFICE:

A candidate's committee must file "quarterly" campaign finance reports with the Indiana Election Division, according to the following schedule. These filings must be made electronically, and are subject to the same civil penalties set forth in the Campaign Finance Notice above. Contact the Campaign Finance Division of the Election Division for further information.

The committee must file quarterly reports no later than noon, Indianapolis time:

- (1) April 15, 2016, covering the period from January 1, 2016 through March 31, 2016.
- (2) July 15, 2016, covering the period from April 1, 2016 through June 30, 2016.
- (3) October 17, 2016, covering the period from July 1, 2016 through September 30, 2016.
- (4) November 1, 2016, covering the period from October 1, 2016 through October 24, 2016.
- (5) January 18, 2017, covering the period from October 25, 2016 through December 31, 2016.

The candidate's committee must also file supplemental reports with the Indiana Election Division no later than forty-eight (48) hours after the committee receives contributions from a person that total \$1,000 or more during the reporting periods listed below. If no such contribution is received, the candidate's committee is not required to file a supplemental report.

- (1) Supplemental Reporting Period: April 1, 2016, through NOON, April 15, 2016.
- (2) Supplemental Reporting Period: July 1, 2016, through NOON, July 15, 2016.
- (3) Supplemental Reporting Period: October 1, 2016, through NOON, October 17, 2016.
- (4) Supplemental Reporting Period: October 25, 2016, through NOON, November 1, 2016.



# INDIANA PETITION FOR PRIMARY BALLOT PLACEMENT AS A CANDIDATE FOR UNITED STATES SENATOR IN 2016

(CAN-4)

State Form 46434 (R12 / 6-15)  
Indiana Election Division (IC 3-8-2-8)

COUNTY: \_\_\_\_\_

**INSTRUCTIONS:** This petition is used to nominate candidates for placement on the May 3, 2016 Democratic or Republican Primary Election Ballot for the office of United States Senator. Petitioners are not required to provide precinct and congressional district information. The county voter registration office will complete this information after the petition is filed. Each candidate must also complete a Declaration of Candidacy for Primary Nomination form (CAN-2). **This petition must be filed with the appropriate county voter registration office for processing beginning January 6, 2016, and no later than NOON, February 2, 2016. Once certified it must be filed, along with CAN-2, with the Secretary of State or Indiana Election Division no later than NOON, Feb. 5, 2016.**

TO THE SECRETARY OF STATE OF INDIANA OR THE INDIANA ELECTION DIVISION:

Each of the undersigned represents that: 1) the individual resides at the address after the individual's signature, 2) the individual is a duly qualified registered voter in Indiana, and 3) the individual desires to be able to vote for the candidates listed below; and each of the undersigned respectfully requests you to place the following names of legally qualified candidates on the May 3, 2016 Primary Election Ballot as candidates of the *(check only one box please)*  Democratic Party **or**  Republican Party.

Candidate Name <i>(as established on CAN-2 form)</i>		Complete Candidate Address				Office Sought			
1	SIGNATURE	PRINTED NAME		DATE OF BIRTH MM/DD/YYYY	RESIDENCE ADDRESS (No P.O. Boxes)		CITY or TOWN & ZIP CODE	Office Use Only Precinct/Ward	Office Use Only Congress District
		First	Last		Number	Street			
2									
3									
4									
5									
6									
7									
8									
9									
10									

**Petition Carrier Certification**

I affirm under the penalties for perjury that I have no reason to believe that any individual whose signature appears on this page is ineligible to sign this petition or did not properly complete and sign this page.

\_\_\_\_\_, 20\_\_\_\_  
CARRIER'S SIGNATURE                      CARRIER'S PRINTED NAME                      CARRIER'S DATE OF BIRTH *(month, day, year)*                      DATE SIGNED BY CARRIER *(month, day, year)*

\_\_\_\_\_  
CARRIER'S FULL ADDRESS, INCLUDING ZIP CODE *(number and street, city, state, and ZIP code)*

**County Voter Registration Office Certification**

<b>County:</b>		<b>Number of Valid Signatures:</b>	
I certify that, in accordance with IC 3-8-2-9, I have reviewed the registration records of the petitioners on this petition and certify the above number to be registered voters of this County.			
I also certify the following Congressional District breakdown of petitioners on this petition who are registered voters:		<b>Number of Voters</b>	<b>Congressional District</b>
Witness my/our hand and seal this  _____ day of  _____, 2016, at  _____, Indiana.		COUNTY SEAL HERE	
Signature 1	<input type="checkbox"/> Clerk of the Circuit Court or <input type="checkbox"/> Member of the Board of Registration		
Signature 2	<input type="checkbox"/> Member of the Board of Registration		

**County Voter Registration Office Certification**

<b>County:</b>		<b>Number of Valid Signatures:</b>	
I certify that, in accordance with IC 3-8-2-9, I have reviewed the registration records of the petitioners on this petition and certify the above number to be registered voters of this County.			
I also certify the following Congressional District breakdown of petitioners on this petition who are registered voters:		<b>Number of Voters</b>	<b>Congressional District</b>
Witness my/our hand and seal this  _____ day of  _____, 2016, at  _____, Indiana.		COUNTY SEAL HERE	
Signature 1	<input type="checkbox"/> Clerk of the Circuit Court or <input type="checkbox"/> Member of the Board of Registration		
Signature 2	<input type="checkbox"/> Member of the Board of Registration		

**Affidavit of Assistance Provided to Petitioner(s)**

I affirm under the penalties for perjury that I assisted the following petitioners, due to disability, in writing the petitioner's signature, printed name, and residence address on this petition:

Names of Petitioners Assisted by me: \_\_\_\_\_

\_\_\_\_\_, 20\_\_\_\_

DATE ASSISTANCE PROVIDED (month, day, year)

\_\_\_\_\_  
ASSISTER'S SIGNATURE                      ASSISTER'S PRINTED NAME                      ASSISTER'S ADDRESS (number and street, city, state, and ZIP code)



# REQUEST FOR PRESIDENTIAL PRIMARY BALLOT PLACEMENT IN 2016

# (CAN-7)

State Form 46431 (R9 / 6-15)  
Indiana Election Division (IC 3-8-3-1)

**INSTRUCTIONS:** A candidate for the nomination of a major political party for the office of President of the United States shall file this request not earlier than **January 6, 2016** and no later than **NOON, February 5, 2016**. This request must be filed with the Indiana Election Division (or the Indiana Secretary of State) and accompanied by a certified petition (CAN-8 form). On the final day for filing, the CAN-7 form must be filed with the Secretary of State.

STATE OF INDIANA )  
 )  
COUNTY OF MARION )

### GENERAL INFORMATION

I, \_\_\_\_\_ the undersigned, request that you place my name on the presidential primary election ballot of the (check one box)  Democratic Party or the  Republican Party for the office of President of the United States to be voted on at the primary election to be held May 3, 2016. This request is accompanied by the petition required under IC 3-8-3-2.

### CANDIDATE NAME INFORMATION

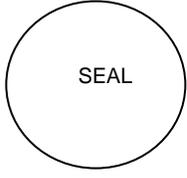
I request that my name appear on the primary election ballot in the following manner:  
\_\_\_\_\_  
(\*Include any Nickname and/or Suffix, Jr. Sr. II III IV)

### CANDIDATE CONTACT INFORMATION AND SIGNATURE

I request that the Election Division send all notices or other correspondence regarding this request to the following mailing address:  
\_\_\_\_\_  
Mailing Address  
\_\_\_\_\_  
City, State, ZIP Code  
\_\_\_\_\_  
Telephone Number  
\_\_\_\_\_  
Candidate Signature

STATE OF \_\_\_\_\_ )  
 )  
COUNTY OF \_\_\_\_\_ )

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.



\_\_\_\_\_  
Notary Public or Other Official Administering Oath

Printed Name: \_\_\_\_\_

My Commission expires (applies only to Notary Public): \_\_\_\_\_

County of Residence: \_\_\_\_\_





**INDIANA PETITION FOR PRESIDENTIAL PRIMARY BALLOT PLACEMENT IN 2016**

State Form 46435 (R10 / 6-15)  
Indiana Election Division (IC 3-8-3-2)

(CAN-8)

COUNTY: \_\_\_\_\_

**INSTRUCTIONS:** This petition is used to nominate candidates for placement on the May 3, 2016 Democratic or Republican Primary Election Ballot for the office of President of the United States. Petitioners are not required to provide precinct and congressional district information. The county voter registration office will complete this information after the petition is filed. Each candidate must also complete a Request for Presidential Primary Ballot Placement form (CAN-7). **This petition must be filed with the appropriate county voter registration office for processing beginning January 6, 2016 and no later than NOON, January 26, 2016. Certified petitions with CAN-7 must be filed with Secretary of State or Indiana Election Division no later than NOON, February 5, 2016.**

TO THE SECRETARY OF STATE OF INDIANA OR THE INDIANA ELECTION DIVISION:

Each of the undersigned represents that: 1) the individual resides at the address after the individual's signature; 2) the individual is a duly qualified registered voter in Indiana and 3) the individual desires to be able to vote for the candidate listed below; and each of the undersigned respectfully requests you to place the following name of the legally qualified candidate for President of the United States on the May 3, 2016 Primary Election Ballot as a candidate of the (check only one box please)  Democratic Party **or**  Republican Party.

Candidate Name (as established on CAN-7 form)	State where candidate resides

	SIGNATURE	PRINTED NAME		DATE OF BIRTH MM/DD/YYYY	RESIDENCE ADDRESS (No P.O. Boxes)			CITY or TOWN & ZIP CODE	Office Use Only Precinct/Ward	Office Use Only Congress District
		First	Last		Number	Street	Apartment			
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										

**Petition Carrier Certification**

I affirm under the penalties for perjury that I have no reason to believe that any individual whose signature appears on this page is ineligible to sign this petition or did not properly complete and sign this page.

\_\_\_\_\_, 20\_\_\_\_  
CARRIER'S SIGNATURE                      CARRIER'S PRINTED NAME                      CARRIER'S DATE OF BIRTH (month, day, year)                      DATE SIGNED BY CARRIER (month, day, year)

\_\_\_\_\_  
CARRIER'S FULL ADDRESS, INCLUDING ZIP CODE (number and street, city, state, and ZIP code)

**County Voter Registration Office Certification**

<b>County:</b>		<b>Number of Valid Signatures:</b>	
I certify that, in accordance with IC 3-8-3-3, I have reviewed the registration records of the petitioners on this petition and certify the above number to be registered voters of this County.			
I also certify the following Congressional District breakdown of petitioners on this petition who are registered voters:		<b>Number of Voters</b>	<b>Congressional District</b>
Witness my/our hand and seal this _____ day of _____, 2016, at _____, Indiana.		COUNTY SEAL HERE	
Signature 1	<input type="checkbox"/> Clerk of the Circuit Court or <input type="checkbox"/> Member of the Board of Registration		
Signature 2	<input type="checkbox"/> Member of the Board of Registration		

**County Voter Registration Office Certification**

<b>County:</b>		<b>Number of Valid Signatures:</b>	
I certify that, in accordance with IC 3-8-3-3, I have reviewed the registration records of the petitioners on this petition and certify the above number to be registered voters of this County.			
I also certify the following Congressional District breakdown of petitioners on this petition who are registered voters:		<b>Number of Voters</b>	<b>Congressional District</b>
Witness my/our hand and seal this _____ day of _____, 2016, at _____, Indiana.		COUNTY SEAL HERE	
Signature 1	<input type="checkbox"/> Clerk of the Circuit Court or <input type="checkbox"/> Member of the Board of Registration		
Signature 2	<input type="checkbox"/> Member of the Board of Registration		

**Affidavit of Assistance Provided to Petitioner(s)**

I affirm under the penalties for perjury that I assisted the following petitioners, due to disability, in writing the petitioner's signature, printed name, and residence address on this petition:

Names of Petitioners Assisted by me: \_\_\_\_\_

\_\_\_\_\_, 20\_\_\_\_

DATE ASSISTANCE PROVIDED (month, day, year)

\_\_\_\_\_  
 ASSISTER'S SIGNATURE                      ASSISTER'S PRINTED NAME                      ASSISTER'S ADDRESS (number and street, city, state, and ZIP code)



2016 PRIMARY ELECTION CANDIDATE WITHDRAWAL

(CAN-10)

State Form 46429 (R12 / 9-15)
Indiana Election Division (IC 3-8-2-20)

INSTRUCTIONS: This form is used by a candidate for nomination who wishes to remove the candidate's name from the primary election ballot. This form can also be used by a candidate for precinct committeemen or political party state convention delegate to be elected at the same time as the primary election. This withdrawal must be received by the official with whom the Declaration of Candidacy was filed no later than NOON, February 8, 2016.

To the Clerk of \_\_\_\_\_ Circuit Court, the Lake or Tippecanoe County Board of Elections and Registration, or Indiana Election Division:

CANDIDATE WITHDRAWAL

(1) I, \_\_\_\_\_ the undersigned,
Insert name on previously filed candidacy
withdraw as a candidate of the (check one box) [ ] Democratic Party or the [ ] Republican Party for (check one box)
[ ] nomination to the office of \_\_\_\_\_, District \_\_\_\_\_ (if any)
[ ] election as a state convention delegate for Delegate District \_\_\_\_\_ or At Large
[ ] election as a precinct committeeman for Precinct \_\_\_\_\_

to be voted on at the primary election to be held on May 3, 2016.

(2) My residence address is:

\_\_\_\_\_, Indiana \_\_\_\_\_
Complete Residence Address Must Be Inserted City ZIP Code

(3) I request that you act under IC 3-8-2-21 to notify each appropriate county election board that I do not wish my name to appear on the primary election ballot.

\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_
Signature Date Signed (MM/DD/YY) Telephone Number

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

Before me, the undersigned, a notary public (or other officer authorized to take acknowledgments) in and for

\_\_\_\_\_ County and the State of Indiana, personally appeared

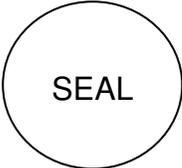
\_\_\_\_\_, the above-named candidate, and acknowledged the execution

of the above and foregoing instrument. Witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Notary Public or Other Official Administering Oath according to IC 33-42-4-1

My Commission expires (applies only to Notary Public): \_\_\_\_\_

County of Residence: \_\_\_\_\_







**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.**





**CANDIDATE CERTIFICATION**

(8) 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) \_\_\_\_\_

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

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

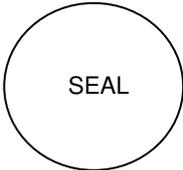
(11) By initialing, I acknowledge that I: am aware of the provisions of IC 3-9 regarding campaign finance and the reporting of campaign finance contributions and expenditures, and agree to comply with the provision of IC 3-9. (initial here) \_\_\_\_\_

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)

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.



\_\_\_\_\_  
Notary Public or Other Official Administering Oath according to IC 33-42-4-1

My Commission expires (applies only to Notary Public): \_\_\_\_\_

County of Residence: \_\_\_\_\_

**CAMPAIGN FINANCE NOTICE**

A candidate's committee must file a pre-municipal election campaign finance report no later than **NOON, October 21, 2016**, with the appropriate county election board.

The candidate's committee must also file a pre-municipal 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 15, 2016 and ending at 6 a.m. November 6, 2016**, 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.



**INDIANA PETITION OF NOMINATION FOR FEDERAL, STATE, STATE LEGISLATURE OR LOCAL OFFICE IN 2016**

**(CAN-19)**

State Form 36186 (R18 / 6-15)

Indiana Election Division (IC 3-8-6-5; IC 3-8-6-6(b); IC 3-6-12-7)

COUNTY: \_\_\_\_\_

**INSTRUCTIONS:** This petition is used to nominate independent candidates or candidates of a minor political party not already entitled to have its candidates placed on the ballot. Petitioners are not required to provide precinct and ward information. The county voter registration office will complete this information after the petition is filed. Except in cases of disability, the petitioner must complete this information in the petitioner's own handwriting. If assistance is provided due to disability, the assister must complete the affidavit on the reverse of this form. Each candidate must also complete a Candidate's Consent form (CAN-20). **This petition must be filed with the appropriate county voter registration office for processing no earlier than January 6, 2016 and no later than NOON, June 30, 2016. School Board Candidates should use a CAN-34 form, not this form. Presidential Candidates must complete the certification of presidential elector candidates on the reverse of this form. Consult your attorney to be advised of your rights and responsibilities.**

TO THE SECRETARY OF STATE OF INDIANA OR THE INDIANA ELECTION DIVISION OR THE \_\_\_\_\_ COUNTY CIRCUIT COURT CLERK:

Each of the undersigned represents that: 1) the individual resides at the address after the individual's signature; 2) the individual is a duly qualified registered voter in Indiana; 3) the individual desires to be able to vote for the candidates listed below, and each of the undersigned respectfully requests you to place the following names of legally qualified candidates on the November 8, 2016 General Election Ballot as (check only one box please)  an independent candidate or independent ticket for Pres./Vice President or Governor/Lt. Governor  as candidates on the \_\_\_\_\_ Party ticket.

Candidate Name (as established on CAN-20 form)	Complete Candidate Address (If different from residence, include mailing address)	Office Sought	Insert here any political party device to be printed on the ballot under IC 3-8-7-11
1			
2			
3			
4			

	SIGNATURE	PRINTED NAME		DATE OF BIRTH MM/DD/YYYY	RESIDENCE ADDRESS (No P.O. Boxes)			CITY or TOWN & ZIP CODE	Office Use Only Precinct/Ward
		First	Last		Number	Street	Apartment		
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									

**Petition Carrier Certification**

I affirm under the penalties for perjury that I have no reason to believe that any individual whose signature appears on this page is ineligible to sign this petition or did not properly complete and sign this page.

\_\_\_\_\_, 20\_\_\_\_  
 CARRIER'S SIGNATURE                      CARRIER'S PRINTED NAME                      CARRIER'S DATE OF BIRTH                      DATE SIGNED BY CARRIER

\_\_\_\_\_  
 CARRIER'S FULL ADDRESS, INCLUDING ZIP CODE

County Voter Registration Office Certification				County Voter Registration Office Certification			
<b>County:</b>		<b>Number of Valid Signatures:</b>		<b>County:</b>		<b>Number of Valid Signatures:</b>	
I certify that, in accordance with IC 3-8-6-10(c), I have reviewed the registration records of the petitioners on this petition and certify the above number to be registered voters of this County.				I certify that, in accordance with IC 3-8-6-10(c), I have reviewed the registration records of the petitioners on this petition and certify the above number to be registered voters of this County.			
Witness my/our hand and seal this  _____ day of  _____, 2016, at  _____, Indiana.		<b>COUNTY SEAL HERE</b>		Witness my/our hand and seal this  _____ day of  _____, 2016, at  _____, Indiana.		<b>COUNTY SEAL HERE</b>	
Signature 1		<input type="checkbox"/> Clerk of the Circuit Court or <input type="checkbox"/> Member of the Board of Registration		Signature 1		<input type="checkbox"/> Clerk of the Circuit Court or <input type="checkbox"/> Member of the Board of Registration	
Signature 2		<input type="checkbox"/> Member of the Board of Registration		Signature 2		<input type="checkbox"/> Member of the Board of Registration	
PRESIDENTIAL CANDIDATE CERTIFICATION OF PRESIDENTIAL ELECTORS				As the presidential candidate nominated by the petitioners signing this petition, I certify that the following qualified and eligible individuals are the candidates for presidential elector in Indiana pledged to support my candidacy, or if I am the candidate of a political party, the candidates of my party.			
NAME		ADDRESS		NAME		ADDRESS	
1				6			
2				7			
3				8			
4				9			
5				10			
<b>NOTE:</b> This petition may be used to nominate at least one, but no more than eleven presidential elector candidates. The presidential candidate is only required to sign one copy of this certification.				11			
<b>PRESIDENTIAL CANDIDATE PRINTED NAME</b>				<b>PRESIDENTIAL CANDIDATE SIGNATURE</b>			
Affidavit of Assistance Provided to Petitioner(s)							
I affirm under the penalties for perjury that I assisted the following petitioners, due to disability, in writing the petitioner's signature, printed name, and residence address on this petition:							
Names of Petitioners Assisted by me: _____, 20_____							DATE ASSISTANCE PROVIDED
_____ ASSISTER'S SIGNATURE		_____ ASSISTER'S PRINTED NAME		_____ ASSISTER'S ADDRESS			



**CONSENT OF INDEPENDENT OR MINOR POLITICAL PARTY  
CANDIDATE NOMINATED BY PETITION FOR ELECTION IN 2016**

**(CAN-20)**

State Form 46419 (R15 / 11-15)  
Indiana Election Division (IC 3-8-5-17; IC 3-8-6-3; IC 3-8-6-12; IC 3-10-2-15; IC 3-10-6-12)

**INSTRUCTIONS:** This consent must be filed with the certified CAN-19 petition of nomination form by an independent candidate or a candidate of a political party nominated by petition. This form is not used by Democratic, Libertarian, or Republican Party candidates. SEE IMPORTANT INFORMATION ON BACK OF FORM.

STATE OF INDIANA

COUNTY OF \_\_\_\_\_

**GENERAL INFORMATION**

I, \_\_\_\_\_ the undersigned, certify the following:  
Name of Candidate

(1) I am a registered voter of Precinct \_\_\_\_\_ of the Township of \_\_\_\_\_,  
(or of Ward \_\_\_\_\_ of the City or Town of \_\_\_\_\_), County of \_\_\_\_\_, State of Indiana.

(2) I am a candidate for the office of \_\_\_\_\_, District \_\_\_\_\_ (if any).

(3) I give my written consent under IC 3-8-6-12 to the circulation and filing of a petition under IC 3-8-6 to place my name on the ballot for the general election to be held on November 8, 2016, designated as an independent candidate or a candidate of the Party stated on the petition of nomination (CAN-19 form) attached to this consent.

**(Note: If you claim affiliation with a political party, the name of the party may not be identical with or result in voter confusion due to its similarity with that of a party guaranteed ballot access under Indiana law or which has already filed a petition for ballot placement. (IC 3-8-6-5.5))**

(4) **(This paragraph does not apply to an independent candidate.)** I am  OR am not  (check one box) affiliated with the same political party as any other candidate or group of candidates that has filed or will be filing a petition of nomination with the county voter registration office. You may attach additional information concerning your affiliation with specific candidates of the same political party.

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

**RESIDENCY INFORMATION**

(6) My 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 or leave blank) City ZIP Code

**CANDIDATE NAME INFORMATION**

I request that my name appear on the general 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 consent, 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 consent 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.

↓ Please complete reverse of form ↓

CANDIDATE CERTIFICATION

(8) (This paragraph does not apply to federal offices.) By initialing, I acknowledge that I have attached a copy of the applicable statement of economic interest statement, file stamped by the office required to receive the statement, or a receipt or photocopy of a receipt showing that this statement of economic interest has been filed. (initial here) \_\_\_\_\_

(9) (This paragraph does not apply to a candidate for federal office or state legislative office) By initialing, I acknowledge that I might be required to file a surety bond before serving in office. (initial here) \_\_\_\_\_

(10) (This paragraph does not apply for candidates for federal office, state office, or state legislative office.) By initialing, I acknowledge that I might be required to complete training or have attained certification related to service in office. (initial here) \_\_\_\_\_

(11) (This paragraph does not apply to a candidate for federal office.)

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 provision of IC 3-9. (Initial here) \_\_\_\_\_

(12) I have been a candidate for state, state legislative, or local office in a previous primary, municipal, special, or general election:

Yes  No (Check one)

(If the answer to this question is no, skip paragraph 13 and proceed to paragraph 14.)

(13) I have filed all reports required by IC 3-9-5-10 for all previous candidacies:  Yes  No (Check one)

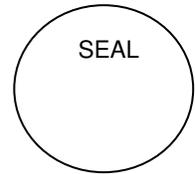
(14) (This paragraph applies to a candidate for a local office if the local office receives compensation of at least \$5,000 per year, or to a local office if the local office receives compensation of less than \$5,000 but the candidate raises or spends more than \$500.) I have filed a campaign finance statement of organization for my principal candidate's committee with the appropriate county election board OR I am aware that I may be required to file the campaign finance statement of organization not later than noon, seven (7) days after the final date to file this declaration of candidacy. (initial here) \_\_\_\_\_

I 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)

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.



\_\_\_\_\_  
Notary Public or Other Official Administering Oath according to IC 33-42-4-1

My Commission expires (applies only to Notary Public): \_\_\_\_\_

County of Residence: \_\_\_\_\_

CAMPAIGN FINANCE NOTICE

- A candidate's committee of a petition candidate must file a nomination campaign finance report no later than NOON, August 5, 2016, with the Indiana Election Division (if a candidate for a state legislative office) or with the appropriate county election board (if a candidate for a local office nominated in the primary).
- A candidate's committee must file a pre-election campaign finance report no later than NOON, October 21, 2016, with the Indiana Election Division (if a candidate for a state legislative office) or with the appropriate county election board (if a candidate for a local office nominated in the primary).
- The candidate's committee must also file a pre-election supplemental report no later than forty-eight (48) hours after the committee receives any contribution of \$1,000 or more during the period beginning October 15, 2016 and ending at 6:00 a.m. on November 6, 2016, with the Indiana Election Division or 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 Indiana Election Division or a 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 Election Division or county election board.

NOTE TO CANDIDATES FOR STATEWIDE OFFICE:

A candidate's committee must file "quarterly" campaign finance reports with the Indiana Election Division, according to the following schedule. These filings must be made electronically, and are subject to the same civil penalties set forth in the Campaign Finance Notice above. Contact the Campaign Finance Division of the Election Division for further information.

The committee must file quarterly reports no later than noon, Indianapolis time:

- (1) April 15, 2016, covering the period from January 1, 2016 through March 31, 2016.
- (2) July 15, 2016, covering the period from April 1, 2016 through June 30, 2016.
- (3) October 17, 2016, covering the period from July 1, 2016 through September 30, 2016.
- (4) November 1, 2016, covering the period from October 1, 2016 through October 24, 2016.
- (5) January 18, 2017, covering the period from October 25, 2016 through December 31, 2016.

The candidate's committee must also file supplemental reports with the Indiana Election Division no later than forty-eight (48) hours after the committee receives contributions from a person that total \$1,000 or more during the reporting periods listed below. If no such contribution is received, the candidate's committee is not required to file a supplemental report.

- (1) Supplemental Reporting Period: April 1, 2016, through, NOON, April 15, 2016.
- (2) Supplemental Reporting Period: July 1, 2016, through, NOON, July 15, 2016.
- (3) Supplemental Reporting Period: October 1, 2016, through, NOON, October 17, 2016.
- (4) Supplemental Reporting Period: October 25, 2016, through NOON, November 1, 2016.



2016 GENERAL ELECTION CANDIDATE WITHDRAWAL

(CAN-24)

State Form 46416 (R13 / 9-15)

Indiana Election Division

(IC 3-8-2-2.7, 3-8-2-2.5-4; 3-8-5-10.5, 3-8-5-14.5, 3-8-6-13.5, 3-8-7-17, 3-8-7-20, 3-8-7-21, 3-8-7-28)

INSTRUCTIONS: This form is used by a nominee chosen in a primary, nominated by petition, or chosen by a convention who wishes to remove the nominee's name from the general election ballot. This form is also used by a write-in candidate who wishes to withdraw.
DEADLINE: Except as otherwise provided by law, this withdrawal must be received by the official with whom the Declaration of Candidacy or Petition of Nomination was filed (circuit court clerk or the Indiana Election Division) by NOON, July 15, 2016, if nominated at the primary election, party convention, or by petition of nomination. A write-in candidate (for an office other than school board) must file this form by NOON, July 15, 2016.
For School Board offices: A school board candidate (including a write-in candidate for that office) must file this form by NOON, August 29, 2016.
For Small Town offices: A candidate who files a declaration of candidacy for a town office in a town with a population of less than 3,500 may withdraw by filing this statement by NOON, August 1, 2016. A candidate nominated by a town convention must file this withdrawal with the circuit court clerk or town election board no later than NOON, 3 days after the adjournment of the town convention. A candidate for city or town office in a municipal election year uses CAN-46 form to withdraw.

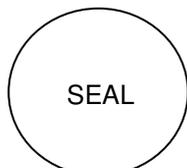
To the Clerk of \_\_\_\_\_ Circuit Court, the Lake or Tippecanoe County Board of Elections and Registration, or Indiana Election Division:

CANDIDATE WITHDRAWAL
(1) I, \_\_\_\_\_ the undersigned,
Insert name on previously filed candidacy
withdraw as a candidate of the \_\_\_\_\_ Party for nomination to the office of
\_\_\_\_\_, District \_\_\_\_\_ (if any) to be voted on at the
general election to be held on November 8, 2016.
(2) My residence address is:
\_\_\_\_\_, Indiana \_\_\_\_\_
Complete Residence Address Must Be Inserted City ZIP Code
(3) I request that you act under IC 3-8-7-17 or IC 3-8-7-28 to notify each appropriate county election board to remove my name from the ballot as the nominee of the above mentioned party for this office.
\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_( )
Signature Date Signed (MM/DD/YY) Telephone Number

CERTIFICATE OF ACKNOWLEDGMENT

STATE OF INDIANA )
COUNTY OF \_\_\_\_\_ )

) SS:



Before me, the undersigned, a notary public (or other officer authorized to take acknowledgments) in and for

\_\_\_\_\_ County and the State of Indiana, personally appeared

\_\_\_\_\_, the above-named candidate, and acknowledged the execution

of the above and foregoing instrument. Witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Notary Public or Other Official Administering Oath according to IC 33-42-4-1

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





**PETITION FOR PRIMARY BALLOT PLACEMENT AS A CANDIDATE FOR GOVERNOR IN 2016**

State Form 54518 (R2 / 6-15)  
Indiana Election Division (IC 3-8-2-8)

(CAN-25)

COUNTY: \_\_\_\_\_

**INSTRUCTIONS:** This petition is used to nominate candidates for placement on the May 3, 2016 Democratic or Republican Primary Election Ballot for the office of Governor. Petitioners are not required to provide precinct and congressional district information. The county voter registration office will complete this information after the petition is filed. Each candidate must also complete a Declaration of Candidacy for Primary Nomination form (CAN-2). **This petition must be filed with the appropriate county voter registration office for processing beginning January 6, 2016, and no later than NOON, February 2, 2016. Certified petitions with CAN-2 must be filed with Secretary of State or Indiana Election Division no later than NOON, February 5, 2016.**

TO THE SECRETARY OF STATE OF INDIANA OR THE INDIANA ELECTION DIVISION:

Each of the undersigned represents that: 1) the individual resides at the address after the individual's signature, 2) the individual is a duly qualified registered voter in Indiana, and 3) the individual desires to be able to vote for the candidates listed below; and each of the undersigned respectfully requests you to place the following names of legally qualified candidates on the May 3, 2016 Primary Election Ballot as candidates of the *(check only one box please)*  Democratic Party **or**  Republican Party.

Candidate Name <i>(as established on CAN-2 form)</i>		Complete Candidate Address				Office Sought			
SIGNATURE	PRINTED NAME		DATE OF BIRTH MM/DD/YYYY	RESIDENCE ADDRESS (No P.O. Boxes)			CITY or TOWN & ZIP CODE	Office Use Only Precinct/Ward	Office Use Only Congress District
	First	Last		Number	Street	Apartment			
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									

**Petition Carrier Certification**

I affirm under the penalties for perjury that I have no reason to believe that any individual whose signature appears on this page is ineligible to sign this petition or did not properly complete and sign this page.

\_\_\_\_\_, 20\_\_\_\_  
CARRIER'S SIGNATURE                      CARRIER'S PRINTED NAME                      CARRIER'S DATE OF BIRTH *(month, day, year)*                      DATE SIGNED BY CARRIER *(month, day, year)*

\_\_\_\_\_  
CARRIER'S FULL ADDRESS, INCLUDING ZIP CODE *(number and street, city, state, and ZIP code)*

**County Voter Registration Office Certification**

<b>County:</b>		<b>Number of Valid Signatures:</b>	
I certify that, in accordance with IC 3-8-2-9, I have reviewed the registration records of the petitioners on this petition and certify the above number to be registered voters of this County.			
I also certify the following Congressional District breakdown of petitioners on this petition who are registered voters:		<b>Number of Voters</b>	<b>Congressional District</b>
Witness my/our hand and seal this _____ day of _____, 2016, at _____, Indiana.		COUNTY SEAL HERE	
Signature 1	<input type="checkbox"/> Clerk of the Circuit Court or <input type="checkbox"/> Member of the Board of Registration		
Signature 2	<input type="checkbox"/> Member of the Board of Registration		

**County Voter Registration Office Certification**

<b>County:</b>		<b>Number of Valid Signatures:</b>	
I certify that, in accordance with IC 3-8-2-9, I have reviewed the registration records of the petitioners on this petition and certify the above number to be registered voters of this County.			
I also certify the following Congressional District breakdown of petitioners on this petition who are registered voters:		<b>Number of Voters</b>	<b>Congressional District</b>
Witness my/our hand and seal this _____ day of _____, 2016, at _____, Indiana.		COUNTY SEAL HERE	
Signature 1	<input type="checkbox"/> Clerk of the Circuit Court or <input type="checkbox"/> Member of the Board of Registration		
Signature 2	<input type="checkbox"/> Member of the Board of Registration		

**Affidavit of Assistance Provided to Petitioner(s)**

I affirm under the penalties for perjury that I assisted the following petitioners, due to disability, in writing the petitioner's signature, printed name, and residence address on this petition:

Names of Petitioners Assisted by me: \_\_\_\_\_

\_\_\_\_\_, 20\_\_\_\_

DATE ASSISTANCE PROVIDED (month, day, year)

\_\_\_\_\_  
 ASSISTER'S SIGNATURE                      ASSISTER'S PRINTED NAME                      ASSISTER'S ADDRESS (number and street, city, state, and ZIP code)



# DECLARATION OF INTENT TO BE A SCHOOL BOARD WRITE-IN CANDIDATE IN 2016 (CAN-26)

State Form 46415 (R4 / 9-15)  
Indiana Election Division (IC 3-8-2.5-4)

**INSTRUCTIONS:**  
A declaration of intent to be a school board write-in candidate must be filed not earlier than **August 10, 2016**; and not later than **NOON, August 26, 2016**.  
Please print or type all information on this form except all signatures.  
**All declared write-in candidates for election to a school board office must file the CAN-12 form WITH this form.**  
**SEE IMPORTANT INFORMATION ON BACK OF FORM.**

STATE OF INDIANA )  
 )  
COUNTY OF \_\_\_\_\_ )

### GENERAL INFORMATION

I, \_\_\_\_\_ the undersigned, certify the following:  
Name of Candidate

(1) I am a registered voter of Precinct \_\_\_\_\_ of the Township of \_\_\_\_\_,  
(or of Ward \_\_\_\_\_ of the City or Town of \_\_\_\_\_), County of \_\_\_\_\_, State of Indiana.

(2) **I declare my intention to be a write-in candidate for the office of School Board Member,**  
\_\_\_\_\_ School Corporation, \_\_\_\_\_ District (if any)  
to be voted on at the general election to be held on November 8, 2016.

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

### RESIDENCY INFORMATION

(4) My complete residence address is:  
\_\_\_\_\_, Indiana \_\_\_\_\_  
Complete residence address must be inserted City ZIP Code

(5) My mailing address is (Write address if mailing address is different from residence address; write "SAME" if both addresses are identical):  
\_\_\_\_\_, Indiana \_\_\_\_\_  
Mailing address City ZIP Code

### CANDIDATE NAME INFORMATION

I request that my name as set forth above appear on the certified list of write-in candidates. I also request that the 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.

**Please complete reverse of form.**

CANDIDATE CERTIFICATION

(8) (This paragraph does not apply to federal offices.) By initialing, I acknowledge that I have attached a copy of the applicable statement of economic interest statement, file stamped by the office required to receive the statement, or a receipt or photocopy of a receipt showing that this statement of economic interest has been filed. (initial here) \_\_\_\_\_

(9) (This paragraph does not apply to a candidate for federal office or state legislative office) By initialing, I acknowledge that I might be required to file a surety bond before serving in office. (initial here) \_\_\_\_\_

(10) (This paragraph does not apply for candidates for federal office, state office, or state legislative office.) By initialing, I acknowledge that I might be required to complete training or have attained certification related to service in office. (initial here) \_\_\_\_\_

(11) (This paragraph does not apply to a candidate for federal office.)

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 provision of IC 3-9. (Initial here) \_\_\_\_\_

(12) I have been a candidate for state, state legislative, or local office in a previous primary, municipal, special, or general election:

Yes  No (Check one)

(If the answer to this question is no, skip paragraph 13 and proceed to paragraph 14.)

(13) I have filed all reports required by IC 3-9-5-10 for all previous candidacies:  Yes  No (Check one)

(14) (This paragraph applies to a candidate for a local office if the local office receives compensation of at least \$5,000 per year, or to a local office if the local office receives compensation of less than \$5,000 but the candidate raises or spends more than \$500.) I have filed a campaign finance statement of organization for my principal candidate's committee with the appropriate county election board OR I am aware that I may be required to file the campaign finance statement of organization not later than noon, seven (7) days after the final date to file this declaration of candidacy. (initial here) \_\_\_\_\_

I 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)

STATE OF \_\_\_\_\_ )  
 ) SS:  
COUNTY OF \_\_\_\_\_ )

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.



\_\_\_\_\_  
Notary Public or Other Official Administering Oath according to IC 33-42-4-1

My Commission expires (applies only to Notary Public): \_\_\_\_\_

County of Residence: \_\_\_\_\_

CAMPAIGN FINANCE NOTICE

A candidate's committee must file its first campaign finance report no later than **NOON, September 16, 2016** with the appropriate county election board.

A candidate's committee must file a pre-election campaign finance report no later than **NOON, October 21, 2016** 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 any contribution of \$1,000 or more during the period beginning **October 15, 2016 and ending at 6 a.m. on November 6, 2016**, 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 a 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.



# DECLARATION OF CANDIDACY AND WRITTEN CONSENT TO FILL A BALLOT VACANCY IN 2016

(CAN-31)

State Form 47005 (R12/9-15)  
Indiana Election Division (IC 3-13-1-10.5, IC 3-13-1-14)

**INSTRUCTIONS:** A declaration of candidacy to fill a **ballot vacancy** must be filed no later than 72 hours before the caucus to fill the vacancy with the chair of the caucus and the official who receives the certificate of candidate selection under IC 3-13-1-15. For questions on where to file this form, contact the Indiana Election Division at 800-622-4941. A statement of economic interests may also be required to be filed by a candidate for certain offices.

TO THE  Democratic Party or the  Republican Party CHAIR, \_\_\_\_\_ COUNTY, STATE OF INDIANA:

### GENERAL INFORMATION

I, \_\_\_\_\_ the undersigned, certify the following:  
Name of Candidate

(1) I am a registered voter of Precinct \_\_\_\_\_ of the Township of \_\_\_\_\_,

(or of Ward \_\_\_\_\_ of the City or Town of \_\_\_\_\_), County of \_\_\_\_\_, State of Indiana.

(2) I give my written consent for you to certify my name to the appropriate election official under IC 3-13-1-15 to be placed on the official general election ballot of the (check one box)  Democratic Party **OR** the  Republican Party for the office of \_\_\_\_\_, District \_\_\_\_\_ (if any) to be voted on at the general election to be held on November 8, 2016, if I am chosen as the above named party's candidate by its caucus or authorized committee under IC 3-13-1 (or if I am appointed as the party's candidate when no caucus is required to be held).

(3) If I am a candidate for selection by a caucus or committee, I am also filing a copy of this declaration with the (check one box)  Indiana Election Division or the  Circuit Court Clerk of the above county at least 72 hours before the time fixed for the caucus.

(4) **This paragraph does not apply to a candidate for federal office.** 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.

### RESIDENCY INFORMATION

(5) My complete residence address is:

\_\_\_\_\_, Indiana \_\_\_\_\_  
Complete Residence Address Must Be Inserted City ZIP Code

(6) My mailing address is (if different from residence address):

\_\_\_\_\_, Indiana \_\_\_\_\_  
Mailing Address (Write "SAME" if both addresses are identical or leave blank) City ZIP Code

### CANDIDATE NAME INFORMATION

I request that my name appear on the general election ballot in the following manner:

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

I also request that the 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

(7) (This paragraph does not apply to federal offices.) By initialing, I acknowledge that I have attached a copy of the applicable statement of economic interest statement, file stamped by the office required to receive the statement, or a receipt or photocopy of a receipt showing that this statement of economic interest has been filed. (initial here) \_\_\_\_\_

(8) (This paragraph does not apply to a candidate for federal office or state legislative office) By initialing, I acknowledge that I might be required to file a surety bond before serving in office. (initial here) \_\_\_\_\_

(9) (This paragraph does not apply for candidates for federal office, state office, or state legislative office.) By initialing, I acknowledge that I might be required to complete training or have attained certification related to service in office. (initial here) \_\_\_\_\_

↓ Please complete reverse of form ↓

**CANDIDATE CERTIFICATION (continued)**

(10) (This paragraph does not apply to a candidate for federal office.)

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 provision of IC 3-9. (Initial here) \_\_\_\_\_

(11) I have been a candidate for state, state legislative, or local office in a previous primary, municipal, special, or general election:

Yes  No (Check one)

(If the answer to this question is no, skip paragraph 12 and proceed to paragraph 13.)

(12) I have filed all reports required by IC 3-9-5-10 for all previous candidacies:  Yes  No (Check one)

(13) (This paragraph only applies to a candidate for a local office if the local office receives compensation of **at least \$5,000 per year**, or to a local office if the local office receives compensation of less than \$5,000 but the candidate raises or spends more than \$500.) I have filed a campaign finance statement of organization for my principal candidate's committee with the appropriate county election board **OR** I am aware that I may be required to file the campaign finance statement of organization not later than noon, seven (7) days after the final date to file this declaration of candidacy. (initial here) \_\_\_\_\_

**I 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)

STATE OF \_\_\_\_\_ )

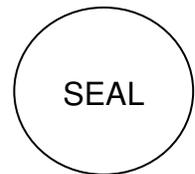
COUNTY OF \_\_\_\_\_ )

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Notary Public or Other Official Administering Oath according to IC 33-42-4-1

My Commission expires (applies only to Notary Public): \_\_\_\_\_

County of Residence: \_\_\_\_\_



**CAMPAIGN FINANCE NOTICE**

A candidate who fills a ballot vacancy 30 days or more before the general election must file campaign finance reports in accordance with IC 3-9-5-8.5. A candidate who fills a ballot vacancy less than 30 days before the general election must file campaign finance reports in accordance with IC 3-9-5-8.5 in addition to all other reports required by IC 3-9-5.

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 15, 2016, and ending November 6, 2016**, with the Indiana Election Division, appropriate county election board, or both. 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 Indiana Election Division or a 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 Election Division or county election board.

**Special Campaign Finance Instructions for Candidates For Statewide Office Filling a Ballot Vacancy**

A candidate's committee must file "quarterly" campaign finance reports with the Indiana Election Division, according to the following schedule. These filings must be made electronically, and are subject to the same civil penalties set forth in the Campaign Finance Notice above. Contact the Campaign Finance Division of the Election Division for further information.

The committee must file quarterly reports no later than noon, Indianapolis time:

- (1) April 15, 2016, covering the period from January 1, 2016, through March 31, 2016.
- (2) July 15, 2016, covering the period from April 1, 2016, through June 30, 2016.
- (3) October 17, 2016, covering the period from July 1, 2016, through September 30, 2016.
- (4) November 1, 2016, covering the period from October 1, 2016, through October 24, 2016.
- (5) January 18, 2017, covering the period from October 25, 2016, through December 31, 2016.

The candidate's committee must also file supplemental reports with the Indiana Election Division no later than forty-eight (48) hours after the committee receives contributions from a person that total \$1,000 or more during the reporting periods listed below. If no such contribution is received, the candidate's committee is not required to file a supplemental report.

- (1) Supplemental Reporting Period: April 1, 2016, through NOON April 15, 2016.
- (2) Supplemental Reporting Period: July 1, 2016, through NOON July 15, 2016.
- (3) Supplemental Reporting Period: October 1, 2016, through NOON October 15, 2016.
- (4) Supplemental Reporting Period: October 25, 2016, through NOON November 1, 2016.



# PETITION OF NOMINATION AND CONSENT FOR SCHOOL BOARD OFFICE ELECTED IN 2016

(CAN-34)

State Form 47008 (R16 / 9-15)  
Indiana Election Division (IC 3-8-2.5; 3-6-12)

COUNTY: \_\_\_\_\_

**INSTRUCTIONS:** This petition is used to nominate candidates for school board office. **This petition must be filed with the appropriate county voter registration office not earlier than July 27, 2016 and not later than noon, August 26, 2016.** Petitioners are not required to provide precinct and ward information. Except in cases of disability, the petitioner must complete the information in the petitioner's own handwriting. If assistance is provided due to disability, the assister must complete the affidavit on the reverse of this form. The county voter registration office will complete this information and determine if the voter is registered after the petition is filed. Each candidate must complete the Candidate's Consent on the reverse of this form and file a Statement of Economic Interests (CAN-12 form). In a metropolitan school corporation, this petition must be signed by ten (10) registered voters residing **in the same board member district** as the nominee. (IC 20-23-7-8) In a community school corporation, this petition must be signed by ten (10) registered voters residing within the boundaries of the school corporation. (IC 20-23-4-29.1) Additional petition requirements apply in some school corporations. **Consult your attorney to be advised of your rights and responsibilities.**

TO THE \_\_\_\_\_ COUNTY CIRCUIT COURT CLERK (OR THE LAKE OR TIPPECANOE COUNTY BOARDS OF ELECTION AND REGISTRATION):  
Each of the undersigned represents that: 1) the individual resides at the address after the individual's signature; 2) the individual is a duly qualified registered voter in Indiana and 3) the individual desires to be able to vote for the candidates listed below; and (4) each of the undersigned respectfully requests you to place the following names of legally qualified candidates on the General Election Ballot for a school board office to be held on **November 8, 2016.**

Candidate Name <i>(See Consent on reverse of form for candidate name requirements.)</i>	Complete Candidate Address <i>(If different from residence, include mailing address.)</i>	Office Sought <i>(Include election district name or number.)</i>
1		
2		
3		
4		

**Office Use Only**

	SIGNATURE	PRINTED NAME		DATE OF BIRTH MM/DD/YYYY	RESIDENCE ADDRESS (No P.O. Boxes)			CITY or TOWN & ZIP CODE	Precinct / Ward	Voter Registered
		First	Last		Number	Street	Apartment			
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										

**Petition Carrier Certification**

I affirm under the penalties for perjury that I have no reason to believe that any individual whose signature appears on this page is ineligible to sign this petition or did not properly complete and sign this page.

\_\_\_\_\_, 20\_\_\_\_  
CARRIER'S SIGNATURE      CARRIER'S PRINTED NAME      CARRIER'S DATE OF BIRTH      DATE SIGNED BY CARRIER

\_\_\_\_\_  
CARRIER'S FULL ADDRESS, INCLUDING ZIP CODE

## CONSENT OF CANDIDATE NOMINATED BY PETITION

I, the undersigned, am a candidate for the office of school board member of \_\_\_\_\_  
Insert name of school corporation, including any election district designation.

I give my written consent under IC 3-8-2.5-7 to the circulation and filing of a petition under IC 3-8-2.5 to place my name on the ballot at the general election to be held November 8, 2016 designated as a candidate for this office. I meet all qualifications for this office, including residency requirements and do not have a criminal conviction that would prevent me from serving.

I request that the name on my voter registration record be the same as the name on this petition of nomination and consent, 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.)

I have been a candidate for a state, legislative, local office, or school board office in a previous primary or general election.  Yes  No (Check one) (If no, skip next line.)

If yes, I have filed reports required by IC 3-9-5-10 for all previous candidacies.  Yes  No (Check one)

I am aware of the provisions of IC 3-9 regarding campaign finance and the reporting of contributions and expenditures. I am aware of the requirement to file a campaign finance statement of organization with the appropriate county election board after the first of the following occurs:

(1) I receive more than \$500 in contributions as a school board candidate, or (2) I spend more than \$500 in expenditures as a school board candidate.

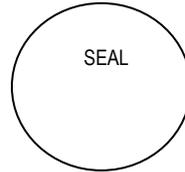
I agree to comply with the provisions of IC 3-9.

**I 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 (        )
-----------	------------------------	-------------------------

STATE OF \_\_\_\_\_  
 COUNTY OF \_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.



\_\_\_\_\_  
 Notary Public or Other Official Administering Oath according to IC 33-42-4-1

My Commission expires (applies only to Notary Public): \_\_\_\_\_

County of Residence: \_\_\_\_\_

### Affidavit of Assistance Provided to Petitioner(s)

I affirm under the penalties for perjury that I assisted the following petitioners, due to disability, in writing the petitioner's signature, printed name, and residence address on this petition:

Names of Petitioners Assisted by me: \_\_\_\_\_, 20\_\_\_\_  
DATE ASSISTANCE PROVIDED

ASSISTER'S SIGNATURE \_\_\_\_\_ ASSISTER'S PRINTED NAME \_\_\_\_\_ ASSISTER'S ADDRESS \_\_\_\_\_

**NOTE: If the name of more than one candidate is included on the petition, each candidate may attach a copy of the executed consent form above when the petition of nomination is filed.**

### County Voter Registration Office Certification

County Name:	Number of Valid Signatures:	County Name:	Number of Valid Signatures:
I certify that, in accordance with IC 3-8-2.5-5, I have reviewed the registration records of the petitioners on this petition and certify the above number to be registered voters of the indicated County.		COUNTY SEAL HERE	
Witness my/our hand and seal this ____ day of _____, 2016,  at _____, Indiana.			
Signature 1	<input type="checkbox"/> Clerk of the Circuit Court or <input type="checkbox"/> Member of the Board of Registration	Signature 2 (if a Member of Board of Registration)	



DECLARATION OF CANDIDACY FOR PRECINCT COMMITTEEMAN OR STATE CONVENTION DELEGATE IN 2016

(CAN-37)

State Form 47417 (R11 / 9-15) Indiana Election Division (IC 3-8-1-32; IC 3-8-2-7)

INSTRUCTIONS: This form is used by Democratic and Republican Party candidates for Precinct Committeeman and State Convention Delegate. A declaration of candidacy for election as a precinct committeeman or state convention delegate must be filed with the county election board or Lake or Tippecanoe County boards of elections and registration no earlier than January 6, 2016 and no later than noon, February 5, 2016. If running for BOTH precinct committeeman and state convention delegate, complete a separate copy of the CAN-37 for each office.

STATE OF INDIANA )
COUNTY OF \_\_\_\_\_ )

GENERAL INFORMATION

I, \_\_\_\_\_ the undersigned, certify the following:
Name of Candidate

(1) I am a registered voter of Precinct \_\_\_\_\_ of the Township of \_\_\_\_\_, (or of Ward \_\_\_\_\_ of the City or Town of \_\_\_\_\_), County of \_\_\_\_\_, State of Indiana.

(2) I reside in the \_\_\_\_\_ Congressional district.

(3) I request that my name be placed on the May 3, 2016 primary ballot of the party with which I am affiliated:

(check one) [ ] Democratic Party or [ ] Republican Party

for the office of [ ] Precinct Committeeman OR [ ] State Convention Delegate (check only one office on this copy)

Precinct Name \_\_\_\_\_ or Convention Delegate District/"At Large" \_\_\_\_\_

(4) I comply with all requirements under the laws of the State of Indiana and any candidate requirements set by my party's rules to be a candidate for this office.

RESIDENCY INFORMATION

(5) My complete residence address is:

\_\_\_\_\_, Indiana \_\_\_\_\_
Complete Residence Address Must Be Inserted City ZIP Code

(6) My mailing address is (if different from residence address):

\_\_\_\_\_, Indiana \_\_\_\_\_
Mailing Address (Write "SAME" if both addresses are identical or leave blank) City ZIP Code

CANDIDATE NAME INFORMATION

I request that my name appear on the primary 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.

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.

CERTIFICATION

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)

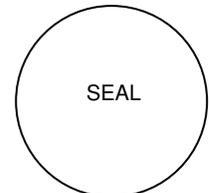
STATE OF \_\_\_\_\_ )
COUNTY OF \_\_\_\_\_ )

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

Notary Public or Other Official Administering Oath according to IC 33-42-4-1

My Commission expires (applies only to Notary Public): \_\_\_\_\_

County of Residence: \_\_\_\_\_







**ALLEN COUNTY / VANDERBURGH COUNTY  
SUPERIOR COURT JUDGE  
DECLARATION OF CANDIDACY IN 2016**

**(CAN-41)**

State Form 48517 (R9 / 9-15)

Indiana Election Division (IC 33-33-2-8; IC 33-33-82-31)

**INSTRUCTIONS: This form is used by an individual who is seeking election to the superior court in Allen or Vanderburgh County. A declaration of candidacy must be filed with the Indiana Election Division no earlier than January 6, 2016 and no later than NOON, February 5, 2016. Please print or type all information on this form except all signatures. SEE IMPORTANT INFORMATION ON BACK OF FORM.**

STATE OF INDIANA  
COUNTY OF  ALLEN

VANDERBURGH

*(check one)*

**GENERAL INFORMATION**

I, \_\_\_\_\_ the undersigned, certify the following:  
Name of Candidate

(1) I am a registered voter of Precinct \_\_\_\_\_ of the Township of \_\_\_\_\_, (or of Ward \_\_\_\_\_ of the City or Town of \_\_\_\_\_), County of \_\_\_\_\_, State of Indiana.

(2) I request that you place my name be placed on the official general election ballot for the office of *(check one box)*

Allen County Superior Court or the  Vanderburgh County Superior Court

Division and Court Number \_\_\_\_\_

to be voted on at the general election to be held on November 8, 2016.

(3) 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)*. I am not ineligible to be a candidate due to a criminal conviction that would prohibit me from serving in this office.

**RESIDENCY INFORMATION**

(4) My complete residence address is:

\_\_\_\_\_, Indiana \_\_\_\_\_  
Complete Residence Address Must Be Inserted City ZIP Code

(5) My mailing address is *(if different from residence address)*:

\_\_\_\_\_, Indiana \_\_\_\_\_  
Mailing Address *(Write "SAME" if both addresses are identical or leave blank)* City ZIP Code

**CANDIDATE NAME INFORMATION**

I request that my name appear on the general election ballot in the following manner:

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

I also request that the 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.

↓ Please complete reverse of form ↓

**CANDIDATE CERTIFICATION**

(7) By initialing, I acknowledge that I have attached a copy of the applicable statement of economic interest statement, file stamped by the office required to receive the statement, or a receipt or photocopy of a receipt showing that this statement of economic interest has been filed. (initial here) \_\_\_\_\_

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

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

(10) 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 provision of IC 3-9. (Initial here) \_\_\_\_\_

(11) I have been a candidate for state, state legislative, or local office in a previous primary, municipal, special, or general election:

Yes  No (Check one)

(If the answer to this question is no, skip paragraph 12 and proceed to paragraph 13.)

(12) I have filed all reports required by IC 3-9-5-10 for all previous candidacies:  Yes  No (Check one)

(13) I have filed a campaign finance statement of organization for my principal candidate's committee with the appropriate county election board **OR** I am aware that I may be required to file the campaign finance statement of organization not later than noon, seven (7) days after the final date to file this declaration of candidacy. (initial here) \_\_\_\_\_

**I 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)

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ )

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 2016.



\_\_\_\_\_  
Notary Public or Other Official Administering Oath according to IC 33-42-4-1

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, Friday, October 21, 2016**, 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 15, 2016 and ending November 6, 2016**, 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.