

# SENATE BILL No. 29

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 3-8-5.

**Synopsis:** Town party conventions. Provides that a town convention must be held not later than the date by which a certificate of nomination must be filed with the circuit court clerk.

**Effective:** January 1, 2025.

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January 8, 2024, read first time and referred to Committee on Elections.

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Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

# SENATE BILL No. 29



A BILL FOR AN ACT to amend the Indiana Code concerning elections.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 3-8-5-10, AS AMENDED BY P.L.225-2011,  
2 SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JANUARY 1, 2025]: Sec. 10. (a) If more than one (1) candidate from  
4 the same political party files a declaration of candidacy for the same  
5 office, that political party shall conduct:  
6 (1) a town convention under this chapter; or  
7 (2) a primary election;  
8 to choose the nominee of that party for that office as provided in the  
9 ordinance adopted under section 2 of this chapter.  
10 (b) If a town convention is required under subsection (a), the town  
11 chairman shall organize, conduct, and issue a call for a town  
12 convention to be held in the town, or, if there is no suitable location in  
13 the town, then either at the nearest available location within any county  
14 in which the town is located or at the county seat of any county in  
15 which the town is located.  
16 (c) The convention must be held not later than ~~August 21 in each~~  
17 ~~year in which a municipal election is to be held.~~ **the date by which the**



1 **certificate must be filed with the circuit court clerk under section**  
 2 **13(d) of this chapter.** The purpose of the convention is to select the  
 3 nominees for all town offices to be elected at the next municipal  
 4 election and for which more than one (1) declaration of candidacy has  
 5 been filed.

6 (d) The chairman shall file a notice of the call with the circuit court  
 7 clerk of the county containing the greatest percentage of population of  
 8 the town. The chairman shall also have notice of the call posted at least  
 9 three (3) days in three (3) prominent public places in the town,  
 10 including the office of the clerk-treasurer. The notice must state the  
 11 time, place, and purpose of the convention.

12 (e) If the county chairman determines that an emergency requires  
 13 the rescheduling of a town convention after notice has been given  
 14 under subsection (d), the chairman shall promptly file a notice in the  
 15 office of the county election board and in the office of the town  
 16 clerk-treasurer stating the date, time, and place of the rescheduled  
 17 convention.

18 SECTION 2. IC 3-8-5-12, AS AMENDED BY P.L.74-2017,  
 19 SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 20 JANUARY 1, 2025]: Sec. 12. (a) The town chairman and secretary of  
 21 each town political party committee shall act as chairman and secretary  
 22 of their respective conventions.

23 (b) As the first item of convention business, the town chairman shall  
 24 make the initial determination regarding which individuals are eligible  
 25 to vote in the town convention under section 11 of this chapter. If an  
 26 individual objects to the determination of the chairman, the matter shall  
 27 be put to the vote of all those individuals whose eligibility to vote is not  
 28 in dispute.

29 (c) As the second item of convention business, the town chairman  
 30 shall submit copies of proposed rules to the members of the convention  
 31 for adoption. The rules must provide for at least the following:

32 (1) The voting method to be used for nominating candidates at the  
 33 convention.

34 (2) The method to be used for resolving tie votes.

35 (3) Any method for removing candidates from consideration by  
 36 the convention if no candidate receives a majority vote from all  
 37 voters casting a ballot at the convention.

38 (4) The rights of nonvoting observers, media, candidate watchers,  
 39 or others attending the convention.

40 (d) If the town chairman of the political party committee is unable  
 41 or unwilling to act as chairman of the convention, the secretary acts as  
 42 chairman until the convention elects a chairman of the convention from



1 among the voters attending the convention. If the town secretary of the  
2 political party committee is unable or unwilling to act as secretary of  
3 the convention, the convention shall elect a secretary of the convention  
4 from among the voters attending the convention.

5 (e) After adoption of the convention rules, the convention may  
6 proceed to vote on the candidates to be nominated. The candidates for  
7 town offices must be nominated by a majority of the voters present and  
8 voting. If more than one (1) person may be elected to an at-large town  
9 council seat, the convention shall determine the total votes received by  
10 each candidate for an at-large town council seat. The candidates who  
11 receive the highest number of votes, up to the total number to be  
12 elected, are the nominees of the convention.

13 (f) The town convention may recess and reconvene if a majority of  
14 eligible voters at the convention adopt a motion to recess and  
15 reconvene. The motion must state the date, time, and location of the  
16 reconvening of the convention. However, a convention may not  
17 reconvene on a date following the final date permitted for a convention  
18 to be convened under section 10 of this chapter. **the date by which the**  
19 **certificate must be filed with the circuit court clerk under section**  
20 **13(d) of this chapter.**

