

**Political Party Qualification
Process, Requirements, and History
June 7, 2016, Presidential Primary Election
November 8, 2016, General Election**

The method by which political parties gain, and retain, qualified status in California is prescribed in Elections Code sections 5000-5200.

In order to achieve initial qualified status, thereby allowing a political party to participate in the next primary election or the next presidential general election, a proposed political party must:

1. Hold a caucus or convention to elect temporary officers and designate a party name; § 5001(a)
 2. File a formal notice with the Secretary of State that the political body has organized, elected temporary officers, and declared an intent to qualify as a political party pursuant to either Elections Code section 5100 or 5151, but not both. This notice must include the names and addresses of the temporary officers of the political body; § 5001(b)
- and
3. Use one of two methods to qualify as a political party: voter registration or petition. §§ 5100, 5151

Voter Registration

To qualify a new political party by voter registration requires that voters equal in number to at least 0.33 percent of the total number of voters registered on January 5, 2016 (if intending to qualify to participate in the Presidential Primary Election) or on July 8, 2016 (if intending to qualify to participate in the General Election) complete an affidavit of registration, disclosing a political preference by writing in the name of the political body intending to qualify as a political party. §§ 5100(b), 5151(c)

These completed affidavits of registration must be submitted to the county elections officials by January 5, 2016 (if intending to qualify to participate in the Presidential Primary Election) or by July 8, 2016 (if intending to qualify to participate in the General Election). The completed affidavits of registration should be submitted to the elections official in the counties of the voters' residences. They may be submitted to the Secretary of State's office, although this will result in delays in the counties' receipt of the affidavits. Presidential Primary Election: § 2187(d)(1)
General Election: § 2187(c)(4)¹

The Secretary of State must determine, from examining and totaling the reports of registration from the counties, that the political body obtained voter registrations equal in number to at least 0.33 percent of the total number of voters registered on January 5, 2016 (the 154th day before the Presidential Primary Election) or July 8, 2016 (the 123rd day before the General Election). §§ 5100(b), 5151(c)

Petition

To qualify a new political party by petition, petitions must be submitted to the Secretary of State no later than January 24, 2016** (the 135th day before the Presidential Primary Election) or June 26, 2016** (the 135th day before the General Election). The Secretary of State must determine if a political body intending to qualify collected 751,398 (10% of 7,513,972 votes cast at the last gubernatorial election) petition signatures of registered voters. §§ 5100(c), 5151(d)

In order for the Secretary of State to make this determination, the counties must have ample time to count and verify the signatures. Presidential Primary Election: § 2187(d)(1)
General Election: § 2187(c)(4)

Once qualified, a political party maintains its qualified status by:

1. Retaining registrants representing at least 1/15 of 1% (.00067%) of the total state registration; §§ 5101, 5153

and

2. Having one of its statewide candidates (running for Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, Attorney General, Insurance Commissioner, or United States Senator) receive at least 2% of the entire vote of the state for that office at the last gubernatorial primary election; §§ 5100(a), 5151(b)

or

Retaining statewide registration equaling at least 0.33 percent of the total number of voters registered on the 154th day before the primary election or the 123rd day before the presidential general election. §§ 5100(b), 5151(c)

For additional information regarding political party qualification, please visit the Secretary of State's website at <http://www.sos.ca.gov/elections/political-parties/political-party-qualification/>.

There are currently **six** qualified political parties in California: Democratic, Republican, American Independent, Green, Libertarian, and Peace and Freedom. In addition to the Democratic and Republican parties, which have participated in state primary elections since 1910, seven other parties have qualified since 1967. In 1968, both the American Independent Party and the Peace and Freedom Party qualified by the voter registration method; however, in 1998, the Peace and Freedom Party failed to meet the requirement that one of its candidates receive 2% of the vote for the particular office and therefore lost its qualified status. The Libertarian Party achieved the requisite number of registrants in 1980; the Green Party reached the required number in 1992. In 1995, the Natural Law and the Reform parties garnered the requisite number of registered voters. In 2003, the Peace and Freedom Party regained its qualified status and the Reform Party failed to meet the requirements to retain its qualified status. The Natural Law Party lost its qualified status in 2006. In 2011, the Americans Elect Party qualified using the petition method, but the Americans Elect Party lost its qualified status in 2015.

¹ Assembly Bill (AB) 1020 (Ridley-Thomas), Chapter 728, Statutes of 2015, amends provisions of the Elections Code as they relate to the Report of Registration, among other things. AB 1020 will become operative once the Secretary of State certifies that the state has a statewide voter registration database that complies with the requirements of the Help America Vote Act of 2002 (52 U.S.C. § 20901 et seq.).

** Date falls on a weekend or state holiday; it moves forward to the next business day.

Since the statewide party nomination process began in 1910, 19 parties have qualified to participate in primary elections, including:

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|--------------------------------------|---|
| * Democratic 1910-present | Townsend 1938-1942 |
| * Republican 1910-present | Independent Progressive 1948-1954 |
| * Independence League 1910 | American Independent 1968-present |
| * Prohibition 1910-1962 | Peace and Freedom 1968-1998; 2003-present |
| * Socialist 1910-1938 | Libertarian 1980-present |
| * Progressive (Bull Moose) 1912-1918 | Green 1992-present |
| Liberty 1932-1934 | Natural Law 1995-2006 |
| Commonwealth 1934-1938 | Reform 1995-2002 |
| Communist 1934-1944 | Americans Elect 2011-2015 |
| Progressive 1934-1938 | |

Prior to 1910, many parties either conducted conventions or held primary elections to select their candidates for the statewide general election.

* Active before 1910