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Summary of **QUALIFICATIONS AND REQUIREMENTS** for

Write-In Candidates
for the
March 7, 2000
Primary Election
or the
November 7, 2000
General Election

I. QUALIFICATIONS¹

NOTE: General qualifications which all candidates must meet in order to run as write-in candidates for various offices:

A. A candidate for **United States Senator** shall:

1. Be at least 30 years of age, a U.S. citizen for nine years, and a resident of California when elected. U.S. Const. Art. I, §3
2. Have a valid voter registration affidavit on file in the county of residence at the time nomination papers are obtained. §201²

B. A candidate for **Member, House of Representatives**, shall:

1. Be at least 25 years of age, a U.S. citizen for seven years, and a resident of California when elected. U.S. Const. Art. I, §2
2. Have a valid voter registration affidavit on file in the county of residence at the time nomination papers are obtained. §201

¹ At the time these summaries of qualifications and requirements were prepared and reproduced, Proposition 198, the Open Primary Initiative and Proposition 208, the Campaign Contributions and Spending Limits Initiative, were the subject of pending litigation. Please check with your county elections official or the Secretary of State's Office regarding the status of those legal challenges which may affect your candidacy before proceeding with your efforts to become a candidate.

² All code section references are to the California Elections Code unless stated otherwise.

C. A candidate for **State Legislative** office shall:

1. Be a U.S. citizen. Cal. Const. Art. IV, §2(c)
2. Be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued to the person. §201
3. Not have served two terms in the State Senate since November 6, 1990, if a candidate for State Senate; not have served three terms in the State Assembly since November 6, 1990, if a candidate for State Assembly. Cal. Const. Art. IV, §2(a)

II. General Requirements

In general, write-in candidates must file declarations of write-in candidacy and submit nomination sponsor signatures, as well as meet campaign disclosure requirements. They do not pay filing fees. The specific requirements follow.

A. CAMPAIGN COMMITTEE FILINGS AND RESPONSIBILITIES

Any individual who intends to be a candidate for an elective office shall:

1. For **state legislative offices** comply with the following Political Reform Act requirements:
 - a. Statement of Intention

File with the Secretary of State Political Reform Division an original and one copy of a statement of intention to be a candidate for a specific office (Form 501). This statement shall be signed under penalty of perjury and filed prior to the solicitation or receipt of any contribution or loan. Gov. Code §85200
 - b. Campaign Contribution Account

Establish one campaign contribution account at an office of a financial institution located in California upon filing the statement of intention.

 1. An original and one copy of a statement setting forth the name of the financial institution, the location, and the account number shall be filed

with the Secretary of State Political Reform Division within 10 days of establishing the account (Form 502).

2. All contributions or loans made to the candidate, to a person on behalf of the candidate, or to the candidate's controlled committee shall be deposited in the account.
3. Any personal funds which will be used to promote the election of the candidate shall be deposited in the account prior to expenditure.
4. All campaign expenditures shall be made from the account. Gov. Code §85201

c. Exceptions

1. Parts a and b(3) and (4), above, do not apply to a candidate's payment of a filing fee and statement of qualifications fee from his or her personal funds. Gov. Code §§85200 & 85201(f)
2. Part b, above, does not apply if the candidate does not receive contributions and makes campaign expenditures from personal funds of less than \$1,000 in a calendar year, excluding payment of the filing fee and statement of qualifications fee. Gov. Code §85201(g)

If such candidate later spends \$1,000 or more in a calendar year, he or she must establish a campaign contribution account before the \$1,000 expenditure threshold is reached. The required account information shall be filed with the Secretary of State Political Reform Division within 5 days of establishing the account.

Gov. Code §85201(h)

2. For **federal offices**, the write-in candidate should contact the Federal Election Commission at 999 E Street, N.W., Washington, D.C. 20463 or call toll-free 1-800-424-9530 for a copy of the Federal Election Campaign Act, As Amended, related regulations giving the filing requirements for reporting campaign contributions, and the forms on which to file.

B. STATEMENT OF WRITE-IN CANDIDACY

1. The statement of write-in candidacy shall contain the following information:
 - a. candidate's name;
 - b. candidate's complete residence address;
 - c. a declaration stating that the candidate is a write-in candidate;
 - d. the name of the office for which the candidate is running;
 - e. the party nomination which the candidate seeks, if running in a primary election; and
 - f. the date of the election. §8600*
2. The statement of write-in candidacy shall set forth in full the oath or affirmation provided in Section 3 of Article XX of the California Constitution. §200
3. For the **primary election**, the statement of write-in candidacy must be filed between January 10 and February 22, 2000. §8601
4. For the **general election**, the statement of write-in candidacy must be filed between September 11 and October 24, 2000. §8601

C. FILING FEE

Write-in candidates are not required to pay filing fees. §8604

* The candidate does not have to be registered with the party in which he or she is seeking to run as a write-in, nor with any qualified political party. He or she must be registered to vote in California. There is also no party affiliation or disaffiliation requirement as there is for certified candidates whose names are printed on the ballot.

D. NOMINATION PAPERS

1. The required number of signers to a write-in candidate's nomination paper for the respective offices are as follows:
 - a. **U.S. Senate:** Not less than 65 nor more than 100. §8062(a)(1)
 - b. **Member of House of Representatives or State Legislative Office:** Not less than 40 nor more than 60. §8062(a)(2)
 - c. **Signers** must be of the same political party as the party in which the write-in candidate is seeking nomination. §8603

2. For the **primary election**, between January 10 and February 22, 2000, circulate nomination papers for signatures and leave them for examination with the county elections official of the county in which the signers reside. §8601
3. For the **general election**, between September 11 and October 24, 2000, circulate nomination papers for signatures and leave them for examination with the county elections official of the county in which the signers reside. §8601
4. If the candidate appoints persons to circulate the nomination paper, such appointment must be in writing. The candidate shall file appointment of circulator documents with the county elections official on or before the date the nomination papers are left for filing. §8601
 - (a) Circulators shall be voters in the district in which the candidate is seeking election, if running for a district office; circulators shall be registered voters in California if the candidate is seeking statewide office. §8066
 - (b) Circulators shall circulate the nomination papers only in the district in which the candidate is seeking election if running for a district office; circulators shall circulate only in their county of residence if the candidate is seeking statewide office. §8066
 - (c) If the district includes more than one county, the circulator shall circulate the petition only in the county in which he or she resides. §8065
5. Each section of the nomination paper shall be delivered to the county elections official of the county in which the signer resides and is a voter not later than February 22, 2000 for the primary election and October 24, 2000 for the general election. §8063

E. PRIMARY ELECTION WRITE-IN CANDIDATES QUALIFYING TO HAVE NAME PRINTED ON GENERAL ELECTION BALLOT

In order for a write-in candidate in the primary election to qualify as the nominee of a political party and have his or her name printed on the general election ballot, he or she must receive more votes than any other candidate running for the party's nomination and must also receive write-in votes equal to at least 1% of all votes cast for that office at the last preceding general election at which the office was filled. A list indicating the minimum number of votes required to obtain the write-in nomination is

attached.

§8605

F. STATEMENT OF ECONOMIC INTERESTS

Each state candidate except those running for Congress and U.S. Senate must file a Statement of Economic Interests with the county elections official disclosing investments, interests in real property, and any income received during the immediately preceding 12 months pursuant to the requirements of the Political Reform Act of 1974, As Amended.

Gov. Code §87201

Candidates for federal office may have similar requirements under federal law and should contact the Federal Election Commission.

This statement is to be filed between January 10 and February 22, 2000 for the **March 7, 2000 Primary Election**. It is not required if the candidate has filed such a statement within the past sixty days for the same jurisdiction.

This statement is to be filed between September 11 and October 24, 2000 for the **November 7, 2000 General Election**. It is not required if the candidate has filed such a statement within the past sixty days for the same jurisdiction.

III. CANVASS OF WRITE-IN VOTES

A. No name written upon a ballot in any election shall be counted for an office or nomination unless the candidate whose name has been written on the ballot has been certified as a write-in candidate. §15341

1. See Title 2 California Code of Regulations §§20101-20105, attached, for provisions relating to the canvass of incomplete write-in votes.

B. The name of a write-in candidate shall be written by hand upon a ballot. The use of pressure-sensitive stickers or methods other than handwriting of indicating the name of the write-in candidate are not valid, and a name indicated by any such method shall not be counted. §15342

Frequently-Asked Questions Concerning Write-In Candidacies

Q.: Can anyone run as a write-in candidate?

A.: Any person who meets the qualifications for the specific office may run as a write-in candidate. However, in order for votes to be counted and certified, the candidate must comply with the specific legal requirements set forth above.

Q.: Where can persons obtain the forms they must file to run as a write-in candidate?

A.: There is no statutory provision requiring county elections officials to supply forms; however, the official may have the forms necessary for a candidate to complete in order to run as a write-in candidate. The candidate should check with his/her county elections official.

Q.: Must a write-in candidate running in the November general election meet the 3-month party affiliation/twelve-month party disaffiliation requirement in order to run in the November general election?

A.: No.

**Title 2 California Code of Regulations
Write-In Canvass Provisions**

Section 20101. Definitions.

(a) For the purpose of sections 20102-20105, "qualified write-in candidate" shall refer to candidates who have complied with Part 3³ of Division 8 of the Elections Code (beginning at Section 8600).

(b) For the purpose of sections 20102-20105, "ballot" shall include ballot envelope, card, or paper ballot on which write-in votes are authorized to be indicated by Elections Code §302.

Section 20102. Write-in vote; no office indicated.

The name of a qualified write-in candidate shall be counted when the name is written in on a voter's ballot and no office is indicated for the candidate, or the office is incompletely indicated (e.g., "Senator" without district number), if:

(a) the candidate is a qualified write-in candidate for an office properly appearing on the voter's ballot; and

(b) no other qualified write-in candidate for any office appearing on the voter's ballot bears a name so similar to the name as written in, considering the voter's misspellings or omission of portions of the name, if any, as to leave a reasonable doubt as to the voter's intention.

Section 20103. Write-in vote; misspelled or incomplete name.

The misspelled or incomplete name of a qualified write-in candidate written in on a ballot shall be counted for the candidate when the office for which the candidate has qualified is also indicated on the voter's ballot, if:

(a) the name as written in bears a reasonable resemblance to the qualified candidate's name; and

(b) no other write-in candidate qualified for the indicated office has a name that is so similar to the name as written in as to leave a reasonable doubt as to the voter's intention.

Section 20104. Write-in vote; misspelled or incomplete name, office omitted.

The misspelled or incomplete name of a qualified write-in candidate written in on a ballot shall be counted for the candidate even though the office for which the candidate has qualified is omitted or incompletely indicated on the voter's ballot, when:

(a) the name as written in bears a reasonable resemblance to the qualified candidate's name; and

(b) no other write-in candidate qualified for any office properly appearing on the voter's ballot has a name that is so similar to the name as written in as to leave a reasonable doubt as to the voter's intention.

Section 20105. Write-in vote; wrong office indicated.

The name of a write-in candidate qualified for an office appearing on the voter's ballot which is written in the pre-printed column designated for an office other than one for which the write-in candidate is qualified shall not be counted for any purpose.

³ The Elections Code sections referenced in these regulations have been changed to reflect the accurate Elections Code sections to which they refer, but the regulations themselves have not been similarly amended.

Write-in Candidates
 Number of Votes Required in the March 7, 2000 Primary Election
 to Place Candidate's Name on November 7, 2000 General Election Ballot.

<i>Office</i>	<i>Votes Last Election</i>	<i>Write-in Votes Needed for Nomination</i>
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United States Senator	8,341,953	83,420
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House of Representatives

<i>Dist.</i>	<i>Votes Last Election</i>	<i>Write-in Votes Needed for Nomination</i>	<i>Dist.</i>	<i>Votes Last Election</i>	<i>Write-in Votes Needed for Nomination</i>
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01	196,772	1,968	27	159,066	1,591
02	205,367	2,054	28	157,200	1,572
03	192,006	1,921	29	178,094	1,781
04	248,224	2,483	30	71,761	718
05	181,838	1,819	31	87,360	874
06	232,981	2,330	32	129,492	1,295
07	164,132	1,642	33	49,674	497
08	172,462	1,725	34	113,075	1,131
09	169,895	1,699	35	88,145	882
10	237,809	2,379	36	181,706	1,818
11	155,449	1,555	37	82,327	824
12	173,212	1,733	38	134,875	1,349
13	142,787	1,428	39	155,465	1,555
14	188,910	1,890	40	150,125	1,502
15	184,786	1,848	41	128,414	1,285
16	117,414	1,175	42	112,520	1,126
17	160,690	1,607	43	149,071	1,491
18	136,931	1,370	44	161,528	1,616
19	165,149	1,652	45	160,770	1,608
20	99,782	998	46	85,002	851
21	146,983	1,470	47	196,316	1,964
22	202,190	2,022	48	180,719	1,808
23	160,362	1,604	49	185,519	1,856
24	180,580	1,806	50	77,991	780
25	152,682	1,527	51	206,878	2,069
26	83,662	837	52	153,568	1,536

<i>Dist.</i>	<i>Votes Last Election</i>	<i>Write-in Votes Needed for Nomination</i>	<i>Dist.</i>	<i>Votes Last Election</i>	<i>Write-in Votes Needed for Nomination</i>
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State Senate

01	341,980	3,420	21	242,669	2,427
03	304,747	3,048	23	296,060	2,961
05	266,007	2,661	25	144,844	1,449
07	335,975	3,360	27	246,223	2,463
09	251,106	2,512	29	235,773	2,358
11	305,992	3,060	31	246,754	2,468
13	200,777	2,008	33	290,184	2,902
15	263,760	2,638	35	289,689	2,897
17	235,493	2,355	37	256,953	2,570
19	257,263	2,574	39	277,908	2,780

State Assembly

<i>Write-in Votes</i>			<i>Write-in Votes</i>		
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01	141,601	1,417	37	101,999	1,020
02	125,755	1,258	38	78,417	785
03	129,194	1,292	39	48,264	483
04	168,160	1,682	40	74,384	744
05	130,142	1,302	41	131,195	1,312
06	148,345	1,484	42	109,623	1,097
07	129,043	1,291	43	84,958	850
08	114,219	1,143	44	116,224	1,163
09	92,458	925	45	48,667	487
10	138,744	1,388	46	26,791	268
11	116,369	1,164	47	95,484	955
12	100,577	1,006	48	46,191	462
13	112,291	1,123	49	61,500	615
14	119,013	1,191	50	36,106	362
15	159,361	1,594	51	68,772	688
16	89,065	891	52	45,742	458
17	89,350	894	53	124,039	1,241
18	96,551	966	54	109,596	1,096
19	106,629	1,067	55	57,990	580
20	90,371	904	56	92,294	923
21	127,310	1,274	57	56,300	563
22	97,142	972	58	72,447	725
23	59,838	599	59	106,596	1,066
24	121,146	1,212	60	90,186	902
25	122,491	1,224	61	66,509	666
26	82,811	829	62	56,321	564
27	124,318	1,244	63	94,185	942
28	92,450	925	64	64,852	649
29	91,080	911	65	98,953	990
30	68,174	682	66	127,910	1,280
31	61,979	620	67	115,714	1,158
32	103,314	1,034	68	76,980	770
33	126,949	1,270	69	43,246	433
34	94,137	942	70	109,070	1,091
35	126,757	1,268	71	129,009	1,291
36	102,108	1,022	72	105,468	1,055

Assembly

<i>Dist.</i>	<i>Votes Last Election</i>	<i>Write-in Votes Needed for Nomination</i>	<i>Dist.</i>	<i>Votes Last Election</i>	<i>Write-in Votes Needed for Nomination</i>
73	107,497	1,075	77	97,962	980
74	115,973	1,160	78	115,829	1,159
75	123,419	1,235	79	51,862	519
76	107,546	1,076	80	95,219	953