Summary of Qualifications and Requirements for
INDEPENDENT NOMINATION
for the Offices of

State Senator

(20 Districts, Even-Numbered)
and

Member of the State Assembly

(80 Districts)
November 5, 2002 General Election

I.   **QUALIFICATIONS**

A candidate shall:

A. Be a U.S. citizen.   Cal. Const. Art. IV, §2(c) [1]

B. Have a valid voter registration affidavit on file in the county of residence at the time
     nomination papers are obtained.   §201[2]

C. 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)

D. Disqualifications

     A candidate is ineligible for nomination as an independent candidate if:

     1. A nomination paper was filed on the candidate's behalf as a partisan candidate or
          a write-in candidate at the March 5, 2002 Primary Election for any office, and the
          candidate was defeated for the party nomination at the primary election.

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1 Article IV, section 2(c), of the California Constitution requires one year residency in the legislative district and three years residency
in California; however, it is the legal opinion of our office that these provisions violate the U.S. Constitution and are unenforceable.

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

2. At any time during the 13 months preceding the General Election, the candidate was registered as affiliated with any qualified political party. The last day a candidate may be affiliated with a qualified party is October 5, 2001 if desiring to run under the independent nomination procedures in the 2002 General Election.

§8550(f)

For purposes of Section 8550, the seven qualified political parties are: American Independent, Democratic, Green, Libertarian, Natural Law, Reform, and Republican.

II.   REQUIREMENTS

A.   CAMPAIGN COMMITTEE FILINGS AND RESPONSIBILITIES

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

1. Statement of Intention

    File with the Secretary of State Political Reform Division 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

2. Campaign Contribution Account

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

    a. 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.

    b. Any personal funds, which will be used to promote the election of the candidate, shall be deposited in the account prior to expenditure.

    c. All campaign expenditures shall be made from the account.
                                                            Gov. Code §§85200 & 85201

3. Exceptions

    a. Parts 1 and 2 (c) and (d), 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)

    b. Part 2, 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)

4. Voluntary Campaign Expenditure Limitations

B. DECLARATION OF INTENTION

Between October 29 and November 7, 2001, file a declaration of intention with the Secretary of State or the elections official of the county in which the candidate resides.   §8350

During the period of November 8 to November 12, 2001, if the eligible incumbent officeholder has not filed a declaration of intention to succeed to the same office, then any person, other than the incumbent, may file such a declaration.   §8022

This extension will not apply if the incumbent failed to file a declaration of intention because of the prohibitions set forth in the California Constitution.

§8024 & Cal. Const. Art. IV, §2(a)

C. FILING FEE OR SIGNATURES IN LIEU OF FILING FEE

Filing Fee

Pay a filing fee equal to 1% of the first year's salary. Currently, the filing fee for State Senator and Member of the Assembly is $990. The filing fee must be paid at the time the candidate files the declaration of intention.

§§8103 & 8105

Signatures In Lieu Of Filing Fee

By November 7, 2001, submit a minimum of 3,000 valid signatures if running for State Senate and a minimum of 1,500 valid signatures if running for State Assembly on petitions in lieu of filing fee.   §8106
1. Between September 28 and November 7, 2001, the petitions for in-lieu signatures may be obtained from the county elections official and circulated. Sections of petitions in lieu of filing fee shall be filed with the county elections official of the

county in which the signers reside.   §§8106

2. The candidate may submit signatures to cover all or any prorated portion of the
    filing fee.   §8106(b)(3)

3. Any registered voter may sign an in-lieu-of-filing-fee petition for any candidate
    for whom he or she is eligible to vote.   §8106(b)(1)

4. Each circulator of an in-lieu-of-filing-fee petition shall be a registered voter of the
    district in which the candidate is running. The circulator shall serve within the
    county in which he or she resides.   §8106 (b)(4)

5. Within 10 days after receipt of the petition, the county elections official shall
    notify the candidate of any deficiency. The candidate shall then, prior to the close
    of the nomination period (August 9, 2002), either submit a supplemental petition
    or pay a pro rata portion of the filing fee to cover the deficiency.
                                                           §§8106 (b)(3) & 8405

6. Signatures in lieu of the filing fee may be counted toward the nomination sponsor
    signature requirements.   §§8106(d) & 8405

D. NOMINATION DOCUMENTS

1. Between June 10 and August 9, 2002, obtain nomination documents from the
    county elections official. Nomination documents include a set of nomination
    papers for collecting signatures and a declaration of candidacy that must be
    executed by the candidate.   §§333 & 8403

2. Upon request of a candidate, the county elections official shall provide the
    candidate with nomination documents. The county elections official shall not
    require a candidate to sign, file or sign and file a declaration of candidacy as a
    condition of receiving nomination papers.   §8020(d)

3. Between June 10 and August 9, 2002, circulate nomination papers for signatures
    and leave them for examination with the county elections official of the county in
    which the signers reside.   §8403

4. Nomination Signatures

    Signatures in lieu of the filing fee may be counted toward the nomination sponsor
    signature requirements.   §§8106(d) & 8405
    a. The nomination papers must be signed by at least 3% of the registered voters
        as of the last registration report prior to the preceding general election. See
        Attachments for the required number of signatures for each legislative
        district.   §8400

b. Signers must be registered voters in the district in which the candidate is
    running.   §§100 & 8068

c. Any registered voter who is a candidate may obtain signatures to and sign his
    or her own nomination papers.   §106(a)

d. Appointment of nomination paper circulators.

    1. The candidate may appoint persons to circulate the nomination papers.

    2. Circulators shall be voters registered in California and shall serve only in
        their district or political subdivision.   §8451

e. By August 9, 2002, the nomination paper shall be delivered to the county
    elections official of the county in which the signer resides and is a voter.
                                                                        §§8063 & 8403

5. Declaration Of Candidacy

    Failure to properly file the declaration of candidacy will prevent the candidate's
    name from appearing on the ballot.

    a. The declaration of candidacy shall be obtained from, and delivered to, the
        county elections official of the county in which the candidate resides and is a
        voter.   §8064

    b. The county elections official shall require all candidates filing a declaration of
        candidacy to execute the declaration in his or her office unless the candidate,
        in a written statement signed and dated by the candidate, designates a third
        party to obtain the declaration form from the county elections official and to
        deliver it to the candidate. The written statement shall state that the candidate
        is aware that the declaration of candidacy must be properly executed and
        delivered not later than August 9, 2002 to the office of the county elections
        official from whom it was received.   §8028

    c. Between June 10 and August 9, 2002, file with the county elections official a
        declaration of candidacy which states the following:

        1. The candidate's complete residence address;
        2. That the candidate is a voter in the precinct in which he or she resides;
        3. The name of the office sought;
        4. That he or she will not withdraw as a candidate before the election;
        5. That if elected, he or she will qualify for the office;

6. That at no time since October 5, 2001 has the candidate been registered in California as affiliated with a qualified political party (American Independent, Democratic, Green, Libertarian, Natural Law, Reform, or Republican). §8550

E. STATEMENT OF ECONOMIC INTERESTS

Each candidate 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

This statement is to be filed between June 10 and August 9, 2002. It is not required if the candidate has filed such a statement within the past sixty days for the same jurisdiction.

III. GENERAL INFORMATION

A. Each of the forms mentioned above is available free of charge from the county elections official.

B. The Senate has a membership of 40 Senators elected for four-year terms, 20 to begin every two years. The Assembly has a membership of 80 members elected for two-year terms. In 2002, candidates will be elected in each of the even-numbered Senate districts as well as in each Assembly district. The terms of office for both Senate and Assembly begin on December 2, 2002.

C. Because of the requirements of the Political Reform Act, As Amended, a candidate should contact the Political Reform Division of the Secretary of State's Office (1500 11th Street, 4th floor, Sacramento, California 95814) for the most recent copy of the Information Manual on Campaign Disclosure Provisions of the Political Reform Act, which gives the filing requirements for reporting campaign contributions, and related instructions.

Independent Candidates for State Senate
Number of Signatures Required to Place
Candidate on November 5, 2002 General Election Ballot

Senate Districts	Oct. 2000 Voter Reg.	Required Signatures*
2	461,709	13,954
4	428,636	12,785
6	410,150	12,720
8	415,558	12,698
10	362,917	12,168
12	407,929	11,472
14	422,451	12,825
16	273,235	8,571
18	456,204	14,109
20	285,693	7,774
22	197,623	5,034
24	273,100	7,633
26	317,809	9,391
28	381,340	11,230
30	248,253	7,041
32	297,341	9,653
34	268,582	7,532
36	425,626	12,363
38	451,838	12,972
40	347,350	10,387

*Independent candidates for State Senate need registered voter signatures equaling 3% of the previous general election's registration total in the district.

Independent Candidates for State Assembly
Number of Signatures Required to Place Candidate
on November 5, 2002 General Election Ballot

Assembly District	Oct. 2000 Voter Reg.	Required Signatures*	Assembly District	Oct. 2000 Voter Reg.	Required Signatures*
1	239,433	7,183	41	244,122	7,324
2	210,030	6,301	42	240,594	7,218
3	228,199	6,846	43	191,728	5,752
4	290,222	8,707	44	223,482	6,705
5	228,577	6,858	45	120,038	3,602
6	234,126	7,024	46	77,585	2,328
7	222,276	6,669	47	197,211	5,917
8	218,606	6,559	48	120,598	3,618
9	181,573	5,448	49	139,440	4,184
10	211,197	6,336	50	91,182	2,736
11	227,605	6,829	51	158,555	4,757
12	227,605	6,829	52	134,259	4,028
13	269,323	8,080	53	238,302	7,150
14	219,558	6,587	54	217,966	6,539
15	271,959	8,159	55	143,038	4,292
16	173,262	5,198	56	194,167	5,826
17	179,870	5,397	57	133,660	4,010
18	181,421	5,443	58	157,071	4,713
19	187,953	5,639	59	210,346	6,311
20	181,496	5,445	60	186,120	5,584
21	216,130	6,484	61	153,234	4,598
22	189,582	5,688	62	144,107	4,324
23	146,224	4,387	63	216,870	6,507
24	228,383	6,852	64	170,910	5,128
25	226,262	6,788	65	190,488	5,715
26	181,661	5,450	66	254,716	7,642
27	216,890	6,507	67	227,539	6,827
28	190,555	5,717	68	168,213	5,047
29	215,187	6,456	69	100,369	3,012
30	144,396	4,332	70	248,165	7,445
31	128,845	3,866	71	260,333	7,810
32	207,264	6,218	72	207,260	6,218
33	218,061	6,542	73	221,831	6,655
34	192,043	5,762	74	230,007	6,901
35	238,143	7,145	75	247,700	7,341
36	216,250	6,488	76	218,596	6,558
37	202,212	6,067	77	209,506	6,286
38	221,879	6,657	78	228,603	6,859
39	121,051	3,632	79	137,844	4,136
40	164,642	4,940	80	186,460	5,594

*Independent candidates for Assembly need registered voter signatures equaling 3% of the previous general election's registration total in the district.