



**DEBRA BOWEN** | SECRETARY OF STATE  
STATE OF CALIFORNIA | ELECTIONS

1500 11th Street, 5th Floor | Sacramento, CA 95814 | Tel (916) 657-2166 | Fax (916) 653-3214 | www.sos.ca.gov

---

## PRESIDENTIAL CANDIDATE QUALIFICATION PROCEDURES DEMOCRATIC PARTY

**February 5, 2008  
Presidential Primary Election**

### **I. QUALIFICATIONS**

The candidate must be:

- A. A natural-born citizen of the United States,
- B. At least 35 years of age, and
- C. A resident of the United States at least 14 years. U.S. Const., art. II, § 1(5)

### **II. REQUIREMENTS**

There are two methods by which a person may have his or her name placed on the ballot as a presidential candidate in the February 5, 2008, **Presidential Primary Election**:

- by the Secretary of State as a generally-recognized candidate, or
- by circulating nomination petitions.

#### **A. GENERALLY-RECOGNIZED CANDIDATES**

1. The Secretary of State announces the names of individuals she has determined to be generally advocated for or recognized throughout the United States or California as actively seeking the nomination of the Democratic Party for President. § 6041<sup>1</sup>

Criteria for determining "generally-recognized" candidates include, but are not limited to:

- a. Being generally recognized as seeking and advocated for the office
- b. Qualifying for federal matching funds
- c. Appearing in public opinion polls, candidates' forums, debates, etc.
- d. Being on the ballot in other states' primaries
- e. Actively campaigning in California
- f. Having a campaign office in California
- g. The Secretary of State may also rely on advice and input from the state party chair.

---

<sup>1</sup> Unless otherwise stated, all code references are to the California Elections Code.

2. The Secretary of State will publicly announce this determination by December 4, 2007 (E-63). § 6041
3. Following this announcement, the Secretary of State may add presidential candidates to the selection until December 7, 2007 (E-60), but may not delete any candidate unless the candidate withdraws in accordance with the provisions of Elections Code § 6042. § 6041
4. The last day a selected candidate may withdraw from the list of recognized candidates is December 7, 2007 (E-60). §§ 6042, 6043

**B. CIRCULATION OF NOMINATION PETITIONS FOR CANDIDATES NOT SELECTED BY THE SECRETARY OF STATE OR UNCOMMITTED DELEGATIONS**

1. Any candidate not selected by the Secretary of State or any uncommitted delegation desiring to be placed on the presidential primary election ballot shall have nomination papers circulated on behalf of the candidacy. § 6061
2. To qualify for placement on the presidential primary election ballot, the nomination papers of the candidate or uncommitted delegation must be signed by registered Democrats equal in number to not less than one percent or 500, whichever is fewer, of the number of persons registered as members of the Democratic Party in the Report of Registration issued by the Secretary of State on September 23, 2007\* (E-135) in each congressional district. § 6061
3. Each signer of a nomination paper may sign only one paper. The signer shall declare his or her intention to support the candidate or delegation named on the nomination paper. § 6104
4. Each section of the nomination paper shall be delivered to the elections official of the county where the petition was circulated. § 6101
5. The period for circulating the nominating petitions is October 8, 2007\* (E-120) through December 4, 2007 (E-63). § 6122
6. The last day to file nomination papers with the county elections official is December 4, 2007 (E-63). § 6122
7. No later than November 29, 2007 (E-68), the Secretary of State shall prepare a certified list containing the name of each candidate who is entitled to be voted for on the ballot at the presidential primary election, and the name of each chairperson of a steering committee of an uncommitted delegation who is to be voted for on the same ballot. § 6180

---

\* Asterisked dates indicate that the deadline falls on a Saturday, Sunday, or a holiday; in most cases, the deadline will move forward to the next business day. § 15

### **III. APPOINTMENT OF STEERING COMMITTEES**

- A. Each selected candidate, unselected candidate, and uncommitted delegation is required to appoint a seven-member steering committee and shall appoint one of the members to serve as chairperson. § 6080
- B. The chairperson of the steering committee, no later than November 15, 2007 (E-82), shall file with the Secretary of State a statement containing the names and addresses of the members of the committee. § 6081
- C. For other duties and responsibilities of the steering committee and/or the chairperson of the steering committee, refer to §§ 6082 - 6087 of the California Elections Code.

### **IV. GENERAL INFORMATION**

- A. The California Elections Code contains various requirements that must be met by anyone planning to run as a presidential candidate for the Democratic Party. Prospective candidates and delegates should review these laws well in advance of the February 5, 2008, Presidential Primary Election. For further information, the candidate is advised to consult California Elections Code §§ 6000, et seq. This code is available on the Internet at the Legislative Counsel's website at <http://www.leginfo.ca.gov/calaw.html>.
- B. Prospective candidates and delegates should contact the California Democratic Party at 1401 21<sup>st</sup> St., #200, Sacramento, California, 95811, for additional duties and responsibilities not specified in the Elections Code or items not filed with either the Secretary of State or county elections officials.
- C. The Elections Division of the Secretary of State's Office does not provide forms for presidential candidates. The candidate is directed to the California Elections Code sections cited above for information about what is required on such forms.
- D. Because of the requirements of the Federal Election Campaign Act, As Amended, a candidate for President should contact the Federal Election Commission (999 E Street NW, Washington, D.C. 20463, or toll-free phone number 1-800-424-9530) for a copy of the Act and related regulations which govern the filing requirements for reporting campaign contributions and expenditures, and the forms on which to file such disclosure information.
- E. No filing fee shall be required from any person in order to file nomination papers. § 6146

The California Legislature may amend the laws pertaining to candidates running in the February 5, 2008, Presidential Primary Election. Therefore, it is important for candidates to independently confirm the validity of the foregoing information.

#### **IMPORTANT NOTICE**

This Information Sheet of Qualifications and Requirements is for general information only and does not have the force and effect of law, regulation, or rule. In case of conflict, the law, regulation, or rule will apply. The candidate should obtain the most up-to-date information available because of possible changes in law or procedure since the publication of this document.