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County Clerk/Registrar of Voters (CC/ROV) Memorandum #26033

TO: All County Clerks/Registrars of Voters

FROM: /s/ Wesley Keller
Program Manager, Candidate Filing and Election Night Reporting

RE: Primary Election: Candidate Withdrawal

This memorandum is being sent as a reminder regarding Assembly Bill (AB) 1784 (Ch. 355, Stats. of 2024), that became effective January 1, 2025. Among other changes, AB 1784 did the following:

- Amended Elections Code section 8003, prohibiting a person from filing nomination papers for more than one office at the same primary election, unless the nomination papers have been withdrawn pursuant to Section 8020.5.
- Added Elections Code section 8020.5 establishing a withdrawal process for candidates.

Candidate Withdrawal Process

Candidates for House of Representatives, Member Board of Equalization (all districts), State Senate, and Member of the State Assembly may withdraw their filed nomination documents by delivering a statement of withdrawal to the county elections official where the documents were filed. (Elec. Code, § 8020.5, subds. (a), (f).)

Please note that candidates for state offices (Governor, Lieutenant Governor, Attorney General, Controller, Insurance Commissioner, Secretary of State, Superintendent of Public Instruction, Treasurer, or Member of the United States Senate) may not withdraw their filed nomination documents. (Elec. Code, § 8020.5, subds. (a), (f).)

A statement of withdrawal may be delivered to the county elections official by a person other than the candidate if notarized. If a statement of withdrawal is not executed by the candidate in the office of the elections official, the candidate shall execute the statement before a notary public appointed by the SOS or other state official. (Elec. Code, § 8020.5, subd. (a).)

A statement of withdrawal shall be signed by the candidate under penalty of perjury and shall include all the information listed in Elections Code section 8020.5(a)(1) - (4).

For the June 2, 2026, Statewide Direct Primary Election, a candidate has until 5 p.m. on March 6, 2026 (E-88) to withdraw. However, if the extended period for filing nomination documents specified in Section 8022 or Section 8024 applies for a particular office, a candidate shall have until 5 p.m. on March 11, 2026 (E-83), to withdraw nomination documents for that office. (Elec. Code, § 8020.5, subd. (b).)

A candidate who properly withdraws nomination documents may file nomination documents for any other office at the same primary election for which the person is eligible to be a candidate, except the office for which they originally withdrew their nomination documents. (Elec. Code, § 8020.5, subd. (c).)

If a candidate withdraws their nomination documents and does not subsequently qualify as a candidate for another office at the same primary election, the candidate's name shall not appear on the ballot for any office at that election. (Elec. Code, § 8020.5, subd. (d).)

If a candidate for House of Representatives, Member Board of Equalization (all districts), State Senate, and Member of the State Assembly delivers a statement of withdrawal to a county elections official, the county elections official shall do the following (Elec. Code, § 8020.5, subd. (e)):

- Immediately upon receipt, electronically send a copy of the statement to the Secretary of State (SOS).
- If the office to which the statement applies is to be voted on in more than one county, immediately upon receipt electronically send a copy of the statement to the elections official in each other affected county.
- Within five days of receipt of the statement, forward the original statement to the SOS.

A statement of withdrawal form has been issued to counties but is attached here for your convenience. If you have any questions, please contact the Candidate Filing and Election Night Reporting Help Desk by at (916) 653-9154, or email your questions to candidate-filings@sos.ca.gov.

Attachment



California Secretary of State
STATEMENT OF WITHDRAWAL
 (Elections Code § 8020.5; Code of Civil Procedure § 2015.5)

**Candidate
 Name, Office,
 and Statement**

I _____, a candidate who has previously delivered nomination documents
Name of Candidate

for filing to the county elections official for the office of _____,

irrevocably withdraw those nomination documents, and by doing so, understand that by withdrawing those nomination documents, I will not appear on the ballot as a candidate for that office.

I further understand that I will not receive a refund of any filing fees paid in connection with the candidacy for the abovementioned office.

I certify under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

X

Candidate's Signature

Date Signed: Month/Day/Year

If the statement is not executed by the candidate in the office of the elections official, the candidate shall execute the statement before a notary public appointed by the Secretary of State or other state official:

**Notary Public
 or
 Other Officer**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
 County of _____

Subscribed and sworn to (or affirmed) before me on this _____ day of _____, 20____, by _____, proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

(Notary Public Seal)

Signature of Notary Public
 (or other officer) _____

Examined and certified by me this _____ day of _____, 20____

Elections Official _____

For your reference, attached is [Elections Code section 8020.5](#).



California Secretary of State
STATEMENT OF WITHDRAWAL
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For your reference, Elections Code section 8020.5 is reproduced below:

(a) A candidate may withdraw nomination documents for any office other than a statewide office that the candidate delivered for filing to the county elections official by delivering a statement of withdrawal to the county elections official. The statement may be delivered to the county elections official by a person other than the candidate. If the statement is not executed by the candidate in the office of the elections official, the candidate shall execute the statement before a notary public appointed by the Secretary of State or other state official. The statement shall be signed by the candidate under penalty of perjury, and shall include all of the following:

(1) Identification of the office for which the candidate previously delivered nomination documents for filing to the county elections official.

(2) A statement that the candidate irrevocably withdraws those nomination documents.

(3) A statement that the candidate understands that by withdrawing the nomination documents, the candidate will not appear on the ballot as a candidate for that office.

(4) A statement that the candidate understands that they will not receive a refund of any filing fees that the candidate paid in connection with the candidacy for that office pursuant to subdivision (a) of Section 8105 of the Elections Code.

(b) A candidate shall have until 5 p.m. on the 88th day before the primary election to withdraw nomination documents, except that if the extended period for filing nomination documents specified in Section 8022 or Section 8024 applies for a particular office, a candidate shall have until 5 p.m. on the 83rd day before the primary election to withdraw nomination documents for that office.

(c) A candidate who withdraws nomination documents pursuant to this section may, during the applicable filing period, file nomination documents for any other office at the same primary election for which the person is eligible to be a candidate, except the office for which the person withdrew their nomination documents. This subdivision shall not be construed to extend any deadline for filing nomination documents.

(d) If a candidate withdraws their nomination documents and does not subsequently qualify as a candidate for another office at the same primary election, the candidate's name shall not appear on the ballot for any office at that election.

(e) If a candidate delivers a statement of withdrawal to a county elections official pursuant to this section, and the office to which the statement applies is one for which nomination documents are required to be filed in the office of the Secretary of State pursuant to subdivision (a) of Section 8100, the county elections official shall do all of the following:

(1) Immediately upon receipt, electronically send a copy of the statement to the Secretary of State.

(2) If the office to which the statement applies is to be voted on in more than one county, immediately upon receipt electronically send a copy of the statement to the elections official in each other affected county.

(3) Within five days of receipt of the statement, forward the original statement to the Secretary of State.

(f) For purposes of this section, "statewide office" means the office of Governor, Lieutenant Governor, Attorney General, Controller, Insurance Commissioner, Secretary of State, Superintendent of Public Instruction, Treasurer, or Member of the United States Senate.