

Information Sheet Qualifications and Requirements

U.S. Representative, 22nd District Special Election

The Governor issued the proclamation for a special **GENERAL** election to be held on **June 7, 2022**. The date of the special **PRIMARY** election is scheduled for **April 5, 2022**.

The special election may be conducted within 200 days following the proclamation in order to consolidate the election or the primary election with an election occurring wholly or partially within the same territory in which the vacancy exists. § 10703(a)(2)¹

The date of the special primary election is calculated by counting back nine Tuesdays proceeding the day of the special general election at which the vacancy is to be filled. If the ninth Tuesday is the day following a state holiday, the date of the special primary election is calculated by counting back ten Tuesdays preceding the special general election. § 10704(a)

I. QUALIFICATIONS

Every candidate shall 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; 20th Amend., § 1²

II. REQUIREMENTS

A. FILING FEES

1. Full Payment of Filing Fee

Every candidate must pay a filing fee equal to 1% of the first year's salary as of the first day on which a candidate may circulate petitions in lieu of filing fees, made payable to the Secretary of State. Currently, the filing fee is \$1,740.00. The filing fee must be paid to the county elections official at the time the candidate obtains their Declaration of Candidacy and nomination papers. §§ 8103(a)(2), 8105

2. Signatures In Lieu of Filing Fee

A candidate may choose to submit by **January 20, 2022**, a minimum of **500** valid signatures on petitions in lieu of filing fee. §§ 8106(a)(2), (b)(3), 8106.5, 10704(a)

a. Petitions for in-lieu signatures may be obtained from the county elections official and circulated between **January 7** and **January 20, 2022**. Sections of in-lieu-filing-fee petitions shall be filed with the county elections official of the county in which the signers reside. §§ 8106(b), 8106.5

b. The candidate may submit signatures to cover all or any prorated portion of the filing fee. §§ 8106(b)(3), 8106.5

¹ All code section references are to the California Elections Code unless stated otherwise.

² There is no California durational residency requirement to be a candidate for United States Representative in Congress.

- c. Any registered voter may sign an in-lieu-filing-fee petition for any candidate for whom they are eligible to vote. § 8106(b)(1)
- d. Circulators of in-lieu-filing-fee petitions must be 18 years of age or older. § 102
- e. Within 4 days after receipt of the petition, the county elections official shall notify the candidate of any deficiency. The candidate shall then, at the time of obtaining nomination documents, pay a pro rata portion of the filing fee to cover the deficiency. §§ 8106(b)(3), 8106.5
- f. Signatures in lieu of the filing fee may be counted toward the nomination sponsor signature requirements. §§ 8061, 8106(d)

Signature In-Lieu of Filing Fee Requirements

§§ 8106(a)(2), 8106.5

<u>Candidates</u>	<u>Filing Fee</u>	<u>Signatures In-Lieu of Filing Fee</u>	<u>Value of Each Signature</u>
All Candidates (except write-in candidates)	\$1,740.00	500	\$3.48

B. BALLOT DESIGNATIONS

- 1. Each candidate who submits a ballot designation shall file a completed ballot designation worksheet that supports the use of that ballot designation by the candidate. The ballot designation worksheet shall be filed with the elections official at the same time the candidate files their Declaration of Candidacy. § 13107.3
- 2. The ballot designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 54 days prior to the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request. The written request must be accompanied by the ballot designation worksheet. § 13107(h)

C. FOR ALL CANDIDATES (EXCEPT WRITE-IN CANDIDATES)

- 1. Between **January 25 and February 10, 2022**, obtain nomination documents from the county elections official of the candidate's county of residence or if the candidate's residence is not in the district where the candidate is seeking office, from the county elections official in the district where the candidate is seeking office. Nomination documents include nomination papers for collecting signatures and a Declaration of Candidacy that must be executed by the candidate. §§ 333, 8020, 8040, 8041, 10704(a)
- 2. Nomination Papers
 - a. Gather between 40 and 60 signatures for filing the nomination papers. § 8062(a)(2)

- b. Signatures on the in-lieu filing fee petitions may satisfy the signature requirement. §§ 8061, 8106(d)
- c. Any candidate may obtain signatures to and sign their own nomination papers. § 106(a)
- d. All signers must be registered voters in the district or political subdivision in which the candidate is to be voted on. §§ 100, 8068
- e. The candidate may appoint persons to circulate the nomination papers. Circulators must be 18 years of age or older. §§ 102, 8066
- f. Between **January 25** and **February 10, 2022**, each section of the nomination papers shall be delivered to the county elections official of the county in which the signer resides and is a voter. §§ 8020, 8063, 10704(a)

3. Declaration of Candidacy

- 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 or if the candidate’s residence is not in the district where the candidate is seeking office, from the county elections official in the district where the candidate is seeking office. §§ 8040, 8064
- b. Upon request of a candidate, the county elections official shall provide the candidate with a Declaration of Candidacy. 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)
- c. The county elections official shall require all candidates filing a Declaration of Candidacy to execute the declaration in their 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 **5:00 p.m. on February 10, 2022**, to the office of the county elections official from whom it was received. Any person may return the completed Declaration of Candidacy if the Declaration of Candidacy has been notarized by a California notary public. §§ 8028, 10704

D. FOR WRITE-IN CANDIDATES ONLY AND ONLY FOR THE SPECIAL PRIMARY ELECTION³

1. Filing Fees

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

³ Write-in candidates can only run in the primary election. A write-in candidate from the primary election is eligible to run/have their name on the ballot in the general election if that candidate is one of the top two vote getters at the primary election, unless one candidate receives a majority of the votes (50% +1). (Elections Code §§ 8605, 10705.)

2. Nomination Papers

- a. Gather between 40 and 60 signatures for filing the nomination papers. §§ 8062(a)(2), 8600
- b. The candidate may appoint persons to circulate the nomination papers. Circulators must be 18 years of age or older. §§ 102, 8066
- c. All signers must be voters in the district or political subdivision in which the write-in candidate is to be voted on. § 8603
- d. Between **February 7** and **March 22, 2022**, 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. Statement of Write-In Candidacy

- a. Between **February 7** and **March 22, 2022**, file a Statement of Write-In Candidacy with the county elections official of the candidate's county of residence or if the candidate's residence is not in the district where the candidate is seeking office, from the county elections official in the district where the candidate is seeking office. § 8601
- b. The Statement of Write-In Candidacy shall contain the following information:
 - i. Candidate's name,
 - ii. Candidate's complete residence address,
 - iii. A declaration stating that the candidate is a write-in candidate,
 - iv. The name of the office for which the candidate is running,
 - v. The date of the election, and
 - vi. Candidate's 10-year political party preference history. §§ 8600, 8601, 10704(a)
- 4. In order to be nominated at the special primary election, the write-in candidate must receive the highest number of votes cast for this office or the second highest number of votes cast for this office, unless there is a tie or a vacancy, or unless another candidate has been elected to the office by winning a majority of the votes. §§ 8142, 8605, 10705

III. GENERAL INFORMATION

- A. Each of the forms mentioned above is available free of charge from the county elections official. § 8101

- B. The California delegation to the House of Representatives consists of representatives, each elected for two-year terms. This election is for the remainder of the term.

Cal. Const., art. I, § 2; 20th Amend., § 1

- C. Because of the requirements of the Federal Election Campaign Act, As Amended, a candidate for the office of United States Representative in Congress should contact the Federal Election Commission at 999 E Street, NW, Washington, D.C., 20463 or call tollfree (800) 424-9530 for a copy of the Act, related regulations providing the filing requirements for reporting campaign contributions, and the forms on which to file.

IMPORTANT NOTICE

This information sheet of candidate qualifications and procedures 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.