



SECRETARY OF STATE
KEVIN SHELLEY
STATE OF CALIFORNIA

Information Sheet of Qualifications and Requirements

Presidential Candidate Qualification Procedures Democratic Party

March 2, 2004 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. Constitution, 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 March 2, 2004 Presidential Primary Election:

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

A. Generally-Recognized Candidates

- 1. The Secretary of State announces the names of individuals he 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. §6041¹

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

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
2. The Secretary of State will make this determination by November 3, 2003 and publicly announce it. §6041
 3. Following this announcement, the Secretary of State may add presidential candidates to the selection until December 30, 2003, but may not delete any candidate unless the candidate withdraws in accordance with the provisions of Elections Code §6042. The last day a selected candidate may withdraw is January 2, 2004 (E-60). §§6041, 6042

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 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 (1%), or 500, whichever is fewer, of the number of persons registered as members of the Democratic Party as of September 30, 2003 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 signer resides and is a voter and where the petition was circulated. §6101
5. The period for circulating these petitions is November 3 through December 30, 2003. §6122
6. The last day to file nomination papers with the county elections official is December 30, 2003. §6122

7. By December 25, 2003, 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, 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

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, by December 11, 2003, 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 in the Democratic Party. Prospective candidates and delegates should review these laws well in advance of the March 2, 2004 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 site: <http://www.leginfo.ca.gov/calaw.html>.
- B. Prospective candidates and delegates should contact the California Democratic Party at 911-20th Street, Sacramento, CA 95814 for additional duties and responsibilities not specified in the Elections Code or items not filed with the Secretary of State or county elections officials.
- D. 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.
- E. 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.

- F. Although unlikely at this time, the California Legislature may still amend the laws pertaining to candidates running in the March 2004 Presidential Primary. Therefore, it is important for candidates to confirm the validity of the foregoing information in November of 2003.

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.