



SECRETARY OF STATE  
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STATE OF CALIFORNIA

Summary of Qualifications and Requirements for  
**INDEPENDENT NOMINATION**  
for the Office of

# United States Representative in Congress

(53 Districts)

**November 2, 2004 General Election**

## **I. QUALIFICATIONS**

A candidate shall:

- A. 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
- B. There are no residency requirements for candidates for US Representative in Congress.
- C. 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 2, 2004 Primary Election for any office, and the candidate was defeated for the party nomination at the primary election.
2. At any time during the 13 months preceding the November 2, 2004 General Election, the candidate was registered as affiliated with any qualified political party. The last day a candidate desiring to run under the independent nomination procedures in the 2004 General Election may be affiliated with a qualified party is October 2, 2003. §8550(f)<sup>1</sup>

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

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

## II. REQUIREMENTS

### A. FILING FEE OR SIGNATURES IN LIEU

#### Full Cast Payment

Candidates must pay a filing fee equal to 1% of the first year's salary. Currently, the filing fee for United States Representative in Congress is \$1,547.00. The filing fee must be paid by cash, check, or money order at the time the candidate obtains the nomination forms from the county elections official. §§8103 & 8105

#### Signatures in Lieu

Candidates may elect to submit a minimum of 3,000 valid signatures on petitions in lieu of filing fee by July 22, 2004. §8106

1. Between April 23 and July 22, 2004, 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 no later than July 22, 2004 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 or political subdivision 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 on August 6, 2004, 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

### B. NOMINATION DOCUMENTS

1. Between June 7 and August 6, 2004, the candidate must 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 7 and August 6, 2004, 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 of the congressional district as of the last registration report prior to the preceding general election. See Attachment 1 for the required number of signatures for each congressional district, based on the October 2002 Report of Registration. §8400
- b. Signers must be registered voters in the district or political subdivision 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. Circulators shall be voters registered in California and shall serve only in their district or political subdivision. §8451
- e. By August 6, 2004, 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 file the properly executed 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 6, 2004 to the office of the county elections official from whom it was received. §8028
- c. Between June 7 and August 6, 2004, file with the county elections official a declaration of candidacy which states the following:
1. The candidate's complete residence address;
  2. The name of the office sought;
  3. That he or she will not withdraw as a candidate before the election;
  4. That if elected, he or she will qualify for the office;
  5. That at no time since October 2, 2003 has the candidate been registered in California as affiliated with a qualified political party (American Independent, Democratic, Green, Libertarian, Natural Law, Peace and Freedom, or Republican). §8550

### **III. GENERAL INFORMATION**

- A. Each of the forms mentioned above is available free of charge from the county elections official.
- B. The California apportionment of the House of Representatives has a membership of 53 Representatives, elected for two-year terms. The term of office begins on January 3, 2003.
- C. Because of the requirements of the Federal Election Campaign Act, As Amended, a congressional candidate should contact the Federal Election Commission at 999 E Street, N.W., Washington, D.C. 20463 or call toll-free (800) 424-9530 for a copy of the Act, related regulations giving the filing requirements for reporting campaign contributions, and the forms on which to file.

#### **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 information.

**Nomination Signatures Required for Independent Candidates  
For United States Representative in Congress**

<b>District</b>	<b>October 2002 Registration</b>	<b>Signatures Required*</b>	<b>District</b>	<b>October 2002 Registration</b>	<b>Signatures Required*</b>
<b>1</b>	337,777	10,134	<b>27</b>	281,689	8,451
<b>2</b>	327,176	9,816	<b>28</b>	234,330	7,030
<b>3</b>	341,081	10,233	<b>29</b>	299,622	8,989
<b>4</b>	377,654	11,330	<b>30</b>	391,247	11,738
<b>5</b>	269,182	8,076	<b>31</b>	175,477	5,265
<b>6</b>	337,046	10,112	<b>32</b>	228,414	6,853
<b>7</b>	280,750	8,423	<b>33</b>	283,682	8,511
<b>8</b>	367,683	11,031	<b>34</b>	177,734	5,333
<b>9</b>	323,079	9,693	<b>35</b>	241,346	7,241
<b>10</b>	336,509	10,096	<b>36</b>	313,034	9,392
<b>11</b>	318,970	9,570	<b>37</b>	249,770	7,494
<b>12</b>	320,051	9,602	<b>38</b>	229,063	6,872
<b>13</b>	255,024	7,651	<b>39</b>	237,825	7,135
<b>14</b>	322,354	9,671	<b>40</b>	278,453	8,354
<b>15</b>	277,884	8,337	<b>41</b>	277,202	8,317
<b>16</b>	246,749	7,403	<b>42</b>	310,877	9,327
<b>17</b>	274,901	8,248	<b>43</b>	180,875	5,427
<b>18</b>	273,176	8,196	<b>44</b>	273,849	8,216
<b>19</b>	314,808	9,445	<b>45</b>	273,467	8,205
<b>20</b>	192,984	5,790	<b>46</b>	354,523	10,636
<b>21</b>	257,065	7,712	<b>47</b>	167,328	5,020
<b>22</b>	302,911	9,088	<b>48</b>	356,381	10,692
<b>23</b>	304,806	9,145	<b>49</b>	280,196	8,406
<b>24</b>	354,850	10,646	<b>50</b>	354,056	10,622
<b>25</b>	282,537	8,477	<b>51</b>	261,271	7,839
<b>26</b>	323,256	9,698	<b>52</b>	353,998	10,620
			<b>53</b>	317,497	9,525

\*3% of the total district registration as the last statewide election