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Summary of Qualifications and Requirements for
INDEPENDENT NOMINATION
for the Office of
UNITED STATES REPRESENTATIVE IN CONGRESS
(53 Districts)
November 4, 2008
General Election

I. QUALIFICATIONS

A. Every candidate shall be at least 25 years of age, a U.S. citizen for seven years, and a resident of California when elected.¹ U.S. Const., art. I, § 2

B. 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 June 3, 2008, Statewide Direct Primary Election for any office, and the candidate was defeated for the party nomination at the primary election. §8301
2. At any time during the 13 months preceding the general election, the candidate was registered as affiliated with any qualified political party. The last day a candidate may be affiliated with a qualified party is October 4, 2007 if desiring to run under the independent nomination procedures in the 2008 General Election. § 8550(f)

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

II. REQUIREMENTS

A. FILING FEE

Full Payment of Filing Fee

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 \$1652.00. The filing fee must be paid at the time the candidate obtains the nomination forms from the county elections official. §§ 8103 & 8105

¹ There are no durational residency requirements for Members of Congress.

Signatures in Lieu of Filing Fee

A candidate may choose to submit by July 24, 2008 (E-103), a minimum of 3,000 valid signatures on petitions in lieu of filing fee. §§ 8106 & 8403

1. The petitions for in-lieu signatures may be obtained from the county elections official and circulated between April 25, 2008 (E-158) and July 24, 2008 (E-103). Sections of petitions in lieu of filing fee shall be filed 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) & 8403
3. Any registered voter may sign an in-lieu-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-filing-fee petition shall be a registered voter of the congressional district 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 August 8, 2008 (E-88), either submit a supplemental petition or pay a pro rata portion of the filing fee to cover the deficiency. § 8106 (b)(3)
6. Upon request, 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 9 (E-148) and August 8, 2008 (E-88), 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
 - a. 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)
 - b. Between June 9 (E-148) and August 8, 2008 (E-88), circulate nomination papers for signatures and leave them for examination with the county elections official of the county in which the signers reside. § 8403

2. 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 as of the last report of registration prior to the preceding general election. See attachment for the required number of signatures for each congressional district, based on the October 2006 Report of Registration. § 8400
- b. Signers must be registered voters in the district or political subdivision in which the candidate is running. §§ 100, 8068 & 8302
- c. Any registered voter who is a candidate may obtain signatures to and sign his or her own nomination papers. § 106(a)
- d. The candidate may appoint persons to circulate the nomination papers. Circulators shall be voters registered in the district or political subdivision in which the candidate is to be voted on and shall serve only in that district or political subdivision. § 8451
- e. By August 8, 2008 (E-88), the nomination paper shall be delivered to the county elections official of the county in which the signer resides and is a voter. §§ 8063, 8302 & 8403

3. Declaration of Candidacy

Failure to file the declaration of candidacy properly 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 8, 2008 (E-88) to the office of the county elections official from whom it was received. Any person may return the completed declaration of candidacy. §§ 8028, 8302 & 8550

- c. Between June 9 (E-148) and August 8, 2008 (E-88), file with the county elections official a declaration of candidacy, which states the following:
- 1) The candidate's complete residence address;
 - 2) That the candidate is a voter in the precinct in which he or she resides;
 - 3) The name of the office sought;
 - 4) That he or she will not withdraw as a candidate before the election;
 - 5) That if elected, he or she will qualify for the office;
 - 6) That at no time since October 4, 2007, has the candidate been registered in California as affiliated with a qualified political party (American Independent, Democratic, Green, Libertarian, 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, 2009 at 12:00 noon.
- 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.

Independent Candidates for Congress
 Number of Signatures Required to Place
 Candidate on November 4, 2008, General Election Ballot

Congressional District	Oct. 2006 Voter Reg.	Required Signatures*	Congressional District	Oct. 2006 Voter Reg.	Required Signatures*
1	352,256	10,568	27	272,253	8,168
2	341,895	10,257	28	222,120	6,664
3	378,307	11,349	29	285,203	8,556
4	416,201	12,486	30	387,433	11,623
5	282,476	8,474	31	166,272	4,988
6	344,985	10,350	32	217,999	6,540
7	267,534	8,026	33	269,999	8,100
8	339,932	10,198	34	172,696	5,181
9	321,557	9,647	35	229,600	6,888
10	334,932	10,048	36	315,886	9,477
11	354,241	10,627	37	258,624	7,759
12	328,067	9,842	38	224,764	6,743
13	263,688	7,911	39	237,365	7,121
14	327,727	9,832	40	322,994	9,690
15	286,134	8,584	41	329,921	9,898
16	259,586	7,788	42	347,162	10,415
17	268,655	8,060	43	223,918	6,718
18	261,070	7,832	44	317,237	9,517
19	321,177	9,635	45	323,246	9,697
20	185,864	5,576	46	388,759	11,663
21	269,209	8,076	47	195,788	5,874
22	340,208	10,206	48	405,024	12,151
23	298,458	8,954	49	294,963	8,849
24	357,343	10,720	50	362,826	10,885
25	319,420	9,583	51	262,998	7,890
26	343,549	10,306	52	341,760	10,253
			53	295,833	8,875

*Independent candidates for Congress need registered voter signatures equaling 3% of the entire number of registered voters in the congressional district at the time of the close of registration prior to the preceding general election.