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STATE OF CALIFORNIA | ELECTIONS**

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**PRESIDENTIAL CANDIDATE QUALIFICATION PROCEDURES
(American Independent, Green, Libertarian, Peace and Freedom, and Republican)¹**

**February 5, 2008
Presidential 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. Const., 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 February 5, 2008 Presidential Primary Election:

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

A. GENERALLY-RECOGNIZED CANDIDATES

1. The Secretary of State announces the names of individuals she has determined to be generally advocated for or recognized throughout the United States or California as actively seeking the nomination of the American Independent, Green, Libertarian, Peace and Freedom, or Republican Parties for President. §§ 6340, 6520, 6720²

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
- g. The Secretary of State may also rely on advice and input from the state party chairs.

¹ Pursuant to §5006, a qualified political party that does not have procedures in statute applicable to its presidential primary shall designate for its use the statutory provisions of any other political party.

² Unless otherwise stated, all code references are to the California Elections Code.

2. On or before October 8, 2007* (E-120), the Secretary of State must publicly announce the list of candidates she intends to place on the presidential primary ballot. §§ 6340, 6520, 6722
3. Following this announcement, the Secretary of State may add presidential candidates to the selection but may not delete any candidate unless the candidate withdraws in accordance with the provisions of Elections Code §§ 6340, 6341, 6342, 6520, 6521, 6522, 6523, 6722 and 6724.
4. The last day to withdraw is November 29, 2007 (E-68). §§ 6341, 6342, 6522, 6724

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 desiring to be placed on the presidential primary ballot shall have nomination papers circulated in his or her behalf. §§ 6343, 6523, 6725
2. To qualify for placement on the presidential primary election ballot, the nomination papers of the candidate must be signed by registered members of the party whose nomination is sought equal in number to not less than 1 percent of the number of persons registered as members of that party as of September 23, 2007* (E-135). § 6343, 6523, 6725
3. Each signer of a nomination paper for a Republican presidential candidate may sign only one paper. He or she shall declare his or her intention to support the candidate for nomination, add his or her place of residence, and give his or her street and number if any. § 6361
4. Each signer of a nomination paper for the American Independent presidential primary ballot may sign only one paper. He or she shall declare his or her intention to support the presidential preference candidate or the group of candidates for delegates, add his or her place of residence, and give his or her street and number if any. § 6582
5. Each signer of a nomination paper for the Peace and Freedom presidential primary ballot may sign only one paper. The signer shall add her or his printed name and place of residence indicating city and giving the street and number, if any. § 6782

* Asterisked dates indicate that the deadline falls on a Saturday, Sunday, or a holiday; in most cases, the deadline will move forward to the next business day.

6. Each section of the nomination paper shall be delivered to the elections official of the county where the petition was circulated. §§ 6360, 6362, 6581, 6583, 6781, 6783
7. The period for circulating the nominating petitions is October 24, 2007 (E-104) through November 23, 2007* (E-74). §§ 6382, 6591, 6791
8. The last day to file nomination papers with the county elections official is November 23, 2007* (E-74). §§ 6360, 6581, 6781
9. By November 29, 2007 (E-68), the Secretary of State shall prepare a certified list containing the following information:
 - a. Republican Party: A list containing the names and addresses of the candidates for whom nomination papers have been filed and who are entitled to be voted for at the presidential primary election. § 6954
 - b. American Independent Party: A list containing the names and addresses of the candidates for delegates for whom nomination papers have been filed and who are entitled to be voted for at the presidential primary election. § 6953
 - c. Green, Libertarian, and Peace and Freedom parties: A list containing the names of the candidates to appear on the presidential preference primary ballot and the names and addresses of the candidates for delegates for whom nomination papers have been filed and who are entitled to be voted for at the presidential primary election. § 6951

NOTE: In addition to the above two methods by which a person may have his or her name placed on the presidential primary election ballot, the following political parties allow a group of candidates to qualify for the national convention delegate portion of the primary election ballot. For the American Independent Party, refer to § 6560, et seq. For the Green, Libertarian, and Peace and Freedom parties, refer to § 6760, et seq.

III. GENERAL INFORMATION

A. The California Elections Code contains various requirements, which must be met by anyone planning to run as a presidential candidate in the American Independent, Green, Libertarian, Peace and Freedom, or Republican parties. The laws vary depending on the candidate's party. Prospective candidates and delegates should review these laws well in advance of the February 5, 2008, Primary Election. For further information, the candidate is advised to consult the California Elections Code at the following sections:

American Independent Party	§ 6500, et seq.
Green, Libertarian, and Peace and Freedom parties	§ 6700, et seq.
Republican Party	§ 6300, et seq.

This code is available on the Internet at the Legislative Counsel's website at <http://www.leginfo.ca.gov/calaw.html>.

B. 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.

C. 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.

D. No filing fee is required from any person to be voted for at a presidential primary.
§§ 6406, 6502, 6702

The California Legislature may amend the laws pertaining to candidates running in the February 5, 2008, Presidential Primary. Therefore, it is important for candidates to independently confirm the validity of the foregoing information.

IMPORTANT NOTICE

This material 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 procedures since publication of this document.