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STATE OF CALIFORNIA | ELECTIONS

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Summary of
Qualifications and Requirements for the Office of

UNITED STATES PRESIDENT

DEMOCRATIC PARTY

June 5, 2012, Presidential Primary Election

I. QUALIFICATIONS

Every candidate shall be a natural-born citizen of the United States, at least 35 years of age, and be a resident of the United States for at least 14 years. U.S. Const., art. II, § 1 cl. 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 June 5, 2012, 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 Democratic Party for President. § 6041¹

Other criteria the Secretary of State may use to determine who is a “generally-recognized” candidate includes, but is not limited to:

- a. Qualifying for federal matching funds,
 - b. Appearing in presidential public opinion polls, candidates’ forums, or debates,
 - c. Being on other states’ primary ballots as a presidential candidate,
 - d. Actively campaigning in California for the presidency,
 - e. Having a campaign office in California, and
 - f. Advice and input from the chairs of the respective state parties.
2. Between January 7, 2012* (E-150) and March 29, 2012 (E-68), the Secretary of State will publicly announce this determination. § 6041

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

3. The last day a candidate may withdraw from the list of candidates to be certified by the Secretary of State is March 29, 2012 (E-68). §§ 6042, 6043

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 election 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 voters who have selected a preference with the Democratic Party equal in number to not less than one percent or 500, whichever is fewer, in each congressional district of the number of persons who have selected a preference with the Democratic Party in the Report of Registration issued by the Secretary of State on January 22, 2012* (E-135). § 6061
3. Each signer of a nomination paper may sign only one paper. The signer shall print his or her name, indicate his or her place of residence, and 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 petition was circulated. § 6101
5. The period for circulating the nominating petitions is January 27, 2012 (E-130) through March 24, 2012* (E-73). §§ 6101, 6122
6. The last day to file nomination papers with the county elections official is March 24, 2012* (E-73). § 6122
7. No later than March 29, 2012 (E-68), 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 Election, 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

*Asterisked dates indicate that the date falls on a Saturday, Sunday, or a holiday; if the date is also a deadline, in most cases, it will move forward to the next business day. § 15

III. APPOINTMENT OF STEERING COMMITTEES

- A. Each unselected candidate and each group proposing an 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, no later than March 15, 2012 (E-82), shall file with the Secretary of State a statement containing the names and addresses of the members of the committee. § 6081
- C. Each steering committee shall be responsible for the circulation of nomination papers of unselected candidates and groups proposing uncommitted delegations. § 6082

IV. GENERAL INFORMATION

- A. The California Elections Code contains various requirements that must be met by anyone planning to run as a presidential candidate for the Democratic Party. Prospective candidates and delegates should review these laws well in advance of the June 5, 2012, Presidential Primary Election. For further information, the candidate is advised to consult California Elections Code section 6000, et seq. This code is available on the Internet at the Legislative Counsel's website at www.leginfo.ca.gov/calaw.html.
- B. Prospective candidates and delegates should contact the California Democratic Party at 1401 21st St., #200, Sacramento, California, 95811, for additional duties and responsibilities not specified in the Elections Code or items not filed with either the Secretary of State or county elections officials.
- C. The Elections Division of the Secretary of State's office does not provide forms for presidential candidates.
- D. Because of the requirements of the Federal Election Campaign Act, As Amended, a presidential candidate should contact the Federal Election Commission at 999 E Street, NW, 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.
- E. No filing fee shall be required from any person in order to file nomination papers. § 6146

IMPORTANT NOTICE

This information sheet of presidential candidate 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.