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STATE OF CALIFORNIA | ELECTIONS

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Summary of
Qualifications and Requirements for the Office of

UNITED STATES PRESIDENT

AMERICAN INDEPENDENT, GREEN, LIBERTARIAN, AND PEACE AND FREEDOM PARTIES¹

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 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 American Independent, Green, Libertarian, or Peace and Freedom parties for President. §§ 6520, 6720²

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.

¹Pursuant to California Elections Code section 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.

²All code references are to the California Elections Code unless otherwise stated.

2. On or before February 6, 2012 (E-120), the Secretary of State must publicly announce the list of candidates she intends to place on the presidential primary ballot. §§ 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 sections 6521, 6522, 6723, and 6724. §§ 6520, 6722
4. 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). §§ 6521, 6522, 6724

B. CIRCULATION OF NOMINATION PETITIONS FOR CANDIDATES NOT SELECTED BY THE SECRETARY OF STATE

1. Any candidate not selected by the Secretary of State desiring to be placed on the Presidential Primary Election ballot without filing a group of candidates for delegates shall have nomination papers circulated in his or her behalf. §§ 6523, 6725
2. To qualify for placement on the Presidential Primary Election ballot, the nomination papers of the candidate must be signed by voters who have selected a preference with the party whose nomination is sought equal in number to not less than 1 percent of the number of persons who have selected a preference with that party in the Report of Registration issued by the Secretary of State on January 22, 2012* (E-135). §§ 6523, 6725
3. 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
4. Each signer of a nomination paper for the Green, Libertarian, or 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
5. Each section of the nomination paper shall be delivered to the elections official of the county where the petition was circulated. §§ 6581, 6583, 6781, 6783

*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

6. The period for circulating the nominating petitions is February 22, 2012 (E-104), through March 23, 2012 (E-74). §§ 6591, 6791
7. The last day to file nomination papers with the county elections official is March 23, 2012 (E-74). §§ 6581, 6781
8. No later than March 29, 2012 (E-68), the Secretary of State shall prepare a certified list containing the following information:
 - a. 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
 - b. 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 Section 6560, et seq. For the Green, Libertarian, and Peace and Freedom parties, refer to Section 6760, et seq.

Moreover, an unselected candidate, who is supported by a group that has qualified by petition to be on the delegate selection portion of the ballot, shall be automatically placed on the presidential portion of the ballot. For the American Independent Party, refer to Section 6524. For the Green, Libertarian, and Peace and Freedom parties, refer to Section 6726.

III. 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 American Independent, Green, Libertarian, or Peace and Freedom parties. The laws vary depending on the candidate's 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 the California Elections Code at the following sections:

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

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

B. The Elections Division of the Secretary of State's office does not provide forms for presidential candidates.

C. 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.

D. No filing fee is required from any person to be voted for at a presidential primary.

§§ 6502, 6702

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.