

Nomination Requirements

Presidential Candidates

Between January 7, 2012* (E-150), and February 6, 2012 (E-120), the Secretary of State announces the names of the candidates of the Republican, American Independent, Green, Libertarian, and Peace and Freedom parties she has selected to appear on the June 2012 ballot for the office of President. §§ 6340-6342, 6520-6522, 6720-6724

Between January 7, 2012* (E-150), and March 29, 2012 (E-68), the Secretary of State announces the names of the candidates of the Democratic Party she has selected to appear on the June 2012 ballot for the office of President. §§ 6041-6043

Selection is based on any combination of several criteria, including but not limited to:

- Being generally recognized as seeking the office
- Qualifying for federal matching funds
- Appearing in public opinion polls, candidates' forums, or debates
- Being on other states' primary ballot as a presidential candidate
- Actively campaigning in California for the presidency
- Having a campaign office in California
- Advice and input from the chairs of the respective state parties

Candidates not selected by the Secretary of State may qualify to appear on the June 2012 ballot for the office of President by circulating petitions statewide to gather signatures of voters registered in their party.

A. Democratic candidates must gather signatures in each congressional district from voters who have selected a preference with the Democratic Party equal in number to not less than 1 percent or 500, whichever is fewer, 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). The period for circulating nomination petitions is January 27, 2012 (E-130), to March 24, 2012* (E-73). §§ 2187(d)(1), 6061, 6101, 6108, 6122

B. Republican, American Independent, Green, Libertarian, and Peace and Freedom party candidates must gather signatures from 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 their respective party in the Report of Registration issued by the Secretary of State on January 22, 2012* (E-135). The period for circulating nomination petitions is February 22, 2012 (E-104), to March 23, 2012 (E-74). §§ 2187(d)(1), 6343, 6360, 6365, 6382, 6568, 6581, 6586, 6591, 6725, 6781, 6786, 6791

By February 6, 2012 (E-120), the chairperson of each qualified party must notify the Secretary of State of the number of delegates to represent California at the party's national nominating convention. Prior to the presidential primary election, each Democratic and Republican

*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

candidate must file a slate of the requisite number of delegates for his/her party, selected according to the party's requirements. For the American Independent, Green, Libertarian, and Peace and Freedom Parties, each group of candidates for delegate must receive the endorsement of a candidate for the presidential nomination, which must be filed with the Secretary of State.

§§ 6020, 6023, 6320, 6321, 6461, 6540, 6541, 6740, 6741, 6744, 6745, 6763, 6765

U.S. Senate, Representative in Congress, and Member of the State Legislature Candidates

(See also "Campaign Filings and Responsibilities" on page 2-3)

Nomination Documents—Declaration of Candidacy and Nomination Papers

All candidates for offices at the primary election must file a declaration of candidacy and nomination papers with the county elections official, who shall provide the forms free of charge. No person may file nomination papers for more than one office at the same election.

§§ 8020, 8101

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 March 9, 2012 (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

Ballot Designations

Each candidate who submits a ballot designation shall file a ballot designation worksheet that supports the use of the ballot designation by the candidate. The ballot designation worksheet shall be filed with the elections official at the same time that the candidate files his or her declaration of candidacy. § 13107.3

The ballot designation shall remain the same for all purposes of both primary and general elections, unless the candidate, at least 98 days prior to the general election, requests in writing a different designation which the candidate is entitled to use at the time of the request. The written request must be accompanied by a ballot designation worksheet. § 13107(e)

Forms

The county elections official shall provide the petition-in-lieu to a candidate. The petitions must be filed with the elections official of the county in which the signatures were gathered. The petitions can not be filed at the Secretary of State's office. § 8106(b)

All other forms required for nomination and election to statewide, congressional, and legislative offices (declaration of candidacy, nomination papers, ballot designation worksheet) shall be furnished by the county elections official of the candidate's county of residence. The declaration of candidacy must be returned to the county elections official of the candidate's county of residence; the nomination petition must be submitted to the county elections official of the county in which the signatures were gathered. The county elections official(s) shall forward all nomination documents to the Secretary of State for filing within five days after being left with the county elections official.

§§ 8063, 8064, 8070, 8082, 8101

At the time of issuing any candidate forms, the officer providing the form shall:

- Type on the form the name of the candidate and the office for which he or she is a candidate,
- Imprint a stamp in the section form that reads “Official Filing Form,” and
- Affix his/her signature on the form.

§ 8101

The forms shall be distributed to all candidates applying for them upon the payment of the filing fee; however, petitions-in-lieu are available without first paying the filing fee. All filing fees are nonrefundable.

§§ 8105, 8106

Petition In Lieu of Filing Fee

A candidate may submit a petition containing signatures of registered voters in lieu of paying the filing fee in order to run for office. The signatures submitted may cover all or a portion of the filing fee. Any registered voter may sign a petition-in-lieu for any candidate for whom he or she is eligible to vote.

§ 8106

The last day to submit the petition in lieu of a filing fee to the elections official of the county in which the signatures were gathered is February 23, 2012 (E-103). No additional signatures may be filed after the filing date, but supplemental signatures may be filed to replace signatures in the original filing that were found to be invalid. That portion of the filing fee not covered by the signatures must be paid in full before the nomination documents may be filed.

§§ 8061, 8106

Petition In Lieu of Filing Fee and/or Nomination Papers

A candidate who submits a petition in lieu of a filing fee may request that the county elections official count all valid signatures appearing on the petition toward, and combine them with, the number of sponsor signatures required for the candidate's nomination papers. If the petition in lieu of a filing fee contains the requisite number of valid signatures required for the nomination papers, the candidate is not required to circulate and file nomination papers, but may request the county elections official to accept the petition in lieu of a filing fee as nomination papers. If the petition in lieu of a filing does not contain the requisite number of valid signatures required for the nomination papers, the candidate may still circulate and file nomination papers during the nomination period. The nomination papers shall be delivered to the county elections official of the county in which the signer resides and is a voter.

§§ 8061, 8063, 8106

NOTE: If the candidate has submitted sufficient valid signatures on petitions-in-lieu to satisfy the nomination requirement, he or she must still file a declaration of candidacy during the nomination period.

§ 8020(a)(1)

Campaign Filings and Responsibilities

Any individual who intends to be a candidate for elective state office shall:

A. Candidate Intention Statement

File with the Secretary of State's Political Reform Division a Candidate Intention Statement (Form 501) for the specific state office sought. A separate Form 501 must be filed for each election, including re-election to the same office. This statement shall be signed under penalty of perjury and filed prior to the solicitation or receipt of any contribution or loan, including expenditures made from personal funds used for campaign purposes.

Gov. Code § 85200

B. Campaign Contribution Account

Establish one campaign contribution account at an office of a financial institution located in California after filing the Candidate Intention Statement.

1. A Statement of Organization-Recipient Committee (Form 410) shall be filed with the Secretary of State's Political Reform Division within 10 days of qualifying as a committee by receiving contributions totaling \$1,000 or more in a calendar year.

Gov. Code §§ 82013(a), 84101

2. All contributions or loans made to the candidate, to a person on behalf of the candidate, or to the candidate's controlled committee shall be deposited in the account.

Gov. Code § 85201(c)

3. Any personal funds, which will be used to promote the election of the candidate, shall be deposited in the account prior to expenditure.

Gov. Code § 85201(d)

4. All campaign expenditures shall be made from the account.

Gov. Code § 85201(e)

C. Exceptions

1. Parts A., B. 3, and B. 4, above, do not apply to a candidate's payment of a filing fee and statement of qualifications fee from his or her personal funds.

Gov. Code §§ 85200, 85201(f)

2. Part B, above, does not apply if the candidate does not receive contributions and makes campaign expenditures from personal funds of less than \$1,000 in a calendar year, excluding payment of the filing fee and statement of qualifications fee.

Gov. Code § 85201(g)

3. An individual who raises contributions from others for his or her campaign, but raises or spends less than \$1,000 in a calendar year, shall establish a campaign contribution account but is not required to file a Statement of Organization or other statement of bank account information.

Gov. Code § 85201(h)

Additional Filing Information

Under the provisions of Proposition 34 adopted by voters in November of 2000, all candidates for elective state office may agree to abide by voluntary spending limits. Candidates for state legislative office who accept these voluntary spending limits will be afforded the opportunity to purchase space in the sample ballots of each of the counties in the jurisdiction for a 250-word candidate statement. Candidates for statewide office may purchase space to place a 250-word candidate statement in the state ballot pamphlet, provided that their acceptance of the voluntary spending limits has been timely filed with the Secretary of State.

Once the voluntary expenditure limits are accepted (or rejected), the spending-limits decision applies to both the primary and general elections. However, a state/statewide candidate who has not exceeded the voluntary spending limits may revoke and change his/her acceptance or rejection of the voluntary spending limits no more than two times after the initial filing of the Candidate Intention Statement (Form 501), provided that the amendment to the filer's Form 501 is received by this office, before the deadline for filing the candidate's nomination papers.

Additionally, the law permits a state candidate to change his/her mind and accept the spending limits for the general election, if an amended Form 501 is filed within 14 days following the primary, indicating the candidate's intention to accept the spending limits in the general election, provided that the filer has not exceeded the spending limits in the primary.

All candidates for legislative offices who raise or spend \$50,000 or more must file their contribution and expenditure disclosure statements electronically and on paper. Log-on instructions and approved electronic filing vendors are posted on the Political Reform Division's page on the Secretary of State's website at www.sos.ca.gov/prd/prd.htm.

Candidates may download all the latest campaign forms from the Fair Political Practices Commission's website at www.fppc.ca.gov, or the Secretary of State's website at www.sos.ca.gov/prd/prd.htm. Candidates may also call the Political Reform Division at (916) 653-6224. Please contact the Fair Political Practices Commission at (916) 322-5660 for all applicable contribution and spending limits as well as the latest online/electronic filing requirements.