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ELECTIONS DIVISION

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Summary of
Qualifications and Requirements for the Office of

UNITED STATES PRESIDENT

DEMOCRATIC PARTY

June 7, 2016, 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 7, 2016, Presidential Primary Election:

- by determination of the Secretary of State that a person is a generally-recognized candidate, or
- by circulating nomination papers.

A. GENERALLY-RECOGNIZED CANDIDATES

1. The Secretary of State announces the names of individuals he 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

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 chairpersons of the Democratic Party or the Democratic State Central Committee.

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

2. Between January 9, 2016* (E-150), and March 31, 2016** (E-68), the Secretary of State will publicly announce this determination. § 6041
3. The last day a candidate may withdraw from the list of candidates to be certified by the Secretary of State is March 31, 2016** (E-68). To withdraw, the candidate must file an affidavit pursuant to Section 6043 with the Secretary of State. §§ 6042, 6043

B. CIRCULATION OF NOMINATION PAPERS 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 1% 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 154-Day Report of Registration issued by the Secretary of State. §§ 2187(d)(1), 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 residence address, and declare his or her intention to support the candidate or uncommitted 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 paper was circulated. § 6101
5. The period for circulating the nominating papers is January 29, 2016 (E-130) through March 26, 2016** (E-73). §§ 6101, 6122
6. The last day to file nomination papers with the county elections official is March 26, 2016** (E-73). §§ 6101, 6122
7. No later than March 31, 2016** (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

III. APPOINTMENT OF STEERING COMMITTEES

- A. Each unselected candidate and each group proposing an uncommitted delegation shall appoint a seven-member steering committee and shall appoint one of the members to serve as chairperson. § 6080

*Date falls on a weekend or state holiday; it does not move forward to the next business day.

**Date falls on a weekend or state holiday; it moves forward to the next business day.

- B. The chairperson of the steering committee, no later than March 17, 2016 (E-82), shall file with the Secretary of State a statement containing the names and addresses of the members of the steering committee. § 6081
- C. Each steering committee shall be responsible for the circulation of nomination papers of its unselected candidate or group proposing an uncommitted delegation. § 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 7, 2016, Presidential Primary Election. For further information, the candidate is advised to consult Section 6000a, et seq. The Elections Code is available on the California Legislature's website at <http://leginfo.legislature.ca.gov/faces/codes.xhtml>.
- B. Prospective candidates and delegates should contact the California Democratic Party at 1830 9th Street, 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. A copy of the nomination paper can be obtained from the county elections official. The nomination paper must be delivered to the elections official of the county where the paper was circulated. The candidate information sheet (see attached) can be mailed to or filed in person in the Elections Division of the Secretary of State's Office at 1500 11th Street, 5th Floor, Sacramento, California, 95814, or at any county elections office.
- 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
- F. The term of office for United States President is four years, beginning January 20, 2017.
U.S. Const., art. II, § 1; 20th Amend., § 1

IMPORTANT NOTICE

This information sheet of candidate qualifications and procedures 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.