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ELECTIONS DIVISION

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Summary of  
Qualifications and Requirements for the Office of  
**UNITED STATES PRESIDENT**  
DEMOCRATIC PARTY

March 3, 2020, 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 March 3, 2020, 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 ADVOCATED FOR OR RECOGNIZED CANDIDATE**

1. “Generally advocated for or recognized candidate” or “recognized candidate” means an individual who has an authorized campaign committee registered with the Federal Election Commission for the office of President of the United States and submits proof of at least one of the following criteria:
  - a. qualified for funding under the Federal Election Campaign Act of 1974 (52 U.S.C. Sec. 30101, et seq.)
  - b. appeared as a candidate in a national presidential debate hosted by a political party qualified to participate in a primary election, with at least two participating candidates, and publicly available for viewing by voters in more than one state during the current presidential election cycle. A “political party qualified to participate in a primary election” means any political party qualified in California, a major or minor-ballot qualified political party in another state, or a national committee of a political party recognized by the Federal Election Commission.
  - c. placed or qualified for placement on a presidential primary ballot or a caucus ballot of a major or minor ballot-qualified political party in at least one other state in the current presidential election cycle.

- d. candidate or qualified to be a candidate in a caucus of a major or minor ballot-qualified political party in at least one other state in the current presidential election cycle.
  - e. has the following: current presidential campaign internet website or webpage hosted by the candidate or a qualified political party, and a written request submitted on the candidate's behalf by a party qualified to participate in the primary election to the Secretary of State requesting the candidate be placed on the presidential primary ballot. §§ 6000.1<sup>1</sup>, 6000.2
2. On or before November 26, 2019 (E-98), a candidate shall file with the Secretary of State a form of "Proof of Generally Advocated for or Recognized Candidate" and attach supporting documentation. § 6000.2
  3. On or before December 6, 2019 (E-88), the Secretary of State will publicly announce this determination. § 6041
  4. The Secretary of State shall notify the candidate that their name will appear on the ballot of this state in the Presidential Primary Election and that the candidate may withdraw their name no later than December 26, 2019 (E-68). § 6042
  5. The last day a candidate may withdraw from the list of candidates to be certified by the Secretary of State is December 26, 2019 (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 unselected 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(c)(1), 6061
  3. Each signer of a nomination paper for a Democratic presidential candidate 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 unselected candidate or uncommitted delegation named on the nomination paper. § 6104
  4. Any nomination paper may be presented in sections. Each section shall contain the name of the candidate or chairperson of the steering committee in the case of

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<sup>1</sup>All code section references are to the California Elections Code unless otherwise stated.

- uncommitted delegations. Each section shall bear the name of the county in which it is circulated. Only voters of the county whose affidavits of registration declare the Democratic Party as their party affiliation are competent to sign. § 6105
5. Each section of the nomination paper shall be delivered to the elections official of the county where the paper was circulated. § 6101
  6. The period for circulating the nominating papers is November 4, 2019 (E-120) through December 13, 2019 (E-81). §§ 6101, 6122
  7. The last day to file nomination papers with the county elections official is December 13, 2019 (E-81). §§ 6101, 6122
  8. No later than December 26, 2019 (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
  9. No later than December 26, 2019 (E-68), the Secretary of State shall notify each steering committee whether or not it has qualified a candidate or uncommitted delegation for placement on the ballot. § 6160

### C. TAX RETURNS

1. By at least November 26, 2019 (E-98), a candidate shall:
  - a. file with the Secretary of State two (2) copies of every income tax return the candidate filed with the Internal Revenue Service (IRS) in the five (5) most recent taxable years, one copy without redactions and the other copy with specified redactions. §§ 6883, 6884
  - b. submit a written consent form signed by the candidate granting the Secretary of State permission to publicly release the redacted versions of the candidate's income tax returns. §§ 6883, 6884
2. If the candidate has not filed an income tax return with the IRS for the tax year immediately preceding the primary election, the candidate shall submit a copy of the income tax return to the Secretary of State within five (5) days of filing the return with the IRS. § 6884
3. The Secretary of State shall make the redacted versions of the candidate's income tax returns available to the public on the Secretary of State's internet website. These redacted versions of the candidate's income tax returns shall be continuously posted until the official canvass for the presidential primary election is completed. § 6884

### 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
- B. The chairperson of the steering committee, no later than December 12, 2019 (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 March 3, 2020, Presidential Primary Election. For further information, the candidate is advised to consult Section 6001, 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 9<sup>th</sup> 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 11<sup>th</sup> Street, 5<sup>th</sup> Floor, Sacramento, California, 95814, or at any county elections office. § 6101
- D. Because of the requirements of the Federal Election Campaign Act, as amended, a presidential candidate should contact the Federal Election Commission at 1050 First Street, NE, 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, 2021.  
U.S. Const., art. II, § 1; 20<sup>th</sup> 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.