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ELECTIONS DIVISION

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Summary of
Qualifications and Requirements for the Office of
PRESIDENTIAL ELECTOR
INDEPENDENT NOMINATION

November 3, 2020, Presidential General Election

An independent nominee for President of the United States attains ballot status by qualifying a group of 55 Presidential Electors who pledge their votes to that independent presidential nominee. §§ 8303, 8304¹

I. QUALIFICATIONS

A candidate for Presidential Elector must have a valid voter registration affidavit on file in the county of residence at the time nomination papers are obtained. There are no political party preference restrictions on electors; they need only be registered voters in California. § 201

In addition to qualifying the 55 Presidential Electors, the person seeking the independent nomination for President of the United States must 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

A. A presidential candidate for whom a nomination paper has been filed as a partisan candidate at the primary election and who is defeated for his or her party nomination at the primary election is ineligible for nomination as an independent candidate. § 8301

B. NOMINATION PAPERS

A candidate for presidential elector must circulate nomination papers for signatures between April 24, 2020 (E-193), and 5:00 p.m. on August 7, 2020 (E-88), and deliver them to the county elections official of the county in which the papers were circulated. The nomination papers will be forwarded for filing with the Secretary of State after the verification of signatures by the county elections official. § 8403(a)(2)

Whenever a group of candidates for Presidential Elector, equivalent to 55, files a nomination paper with the Secretary of State, the nomination paper may contain the name

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

of the candidate for U.S. President and U.S. Vice President for whom all of those candidates for Presidential Elector pledge themselves to vote. § 8303

The nomination papers must be signed by at least 196,964 registered voters (equivalent to 1% of the statewide registration from the November 2018 General Election).

§§ 2187(c)(6), 8400

1. All signers must be registered voters of the state. § 100, 8400
2. Any registered voter who is a candidate may obtain signatures to and sign his or her own nomination papers. § 106(a)
3. Circulators shall be 18 years of age or older. §§ 102, 8451
4. The nomination paper shall be delivered to the county elections official of the county in which the signers reside and are voters. § 8403

C. DECLARATION OF CANDIDACY—PRESIDENTIAL ELECTOR

1. EACH of the 55 candidates for Presidential Elector must complete a Declaration of Candidacy and file it with the county elections official of the county in which he or she is registered to vote. The declaration shall state:
 - a. The candidate's residence address,
 - b. That the candidate is a voter in the precinct in which he or she resides,
 - c. The name of the office sought (i.e., Presidential Elector),
 - d. That the candidate will not withdraw as a candidate before the election, and
 - e. That if elected, the candidate will qualify for the office. § 8550
2. The Declaration of Candidacy shall be left with the county elections official not later than 5:00 p.m. on August 7, 2020 (E-88). § 8550

III. GENERAL INFORMATION

- A. A copy of the nomination paper and a Declaration of Candidacy 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 Declaration of Candidacy 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.
- B. Because of the requirements of the Federal Election Campaign Act, as amended, candidates for federal office 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.

C. No filing fee is required from any person in order to file nomination papers.

D. The term of office for United States President is four years, beginning January 20, 2021.

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.