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ELECTIONS DIVISION

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Summary of
Qualifications and Requirements for the Office of

UNITED STATES PRESIDENT

AMERICAN INDEPENDENT, GREEN, LIBERTARIAN¹, AND PEACE AND FREEDOM PARTIES

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.

¹ Pursuant to California Elections Code section 5006, the Libertarian Party conducts its presidential primary election in accordance with the Peace and Freedom Party’s statutory provisions.

- 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. §§ 6000.1², 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. §§ 6520, 6722, 6852
 4. 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 Sections 6521, 6522, 6723, 6724, and 6853. §§ 6520, 6722, 6852, 6853
 5. The Secretary of State shall notify the candidate that their name will appear on the ballot in this state in the Presidential Primary Election and that the candidate may withdraw their name no later than December 26, 2019 (E-68). §§ 6521, 6723, 6852.5, 6853
 6. 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 6522, 6724, or 6853 with the Secretary of State. §§ 6521, 6522, 6723, 6724, 6853
- B. CIRCULATION OF NOMINATION PETITIONS FOR CANDIDATES (NOT SELECTED BY THE SECRETARY OF STATE) OR DELEGATIONS³
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 on his or her behalf. §§ 6523, 6725, 6853.5
 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

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

³The Green Party does not have a process for the circulation of nomination petitions for delegations; instead, delegates for the Green Party are selected in accordance with party bylaws and rules and procedures after the Presidential Primary Election.

the party whose nomination is sought equal in number to not less than 1% of the number of persons who have selected a preference with that party in the 154-Day Report of Registration issued by the Secretary of State.

§§ 2187(c)(1), 6523, 6725, 6853.5

3. Each signer of a nomination paper for the American Independent Presidential Primary Election ballot may sign only one paper. The signer shall declare his or her intention to support the presidential preference candidate or the group of candidates for delegates, and include his or her residence address. § 6582
4. Each signer of a nomination paper for the Green, Libertarian, or Peace and Freedom Presidential Primary Election 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, 6855
5. 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 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 American Independent, Libertarian, Peace and Freedom, or Green as their party affiliation are competent to sign. §§ 6583, 6783, 6855.5
6. Each section of the nomination paper shall be delivered to the elections official of the county where the paper was circulated. §§ 6581, 6583, 6781, 6783, 6854.5, 6855.5
7. The period for circulating the nominating papers is November 4, 2019 (E-120), through December 13, 2019 (E-81). §§ 6591, 6791, 6854.5, 6857.2
8. The last day to file nomination papers with the county elections official is December 13, 2019 (E-81). §§ 6581, 6591, 6781, 6791, 6854.5, 6857.2
9. No later than December 26, 2019 (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. 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, 6952

- c. Green Party: A list containing the names of the candidates to appear on the presidential preference primary ballot. Delegates are selected in accordance with party bylaws and rules and procedures after the Presidential Primary Election. §§ 6863, 6863.5

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 American Independent, Libertarian, and Peace and Freedom 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 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 Libertarian and Peace and Freedom parties, refer to Section 6726.

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. 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 Party. The laws vary depending on the candidate's 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 the California Elections Code at the following sections:

American Independent Party	§ 6500, et seq.
Libertarian and Peace and Freedom Parties	§ 6700, et seq.
Green Party	§ 6850, 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 American Independent Party at 476 Deodara Street, Vacaville, California, 95688-2637, 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. Prospective candidates and delegates should contact the Green Party at 515 18th Street #3, Sacramento, California, 95811-1026, 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.
- D. Prospective candidates and delegates should contact the Libertarian Party at 777 L Street, Suite 950, Sacramento, California, 95814-3361, 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.
- E. Prospective candidates and delegates should contact the Peace and Freedom Party at 5301 Harte Way, Sacramento, California, 95822, 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.
- F. 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 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.
§§ 6581, 6781, 6854.5
- G. 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.
- H. No filing fee is required from any person to be voted for at a presidential primary.
§§ 6502, 6702, 6850.7

- I. 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.