

## **GENERAL QUALIFICATIONS FOR ALL OFFICES**

"Unless otherwise specifically provided (see Special Requirements for Specific Offices below for the exceptions or additional requirements), no person is eligible to be elected or appointed to an elective office unless that person is a registered voter and otherwise qualified to vote for that office." (Elections Code Sec. 201)

A person is disqualified from holding an office upon conviction of designated crimes as specified in the Constitution and laws of the state. (Government Code Sec. 1021)

No duty is imposed upon the Elections Official to determine whether or not a candidate meets the requirements for holding office. The Declaration of Candidacy which each candidate must file states that the candidate, if elected, will qualify for the office. The affidavit also states that the candidate will not withdraw before the election. (Elections Code Sec. 8550)

## **QUALIFICATIONS FOR ALL PARTISAN OFFICES**

"No declaration of candidacy for a partisan office or for membership on a county central committee shall be filed, by a candidate unless:

- at the time of presentation of the declaration and continuously for not less than three months immediately prior to that time, or for as long as he has been eligible to vote in the state, the candidate is shown by his affidavit of registration to be affiliated with the political party the nomination of which he seeks, and
- the candidate has not been registered as affiliated with a qualified political party other than that political party the nomination of which he seeks within twelve months immediately prior to the filing of the declaration. This party affiliation requirement is not applicable for candidates of political parties participating in their first direct primary election subsequent to their qualification as political parties. (Elections Code Sec. 8001)

## **INDEPENDENT CANDIDATES FOR PARTISAN OFFICE**

Only candidates running as members of one of California's seven qualified political parties are eligible to participate in the primary election process. Independent Nomination provisions of Part 2 of Division 8 of the Elections Code Section 8300 et seq. provide a method for the nomination of nonpartisan candidates to partisan public offices. There is no limitation to the number of independent candidates who can be nominated and placed on the ballot at the general election, provided each meets the legal requirements.

To be eligible as an independent candidate at the general election, the potential candidate:

- Cannot have filed as a partisan candidate at the primary election and have been defeated for the party's nomination at that primary election; and,
- Cannot have been registered to vote in California since (see Secretary of State website for date), as being affiliated with a qualified political party (i.e., Democratic, Republican, American Independent, Green, Libertarian, Natural Law, or Reform).

The number of signatures of qualified registered voters which must appear on the Nomination Papers of persons seeking an independent candidacy is based on the previous general election's registration figures. Depending on the office sought, Nomination Papers require either one or three percent of the number of registered voters in the election jurisdictions.

Independent candidates for legislative offices are required to file Declaration of Intention during the pre-primary filing period for partisan candidates. The period for U.S. Senate and congressional independent candidates to circulate and file their signatures in lieu is 158 to 103 days before the general election.

### **TERM LIMITS APPLICABLE TO SOME OFFICES**

- Candidates for statewide offices may not have served two terms.
- Candidates for state senate may not have served more than two terms in the state senate.
- Candidates for state assembly may not have served three terms in the state assembly.

(California Constitution: Article 4, Sec. 2a; Art. 5, Sec. 2; Art. 5, Sec. 11; Art. 9, Sec. 2)

### **SPECIAL REQUIREMENTS FOR SPECIFIC OFFICES:**

#### **PRESIDENTIAL (Partisan)**

Natural-born citizen of the United States, at least 35 years of age and resident of the United States for at least 14 years. (United States Constitution, Art.II Sec. 1.)

#### **UNITED STATES SENATE, 4<sup>TH</sup> State Senate District (Partisan)**

"No person shall be a Senator who shall not have attained to the age of thirty years, and been nine years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen." (United States Constitution, Art.I, Sec. 3)

#### **UNITED STATES REPRESENTATIVE IN CONGRESS, 1<sup>ST</sup> and 3<sup>RD</sup> US Congressional District (Partisan)**

"No person shall be a Representative who shall not have attained to the age of twenty-five years, and been seven years a citizen of the United States, and who shall not, when elected, be an inhabitant of that state in which he shall be chosen." (United States Constitution, Art.I, Sec. 2)

### **STATE OFFICES (Partisan)**

- **Governor or Lieutenant Governor.** A candidate must be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued. (Elections Code, Sec. 201)
- **Attorney General.** "No person shall be eligible for the office of Attorney General unless he shall have been admitted to practice before the Supreme Court of the State for a period of at least five years immediately preceding his election or appointment to such office." (Government Code Sec. 12503)
- **Insurance Commissioner.** During tenure of office, not be an officer, agent or employee of an insurer or directly or indirectly interested in any insurer or licensee under the California Insurance Code, except (a) as a policyholder, or, (b) by virtue of relationship by blood or marriage to any person interested in any insurer or licensee. (Insurance Code Sec. 12901)
- **Other State Offices.** A candidate must be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued. (Elections Code, Sec. 201)
- **State Superintendent of Public Instruction (Nonpartisan)** There are no special requirements.

#### **LEGISLATIVE OFFICES 4<sup>TH</sup> State Senate, 3<sup>RD</sup> State Assembly (Partisan)**

State Senator or Member of the Assembly. A candidate must be a registered voter and otherwise qualified to vote for that office at the time nomination papers are issued. (Elections Code Section 201) Candidate must be a resident of the district for one year and a citizen of the United States and resident of California for 3 years immediately preceding the election. (California Constitution Art. 4, Sec. 2)

## **COUNTY CENTRAL COMMITTEE OFFICES (Partisan)**

Member, County Central Committee. A person shall not be eligible for appointment or election to a committee unless registered as affiliated with this party at the time of his/her appointment or election. (Elections Code Sections 7209, 7407, 7654). Those County Central Committees which elect their members by district are subject to 30 day residency requirements. Nomination signatures: Signers shall be voters in the district or political subdivision in which the candidate is to be voted on and shall be affiliated with the party, if any, in which the nomination is proposed (Election Code 8068).

## **JUDICIAL OFFICES (Nonpartisan)**

### **Judge of the Superior Court.**

\*Documentation Required.

- A person is ineligible to be a judge of the superior court unless for ten years immediately preceding selection to this court, he "has been a member of the State Bar or served as a judge of a court of record in this state." (California Constitution, Art. 6, Sec. 15)

## **COUNTY OFFICES (Nonpartisan)**

### **County Assessor-Clerk-Recorder**

- No person shall exercise the powers and duties of the office of county assessor-clerk-recorder unless he or she holds a valid appraiser's certificate issued by the State Board of Equalization pursuant to Article 8 (commencing with Section 670) of Chapter 3 of Part 2 of Division 1 of the Revenue and Taxation Code.
  - Notwithstanding subdivision (a), a duly elected or appointed person may exercise the powers and duties of assessor-county clerk/recorder, for a period not to exceed one year, if he or she acquires a temporary appraiser's certificate from the State Board of Equalization within 30 days of election or appointment.

### **County Supervisor**

- No person shall serve as a County Supervisor who is not "a resident of the District" for a period of not less than thirty days preceding the date of filing nomination papers. A county supervisor must "reside in the district during his incumbency". (Gov't Code Section 25041)

### **County Superintendent of Schools**

\*Documentation required.

- A County Superintendent of Schools "shall possess a valid certification document authorizing administrative services". "The possession of a valid elementary administrative credential and a valid secondary administrative are equivalent to the possession of a valid administrative credential." (Education
- **District Attorney**  
\*Documentation required.
- "A person is not eligible for the office of District Attorney unless he" or she "has been admitted to practice in the Supreme Court of the State." (Gov't. Code Section 24002)

### **Sheriff/Coroner**

\*Documentation required.

- No person is eligible to become a candidate for the office of sheriff in any county unless, at the time of the final filing date for election, he or she meets one of the following criteria:
  - An active or inactive advanced certificate issued by the Commission on Peace Officer Standards and Training.
  - One year of full-time, salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses a master's degree from an accredited college or university.
  - Two years of full-time, salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses a bachelor's degree from an accredited college or university.
  - Three years of full-time, salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses an associate in arts or associate in science degree, or the equivalent, from an accredited college.
  - Four years of full-time salaried law enforcement experience within the provisions of Section 830.1 or 830.2 of the Penal Code at least a portion of which shall have been accomplished within five years prior to the date of filing, and possesses a high school diploma or the equivalent. (Gov't. Code Section 24004.3)

\*Documentation Required: Candidates for the specified offices of District Attorney, Sheriff, Superintendent of Schools, and Judge of the Superior Court are required to submit documentation establishing qualifications for the office when candidacy papers are filed. Documentation consists of the original or duplicate copy of a certificate, diploma, official correspondence or declaration under penalty of perjury, sufficient to establish in the determination of the election official with whom candidacy papers are filed, that the candidate meets each qualification for that office.

### **MUNICIPAL OFFICES (Nonpartisan)**

Mayor or Member of a City Council must be a resident voter of the city (mayor) or resident voter of the city and the district (council). Elected city officials must continue to be an elector of the city during incumbency. (Government Code Sec. 36502) Candidates for city offices (Mayor and Councilmember) must pick up nomination documents from the City Clerk during the nomination period. (Elections Code Sec. 10227)

- Candidates filing for city offices will be required to file the following documents with the City Clerk:
  - Nomination Paper(s) containing the proper number of signatures. A candidate may file for only one city office at the same election.
  - Forms for campaign disclosure, financial disclosure, and candidate's statements will be issued along with the nomination documents. Financial disclosure and candidate's statement forms must be filed by the candidate at the time the nomination documents are filed. Payment for candidate's statement must also be made at this time.
    - **IMPORTANT:** Please contact the City Clerk for a schedule of regular business hours.

### **SCHOOL OFFICES (Nonpartisan)**

- **School Districts.** (Education Code Sections 35107, 72023, 72103a)
  - A registered voter and resident of the district.
  - A person may not be an employee of the school district and a governing board member at the same time.
  - Applicable to:
    - Community College Districts
    - Unified School Districts
    - High School Districts
    - Elementary School Districts

- **Board of Education.**
  - A registered voter/resident of the district. (Education Code Sec. 1000)
  - Personnel of county superintendent of schools or a school district are not eligible for county board of education office. (Education Code Sec. 1006)

#### **SPECIAL DISTRICT OFFICES (Nonpartisan)**

- Candidates for office in special districts must be a registered voter and resident of the district. (Elections Code Sec. 201)
- May have special requirements established by the principal act of the district. (Elections Code Sec. 10514)

#### **AIRPORT DISTRICT**

- Registered voter of the district for at least 30 days immediately preceding the deadline for filing nomination documents. Each board member shall reside in the district during his or her incumbency. (Chapter 52, Statutes of 1941, as amended 1996 AB2722)

#### **COMMUNITY SERVICES DISTRICTS**

- Candidate must be a resident elector of the district. (Government Code Sec. 61200)
- Director may not be general manager or secretary at the same time. (Government Code Sec. 61241)

#### **FIRE DISTRICTS**

- Candidate must be a resident elector of the district. (Health & Safety Code Sec.13841)
- Applicable to districts in or partially within Glenn County

#### **WATER DISTRICTS**

- Candidates for office in water districts must be land owners within the district. (Water Code section 34700)
- Applicable to districts in or partially within Glenn County