



# How to Run for Office

## Candidate Information Guide



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## INTRODUCTION

Congratulations, you have chosen to take an active role in Colorado’s governance. Civic engagement is critical to the health of our democratic system. This office, in cooperation with local election officials, seeks to create a user-friendly process in accordance with the laws passed by the legislature. Maintaining the integrity of the system through a fair and transparent process is our primary goal.

This publication contains the information necessary for those seeking office in Colorado – basic facts on everything from qualifications for office to how to get on the ballot.

The Department of State is committed to an effective and efficient E-government solution. Our Election Division website at [www.sos.state.co.us](http://www.sos.state.co.us) is an electronic tool for both the candidate and the voter. You will find pertinent election information at your fingertips and a user-friendly e-filing feature.

I hope this publication will be helpful and informative as you pursue your quest. If you have any questions or need additional information, please contact our Elections Division by phone at (303) 894-2200, extension 6307, or by email at [sos.elections@state.co.us](mailto:sos.elections@state.co.us).

## BASIC QUALIFICATIONS FOR OFFICE

OFFICE	AGE	STATE RESIDENCE	U.S. CITIZEN	YEARS IN TERM	NUMBER OF TERMS
U.S. Senator →	30	Yes	9 years	6	Voluntary
U.S. Representative	25	Yes	7 years	2	Voluntary
Governor →	30	2 years	Yes	4	2
Lt. Governor →	30	2 years	Yes	4	2
Secretary of State →	25	2 years	Yes	4	2
State Treasurer →	25	2 years	Yes	4	2
Attorney General * →	25	2 years	Yes	4	2
State Board of Education	18	Yes	Yes	6	2
CU Regent	18	Yes	Yes	6	2
State Senator	25	1 year	Yes	4	2
State Representative	25	1 year	Yes	2	4
District Attorney **	18	Yes	Yes	4	Varies
RTD Board of Directors	18	Yes	Yes	4	2

\* Shall be a licensed attorney of the supreme court of the state in good standing.

\*\* Shall have been licensed to practice law in this state for the last 5 years.

→ Office not up for election in 2012.

## RESPONSIBILITIES AND LIABILITIES

### ELIGIBILITY

If you are considering running for public office, you will need to become familiar with the requirements of Article XXVIII of the Colorado Constitution (Campaign and Political Finance) and Title 1, Article 45, C.R.S. (Fair Campaign Practices Act).

### FREQUENTLY ASKED QUESTIONS

**Q: When do you officially become a candidate for public office for campaign finance purposes?**

**A:** A person is a candidate for election if the person has publicly announced and thereafter has received a contribution or made an expenditure in support of his/her candidacy.

**Q: What forms do I file, once I become a candidate?**

**A:** You must file a notarized candidate affidavit with the appropriate officer within 10 days of becoming a candidate. If you are a state candidate and you choose to accept voluntary spending limits, the acceptance of voluntary spending limits form *must* be filed with the candidate affidavit. For state candidates, a personal financial disclosure is due within 10 days of filing the candidate affidavit.

**Q: I am a current officeholder, but I haven't yet decided if I want to run in the next election. May I maintain a candidate committee?**

**A:** Yes. You are still considered a candidate while your candidate committee is open. Contribution limits will still apply, and *Rule 3.1* requires that you file an amended committee registration within 5 days of any change.

**Q: Do I have to form a committee if I want to accept contributions?**

**A:** Yes. Municipal candidates register with their municipal clerk. State, county, special district and school board candidates register with the Colorado Secretary of State.

**Q: Are there filings due after the election?**

**A:** Yes. Your candidate committee must continue to file until it affirmatively terminates with a zero fund balance. Also, officeholders are required to annually update their personal financial disclosures on or before the 10<sup>th</sup> of January, and to report all gifts and honoraria on a quarterly schedule.

**Q: What is my personal liability as a candidate?**

**A:** Please read Article XXVIII of the Colorado Constitution, Sections 9 (Duties of the secretary of state – enforcement) and 10 (Sanctions) very carefully before you file as a candidate or register a candidate committee.

**NOTE:** Municipal candidates should contact their local clerks for filing forms. Candidates for *state, county, special district or school board* office should contact the campaign finance staff at the State Elections Division, Colorado Secretary of State.

## CANDIDATE COMMITTEES

If you are a candidate, or working with others to financially support a specific candidate, begin by checking the definition of a Candidate Committee to confirm that you meet the criteria. Next, review the following statutes and rules governing candidate committees. A candidate may have only one candidate committee at one time – in any jurisdiction (with the exception of special district candidates).

**Note: Candidates who do not accept contributions, but spend their own funds must**

***file disclosure reports itemizing all expenditures of \$20 or more. Candidates that accept no contributions and make no expenditures are not required to file. You may file a voluntary report in order to provide full disclosure to the public. Call the campaign finance staff at the State Elections Division whenever you need assistance.***

Definitions:

Art. XXVIII, Sec. 2

Registration/Amendments:

1-45-108(3), C.R.S.

Disclosure Requirements:

1-45-108, C.R.S.; 1-45-109, C.R.S.

Filing Dates:

1-45-108(2)(a), C.R.S.

Contribution Limits:

Art. XXVIII, Sec. 3; Campaign and Political Finance Rule 12

Sanctions:

Art. XXVIII, Sec. 10

TIPS

Tip 1: Filing dates for municipal, county and special district candidates differ from state candidates. Please be certain you have the correct filing dates.

Tip 2: Only state candidates have contribution limits under Article XXVIII. Home rule municipalities and counties may impose their own limits. Local candidates check with your municipal clerk. [Article XXVIII, Section 3]

Tip 3: Candidate committees cannot knowingly accept contributions from corporations or labor organizations. [Article XXVIII, Section 3(4)(a)]

Tip 4: Candidate committees cannot knowingly accept contributions from foreign citizens, foreign corporations, or foreign governments. [Article XXVIII, Section 3(12)]

Tip 5: Candidate committees cannot accept contributions from, or make contributions to another candidate committee. [Article XXVIII, Section 3(6)]

Tip 6: Only the candidate or the registered agent of the candidate’s committee may sign the “Report of Contributions and Expenditures.” [Campaign and Political Finance Rule 2.2]

Tip 7: Once a candidate committee is opened, it can only be closed by filing a termination report, indicating a “zero” balance. [Campaign and Political Finance Rule 3.3]

Tip 8: No person shall act as a conduit for a contribution to a candidate committee. [Article XXVIII, Section 3(7)]

Tip 9: Candidates accepting voluntary spending limits should review Article XXVIII, Section 4.

**BALLOT ACCESS**

There are 4 ways for a candidate to access the ballot in Colorado:

- Political Party Candidate Nomination
- Political Party Candidate Petition
- Unaffiliated Candidate Petition
- Write-in Affidavit

**POLITICAL PARTY CANDIDATE NOMINATION:**

- To be eligible for nomination by a political party, a candidate must be registered as affiliated with that party no later than the first business day of January of the election year, unless party rules state otherwise. [1-4-601(4)(a); 1-4-1304(2)(b), C.R.S.]
- Candidates who wish to gain ballot access through the party assembly must receive at least 30% of the votes cast by assembly delegates present and voting for that

specific office at the party assembly.  
[1-4-601(2); 1-4-1304(1.5)(b)(II), C.R.S.]

- Major party candidates nominated by assembly are placed on the primary election ballot.  
[1-4-601(1), C.R.S.]
- Minor party candidates nominated by assembly are placed on the general election ballot unless there is more than one candidate for that office nominated by assembly and/or petition; then the candidates are placed on the primary ballot.  
[1-4-1304, C.R.S.]
- Minor party candidates cannot have been affiliated with a major political party after the first business day in January of the election year, unless party rules state otherwise.  
[1-4-1304(2)(c), C.R.S.]

#### POLITICAL PARTY CANDIDATE PETITION

- Major and Minor Party Circulation Dates: Between February 6, 2012 and April 2, 2012.  
[1-4-801(5); 1-4-802(1)(d)(II) & (1)(f)(II), C.R.S.]
- A candidate must be affiliated with the political party no later than the first business day in January of the election year.  
[1-4-801(3); 1-4-802(1)(g), C.R.S.]

- No candidate who attempted and failed to receive at least 10% of the votes cast at the assembly for a particular office shall be placed in nomination by petition on behalf of that party for the same office.  
[1-4-801(4), C.R.S.]
- Nomination petition formats must be approved by the Secretary of State (or designated election official) prior to circulation.  
[1-4-903, C.R.S.]
- Only eligible electors registered as affiliated with the political party for at least 29 days and residing within the district for which the petition is being circulated may sign the petition.  
[1-4-904(2)(a); 1-4-801(2)(b), C.R.S.]
- Major party candidates nominated by petition are placed on the primary election ballot.  
[1-4-801(1), C.R.S.]
- Minor party candidates nominated by petition are placed on the general election ballot unless there is more than one candidate for that office nominated by assembly and/or petition; then the candidates are placed on the primary ballot.  
[1-4-1304, C.R.S.]

SIGNATURE REQUIREMENTS FOR MAJOR PARTY CANDIDATE PETITIONS

<u>OFFICE</u>	<u>SIGNATURES REQUIRED</u>
U.S. Senator	1500 per congressional district
U.S. Representative	1000 or 30% of votes cast* (whichever is less)
Governor	1500 per congressional district
Secretary of State	1500 per congressional district
State Treasurer	1500 per congressional district
Attorney General	1500 per congressional district
State Board of Education	1000 or 30% of votes cast* (whichever is less)
CU Regent	1000 or 30% of votes cast* (whichever is less)
State Senator	1000 or 30% of votes cast* (whichever is less)
State Representative	1000 or 30% of votes cast* (whichever is less)
District Attorney	1000 or 30% of votes cast* (whichever is less)
County Offices	20% of votes cast*

\* The votes cast in the previous primary election for that office. If there was no primary, calculate based on votes cast in most recent general election for that office.



SIGNATURE REQUIREMENTS FOR MINOR PARTY CANDIDATE PETITIONS

<u>OFFICE</u>	<u>SIGNATURES REQUIRED</u>
U.S. Senator	1000 or 2% of votes cast (whichever is less)*
U.S. Representative	800 or 2% of votes cast (whichever is less)*
Governor	1000 or 2% of votes cast (whichever is less)*
Secretary of State	1000 or 2% of votes cast (whichever is less)*
State Treasurer	1000 or 2% of votes cast (whichever is less)*
Attorney General	1000 or 2% of votes cast (whichever is less)*
State Board of Education	800 or 2% of votes cast (whichever is less)*
CU Regent	800 or 2% of votes cast (whichever is less)*
State Senator	600 or 2% of votes cast (whichever is less)*
State Representative	400 or 2% of votes cast (whichever is less)*
District Attorney	650 or 2% of votes cast (whichever is less)*
County Office	750 or 2% of votes cast (whichever is less)*

\* Votes cast for all candidates for that office in the most recent general election. [1-4-802(1)(c), C.R.S.]

**UNAFFILIATED CANDIDATE PETITION**

- Circulation Dates: Between April 9, 2012 and June 4, 2012.  
[1-4-802(d)(I); 1-4-802(1)(f)(I), C.R.S.]
- A candidate must be registered as unaffiliated no later than the first business day in January of the election year.  
[1-4-802(1)(g), C.R.S.]
- Petition formats must be approved prior to circulation by the Colorado Secretary of State or designated election official.  
[1-4-903, C.R.S.]
- Unaffiliated candidates nominated by petition are placed on the general election ballot.

**SIGNATURE REQUIREMENTS FOR UNAFFILIATED CANDIDATE PETITIONS**

<u>OFFICE</u>	<u>SIGNATURES REQUIRED</u>
U.S. Senator	1000 or 2% of votes cast (whichever is less)*
U.S. Representative	800 or 2% of votes cast (whichever is less)*
Governor	1000 or 2% of votes cast (whichever is less)*
Secretary of State	1000 or 2% of votes cast (whichever is less)*
State Treasurer	1000 or 2% of votes cast (whichever is less)*
Attorney General	1000 or 2% of votes cast (whichever is less)*
State Board of Education	800 or 2% of votes cast (whichever is less)*
CU Regent	800 or 2% of votes cast (whichever is less)*
State Senator	600 or 2% of votes cast (whichever is less)*
State Representative	400 or 2% of votes cast (whichever is less)*
District Attorney	650 or 2% of votes cast (whichever is less)*
County Office	750 or 2% of votes cast (whichever is less)*

\* Votes cast for all candidates for that office in the most recent general election. [1-4-802(1)(c), C.R.S.]

#### WRITE-IN:

- Any person who wishes to be a write-in candidate for any office greater than a county office must file an Affidavit of Intent with the Colorado Secretary of State. [1-4-1101, C.R.S.]
- Affidavits of Intent must be filed with the Secretary of State no later than the close of business on the 67<sup>th</sup> day before the primary and 110 days before the general election. [1-4-1102, C.R.S.]

#### BASIC Q & A

##### **Where do I file for campaign finance purposes?**

Candidates for municipal office: Municipal Clerk in the city/town where the candidate resides.

Candidates for county and state office: Elections Division of the Colorado Secretary of State's Office.

##### **Where do I file ballot access documents (assembly paperwork, petition format, write-in affidavit, etc.)?**

Candidates for municipal office: Municipal clerk in the city/town where the candidate resides.

Candidates for special district office: Special district where the candidate resides.

Candidates for school board: School district where the candidate resides.

Candidates for county office: County clerk in the city/town where the candidate resides.

Candidates for state and federal office: Elections Division of the Colorado Secretary of State's Office.

##### **When do I file?**

There is no set filing deadline in the state of Colorado that applies to all candidates. Filing deadlines depend on:

- When your campaign efforts officially begin under campaign and political finance definitions.
- The method by which you seek to get your name on the ballot (nomination, petition, write-in).
- Please refer to the election calendar for important dates relating to your candidacy.

##### **How do I verify my status and affiliation as a registered voter?**

You may review your voter registration record at the Colorado Secretary of State's website at the following location: [Registered Voter Search](#)

Your County Clerk and Recorder can also access your voter record to notify you of your registration status, affiliation, affiliation date, etc.

##### **How do I learn more about the requirements of Campaign and Political Finance?**

The Elections Division of the Colorado Secretary of State's Office has developed a training manual that details the requirements under campaign and political finance law. This manual, as well as calendars outlining filing deadlines and all of the forms you will need to file for your campaign, is available on the Secretary of State's website at: [Campaign Finance Web page](#). We also have webinars available on our website to help you navigate the campaign finance filing system, TRACER.

**Once I have declared my candidacy, can I change my mind?**

Yes. Candidates may file a letter of withdrawal with the designated election official.

**USEFUL LINKS**

[2012 Election Calendar](#)

[County Clerk Contact Information](#)

[Political Parties](#)

[Candidate Information](#)