

The Reform Institute

Making Democracy Work

# Presidential Ballot Access

*State by State Scorecard*

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211 N. Union Street, Ste. 250

Alexandria, Virginia 22314

PH: (703) 535-6897

FX: (703) 299-9110

[www.reforminstitute.org](http://www.reforminstitute.org)

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*The Reform Institute* is a not-for-profit 501(c)(3) educational organization representing a thoughtful, moderate voice for reform in the debates over campaign finance and election reform. *The Reform Institute* (The Institute) has three main roles:

1. The Institute is a unique voice focusing on the need to restore democracy by breaking down barriers that hinder civic participation in the political process and free the political system from the influences of special interests. We reach out to organizations and coalitions interested in reducing corruption in politics and educate the public on these issues.

2. The Institute provides technical and research expertise in the important discussions about reforming our election registration and voting procedures. We use the substantial expertise of the Institute's Advisory Board to develop suggestions on how best to open the doors of the voting process and increase citizen participation in our democratic system.

3. The Institute participates in legal battles to open up the political system and defend reform initiatives.

The Institute counters political disillusionment by providing citizens with a voice in efforts to open the system up to greater and cleaner political participation.

The Institute's Advisory Committee is chaired by United States **Senator John McCain** and includes a bipartisan group of notable academics, legal experts, election administrators and public officials.

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**Cameron Quinn**, International Foundation for Election Systems

**Joseph Schmuckler**, Nomura Holdings America, Inc.

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## INTRODUCTION

This report details presidential ballot access requirements in each of the fifty states. In reviewing these requirements, the Reform Institute found that the ballot access process often conflicts with basic democratic principles of full civic participation and competitive elections. The Institute graded states on whether their ballot access process was equitable across political party lines using two criteria—(1) petition signature requirements and (2) filing fee requirements for presidential candidates in each state.

This report highlights the importance of equitable requirements among state political parties, open access for all qualified candidates, and more choices for voters at the polls.

In our view, an ideal ballot access system encourages participation and competition by treating candidates of all political parties equally and fairly without overly-burdensome fees, restrictive deadlines or excessive petition requirements.

This study provides the reader with an in-depth analysis of the presidential election process and a state-by-state look at the requirements and timelines involved for candidates seeking to participate in the presidential election process. Finally, this study provides a comparative state scorecard in which states are graded (A, B, C, D, or F) on their ability to provide a fair ballot access system across party lines.

The Institute believes that adopting federal ballot requirements for equal ballot access would be an intrusion into an area of law traditionally governed by the states, and should therefore only be considered as a last resort. The Institute hopes that this report will assist states in reviewing their procedures, making improvements that will increase access, providing for fair treatment of all candidates and offering voters more options at the polls.

## BACKGROUND

When a candidate decides to compete for the highest office in the land, he or she must first prepare to run a gauntlet of requirements in order to secure his or her name on the ballot. Presidential hopefuls face a maze of presidential primaries and caucuses that vary between states, and oftentimes significantly from one party to another in the same state.

There are two principal routes a candidate must follow to get on the general presidential election ballot in November.

1. Democratic and Republican candidates, may receive their party's nomination at the national convention, guaranteeing the candidate's name on every state ballot. Prior to the conventions, presidential preference primary elections are held, beginning in **New Hampshire**. State primaries vary in terms of who may run in a primary and how one qualifies for the ballot, where the party organization can endorse candidates and who may vote in a party's primary. It should be noted that not all states have primary elections and states are increasingly eliminating them due to their high cost.
2. Third party and independent candidates must meet the various state petition or fee requirements, which will grant a spot on the ballot for the particular state.

### ***Ballot Access:***

Primary ballot access requirements usually consist of petitions, filing fees, media recognition and federal matching funds. The threshold for a candidate to reach the ballot varies widely from state to state. Though the general guidelines are provided by federal campaign finance regulations and national party rules, each state controls its own system. In terms of petition requirements, a potential candidate can be required to submit anywhere from 500 to 153,000 signatures.

# BACKGROUND

## *continued*

The existing requirements often differ for Democratic, Republican, Independent and third party candidates. In **Oklahoma**, for example, major party candidates are required to get 1,000 petition signatures, while Independent and minor party candidates are required to acquire 45,218 signatures. In **Georgia**, however, candidates from all parties are required to get one percent of the voter turnout from the previous presidential election; for 2004 this comes to approximately 25,742 signatures.

Filing fee requirements vary as well. In **New Hampshire**, home of the nation's earliest primary, a potential candidate has to pay only a \$1,000 filing fee to the state to get on the ballot. Secretary of State William H. Gardner has noted that the state "view[s] it as a privilege to have the first presidential primary in the nation. We think we should make access to the ballot as easy as possible and let the voters do the winnowing." At the other end of the spectrum, a Republican presidential candidate in **Arkansas** must pay a \$10,000 filing fee to appear on the ballot.

### ***Political Party Endorsements***

Some state political parties retain influence and control in primary elections by way of pre-primary endorsements. In some cases, states automatically place the endorsed candidate on the ballot (i.e. **Georgia**), while challengers work for petition signatures and filing fees. In other cases, the endorsed candidate may receive a preferred position on the ballot or be designated as the party-favored candidate in the primary.

### ***Third Party, New Party and Independent Candidates***

Third party and Independent presidential candidates must meet a different set of state requirements to get on the ballot. Third Party candidates are frequently excluded from the primary and convention process and must meet a different set

of state requirements to get on the general election ballot. Candidates who are affiliated with a party must ensure that their party is "recognized as a political entity in each state." Some states apply different requirements on a candidate depending on the level of recognition their party displays (status is usually determined by the percentage vote the party captured in the preceding election).

For example, in the state of **Texas**, requirements vary for minor party presidential candidates, depending on whether their party received at least five percent of the vote for any statewide office in the most recent general election. Parties that meet the threshold can nominate their candidates by convention and submit the nomination to the Secretary of State. The candidates whose parties did not meet the threshold must petition one percent of the total number of votes received by all candidates for governor in the last gubernatorial election. In the 1998 election, the four candidates for governor received a total of 3.7 million votes, or 37,000 signatures needed by non-recognized party candidates.

Sometimes candidates affiliated with a third party run as an Independent (or unaffiliated) candidates as a way to avoid the burdensome party rules. For example, **Alabama** requires candidates whose parties did not receive at least twenty percent of the vote in the last general election to petition three percent of the votes for governor from the last election to get on the ballot (in 2004, twenty percent totals 39,535 signatures to be gathered by the first Tuesday in June). In 2000, Ralph Nader of the Green party ran as an Independent candidate in **Alabama** because the Green party was not recognized by the state.

# METHODOLOGY

The Reform Institute looked at all fifty states and their most current ballot access laws to assess whether the rules were equitable across political party lines. The Institute specifically measured the difference in (1) signature requirements and (2) access fees among the various political party presidential candidates, and assigned a traditional letter grade (A, B, C, D, or F) for each variable.

## *Grading Criteria*

In assessing each state's ballot procedures, we reviewed petition signature requirements and the registration fees because these are the two most consistent variable all presidential candidates encounter.

1. ***Petition Signatures:*** Petition signature requirements are vitally important to the presidential election process. Signatures demonstrate grassroots support and can be helpful in a candidate's voter-mobilization strategies. The Institute looked at signature requirements in each state and focused on whether the rules were reasonable and equitable across party lines.

In order to receive an "A", a state's petition signature requirements must be fair between political parties—requiring an equal percent of signatures from registered party voters for each party, as well as accommodating differences in party size and base. States that received "Fs" have rules in place that have substantively different petition signature requirements between political parties. States receiving an average score, or a "C", have some disparity in signature requirements between parties (2,001 to 3,000).

For example, **Connecticut** received a "C" for petition signatures because the difference in signature requirements between the Republican presidential candidate (4,300) and the minor party presidential candidate (7,500) is substantial—3,200 signatures.

**TABLE 1: Petition Signature Key**

A =	State requires an equal percent for each party of signatures from the registered party voters or number of party votes in the previous presidential election.
A-=	State requires an equal percent of signatures from the total registered voters statewide for each candidate to appear on the ballot.
B+=	State requires an equal number of signatures for all candidates
B=	State requirements differ between any given party by 1-1,000 signatures.
B-=	State requirements differ between any given party by 1,001 – 2,000 signatures.
C+=	State requirements differ between any given party by 2,001 – 3,000 signatures.
C=	State requirements differ between any given party by 3,001 – 4,000 signatures.
C-=	State requirements differ between any given party by 4,001 – 5,000 signatures.
D+=	State requirements differ between any given party by 5,001 – 6,000 signatures.
D=	State requirements differ between any given party by 6,001 – 7,000 signatures.
D-=	State requirements differ between any given party by 7,001 – 8,000 signatures.
F=	State requirements differ between any given party by more than 8,000.

1. Information on statutes, state election division web sites and legal research sources including Lexis/Nexis and Westlaw were used. In addition, state election officials were contacted via phone in all 50 states. In states where the political parties determine the primary election process, the parties were contacted via telephone.

# METHODOLOGY

## *continued*

**2. Fees:** Most states do not impose a filing fee to gain access to the ballot. Those states that impose fees (which also vary considerably from state to state) with the intent of easing the economic burden of running the primary election and the general election. The Institute looked at the fees some states imposed, focusing on whether the fee was imposed equitably among parties or whether the fee was born predominantly by minor and independent party candidates.

States with no fees received an “A.” This was based upon our belief that no one candidate should have a clear competitive advantage over another; nor should voters be denied candidate choice due to unreasonable financial requirements or constraints.

The absence of a fee creates a more even playing field for candidates, not only across party lines, but also within the parties themselves, enabling more candidate names to appear on the primary election ballot and giving voters a broader selection.

States that assess a reasonable fee to cover the expense of running the primary elections received a higher score .

However, states that had a choice of a filing fee or gathering petition signatures received the lowest score because the practice is viewed as a means through which candidate may “buy out” of demonstrating voter support.

Each state was assigned a number grade for the fees—Republican, Democratic, Minor and Independent party candidates. These numbers were then averaged and converted into a letter grade using the grading scale found in Table two.

For example, **Alabama’s** information is as follows:

Republican:	\$5,000
Democrat:	\$2,000
Minor Party:	\$0
Independent:	\$0

Therefore, **Alabama** was assigned a number grade of 58 (for Republican fees), 85 (for Democrat fees), 100 (for Minor party fees) and 100 (for Independent fees). This gives Alabama an average score of 85.75. This score is then converted back into a letter grade of a “B” using the key in section three.

**TABLE #2: Fee Grading Key**

Fees – a total of 100 possible points

100 (A)=	No fees
92 (A-)=	\$1-\$750 state processing fee
88 (B+)=	\$751-\$1,500 state processing fee
85 (B)=	\$1,501- \$2,250 state processing fee
82 (B-)=	\$2,251 - \$3,000 state processing fee
78 (C+)=	\$0-\$750 party fee
75 (C)=	\$751-\$1,500 party fee
72 (C-)=	\$1,501-\$2,250 party fee
68 (D+)=	\$2,250-\$3,000 party fee
65 (D)=	\$0-\$1,500 state fee with petition option
58 (F)=	Any fee over \$3,000

# METHODOLOGY

## *continued*

3. **Other Variables:** Candidates face requirements in the ballot access process. For example, in many states candidates face administrative requirements in addition to massive signature requirements. These requirements, however, were not considered in this study because they were found only in a couple of states or were deemed by the Institute to be appropriate measures. Such administrative requirements were:

(a) *Citizens may only sign one petition.* For example, in Virginia, in the 2004 Presidential election where Democratic candidates are required to obtain 10,000 signatures each. This poses an obstacle. The Institute, however, does not consider this to be a significant barrier to participation because the signature requirements are equitable for all the parties.

(b) *Petition Deadlines:* Many states limit the time in which a candidate may circulate petitions – either by delaying the time when candidates may begin to circulate petitions or moving up the deadline in which candidates must turn in their completed petitions. In **New York** and **Wisconsin**, for example, (states which received an F and D+ respectively in our assessment for their signature requirements) candidates are required to turn in their completed petitions nine months prior to the general election. In **Arkansas** and **Colorado**, the deadline is six months prior to the general election, and in **Texas**, **West Virginia** and **Pennsylvania**, the deadline is five months prior to the election.

(c) *Notarization:* Some states require petition sheets to be notarized and others require that the signature of the petition circulator be notarized. One of two things is being notarized: the signature of the circulator or the fact that all signatures are legitimate. This was not considered as a variable for the purpose of this study.

4. **California Recall:** On October 7, 2003, Californians went to the polls and voted in the first gubernatorial recall election in their state's history. A group of 135 candidates were certified to be on the ballot.

This historic recall taught us several things. The importance of ballot access was shown in the sizable number of candidates who were certified to run. Some may claim that such a large group of candidates is a substantial part of the problem. However, when the voting booths closed on Election Day, California's voters certainly proved their ability to rise to the occasion.

Objections, coupled with the reasoning behind the recall process in California, make a perfect case in favor of open ballot access. The open process and the long list of candidates brought energy, excitement, and new ideas into the campaign. Polls showed that voter interest was at historic levels. Voter turnout was brisk and, for the first time in recent memory, voters were interested, informed, and excited about a statewide election. The bottom line is that the people decide. At its core, it is the essence of democracy; and open ballot access is an essential requirement of a well-functioning democracy.



# SCORECARD #1

# Signature Requirements

## SIGNATURE REQUIREMENTS FOR PRESIDENTIAL CANDIDATES IN 2004

GRADE		Republican & Democrat	Independent	Third Party	Grading Scale
F	Arizona*	0	3% (66,875)	0	<b>F</b> State Requirements differ between any given party by more than 8,000 signatures
F	Arkansas	Dem=3% (46,913); GOP=\$10,000 fee	3% (46,913)	1,000	
F	California	26,500	1% (153,804)	1% (153,804)	
F	Florida	0	1% (93,023)	1% (93,023)	
F	Illinois	3,000-5,000	1% or 25,000	1% (25,000)	
F	Indiana	4,500	2% (30,716)	2% (30,716)	
F	Maryland	3,200	1% (27,246)	0	
F	Michigan*	1/2 of 1% (or 15,000)	1% (30,272)	1% (30,272)	
F	New York	Dem=5,000; GOP=0	15,000	15,000	
F	North Carolina	10,000	2% (100,230)	2% (100,230)	
F	Ohio	1,000 (per delegate)	5,000	1% (32,289)	
F	Oklahoma*	1,000	3% (45,218)	3% (45,218)	
F	Oregon	5,000	1% (15,282)	n/a	
F	Pennsylvania	2,000	2% (20,000-25,000)	2% (20,000-25,000)	
F	South Carolina*	n/a	5% (105,097)	n/a	
F	Texas	Dem=5,000; GOP=4,500	1% (63,994)	1% (45,252)	
F	West Virginia	10,000	2%	2% (36-100)	
D-	Massachusetts	2,500	10,000	10,000	<b>D-</b> State requirements differ between any given party by 7,001–8,000 signatures
D	Minnesota	5% (8,552)	1% (1,710)	1% (1,710)	
D+	Idaho	1% (5,016)	1% (5,016)	2% (10,032)	
D+	Nevada*	0	1% (5,015)	1% (5,015)	
D+	New Mexico*	2% (11,972)	3% (17,958)	3% (17,958)	
D+	South Dakota*	2.5% (8,364)	1% (3,345)	1% (3,345)	
D+	Wisconsin*	8,000	2,000-4,000	2,000-4,000	
C-	Alabama	500	5,000	5,000	
C-	Colorado	5,000	5,000	10,000	
C-	Delaware*	500	1% (5,205)	n/a	
C-	Missouri*	5,000	10,000	10,000	
C	Hawaii*	0	1% (3,702)	1% (3,702)	
C	Kansas	1,000	5,000	n/a	
C	Louisiana	1,000	5,000	5,000	
C	North Dakota	0	4,000	4,000	
C+	Alaska	0	1% (2,818)	1% (2,818)	
C+	Maine*	2,000-3,000	4,000-6,000	4,000-6,000	
C+	Nebraska	100	2,500	2,500	
C+	New Hampshire*	210	3,000	3,000	
C+	Tennessee*	2,500	275	n/a	
B-	Iowa*	0	1,500	1,500	<b>B-</b> State requirements differ between any given party by 1,001–2,000 signatures
B-	Wyoming	0	2% (1,821)	2%	
B	Mississippi	500	1,000	1,000	
B	Montana	500	5% (1,489)	5% (1,489)	
B	New Jersey	1,000	800	800	
B	Utah*	pay fee	1,000	1,000	
B	Washington*	1,000	200	200	
B+	Kentucky	5,000	5,000	5,000	
B+	Rhode Island	1,000	1,000	1,000	
B+	Vermont	1,000	1,000	1,000	
B+	Virginia*	10,000	10,000	10,000	
A	Connecticut	1% (Dem=4,300; GOP=6,300)	1% or 7,500	1% or 7,500	
A	Georgia	1% (27,742)	1% (27,452)	1% (27,452)	

\*Indicates states with early primaries—January or February 2004

# SCORECARD #2

# Fees

## ACCESS FEES FOR PRESIDENTIAL CANDIDATES IN 2004

GRADE		Republican	Democrat	Independent	Third Party	Petition Option
F	West Virginia	\$4000	\$4000	\$4000	\$4000	✓
D-	—					
D	Colorado	\$500	\$500	\$500	\$500	✓
D	Kentucky	\$1,000	\$1,000	\$500	\$500	✓
D	Louisiana	\$1,125	\$1,125	\$500	\$500	✓
D+	—					
C-	Utah*	\$5,000	\$0	\$500	\$500	✓
C	—					
C+	—					
B-	—					
B	Alabama	\$5,000**	\$2,000**	\$0	\$0	
B	Arkansas	\$10,000**	\$2,500**	\$0	\$0	
B	Kansas	\$100	\$100	\$0	\$0	✓
B	Maine*	\$2,500	\$2,500	\$0	\$0	✓
B	South Carolina	\$10,000**	\$2,500**	\$0	\$0	
B	Texas	\$5,000**	\$2,500**	\$0	\$0	✓
B+	Hawaii*	\$1,500**	\$1,500**	\$0	\$0	
B+	Missouri*	\$1,000	\$1,000	\$0	\$0	
B+	New Hampshire*	\$1,000	\$1,000	\$1,000	\$1,000	
B+	Vermont	\$2,000	\$2,000	\$2,000	\$0	
A-	Alaska	\$0	\$1,000**	\$0	\$0	
A-	Oklahoma*	\$2,500	\$2,500	\$0	\$0	
A-	Pennsylvania	\$200	\$200	\$200	\$200	
A-	Missouri	\$1,000	\$1,000	\$0	\$0	
A	Arizona*	\$0	\$0	\$0	\$0	
A	California	\$0	\$0	\$0	\$0	
A	Connecticut	\$0	\$0	\$0	\$0	
A	Delaware*	\$0	\$0	\$0	\$0	
A	Florida	\$0	\$0	\$0	\$0	
A	Georgia	\$0	\$0	\$0	\$0	
A	Idaho	\$0	\$0	\$0	\$0	
A	Illinois	\$0	\$0	\$0	\$0	
A	Indiana	\$0	\$0	\$0	\$0	
A	Iowa*	\$0	\$0	\$0	\$0	
A	Maryland	\$0	\$0	\$0	\$0	
A	Massachusetts	\$0	\$0	\$0	\$0	
A	Michigan*	\$0	\$0	\$0	\$0	
A	Minnesota	\$0	\$0	\$0	\$0	
A	Mississippi	\$0	\$0	\$0	\$0	
A	Montana	\$0	\$0	\$0	\$0	
A	Nebraska	\$0	\$0	\$0	\$0	
A	Nevada*	\$0	\$0	\$250	\$250	
A	New Jersey	\$0	\$0	\$0	\$0	
A	New Mexico*	\$0	\$0	\$0	\$0	
A	New York	\$0	\$0	\$0	\$0	
A	North Carolina	\$0	\$0	\$0	\$0	
A	North Dakota	\$0	\$0	\$0	\$0	
A	Ohio	\$0	\$0	\$0	\$0	
A	Oregon	\$0	\$0	\$0	\$0	
A	Rhode Island	\$0	\$0	\$0	\$0	
A	South Dakota*	\$0	\$0	\$0	\$0	
A	Tennessee*	\$0	\$0	\$0	\$0	
A	Virginia*	\$0	\$0	\$0	\$0	
A	Washington	\$0	\$0	\$0	\$0	
A	Wisconsin*	\$0	\$0	\$0	\$0	

## Grading Scale

**Fees – a total of 100 possible points**

- 58 (F)** Any fee over \$3,000
- 65 (D)** \$0-\$1,500 state fee with petition option
- 68 (D+)** \$2,250-\$3,000 party fee
- 72 (C-)** \$1,501-\$2,250 party fee
- 75 (C)** \$751-\$1,500 party fee
- 78 (C+)** \$0-\$750 party fee
- 82 (B-)** \$2,251 - \$3,000 state processing fee
- 85 (B)** \$1,501- \$2,250 state processing fee
- 88 (B+)** \$751-\$1,500 state processing fee
- 92 (A-)** \$1-\$750 state processing fee
- 100 (A)** No fees

\*Indicates states with early primaries—January or February 2004

\*\*Indicates that the fee is assessed by the political party, not the state

For more detailed information about these scores, please see Appendix C

# FINDINGS

In assessing state grades, the Reform Institute started with the standard that political parties should be treated equally across the board, in terms of petition signature requirements and access fees.

## Petition Signatures

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### 1. Only two states received A's for balanced signature requirements.

The Institute found that only two states use such a method—**Connecticut** and **Georgia**. Typically, states use a flat number or a percentage of voters to calculate the petition signature requirements for presidential candidates. In fact, the majority of states have signature gaps between political parties that exceed 4,000 signatures. These gaps demonstrate inequities in the ballot access system and send a message that minority parties have to work harder to get on the ballot.

### 2. Half of all states have unfair petition signature requirements

The most significant inequities were found in the petition signature requirements for presidential candidates in 24 states, which received “Ds” and “Fs.” These states scored poorly because the petition signature requirements differed between political parties by more than 7,000 signatures. In **Arizona**, for example, an Independent presidential candidate must collect over 66,000 petition signatures in order to get on the ballot, while no signatures at all are required for Democrats and Republican candidates.

### 3. Half of the early primary states flunked the petition signature test

Eight of the nineteen states holding presidential primaries in January and February of 2004 received “Ds” and “Fs” including **Arizona, Michigan, Oklahoma, South Carolina, Nevada, New Mexico, South Dakota,** and **Wisconsin**.

These priority states for presidential candidates are sending mixed messages to the candidates—on the one hand, these states pride themselves in being the focus of the presidential primary election, and yet barriers exist in these very states that may have discouraged candidates from running for office in the first place.

### 4. Eight most populous states failed the petition signature test

The eight most populous states have severe barriers to participation in the political process—**California, Florida, Illinois, Michigan, New York, Ohio, Pennsylvania,** and **Texas**. As the most populous states, these are also the most prized states by presidential candidates because, in the electoral college, these states have the ability to make or break a presidential candidate.

### 5. Nearly all of the least populous states passed the petition signature test

Seven of the eight least populous states received passing grades for their petition signature rules—**Vermont, Rhode Island, Montana, Wyoming, Alaska, North Dakota,** and **Delaware**. These states have few electoral votes in the presidential race, however their ballot access processes are fair across party lines.

# FINDINGS

## *continued*

### Access Fees

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At first glance, there does not seem to be a widespread problem with fees because 31 states received an "A" grade for not requiring fees from candidates. However, there are some lessons we can learn from the 17 states that do require fees.

#### **1. Nearly one-quarter of the states with fees imposed flunked the access fee test**

**West Virginia, Colorado, Kentucky, and Louisiana** have a fee system that is a serious barrier to democracy. The petition option in these states, coupled with the fees, sends a message to candidates that they can "pay up" and get out of grassroots campaigning.

#### **2. More state Republican parties ask candidates to pay higher fees than the rival Democratic parties or their third party or independent competitors.**

In **Alabama, Arkansas, South Carolina, and Texas**, the Republican party fee imposed on candidates is greater than the fees imposed on candidates from other parties. The **Arkansas** Republican party requires \$10,000 from its candidates while the state Democratic party requires \$2,500. The independent and third party candidates in **Arkansas** are not required to pay any fee. If state parties require fees, they should be reasonable and not prohibitive and imbalanced.

#### **3. Minor party and Independent party candidates are never asked to pay fees by their parties.**

The only fees Minor party and Independent parties are asked to pay are those required by the state and are required by all candidates from all parties.

# Alabama



## Major or minor party qualifications for statewide ballot access:

Received more than 20% of the total votes in the state at the last general election (by this method only the Democratic and Republican parties qualify) [17-16-2]

**Or** file a petition with the Secretary of State containing signatures equal or exceeding 3% of the electors who cast ballots for the office of governor in the last general election (in 2000, this equaled 39,535 signatures) [17-8-2.1]

**Deadline:** primary election day [17-8-2.1]

## Primary ballot access:

**Petition:** 500 signatures total or 50 signatures from each congressional district [17-16a-3]

**Deadline:** March 1—March 15 [17-16a-3]

**Party filing fee:** Democrats — \$2,000;  
Republicans — \$5,000;

## General ballot access for independent candidates:

**Petition:** 5,000 signatures [17-19-2]

**Deadline:** August 31 [17-19-2]

**No filing fees**

**Last day to withdraw from the ballot:** 48 days before the election

**Primary date:** first Tuesday in June (**June 1, 2004**) [17-16a-1]

Participation: Open primary

**Voter registration:** 10 days before the primary

## Score Card:

Ballot Access by petition:	C+
Fees:	B-

## Contact the Elections Division:

**Website:** <http://www.sos.state.al.us/election/index.cfm>

**Phone:** (800) 274-8683

# Alaska



## General ballot access for major parties:

After the national convention, the party's national committee notifies the Secretary of State of its candidates [15.30.010-100]

**Party filing fee:** Democrats - \$1,000; Republicans - none

## General ballot access for minor party and independent candidates:

**Petition:** 1% of all votes cast in the previous presidential election for minor party candidates (In 2004, this will be approximately 2,818 signatures). Currently, Alaska lacks a procedure for Independent presidential candidates to get on the ballot other than forming a minor party. [15.30.010.100]

**Deadline:** 90 days before the election [15.30.010-100]

**No filing fees**

**Last day to withdraw from the ballot:** 48 days before the election

**CAUCUS STATE: NO PRIMARY**

**Voter registration: 30 days before the election**

## Score Card:

Ballot Access by petition:	C+
Fees:	A-

## Contact the Division of Elections:

**Website:** <http://www.elections.state.ak.us>

**Phone:** (907) 465-4611

**Email:** [Gail\\_Fenumiai@gov.state.ak.us](mailto:Gail_Fenumiai@gov.state.ak.us)

# Arizona



## Recognized party qualifications:

Received not less than 5% of the total votes cast for governor or presidential electors in the last general election [16-804]

**Or** has registered electors in the party equal to at least 2/3 of 1% of the total registered electors by October 1 of the year immediately preceding the election [16-244]

## New party qualifications:

**Petition:** not less than 1 and 1/3% of all votes cast for governor or presidential elector in the last general election [16-801]

**Deadline:** file between 140 and 180 days before the primary [16-244]

## Presidential Preference Election ballot access:

**File** a nomination paper with the Secretary of State [16-242]

**Deadline:** file between 40 and 70 days before the Presidential Preference Election [16-242]

## General ballot access for unrecognized party and independent candidates:

**File** a nomination paper with the Secretary of State [16-311]

**Petition:** 3% of voters statewide ( in 2004, this will be approximately 66,875 signatures) [16-341]

**Deadline:** file between 90 and 120 days before the general election [16-341 & 16-311]

**Last day to withdraw from the ballot:** no statute

**Presidential Preference Election date:**  
fourth Tuesday in February (**February 3, 2004**) [16-241a]

Participation: Closed primary

**Voter registration:** 29 days before the election

## Score Card:

Ballot Access by petition:	F
Fees:	A

## Contact the Elections Services Division:

**Website:** <http://www.sos.state.az.us/election/>  
**Phone:** (602) 542-8683  
**Email:** [elections@sos.state.az.us](mailto:elections@sos.state.az.us)

# Arkansas



## Recognized party qualifications:

Received at least 3% of the votes for governor or presidential electors in the last general election\* [7-1-101(16)]

## Primary ballot access:

Each political party shall be responsible for determining the qualifications of candidates seeking nomination by the political party, provide necessary applications for candidacy, accept and process the applications, and determine the order of its ballot [7-7-201(5)]

### Democratic Party Requirements:

**File** with the party in April

**Petition:** 3% of voters in the previous presidential primary (in 2004, this will approximately 46,913 signatures) or 1,000 per congressional district, whichever is less

**Party filing fee:** \$2,500

**Deadline:** pay fee between the third Tuesday in March and 14 days after [7-7-203(c)]

### Republican Party Requirements:

**File** with the party in April

**Party filing fee:** \$10,000 (Note: fee was \$5,000 in 2000)

**Deadline:** pay fee between the third Tuesday in March and 14 days after [7-7-203(c)]

## New party qualifications:

**Petition:** 3% of the total number of votes cast for governor or presidential electors, whichever is less, in the last general election [7-7-205]

**Circulate** 150 days before deadline [7-7-205]

**Deadline:** first Monday in May [7-7-205]

## General ballot access for new parties:

New parties may nominate candidates by convention

[7-7-205]

## General ballot access for unrecognized party candidates:

**Petition:** 1,000 signatures [7-8-302(5b)]

**Deadline:** first Monday in August [7-8-302(5b)]

**No filing fees**

## General ballot access for independent candidates:

**Petition:** 3% of voters statewide (in 2004, this will be approximately 46,913 signatures) [7-7-103]

**Deadline:** May 1 [7-7-103]

**No filing fees**

**Last day to withdraw from the ballot:** no statute

**Primary date:** Tuesday three weeks prior to the second Tuesday in June (**May 18, 2004**) [7-7-203(b)]

Participation: Closed primary

**Voter registration:** 30 days before the election

\* In Reform Party v. Priest, a US district court ruled that Arkansas cannot require more signatures for a new party than it requires for a statewide independent candidate (10,000 signatures). Therefore, qualifying as a recognized party should only require 10,000 petition signatures. However, the secretary of state refuses to obey the courts decision and instead the 3% rule remains in practice.

### **Score Card:**

Ballot Access by petition:	F
Fees:	B-

### **Contact the Secretary of State:**

**Website:** <http://www.sosweb.state.ar.us/elect.html>

**Phone:** (501) 682-3419

**Email:** SKInman@sosmail.state.ar.us



# California



## Party qualifications for primary ballot access:

Received at least 2% of the entire vote of the state in the last gubernatorial election

**Or** before the 135<sup>th</sup> day before the statewide primary, at least 1% of the entire vote of the state at the last preceding gubernatorial election have declared their intention to affiliate with the party

**Or** before the 135<sup>th</sup> day before the primary, the proposed party submits a petition signed by voters of at least 10% of the entire vote of the state at the last gubernatorial election [5100]

(As of January 1, 2003, the Democrats, Republicans, American Independents, Green, Libertarian and Natural Law parties have qualified)

## Primary ballot access:

### 1. Secretary of State

Selects major party candidates based on media recognition, matching funds eligibility, active campaigning, and appearance on other primary ballots [6041, 6340, 6520, 6720]

Announcement of selection is made between the 150<sup>th</sup> day and 120<sup>th</sup> day preceding the primary election [6041, 6340, 6520, 6720]

### 2. Petition (for those not selected)

#### Democratic Party Requirements:

**Petition:** 1% of registered voters or 500 in each of the 53 congressional districts (26,500 signatures maximum), whichever is fewer [6061]

**Deadline:** circulate between 120 and 75 days before the primary [6122]

#### All Other Party Requirements:

**Petition:** 1% of registered voters statewide (in 2004, this will be approximately 153,804) [6343, 6523, 6568, 6725]

**Deadline:** circulate between 104 and 74 days

before the primary [6382, 6591, 6791]

## No filing fees

## General ballot access for unrecognized party and independent candidates :

**Qualify** a group of 55 Presidential electors who pledge their votes to the presidential nominee

**Petition:** 1% of registered voters statewide (in 2004, this will be approximately 153, 805 signatures) [8400]

**Deadline:** circulate between 193 and 88 days before the general election [8403]

## No filing fees

**Last day to withdraw from the ballot:** 68 days before the election

**Primary date:** first Tuesday in March  
**(March 2, 2004)** [1202]

Participation: Until 2000, California had statewide blanket primaries. This system was ruled unconstitutional by the Supreme Court. California now has “modified” closed primaries: 135 days before the election, parties may file a statement with the Secretary of State notifying a change of bylaws allowing non-affiliated people to vote in their party’s primary. If no statement is filed, the primary is

### Score Card:

Ballot Access by petition:	F
Fees:	A

### Contact the Elections Division:

**Website:** <http://www.ss.ca.gov/elections/elections.htm>  
**Phone:** (916) 657-2166  
**Email:** [Elections@ss.ca.gov](mailto:Elections@ss.ca.gov)

# Colorado



## Party qualifications for primary ballot access:

**Received** at least 20% of the votes in the last presidential election [1-4-1203(1)(a)]

## Primary ballot access:

**Qualify** for federal “presidential primary matching payment” [1-4-1203(1)(a)]

**File** a statement of intent with the Secretary of State [1-4-1203]

**Petition:** 5,000 signatures

**Or filing fee:** \$500 [1-4-1203(1)(c)]

**Deadline:** second day of January [1-4-1203(1)(c)]

## Minor party qualifications for general ballot access:

The party may nominate a candidate if it meets one of the following requirements:

Previous presidential candidate received 5% of the vote in the last 2 elections [1-4-1303]

**Or** 1,000 registered voters are affiliated with the party prior to July 1 [1-4-1303]

**Or petition:** 10,000 signatures

**Deadline:** May 1 [1-4-1302]

The party nominates a candidate by filing a certificate of designation 120 days before the general election [1-4-1304]

## General ballot access for independent

## candidates:

**File** a statement of intent with the Secretary of State [1-4-303]

**Petition:** 5,000 signatures [1-4-802]

**Or filing fee:** \$500 [1-4-303]

**Deadline:** 120 days before the general election [1-4-303]

**Last day to withdraw from the ballot:** withdrawal not permitted

**CAUCUS STATE: NO PRIMARY**

**Participation: Closed primary**

## Score Card:

Ballot Access by petition:	D+
Fees:	F

## Contact the Elections Center:

**Website:** <http://www.sos.state.co.us/pubs/elections/main.htm>

**Phone:** (303) 894-2200 ext. 6307

**Email:** [sos.elections@state.co.us](mailto:sos.elections@state.co.us)

# Connecticut



## Major party qualifications:

For purpose of the presidential primary only, "party" means political party with the largest or second-largest enrollment in the state [9-463(6)]

## Primary ballot access:

### 1. Secretary of State

Selects candidates based on "general and serious advocacy or recognition," meaning media attention, active campaigning, etc. Liberal interpretation is used [9-465]

Announcement of selection is made at 10 am the 74th day before the primary [9-466]

### No filing fees

### 2. Petition (for those not selected)

Issued beginning 12 noon on the 74th day before the primary [9-467]

**Petition:** 1% of registered party voters (for Democrats, this is approximately 6,300 signatures; for Republicans: 4,300 signatures) [9-469]

**Deadline:** 4 pm on the 46th day before the primary [9-468]

## Minor party qualifications:

Received 1% of votes cast for president in the previous election [9-372]

## General ballot access for minor party candidates:

Party submits nomination directly to the Secretary of State [9-452]

**Deadline:** 55th day before the general election [9-452]

## General ballot access for unrecognized party and independent candidates:

**Petition:** 1% of turnout at last presidential election or 7,500 signatures, whichever is less (for presidential candidates, this will usually be the latter) [9-453(d)]

**Deadline:** 90th day before the general election [9-453i, 9-405, 9-423]

**Last day for replacement on the ballot:** 10 days before the election

**Primary date:** first Tuesday in March (**March 2, 2004**) [9-464]

Participation: Closed primary

**Voter registration:** 5 days before the primary by mail; 12 noon the day before the primary in person; 14 days before the general election

There is a 3 month waiting period to change party affiliation

## Score Card:

Ballot Access by petition:	C
Fees:	A

## Contact the Elections Division:

**Website:** <http://www.sots.state.ct.us/ElectionsDivision/ElectionIndex.html>

**Phone:** (860) 509-6100

**Email:** [elections@po.state.ct.us](mailto:elections@po.state.ct.us)

# Delaware



## Party qualifications for statewide ballot access:

Has registered voters equal to at least 5/100 of 1% of the total number of voters by December 31 [15-3001]

## Primary ballot access:

**Qualified** for Presidential Primary Matching funds [15-3184]

**Or petition:** 500 signatures [15-3184]

**File** notification of candidacy with the State Election Commissioner

**Deadline:** at least 30 days prior to the primary, but not before the third Friday in December or after the first Friday in January [15-3183(a)]

Fifteen days after the deadline, the state party chairman can provide a list of those not already on the ballot, provided they are eligible for Presidential Primary Matching funds [15-3183(b)]

**No mandatory filing fees.** The Republican party "encourages" a fee of \$5,000 for party costs

## General ballot access for minor party candidates:

Party nomination results submitted to State Election Commissioner [15-3301]

**Deadline:** September 1 [15-3303]

**No filing fees**

## General ballot access for independent candidates:

**File** sworn declaration

**Petition:** 1% of total number of registered voters

from previous year (in 2004, this will be approximately 5,205 signatures) [15-3002]

**Circulate** between January 1 and July 15 [15-3002]

**Deadline:** September 1 [15-3002]

**Last day to withdraw from the ballot:**  
September 1

**Primary date:** first Saturday after New Hampshire's primary (**February 3, 2004**) [15-3181(a)]

**Voter registration:** Register with the state 21 days before the primary election or 20 days before the general election; register with the party 24 hours before the election

## Score Card:

Ballot Access by petition:	C-
Fees:	A

## Contact the Department of Elections:

**Website:** <http://www.state.de.us/election/index.htm>  
**Phone:** (800) 273-9500  
**Email:** [vote@state.de.us](mailto:vote@state.de.us)

# Florida



## Major party qualifications:

Has more than 5% of the total registered voters in the state [97.021]

## Primary ballot access:

Party submits candidate list to the Secretary of State by December 31 [9-103.101(2)(a)]

## General ballot access for major or minor party candidates:

Party is affiliated with a national party holding a national convention

Party submits the name of the candidate and a list of electors to the Department of State

**Deadline:** Prior to September 1 [103.021(4a)]

Party is not affiliated with a national party holding a national convention

**Petition:** 1% (in 2004, this will be approximately 93,023 signatures) of the registered electors of the state [103.021(4b)]

**Deadline:** July 15 [103.021(4b)]

## General ballot access for independent

## candidates:

**Petition:** 1% (in 2004, this will be approximately 93,023 signatures) of registered electors of the state [103.021(3)]

**Deadline:** July 15 [103.021(3)]

**Last day to withdraw from the ballot:** 42 days before the election

**Primary date:** Second Tuesday in March

## Score Card:

Ballot Access by petition: F

Fees: A

## Contact the Division of Elections:

**Website:** <http://election.dos.state.fl.us/>

**Phone:** (850) 245-6200

**Email:** [DivElections@mail.dos.state.fl.us](mailto:DivElections@mail.dos.state.fl.us)

# Georgia



## Major party qualifications:

Received more than 20% of the votes for president and vice president in the last presidential election or received 1% of the votes in the last general state election [21-2-191]

## Primary ballot access:

Party submits a list of candidates to appear on the primary ballot to the Secretary of State [21-2-193]

**Deadline:** December 31 [21-2-193]

**No filing fees** [21-2-198]

## General ballot access for minor party candidates:

**File** notice of candidacy

**Certify** that the candidate was nominated by convention [21-2-170 & 21-2-172]

**Petition:** 1% of total votes from previous presidential election (in 2004 this will be approximately 27,742 signatures)[21-2-170]

**Circulate** no earlier than 180 days before the deadline [21-2-170]

**Deadline:** between 9 am the fourth Monday in June and 12 noon the second Tuesday in July [21-2-132]

## General ballot access for independent candidates:

**File** notice of candidacy

**Petition:** 1% of total votes from previous presidential election (in 2004 this will be approximately 25,742 signatures) [21-2-170]

**Circulate** no earlier than 180 days before the deadline [21-2-170]

**Deadline:** between 9 am the fourth Monday in June and 12 noon the second Tuesday in July [21-2-132]

**Last day to withdraw from the ballot:** 60 days before the election

**Primary date:** first Tuesday in March (**March 2, 2004**) [21-2-191]

Participation: Open primary

## Score Card:

Ballot Access by petition:	A
Fees:	A

## Contact the Elections Division:

**Website:** <http://www.sos.state.ga.us/elections/>  
**Phone:** (404) 656-2871

# Hawaii



## National party qualifications:

Appears on the ballot in at least one state other than Hawaii

**Or** the Secretary of State deems the party as having made a bona fide effort to become a national party before the filing deadline [11-113(b)]

**Petition:** One-tenth of 1% of registered voters

## General ballot access for national party candidates:

Party files an application with the chief election officer

**Deadline:** 4:30 pm 60 days before the general election [11-113(c)]

**Party filing fees:** Democrats — \$1,500; Republicans — none

## General ballot access for non-national party and independent candidates:

**File application**

**Petition:** 1% of votes cast in previous presidential election (in 2004, this will be approximately 3,677 signatures) [11-113(c)(2)]

**Deadline:** 4:30 pm 60 days before the general election [11-113(c)(2)]

**Last day to withdraw from the ballot:** withdrawal not permitted

## CAUCUS STATE: NO PRIMARY

**Voter registration:** register with the state 30 days before the general election; register with the party 10 days before the general election

## Score Card:

Ballot Access by petition:	C
Fees:	B+

## Contact the Office of Elections:

**Website:** <http://www.state.hi.us/elections/>

**Phone:** (808) 453-8683

**Email:** [elections@aloha.net](mailto:elections@aloha.net)

# Idaho



## Recognized party qualifications:

Retained ballot status [34-501]

Has candidates running for office in more than 3 offices

## Primary ballot access:

### 1. Secretary of State

Selects nationally recognized candidates [34-732(1)]

Announcement of the selection is made 60 days prior to the primary [34-732(1)]

### 2. Petition (for those not selected)

1% of votes in the previous presidential election [34-732(3)(a)] (for 2004, this will be approximately 5,016 signatures)

**Deadline:** 30 days before the primary [34-732(3)(b)]

## General ballot access for minor party candidates:

State party chairman submits candidate names to the Secretary of State

**Deadline:** September 1 [34-711]

## General ballot access for new party candidates:

**Petition:** 2% of the vote (in 2004 this will be appx. 10,032) [34-501(c)]

**Deadline:** August 30

## General ballot access for independent candidates:

**Petition:** 1% of votes in the previous presidential election (in 2004 this will be approximately 5,016) [34-708A]

**Deadline:** August 24 [34-708A]

**Last day to withdraw from the ballot:** 45 days before the election

**Primary date:** fourth Tuesday in May (**May 25, 2004**) [34-601]

Participation: Open primary

**Voter registration:** 25 days before the election by mail (postmarked); within 24 days before the election in

### Score Card:

Ballot Access by petition:	D+
Fees:	A

### Contact the Elections Division:

**Website:** <http://www.idsos.state.id.us/elect/eleindex.htm>

**Phone:** (208) 334-2300

**Email:** [sosinfo@idsos.state.id.us](mailto:sosinfo@idsos.state.id.us)



# Illinois



## Established party qualifications:

Received more than 5% of the vote in the last gubernatorial election or receive 5% of the vote for any statewide office. [5/10-2]

## Primary ballot access:

**Petition:** 3,000–5,000 signatures [5/7-11]

**Deadline:** between 99 and 92 days before the primary or between 69 and 62 days before the primary [5/7-11]

(Both Democrats and Republicans selected the second option in 2000)

**No filing fees**

## New party qualifications:

Received less than 5% of the vote in the last gubernatorial election [5/7-2 & 5/10-2]

Party must file a petition with 1% of voters or 25,000 signatures, whichever is less, along with a full slate of candidates [5/10-2]

## General ballot access for new party and independent candidates:

**File nomination paper**

**Petition:** 1% of voters or 25,000 signatures, whichever is less [5/10-3]

**Deadline:** 141 and 134 days before the election

[5/10-6]

In 2000, there were four new parties (Green, Independent, Libertarian, Reform) and one independent candidate

**Last day to withdraw from the ballot:** 67 days prior to the election

**Primary date:** third Tuesday in March (**March 16, 2004**) [5-2A-1.1]

Participation: Closed primary, with no preliminary party enrollment

**Voter registration:** 29 days before the primary election; 28 days before the general election

## Score Card:

Ballot Access by petition:	F
Fees:	A

## Contact the State Board of Elections:

**Website:** <http://www.elections.state.il.us/>

**Email:** [webmaster@elections.state.il.us](mailto:webmaster@elections.state.il.us)

# Indiana



## Major party qualifications:

Either of the two parties that received the highest number of votes in the last election for Secretary of State [3-5-2-30]

## Primary ballot access:

**File** declaration of candidacy with the Secretary of State [3-8-3-1]

**Deadline:** noon 74 days before the primary

**Petition:** 4,500 signatures, including 500 from each congressional district [3-8-3-2]

File petitions with the county voter registration offices in the counties where the signatures were obtained

**Deadline:** noon 84 days before the primary [3-8-3-4 & 3-8-2-4]

**No filing fees**

## Qualified minor party qualifications:

Received between 2 and 10% of the vote in the last election for Secretary of State [3-8-4-10]

## General ballot access for qualified minor party candidates:

State party chairman submits candidate names to the election division [3-10-4-5]

**Deadline:** September 1 [3-10-4-5]

In 2000, the Libertarian party was the only qualified minor party

## General ballot access for non-qualified and independent candidates:

**Petition:** 2% of votes cast in the most recent election for Secretary of State (in 2002, this was 30,716 signatures and only one candidate succeeded in getting on the ballot: Pat Buchanan of the Reform Party) [3-8-6-3]

**Deadline:** between January 1 and noon June 30 [3-8-6-10]

**No filing fees**

**Last day to withdraw from the primary ballot:** 74 days before the primary [3-8-2-20]

**Primary date:** first Monday in May (**May 4, 2004**) [3-10-1-3]

Participation: Closed primary

**Voter registration:** 29 days before the election

## Score Card:

Ballot Access by petition:	F
Fees:	A

## Contact the Elections Division:

**Website:** <http://www.in.gov/sos/elections/>  
**Phone:** (317) 232-3939  
**Email:** [elections@iec.state.in.us](mailto:elections@iec.state.in.us)

# Iowa



## Party qualifications for statewide ballot access:

Received at least 2% of the vote for governor or president in the last general election [43.2]

## General ballot access for major party candidates:

Party submits names of candidates to the secretary of state by 5:00 pm 81 days before the general election [54.5]

## General ballot access for minor party and independent candidates:

**File** a nomination document including the names of the candidates for president and vice president

**File** a list of the names of the candidates for 7 presidential electors - 1 from each congressional district and 2 from the state at-large

**Petition:** 1,500 signatures in not less than 10 counties [45.1]

**Convention (for minor parties only):** Minimum attendance requirement is 250 eligible electors including at least 1 eligible elector from each

of the 25 counties

**Filing period:** between 99 and 81 days before the general election [44.4]

**Last day to withdraw from the ballot:** 89 days before the election

## CAUCUS STATE: NO PRIMARY

**Voter registration:** 10 days before the primary or general election; however, registration applications submitted by mail and postmarked 15 or more days before the election are considered on time even if they are received after the deadline

### Score Card:

Ballot Access by petition: B-

Fees: A

### Contact the Elections Division:

**Website:** <http://www.sos.state.ia.us/elections/>

**Phone:** (515) 281-0145

**Email:** [sos@sos.state.ia.us](mailto:sos@sos.state.ia.us)

# Kansas



## Primary ballot access:

Only Democratic and Republican candidates may appear on the primary ballot

**File** a declaration of intent with \$100 [25-4502]

**Or petition:** 1,000 signatures [25-4502]

The state legislature frequently cancels presidential primary elections for various reasons. The most recent was in 1992, and before that in 1980.

## “Recognized” party qualifications:

**Petition:** 2% of the last vote for Secretary of State.

**Or** received at least 5% of the vote in the last gubernatorial election for parties that nominate by primaries rather than by convention.

## General ballot access for recognized party candidates:

Party notifies the Secretary of State after the national convention

## General ballot access for independent candidates

**Petition:** 5,000 signatures [25-303]

**Deadline:** noon the first Monday of August [25-305 & 25-203]

**Last day to withdraw from the ballot:** none

**Primary date:** March 13, 2004

Note: In 2000, the legislature amended 25-4501 to authorize the Secretary of State to set the date of the primary if he can identify at least 5 other states to participate in a multi-state primary on the same date. If he finds the states, he is to certify the date to the legislature and governor by November 3, 2004. If not, the date of the primary defaults to the first Tuesday in April.

Participation: Closed primary

## Score Card:

Ballot Access by petition:	C-
Fees:	C+

## Contact the Elections Division:

**Website:** <http://www.kssos.org/election/elewelc.html>

**Phone:** (785) 296-4559

**Email:** BradB@kssos.org

# Kentucky



## Major party qualifications:

Received 10% or more of the vote for governor / lieutenant governor in the preceding election

**Or** has registration equal to 10% or more of the total registered voters [118.551]

## Primary ballot access:

### 1. State Board of Elections

Nominates candidates that qualify for matching federal campaign funds [118.581]

The nominated candidates:

**File** a notice of candidacy with the Secretary of State with the **filing fee** of \$1,000 by the last Tuesday in January [118.591]

### 2. Petition (for those not selected)

**Petition:** 5,000 signatures of registered voters of the same political party [118.591]

**Or file** a notice of candidacy and a certification by the FEC that, by the filing deadline, the candidate has qualified for matching federal campaign funds

**Or file** a notice of candidacy and evidence that, by the filing deadline, the candidate's name is qualified to appear on the presidential preference primary ballot of his political party in at least 20 other states [118.591]

**Fee:** \$1,000 (required by all above candidates) [118.611]

**Deadline:** last Tuesday in January [118.592(2)]

## Political organization qualifications:

Received at least 2% of the vote of the state at the preceding election for presidential electors [118.325] (Note: no political organizations qualify in Kentucky at this time)

## General ballot access for independent candidates or political groups:

("Political group" means a political group not constituting a political party or a political organization [118.015])

**Petition:** 5,000 signatures of registered voters statewide [118.315]

Signatures shall not be solicited prior to the first Wednesday after the first Monday in November of the year preceding the election [118.315]

**Deadline:** not later than the first Tuesday in September [118.365(6)]

**Filing Fee:** \$500 [118.255]

**Last day to withdraw from the ballot:** not later than the second Monday after the filing deadline for the primary; not later than the Thursday after the first Tuesday in September preceding a general election

**Primary date:** first Tuesday after the third Monday in May (**May 18, 2004**) [118.561]

## Score Card:

Ballot Access by petition:	B+
Fees:	F

## Contact the State Board of Elections:

**Website:** <http://www.kysos.com/INDEX/main/elecdiv.asp>

**Phone:** (502) 573-7100

**Email:** [natalie.jensen@mail.state.ky.us](mailto:natalie.jensen@mail.state.ky.us)

# Louisiana



## Recognized party qualifications:

Received at least 5% of the vote for one of the candidates for president elector in the last election

**Or** have at least 5% of registered voters in the state [18:441]

## Primary ballot access:

**File** notice of candidacy [1280.22(d)]

**Filing fee:** \$1,125 (\$750 to the state, \$375 to the state party central committee) [18:1280.22 & 18:464]

**Or petition:** 1,000 signatures [18:1280.22]

Circulate between 120 days before the qualifying period to 30 days before the end of the qualifying period [18:465B, 18:465 (E)(a)]

**Deadline** (aka "qualifying period"): between the last Wednesday in January and 5 pm the following Friday [18:1280.22 (B)(3)(d)]

**Party filing fees:** Democrats - none; Republicans - \$5,000;

## General ballot access for non-recognized and independent candidates:

**File** notice of candidacy

**Submit** slate of electors [18:1254]

**Filing fee:** \$500 [18:1254]

**Or petition:** 5,000 signatures with 500 from each congressional district [18:465(c) & 18:1254]]

**Deadline:** between the first Tuesday in August and 5 pm the first Tuesday in September [18:1255]

**Last day to withdraw from the ballot:** election day

**Primary date:** second Tuesday in March (**March 9, 2004**) [18:1280.21]

Participation: Closed primary

**Voter registration:** 24 days before the election

## Score Card:

Ballot Access by petition:	C
Fees:	F

## Contact the Elections Division:

**Website:** <http://www.sec.state.la.us/elections/elections-index.htm>

**Phone:** (225) 342-4970

**Email:** [elections@sec.state.la.us](mailto:elections@sec.state.la.us)

# Maine



## Recognized party qualifications:

Listed on the ballot in either of the last 2 elections, held municipal caucuses and a convention, and its candidate for governor or president polled at least 5% in either of the last 2 elections [21A-301]

(Currently, the Republican, Democratic, and Green Independent parties have qualified)

## Primary ballot access:

**Petition:** 2,000 – 3,000 signatures [21A-412]

**Or filing fee:** \$2,500 [21A-412]

**Deadline:** December 1, 2003 [21A-412]

## General ballot access for non-recognized and independent candidates:

**Petition:** 4,000- 6,000 signatures [21A-354]

**Deadline:** August 15 [21A-354]

(In 2000, two non-recognized party candidates were on the general ballot: the Libertarian and Constitution parties)

**Last day to withdraw from the ballot:** 60 days before the election

**Primary date:** February 8, 2004 [21A-411]

**Voter registration:** 10 days before the election by mail; day of election in person; 15 days prior to the election to change parties provided that the voter has been enrolled in a qualified party for at least 3 months. [21A-142]

## Score Card:

Ballot Access by petition:	C+
Fees:	C+

## Contact the Division of Elections:

**Website:** <http://www.state.me.us/sos/cec/elec/elec.htm>

**Phone:** (207) 624-7650

**Email:** [cec.elections@state.me.us](mailto:cec.elections@state.me.us)

# Maryland



## Principal party requirements:

Majority party—principal party whose candidate for governor received the highest number of votes at the last preceding election

Principal minority party—candidate for governor received the second highest number of votes of any party at the last general election

## Primary ballot access:

### 1. Secretary of State

Selects candidate through media recognition [8-502 (2)]

Announcement of the Democratic candidate: first business day of the election year

Announcement of the Republican (or any other party) candidate: at least 70 days preceding the date set for the primary election [8-502]

### 2. Petition (for those not selected)

400 signatures from each of the eight congressional districts to the State Board of Elections [8-502 (b)(2) and (d)(1)]

**Deadline— Democrats:** no later than 9 p.m. one week after the first business day of the election year [8-502 (i)]

**Deadline — Republicans** (or any other party): at least 70 days preceding the date set for the primary election [8-502 (ii)]

**No filing fees**

## New party requirements:

**Petition:** 10,000 signatures

**Deadline:** first Monday in August before the election

Gain the Attorney General's approval of Constitution and bylaws [§4-102 (2)(i)]

## General ballot access for Independent candidates:

**Petition:** 1% of registered voters (in 2004 this will be approximately 27,246)

**Deadline:** first Monday in August [4-102 (f)]

**Last day to withdraw from the ballot:** 5 days before the election

**Primary date:** first Tuesday in March  
**(March 2, 2004)** [8-201]

Participation: Closed primary, but the parties have the option of changing it

**Voter registration:** 21 days before the election

## Score Card:

Ballot Access by petition:	F
Fees:	A

## Contact the State Board of Elections:

**Website:** <http://www.elections.state.md.us/>

**Phone:** (410) 269-2840

**Email:** [sep@elections.state.md.us](mailto:sep@elections.state.md.us)



# Massachusetts



## Recognized party qualifications:

Received 3% of the vote in the previous statewide election

**Or** have voters equal to or greater than 1% of voters in the state [50-1]

These parties are eligible to hold a nominating primary, but also have the option of nominating within the party (Currently, the Republican, Democratic, Libertarian, and Green parties qualify)

## Primary ballot access:

### 1. Secretary of State

Places nationally recognized candidates on the ballot [53-70E]

### 2. Petition (for those not selected)

2,500 signatures statewide [53-70E]

**Deadline:** first Friday in January [53-48]

## General ballot access for non-recognized and independent candidates:

**Petition:** 10,000 signatures [53-6]

**Deadline:** last Tuesday in August [53-10]

**Last day to withdraw from the ballot:** 6 days after the primary

**Primary date:** first Tuesday in March  
**(March 2, 2004)** [53-28]

**Voter registration:** 20 days before the election [51-26&28]

## Score Card:

Ballot Access by petition: D-

Fees: A

## Contact the Elections Division:

**Website:** <http://www.state.ma.us/sec/ele/>

**Phone:** (617) 727-2828

**Email:** [election@sec.state.ma.us](mailto:election@sec.state.ma.us)

# Michigan



## Recognized party qualifications:

Only parties that received 5% or more of the vote for the office of president in the last presidential election or received 1% or more of the vote in the last Secretary of State election, whichever is most recent, can participate in the Presidential Primary [168.613a]

## Primary ballot access:

### 1. Secretary of State

Selects nationally recognized candidates [168.614 a(1)]

Or state party chair submits candidate names [168.614 a(2)]

Announcement is made by 4 pm the second Friday in November [168.614 a(2)]

### 2. Petition (for those not selected)

1/2 of 1% of total votes cast in the state in the last presidential election for the presidential candidate of the political party for which the individual is seeking nomination, not to exceed 1,000 times the number of congressional districts in the state (15,000) [168.615 a(2)]

In 2000, Democratic candidates had to collect 9,949 signatures; Republican candidates — 7,407 signatures; Reform Party candidates — 1,684 signatures

**Deadline:** 4 pm the second Friday in December [168.615 a(2)]

**No filing fees**

## General ballot access for major party candidates:

State party chair submits candidate names within 24 hours after the party's state convention, with a

list of the party's presidential electors [168.42, 168.686]

## General ballot access for minor party candidates:

State party chair submits candidates names within 24 hours after the party's national convention, with a list of the party's presidential electors [168.42, 168.686]

## General ballot access for independent candidates:

**Petition:** 1% of votes cast for all candidates for governor in the last election, including 100 signatures from each of at least half of the congressional districts [168.590b] (In 2000, this was 30,272 signatures)

**Deadline:** 4 pm 110 days before the general election [168.590c]

**Last day to withdraw from the ballot:** no statute

**Primary date:** February 7, 2004 [168.613a]

## Score Card:

Ballot Access by petition:	F
Fees:	A

## Contact the Secretary of State:

**Website:** <http://www.michigan.gov/sos/>  
**Email:** [secretary@michigan.gov](mailto:secretary@michigan.gov)

# Minnesota



## Major party qualifications:

Polled at least 5% of the total number of votes in the preceding state general election [200.02. 7]

Currently the Republican, Democratic-Farmer-Labor, Green, and Independent parties qualify (however, status is pending for 2003-2004)

## General ballot access for major party candidates:

Notify the Secretary of State of nomination by delegate convention [208.03]

**Petition:** 5% of the total number of individuals who voted in the preceding state general election (in 2004 this will be approximately 8,552 signatures).

**Deadline:** state primary date, which is held on the first Tuesday after the second Monday in September [204D.03])

## Minor party qualifications:

Received at least 1% of the votes in each county [200.02 (23)]

## General ballot access for minor party and independent candidates:

Nominate a slate of presidential electors [204B.07]

**Petition:** 1% of the total number of voters in the preceding general election (in 2004, the will be approximately 1,710) **or** 2000 signatures, whichever is less [204B.08]

**Deadline:** the state primary date [204B.09]

**Last day to withdraw from the ballot:** no statute

## CAUCUS STATE: NO PRIMARY

**Precinct caucus date:** first Tuesday in March (**March 2, 2004**) [202A.14]

## Score Card:

Ballot Access by petition: D

Fees: A

## Contact the Elections Division:

**Website:** <http://www.sos.state.mn.us/election/>

**Phone:** (651) 215-1440

**Email:** [elections.dept@state.mn.us](mailto:elections.dept@state.mn.us)

# Mississippi



## Recognized party qualifications:

Those that received more than 20% of the votes in the previous presidential election may conduct a primary [23-15-1081]

## Primary ballot access:

### 1. Secretary of State

Selects nationally recognized candidates

Announcement of selection is made on or before December 15 [23-15-1089]

### 2. Petition (for those not selected)

500 signatures statewide or 100 from each congressional district

File with the state executive committee of the political party

**Deadline:** January 15 [23-15-1093]

## General ballot access for non-recognized and independent candidates:

**Petition:** 1,000 signatures

**Deadline:** 60 days before the election [23-15-

785]

**Last day to withdraw from the ballot:** no statute

**Primary date:** second Tuesday in March  
**(March 9, 2004)** [23-15-1081]

**Voter registration:** 30 days before the election; no party registration—voters choose parties at the polls

## Score Card:

Ballot Access by petition: B

Fees: A

## Contact the Elections Division:

**Website:** <http://www.sos.state.ms.us/elections/elections.asp>

**Phone:** (601) 576-2550

**Email:** [LScott@sos.state.ms.us](mailto:LScott@sos.state.ms.us)

# Missouri



## Recognized party qualifications:

Polled 2% in the two consecutive preceding general elections [115.013]

## Primary ballot access:

**File** written request to appear on the ballot [115.761 (1)]

**Fee:** \$1,000 [115.761 (1)]

If a candidate cannot pay the fee, they must submit a petition with 5,000 signatures and a sworn statement that they cannot pay the fee [115.761 (2)]

**Deadline:** between the 15th Tuesday and the 11th Tuesday prior to the presidential primary [115.761]

## General ballot access for new party candidates:

**File** declaration of candidacy with the Secretary of State [115.327]

Choose one delegate from each congressional district [115.315]

**Petition:** 10,000 signatures

**Deadline:** 15th Monday immediately preceding the general election [115.329]

## No filing fees

New parties are qualified to put candidates on the general ballot. If after the first election, the party wins more than 2% of the vote, it becomes an established party. If it subsequently fails to poll over 2% at the polls, established status is lost [115.317]

## General ballot access for independent candidates:

**File** declaration of candidacy with the Secretary of State [115.327]

Choose one delegate from each congressional district [115.321 (2)]

**Petition:** 10,000 signatures [115.321 (3)]

**Deadline:** 15th Monday immediately preceding the general election [115.329]

## No filing fees

**Last day to withdraw from the ballot:** 42 days before the election

**Primary date:** first Tuesday after the first Monday in February (**February 3, 2004**) [115.755]

Participation: Open primary

**Voter registration:** fourth Wednesday before the primary election; 28 days before the general election

## Score Card:

Ballot Access by petition: C-

Fees: A

## Contact the Elections Division:

**Website:** <http://www.sos.state.mo.us/elections/>

**Phone:** (573) 751-2301

**Email:** [elections@sosmail.state.mo.us](mailto:elections@sosmail.state.mo.us)

# Montana



## Recognized party qualifications:

Had a candidate for a statewide office who received a total vote that was 5% or more of the total votes cast for governor in either of the last two general elections [13-10-601]

## Primary ballot access for recognized party candidates:

**Eligible** for Federal Matching funds

**File** declaration of candidacy with the Secretary of State [13-10-404(2)]

**Or petition:** 500 signatures of qualified electors [13-10-404(1)]

**Deadline:** 75 days before the primary [13-10-201]

**No filing fees**

## Primary ballot access for non-recognized party candidates:

**Petition:** requesting the primary election and signed by a number of voters equal to 5% or more of the total votes cast for the successful candidate for governor at the last general election (in 2004, this will be approximately 1,489 signatures) **or** 5,000 electors, whichever is less, which must include the voters in more than 1/3 of the legislative districts equal to 5% or more of the total votes cast for the successful candidate for governor at the last general election in those districts **or** 150 electors in those districts, whichever is less [13-10-601]

**Deadline:** at least 75 days before the primary [13-10-601]

## General ballot access for non-recognized and independent candidates:

**Petition:** 5% or more of the total votes cast for the successful candidate for governor at the last general election (in 2004, this will be approximately 1,489 signatures) **or** 5,000 electors, whichever is less [13-10-504]

**Deadline:** 76 days before the general election [13-10-504]

**No filing fees**

**Last day to withdraw from the ballot:** 75 days before the primary election; 85 days before the general election [13-10-326, 13-10-327]

**Primary date:** first Tuesday after the first

### Score Card:

Ballot Access by petition:	B
Fees:	A

### Contact the Elections Bureau:

**Website:** <http://sos.state.mt.us/css/ELB/Contents.asp>  
**Phone:** (406) 444-2034  
**Email:** [soselection@state.mt.us](mailto:soselection@state.mt.us)

# Nebraska



## Recognized party qualifications:

The party polled at least 5% percent of the entire vote in the state in the last election [32-610]

## Primary ballot access:

### 1. Secretary of State

Selects nationally recognized candidates [32-614]

Announcement is made in mid-February (the Secretary of State determines the date)

### 2. Petition (for those not selected)

**Petition:** 100 signatures of registered party voters in each of the three districts [32-613]

**Deadline:** not less than sixty days before the primary election [32-613]

## New party qualifications:

**Petition:** 1% of total votes cast for governor in the previous general election

**Deadline:** February 1 (for primary) or August 1 (for the general election) [32-716]

## General ballot access for new party and independent candidates:

**Petition:** 2,500 signatures [32-620]

**Deadline:** September 1 [32-621]

**Last day to withdraw from the ballot:** September 1

**Primary date:** first Tuesday after the second Monday in May (**May 11, 2004**) [32-401]

Participation: Closed primary

**Voter registration:** fourth Tuesday before the election by mail, second Friday before the election in person

## Score Card:

Ballot Access by petition:	C+
Fee:	A

## Contact the Secretary of State:

**Website:** <http://www.sos.state.ne.us/>

**Phone:** (402)471-3229

**Email:** [election@mail.state.ne.us](mailto:election@mail.state.ne.us)

# Nevada



## Major party qualifications:

Have at least 10% of the total number of registered voters in the state

**Or petition:** 10 % of the total number of votes cast at the last preceding general election for the offices of Representative in Congress [293.128]

**Deadline:** last Friday in April before any primary election

## General ballot access for major party candidates:

**File** declaration of candidacy and slate of delegates after the state convention[298.020]

**No filing fees**

## Recognized minor party qualifications:

Polled for any of its candidates equal to or more than 1 percent of the total number of votes cast for the offices of Representative in Congress in the last general election

**Or petition:** 1% of the total number of votes cast at the last preceding general election for the offices of Representative in Congress (in 2004, this will be approximately 5,015 signatures), **deadline:** second Friday in August [293.1715]

Currently, the Green, Libertarian, Independent American, and the Natural Law parties are recognized minor parties in Nevada

**Deadline:** January 1

## General ballot access for minor party candidates:

Party files a list of its candidates with the Secretary of State

**Deadline:** first Tuesday in September [293.1725]

## General ballot access for unrecognized party and independent candidates:

**File** declaration of candidacy

**Petition:** 1% of votes cast in the previous election for U.S. Representative (in 2004, this will be approximately 5,015 signatures)

**Filing fee:** \$250

**Deadline:** second Friday in August [298.109]

**Last day to withdraw from the ballot:** no statute

**Primary date: NONE**

**Voter registration:** 5th Saturday before the general election

## Score Card:

Ballot Access by petition:	D+
Fees:	A

## Contact the Secretary of State:

**Website:** <http://sos.state.nv.us/nvelection/>

**Phone:** (775) 684-5705

**Email:** [nvelect@govmail.state.nv.us](mailto:nvelect@govmail.state.nv.us)



# New Hampshire



## Recognized party qualifications:

Received 4% of the vote in any statewide office  
[652:11]

## Primary ballot access:

**Fee:** \$1,000

**Or petition:** 10 signatures from each of the 21 counties [655:48]

**Deadline:** first Monday after the first Wednesday in January [655:50]

## General ballot access for non-recognized and independent candidates:

**File** declaration of candidacy with the Secretary of State

**Fee:** \$250 [655:19-a]

**Petition:** 3,000 signatures (1,500 from each of the two congressional districts) [655:42]

**Deadline:** between the first Wednesday in June and the Friday of the following week [655:14]

**Last day to withdraw from the ballot:** withdrawal not permitted

**Primary date:** Tuesday selected by the

Secretary of State which is 7 days or more immediately preceding the date on which any other state shall hold a similar election  
**(January 27, 2004)** [653:9]

Participation: Semi-closed. Unaffiliated voters may vote for either Republican or Democratic candidates. After voting, the unaffiliated voters are automatically members of the party for whom they voted

**Voter registration:** 10 days before the election; day of election at the polls

## Score Card:

Ballot Access by petition: C+

Fees: B+

## Contact the Elections Division:

**Website:** <http://www.state.nh.us/sos/electionsnew.htm>

**Phone:** (603) 271-3242

**Email:** [Elections@sos.state.nh.us](mailto:Elections@sos.state.nh.us)

# New Jersey



## Political party qualifications:

Received at least 10% of the votes cast at a general election for the office of all of the members of the General Assembly [19:5-1]

## Primary ballot access:

**Petition:** 1,000 signatures [19:25-3]

**Deadline:** 57 days prior to the primary [19:25-3]

## General ballot access for independent candidates:

**Petition:** 800 signatures [19:13-5]

Note: no one who failed to secure party nomination in a primary may gain access through direct petition [19:13-9]

**Deadline:** 99th day prior to the general election [19-13-9]

**No filing fees**

**Last day to withdraw from the ballot:** 51 days

before the general election as a primary election nominee; 60 days before the general election [19:13-6]

**Primary date:** first Tuesday after the first Monday in June (**June 8, 2004**) [19:23-40]

Participation: Closed primary

## Score Card:

Ballot Access by petition:	B
Fees:	A

## Contact the Division of Elections:

**Website:** <http://www.njelections.org>

**Phone:** (609) 292-3760

**Email:** [njelections@smtp.lps.state.nj.us](mailto:njelections@smtp.lps.state.nj.us)

# New Mexico



## Major party qualifications:

**Petition:** One-half of 1% of the last general state election.

**Or** Received 5% of the total number of votes cast at the last preceding general election for the office of governor or president [1-1-9]

## Primary ballot access:

### 1. Secretary of State

Selects nationally recognized candidates

Candidate encouraged to submit letter of candidacy before selection

**Deadline:** February 15 [1-8-56]

### 2. Petition (for those not selected)

2% of the total number of votes for president cast in each congressional district in the last presidential election (in 2004, this will be approximately 11,972 signatures) [1-8-57]

**Deadline:** 30 days after the secretary of state nomination announcement [1-8-57]

## General ballot access for minor party candidates:

Party nominates candidates and electors at the state party convention and submits names to the Secretary of State

**Deadline:** 56 days prior to the election [1-15-3]

## General ballot access for independent candidates:

**Petition:** 3% of statewide votes from the previous presidential election (in 2004, this will be approximately 17,958 signatures) [1-8-51(b)]

**Deadline:** 56th day prior to the general election [1-8-52(b)]

**Last day to withdraw from the ballot:** 63 days before the election

**Primary date:** first Tuesday in June (**June 1, 2004**) [1-8-11]

Participation: Closed primary

## Score Card:

Ballot Access by petition:	D+
Fees:	A

## Contact the Bureau of Elections:

**Website:** <http://web.state.nm.us/elect.htm>  
**Phone:** (505) 827-3600  
**Email:** [nmsos@state.nm.us](mailto:nmsos@state.nm.us)

# New York



## Major Party Qualifications:

Received 5% of the votes cast in the last gubernatorial election.

## Primary ballot access:

### Republican Party Plan:

#### 1. Ballot Access for Delegates

3 delegates and 3 alternate delegates will be selected from each of the 31 congressional districts

District delegates must file petitions: 1000 enrolled Republicans **or** 0.5% in the congressional district, whichever is less

**Deadline:** January 6, 2004

#### 2. Ballot Access for Presidential Candidates

Candidates that are discussed in the national news media, qualify for primary season matching funds, or petition 5,000 signatures qualify to appear on the Republican primary ballot [6-137]

**Deadline:** January 6, 2004 [137-6(h)]

If more than 3 delegates file in support of one candidate in a single congressional district, the state board of elections shall notify the candidate by January 10, 2004

The candidate will then choose the delegate who will appear on the ballot. The choice must be made by January 18, 2004

Note: this plan was ruled unconstitutional. The court found the plan violated equal protection rights because there was a less burdensome option passed by the legislature — the Democratic plan [82 F.Supp.2d 57]

### Democratic Party Plan:

Candidates for president run against each other in a statewide primary, and delegates and alternate delegates run in each congressional district

## Ballot Access for Presidential Candidates

**Petition:** 5,000 signatures

**Deadline:** January 6, 2004

## General ballot access for minor party candidates:

Nominate delegates to a national convention pursuant to either the Republican Plan or the Democratic Plan

**Or** nominate candidates at a statewide convention

**Or petition:** 15,000 signatures [6-136]

## General ballot access for independent candidates:

**Petition:** 15,000 signatures, at least 100 signatures must come from each of the 16 congressional districts

**Deadline:** January 9, 2004

**Last day to withdraw from the ballot:** withdrawal not permitted

**Primary date:** first Tuesday in March (**March 2, 2004**) [8-100]

### Score Card:

Ballot Access by petition:	F
Fees:	A

### **Contact the Board of Elections:**

**Website:** <http://www.elections.state.ny.us/>

**Phone:** (518) 474 - 6220

**Email:** [info@elections.state.ny.us](mailto:info@elections.state.ny.us)

# North Carolina



## Major party qualifications:

Received 10% of state votes cast in the previous presidential election

**Or petition** 2% of votes cast in most recent gubernatorial election [G.S. 163-96]

## Primary ballot access:

### 1. State Board of Elections

Nominates candidates who have become eligible for matching funds [G.S. 163-213.4]

### 2. Petition (for those not selected)

10,000 signatures of registered voters of the same party as the candidate [163-213.5]

Recognized parties as of January 2003: Democratic, Republican, and Libertarian

## General ballot access for new party candidates:

During the first election after qualification as a political party, the new party nominates by convention rather than primary [G.S. 163-98]

**Deadline:** July 1 [163-98]

## General ballot access for unrecognized and independent candidates:

**Petition:** 2% of registered voters statewide (in 2004, this will be approximately 99,439

signatures) [163-122]

**Deadline:** last Friday in June [163-122]

**Last day to withdraw from the ballot:** 30 days before the election—though the name will remain on the ballot, votes will not be counted

**Primary date:** first Tuesday after the first Monday in May (**May 4, 2004**) [163-213.2]

Participation: Closed primary, but unaffiliated voters may vote in the party primary if the party allows it [G.S. 163-119]

## Score Card:

Ballot Access by petition: F

Fees: A

## Contact the State Board of Elections:

Website: <http://www.sboe.state.nc.us/>

Phone: (919) 733-7173

# North Dakota



## Established party qualifications :

Had printed on the ballot at the last presidential election the names of a set of presidential electors or a candidate for governor and those candidates received at least 5% of the total vote cast for those offices

## Third party qualifications:

**Petition:** 7,000 signatures

**Deadline:** 4 pm the 60th day before the primary [16.1-11-30]

## Primary ballot access:

**File** a certificate of endorsement [17196], an affidavit of candidacy [2703], and a statement of interests form [10172]

**Deadline:** 4 pm 60 days before the primary [16.1-11-07]

## General ballot access for independent candidates:

**File** a certificate of nomination for Presidential Electors [50905], an affidavit of candidacy [52500], and a statement of interests [10172]

**Petition:** 4,000 signatures [2704]

**Deadline:** 60 days before the general election

**Last day to withdraw from the ballot:** 60 days before the election

## CAUCUS STATE: NO PRIMARY [16.1-11-02]

Note: In 2000, a presidential contest was not held. The parties held caucuses to determine their presidential candidate. The 2004 presidential election, according to code, is going to revert back to the Presidential Preference Contest. However, this is going to be debate in the 2003 session on whether to keep it a Presidential Preference Contest held in February or make it a caucus process again.

**Voter registration:** no voter registration

## Score Card:

Ballot Access by petition:	C
Fees:	A

## Contact the Elections Division:

**Website:** <http://www.state.nd.us/sec/Elections/Elections.htm>

**Phone:** (701) 328-4146

**Email:** [soselect@state.nd.us](mailto:soselect@state.nd.us)

# Ohio

## Major party qualifications:

Candidate for governor or nominees for presidential electors at the most recent regular state election received at least 20% of the votes cast for that office [R.C. 3501.01] (Only the Democratic and Republican Parties will have major party status in 2004)

## Primary ballot access:

### 1. Qualify for matching funds

**File** FEC letter validating eligibility to receive matching funds, declaration of candidacy and slate of delegates for at-large and/or district delegates and alternates with the Secretary of State [R.C. 3513.121]

### 2. Petition (obtained by delegates for party candidates who do not receive matching funds)

**File** declaration of candidacy, Presidential candidate consent forms, and statements of first and second choices for presidential nominee with appropriate election officials

District delegates: 50 signatures in their district [R.C. 3513.12]

At-large delegates: 1,000 signatures from the state [R.C. 3513.12]

**Deadline:** 4 pm January 2, 2004 [R.C. 3513.05; R.C. 3153.121]

**No filing fees**

## Primary ballot access for intermediate or minor party candidates:

Voters seeking eligibility for a political party to participate in the 2004 primary must file a petition of at least 1% of the total vote for governor or nominees for presidential electors at the most recent election 120 days before the primary [R.C. 3517.01]

If a primary is held, candidates may use the same methods as those participating in a major party's primary; however, only 1/2 of the signatures are required for the petition [R.C. 3513.05]

**Deadline:** 4 pm January 2, 2004

**No filing fees**

(As of December 2002, there are no minor or intermediate political parties in Ohio)

## General ballot access for intermediate or minor party candidates:

In lieu of a presidential primary, the party may submit the names of the candidate for president, vice president and 20 presidential electors directly to the Secretary of State [R.C. 3505.10]

**Deadline:** 4 pm 75 days before the general election [R.C. 3505.10]

**No filing fees**

## General ballot access for independent candidates:

**File** slate of 20 presidential electors

**Petition:** 5,000 signatures [R.C. 3513.257]

**Deadline:** 4 pm 75 days before the general election [R.C. 3513.257]

**Last day to withdraw from the ballot:** 76 days before the election

**Primary date:** first Tuesday after the first Monday in March (**March 2, 2004**) [3501.01]

Participation: Closed primary; declare party affiliation at polls on primary election day [3513.18]

**Voter registration:** February 2, 2004 for the primary; October 4, 2004 for the general election

### Score Card:

Ballot Access by petition: F

Fees: A

### Contact the Elections Division:

**Website:** <http://www.state.oh.us/sos/>

**Phone:** (614) 466-2585

**Email:** [election@sos.state.oh.us](mailto:election@sos.state.oh.us)

# Oklahoma



## Major party qualifications:

**Petition:** 5% of the votes in the last gubernatorial election.

**Or** Received at least 10% of the votes cast in any general election [26-1-109]

## Primary ballot access:

**File** declaration of candidacy [26-20-102]

Spend \$5,000 on campaign for presidency [26-20-102]

**Fee:** \$2,500 (returned if candidate receives 15% of the vote)

**Or petition:** 1% of registered voters in each congressional district or 1,000 voters in each congressional district, whichever is less [26-20-102]

**Deadline:** January 12-14

Currently, only the Democratic and Republican parties qualify

## General ballot access for unrecognized and independent candidates:

**Petition:** 3% of the votes cast in the previous presidential election (in 2004, this will be approximately 37,027 signatures) [26-10-101.1.]

Unrecognized parties must notify the Secretary of State before circulating petitions (not required of independent candidates) [26-10-101.2]

**Deadline:** July 15 [26-10-101.2]

**Last day to withdraw from the primary ballot:** Friday after the close of filing

**Primary date:** February 3, 2004. [26-20-102]

## Score Card:

Ballot Access by petition:	F
Fees:	A-

## Contact the State Election Board:

Website: <http://www.oklaosf.state.ok.us/~elections/>

Phone: (405) 521-2391

Email: [elections@oklaosf.state.ok.us](mailto:elections@oklaosf.state.ok.us)



# Oregon



## Major party qualifications:

Have at least 5% of the number of electors registered in the state [248.006]

## Primary ballot access:

### 1. Secretary of State

Selects nationally recognized candidates [249.078]

**No filing fees**

### 2. Petition (for those not selected)

1,000 signatures from each of the 5 congressional districts, including signatures from voters in 5% of the precincts in at least 1/4 of the counties in the district [249.078]

## Minor party qualifications:

**Petition:** 1.5% of the total votes cast for governor [248.008]

## General ballot access for minor party candidates:

Party submits names of candidates directly to the Secretary of State

## General ballot access for independent candidates:

Obtain prior approval from the Secretary of State to circulate petition

**Petition:** 1% of all votes cast in the previous presidential election [249.740]

**Deadline:** 70 days before the general election [249.722]

**Last day to withdraw from the ballot:** 67 days before the election

**Primary date:** *third Tuesday after the first Monday in May (May 18, 2004)* [254.056]

Participation: Closed, but parties may open to unaffiliated registered voters

**Voter registration:** 21 days before the election for party change and new registration; registration updates may be done the day before the election

## Score Card:

Ballot Access by petition:	F
Fees:	A

## Contact the Elections Division:

**Website:** <http://www.sos.state.or.us/elections/elechp.htm>

**Phone:** (503) 986-1518

**Email:** [elections-division@sosinet.sos.state.or.us](mailto:elections-division@sosinet.sos.state.or.us)

# Pennsylvania



## Primary ballot access:

Only the Democratic and Republican party candidates may run in the primary

**File declaration of candidacy** [25 P.S. 2839.1.]

**Fee:** \$200 [2873]

**Petition:** 2,000 signatures (100 from each of the 10 different counties) [2872.1.]

**Deadline:** 10th Tuesday before the primary [2873]

## Minor party qualifications:

Has less than 15% of registered voters statewide, but had a candidate on the previous ballot who polled more than 2% of the votes [2872.2]

## General ballot access for minor party and independent candidates:

**File candidate affidavit** [2911(e)]

**Petition:** 2% of the votes of the highest vote-getter in the previous election (this is approximately 20,000 –25,000 signatures) [2911]

**Filing fee:** \$200 [2873]

**Deadline:** second Friday subsequent to the primary [2913(c)]

**Last day to withdraw from the ballot:** 85 days before the election

**Primary date:** fourth Tuesday in April (**April 27, 2004**) [1-8-11]

Participation: Closed primary

**Voter registration:** 30 days before the election

## Score Card:

Ballot Access by petition: F

Fees: A

## Contact the Bureau of Elections:

**Website:** <http://www.dos.state.pa.us/bcel/sitedefault.asp>

**Phone:** (717) 787-5280

**Email:** [bcel@pados.state.pa.us](mailto:bcel@pados.state.pa.us)

# Rhode Island



## Recognized party qualifications:

Candidate for president or governor polled at least 5% of the entire vote cast in the state

**Or petition:** 5% of the entire vote cast for president or governor [17-1-2(9)]

## Presidential Preference Primary ballot access:

**File** letter of intent with the Secretary of State [17-12.1-4 (a)]

**Petition:** 1,000 signatures [17-12.1-4 (2)]

**Deadline:** 74 days prior to the presidential preference primary election

**No filing fees**

## General ballot access for unrecognized and independent candidates:

**File** nomination papers [17-14-12]

**Petition:** 1,000 signatures [17-14-7]

**Deadline:** 54 days before the general election

**Last day to withdraw from ballot:** 3 days after the September primary

**Presidential Preference Primary date:**  
*first Tuesday in March (March 2, 2004)*  
[17-12.1-1]

**Voter registration:** 30 days before the election

## Score Card:

Ballot Access by petition:	B+
Fees:	A

## Contact the Elections Division:

**Website:** [http://www.corps.state.ri.us/ELECTIONS/elections\\_division.htm](http://www.corps.state.ri.us/ELECTIONS/elections_division.htm)

**Phone:** (401) 222-2340

**Email:** [elections@sec.state.ri.us](mailto:elections@sec.state.ri.us)

# South Carolina



## Certified party qualifications:

**Petition:** 10,000 signatures [7-9-10]

## Primary ballot access:

Parties are responsible for conducting the primary [7-11-20]

### Republican Party

**File** a request with the state chair to appear on the ballot

**Fee:** \$10,000

### Democratic Party

**Petition** of candidacy to state party

**Fee:** \$2,500

## General ballot access for uncertified and independent candidates:

**Petition:** 10,000 signatures [7-11-70]

**Deadline:** 120 days prior to the date of the general election

**Last day to withdraw from the ballot:** though withdrawals are handled by the party, state law

requires notification 30 days before election day [7-13-390]

**Primary date:** the state party committee sets the date of the presidential primary [7-11-20] The Democrats have chosen **February 3, 2004.**

Participation: Open primary

**Voter registration:** 30 days before the election

## Score Card:

Ballot Access by petition: F

Fees: B-

## Contact the State Election Commission:

**Website:** <http://www.state.sc.us/scsec/>

**Phone:** (803) 734-9060

**Email:** [hmajewski@scsec.state.sc.us](mailto:hmajewski@scsec.state.sc.us)

# South Dakota

## Recognized party qualifications:

Received at least 2.5% of the vote for governor in the last general election [12-1-3(10)]

**Or petition:** 2.5% of votes cast for governor in the last general election (in 2004, this will be approximately 8,364 signatures) [12-5-1]

## Primary ballot access:

**File** statement of candidacy to the Secretary of State

Party submits names of delegates and candidates

**Deadline:** 5 pm on the first Tuesday in April [12-5-3.14]

## General ballot access for minor party and independent candidates:

**File** certificate of nomination [12-7-1]

**Petition:** 1% of the total votes for governor in the previous election (in 2004, this will be approximately 3,345 signatures) [12-7-1]

**Deadline:** 5 pm on the third Tuesday in June [12-7-1]

**Last day to withdraw from the ballot:** 5 pm the first Tuesday in August [12-6-55]

**Primary date:** first Tuesday in June  
**(June 1, 2004)** [12-2-1]

**Voter registration:** 15 days before the election

## Score Card:

Ballot Access by petition: F

Fees: A

## Contact the Elections Division:

**Website:** <http://www.state.sd.us/sos/>

**Phone:** (605) 773-3537

# Tennessee



## Recognized party qualifications:

Only 2 statewide recognized parties: Democrats & Republicans

## New party qualifications:

**Petition:** 2.5% of all votes cast in the previous gubernatorial election [2-1-104 (29)]

**Or** received 5% of the votes cast in the last gubernatorial of Presidential election, whichever is most recent

## Primary ballot access:

### 1. Secretary of State:

Selects candidates who are recognized in national news media [2-13-304 (a)]

### 2. Petition (for those not selected):

2,500 signatures

**Deadline:** noon the first Tuesday in January

**No filing fees** [2-5-205 (a)(2)]

## General ballot access for independent candidates

Secure 1 to 11 candidates to run as electors [2-15-101 and 102]

**Petition:** each elector circulates own petition for

25 signatures [2-5-101(b)(1)]

**Or** a master petition is circulated for all electors: 275 signatures [2-5-101(b)(1)]

**Deadline:** 3rd Thursday in August [2-5-101(a)]

**Last day to withdraw from the ballot:** second Tuesday in January for nationally recognized candidate [2-5-205], independent candidates can withdraw 7 days after the qualifying deadline [2-5-204]

**Primary date:** February 10, 2004 [2-13-205]

## Score Card:

Ballot Access by petition:	C+
Fees:	A

## Contact the Division of Elections:

**Website:** <http://www.state.tn.us/sos/election.htm>

**Phone:** (615) 741-7956

**Email:** [Brook.Thompson@state.tn.us](mailto:Brook.Thompson@state.tn.us)

# Texas



## Recognized party qualifications:

The party's nominee for governor in the most recent gubernatorial general election received 2% or more of the total number of votes or received 5% of the vote for any statewide office in the last general election [172.001.]

## Primary ballot access:

The parties are responsible for deciding how candidates will qualify for placement on the ballot

The state chair of each political party will certify the name of each presidential candidate to the Secretary of State [191.008]

**Deadline:** 57 days before the election [191.003]

### Democratic Party Requirements

**Fee:** \$2,500

**Or petition:** 5,000 signatures

### Republican Party Requirements

**Fee:** \$4,000

**Petition:** 300 voters from the 15 congressional districts

## General ballot access for recognized minor party candidates:

Party received 5% of the vote cast for any statewide office in the most recent general election

Have automatic ballot access [181.005.(b)]

Nominate by convention and submit nomination

**Deadline:** 60 days before the general election [192.031(a)]

Party received less than 5% of the vote for any statewide office in the most recent general election

**Petition:** 1% of the total number of votes received by all candidates for governor (in 2004 this will be approximately 45,252 signatures) [181.006]

**Deadline:** 75 days after the precinct convention [181.005]

## General ballot access for independent candidates:

**Petition:** 1% of votes cast in the previous presidential election (in 2004 this will be approximately 63,994 signatures) [192.032]

**Deadline:** 2nd Monday in May [192.032]

**Last day to withdraw from the ballot:** 65 days before the election

**Primary date:** second Tuesday in March

### **Score Card:**

Ballot Access by petition:	F
Fees:	B

### **Contact the Elections Division:**

**Website:** <http://www.sos.state.tx.us/elections/index.shtml>

**Phone:** (800) 252-8683

**Email:** [elections@sos.state.tx.us](mailto:elections@sos.state.tx.us)

# Utah



## Recognized party qualifications:

**Petition:** 2,000 signatures

**Or** participated in the last general election and polled a total vote for any of its candidates equal to 2% or more of the total votes cast for all candidates for the U.S. House of Representatives [20A-8-101 (1)]

## Primary ballot access:

Obtain party certification [20A-9-803 (iii)]

**File** declaration of candidacy

**Fee:** \$500 [20A-9-803 (iv)]

**Deadline:** January 15 [20A-9-803 (i)(1)(b)]

**Party filing fees:** Democrats—none; Republicans—\$5,000 fee to the party, or a petition with a percentage of signatures from each county

## General ballot access for independent candidates:

**Petition:** 1,000 signatures

**Deadline:** August 30 [20A-9-502(2)(a)]

**Last day to withdraw from the ballot:** no deadline

**Primary date:** *In Utah the holding of a state Presidential primary election is dependent upon funding by the state legislature, which did not occur for 2004. Consequently, the Utah State Democratic Party plans to conduct a party-run*

*Presidential preference primary on February 24, 2004. [20A-1-201.5]*

Participation: Democrats— open primary in 2000, but may be closed in 2004; Republicans—closed primary

**Voter registration:** 20 days before the election by mail; 8 days before the election in person

## Score Card:

Ballot Access by petition: B

Fees: B

## Contact the State Elections Office:

**Website:** <http://elections.utah.gov/>

**Phone:** (801) 538-1041

**Email:** [elections@utah.gov](mailto:elections@utah.gov)



# Vermont



## Major party qualifications:

Received at least 5% of the votes for a statewide party candidate in the last general election [17.2103 (23)]

Reorganize in the following odd year in at least 15 towns [17.2313]

Currently, the Democratic, Republican and Progressive parties qualify

## Primary ballot access:

**Fee:** \$2,000 [2702]

If a candidate cannot pay the fee, he or she can file an affidavit that his or her campaign lacks the funds and all but \$300 of the filing fee will be waived by the Secretary of State [2702]

**Petition:** 1,000 signatures [2702]

**Deadline:** 3rd Monday in January [2702]

## General ballot access for minor party candidates:

**File** a nomination by the party committee

Reorganize in the following odd year in at least 10 towns

**Deadline:** 3rd day following the September primary election [2103(23)]

Currently, the Constitution, Libertarian, Liberty Union and Vermont Grassroots parties qualify as minor parties

## General ballot access for independent candidates:

**Petition:** 1,000 signatures [17.2401-2411]

**No filing fees**

**Deadline:** 3rd day following the regular September primary [17.2401-2411]

**Last day to withdraw from the ballot:** 47 days before the election

**Primary date:** first Tuesday in March (**March 2, 2004**) [2701]

Participation: Closed primary—declare party at the polls

**Voter registration:** 2nd Saturday before the election

## Score Card:

Ballot Access by petition:	B+
Fees:	B+

## Contact the Elections Division:

**Website:** <http://www.vermont-elections.org/>

**Phone:** (802) 828-2464

**Email:** [kdewolfe@sec.state.vt.us](mailto:kdewolfe@sec.state.vt.us)

# Virginia



## Recognized party qualifications:

Received at least 10% of the total vote cast for any statewide office filled in either of the two preceding statewide general elections [24.2-101.] (Only Democrats & Republicans qualify)

## Primary ballot access:

**File** a list of names of persons who would be elected delegates [24.2-543]

**Petition:** 10,000 signatures of qualified voters who attest they intend to participate in the same primary as the candidate, including 400 from each of the 11 districts (note: 700 signatures from each district is recommended) [24.2-545]

**Deadline:** set by the State Board, will be provided in August 2003

## General ballot access for non-recognized party and independent candidates:

**Petition:** 10,000 signatures of qualified voters, with 400 from each district [24.2-543] (Though it is recommended that 15,000–20,000 signatures be obtained with at least 700 from each congressional district)

Circulate after January 1, 2004

**Deadline:** 74 days before the election [24.2-543]

**Last day to withdraw from the ballot:** 45 days before the election [24.2-541]

**Presidential Primary date:** if called by the state party (at least 90 days before the primary date), it will be held February 10, 2004. [24.2-545]

**Voter registration:** 29 days before the primary or general election

## Score Card:

Ballot Access by petition:	B+
Fees:	A

## Contact the State Board of Elections:

**Website:** <http://www.sbe.state.va.us/>

**Phone:** (804) 786-6551

**Email:** [info@sbe.state.va.us](mailto:info@sbe.state.va.us)

# Washington



## Recognized party qualifications:

Received at least 5% of the total vote cast at the last preceding state general election [29.01.090]

## Primary ballot access:

### 1. Secretary of State

Selects nationally recognized candidates for ballot placement [29.19.030 (1)]

### 2. Petition (for those not selected)

1,000 signatures [29.19.030 (2)]

**Deadline:** 39 days before the primary [29.19.030 (2)]

## General ballot access for minor party and independent candidates:

Hold a nominating convention of at least 25 registered voters [29.24.030]

Submit certificate of nomination

**Petition:** 200 voters [29.24.030]

**No filing fees**

**Deadline:** one week following the adjournment of the convention [29.24.030]

**Last day to withdraw from the ballot:** sixth Tuesday before the primary

**Primary date:** March 2, 2004 [29.19.020]

Participation: Blanket primary— Democratic, Republican or Unaffiliated (the latter ballot having all candidates for both parties listed)

**Voter registration:** 30 days before election by mail; or 15 days before election in person, but must vote by absentee ballot

## Score Card:

Ballot Access by petition: B

Fees: A

## Contact the Elections Division:

**Website:** <http://www.secstate.wa.gov/elections/>

**Phone:** (360) 902-4180

**Email:** [elections@secstate.wa.gov](mailto:elections@secstate.wa.gov)

# West Virginia



## Major Party Qualifications:

Received 1% of the votes cast in the last gubernatorial election

## Primary ballot requirements:

**File** certificate of announcement with the Secretary of State

**Filing fee:** 1% of annual salary [3-5-8]

**Or** four signatures for every dollar of filing fee if unable to pay fee [3-5-8a]

**Deadline:** between the second Monday and last Saturday in January [3-5-7]

## General ballot access for minor party candidates:

Any political party which polled less than 10% of the total vote cast for governor at the preceding general election may nominate candidates and party conventions [3-5-22]

**Deadline:** day preceding the primary election [3-5-24]

**Or**

## General ballot access for minor party or independent candidates:

**File** declaration of candidacy with the Secretary of State 30 days before the election

**Filing fee:** 1% of annual salary [3-5-8]

**Petition:** 2% of the total votes cast in preceding presidential election for that parties candidate.

**Deadline:** August 1 [3-5-23]

**Last day to withdraw from the ballot:** 98 days before the election

**Primary date:** second Tuesday in May (**May**)

## Score Card:

Ballot Access by petition: F

Fees: F

## Contact the Secretary of State:

Website: <http://www.wvsos.com>

Phone: (304) 558-6000

Email: [elections@wvsos.com](mailto:elections@wvsos.com)

# Wisconsin

## Major party qualifications:

**Petition:** 10,000 signatures

**Or** received 10% of the total vote cast for governor in the previous general election [8.12]

## General ballot access for major parties:

A vote cast for President and Vice President is made through the Presidential Elector [5.10]

### 1. Presidential Selection Committee

Selects major party candidates [8.12 (b)]

Announcement made at the end of January

### 2. Petition (for those not selected):

1,000 signatures from each of the 8 districts (8,000 total), but not more than 1,500.

**Deadline** third Tuesday in February [8.12 (c)]

## General ballot access for minor party and independent candidates:

**File** nomination letter and declaration of candidacy [8.20]

Submit a slate of electors

**Petition:** between 2,000 and 4,000 signatures [8.20(4)]

**Deadline:** between August 1st and the first Tuesday in September [8.20(8)]

**Last day to withdraw from the ballot:** withdrawal not permitted

**CAUCUS STATE:** February 17, 2004.

**Voter registration:** 13 days before the election by mail; day before the election in person; day of election at the polls

### Score Card:

Ballot Access by petition:	D+
Fees:	A

### Contact the State Elections Board

Website: <http://elections.state.wi.us/>

Phone: (608) 266-8005

# Wyoming

## General ballot access for major parties:

Party files a certificate of nomination with the Secretary of State no later than 30 days following the state convention [22-19-102 (a)]

**Or** received 2% of the votes in the last gubernatorial, Secretary of State or US House of Representatives election.

## General ballot access for minor parties:

Placed on ballot by party convention [22-4-303]

Submits names to the Secretary of State within 30 days of the convention [22-4-305]

## General ballot access for new party candidates:

**Petition:** 2% of the total number of votes cast for U.S. Representative in the last general election (in 2004 this will be approximately 1,821 signatures) [22-4-402 (a-d)]

**Deadline:** June 1 in any general election year [22-4-402 (a-d)]

## General ballot access for independent candidates:

**Petition:** 2% of the votes cast for US Representative in the last general election. (In 2004, will be approximately 1,821 signatures) [22-5-304]

**Deadline:** 70 days before a general election [22-5-307]

**No filing fees**

**Last day to withdraw from the ballot:** no statute

### Score Card:

Ballot Access by petition:	A
Fees:	A

### Contact the Elections Administration:

**Website:** <http://soswy.state.wy.us/election/election.htm>  
**Email:** [elections@state.wy.us](mailto:elections@state.wy.us)

## CONCLUSION

The right of citizens to choose between a range of candidates for president is a fundamental aspect of our modern presidency. However, when a candidate chooses to compete for the office of the presidency, he or she must prepare to run a maze of requirements to secure their place on the November ballot. Because these rules can exclude serious candidates ballot access requirements often determine the choices available to voters on Election Day. As democracy is based on the principles of participation, representation, and equality, it is important to be aware of the process in which our leaders are elected. The primary purpose of this report is to cast light on the glaring inequities and barriers to democracy in the states. These barriers often discourage candidates from running for office. As result, voters have less choice at the polls and, over time, become increasingly disenchanted with participation in our democratic system.

An ideal system would, at a minimum, embrace the three principles of 1.) equity across party lines, 2.) promotion of competition through open access and 3.) voter choice. It is imperative that states enact legislation or regulations to break down the barriers that exist in our current system and embrace the three principles identified by the Institute that will place more candidates on the ballot and give voters more choice.

States that received a D or an F, (particularly the early primary states of Arizona, Michigan, North Dakota and South Carolina) should make remedial action a priority. The Institute urges these states to look to the high scoring states, particularly Georgia and Connecticut, that both received As, as a guide to correcting their systems. Both Georgia and Connecticut require an equal percentage of signatures for all parties, a far more equitable system than requiring a large amount for one particular party.

Some states have already begun to improve their systems. Governor George Pataki of New York signed into law on October 1, 2003, S5698. This bill eases presidential primary ballot access, but only for

the Republican party. For the first time, presidential candidates can appear on the ballot without having to submit a petition if they have 1.) qualified for primary season matching funds, or 2.) discussed in the national news media. The petition option is still open to candidates if they are unable to fulfill either of the two alternative criteria. While this law makes great strides in correcting a flawed system, inequities are still ingrained, as the new changes apply to only the Republican party. The law still requires minor party and Independent candidates to get 15,000 petition signatures and Democratic candidates to get 5,000 signatures. While the state committee of any other party may, by rule or resolution, opt to conduct their primaries under the new law, only the Republican party is required to do such, hardly converting the system to an equitable one. It is imperative in order to promote equity that legislation apply to all parties.

Immediate remedial action in many states is necessary to open the process to more candidates and return the choice to the voters. Candidate selection for the highest office in the land should be left to the voters and not determined by discriminatory regulations. It is the hope of the Institute that this report will encourage and serve as a guide to they consider changing their laws and breaking down the barriers to democracy.

## Appendix A: Scores by State

State	Ballot Access	Fees	
	Grade	Score	Grade
Alabama	C-	82.5	B
Alaska	C+	93.8	A-
Arizona	F	100	A
Arkansas	F	82.5	B
California	F	100	A
Colorado	C-	65	D
Connecticut	C	100	A
Delaware	C-	100	A
Florida	F	100	A
Georgia	A	100	A
Hawaii	C	87.5	B+
Idaho	D+	100	A
Illinois	F	100	A
Indiana	F	100	A
Iowa	B-	100	A
Kansas	C	82.5	B
Kentucky	B+	65	D
Louisiana	C	65	D
Maine	B-	82.5	B
Maryland	F	100	A
Massachusetts	D-	100	A
Michigan	F	100	A
Minnesota	D	100	A
Mississippi	B	100	A
Missouri	C-	94	A-
Montana	B	100	A
Nebraska	C+	100	A

Nevada	C-	96	A
New Hampshire	C+	88	B+
New Jersey	B	100	A
New Mexico	D-	100	A
New York	F	100	A
North Carolina	F	100	A
North Dakota	D-	100	A
Ohio	F	100	A
Oklahoma	F	92.5	A-
Oregon	F	100	A
Pennsylvania	F	92	A-
Rhode Island	B+	100	A
South Carolina	F	82.5	B-
South Dakota	C	100	A
Tennessee	C+	100	A
Texas	F	82.5	B-
Utah	B	72	C-
Vermont	B	88.75	B+
Virginia	B+	100	A
Washington	B	100	A
West Virginia	F	58	F
Wisconsin	D+	100	A
Wyoming	A	100	A



# Appendix B : Petition Signature Requirements

State	Major Party		Minor Party	Independent		Grade
	Statewide	by CD				
Alabama	500	50(7)	5,000	5,000		C-
Alaska*	0		1% (2,818)	1% (2,818)	Previous Presidential election votes	C+
Arizona	0		0	3% (66,875)	Registered voters statewide	F
Arkansas	3% (46,913) Dem's		1,000	3% (46,913)	Registered voters statewide	F
California	26,500	500(53)	1% (153,804)	1% (153,804)	Registered voters statewide	F
Colorado	5,000		10,000	5,000		C-
Connecticut	1% (6,300 R; 4,300 D)		1% or 7,500	1% or 7,500	Reg party voter for D&R; Pres turnout for Ind	A
Delaware	500		n/a	1% (5,205)	Reg voters	C-
Florida	0		1% (93,023)	1% (93,023)	Registered voters statewide	F
Georgia	1% (27,742)		1% (27,452)	1% (27,452)	Previous Presidential election votes	A
Hawaii*	0		1% (3,702)	1% (3,702)	Votes cast in previous presidential election	C
Idaho	1% (5,016)		2% (10,032)	1% (5,016)	Votes cast in previous presidential election	D+
Illinois	3,000-5,000		1% (25,000)	1% or 25,000	Reg voters	F
Indiana	4,500	500	2% (30,716)	2% (30,716)	Votes cast in last secretary of state election	F
Iowa*	0		1,500	1,500		B-
Kansas	1,000			5,000		C
Kentucky	5,000		5,000	5,000		B+
Louisiana	1,000		5,000	5,000		C
Maine	2,000-3,000		4,000-6,000	4,000-6,000		C+
Maryland		400(8)	1% (27,246)	1% (27,246)		F
Massachusetts	2,500		10,000	10,000		D-
Michigan	1/2 of 1% (or 15,000)		1% (30,272)	1% (30,272)	Votes cast in last pres. elect; all votes cast in last gubernatorial;	F
Minnesota	5% (8,552)		1% (1,710)	1% (1,710)	Votes in previous state general election	D
Mississippi	500		1,000	1,000		B
Missouri	5,000		10,000	10,000		C-
Montana	500		5% (1,489)	5% (1,489)	Votes cast for last successful governor	B
Nebraska	100		2,500	2,500		C+
Nevada	0		1% (5,015)	1% (5,015)	Votes cast in previous US Representative election	D+
New Hampshire	210		3,000	3,000		C+
New Jersey	1,000		800	800		B
New Mexico	2% (11,972)		3% (17,958)	3% (17,958)	Votes in previous presidential election	D+
New York	5,000		15,000	15,000		F
North Carolina	10,000		2% (100,230)	2% (100,230)	Registered voters statewide	F
North Dakota	0		4,000	4,000		C
Ohio	1,000 (per statewide delegate)		1% (32,289)	5,000		F
Oklahoma		1,000	3% (45,218)	3% (45,218)	Votes cast in previous presidential election	F
Oregon	5,000		n/a	1% (15,282)		F
Pennsylvania	2,000		2% (20-25,000)	2% (20-25,000)	Highest vote getter in previous election	F
Rhode Island	1,000		1,000	1,000		B+
South Carolina	n/a			5% (105,097)	Registered voters statewide	F
South Dakota	2.5% (8,364)		1% (3,345)	1% (3,345)	Votes cast for Governor in previous election	D+
Tennessee	2,500		n/a	275		C+
Texas	D: 5,000; R: 300(15)		1% (45,252)	1% (63,994)	Votes cast in Gubernatorial election; votes in last pres.	F
Utah	pay fee		1,000	1,000		B
Vermont	1,000		1,000	1,000		B+
Virginia	10,000		10,000	10,000		B+
Washington	1,000		200	200	Registered party voters	B
West Virginia	10,000		2% (appx 36-100)	2%	Party received in last presidential election	F
Wisconsin	8,000	1,000(8)	2,000-4,000	2,000-4,000		D+
Wyoming	0	0	2%	2% (1,821)	Previous US Rep Votes	B-

# Appendix C: Score Detail for Fees

## Presidential Filing Fees

State	GOP	DEM	Minor Party	Independent	Raw Score	Average	Grade	State	GOP	DEM	Minor Party	Independent	Raw Score	Average	Grade
Alabama* score	\$5,000 58	\$2,000 72	\$0 100	\$0 100	330	82.5	B-	Maryland score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
Alaska* score	\$0 100	\$1,000 75	\$0 100	\$0 100	375	93.8	A-	Mass. score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
Arizona score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A	Michigan score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
Arkansas* score	\$0 58	\$10,000 68	\$2,500 100	\$0 100	\$0 326	81.5	B-	Minnesota score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
California score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A	Miss. score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
Colorado** score	\$500 58	\$500 58	\$500 58	\$500 58	232	58	F	Missouri score	\$1,000 88	\$1,000 88	\$0 100	\$0 100	376	94	A
Connecticut score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A	Montana score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
Delaware score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A	Nebraska score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
Florida score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A	Nevada score	\$0 100	\$0 100	\$250 92	\$250 92	384	96	A
Georgia score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A	New Hamp. score	\$1,000 88	\$1,000 88	\$1,000 88	\$1,000 88	352	88	B+
Hawaii* score	\$1,500 75	\$1,500 75	\$0 100	\$0 100	350	87.5	B+	New Jersey score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
Idaho score	0 100	0 100	0 100	0 100	100	100	A	New Mexico score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
Illinois score	0 100	0 100	0 100	0 100	100	100	A	New York score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
Indiana score	0 100	0 100	0 100	0 100	100	100	A	N. Carolina score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
Iowa score	0 100	0 100	0 100	0 100	100	100	A	N. Dakota score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
Kansas** score	\$100 58	\$100 58	0 100	0 100	316	79	C+	Ohio score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
Kentucky** score	\$1,000 58	\$1,000 58	\$500 58	\$500 58	232	58	F	Oklahoma** score	\$2,500 82	\$2,500 82	\$0 100	\$0 100	364	91	A-
Louisiana** score	\$1,125 58	\$1,125 58	\$500 58	\$500 58	232	58	F	Oregon score	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
Maine** score	\$2,500 58	\$2,500 58	0 100	0 100	316	79	C+	Penn. score	\$200 92	\$200 92	\$200 92	\$200 92	92	100	A

## Appendix C: Score Detail for Fees *continued*

### Presidential Filing Fees

State	GOP	DEM	Minor Party	Independent	Raw Score	Average	Grade
<b>Rhode Is.</b> <i>score</i>	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
<b>S. Carolina*</b> <i>score</i>	\$10,000 58	\$2,500 68	\$0 100	\$0 100	326	81.5	B-
<b>S. Dakota</b> <i>score</i>	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
<b>Tenn.</b> <i>score</i>	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
<b>Texas*</b> <i>score</i>	\$5,000 58	\$2,500 68	\$0 100	\$0 100	326	81.5	B-
<b>Utah**</b> <i>score</i>	\$5,000 58	\$0 100	\$500 92	\$500 92	342	85.5	B
<b>Vermont</b> <i>score</i>	\$2,000 85	\$2,000 85	\$2,000 85	\$0 100	355	88.8	B+
<b>Virginia</b> <i>score</i>	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
<b>Wash.</b> <i>score</i>	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
<b>W. Virginia**</b> <i>score</i>	\$4,000 58	\$4,000 58	\$4,000 58	\$4,000 58	58	58	F
<b>Wisconsin</b> <i>score</i>	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A
<b>Wyoming</b> <i>score</i>	\$0 100	\$0 100	\$0 100	\$0 100	100	100	A

# Glossary

**Absolute Majority** – More than half of the votes in a given election.

**Affiliated Candidate** – A candidate running as a member of a political party. The party may or may not be recognized by the State in which they are running.

**Blanket Primary** – All candidates are listed for each office; voters may vote for any candidate, regardless of party, for each office.

**Caucus** – A meeting of the local members of a political party to select delegates to a convention or register preferences for candidates running for office.

**Closed Primary** – Only persons previously registered with a party can participate in that party's primary.

**Convention** – A large, formal, national meeting of political party members to officially nominate a candidate to represent their respective party in an election.

**Electoral College** – Each state in the United States is allocated a number of Electors equal to the number of its US Senators (two) plus the number of its US Representatives. The number may change according to a state's changing population decided every ten years in the Census. This group of Electors is chosen to elect the President and Vice President of the United States.

**Independent Candidate** – A candidate running for office who is not affiliated with any party (major or minor).

**Major Party** – A political party having enough strength to gain control of a government with comparative regularity. Currently, either the Republican party or Democratic party.

**Minor Party** – A political party whose electoral strength is so weak that it has little chance of gaining control of a government. Currently, such parties would include: Green, Libertarian, Reform, et al.

**Open Primary** – Any voter, regardless of party, can participate in the primary of his/her choice.

# Resources

Numerous background sources and websites were used, including:

“2000 Primary Ballot Access Reports” produced by the Republican National Party

Citizens for a Better America’s State Election Sites

<http://www.cfaba.org/cfo8002.htm>

Federal Election Commission

<http://www.fec.gov>

Free States Flags Images

<http://patrioticart.tripod.com/flags/state.html>

George Washington University’s Democracy in Action Project

<http://www.gwu.edu/~action>

The National Journal

<http://www.nationaljournal.com>

Potter, Trevor and Marianne Holt Viray, “Barriers to Participation”, *University of Michigan Law Review* (publication forthcoming)

More specific cites can also be found in the footnotes.