

# Candidate Filings for County Chairs



# Topics Covered

- Resources
- Notice Requirements
- Candidate Filing Deadlines
- Methods of Filing Candidate Applications
- Review of Candidate Applications



# Resources

- 2024 Candidate's Guide
- Frequently Asked Questions on Candidacy and Party Affiliation
- **NEW PAGE:** Running for a Judicial Office in 2024
- Forms Manual (Updated)
- Voter Registration for Candidates
- Conducting Elections Page
- Primary Election Law Calendar
- Deadlines for Vacancies and Replacement Nominees (Advisory No. 2023-20)
- County Chair Handbook



# Notice Requirements

Not later than the day before the last day of the filing period, the county chair shall post on the political party's Internet website or in the location where a candidate files for a place on the ballot notice of the address at which the county chair or secretary of the county executive committee will be available to receive applications on the last day of the filing period.

- If both the county chair and the secretary will be available, the notice must contain the address at which each will be available.
- While you are only required to post notice on the last day, our office recommends you post notice of where a candidate can file before the last day.
- Notice is Form 18-1
- Deadline to post is Sunday, December 10, 2023

(Sec. 172.022(b), Texas Election Code)



# Notice Requirements

If the deadline for filing candidate applications is extended for an office, then the filing authority must post a notice of the extended filing deadline.

- Authority with whom the withdrawn, deceased, or ineligible candidate's application was filed must prepare a notice identifying the candidate and the office for which the filing deadline is extended and stating the extended deadline.
- See Section 172.055 of the Election Code for posting requirements
- Notice is Form 18-2



# Candidate Filing Deadlines

- Candidates seeking the nomination of the Republican or Democratic Party must file:
  1. Candidate Application
  2. Filing Fee or Petition in Lieu of a Filing Fee
    - Certain judicial candidates must also file additional petitions
- The candidate's application, filing fee, and any accompanying petition must be filed between **November 11, 2023 and 6:00 p.m. on December 11, 2023**
  - Must be filed with the state party chair (state and district offices) or the county party chair (county and precinct offices)
  - This is the first day to file an application for an office other than precinct chair



# Candidate Filing Deadlines

- Candidates for Precinct Chair
  - First day to file an application for the office of precinct chair was Tuesday, September 12, 2023 (Sec. 172.023)
  - Deadline to file an application is 6:00 p.m. on December 11, 2023



# Candidate Filing Deadlines

- Candidates for County Chair
  - A political party's state executive committee, by rule, may require that an application for county chair be accompanied by a nominating petition containing the signatures of at least 10% of the incumbent precinct chairs serving on the county executive committee. (Sec. 172.021)
- Write-in candidates for the offices of county chair or precinct chair
  - Not permitted unless the county executive committee authorizes write-in candidates for those offices. (Section 171.0231)
- A political party may not require payment of a filing fee as a condition to applying for a place on the ballot as a candidate for county chair or precinct chair. (Sec. 172.021)





# Candidate Applications and Petitions

- Application for a Place on the General Primary Ballot for a Precinct or County Chair (**Form 2-3**)
- Application for a Place on the General Primary Ballot (**Form 2-4**)
- Application for a Place on the General Primary Ballot for a Federal Office (**Form 2-5**)
- Judicial Candidate Application for a Place on the General Primary Ballot (**Form 2-6**)
- Petition in Lieu of a Filing Fee and/or Petition for Judicial Office for a Primary Election (**Form 2-7**)
- Petition for a Statewide Judicial Office in a Primary Election (**Form 2-8**)



# Candidate Applications and Petitions

- **NEW LAW:** Pursuant to HB 2384 (88th Leg., R.S.), effective September 1, 2023, candidates for certain judicial offices must provide additional information with their judicial application for a place on the ballot.

(Section 141.0311, Texas Election Code)



# Candidates Who Must File a Petition

- Candidates running for Courts of Appeals in the 1st, 2nd, 3rd, 4th, 5th, and 14th Districts and all candidates running for judicial offices, including justice of the peace, in Bexar, Dallas, Harris, and Tarrant Counties must file a Petition for Judicial Office for a Primary Election (**Form 2-7**)
  - 250-signature judicial petition is required in addition to the filing fee, or 750 signatures must be collected on the Petition in Lieu of a Filing fee
- Certain statewide judicial candidates must also file a Petition for a Statewide Judicial Office in a Primary Election (**Form 2-8**)
  - Along with filing fee, 50 signatures from each of the fourteen court of appeals districts, for a total requirement of 700 signatures.
    - 5,000 signatures for a Petition in Lieu of a Filing Fee.



# Candidate Applications and Petitions

- Submitting the wrong application is grounds for rejecting an application.
  - Judicial candidates **MUST** submit a judicial candidate application.
- Forms can be accessed on the following SOS pages:
  - Forms Manual
  - 2024 Candidate's Guide
- If you are having trouble accessing the new forms, please clear your cache on your web browser.
- How to determine if it's the correct application...



# Candidate Applications and Petitions

2-4  
Prescribed by Secretary of State  
Sections 141.031, 145.030, 172.021, 172.022, 172.023, 172.024, Texas Election Code  
11/06/23

**APPLICATION FOR A PLACE ON THE GENERAL PRIMARY BALLOT**  
ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL. Failure to provide required information may result in rejection of application.

**APPLICATION FOR A PLACE ON THE \_\_\_\_\_ PARTY GENERAL PRIMARY BALLOT**  
To: State/County Chair (Democratic or Republican)

I request that my name be placed on the above-named official primary ballot as a candidate for nomination to the office indicated below.

<b>OFFICE SOUGHT</b> (Include any place number or other distinguishing number, if any.)	<b>INDICATE TERM</b> <input type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED	<b>INCUMBENT DECLARATION:</b> (Check this box if you are the incumbent.) <b>INCUMBENT</b> <input type="checkbox"/>
<b>FULL NAME</b> (First, Middle, Last)	<b>PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT*</b>	
<b>PERMANENT RESIDENCE ADDRESS</b> (Do not include a P.O. box or Rural Route, if you do not have a residence address, describe location of residence.)	<b>PUBLIC MAILING ADDRESS (Optional)</b> (Address for which you receive campaign related correspondence, if available.)	
<b>CITY</b> <b>STATE</b> <b>ZIP</b>	<b>CITY</b> <b>STATE</b> <b>ZIP</b>	
<b>PUBLIC EMAIL ADDRESS (Optional)</b> (Address for which you receive campaign related emails, if available.)	<b>OCCUPATION</b> (Do not leave blank)	<b>DATE OF BIRTH</b> <b>VOTER REGISTRATION VOID NUMBER (Optional)</b>
<b>TELEPHONE CONTACT INFORMATION (Optional)</b> Home: _____ Office: _____ Cell: _____		
<b>FELONY CONVICTION STATUS (You MUST check one)</b> <input type="checkbox"/> I have not been finally convicted of a felony. <input type="checkbox"/> I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application. <sup>1</sup>	<b>LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN</b> <b>IN THE STATE OF TEXAS</b> _____ year(s) _____ month(s)	<b>IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED</b> _____ year(s) _____ month(s)

\*If using a nickname as part of your name to appear on the ballot, you are also signing and swearing to the following statements: I further swear that my nickname does not constitute a slogan or contain a title, nor does it indicate a political, economic, social, or religious view or affiliation. I have been commonly known by this nickname for at least three years prior to this election. Please review sections 52.031, 52.032 and 52.033 of the Texas Election Code regarding the rules for how names may be listed on the official ballot.

Before me, the undersigned authority, on this day personally appeared (name of candidate) \_\_\_\_\_, who being by me here and now duly sworn, upon oath says: \_\_\_\_\_  
"I, (name of candidate) \_\_\_\_\_ of \_\_\_\_\_ County, Texas, being a candidate for the office of \_\_\_\_\_ swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct."

**X**  
SIGNATURE OF CANDIDATE

Sworn to and subscribed before me this the \_\_\_\_\_ day of \_\_\_\_\_ (month) \_\_\_\_\_ (year) by \_\_\_\_\_ (name of candidate)

Signature of Officer Authorized to Administer Oath<sup>4</sup> \_\_\_\_\_ Printed Name of Officer Authorized to Administer Oath \_\_\_\_\_  
Notarial or Official Seal

Title of Officer Authorized to Administer Oath \_\_\_\_\_

**TO BE COMPLETED BY CHAIR OR SECRETARY OF THE COUNTY EXECUTIVE COMMITTEE: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE PAID BY:**  
 CASH  CHECK  MONEY ORDER  CASHIER'S CHECK OR  PETITION IN LIEU OF A FILING FEE  Voter Registration Status Verified  
This document and \$ \_\_\_\_\_ filing fee or a nominating petition of \_\_\_\_\_ pages received. (See Section 1.007)

Date Filed \_\_\_\_\_ Signature of Chair or Designee Receiving Filed Application \_\_\_\_\_  
or \_\_\_\_\_  
Date Accepted \_\_\_\_\_ Date Rejected \_\_\_\_\_ Signature of Chair or Secretary Upon Determination of Application \_\_\_\_\_

11/2023 Revision Date

Incumbent Declaration Box

Information Provided by Filing Authority



# Methods of Filing Candidate Applications

- Applications can be delivered in person or by mail.
  - If by mail: Must look at time of receipt, **NOT** postmark.
    - Receipt = actual possession of filing authority or agent, or time deposited in the authority's mail box.
  - Application cannot be submitted in parts. All parts must be submitted at the same time.
    - If a candidate submits a filing fee along with an application, it **MAY NOT** be submitted via email or fax.
    - If a candidate submits a petition in lieu of a filing fee along with an application, those may be submitted together via email or fax.



# Review of Candidate Applications

- **Form, Content and Procedure**
  - Was the candidate application submitted timely?
  - Was it filled out properly?
- **Eligibility**
  - On the face of the application, does the candidate meet the eligibility requirements associated with that office?



# Review of Candidate Application

- **Form, Content, and Procedure (Sec. 172.0222)**
  - Review must be completed no later than the 5<sup>th</sup> day after application is received (unless there is a petition).
  - If application is submitted fewer than 5 business days before the regular filing deadline, review must be completed no later than the first Friday after the deadline.
  - Accepting application does not preclude a later determination that there is a deficiency in the application.
  - If rejecting, must do so **immediately** and deliver to candidate a **written notice of rejection**.
  - Cannot challenge after the 50th day before election day. (Sec. 172.0223)
    - Tuesday, January 16, 2024 – Primary Election





# “Form, Content, and Procedure”

- Is the application complete?
- Are all of the required boxes filled in?
- Did the candidate include a petition or filing fee? Or both, for applicable judicial offices?
  - Is the filing fee for the correct amount? Are there sufficient funds in their account to cover the fee?
  - Did they provide enough petition signatures?
  - Does the petition identify the office sought and include the candidate’s name?
  - Is the affidavit of circulator complete on the petition?
- Does the application identify what office they are filing for?
- Is the application signed by the candidate?
- Was it notarized or sworn to by a person authorized to administer oaths under Chapter 602 of the Government Code?
- Was the application submitted in an authorized manner?



# “Form, Content, Procedure” Challenges

- **Limitations on Challenges (172.0223, TEC)**
  - “Form, content and procedure” requirements may not be challenged after the 50<sup>th</sup> day before primary election day.
  - Challenge must state with specificity how the application does not comply.
  - Authority's review of challenge is limited to specific items challenged. Challenged candidate can file response with the authority.
  - This section does **NOT** apply to a determination of a candidate's eligibility.



# Review of Candidate Petition

- **Review of Petition (172.0222, TEC)**
  - Petition is part of application and review should be completed as soon as practicable.
  - Deficiency in petition can't be cured with information provided in application.
  - **Unless the petition is challenged, the authority is only required to review the petition for facial compliance with the applicable requirements as to form, content, and procedure.**



# Administrative Declaration of Ineligibility

- **Eligibility**

- MAY administratively declare candidate ineligible if:

- Information on candidate application indicates ineligible for office, OR
- Conclusive public record shows ineligible.

**NOTE:** There is NO public record that conclusively establishes residency.

(Sec. 145.003, Texas Election Code)



# Candidate Eligibility

- **Eligibility for Public Office (141.001, TEC)**

- US Citizen
- 18 years of age or older
- No final judgment indicating:
  - Totally mentally incapacitated or
  - Partially mentally incapacitated without the right to vote
- No final felony conviction
  - Unless pardoned or released from resulting disabilities
- Resided continuously in the state for 12 months
- Resided continuously in the territory for 6 months
- Registered voter of the territory

**NOTE:** Some offices have exclusive eligibility requirements, some laws are only partially conflicting and for some offices all of 141.001 applies.



# Administrative Declaration of Ineligibility

- Candidate **MAY** be declared ineligible:
  - By filing authority before early voting in person begins, OR
  - By presiding officer of final canvassing authority after polls close
- Candidate must be given **written notice** of the declaration of ineligibility.



# Administrative Declaration of Ineligibility

- **Deadline for declaration of ineligibility in time to remove candidate from the ballot is Tuesday, December 12, 2023.**

(Secs. 172.057 & 172.058(a), Texas Election Code)



# Accepting a Candidate Application

- Once application has been accepted, candidate information must be entered into SOS system and the applicable status should be listed for that candidate.





# Rejecting a Candidate Application

- If a candidate's application is rejected, the candidate's information must be entered into the SOS candidate filing system and the applicable status should be listed for that candidate.



# Withdrawal

- To be effective, withdrawal **MUST** be:
  - In writing, signed, and acknowledged (sworn to) by the candidate, AND
  - Timely filed with the filing authority.
  - Sample Certificate of Withdrawal Form 2-66
- This has the effect of removing name from ballot. If withdrawal submitted too late, candidate's name remains on ballot and withdrawal has no effect.



# Withdrawal

- **Filing Deadline**

- First day after application deadline. [Sec. 172.052]
- Tuesday, December 12, 2023



# Public Information

- All candidate applications, including petitions, are public upon filing (Section 141.035).
- Confidentiality for voter registration purposes does not mean a candidate has confidentiality for candidacy purposes.
- Certain candidates can request confidentiality
  - Candidates entitled to confidentiality under Gov. Code 552.1175 must separately request confidentiality from the filing authority for information on a candidate application.



# Public Information

- Any individual subject to 552.1175 is eligible for certain protections.
- HB 1082 extended certain confidentiality protections to elected public officers. (552.1175, Texas Government Code).
  - To receive confidentiality, qualified individual MUST:
    - (1) choose to restrict public access, AND
    - (2) notify the governmental body of their choice and provide evidence of individual's status.
  - If they have submitted this request to filing authority, you may redact information without seeking OAG request. You must provide certain information to requestor – form on OAG website that you can use. (**Form Letter 552.1175**)
  - If requestor wants that information, the requestor can seek a ruling from the OAG.



# Review of Candidate Applications



2-4  
 Prescribed by Secretary of State  
 Sections 141.031, 141.039, 172.021, 172.022, 172.023, 172.024, Texas Election Code  
 11/2023

**APPLICATION FOR A PLACE ON THE GENERAL PRIMARY BALLOT**

ALL INFORMATION IS REQUIRED TO BE PROVIDED UNLESS INDICATED AS OPTIONAL! Failure to provide required information may result in rejection of application.

<b>APPLICATION FOR A PLACE ON THE _____ PARTY GENERAL PRIMARY BALLOT</b>	
To: State/County Chair _____ (Democratic or Republican) <b>Box 1</b>	
I request that my name be placed on the above-named official primary ballot as a candidate for nomination to the office indicated below.	
<b>OFFICE SOUGHT</b> (Include any place number or other distinguishing number, if any.) <b>Box 2</b>	<b>INDICATE TERM</b> <input type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED <b>Box 3</b>
	<b>INCUMBENT DECLARATION:</b> (Check this box if you are the incumbent.) <b>Box 4</b> INCUMBENT <input type="checkbox"/>

**Box 1:** If left blank, not necessarily fatal.

**Box 2:** Should include distinguishing number, if applicable. Does not have to be stylized any certain way as long as you can determine which office the candidate is applying for.

**Box 3:** Must be completed if there is another office that has the same title but does not have place numbers. If it is blank, but you understand which office the application is for, you can accept.

**Box 4:** If left blank, not necessarily fatal. Needed for TEAM entry.



<input type="checkbox"/> FULL <input type="checkbox"/> UNEXPIRED	
FULL NAME (First, Middle, Last)	PRINT NAME AS YOU WANT IT TO APPEAR ON THE BALLOT*
<b>Box 5</b>	<b>Box 6</b>
PERMANENT RESIDENCE ADDRESS (IF YOU ARE A U.S. CITIZEN, YOU MUST RESIDE IN TEXAS FOR AT LEAST 60 DAYS BEFORE THE ELECTION)	PUBLIC MAILING ADDRESS (OPTIONAL)

- **Box 5: Full Name**
  - Legal name, but does not have to exactly match legal documents.
    - EX: John Michael Smith, John M. Smith, John Smith
- **Box 6: Name as you want it to appear on ballot**
  - Nickname rules apply.
  - Candidate may use any surname acquired by law or marriage.
  - Titles are prohibited but are not grounds for rejection.





<b>PERMANENT RESIDENCE ADDRESS</b> (Do not include a P.O. Box or Rural Route. If you do not have a residence address, describe location of residence.)			<b>PUBLIC MAILING ADDRESS (Optional)</b> (Address for which you receive campaign related correspondence, if available.)		
<b>Box 7</b>			<b>Box 8</b>		
CITY	STATE	ZIP	CITY	STATE	ZIP

- **Box 7: Permanent Residence Address**
  - MUST be completed by all candidates
  - Even candidates subject to confidentiality (judges and peace officers) must complete this box.
    - Certain candidates can request confidentiality
      - Candidates entitled to confidentiality under Government Code Section 552.1175 must *separately* request confidentiality from the filing authority for information on a candidate application
  
- **Box 8: Public Mailing Address, if Available.**



# Eligibility

- **Residency**

- Is the candidate a resident of the territory they would be elected from? (If applicable)
- Is the address on their application located within the territory?
- Have they resided in the territory the proper amount of time? (If there is a durational residence requirement)

**NOTE:** Eligibility verification by the filing authority does **NOT** include whether the candidates actually live at the address provided. This is left up to the courts.

**NOTE:** Section 141.001, TEC provides additional language to help define residency. However, Texas law does not allow a filing authority to make a conclusive determination about the location of a person's residence. Only a court of law may make such a determination



<b>PUBLIC EMAIL ADDRESS (Optional)</b> (Address for which you receive campaign related emails, if available.) <b>Box 9</b>	<b>OCCUPATION (Do not leave blank)</b> <b>Box 10</b>	<b>DATE OF BIRTH</b> <b>Box/11 /</b>	<b>VOTER REGISTRATION VOID NUMBER<sup>2</sup> (Optional)</b> <b>Box 12</b>
<b>TELEPHONE CONTACT INFORMATION (Optional)</b> Home: <b>Box 13</b> Office:                      Cell:			

- **Box 9: Public Email Address, if available**
  - This is what candidates should use to receive campaign email. Public address does NOT mean the candidate’s county or government email address as a public official.
- **Box 10: Occupation**
  - Required per Section 141.031, Texas Election Code. However, please review [In re Anthony](#), 642 S.W.3d 588 (Tex. 2022).
- **Box 11: Date of Birth**
  - Used to validate that the candidate meets minimum age requirements.
- **Box 12: VR Number (VOID)**
  - Not required, but very helpful as it can help you to validate their VR status, if applicable.
  - Also puts the candidate on notice that they need to think about their current VR status.
- **Box 13: Contact information**
  - Optional, but helpful to you if you need to contact a candidate.



# Eligibility

- **Age**
  - Does the candidate meet the minimum age requirements required for that office?



# Eligibility

- **Voter Registration**
  - Is the candidate a registered voter of the territory from which they are seeking office?
  - Is the candidate's registration effective?
    - by the date of the filing deadline (for place on the ballot) OR
    - election day (for write-in)?
  - A candidate's registration must be **EFFECTIVE**. It is not enough to have submitted a registration application.
- **Status as Registered Voter**
  - As Candidate (141.001(6), TEC)
  - As Officeholder (601.009, Government Code)
    - "A person may not qualify for a public elective office unless the person is a registered voter."
  - Inconsistency in the Law



FELONY CONVICTION STATUS (You MUST check one)	
<input type="checkbox"/>	I have not been finally convicted of a felony. <b>Box 14</b>
<input type="checkbox"/>	I have been finally convicted of a felony, but I have been pardoned or otherwise released from the resulting disabilities of that felony conviction and I have provided proof of this fact with the submission of this application. <sup>3</sup>

- **Box 14: Felony Conviction Status**

- Must be completed.
- If they mark the second box, the candidate must provide documentation to provide proof that they have been pardoned or released from the resulting disabilities.
- See back of the application for a list of acceptable documents. Call SOS with questions!



# Eligibility

- **Felony Conviction**

- Does the voter have a final felony conviction? If so, have they been pardoned or otherwise released from the resulting disabilities? (NOTE: Not all offices prohibit felony convictions.)
- OAG Opinion – KP-0251 – Felony Convictions and Candidacy



LENGTH OF CONTINUOUS RESIDENCE AS OF DATE THIS APPLICATION WAS SWORN	
IN THE STATE OF TEXAS	IN TERRITORY/DISTRICT/PRECINCT FROM WHICH THE OFFICE SOUGHT IS ELECTED
_____ year(s)	_____ year(s)
_____ month(s)	_____ month(s)

**Box 15**

- **Box 15: Length of Continuous Residence**
  - Must be completed.
  - Must indicate how long they have lived in the territory for which they are seeking office.
  - Check Qualifications for Public Office chart if you have questions on requirements.





# Eligibility

- **Length of Continuous Residence (Sec. 141.001)**

- Has the candidate been a resident of the territory elected from for the required period of time?
  - **Primary Candidate:** The date of the regular filing deadline for a candidate's application for a place on the primary ballot (December 11, 2023)
  - **Party Nominating by Convention:** The date the nomination is made
  - **Independent Candidate:** The date of the regular filing deadline for a candidate's application for a place on the ballot (June 27, 2024)
  - **Write-in Candidate:** The date of the election at which the candidate's name is written in (November 5, 2024)



# Eligibility

If the candidate describes a residence address on the face of the application within the territory and the state for the requisite amount of time, the filing authority must accept that statement.

Under Section 145.003(f) of the Texas Election Code, an administrative declaration of ineligibility may be made only if the application or a conclusive public record establishes the candidate's ineligibility.

Neither the courts nor the Texas Legislature have established a public document that conclusively establishes residency.



Before me, the undersigned authority, on this day personally appeared (name of candidate) \_\_\_\_\_, who being by me here and now duly sworn, upon oath says:

"I, (name of candidate) \_\_\_\_\_, of \_\_\_\_\_ County, Texas, being a candidate for the office of \_\_\_\_\_, swear that I will support and defend the Constitution and laws of the United States and of the State of Texas. I am a citizen of the United States eligible to hold such office under the constitution and laws of this state. I have not been determined by a final judgment of a court exercising probate jurisdiction to be totally mentally incapacitated or partially mentally incapacitated without the right to vote. I am aware of the nepotism law, Chapter 573, Government Code. I am aware that I must disclose any prior felony conviction, and if so convicted, must provide proof that I have been pardoned or otherwise released from the resulting disabilities of any such final felony conviction. I am aware that knowingly providing false information on the application regarding my possible felony conviction status constitutes a Class B misdemeanor. I further swear that the foregoing statements included in my application are in all things true and correct."

**Box 16**

X

SIGNATURE OF CANDIDATE

Sworn to and subscribed before me this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by \_\_\_\_\_.  
(day) (month) (year) (name of candidate)

Signature of Officer Authorized to Administer Oath<sup>4</sup>

Printed Name of Officer Authorized to Administer Oath

Notarial or Official Seal

Title of Officer Authorized to Administer Oath

- **Box 16: Oath and Notary**

- Must be completed and signed and sworn to by candidate.
- If the candidate leaves blanks in the statement of oath, it is not fatal if the application (Not Petition) contains the applicable information.
- Mistakes by the notary are not always fatal. Please call SOS for additional guidance if that happens.



# Eligibility

- **Oath and Notary**
  - **Was the oath properly administered and notarized?**
    - The oath must be administered by a notary public or any other person authorized to administer an oath under Chapter 602 of the Texas Government Code.
    - Party chairs cannot administer an oath unless they are a notary or otherwise authorized under Chapter 602 of the Texas Government Code.



TO BE COMPLETED BY CHAIR OR SECRETARY OF THE COUNTY EXECUTIVE COMMITTEE: THIS APPLICATION IS ACCOMPANIED BY THE REQUIRED FILING FEE PAID BY:

CASH  CHECK  MONEY ORDER  CASHIERS CHECK OR  PETITION IN LIEU OF A FILING FEE  Voter Registration Status Verified

This document and \$ \_\_\_\_\_ filing fee or a nominating petition of \_\_\_\_\_ pages received. (See Section 1.007)

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date Filed

**Box 17**

\_\_\_\_\_  
Signature of Chair or Designee Receiving Filed Application

\_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_ or \_\_\_\_\_/\_\_\_\_\_/\_\_\_\_\_  
Date Accepted

Date Rejected

\_\_\_\_\_  
Signature of Chair or Secretary Upon Determination of Application

- **Box 17: Completed by the Filing Authority or Designee Who Received Application**

- Failure to complete this box is not fatal to an application.
- Part of this box should be completed at the time the application has been received by the person who takes the application.
- The remainder should be filled in after it has been reviewed and a disposition has been made on the application.
- This contains information to help you know what actions have been taken and when on an application.
- Section 1.007 provides that any employee at the usual place of business can receive the filing.



# Candidate Petitions



# Candidate Petitions

- All candidates that require a filing fee can submit a Petition in Lieu of a Filing Fee.
- **Review of Petition (141.032, TEC)**
  - Petition is part of the application and review should be completed as soon as practicable.
  - Deficiency in the petition cannot be cured with information provided in the application.
  - **Unless the petition is challenged, the authority is only required to review the petition for facial compliance with the applicable requirements as to form, content, and procedure.**



# Candidate Petitions

- **Validity of Petition Signatures:**
  - For a signature to be valid, signer must be a registered voter of the territory from which the office sought is to be elected or have been issued a registration certificate that will be effective in that territory on election day.
- **Signature Requirements:**
  - The signer's residence address;
  - The date of birth OR the signer's voter registration number;
  - if the territory from which signatures must be obtained is situated in more than one county, the county of registration;
  - The date of signing; and
  - The signer's printed name.
    - The signature is the only information that is required to appear on the petition in the signer's own handwriting.
    - The use of ditto marks or abbreviations does not invalidate a signature if the required information is reasonably ascertainable.
    - The omission of the state from the signer's residence address does not invalidate a signature unless the political subdivision from which the signature is obtained is situated in more than one state. The omission of the zip code from the address does not invalidate a signature.





# Candidate Petitions

- On signing a petition to be filed under Section 172.021, the signer becomes ineligible to vote in a primary election or participate in a convention of another political party during the voting year in which the primary is held. (Sec. 172.026)
- A voter may not sign the petition of more than one candidate for the same office in the same election. (Sec. 141.066)



# Candidate Petitions

- The Affidavit of Circulator appears at the bottom of each page of the petition, but only needs to be completed once for each circulator even if there are multiple pages of voters' signatures.
- The signatures collected must be from voters who are registered in the territory from which the office is elected.
- The Affidavit of Circulator must be administered and signed by a person authorized to administer oaths under Chapter 602 of the Government Code.



# Questions?

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