



How to Run for Federal and State Office

A Candidate Information Guide

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INTRODUCTION

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

This publication contains the information necessary for those seeking federal or state office in Colorado – basic facts on everything from qualifications for office to how to get on the ballot. If you are seeking information on how to run for county or municipal office, see your county clerk and recorder or municipal election official.

We recommend that you use this guide in conjunction with Colorado statute and our website at www.sos.state.co.us On our website you will find ballot access forms and campaign finance information, including TRACER, which assists candidates in filing campaign finance documents.

I hope this publication will be helpful and informative as you pursue your quest.

STEP 1: MEET THE BASIC QUALIFICATIONS FOR OFFICE

| OFFICE | AGE | STATE RESIDENCE | DISTRICT RESIDENCE | U.S. CITIZEN | YEARS IN TERM | NUMBER OF TERMS |
|--------------------------|-----|------------------------|--------------------|--------------|---------------|-----------------|
| President | 35 | 14-year U.S. residence | N/A | Natural-born | 4 | 2 |
| Vice President | 35 | 14-year U.S. residence | N/A | Natural-born | 4 | No limit |
| U.S. Senator | 30 | Yes | N/A | 9 years | 6 | Voluntary* |
| U.S. Representative | 25 | Yes | None | 7 years | 2 | Voluntary* |
| Governor | 30 | 2 years | N/A | Yes | 4 | 2 |
| Lt. Governor | 30 | 2 years | N/A | Yes | 4 | 2 |
| Secretary of State | 25 | 2 years | N/A | Yes | 4 | 2 |
| State Treasurer | 25 | 2 years | N/A | Yes | 4 | 2 |
| Attorney General ** | 25 | 2 years | N/A | Yes | 4 | 2 |
| State Board of Education | 18 | Yes | Yes | Yes | 6 | 2 |
| CU Regent | 18 | Yes | Yes | Yes | 6 | 2 |
| State Senator | 25 | 1 year | 1 year | Yes | 4 | 2 |
| State Representative | 25 | 1 year | 1 year | Yes | 2 | 4 |
| District Attorney *** | 18 | Yes | Yes | Yes | 4 | Varies |
| RTD Board of Directors | 18 | Yes | Yes | Yes | 4 | 2 |

* U.S. representatives may voluntarily limit service to 3 terms; U.S. senators may voluntarily limit service to 2 terms.

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

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

STEP 2: ANNOUNCE YOUR CANDIDACY

FEDERAL CANDIDATES

If you are running for a federal office, contact the Federal Election Commission at 1-800-424-9530 or www.fec.gov for information about announcing your candidacy and reporting donations and expenditures. Federal candidates do not file campaign finance documents with the state of Colorado.

STATE CANDIDATES

You will need to become familiar with the requirements of Article XXVIII of the Colorado Constitution (Campaign and Political Finance) and Title 1, Article 45, C.R.S. (Fair Campaign Practices Act). Call the Campaign Finance staff in the Elections Division of the Secretary of State's office at 303-894-2200 (dial 3 then 1) with any questions.

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

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

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

A: You must file on-line a [candidate affidavit](#) with the Secretary of State's office within 10 days of becoming a candidate. When completing the candidate affidavit on-line, you will be asked if you wish to accept voluntary spending limits. Within 10 days of filing the candidate affidavit, you must submit a [personal financial disclosure](#) form to the Secretary of State's office. RTD candidates are not required to file a personal financial disclosure form.

Q: I will not be accepting contributions or spending my own money on my campaign. Is there anything else I have to file?

A: No. You may file a voluntary report in order to provide full public disclosure.

Q: I will not be accepting contributions, but I will be spending my own money on my campaign. How do I report my expenditures?

Candidates who do not accept contributions, but spend their own money must file disclosure reports itemizing expenditures of \$20 or more. Candidates will file these reports via [TRACER](#), a web-based campaign finance reporting tool.

Q: I will be accepting contributions and spending money on my campaign. How do I report these?

A: You are required to form a [candidate committee](#). Through your candidate committee, you will be required to file periodic reports. The web-based campaign finance reporting tool, [TRACER](#), will assist you in completing these reports.

Q: I am a write-in candidate. Do I have to report contributions and expenditures?

A: Yes. The same campaign finance rules apply to on-ballot and write-in candidates.

Q: Are there filings due after the election?

A: Yes. Your candidate committee must continue to file until it affirmatively terminates with a zero fund balance. Standalone candidates (candidates without a committee) may need to file a report after the election if unreported expenditures have been made. Also, officeholders are required to annually update their personal financial disclosures on or before the 10th of January, and to report all gifts and honoraria on a quarterly schedule.

Q: Once I have declared my candidacy, can I change my mind?

A: Yes. On the Secretary of State's [Ballot Access Forms](#) page, complete the withdrawal form and submit it to the Secretary of State's office. Filing a withdrawal form does not release the candidate from campaign finance filing obligations. Contact Campaign Finance to learn how to terminate candidate committees.

Q: What is my personal liability as a candidate?

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

CANDIDATE COMMITTEES

This section provides statutory references to candidate committee topics and helpful hints about working with candidate committees.

Definitions:

Art. XXVIII, Sec. 2

Registration/Amendments:

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

Disclosure Requirements:

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

Filing Dates:

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

Contribution Limits:

Art. XXVIII, Sec. 3; Campaign and Political Finance Rule 10

Sanctions:

Art. XXVIII, Sec. 10

Tip 1: Candidate committees cannot knowingly accept contributions from corporations or labor organizations. [Article XXVIII, Section 3(4)(a)]

Tip 2: Candidate committees cannot knowingly accept contributions from foreign citizens, foreign corporations, or foreign governments. [Article XXVIII, Section 3(12)]

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

Tip 4: Only the candidate, the registered agent, or the designated filing agent of the candidate's committee may sign the "Report of Contributions and Expenditures." [Campaign and Political Finance Rule 2.2]

Tip 5: Once a candidate committee is opened, it can only be closed by filing a termination report, indicating a "zero" balance and no outstanding debts, penalties, or obligations. [Campaign and Political Finance Rule 12]

Tip 6: No person shall act as a conduit for a contribution to a candidate committee. [Article XXVIII, Section 3(7)]

Tip 7: Candidates accepting voluntary spending limits should review Article XXVIII, Section 4.

STEP 3: BALLOT ACCESS

This section contains general information on how to access the ballot as a candidate. If you are running for a particular office, go to the [printable information packets](#) page and review the specific ballot access options for each office.

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

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

POLITICAL PARTY CANDIDATE NOMINATION:

- To be eligible for nomination by a political party, a candidate must be registered as affiliated with that party no later than the first business day of January of the election year, unless party rules state otherwise. [1-4-601(4)(a); 1-4-1304(2)(b), C.R.S.]
- Candidates who wish to gain ballot access through the party assembly must receive at least 30% of the votes cast by assembly delegates present and voting for that specific office at the party assembly. [1-4-601(2); 1-4-1304(1.5)(b)(II), C.R.S.]
- Major party candidates nominated by assembly are placed on the primary election ballot. [1-4-601(1), C.R.S.]

- Minor party candidates nominated by assembly are placed on the general election ballot unless there is more than one candidate for that office nominated by and/or petition; then the candidates are placed on the primary ballot. [1-4-1304, C.R.S.]

POLITICAL PARTY CANDIDATE PETITION

- Major Party Circulation Dates: Third Tuesday in January to the third Tuesday in March. [1-4-801(5); 1-4-802(1)(d)(II) & (1)(f)(II), C.R.S.]
- Minor Party Circulation Dates: First Monday in February to 85 days before the primary election. [1-4-802(1)(d)(II) & (1)(f)(II), C.R.S.]
- A candidate must be affiliated with the political party no later than the first business day in January of the election year. [1-4-801(3); 1-4-802(1)(g), C.R.S.]
- No candidate who attempted and failed to receive at least 10% of the votes cast at the assembly for a particular office shall be placed in nomination by petition on behalf of that party for the same office. [1-4-801(4), C.R.S.]
- Nomination petition formats must be approved by the Secretary of State prior to circulation. [1-4-903, C.R.S.]
- For major party candidates, only eligible electors registered as affiliated with the major political party for at least 29 days who reside within the district for which the petition is being circulated and who have not signed any other petition for any other candidate for the same office may sign the petition. [1-4-904(2)(a), C.R.S.] For minor party candidates, only eligible electors within the district who have not signed any other petition for any other candidate for the same office may sign the petition. [1-4-904(2)(b), C.R.S.]
- Major party candidates nominated by petition are placed on the primary election ballot. [1-4-801(1), C.R.S.]
- Minor party candidates nominated by petition are placed on the general election ballot unless there is more than one candidate for that office nominated by assembly and/or petition; then the candidates are placed on the primary ballot. [1-4-1304, C.R.S.]

SIGNATURE REQUIREMENTS FOR MAJOR PARTY CANDIDATE PETITIONS

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

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

SIGNATURE REQUIREMENTS FOR MINOR PARTY CANDIDATE PETITIONS

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

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

UNAFFILIATED CANDIDATE PETITION

- Circulation Dates: Between 173 days before the general election and 3 p.m. on the 117th day before the general election. [1-4-802(d)(I); 1-4-802(1)(f)(I), C.R.S.]
- A candidate must be registered as unaffiliated no later than the first business day in January of the election year. [1-4-802(1)(g)(II), C.R.S.]
- Petition formats must be approved prior to circulation by the Colorado Secretary of State. [1-4-903, C.R.S.]
- Unaffiliated candidates nominated by petition are placed on the general election ballot.
- Only eligible electors of the district who have not signed any other petition for any other candidate for the same office may sign the petition. [1-4-904(2)(b), C.R.S.]

SIGNATURE REQUIREMENTS FOR UNAFFILIATED CANDIDATE PETITIONS

| <u>OFFICE</u> | <u>SIGNATURES REQUIRED</u> |
|--------------------------|------------------------------------------------|
| President | 5000* |
| U.S. Senator | 1000 or 2% of votes cast (whichever is less)** |
| U.S. Representative | 800 or 2% of votes cast (whichever is less)** |
| Governor | 1000 or 2% of votes cast (whichever is less)** |
| Secretary of State | 1000 or 2% of votes cast (whichever is less)** |
| State Treasurer | 1000 or 2% of votes cast (whichever is less)** |
| Attorney General | 1000 or 2% of votes cast (whichever is less)** |
| State Board of Education | 800 or 2% of votes cast (whichever is less)** |
| CU Regent At-Large | 1000 or 2% of votes cast (whichever is less)** |
| CU Regent | 800 or 2% of votes cast (whichever is less)** |
| State Senator | 600 or 2% of votes cast (whichever is less)** |
| State Representative | 400 or 2% of votes cast (whichever is less)** |
| District Attorney | 650 or 2% of votes cast (whichever is less)** |
| RTD Director | 250 |

*Note that presidential candidates also have the option of paying a \$1,000 fee instead of petitioning on the ballot. See the [presidential guide](#) to running for office.

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

WRITE-IN AFFIDAVIT

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

USEFUL LINKS

[Check your voter registration information](#)

[Political party contact information](#)

[Candidate information packets by office](#)

[Ballot access forms](#)

[Campaign finance information and TRACER](#)

CONTACT INFORMATION

Questions about accessing the ballot: 303-894-2200 x6333
ballot.access@sos.state.co.us

Questions about campaign finance: 303-894-2200 (dial 3 then 1)
cpfhelp@sos.state.co.us

Colorado Secretary of State's website: www.sos.state.co.us