GENERAL INFORMATION ABOUT RUNNING FOR PUBLIC OFFICE

Please note that the information contained in this document is subject to change without notice in the event of the passage of amendatory legislation.

This document is intended to provide a general overview regarding running for county and local level public office in Allegheny County. It is not intended to be a complete and detailed guide to all of the statutory requirements related to running for office. For detailed information and official forms and instructions, please contact the Elections Division at (412) 350-4528.

For information about running for state-level public office in the Commonwealth of Pennsylvania, please contact the Bureau of Commissions, Elections and Legislation, at http://www.dos.state.pa.us/portal/server.pt/community/running_for_office/12704, or by telephone at (717) 787-5280.

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I

Deciding to Run for Office
(Methods for Gaining Access to the Ballot and Qualification Requirements)

Deciding to Run for Office

A prospective candidate for public office should determine if he or she can afford the commitment of time, money and energy necessary to run for public office. A prospective candidate must also make sure that he or she is qualified to hold the office being sought.

The Two Methods for Gaining Access to the November Ballot

There are two methods by which a candidate may gain access to the November ballot: 1) gaining access to a political party's primary ballot and winning that party's nomination; and 2) gaining direct access to the November ballot by means of nomination papers, which are filed by minor political parties and political bodies.

What Is a Political Party?

Statewide:

A **statewide political party** is any party or political body, one of whose candidates at the general election preceding the primary polled at least 2% of the largest entire vote cast for any elected candidate in each of at least ten counties, and polled a total statewide vote of at least 2% of the largest entire vote cast in the State for any elected candidate.

Countywide:

A **countywide political party** is any party or political body, one of whose candidates at either the general or municipal election preceding the primary polled at least 5% of the largest entire vote cast for any elected candidate in the county.

What Is a Political Body?

A political body is any party or body that does not qualify as a political party, as defined in the preceding section.

Breakdown of Parties (Political Parties and Minor Political Parties)

Political Party: A qualified political party whose statewide registration is equal to at least 15% of the combined statewide registration for all statewide political parties as of the close of registration for the most recent November election.

Minor Political Party: A qualified political party whose statewide registration is less than 15% of the combined statewide registration for all statewide political parties as of the close of registration for the most recent November election.

Qualifications a Candidate Must Meet to Hold a Public Office

The qualifications to hold public office vary depending on the office a candidate is seeking. The larger the office a candidate is seeking and the more citizens he or she would represent, equates to higher filing fees and signatures required. See the "Elective Office Requirements" for additional information.

Note: *General information about local elective office is also contained in the Department of Community and Economic Development's publication entitled Elective Office in Local Government. A copy of this publication can be viewed online at* http://www.newpa.com/get-local-gov-support/publications

Disaffiliation by Independent Political Body Candidates

Any person who is a registered and enrolled member of a political party during any period of time beginning with thirty (30) days before the primary and extending through the November election is not eligible to be the candidate of a political body in the November election held in the same year. The Political Body Candidate's Affidavit includes a required declaration of disaffiliation.

What First-time Candidates Should Know

A prospective candidate who has not run for public office previously should pay close attention to the instructions provided with the various forms necessary to gain ballot access. A prospective candidate should also understand the commitment of time and energy necessary to run a successful campaign for public office.

II

Getting on the ballot...
(What a Candidate Must File to Access the Ballot)

Filing Fees and Signature Requirements for Nomination Petitions

Filing fees, signature requirements and qualifications vary depending on the office for which the nomination petition is being circulated.

Please reference the Elective Office Requirements for a list of filing fees and signature requirements.

The Statement of Financial Interests

The Statement of Financial Interests is a form that requires a dual filing, the original must be filed with the political subdivision in which you are a candidate, and a copy must be appended to the Nomination Petition or Nomination Paper. The Statement of Financial Interests form requires the filer to set forth information regarding the filer's occupation, sources of income and creditors. For more information regarding the Statement of Financial Interests, you can log onto the State Ethics Commission's website at www.ethics.state.pa.us, or you can call the State Ethics Commission toll free at 1-800-932-0936.

Nomination Petitions and Nomination Papers; Filing Deadlines

A nomination petition is filed by a candidate seeking access to a **primary ballot**. Nomination papers are filed by candidates of **minor political parties and political bodies** for the purpose of gaining access to the ballot in a November election.

Nomination petitions must be circulated and filed between the 13th Tuesday and the 10th Tuesday preceding the primary.

Nomination papers must be circulated and filed between the 10th Wednesday preceding the primary and August 1st of each year.

The Nomination Petition

Each page of a nomination petition contains five basic components: 1) the Preamble; 2) the Signatures of Electors; 3) the Affidavit of Circulator; 4) Candidate's Affidavit and 5) Waiver of Expense Account Reporting.

The Preamble:

The preamble is the portion of the nomination petition page where information about the candidate is inserted. The preamble includes the office for which the candidate

seeks nomination, the name of the candidate, the candidate's occupation, the candidate's residence, and the party affiliation of the signers.

Signatures of Electors:

Each person who signs a nomination petition must insert the following information about himself or herself:

1. Signature;
2. Printed name;
3. Address of residence, including street and number, if any;
4. Their municipality; and
5. The date on which he or she signed the nomination petition.

The Affidavit of Circulator:

Each nomination petition page must include the duly executed affidavit of the person who circulated the nomination petition (the circulator). The circulator of the nomination petition page must swear or affirm the following:

1. That the circulator is a duly registered voter in the Commonwealth of Pennsylvania and an enrolled member of the political party designated in the nomination petition;
2. That the circulator's address of residence is as set forth on of the affidavit;
3. That the signers of the nomination petition page signed with full knowledge of the contents of the nomination petition;
4. That the signers' residences are correctly stated on the nomination petition page;
5. That each signer signed on the date that the signer inserted next to his or her signature, name and address of residence; and
6. That, to the best of the circulator's knowledge and belief, the signers are qualified electors, who are duly registered and enrolled in the political party and are residents of the political subdivision designated in the petition.

The part of Section 909 of the Pennsylvania Election Code, 25 P.S. § 2869, that requires the circulator of a nomination petition to be a resident of the relevant political district in the petition will not be enforced pursuant to advice received from the Pennsylvania Office of Attorney General in Villa v. Aichele, No. 13-cv-06374 (E.D. Pa 2013).

The Candidate's Affidavit:

Each candidate must execute one Candidate's Affidavit with his or her nomination petition or nomination paper. This affidavit sets forth information about the candidate, including the candidate's residence, election district, the name of the office the candidate is seeking and that the candidate is qualified for said office.

The Waiver of Expense Account Reporting Affidavit:

Candidates for local office (County, City, School District, District Judge, Borough, Town and Township) who do not intend to form a political committee or receive contributions or make expenditures (or incur debt) in excess of $250.00, within a reporting period, may execute the Waiver of Expense Account Reporting Affidavit on the nomination petition. In such case, no expense reports are required, unless the $250.00 threshold is exceeded. Although no detailed campaign expense report is filed, Candidates must retain copies of all records for a period of three years.

The Nomination Paper

Each page of a nomination paper contains six basic components: 1) the Preamble; 2) Candidate Information; 3) the Committee to Fill Vacancies; 4) Signatures of Electors; 5) the Affidavit of Qualified Elector and 6) the Waiver of Expense Account Reporting Affidavit (supplied separately).

The Preamble:

The Preamble on a nomination paper page contains the name of the minor political party or political body and the county of signers.

Candidate Information:

This portion of the nomination paper page contains the names, addresses and occupations of the candidates being nominated on the nomination paper. A single nomination paper page can contain the names of more than one candidate, provided that the signers of the nomination paper page are qualified to vote for all of the candidates named in the nomination paper page. For example, a nomination paper page could contain the name of a candidate for a County office, City office, and local office, so long as the signers of the nomination paper page are qualified to vote for each of the candidates named.

Committee to Fill Vacancies:

Each page of a nomination paper submitted by a **political body** must contain the names and addresses of the political body's Committee to Fill Vacancies. The Committee to Fill Vacancies must be composed of at least three and no more than five persons. The members of this committee are empowered to fill a vacancy in the nomination should one occur for any reason.

Signatures of Electors:

Each person who signs a nomination paper must insert the following information about himself or herself:

1. Signature;

2. Printed name;
3. Place of residence, including street and number, if any and Municipality; and
4. The date on which he or she signed the nomination petition.

Affidavit of Qualified Elector:

Each nomination paper page must include the duly executed affidavit of a qualified elector, who circulated the nomination paper (the qualified elector). The qualified elector must swear or affirm the following:

1. That he or she is a qualified elector of the Commonwealth of Pennsylvania;
2. That the qualified elector's address of residence is as set forth in items 4 and 5 of the affidavit;
3. That the signers of the nomination paper page signed with full knowledge of the contents of the nomination paper;
4. That the signers residences are correctly stated on the nomination paper page;
5. That the signers all reside in the county specified in item 1 of the affidavit;
6. That each signer signed on the date that the signer inserted next to his or her signature, name and address of residence; and
7. That to the best of the qualified elector's knowledge and belief, the signers are qualified electors of the electoral districts designated in the nomination paper page.

In addition each candidate must execute a separate Candidate's Affidavit with his or her nomination paper. This affidavit sets forth information about the candidate, including the candidate's residence, election district, the name of the office the candidate is seeking and that the candidate is qualified for said office.

The Waiver of Expense Account Reporting Affidavit:

Candidates for local office (County, City, School District, District Judge, Borough, Town and Township) who do not intend to form a political committee or receive contributions or make expenditures (or incur debt) in excess of $250.00, within a reporting period, may execute the Waiver of Expense Account Reporting Affidavit. In such case, no expense reports are required, unless the $250.00 threshold is exceeded. Although no detailed campaign expense report is filed, Candidates must retain copies of all records for a period of three years.

Filing Fees and Signature Requirements for Nomination Papers

The filing fees for minor political party and political body candidates who file nomination papers are the same as those for candidates who file nomination petitions.

Candidates filing nomination papers (minor political party and political body candidates) must obtain signatures from qualified registered electors of the district in an

amount equal to at least 2% of the largest entire vote cast for an elected candidate at the last election within the district. The number of signatures required may not be less than the number of signatures required for party candidates for the same office.

A candidate for a countywide office must obtain signatures equal to 2% of the largest vote cast for an elected candidate at the last countywide election.

Note: *Specific signature requirements for nomination papers will be provided at the time a candidate receives an official packet of nomination paper forms and instructions.*

Casting of Lots to Determine Ballot Position for the Primary

After the last day for filing nomination petitions, the County Board of Elections must fix a day for the Casting of Lots for the purpose of determining the position of names on the primary ballots.

Each candidate for public office and party office is given the opportunity to draw a number to determine his or her position on the primary ballot. The candidate who draws the lower number receives the higher position on the primary ballot.

If a candidate cannot be present at the Casting of Lots, the candidate may authorize a proxy by notarized letter to draw the candidate's lot(s) on his or her behalf. The Board of Elections will draw the candidate's lot if neither the candidate nor the candidate's duly authorized proxy is present.

III

Campaign Finance Reporting

Who Must File Campaign Finance Reports/Statements?

Campaign finance reports or statements must be filed by candidates for public office setting forth information regarding contributions received and expenditures made for the purpose of influencing the outcome of an election. A candidate may also authorize a committee to accept contributions and make expenditures on the candidate's behalf. The committee must have a chairperson and a treasurer, who may not be the same person.

Each candidate and each authorized political committee must file reports of receipts and expenditures, if the amount received or expended or liabilities incurred exceeds $250. Otherwise, the candidate or the treasurer of the authorized political committee may file the statement in lieu of the reports. Candidates are required to file a campaign finance report or statement that is separate from the report or statement filed by their authorized political committee. Failure to file any required report or statement may result in a late filing fee of up to $250.00. Late filing fees are the personal liability of the candidate or committee treasurer, and campaign funds cannot be used for the payment of such late filing fees.

Candidates for local office (County, City, School District, District Judge, Borough, Town and Township) who do not intend to form a political committee or receive contributions or make expenditures (or incur debt) in excess of $250.00, within a reporting period, may execute the Waiver of Expense Account Reporting Affidavit on the nomination petition. In such case, no expense reports are required, unless the $250.00 threshold is exceeded.

Where are Campaign Finance Reports Filed?

Campaign finance reports or statements for candidates and their authorized committees must be filed in the office where the candidate must file his or her nomination petition, nomination paper or nomination certificate.

How Long Must Records be Kept?

All records relating to the financial activity of candidates and committees must be retained for three years.

Additional Campaign Finance Information

The complete text of the Pennsylvania Political Campaign Expense Account Reporting Law, Committee Registration & Reporting forms, Report filing deadlines, Frequently Asked Questions and other Campaign Finance information may be accessed at. http://www.dos.state.pa.us/portal/server.pt/community/campaign_finance/12731

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