



## DELTA COUNTY, COLORADO

TERI A. STEPHENSON, COUNTY CLERK & RECORDER

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# Delta County

## 2016 County Candidate Qualifications

### *INTRODUCTION*

Congratulations for taking an interest in a County Elected position. This publication will guide you through the general requirements for each of the County Offices and accessing the ballot either by Assembly, Petition or Write-In. It will also provide you with information regarding the Colorado Secretary of State TRACER system for filing your financial paperwork, as well as, frequently asked questions.

We also encourage you to become familiar with the requirements of Article XXVIII of the Colorado Constitution; Campaign and Political Finance, Title 1, Article 45, C.R.S. Fair Campaign Practices Act; and Title 1, Article 4, C.R.S. Access to Ballot by Candidates.

If you have any additional questions regarding your candidate qualifications, access to the ballot or other requirements for running for a county office, please contact our Elections Division at (970)874-2153 or (970)874-5903 Monday through Friday 8:30 a.m. to 4:30 p.m. or by e-mail at [elections@deltacounty.com](mailto:elections@deltacounty.com)

### **General Requirements for County Elected Offices and Access to the Ballot**

The Delta County Clerk and Recorder has prepared this summary to outline Delta County candidate qualifications and access to the ballot.

This document provides a general overview of candidate qualifications and should be used as a reference guide only.

Always refer to the Colorado Constitution and Colorado Revised Statutes (C.R.S.) for applicable laws.

*\*Information for State and Federal Candidate Requirements may be found on the Colorado Secretary of State website at [www.sos.state.co.us/pubs/elections/Candidates/CandidateHome.html](http://www.sos.state.co.us/pubs/elections/Candidates/CandidateHome.html) or by phone at 303-894-2200.*

*\*Information for Campaign Finance for Candidates may be found on the Colorado Secretary of State website at [www.sos.state.co.us/pubs/elections/CampaignFinance/home.html](http://www.sos.state.co.us/pubs/elections/CampaignFinance/home.html) or by phone at 303-894-2200 x 6383.*

# General Requirements

No person shall be eligible for designation by assembly as a candidate for nomination at any primary election unless the person was affiliated with the political party holding the assembly, as shown on the registration books of the county clerk and recorder, no later than the first business day of the January immediately preceding the primary election, unless otherwise provided by party rules. C.R.S. 1-4-601(4)(a)

## County Commissioner

### *Term of Office*

4 years (Two 4 year terms)

[Colorado Constitution Article XIV, Section 6; C.R.S. 1-4-205(1)(a)]

### *Residency Requirement*

Registered elector and resident of the district for at least 1 year prior to the election

[Colorado Constitution Article XIV, Section 10; C.R.S. 1-4-205(1)(b)]

### *Qualification Requirements*

U.S. citizen and an eligible elector who is at least 18 years of age and fully meets the qualifications of the office as stated in the constitution and statutes on or before the date the term of office begins

[C.R.S. 1-4-501(1); C.R.S. 1-2-101(1)(a)]

### *Number of County Commissioner Seats*

[Colorado Constitution Article XIV, Section 6;

C.R.S. 1-4-205(3)(b); C.R.S. 30-10-306(1)]

- Delta County has three (3) seats.
  - One seat is elected at the General Election beginning in 1982 and every 4 years thereafter
  - Two seats are elected at the General Election beginning in 1984 and every 4 years thereafter
- County Commissioner Districts 2 and 3 will be Elected at the 2016 General Election

## Ballot Access

You become a candidate when you publicly announce your intent to run for office and thereafter receive a contribution or make an expenditure in support of your candidacy. You must register a candidate committee with the Secretary of State at [tracer.sos.colorado.gov](http://tracer.sos.colorado.gov) before receiving or spending any money.

All candidates for nominations to be made at any primary election shall be placed on the primary election ballot either by certificate of designation by party assembly or by petition. [C.R.S. 1-4-102]

## Certificate of Designation by Party Assembly

- Assembly of major political parties shall be held no later than 73 days preceding the primary election. [C.R.S. 1-4-601(1)]
- A candidate must receive 30% or more of the votes of the assembly to be certified as a candidate for office. [C.R.S. 1-4-601(2)]
- If no candidate receives 30% or more of the votes cast, a second ballot shall be cast on all the candidates for that office by the assembly. If on the 2<sup>nd</sup> ballot no candidate receives 30% or more of the votes cast, the two (2) candidates receiving the highest number of votes shall be certified as candidates for that office by the assembly. [C.R.S. 1-4-601(2)]
- No person is eligible for designation by assembly as a candidate for nomination at any primary election unless the person has been affiliated with the political party no later than the first business day of the January immediately preceding the primary election, unless otherwise provided by party rules. [C.R.S. 1-4-601(4)(a)]
- Original acceptance must be filed at the County Clerk's Office no later than 4 days after the adjournment of the assembly. If faxed, original must be filed and postmarked no later than 10 days after adjournment. [C.R.S. 1-4-601(3)(a)]

- Certificate of designation by assembly shall be filed at the County Clerk’s Office no later than 4 days after the adjournment of the assembly. If faxed, original must be filed and postmarked no later than 10 days after adjournment. [C.R.S. 1-4-604(3)]

## Petitions for Major Party Candidates

### *Petition Requirements*

- Name and address of candidate. [C.R.S. 1-4-801(1)]
- Name of office for which the person is a candidate. [C.R.S. 1-4-801(1)]
- Name of the political party that the candidate represents. [C.R.S. 1-4-801(1)]

### *Format Requirements*

- Prior to circulating a candidate petition, the petition format must be approved by the Delta County Clerk and Recorder. [C.R.S. 1-4-903] [C.R.S. 1-4-907]
- The Clerk must approve or disapprove of the petition format by the close of the second business day following the submission of the proposed petition. [C.R.S. 1-4-903]
- The Secretary of State's office has sample petition formats for review on their website at: <http://www.sos.state.co.us/pubs/elections/Candidates/CandidateHome.html>

### *Signature Requirements*

- Must collect 20% of the votes cast in the political subdivision at the contested or uncontested primary election for the political party’s candidate for the office for which the petition is being circulated or, if there was no primary election, at the last preceding general election for which there was a candidate for the office. [C.R.S. 1-4-801(2)(a)]
- Must be signed by eligible electors within the county commissioner district or political subdivision for which the officer is to be elected. [C.R.S. 1-4-801(2)(a)]
- Signers must be affiliated with the major political party named in the petition for at least twenty-nine (29) days prior to signing the petition. [C.R.S. 1-4-904(2)(a)]
- Signers must not have signed any other petition for any other candidate for the same office. [C.R.S. 1-4-904(2)(a)]

#### SIGNATURES REQUIRED FOR OFFICES FOR 2016 PRIMARY

[C.R.S. 1-4-801(2)(a & (b))]

Office	Party	Total Party Votes Cast	Election	Percent of Signatures	Number of Signatures
<b>Commissioner - District 2</b>	Republican	2,937	2012 Primary	20%	588
<b>Commissioner - District 2</b>	Democratic	11,874	2012 General	20%	2,375
<b>Commissioner - District 3</b>	Republican	3,558	2012 Primary	20%	712
<b>Commissioner - District 3</b>	Democratic	816	2012 Primary	20%	164

### *Additional Information*

- No person shall be placed in nomination by petition on behalf of any political party unless the person was affiliated with the political party no later than the first business day of the January immediately preceding the election for which the person desires to be placed in nomination. [C.R.S. 1-4-801(3)]

- No person who attempted and failed to receive at least 10% of the votes for the nomination of a political party assembly for a particular office shall be placed in nomination by petition on behalf of the political party for the same office. [C.R.S. 1-4-801(4)]
- Party petitions shall not be circulated nor any signatures be obtained prior to the first Monday in February. [C.R.S. 1-4-801(5)]
- Petitions shall be filed no later the 85 days before the primary election. [C.R.S. 1-4-801(5)]
- Candidates by petition for any particular office shall follow assembly candidates and shall be placed on the primary election ballot in an order established by lot. [C.R.S. 1-4-103]
- Petitions for county offices are filed with the County Clerk and Recorder. [C.R.S. 1-4-907]

## Petitions for Minor Party or Unaffiliated Candidates

### *Petition Requirements*

- Name and address of candidate. [C.R.S. 1-4-802(1)(a)]
- Name of the minor political party or designate in not more than three words the political or other name selected by the signers to identify an unaffiliated candidate. No name of any political party shall be used, in whole or in part, to identify an unaffiliated candidate. [C.R.S. 1-4-802(1)(a)]

### *Signature Requirements*

- Shall be signed by eligible electors residing within the district or political subdivision in which the officer is to be elected. [C.R.S. 1-4-802(1)(c)]
- Number of required signatures: The lesser of 750 or 2% of the votes cast for all candidates for that office in the most recent general election for any county office. [C.R.S. 1-4-802(1)(c)(VII)]

#### SIGNATURES NEEDED FOR OFFICES FOR 2016 GENERAL

Office	Total Votes Cast	Election	Percent of Signatures	Number of Signatures
Commissioner - District 2	11,874	2012 General Election	Lesser of 750 or 2%=238	238
Commissioner - District 3	14,917	2012 General Election	Lesser of 750 or 2%=299	299

### *Additional Information- Minor Political Party Candidates*

- Minor Political Parties may go on the Primary ballot by assembly or petition and the General ballot by petition. [C.R.S. 1-4-1304(1) & (1.5)(a)(b)]
- If only one candidate is designated by the assembly or petition they will be that party's candidate in the general election. [C.R.S. 1-4-1304(1.5)(d)]
- No petition to nominate a minor political party candidate shall be circulated nor any signatures obtained thereon earlier than the first Monday in February in the general election year. [C.R.S. 1-4-802 (1)(d)(II)]
- Petitions to nominate candidates of minor political parties shall be filed no later than 85 days before the primary election. [C.R.S. 1-4-802(1)(f)(II)]

- No person shall be placed in nomination by petition unless the person is an eligible elector of the political subdivision or district in which the officer is to be elected and was registered as affiliated with a minor political party or unaffiliated no later than the first business day of the January immediately preceding the general election for which the person desires to be placed in nomination. [C.R.S. 1-4-802(g)(II)]
- Petitions are filed with the County Clerk and Recorder. [C.R.S. 1-4-907]

### *Additional Information- Unaffiliated Candidates*

- No petition to nominate an unaffiliated candidate shall be circulated or any signatures obtained thereon earlier than 173 days before the general election. [C.R.S. 1-4-802(1)(d)(I)]
- Petitions (for unaffiliated candidates) shall be filed no later than 3:00 p.m. on the 117<sup>th</sup> day before the general election. [C.R.S. 1-4-802(1)(f)(1)]
- No person shall be placed in nomination by petition unless the person is an eligible elector of the political subdivision or district in which the officer is to be elected and was registered as affiliated with a minor political party or unaffiliated no later than the first business day of the January immediately preceding the general election for which the person desires to be placed in nomination. [C.R.S. 1-4-802(g)(II)]
- Petitions are filed with the County Clerk and Recorder. [C.R.S. 1-4-907]

### **Write-In Candidates**

- Affidavit of intent shall be filed stating candidate desires the office and is qualified to assume duties, if elected. [C.R.S. 1-4-1101(1)]
- Affidavit of intent shall be filed with County Clerk and Recorder if it is for a county office. [C.R.S. 1-4-1101(1)]
- Affidavit of intent shall be filed by the close of business on the 67<sup>th</sup> day before a primary election and by the close of business on the 110<sup>th</sup> day before any other election. [C.R.S. 1-4-1102(1)]

## Important Dates

Date	Event	Deadline
<b>February 1, 2016</b>	Earliest date to circulate major/minor party petitions for access to Primary Election Ballot 1-4-801(5)	First Monday in February
<b>April 4, 2016</b>	Last date to file major/minor party candidate petitions for the Primary Election 1-4-801(5)	No later than 85 days before the Primary Election
<b>April 22, 2016</b>	Last day a write-in candidate may file an affidavit of Intent for the Primary Election. 1-4-1102(1)	By close of business on the 67 <sup>th</sup> day before the Primary Election
<b>May 19, 2016</b>	Earliest date to circulate unaffiliated candidate petitions for the General Election Ballot 1-4-802(1)(d)(l)	No earlier than 173 days before the General Election
<b>June 28, 2016</b>	<b>Primary Election</b> 1-4-101(1) 1-7-101(1) RULE 7.8.1(b)	7:00 a.m. – 7:00 p.m.
<b>July 14, 2016</b>	Last date to file unaffiliated candidate petitions for the General Election 1-4-802(1)(f)(l)	No later than 3:00 p.m. on the 117 <sup>th</sup> day before the General Election
<b>July 21, 2016</b>	Last day for a write-in candidate to file an Affidavit of Intent for the General Election. 1-4-1102(1)	By close of business on the 110 <sup>th</sup> day before the General Election
<b>August 15, 2016</b>	Last day to amend an unaffiliated candidate nomination petition. 1-4-912	No later than 3:00 p.m. on the 85 <sup>th</sup> day before the General Election
<b>August 25, 2016</b>	Last day for the designated election official to notify an unaffiliated candidate of whether the amended nominating petition is sufficient/insufficient. 1-4-912	No later than the 75 <sup>th</sup> day before the General Election
<b>November 8, 2016</b>	<b>General Election</b> 1-1-104(17) 1-4-2015 RULE 7.9.1(b)	7:00 a.m. – 7:00 p.m.