

## FILING PROCEDURES FOR PARTISAN ELECTIONS

### **Multiple Nominations Prohibited** [A.C.A. §7-7-204]

A person who files as a candidate for nomination by a political party is ineligible to be the nominee of another political party or be an independent or write-in candidate for the same office during the primary election or the following general or special election, as the case may be.

A certified independent candidate is ineligible to be the nominee of a political party or to be a write-in candidate for the same office at the same general or special election.

### **Filing for Multiple Offices Prohibited**

A person may file for only one municipal office during the municipal filing period.  
[A.C.A. §14-42-206(e)]

A person may not run for more than one state, county, municipal, district or township office if the elections are to be held on the same date. [A.C.A. §7-5-111]

A person may be a candidate for President or Vice President and the U.S. House or U.S. Senate in the same primary or general election. [A.C.A. §7-8-303(b)]

### **Existing Political Party Candidates** [A.C.A. §§7-1-101, 7-6-102, 7-7-204, 7-7-301, 7-7-203 as amended by Act 545 of 2019]

#### **Federal (including Presidential), State, and District Offices:**

- Must file a signed affidavit of eligibility with the secretary of the state committee of the political party stating that the candidate is eligible to serve in the office he or she seeks.
- Must pay the party filing fee, if any, and file the party pledge, if any, with the secretary of the state committee of the political party during regular office hours during the party filing period. The filing fee is set by the state executive committee.
- Must obtain a party certificate from the secretary or chair of the state committee of the political party.
- Must file the party certificate and political practices pledge with the Secretary of State during regular office hours during the party filing period.

#### **County, Municipalities with Partisan Elections, and Township Offices:**

- Must file a signed affidavit of eligibility with the secretary of the county committee of the political party stating that the candidate is eligible to serve in the office he or she seeks.
- Must pay the party filing fee, if any, and file the party pledge, if any, with the secretary of the county committee of the political party during regular office hours during the party filing period. The filing fee is set by the county committee and authorized by the state executive committee.

- Must obtain a party certificate from the secretary or chair of the county committee of the political party.
- Must file the party certificate and political practices pledge with the county clerk during regular office hours during the party filing period.

The filing period for a political party candidate to be on the ballot in the **March 3, 2020** Preferential Primary Election begins at **noon** on **November 4, 2019** and ends at **noon** on **November 12, 2019**.\*

*\* The actual deadline will be November 11, 2019, per A.C.A. §7-1-108, if a deadline falls on a weekend / holiday it moves to the next day that is not a weekend / holiday.*

**No political practices pledge** may be accepted for filing by the Secretary of State or county clerk unless the **candidate first files a party certificate**.

**ANY CANDIDATE WHO FAILS TO FILE THE PARTY PLEDGE AND AFFIDAVIT OF ELIGIBILITY AND PAY THE PARTY FILING FEE AS PROVIDED BY LAW SHALL NOT RECEIVE A PARTY CERTIFICATE AND SHALL NOT HAVE HIS OR HER NAME PLACED ON THE BALLOT.**

*[A.C.A. §7-7-301(c)]*

### **Group Presidential Candidates**

- Presidential candidates of a political group that is not a recognized political party qualify for the general election ballot by filing a petition with the Secretary of State no later than the first Monday of August before the general election. The petition shall be signed by not less than one thousand (1,000) qualified electors of the state.

*[A.C.A. §7-8-302(5)(B)]*

### **Independent Candidates**

**Presidential and Vice Presidential Offices:** *[A.C.A. §7-8-302(6)]*

- Must file a petition with the Secretary of State no later than noon the first Monday in August of the year of the election. The petition must be signed by not less than one thousand (1,000) qualified electors of the state.

**General Filing Procedures (except Independent Candidates in Partisan Municipal Elections):** *[A.C.A. §§7-6-102, 7-7-103 as amended by Act 68 of 2019]*

- During the party filing period, must file a political practices pledge, an affidavit of eligibility, a signature collection affidavit and a notice of candidacy identifying the elective office sought, position number, if any, and stating the name and title proposed for the ballot
- Must file a petition by **May 1, 2020**
- A petition may be circulated no earlier than 90 days before the deadline for filing petitions unless the number of days is reduced by proclamation, ordinance, resolution, order, or other authorized document for a special election under Ark. Code Ann. §7-11-101 et seq., in which case the number of signatures required on the petition is reduced proportionately. The form of the petition and the signature collection affidavit are prescribed by the Secretary of State and can be obtained from the Secretary of State's office or the county clerk's office.

**U.S. Senate or State Offices:** [A.C.A. §7-7-103]

- The petition and other required documents must be filed with the Secretary of State and be signed by not less than 3% of the qualified electors of the state, based upon the total number of votes cast statewide for Governor in 2018, but in no event shall more than 10,000 signatures be required.

**U.S. House or District Offices (State Senator, State Representative):**

[A.C.A. §7-7-103]

- The petition and other required documents must be filed with the Secretary of State and be signed by not less than 3% of the qualified electors in the district in which the candidate seeks office, based upon the total number of votes cast for Governor in that district in 2018, but in no event shall more than 2,000 signatures be required.

**County and Township Offices:** [A.C.A. §7-7-103]

- The petition and other required documents must be filed with the county clerk and be signed by not less than 3% of the qualified electors in the county or township, as the case may be, in which the candidate seeks office, based upon the total number of votes cast for Governor in that county or township, as the case may be, in 2018, but in no event shall more than 2,000 signatures be required.

**Municipal Offices:**

**Mayor – Council Form of Government:** [A.C.A. §§7-6-102, 14-42-205, 14-43-301, et. seq., 14-44-101, et. seq., 14-45-101, et. seq., 14-42-206 as amended by Act 545 & 597 of 2019]

- Must file a petition, political practices pledge, and an affidavit of eligibility with the county clerk during the one week period ending at noon 90 days before the general election, unless the city has passed an ordinance setting the filing period to begin 20 days before the preferential primary election and to end at noon on the day before the preferential primary election.

**NOTE:** For municipalities situated in multiple counties, the candidate shall file with the county clerk of the county with the highest population of the municipality, and the county clerk shall certify the candidate to the other counties.

- In cities of the first class, the petition must be signed by not fewer than 30 electors of the ward or city in which the election is to be held.
- In cities of the second class or incorporated towns the petition must be signed by not fewer than 10 electors of the ward or city in which the election is to be held.

An independent candidate for state, federal (except president), district, township and county office seeking election at the **November 3, 2020 General Election** may circulate a petition no earlier than **February 1, 2020**.

The candidate must file a political practices pledge, affidavit of eligibility, and notice of candidacy during regular office hours **between noon on November 4, 2019 and noon on November 12, 2019\***.

The candidate must file a petition by **May 1, 2020**.

*\* The actual deadline will be November 11, 2019, per A.C.A. §7-1-108, if a deadline falls on a weekend / holiday it moves to the next day that is not a weekend / holiday.*

**The petition must be in the form prescribed by the Secretary of State.**

In most cities and towns, a municipal candidate in a mayor-council form of government seeking election at the **November 3, 2020 General Election** must file a petition, a political practices pledge, and an affidavit of eligibility during the one week period ending at **noon on August 5, 2020**. For cities that have passed an ordinance setting an alternative filing period, the candidate must file a petition, political practices pledge, and affidavit of eligibility, **during regular office hours between February 12, 2020 and noon on March 2, 2020**.

The petition must state the same position and position number, if any, as stated on the candidate's political practices pledge, affidavit of eligibility, and notice of candidacy.

The position sought cannot be changed once identified on the notice of candidacy, petition and political practices pledge. The petition, political practices pledge and notice must be withdrawn and a new petition, political practices pledge and notice designating a different position filed before the filing deadline.

The petition must request that the name of the person be placed on the ballot for election to the office identified on the petition, and each elector signing the petition must be a registered voter.

**Write-in Candidates**

Write-in candidates are not allowed in presidential, municipal, or primary elections.

*[A.C.A. §§7-5-525, 7-8-302, 14-43-202]*

**Federal, State, and District Offices:** *[A.C.A. §§7-5-205, 7-6-102]*

- Must file a written notice of write-in candidacy with the county board of election commissioners of each county in which the candidate seeks election and the Secretary of State no later than 90 days before the general election.
- Must file a political practices pledge and an affidavit of eligibility for the office with the Secretary of State during the party filing period.

**County and Township Offices:** *[A.C.A. §§7-5-205, 7-6-102]*

- Must file a written notice of write-in candidacy with the county board of election commissioners and the county clerk no later than 90 days before the general election.
- Must file a political practices pledge and an affidavit of eligibility for the office with the county clerk during the party filing period.

A write-in candidate for federal, state, district, county, and township office seeking election at the **November 3, 2020** General Election must file a political practices pledge and affidavit of eligibility no later than **November 12, 2019\*** and must submit notice of write-in candidacy to the county board of election commissioners in each county in which the candidate seeks election by **August 5, 2020**.

*\* The actual deadline will be November 11, 2019, per A.C.A. §7-1-108, if a deadline falls on a weekend / holiday it moves to the next day that is not a weekend / holiday.*

**New Political Party Formation and Candidate Filing** [A.C.A. §§7-1-101, 7-3-108, 7-7-205 as amended by Act 164 of 2019]

- A group desiring to form a new political party must file a petition with the Secretary of State containing signatures of at least 3% of the total votes cast for Governor in the preceding election for Governor.  
***NOTE:** At the time of publication, new political party petition requirements are the subject of pending litigation. Please contact the Secretary of State for additional details.*
- The petition must declare the intent of organizing a political party, the name of which shall be stated in the declaration.  
***NOTE:** No political party or group shall assume a name or designation that is so similar, in the opinion of the Secretary of State, to that of an existing political party as to confuse or mislead the voters at an election.*
- A new political party that wishes to select nominees for the next general election must file a sufficient petition no later than 60 days before the party filing period.
- The Secretary of State shall determine the sufficiency of the signatures submitted within 30 days of filing.
- The date of each signature must appear on the petition in order for the signature to count.
- A signature dated more than 90 days before the date the petition is submitted is not counted.
- If the petition is determined to be insufficient, the Secretary of State notifies the sponsors in writing, through their designated agent, setting forth the reason for so finding.
- Upon certification of sufficiency of the petition the new political party shall be declared by the Secretary of State.
- A new political party formed by the petition process nominates candidates by convention for the first general election after certification.
- Conventions must be held by **noon on March 3, 2020**. The convention, including its methods and location(s) held, is governed by the rules of the new party.
- A candidate to be nominated by convention must file a political practices pledge with the Secretary of State or county clerk during the party filing period.
- Certificates of Nomination must be filed with the Secretary of State or County Clerk by **noon on March 3, 2020**.

**NOTE:** If the new party maintains party status by obtaining 3% of the total vote cast for the Office of Governor or nominees for presidential electors at the first general election after certification, the new political party nominates candidates in the party primary as set forth in Ark. Code Ann. §7-7-101 et seq. [A.C.A. §7-7-205(4)]

For a newly formed political party to participate in the **November 3, 2020** General Election, its petition must be filed by **September 5, 2019**

A newly organized political party shall not be recognized, qualified to participate, or permitted to have the names of its candidates printed on the ballot until an affidavit, by the officers of the party in this state under oath, is filed with the Secretary of State stating that it does not directly or indirectly carry on, advocate, teach, justify, aid, or abet an act of terrorism as defined by Ark. Code Ann. §5-54-205, a program of sabotage, force, and violence, sedition, treason against or the overthrow of the government of the United States or this state by force, violence or by an unlawful means.