



QUALIFICATIONS FOR ALL OFFICES

(EC 13, 13.5, 20, 201, 349, 2026, GC 52337(a))



Elections Code 13 – Legally Qualified Candidate

(a) A person shall not be considered a legally qualified candidate for an office, for party nomination for a partisan office, or for nomination to participate in the general election for a voter nominated office, under the laws of this state unless that person has filed a Declaration of Candidacy or statement of write-in candidacy with the proper official for the particular election or primary, or is entitled to have his or her name placed on a general election ballot by reason of having been nominated at a primary election, or having been selected to fill a vacancy on the general election ballot as provided in Section 8807, or having been selected as an independent candidate pursuant to Section 8304.

(b) Nothing in this section shall be construed as preventing or prohibiting any qualified voter of this state from casting a ballot for a person by writing the name of that person on the ballot, or from having that ballot counted or tabulated, nor shall this section be construed as preventing or prohibiting a person from standing or campaigning for an elective office by means of a “write-in” campaign. However, nothing in this section shall be construed as an exception to the requirements of Section 15341 or to permit a person to be a write-in candidate contrary to Sections 8600 and 8606.

(c) It is the intent of the Legislature, in enacting this section, to enable the Federal Communications Commission to determine who is a “legally qualified candidate” in this state for the purposes of administering Section 315 of Title 47 of the United States Code. *(Amended by Stats. 2012, Ch. 3, Sec. 1. Effective February 10, 2012.)*

Elections Code 20 – Felony Conviction

(a) A person shall not be considered a candidate for, and is not eligible to be elected to, any state or local elective office if the person has been convicted of a felony involving accepting or giving, or offering to give, any bribe, the embezzlement of public money, extortion or theft of public money, perjury, or conspiracy to commit any of those crimes.

(b) For purposes of this section, “conviction of a felony” includes a conviction of a felony in this state and a conviction under the laws of any other state, the United States, or any foreign government or country of a crime that, if committed in this state, would be a felony, and for which the person has not received a pardon from the Governor of this state, the governor or other officer authorized to grant pardons in another state, the President of the United States, or the officer of the foreign government or country authorized to grant pardons in that foreign jurisdiction.

Elections Code 201 – Registered Voter

Unless otherwise specifically provided, no person is eligible to be elected or appointed to an elective office unless that person is a registered voter and otherwise qualified to vote for that office at the time that nomination petitions are issued to the person or at the time of the person's appointment.

Elections Code 349 - Residence and Domicile

For voting purposes, “residence” means a person’s domicile. The domicile of a person is that place in which his or her habitation is fixed and the person has the intention of remaining and returning to. At a given time a person may have only one domicile.

Elections Code 2026 – Domicile of Member of Legislature or Representative in Congress

The domicile of a Member of the Legislature or a Representative in the Congress of the United States shall be conclusively presumed to be at the residence address indicated on that person’s currently filed affidavit of registration, as long as the address is a residence under subdivision (c) of Section 349, notwithstanding that they may have another residence at which any of 2026(a) through 2026(i) apply. *(Effective January 1, 2019)*

Government Code 53227(a) – Employee of District

An employee of a local agency may not be sworn into office as an elected or appointed member of the legislative body of that local agency unless he or she resigns as an employee. If the employee does not resign, the employment shall automatically terminate upon his or her being sworn into office.

NEWMAN CITY LIMIT MAP 2022

