

# PRESIDENTIAL PREFERENCE PRIMARY

## STATE OF LOUISIANA

### QUALIFYING INFORMATION FOR PRESIDENTIAL NOMINEE CANDIDATES

**March 5, 2016**

Candidates for presidential nominee of a recognized political party in Louisiana (which has forty thousand or more registered members) must file the following materials with the Louisiana Secretary of State's office any time from 8:00 a.m. on December 2, 2015 through 4:30 p.m. on December 4, 2015 (La R.S. 18:1280.21)( La R.S. 18:1280.22):

1. **Notice of Candidacy** - (QF-42 PPP Rev. 07/15) used by candidates for presidential nominee in the Presidential Preference Primary election. (Form is included in this packet)
2. **A Qualifying Fee OR a Nominating Petition**
  - A. A **Qualifying Fee** of \$750.00 and any additional fee imposed by political party state central committees (\$375 for Republican and Democratic parties) (total \$1,125.00). The fees shall be paid in cash, by certified or cashier's check drawn on a state or national bank or credit union, by U. S. postal money order, or by a money order issued by a state or national bank or credit union (La R.S. 18:1280:22(A) and La R.S. 18:464(C)).

*NOTE: Please make checks and money orders payable to: Louisiana Department of State.*
  - B. **Nominating Petitions** must contain 6,000 signatures, with at least 1,000 signatures from registered voters affiliated with the party from each of the 6 congressional districts (La R.S. 18:1280.22(A)). Nominating petitions are available upon request.
    - First day to begin obtaining signatures on nominating petition is August 4, 2015 (La R.S. 18:465(B)).
    - Last day to submit nominating petition for certification to registrar of voters in each parish is November 4, 2015. (La R.S. 18:465(E)(1)(a)) and La R.S. 18:1280.22(B)(3)(d)).

**Presidential Preference Primary qualifying documents may be filed by mail, by courier, or in person at:**

Secretary of State, Elections-Balloting Division

**Attention: Erin Delany**

8585 Archives Ave., Baton Rouge, LA 70809

Telephone No.: 225-922-0900

# STATE OF LOUISIANA -- NOTICE OF CANDIDACY

(For use by candidates for Presidential Nominee, Presidential Preference Primary Election)

This Notice of Candidacy must be executed before a notary public. If the candidate is serving outside the state with the armed forces of the United States, the Notice of Candidacy shall be witnessed by a commissioned officer in the armed forces of the United States. This Notice of Candidacy must be filed with the Louisiana Secretary of State during the period beginning the first Wednesday in December and ending at 4:30 p.m. on the following Friday.

State of (where executed) \_\_\_\_\_ Parish or County of (where executed) \_\_\_\_\_

I hereby certify that:

1. I will be a candidate in the (choose one) \_\_\_\_\_ Democratic \_\_\_\_\_ Republican  
Presidential Preference Primary Election to be held \_\_\_\_\_, 20\_\_\_\_.
2. I am affiliated with the (choose one) \_\_\_\_\_ Democratic Party \_\_\_\_\_ Republican Party.
3. My name is \_\_\_\_\_  
(Name of Candidate)
4. My domicile address is \_\_\_\_\_  
(Domicile Address of Candidate – include street address, city, state, and zip code)
5. My mailing address is \_\_\_\_\_  
(Mailing Address of Candidate – include street address, city, state, and zip code)
6. My telephone number is (\_\_\_\_\_) \_\_\_\_\_.
7. I designate that my name be placed on the ballot as follows:  
\_\_\_\_\_

**NOTE: R.S.18:1280.22 provides that you may designate your given, first and middle name, the initials of your given, first and middle name, a nickname, or any combination thereof, but you cannot designate a title, designation, or deceptive name. You cannot designate an occupational or professional description or abbreviation. If your nickname is included, it must be set off with quotation marks and must be placed immediately preceding your surname. You must include your surname in your designation.**

8. Check appropriate blank:  
\_\_\_\_\_ I attach a qualifying fee of \$\_\_\_\_\_ and an additional fee of \$\_\_\_\_\_ for a total of \$\_\_\_\_\_.  
(The fee shall be paid in cash, by one certified or cashier's check drawn on a state or national bank or credit union, by one United States Postal money order, or by one money order issued by a state or national bank or credit union.)  
**-OR-**  
\_\_\_\_\_ I attach nominating petitions bearing the signatures of no less than 6,000 registered voters, at least 1,000 of which are from each congressional district in the state, who are affiliated with the  
\_\_\_\_\_ Democratic Party \_\_\_\_\_ Republican Party.
9. I have read this Notice of Candidacy and all the statements contained in it are true and correct.

Signature of Candidate  X  \_\_\_\_\_

Sworn to and subscribed before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

Excerpts from

Louisiana Election Code

Title 18 of the Louisiana Revised Statutes

La R.S. 18:465 and La R.S. 18:1280.21-La R.S. 18:1280.27

As Amended through the 2015 Regular Session

**§465. Nominating petitions**

A. Time and place of filing. A nominating petition shall be filed with the official with whom the candidate qualifies and shall accompany the notice of candidacy.

B. Method of nominating candidates. A person may only be nominated as a candidate in a primary election by persons who are registered to vote on the office he seeks who sign a nominating petition for him no more than one hundred twenty days before the qualifying period opens for candidates in the primary election. In addition to his signature, each voter who signs a nominating petition shall date his signature and shall provide the ward and precinct in which he is registered to vote, his residence address, including the municipal number, the apartment number, if any, the rural route and box number, or any other physical description that will identify his actual place of residence. Once a voter has signed a nominating petition, he may not withdraw the nomination. The secretary of state shall prepare forms

**PART III. PRESIDENTIAL PREFERENCE PRIMARY****§1280.21. Presidential preference primary election**

A. A statewide presidential preference primary election shall be held on the first Saturday in March in 2016 and every fourth year thereafter for the purpose of allowing the electors of each political party in the state which has forty thousand or more registered members to express their preference for a person to be the nominee of the party for president of the United States.

B. Each elector voting in such election may vote only for a candidate who is affiliated with the same party as the elector, except that the state central committee of a recognized political party may allow in its bylaws, electors who are not affiliated with any political party to cast a vote on the ballot of such recognized political party.

C. The state central committee shall notify the Department of State that its bylaws allow for such voting by non-affiliated electors no later than seven days prior to the opening of qualifying for the presidential preference primary. Such notification shall be considered valid and effective for subsequent presidential preference primaries unless the state central committee notifies the Department of State that its bylaws no longer allow for such voting by non-affiliated electors no later than seven days prior to the opening of qualifying for a presidential preference primary.

D. Any elector who is not affiliated with any political party and who is allowed to cast his vote on the ballot of a recognized political party in the presidential preference primary pursuant to this Section shall cast his vote on the ballot of only one recognized political party.

E. Notwithstanding any provisions of this Code to the contrary, in any statewide presidential preference primary election, at any precinct where the presidential preference issue or election of political party officials or both are the only matters on the ballot, the number of election commissioners required in such precinct shall be one commissioner-in-charge and two commissioners.

*Added by Acts 1979, No. 684, §1, eff. Dec. 1, 1979; S.C.R. No. 4, 1983 2nd Ex. Sess.; Acts 1986, No. 35, §1, eff. June 17, 1986; Acts 1986, No. 427, §1; Acts 2004, No. 678, §1; Acts 2006, No. 845, §1, eff. Jan. 1, 2007; Acts 2011, No. 293, §1; Acts 2014, No. 792, §1.*

**§1280.22. Candidates; procedure for qualifying**

A. Candidates for presidential nominee shall qualify in accordance with procedures established by the party. Prior to qualification as a candidate of a political party for presidential nominee, a person shall pay a qualifying fee of seven hundred fifty dollars and any additional fee as authorized by R.S. 18:464(C) or shall have obtained a nominating petition, bearing the handwritten signatures of no less than one thousand registered voters affiliated with the party from each of the congressional districts into which the state is divided. If the candidate is qualifying by paying a fee, the fee shall be paid in cash, by

certified or cashier's check drawn on a state or national bank or credit union, by United States postal money order, or by a money order issued by a state or national bank or credit union.

B.(1) The qualifying period for presidential candidates shall open on the first Wednesday in December and shall close at 4:30 p.m. on the following Friday. During the qualifying period, presidential candidates shall file notices of candidacy with the secretary of state.

(2)(a) A notice of candidacy shall be in writing and shall state the candidate's name, the office he seeks, the address of his domicile, and the political party with which he is registered as being affiliated. The political party with which the candidate was affiliated at the time of qualifying is the one which shall appear on the ballot, even if the candidate changes his political party designation after he qualified for the election.

(b) The candidate shall designate in the notice the form in which his name shall be printed on the ballot. The candidate may designate his given, first, and middle name, the initials of his given, first, and middle name, a nickname, or any combination thereof as the form in which his name shall be printed on the ballot. However, he shall not designate a title, designation, or deceptive name, nor shall he designate an occupational or professional description or abbreviation. If the candidate designates a nickname in the place of or in combination with his given name or the initials thereof, the nickname shall be set off with quotation marks and shall be placed immediately preceding his surname. A candidate shall include his surname in his designation of the form in which his name shall be printed on the ballot.

(c) The notice of candidacy also shall include a certificate signed by the candidate, certifying that he has read the notice of his candidacy and that all of the statements contained therein are true and correct. The certificate shall be executed before a notary public. If the candidate is serving outside the state with the armed forces of the United States, his notice of candidacy shall be witnessed by a commissioned officer in the armed forces of the United States.

(d) A notice of candidacy shall be accompanied by the qualifying fee and any additional fee imposed or a nominating petition.

(3)(a) Each sheet of a nominating petition shall set forth the name of the presidential candidate, as it shall appear on the election ballot, the address of the candidate, the political party with which he is affiliated, and the date of the presidential primary.

(b) Each voter who signs a nominating petition shall include his name and residence address.

(c) All persons who obtained signatures shall certify that to the best of their knowledge, information, and belief all of the signatures on the nominating petition are genuine, and all of the statements contained in the petition are true and correct.

(d) A nominating petition shall be submitted to the registrars of voters in the parishes where the signers reside not less than thirty days before the end of the qualifying period.

(e) The registrar for each parish shall endorse upon the nominating petitions, whether original or supplemental, the date and time of submission and shall promptly certify the nominating petitions, in the order received, by determining and certifying on each nominating petition which of the signers are registered to vote in the parish. A registrar may stop certifying the signatures on a nominating petition when the total number of the signers he has certified as having signed the petition timely and as being registered to vote equals fifteen percent more than the number of registered voters required from the congressional district. A registrar's certification shall be conclusive as to number of qualified voters who timely signed a nominating petition, and evidence to the contrary shall not be admitted in an action objecting to the candidacy of a presidential candidate filing the nominating petition.

**NOTE:** *Subsection C eff. until Jan. 1, 2016. See Acts 2015, No. 410, §2.*

C. Any person who qualifies as a candidate for presidential nominee may withdraw his candidacy by filing a notice of his withdrawal, that is signed by the candidate, and duly acknowledged before an officer authorized to administer oaths with the secretary of state, who shall note thereon the date it was

filed. The withdrawal shall become effective when it is filed with the secretary of state. Once filed as herein provided, a notice of withdrawal shall not be returned to the person withdrawing. The effect of his withdrawal shall be as provided in R.S. 18:502.

**NOTE:** *Subsection C as amended by Acts 2015, No. 410, §1, 2, eff. Jan. 1, 2016.*

*C.(1)(a) Any person who qualifies as a candidate for presidential nominee may withdraw his candidacy by filing a notice of his withdrawal that is signed by the candidate and duly acknowledged before an officer authorized to administer oaths. The notice of withdrawal shall be filed prior to 4:30 p.m. on the seventh day after the close of the qualifying period with the secretary of state, who shall note thereon the date it was filed.*

*(b) The secretary of state shall not accept a statement of withdrawal that does not satisfy the requirements of Subparagraph (a) of this Paragraph. The secretary of state shall endorse the date and time of receipt of such a notice of withdrawal and return the notice forthwith, either personally or by registered or certified mail.*

*(2) A notice of withdrawal filed in accordance with the provisions of Subparagraph (1)(a) of this Subsection shall become effective when it is filed with the secretary of state. The effect of the withdrawal shall be as provided in R.S. 18:502.*

*Added by Acts 1979, No. 684, §1, eff. Dec. 1, 1979; S.C.R. No. 4, 1983 2nd Ex. Sess; Acts 1984, No. 673, §1, eff. Jan. 1, 1985; Acts 1986, No. 35, §1, eff. June 17, 1986; Acts 1986, No. 427, §1; Acts 1987, No. 831, §1, eff. Jan. 1, 1988; Acts 1992, No. 944, §1; Acts 1995, No. 300, §1, eff. June 15, 1995; Acts 1997, No. 1420, §1, eff. Jan. 1, 1998; Acts 2001, No. 1032, §7; Acts 2004, No. 526, §1, eff. Jan. 1, 2005; Acts 2004, No. 604, §1, eff. Jan. 1, 2005; Acts 2006, No. 845, §1, eff. Jan. 1, 2007; Acts 2011, No. 293, §1; Acts 2015, No. 307, §1, eff. June 29, 2015; Acts 2015, No. 410, §1, eff. Jan. 1, 2016.*

### **§1280.23. Conduct of election**

Except as otherwise specifically provided in this Part, the election for which provision is made in this Part shall be conducted and the returns thereof published and promulgated as provided in the election laws of the state.

*Added by Acts 1979, No. 684, §1, eff. Dec. 1, 1979.*

### **§1280.24. Arrangement of ballot**

The ballot for the election provided in this Part shall contain the names of each candidate arranged by party affiliation and placed in alphabetical order within each party.

*Added by Acts 1979, No. 684, §1, eff. Dec. 1, 1979; S.C.R. No. 4, 1983 2nd Ex. Sess.; Acts 1986, No. 35, §1, eff. June 17, 1986; Acts 1986, No. 427, §1.*

### **§1280.25. Voting according to party affiliation**

No elector may vote in the election provided in this Part for a candidate affiliated with a party in which the elector is not registered, except as provided in R.S. 18:1280.21.

*Added by Acts 1979, No. 684, §1, eff. Dec. 1, 1979; S.C.R. No. 4, 1983 2nd Ex. Sess.; Acts 1986, No. 35, §1, eff. June 17, 1986; Acts 1986, No. 427, §1; Acts 2004, No. 678, §1.*

**§1280.26.** *Repealed by Acts 1983, No. 681, §2, eff. July 21, 1983.*

### **§1280.27. Delegates to political party conventions; selection; oaths; voting; allocation among presidential nominees**

A. Notwithstanding any other provisions of law, at least ninety days prior to a presidential preference primary election, the state governing body of each eligible political party shall establish procedures to be followed in the selection of individual delegates and alternates to the convention of that party, including procedures for the selection of committed and uncommitted delegates. A copy of any

rule adopted by the state party committee shall be filed with the secretary of state within seven days after its adoption and shall become public record.

B. Delegates shall be allocated among the presidential candidates according to the results of the presidential primary and according to guidelines established by the governing bodies of the respective parties.

C. *Repealed by Acts 1984, No. 672, §3.*

*Added by Acts 1979, No. 684, §1, eff. Dec. 1, 1979. S.C.R. No. 4, 1983, 2nd Ex. Sess. Acts 1984, No. 672, §1; Acts 1986, No. 35, §1, eff. June 17, 1986; Acts 1986, No. 427, §1.*

## CHAPTER 6-A. BOND, DEBT, AND TAX ELECTIONS

### §1281. Statement of purpose

The purpose of this Chapter is to implement Article VI, Section 22 of the Louisiana Constitution of 1974 by establishing a uniform procedure for the conduct of elections to authorize the issuance of bonds, the assumption of indebtedness, and the imposition or increase of taxes by political subdivisions. The procedure for elections set forth in this Chapter shall apply to and shall supersede those provisions of the Louisiana Constitution of 1921 which were continued as statutes under authority of Part II of Article XIV of the Louisiana Constitution of 1974 and existing laws of the state of Louisiana, notwithstanding any contrary provisions contained therein. However, nothing contained in this Chapter shall repeal the limitations in effect on January 1, 1975 on the authority of political subdivisions to impose or increase taxes.

*Added by Acts 1977, No. 545, §2, eff. Jan. 1, 1978.*

### §1282. Political subdivision defined

For purposes of this Chapter, the term "political subdivision" means a state department, agency, board, or commission; a parish; a municipality; a school board and a school district; a levee board and a levee district; a port board and a port commission; a port, harbor, terminal and industrial district; and any special service district, including but not limited to a road, water, sewerage, fire, protection, recreation, gas utility, or garbage district, and any other board, district, or unit of local government authorized by law to conduct elections for the issuance of bonds, the levying or increasing of any tax, or the assumption of indebtedness.

*Added by Acts 1977, No. 545, §2, eff. Jan. 1, 1978.*

### §1283. Elections

A. In every case in which the provisions of the Louisiana Constitution of 1974 as now existing or hereafter amended, or of law, as now existing or hereafter amended or enacted, requires the approval of voters at an election in a political subdivision as a prerequisite to the issuance of bonds, levying or increasing of any tax, or the assumption of indebtedness by said political subdivision, the election shall be held substantially in accordance with the election laws set forth in Title 18 of the Louisiana Revised Statutes of 1950, except that the election shall be called, conducted, canvassed, promulgated, and notice thereof given by the governing authority of the political subdivision in accordance with the procedures hereinafter set forth.

B. The governing authority of the political subdivision may call a special election for any of these purposes to be held on any of the dates set forth in R.S. 18:402(F), and it shall call an election for any of these purposes when requested to do so by the petition in writing of one-fourth of the electors qualified to vote at an election.

*Added by Acts 1977, No. 545, §2, eff. Jan. 1, 1978.*



which may be used by any person who seeks nomination as a candidate by nominating petition. The secretary of state shall furnish copies of the forms to each clerk of court, and the forms shall be available, upon request, at the office of the secretary of state or at the office of the clerk of court. Nothing in this Subsection shall be construed to require nominating petitions to be filed only on forms prepared by the secretary of state.

C. Number of signatures required. The number of qualified voters who must timely sign a nominating petition is:

(1) For a candidate for an office voted on throughout the state--five thousand, not less than five hundred of which shall be from each of the congressional districts into which the state is divided.

(2) For a candidate for membership on the Public Service Commission--one thousand from within that district.

(3) For a candidate for any of the following offices:

(a) Louisiana Supreme Court Justice--one thousand from within that district.

(b) United States Representatives in Congress--one thousand from within that district.

(c) Member of the State Board of Elementary and Secondary Education--one thousand from within that district.

(d) Judge of a court of appeal--five hundred from within that district.

(e) Any officer elected from throughout a judicial district--five hundred from within the district.

(f) Louisiana Senate--five hundred from within the senatorial district.

(g) Louisiana House of Representatives--four hundred from within the representative district.

(h) Any officer elected from throughout a parish--four hundred.

(i) Any officer elected from throughout a ward--one hundred for member of a parish governing authority and for member of a parish or city school board and one hundred for any other.

(4) For a candidate for a municipal office--fifty in a municipality having a population of five thousand or less, two hundred in a municipality having a population of more than five thousand but less than twenty-five thousand, three hundred in a municipality having a population of twenty-five thousand or more but less than fifty thousand, five hundred in a municipality having a population of fifty thousand or more but less than one hundred thousand, seven hundred fifty in a municipality having a population of one hundred thousand or more but less than three hundred thousand, and one thousand in a municipality having a population of three hundred thousand or more.

(5) For a candidate for membership on a political party committee - the lesser of four hundred or ten percent of the qualified voters in the voting area who are registered as being affiliated with the same political party as the candidate.

(6) Any office not hereinabove provided for shall require the signatures of at least one-half of one percent of the registered voters in the voting area from which the officer is elected. The number of signatures of registered voters required shall be calculated based on the number of voters who are registered thirty days before the qualifying period ends.

(7) Notwithstanding any provision of this Section to the contrary, if qualifying for any public office is reopened pursuant to R.S. 18:469(A) after the death of a candidate - twenty-five in the area from which the public officer is elected.

D. Form. Each sheet of the nominating petition shall set forth the candidate's name, the address of his domicile, the office for which the signers nominate him, the political party with which he is affiliated, if any, and the date of the primary election for which he seeks to qualify. The name of each voter who signed the nominating petition shall be typed or legibly written on the petition, and each signature on the nominating petition shall be dated and witnessed by the candidate or the person who obtained the signature on his behalf. The candidate and all persons who obtained signatures on his behalf shall certify

on the nominating petition that to the best of their knowledge, information, and belief all of the signatures on the nominating petition are genuine and all of the statements contained in the nominating petition are true and correct.

E. Certification. (1)(a) A nominating petition shall be submitted to the registrars of voters in the parishes where the signers reside. A nominating petition shall be submitted to the registrars in such parishes not less than thirty days before the qualifying period ends for candidates in the primary election or, in the case of presidential electors, in the presidential election, except that in a special election called pursuant to R.S. 18:402(E), 601(A)(2), or 1279, a nominating petition shall be submitted by the candidate to the registrars of voters in such parishes not less than fourteen days before the qualifying period ends for candidates in the special election. If the final day for submitting a nominating petition to the registrars of voters falls on a Saturday, Sunday, or legal holiday, then the next day which is not a Saturday, Sunday, or legal holiday shall be deemed to be the final day for submitting the nominating petition.

(b) In the case of an election for which qualifying has been reopened pursuant to R.S. 18:469(A) after the death of a candidate, the nominating petition shall be submitted by the candidate during such qualifying period to the registrars of voters in the parishes where the signers reside.

(2) The registrar for each parish shall endorse upon the nominating petitions, whether original or supplemental, the date and time of submission and shall promptly certify the nominating petitions, in the order received, by determining and certifying on each nominating petition which of the signers who provided a residence address in the parish signed the nominating petition timely and are registered to vote on the office the candidate seeks. A supplemental nominating petition shall be certified in the order in which it is received, without regard to the time when the original nominating petition for that candidate was submitted. A registrar may stop certifying the signatures on a nominating petition when the total number of the signers he has certified as having signed the petition timely and as being registered to vote on the office the candidate seeks equals one hundred fifteen percent of the number of qualified voters required to nominate the candidate for the office he seeks. A registrar's certification shall be conclusive as to the number of qualified voters who timely signed a nominating petition, and evidence to the contrary shall not be admitted in an action objecting to the candidacy of the candidate who filed the nominating petition.

*Acts 1976, No. 697, §1, eff. Jan. 1, 1978. Amended by Acts 1977, No. 523, §1, eff. Jan. 1, 1978; Acts 1978, No. 292, §1, eff. July 6, 1978; Acts 1979, No. 229, §1, eff. July 13, 1979; Acts 1988, No. 909, §1, eff. Jan. 1, 1989; Acts 2008, No. 522, §1, eff. July 1, 2008; Acts 2009, No. 369, §1; Acts 2012, No. 138, §1, eff. May 14, 2012; Acts 2013, No. 383, §1, eff. June 18, 2013; Acts 2014, No. 60, §1, eff. May 16, 2014.*