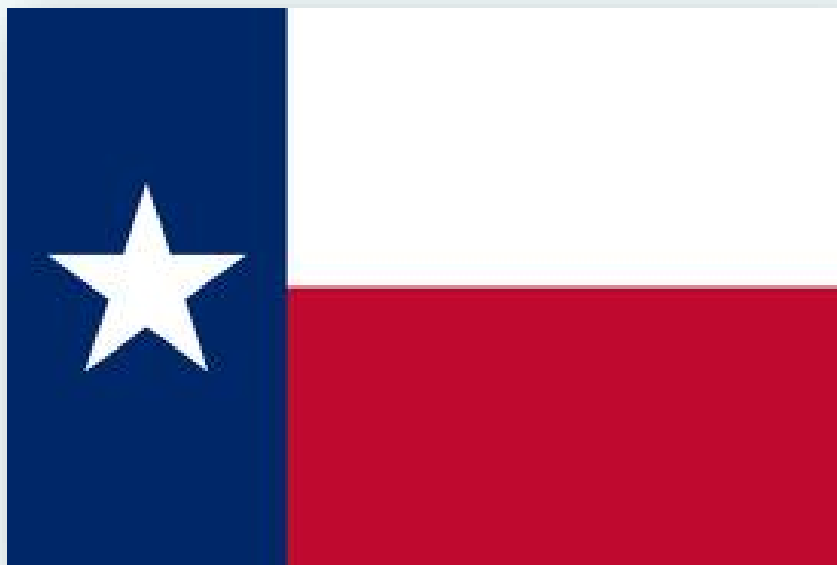


Candidate Filings



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Topics Covered

- General Filing Procedures
 - Independent Candidates
 - Write-in Candidates
- Reviewing Candidate Applications
- Minor Party Candidates
- Replacement Nominees



The County Judge is the Filing Authority for...

- Independent Candidates
- Write-in Candidates



Method of Filing

- Applications (and Declarations) can be delivered in **person, by mail, fax, or email. 1.007(c)**
 - If by mail, must look at time of receipt **NOT** postmark.
 - Receipt = actual possession of filing authority or agent, or time deposited in the authority's mail box.
- Delivered to an **employee of filing authority** is sufficient under 1.007 of the TEC.



INDEPENDENT CANDIDATES



Independent Candidates

- To be an independent Candidate, it's a two part filing process. Candidates must file:
 1. **Declaration of Intent**
 2. **Candidate Application and Petition**
 - Filing Period: Begins after Primary or Primary runoff, whichever is applicable. Deadline to file the application, along with petition is **5:00 p.m. on Thursday, June 23, 2022.**



Independent Candidate Filings

- County Judge is responsible for receiving independent candidate application + petition and reviewing.
- County Judge makes determination to accept or reject application.
- Application + petition must be filed at the same time.
- County Election Officials may assist with entering into the TEAM system.

NOTE: All independent candidate MUST file a petition. There is no filing fee option for independent candidates



WRITE-IN CANDIDATES



Write-In Candidates

- To be a Write-in Candidate, a candidate must file a Declaration of Write-in Candidacy between **July 23, 2022, and no later than 5:00 p.m. on August 22, 2022.**
- Declaration and Filing Fee or Nominating Petition must be filed with the County Judge for county and precinct level offices.
- For more information on Write-in Process and to view filing fees, please visit our Write-in Page on our Candidate's Guide.



Write-In Candidates

- County Judge is responsible for receiving Declaration of Write-in Candidacy (application) and Filing fee or Nominating Petition and reviewing.
- County Judge makes determination to accept or reject application.
- Application + petition or filing fee must be filed at the same time.
- County Election Officials may assist with entering into the TEAM system.

NOTE: Write-in Candidates have the choice as to whether they file a nominating petition or pay a filing fee for candidacy.



REVIEWING CANDIDATE APPLICATIONS



Review of Candidate Application

- **Form, Content, and Procedure**
 - Review must be completed no later than 5th day after application is received (unless there is a petition).
 - Accepting application does not preclude a later determination that there is a deficiency in the application.
 - If rejecting, must do so immediately and deliver to candidate written notice of rejection.
 - **Cannot challenge after the 50th day before election day – Monday, September 19, 2022 [Sec. 141.034]**



Review of Candidate Petition (if Applicable)

- **Review of Petition (141.032, TEC)**
 - Petition is part of application and review should be completed as soon as practicable.
 - Deficiency in petition can't be cured with information provided in application.
 - **Unless the petition is challenged, the authority is only required to review the petition for facial compliance with the applicable requirements as to form, content, and procedure.**



Things to consider...

- Is the Application Complete?
- Are all of the required boxes filled in?
 - If application includes a petition –
 - Did they provide enough petition signatures?
 - Does the petition identify the office sought and include the candidate's name?
 - Is the affidavit of circulator complete on the petition?
- Does the application identify what office they are filing for?
- Is the occupation box filled in?
- Is the application signed by the candidate?
- Was it notarized or sworn to by a person authorized to administer oaths under Chapter 602 of the Government Code?
- Was the application submitted in an authorized manner?



Review of Candidate Application

- **Candidate Eligibility**

- The eligibility requirements for public offices depend on the specific office --- be sure to look up the office to determine what eligibility requirements apply!

- **Eligibility for Public Office (141.001, TEC)**

- US Citizen
- 18 years of age or older
- No final judgment indicating:
 - Totally mentally incapacitated or
 - Partially mentally incapacitated without the right to vote
- No final felony conviction
 - Unless pardoned or released from resulting disabilities
 - **NOTE: NEW LAW (HB 4555, 2021, Reg): If pardoned or released from the resulting disabilities, then must provide proof of the pardon or release.**
- **Resided continuously in the state for 12 months*
- **Resided continuously in the territory for 6 months.*
- **Registered voter of the territory*

- **NOTE: *Some offices have exclusive eligibility requirements, some laws are only partially conflicting and for some offices all of 141.001 applies. Review the Candidate's guide to determine the qualifications for the office a candidate has filed for.**





Qualifications for All Public Offices

- [Current Election Information](#)
- [Voter Registration Resources](#)
- [Conducting Elections](#)
- [Candidate Information](#)
- [Officials and Officeholders](#)
- [Election Results](#)
- [Forensic Audit Division](#)
- [Training and Educational Resources](#)
- [Help America Vote Act \(HAVA\) Funding](#)
- [Election Funds Management](#)
- [Forms, Resources and Legal Library](#)
- [Voting Systems](#)
- [Frequently Asked Questions \(FAQs\)](#)

Public Office Sought	U.S. Citizen	Texas Resident	District Resident	Registered to Vote in Area of Office Sought	Minimum Age	Practicing Lawyer or Judge	Source Law	Term of Office
United States Senator	9 yrs.	Yes ^a	not req'd	not req'd	30 ^b	-	I § 3 ^d	6 yrs.
United States Representative	7 yrs.	Yes ^a	not req'd	not req'd	25 ^b	-	I § 2 ^d	2 yrs.
Governor	Yes	5 yrs.	-	not req'd	30 ^b	-	IV § 4 ⁱ	4 yrs.
Lieutenant Governor	Yes	5 yrs.	-	not req'd	30 ^b	-	IV § 16 ^j	4 yrs.
Attorney General	Yes	12 mo. ^c	-	Yes ^c	18 ^b	not req'd	IV § 22 ⁱ	4 yrs.
Comptroller of Public Accounts	Yes	12 mo. ^c	-	Yes ^c	18 ^b	-	IV § 23 ⁱ	4 yrs.
Commissioner of General Land Office	Yes	12 mo. ^c	-	Yes ^c	18 ^b	-	IV § 23 ⁱ	4 yrs.
Commissioner of Agriculture	Yes	12 mo. ^c	-	Yes ^c	18 ^b	-	IV § 23 ⁱ	4 yrs.

Candidate's Guide Quick Links



- [2022 Candidate's Guide Home](#)
- [2020 Candidate's Guide Home](#)
- [2018 Candidate's Guide Home](#)



Administrative Declaration of Ineligibility

- **Eligibility**

- MAY administratively declare candidate ineligible if:

- Information on candidate application indicates ineligible for office, OR
- Conclusive public record shows ineligible.

NOTE: There is NO public record that conclusively establishes residency.



Administrative Declaration of Ineligibility

- Candidate MAY be declared ineligible:
 - **By filing authority before early voting in person begins, OR**
 - By presiding officer of final canvassing authority after polls close and before certificate of election is issued.
- Candidate must be given **written notice** of the declaration of ineligibility.



MINOR PARTY CANDIDATES



Minor Party Candidates

- In 2022, the Libertarian Party and the Green Party will have ballot access.
- A list of nominees will be provided to county election officials as part of the Ballot Certification process for November 8, 2022.



Minor Party Process

- District, State, Federal minor party candidates will be certified through the SOS website.
- County and Precinct level minor party candidates must be certified at the county level.



Replacement Nominees

- **Advisory 2021-19 – Deadlines for Vacancies and Replacement Nominees for the General Election for State and County Officers**
 - **Appendix C** addresses the November 8, 2022 Election scenarios.
 - Replacement Nominees are provided by the appropriate state and county party officers.
 - **County level offices and district offices solely contained within a single county:** Replacement Nominees are provided by the party to the local county election official to enter into TEAM.
 - **District and state level offices:** Replacement Nominees are provided by the state party officials to the SOS for entering into TEAM.



Resources

- **2022 Candidate's Guide**
 - [Offices Up for Election in 2022](#)
 - [Qualifications required to run for office](#)
 - [Frequently Asked Questions on Party Affiliation and Candidacy \(NEW\)!!!](#)
 - [Important Addresses](#)



Questions?

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