

2008 Guide: Running for Office

This guide provides information on the qualifications to hold office, candidate filing, and important deadlines in the 2008 election year.



Office of the
Secretary of State
State of Minnesota

www.sos.state.mn.us

Filing for office in Minnesota 2008:

This brochure summarizes filing requirements under Minnesota law for aspiring candidates. For complete information, we encourage you to refer to the statutes noted below.

Qualifications For Candidates Seeking Election On November 4, 2008:

Federal Offices:

Candidates must meet the following requirements.

- **U.S. President & Vice President:** Candidate must be a natural born citizen, at least 35-years-old, and a resident within the United States for 14 years. Candidates for president and vice president must be residents of different states.
- **U.S. Senator:** Candidate must be living in Minnesota when elected, at least 30-years-old, and a U.S. citizen for at least nine years on January 3, 2009.
- **U.S. Representative:** Candidate must be living in Minnesota when elected, at least 25-years-old, and a U.S. citizen for at least seven years on January 3, 2009.

State & Local Offices:

Minnesota law states that candidates for state and local offices must be eligible voters and at least 21-years-old when assuming office. They must have resided in their districts for at least 30 days before the general election, and have no other affidavit on file for any other elected office (exception: soil and water conservation district supervisor-*Minnesota Statute 204B.06*). Please note that home rule charters may affect filing requirements for candidates in county and city elections.

The following offices have additional requirements.

- **State Representative:** Candidate must be a resident of Minnesota for at least one year and of the legislative district for at least six months before November 4, 2008.
- **State Judicial Officers:** Candidate must be licensed to practice law in Minnesota.

Information about county, municipal, and school district officer elections is available from county auditors,

Filing Period:

The filing period for federal, state, county, and school offices to be elected in the November 4, 2008 general election opens July 1, 2008. Filing closes at 5:00 p.m. on July 15, 2008. (*Minnesota Statutes 204B.09*)

Filing dates for municipal and local offices vary. Contact an appropriate local election official for additional filing information and requirements.

Filing Location:

Candidates for federal, state and judicial offices that will appear on ballots in more than one county (multi-county districts) must file with the Minnesota Secretary of State.

Candidates for state and judicial offices that will appear on ballots only in one county (single-county districts) must file with the county auditor (*Minnesota Statute 204B.09*).

Candidates for municipal offices must file with their municipal clerk (*Minnesota Statute 205.13*).

Candidates for school district offices must file with the school district clerk (*Minnesota Statute 205A.06*).

Filing Fee:

Candidates must pay a filing fee at the time of filing their affidavit of candidacy. However, candidates may file a petition in place of the filing fee. Sample forms and information about the number of required signatures on a petition that replaces the filing fee are available from the filing officer (*Minnesota Statute 204B.11*). Candidates who provide the filing fee by check or other instrument for which sufficient funds are not available will have their names removed from the ballot and are liable for all costs incurred by election officials in removing their names from the ballot (*Minnesota Statute 204B.11*).

Filing Fee Amounts:

U.S. Senator: \$400

U.S. Representative: \$300

State Representative: \$100

Judicial Officer: \$300

County Office: \$50

Soil and Water Conservation District Supervisor: \$20

Municipal Office: check with the filing officer

School District Office: \$2

Affidavit of Candidacy:

All candidates must file an affidavit of candidacy for office except candidates for president and vice president. Candidates must state that the name listed on their affidavit is their true name by which they are commonly known in the community.

Candidates seeking the nomination of a major political party must state that they participated in the party's most recent precinct caucus or that they intend to vote for a majority of the party's candidates at the next state general election (*Minnesota Statute 204B.06*).

Affidavits of candidacy for federal, state, and county offices may be completed starting 60 days before and during the filing period. A properly completed affidavit, filing fee, and petition (if required) must be received by the filing officer during the filing period, but no later than 5:00 p.m. on the last day of filing (*Minnesota Statutes 204B.09*). An affidavit of candidacy for municipal and school district candidates must be filed during the filing period.

Affidavits must be signed in the presence of a notary or an individual authorized to administer oaths. Secretary of State and county auditor staff members, if delegated, may witness affidavits of candidacy. Judicial candidates must submit proof of license to practice law in Minnesota at the time of filing (*Minnesota Statute 204B.06*).

Note: Candidates for federal, state, county, municipal, and school district offices who will be out of the state during the filing period may file an affidavit of candidacy and pay any required filing fee or submit a petition during the seven days immediately preceding their absence from the state (*Minnesota Statutes 204B.09, 205.13, 205A.06*). Contact the proper filing officer for more specific information.

Withdrawal:

Affidavits of withdrawal are due within 48 hours of the close of filing. Candidates for federal, state, and county offices may file affidavits of withdrawal with their filing officer by 5:00 p.m. on July 17, 2008. Municipal offices with a possible primary and school district candidates also file affidavits of withdrawal within the same period. (*Minnesota Statutes 204B.12, 205.13, 205A.06*). The filing fee is not refundable (*Minnesota Statute 204B.11*).

Nominated for Office:

Candidates of a major political party (Republican, Democratic-Farmer-Labor and Independence) for partisan office and certain candidates for nonpartisan office are nominated in a primary (*Minnesota Statute 204B.03*).

Candidates of minor parties or independent candidates are nominated by petition. See 2008 GUIDE: RUNNING FOR OFFICE AS MINOR PARTY OR INDEPENDENT CANDIDATE brochure for additional information.

Web Site Availability:

The Secretary of State will publish on its Web site a list of candidates who filed with the office. In addition, the office will publish the Web site address (if submitted) of every candidate who files for federal or state office in Minnesota (*FEC Advisory Opinion 1999-7*).

Campaign Expenditure Reporting:

Information about financial reporting requirements is available from the following sources.

Federal Offices: Reports must be filed with the Federal Election Commission (FEC). Candidates for federal office whose reports are published on the FEC Web site are not required to file with the Minnesota Secretary of State. The FEC may be contacted as follows:

Federal Election Commission
999 E Street NW
Washington, DC 20463
1-800-424-9530
www.fec.gov

State Offices (includes all judicial offices): Reports must be filed with the Minnesota Campaign Finance and Public Disclosure Board (*Minnesota Statutes 10A*). The Board may be contacted as follows:

Minnesota Campaign Finance and
Public Disclosure Board
190 Centennial Office Building
St. Paul, MN 55155
651-296-5148
www.efboard.state.mn.us

County Offices: Candidates must file reports with the county auditor (*Minnesota Statute 211A.02*).

Municipal Offices: Candidates must file reports with the municipal clerk.

School District Offices: Candidates must file reports with the school district clerk.